

Interactions

We need to identify the countless patterns and natural sequences of behavior occurring whenever persons come into one another's immediate presence.

Erving Goffman, *Interaction Ritual*, 1967

Policemen generally view themselves as performing society's dirty work. As such, a gap is created between the police and the public. Today's patrolman feels cut off from the mainstream culture and unfairly stigmatized.

John van Maanen, "Observations on the Making of Policemen," 1973

The documentary *Flics de France*, shown on television in 2005, was trailed with glowing previews that emphasized the honesty of this study of police officers of Arab origin. One sequence stood out, and was indeed extracted from the rest of the film and posted on a number of websites under the title: "Girl from the projects insults a cop from the projects."¹ Inside a van belonging to one of Paris's public security teams, accompanied by two colleagues, a pretty, smiling young uniformed female officer, who has been introduced to viewers as a Muslim of North African origin, has an exchange (here highly expurgated) with a handcuffed teenage girl who has just been taken in for questioning along with her friend, and whose face we do not see. "Is it the first time you've been taken to the station? – . . . – How old are you? – Fourteen. – Are you proud of yourself? I can see you think it's funny. – Oh, you're getting on my nerves, shut up. – What? – Stop talking! – I'm supposed to stop talking to you? OK!" Silence, then

the young officer pretends to be speaking to her colleagues but indirectly addresses the teenager, prompting an immediate reaction from her: “They don’t get it, they’re too young. – I’ve been keeping my mouth shut till now, but you’re sucking my cunt, you keep looking at me. – Why, you think I’m scared of a big bad 14-year-old like you? Why are you so full of hate? – Stop talking to me. Stupid bitch, go fuck your mother, just dig it. You think you’re sorted ’cos your uniform says police, well you just go back to where I live, you’ll get well fucked.” The dialogue continues in the same vein for three minutes, the girl persisting in her provocations (“Shove your insulting offense up your ass!”), her insinuations in relation to her Arab origin (“We cleaned you out of your village like vermin”) and her offensive remarks about her new country (“Your precious France is a shit-hole”), the officer answering sarcastically without raising her voice (“You grew up in a project even more charming than mine”) or showing any impatience (“You think I’m going to charge you with insulting behavior, but I couldn’t care less”), while her two colleagues remain quiet, looking elsewhere. As they get out of the van, there is one last exchange as the door closes: “Is that it, d’you feel better? – Shut the fuck up!” The officers and the youngsters brought in for questioning enter the police station.

Usually, we expect from documentaries a form of truth, a realistic representation of the facts, which assumes a degree of verisimilitude by approximation: what is supposed to be true should appear plausible. Yet the scene presented here is highly improbable. Each of the protagonists appears to be playing her role for the camera. The ethnically diverse police force is shown in the best light, the victim of foul-mouthed aggression from a girl from the projects. The young officer, whose pleasant face is seen in close-up, keeps her cool at the same time as prompting the adolescent to speak each time she falls silent. The girl, seen only as a skinny silhouette, takes advantage of the presence of the camera to insult the police with impunity. The two other officers remain silent and distant: one hides his irritation by gazing out the window of the van, the other smiles awkwardly as if nothing was happening. It is difficult to imagine that in the real world the police would permit themselves to be subjected to such verbal abuse without intervening to silence the individual or even that a youngster arrested would take the risk of acting in this way. One also wonders about the director’s intention in including this lengthy sequence in the documentary. Is she trying, like the prefectural public relations department, to counter the violent image associated with the police, by showing the aggression they are themselves exposed to and the astonishing placidity with which they absorb it? Is her aim,

as claimed on the websites to which the videos have been uploaded, to highlight the altercation between officer and teenager, both female, both of North African origin and both raised in the projects, where one has succeeded in integrating into French society, and the other has excluded herself? The movie is well intentioned toward the police and their ethnic minorities, however highly ambiguous, simplistically emphasizing that the difficulties encountered by these officers arise from the public and not from the institution.² Sympathetic but uncritical, this indulgent depiction is unconvincing: neither the police nor the youth from the banlieues would recognize themselves in it, but the public will have retained a caricatured image of (over)tolerant police faced with intolerable rudeness from antisocial youth.

There is no doubt that a level of tension exists in interactions between youth and the police. But the asymmetry, quite logically, operates in the opposite direction to that portrayed in the documentary: it is the police who possess not only the legal authority but also the coercive power, and the youth are well aware of it. It has been said that the most common interaction is the stop and frisk. This is law enforcement officers' usual means of entering into contact with their public, whether or not a crime has been committed. Among the hundreds of such incidents I witnessed, almost the only ones in which the individuals concerned displayed insolence involved youngsters from middle-class or wealthy backgrounds, particularly students who evidently had no experience of this kind of situation and seemed unaware of the potential consequences of their behavior. Yet in none of these cases – which were anyway quite infrequent, since these groups rarely face such procedures – did the officers seek to escalate the tension in order to provoke a scene that could later be set down as insulting and resisting the police. Conversely, when checks were carried out in the projects or on the streets of the city, young people, mostly of working-class background and non-European origin, almost always kept a low profile, only speaking when they were asked a question, not reacting to the abusive or racist comments and aggressive or humiliating treatment some officers subjected them to, simply presenting their papers and submitting to the body search. Accustomed to and even blasé about these repeated irritations, knowing quite well what would happen if they protested, they appeared to be waiting until the bad moment passed, silent, expressionless, for the only way not to lose face in this confrontation was not to enter into any transaction with the police.

In fact, contrary to popular belief, identity checks and body searches “go smoothly” in the vast majority of cases, in the sense that young people submit to them without complaint, even when they

are exposed to verbal provocation and physical pressure. They know from experience how unequal the balance of power is (any slip results in immediate arrest, which generally involves physical coercion with an arm lock, being hurled to the ground, and handcuffing) and their position in relation to the law (a charge of insulting or resisting the police is taken much more seriously in the courts than complaints of brutality by the public). They therefore do not risk “getting smart” with the officers, who sometimes want nothing more, particularly in encounters with young people they have already had dealings with and are trying to “get.” But there are, of course, also cases where the interaction unfolds calmly because the law enforcement agents act with civility. Certainly stops and frisks can vary widely depending on the unit carrying them out. In general, uniformed patrol officers take a less aggressive stance and have less of a tendency to confrontation than their anticrime squad colleagues.

One late afternoon in May 2005. It has been a quiet day at the local police station, and uniformed officers set off to patrol a nearby project. They tell me its name, and I ask why they are choosing that area rather than another: “It’s a hot spot,” they explain. And it is true that the neighborhood has the reputation of being one of the city’s main marijuana-dealing sites: among youth, it is known as Little Colombia. But, as mentioned before, beat officers are not permitted to intervene in this type of crime, which is the subject of long and complex investigations by the drugs squad. Their activity is limited to demonstrating their presence to the residents, carrying out a few checks and, once in a while, questioning drug users. They approach three youngsters of non-European origin who are chatting outside an apartment block. They know them well, but ask for their papers, which the three boys patiently produce, telling the officers they have already been stopped a little earlier by another patrol. No matter: identity check, body search, once again. They submit to the routine exercise with resignation. Finding nothing, but spotting a cigarette butt on the ground, one of the officers says curtly to the youngest, who looks barely 18 years old: “Do your parents know you smoke joints? – No sir. – Well if you don’t want us to tell them, go and smoke somewhere else! You’re annoying people. (Pointing to the cigarette butt): Just look at you littering everywhere! – . . . – (In a more conciliatory tone): If you want to smoke, there’s the wood just over there, go in there! You won’t be bothering anyone there.” Since the remains of a discarded joint can hardly serve as grounds for questioning, the team gets back into the car and, several minutes later, moves off toward the very wood the officer had pointed out.

A group of a dozen neatly dressed high school students, mostly white, is sitting on benches eating sandwiches. The three officers approach the teenagers, who are clearly not known to them. They ask them to stand up and begin the checks and searches, recording each one's name and address in a little notebook. No one says anything, apart from replying politely to their firm questions. Just as they are about to leave, one officer notices a little lump of hashish that one of the youngsters probably threw away when they caught sight of the police. "Whose is that?" No reply. "If no one owns up, we're going to take you all down to the station and you'll spend the night there." One of the boys says the drug is his, although it is clear that it was going to be used by the whole group. The officer takes him aside: "This time we'll let you go, but that's your last chance. We've got your name. We won't let you off next time. – I understand, officer, thank you." At once magnanimous and menacing, the officer seems not to remember the advice he gave moments earlier to the other youngsters: to smoke in the wood rather than the street. But the two situations I witnessed also suggest that he might well not have exhibited the same degree of tolerance toward the individuals from the apartments: high school and university students are almost always treated more leniently over drug use than youth out of the school system, often apprentices or jobless, generally of non-European origin.

By contrast, the practices of the anticrime squad are generally markedly rougher and more provocative than the uniformed officers' approach described here. One late afternoon in summer 2007, we are cruising along a main street of the city. Suddenly the team leader notices three young black men known to him, in a luxury German car. He switches on the flasher and siren. The young men, elegantly dressed, stop, while the patrol vehicle comes to a halt crosswise, blocking the road in spectacular fashion. Identity check, body search, aggressive questioning in a disrespectful tone, all accompanied by offensive jokes, in full sight of passers-by who do not miss the opportunity to stare. The young men, impassive and somber, remain silent. Since the same officers stopped them only the day before, they know they are not following up any specific crime, apart perhaps from the spark that might result in an incident. After ten minutes the officers allow them to resume their journey. "They're not showing off no more now, the bastards," laughs the leader of the crew.

A little later, as the night begins to seem endless and the anticrime squad has been cruising around for two hours without receiving a single call or observing any notable incident, we stop by a car parked

alongside others in a lot outside a gym. There is a young couple inside. In general the police do not disturb these intimate scenes, perhaps at most amusing themselves by shining a flashlight into the interior of the vehicle in the hope of surprising the couple lovemaking. This time, for no particular reason, perhaps because they are bored, the officers make the two passengers get out for a check. Conversation with the boy, who appears to be of European origin, and from a low-income background: "(While looking at his identity card) What's your name? – (The boy says his name.) – Where d'you live? – (The boy gives the name of the nearby project where he resides, and which the officer knows perfectly well because he patrols there nearly every night.) – Don't know it. Where d'you live? (The boy repeats the name of the project, this time adding: "It's just down the road.") – I don't know where that is. (The boy, confused, indicates the name of the city we are in.) – That's not an address. – (The boy finally understands and provides his full address.) – Well, finally! That's a proper address. How old are you? – 19. – (Scornfully): What d'you do? – I'm training to be a boilermaker." The exchange continues, while a colleague searches the car and another calls the station to determine whether the boy is known to the police or the vehicle has been reported for any particular reason. After several aggressive questions to which the youngster continues to reply with timid embarrassment, the officer issues a last warning: "Don't get smart!" Getting into the police car, he says to his colleagues, as if feeling the need to justify his aggressive behavior: "Shit, he's not even 20 and he's full of it already!" As with all of these checks, the police seem satisfied with the lesson they have given to the youth – but what is it they are teaching them?

These exchanges between the police and the youth from the projects represent habitual modes of interaction in identity checks when things proceed normally – that is, when the former are demonstrating their authority with varying degrees of roughness and hostility, while the latter submit more or less docilely until it is over. It is through stops and frisks that the police most frequently come into contact with residents from the projects, mainly young men. They correspond to a procedure framed within quite strict limits by Article 78-1 and succeeding provisions of the French Penal Procedure Code (*Code de Procédure Pénale*), and are undertaken mainly as either investigative policing in the context of a breach of the law, or administrative policing for the purposes of crime prevention. In the first case, a person may be subjected to an identity check because there are "one or more plausible grounds for suspecting that s/he has committed or attempted to commit an offense, or that s/he is preparing to commit a felony or

misdemeanor, or that s/he might supply information useful to the investigation, or that s/he is sought by the courts.” In the second case, the law states that “a person’s identity may be checked, whatever his/her behavior, in order to prevent a breach of public order, in particular an attack on the security of persons or of property.”³ It was the law of August 10, 1993, drawn up by the then minister of the interior Charles Pasqua, that introduced this major expansion of the police’s scope for conducting checks, not only in the absence of any crime, but also regardless of the individual’s behavior. It represented a turning point in the deployment of law enforcement in poor neighborhoods, making police discretion legally admissible in this matter, almost without limits.

As officers told me, not without cynicism, “in theory, we have to follow strict rules, but in practice, the Penal Procedure Code lets us do what we want.” Yet this was not entirely true, since the Constitutional Council (*Conseil Constitutionnel*) had reminded the police that it was for the judiciary, generally in the person of the liberty and custody judge (*JLD, Juge des Libertés et de la Détention*), to confirm the legality of identity checks; and, in addition, the National Committee on Security Ethics had several times emphasized that groundless identity checks, not to mention body searches, were to be avoided.⁴ But the officers took no notice of this kind of admonition, which in any case had no practical consequences for them in terms of sanctions, and conducted what they considered the basic act of policing as they saw fit. As a case in point, one evening in the spring of 2005, uniformed officers patrolling on foot in a neighborhood of modest detached houses saw three boys of North African origin, about 15 years old, playing soccer peacefully in a small square. For no reason, they decided to conduct a stop and frisk. “I live just over there, don’t search me here,” begged one of the teenagers; “I don’t want my mother to see.” But the three had to submit to the humiliating ordeal of the body inspection in full view of their neighbors and the boy’s mother, who came to find out what he was being accused of.

One of the commissioners, who was better informed about the law than her subordinates and well aware of their practices, said to me: “These kids are checked even when they haven’t done anything and don’t look like they’re getting up to anything. It’s illegal, but we do it all the time. They’re used to it, they hand over their papers, they’ve always got them to hand. And they empty their pockets. That’s forbidden too, if we have no reason to suspect them of anything, but we do it anyway.” Quite apart from the illegality of the checks (with regard to the Penal Procedure Code) and their illegitimacy (since those concerned are neither accused nor suspected of any crime),

what is remarkable in these comments is her recognition of the relationship of subjection that they set in place. On the one hand, such acknowledgment confirms the arbitrariness of the police's choice of who is checked and how, as they exempt themselves from the law and even from any need to justify their actions. On the other, it points to the submissiveness the youth must demonstrate by yielding to this practice, without protesting at the discrimination to which they are subjected, and by putting up with the shame generated by the actions and words which often accompany the encounter.

As the commissioner described them, and as I saw them conducted, stops and frisks represent a pure power relationship that functions as a recall to order – not to public order, which is not under threat by youngsters quietly conversing on a bench or joyfully playing soccer, but to a social order, which is one of inequality (between the police and the youth) and injustice (with regard to the law and simply to dignity) that has to be impressed in the body. The continuous repetition of the same experiences in a mortifying routine is a genuine physical education through which the individual interiorizes his social position. The habit of humiliation is designed to produce the habitus of humility. However, to learn inequality is not quite the same thing as to learn injustice. In the first case, a relation of domination is inculcated (the discovery of the police's power); in the second, a relation of subjection is instilled (the acceptance of one's own powerlessness). Inequality is objective, injustice subjective. Not only through their frequency but also by the way they take place, stops and frisks establish a distinction between citizens and subjects. Citizens are rarely checked, and when they are it is generally in a polite manner, but they think they have the right to complain if they believe it has been done wrongly. Subjects are often checked, and when they are it is often in a supercilious way, but they know they only have the right to remain silent. Thus it becomes clear how this practice, which many minimize as harmless, defines the relationship of some categories of the population to the state, and, more broadly, to politics. In general, a relationship of mistrust of public institutions is established, a fact demonstrated by the particularly high rates of abstention in elections among these constituencies. And, once in a while, there comes a time when explosions occur and give rise to rebellion.

In an interview I conducted with him during the riots, in October 2005, the chief of police acknowledged the part played by the stops and frisks in generating tensions between young people and law enforcement that could erupt in violence of the kind that had recently broken out. "It's true that these are improper checks and I understand why it bugs these kids," he admitted. "But it's like a game. I'm the

cop, I'm going to check you. You're the alleged culprit, you submit to a check. Of course it doesn't serve any purpose, except to perpetuate the unhealthy atmosphere between the police and the youth." He continued for a moment, expanding on this idea of the uselessness and even harmfulness of identity checks, but suddenly stopped, probably judging that he had gone a little too far in confiding to a stranger and, moreover, a researcher. "Identity checks can be useful sometimes," he said; "If a crime is committed and we realize afterwards that the individual we've checked was present, that makes him a suspect. And also, sometimes it's the other way around, we don't do enough. That happens when vehicles are set on fire, because you have to check the onlookers, the perpetrator is often there." I objected that, in my experience, stops and frisks in the projects were usually focused on young people the police knew well, and with whom they were even to some degree familiar: under these circumstances, seeking out criminals did not seem to me to be the primary reason for identity checks. He avoided this question but, misunderstanding my meaning, reacted strongly to the idea of familiarity: he thought I meant police officers addressing the youngsters in an informal way, whereas I was talking about mutual acquaintance: "I don't accept anyone calling young people 'tu,'⁵ I do all I can to combat that practice!" he exclaimed indignantly. At the time, his response seemed completely disproportionate, since this linguistic practice appeared to be so benign compared to the aggressiveness, vulgarity and scorn that his officers often displayed. But I now believe he was correct to be so concerned about the issue, since calling people "tu" was indeed what authorized this violence in interaction. Later, though, when I asked about the room for maneuver he had with respect to his officers, he did recognize his powerlessness: "It's too difficult to make them understand the fine line between doing too many identity checks and not doing enough. If I ask them to cut down, they'll say to me: 'Come on, you have to decide what you want.' If you want to catch criminals, you have to do checks." The chief of police, not prepared to admit to the practice of "racial profiling" and the application of the "politics of numbers," was also ultimately unable to take his analysis to its logical conclusion, despite its implication that the work of the officers in disadvantaged neighborhoods was in pursuit of objectives other than the fight against crime.

The residents of the projects themselves clearly understood that something else was being played out in these interactions between law enforcement and young people. They had a word for what was going on: "provocation." At an early age, boys would learn from their parents or older siblings that they should not react to the police's

“provocations.” A teenager of African origin described to me how the officers behaved as they cruised around the projects: “They’re always dissing us: ‘What’s up then, you gang of little cocksuckers?’ They needle us: ‘You not scared, then? Don’t get smart there!’ And when we don’t say nothing, they carry on. One day I’m coming home from high school, I’ve got my hand through the belt of my jeans. They pass close to me and say, like they’re laughing at me: ‘Go on then, have a good feel!’ They were driving with the window down. I look at them and suck my teeth.”⁶ The officers were probably unaware of the meaning of this sound, because they did not stop. Indeed, silence should be the only response from teenagers. However the police talk to you, you must say nothing, let them carry on, otherwise it will be worse: this was essentially the message they received from adults.

There is a paradox in this inversion of roles: contrary to widespread opinion, according to which the youth provoke the police, who have no choice but to respond in order to demonstrate the authority of the law, in the projects it is often the officers who provoke the youngsters, anticipating a reaction that might justify a physical response on their part. For example, during a late afternoon patrol through one project, the anticrime squad car was driving at walking pace behind a 15-year-old boy of African origin who, from the bag he had slung over his shoulder, was evidently returning from school. One officer wound down the car window and jeered racist insults at him. After about 20 seconds, overwhelmed and in tears, the teenager, who had managed to control himself up to that point, burst out: “Leave me alone!” Immediately the car stopped, the three officers got out and surrounded the boy threateningly. Once they had checked and searched him roughly, they prepared to take him in to the precinct, since he was a minor and his parents would have to come and pick him up there. Thanks, however, to the intervention of a woman who was passing by and assured the police that he was a nice kid who made no trouble and begged them to let him go home, he was able at the last minute to avoid questioning. Fortunately for this student, then, the encounter ended with no more than intimidation, which will have inculcated in him, at less cost, the lesson continually reiterated: you must always keep quiet in front of the police.

We should not, of course, underestimate the provocation in the other direction, from young people toward law enforcement agents. Officers complain that they are increasingly subject to insults and attacks. However, we need to understand that these actions take place in very different contexts from the identity checks, in which the power relation is overly unequal from the onset: in general, it is from

a distance and when they are in a group that teenagers dare to engage in such practices.

One winter's day, in the early evening, we were cruising around the fringes of a project in which incidents had occurred during the preceding days, following a number of aggressive identity checks. I had particularly noticed how much more frequent stops and frisks had become following the recent introduction of the law of March 18, 2003, which imposed a penalty of two months' imprisonment and a heavy fine on groups congregating in a building lobby.⁷ In cold weather, young people, who usually meet in the street, tend to take shelter in these spaces so as to keep warm, while chatting and smoking: this gives rise to police intervention and the threat of sanctions. The situation that night was tense, and from a distance we saw, close to an apartment block, the silhouetted figures of teenagers who appeared quite fired up. Our driver took the road circling the project, where we found a marked police vehicle parked on the sidewalk about 50 yards from the group of boys. "Assholes! I can't believe it! They've gone off on foot and left their car there with no one to watch it! It'll get vandalized," our team leader predicted. We continued on our way, at normal speed, and when we passed the same spot again two minutes later, we were not surprised to find the empty vehicle with its windshield shattered, apparently by a stone. The anticrime squad officers joked sarcastically about the incompetence of their colleagues, but they knew there was a risk of this kind of occurrence even in the absence of such an obvious error. The deterioration in relations with residents of the projects does indeed increase the likelihood of brief altercations, during which both insults and missiles are hurled at the police. These confrontations, which arise when there is little chance of the young people in question being recognized (often at night) or caught (because they are carried out from a distance), are often triggered by a previous law enforcement operation the youth see as brutal and unjustified. They reveal the anger of those involved as much as their powerlessness and frustration, but do not exclude an element of play, which may be present on both sides.

Thus the confrontation between the youth and the police in the banlieues follows the codes of either of two main configurations. In the individual relationship, which checks establish in exemplary fashion, submission to the officers, who are known to hold almost unlimited power, is the rule. In the collective relationship often brought to the fore by a perceived abuse of authority, hostility may emerge on the side of the youth, in the form of verbal and physical aggression, but from a position of relative safety. There are, however, variations in this pattern, generally in unusual situations, like the

following example which I have reconstructed from a series of interviews with both law enforcement agents and local residents.

One late afternoon in winter, two young men of Senegalese origin were coming home from a basketball game when they spotted two friends by the side of the road being stopped and frisked by two police officers on motorcycles. They greeted them laughing, with a “Salaam alekum.” The officers replied: “We’re in France here, we speak French.” The tension rose rapidly, the police calling the boys “filthy apes” and “filthy niggers,” and the boys responding with “French assholes.” The two agents then called for reinforcements and set off in pursuit of the youths who had run off toward their home, in a middle-class neighborhood of detached houses close by. Within minutes, several police vehicles, including the anticrime squad, arrived at the site. A crowd gathered, made up of inhabitants of this quiet residential complex unused to such events. To the sound of insults and hoots from the indignant crowd, a large contingent of helmeted police broke the window in the front door and entered the house, striking the two boys with nightsticks, throwing their mother brutally to the floor, shoving onlookers roughly aside, while, unknown to them, a neighbor filmed the scene. An evangelical pastor from the United States who lives nearby told me a few days later, in the tone of someone who knows about such things: “They way they struck those teens, it was like Rodney King! People were really traumatized and shocked.”⁸ The outcome, however, was less tragic: law enforcement officers in the district where I conducted my research were undoubtedly less violent than the Los Angeles police, but the result in terms of court proceedings was also more limited. The boys suffered serious bruising, fortunately without further complications, and their parents filed a complaint. The court procedure was halted after several months, when the motorcycle officer deemed primarily responsible for the eruption of violence was killed in an accident.

The following weekend there was a demonstration in solidarity with the boys, in the city center, and a public meeting was organized three weeks later, involving residents of the neighborhood, city council representatives, religious leaders, including an imam – but no one from the police attended. What was most distressing, some said, was the racist insults toward the teenagers. When I discussed this with the chief of police from the district, he told me the affair had been blown out of proportion, and that, while the amateur filmmaker, whose footage was broadcast on national television news, showed the officers making insulting comments to the teenagers, he had only begun recording after the latter had made equally offensive remarks toward the former. However, this defense, arguing that the

officers were simply reacting to verbal aggression, was based only on their own statements. When I spoke of it to one of the members of the anticrime squad who knew well the motorcycle officer initially implicated, he seemed to take a different view, saying simply: "I wouldn't be surprised, he's a crazy brute."

Without judging the truth of these two versions, on which the courts will in any case not be called to rule, given the circumstances, the unusual social and spatial inscription of this scene seems to me noteworthy: a family of African origin, but belonging to the middle class and living in a residential neighborhood. There is no doubt that this statistical anomaly explains – at least partially – the sequence of events: firstly, the officers mistook who they were dealing with, or at least acted with them as they would have done with youngsters from the projects, who are accustomed to such treatment (as the female commissioner pointed out to me); secondly, the boys were unaware of the rules of the game with law enforcement for black youths (to take up the image used by the chief of police), or rather failed to understand the consequences of talking back, being who they were. The pastor gave voice to this anomaly as he spoke to me, not without some naive sympathy: "Those kids are good-looking, well-behaved, intelligent. They're not riffraff. They're high-class kids" – a quality the police had perhaps failed to recognize because of the color of their skin.

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In an often-cited paper, John Van Maanen describes and analyzes that generic category of individuals that US police officers designate with the term "assholes."⁹ This category, he explains, is distinct from others – "suspects," who are thought to have committed a misdemeanor or crime, and "the general public," whose only dealing with police is in lodging a complaint. According to the sociologist, "assholes" constitute an undifferentiated group of persons who may range from social workers to young activists, and include the homeless and alcoholics, who are subject to the attention of the police, mainly in the form of checks, and who tend to respond inappropriately, questioning what the police want with them, disputing the legitimacy of their act or challenging their authority. Depending on a range of assessment criteria, the reaction of law enforcement to such an uncooperative individual may be brutal or didactic, dissuasive or tolerant.

In the neighborhoods where I worked, no such designation is used, although the reality it points to of course exists, as the preceding examples have shown: the category generally covers persons belonging

to the white majority, in this case often university students, or sometimes middle-class or upper-class individuals such as teachers and physicians, who, typically, tend to protest when police stop their vehicle and ask to see their papers, or even, in what they imagine to be their civic duty, intervene when they witness a violent arrest. In most cases the police let them go, shrugging their shoulders at the individual's insolence, but in some cases, particularly when the person in question has interfered in an affair that does not concern him or her and in which he or she might become a witness, the confrontation can escalate to a charge of insulting and resisting the police. However, in general, these are not the people officers are out to get. The category exists, but it does not have a name.

Law enforcement is interested in an entirely different category of individuals: those they almost systematically call "bâtards" (bastards). Other generic terms are sometimes used – they often talk of "cocksuckers" or "shitheads," or even of "assholes," in reference to teenagers – but it is the word "bastard" that officers most often use to refer to the young people of minority (mainly black and Arab) origin in the projects, although the term is sometimes extended to other young people who "hang about" with them, live in the same projects, and share external attributes, especially the way they dress. "When I think that we risk our lives to catch bastards who are let out the next day and never punished," an officer said to me, disheartened, and then caught himself up with a smile for my benefit: "Bastards – I mean: criminals, have to be politically correct!" In fact, the word is not intended as an insult. Uttered without emphasis or anger, it is a mundane way of designating the officers' target. It could be objected, admittedly, that the young people concerned may also use this term among themselves.¹⁰ But the meaning, in that case, is very different because it forms part of a verbal game: it is a joke insult, since the person who utters it knows he will get it back, given that he generally belongs to the same social and ethnic group as the person with whom he is speaking.

The use of the word by the police, however, carries no overtone of humor. It clearly implies contempt, but without even a tone of invective. Officers say "bastard" in the same way they would say "guy," "dude," "youngster" or even "woman." Entirely routine within the anticrime squad, it is used above all by those officers who most overtly express their hostility toward young people from the projects, particularly those of minority origin. Although, as noted above, the terms "savages" and "apes" operate as occasional descriptors, the word "bastard" functions as an ordinary noun that can be defined more precisely by adding a reference to, for example, an

“African” or an “Arab,” a “black” or a “Beur.”¹¹ For instance, one night in May 2005, an anticrime squad crew was cruising slowly, scrutinizing any residents who were still outdoors. Teenagers from the neighborhood watched us from the sidewalk. The team leader remarked to me: “They don’t like us, the bastards. We don’t like them either. I’m honest, I don’t hide it.” He hesitated for a moment and then added: “But I still have buddies who are blacks and Arabs.” This last sentence, presented as a sort of defense against an imputation of racism, effectively made explicit what the first statements had left unsaid, since it might have been possible to imagine he was speaking of young people in working-class neighborhoods in general; in fact, the word did indeed designate a racialized category. Moreover, the concession the crew leader appeared to be making to his multicultural friendships proved somewhat relative when, two days later, he told me that no black or Arab would ever set foot in his home.

Using “bastard” as a common noun, rather than a specific insult, is not insignificant. It suggests that the connotations of impurity, indetermination and devalorization the term implies have become routinized.¹² While its semantic limits are subject to variation, it is worth noting that it is usually used to refer to young people from immigrant families but who often have French nationality, for whom the French language has no adequate term (“children of immigrants,” “second generation” or even, in a supposedly poetic expression, “from far away”), and whose true identity is not even known (the terms “North Africans” or “Algerians,” “Africans” or “Malians,” are readily used to describe French youngsters who themselves do not always know their true citizenship¹³). Thus a particular form of socioracial stigmatization is inscribed in the very name given to these young people who are from France, but seen as coming from elsewhere. The term contaminates not only the image those using it have of the individuals concerned (a “bastard” is not quite a youngster like any other), but also the practices that are permissible in relation to them (a “bastard” certainly merits less respect than another teenager). This language has a performative power. To call young working-class people, most of them of minority origin, “bastards” is to bring into existence a biological category of infra-citizen, which is to be especially mistrusted, and in relation to which specific practices become legitimate.

There is an obvious comparison to be made with another term: “*racaille*” [scum].¹⁴ This term was infamously popularized by Nicolas Sarkozy when he was minister of the interior, during a visit to a project in Argenteuil days before the outbreak of the riots of 2005.

The officers among whom I carried out my research almost never used the word, which holds connotations of the criminal margins of the working class. In their preference for “bastards,” these officers constituted their ordinary public as an undifferentiated mass in which the deviant youth become difficult to distinguish from the honest youth, since they share the same physical, social and territorial characteristics. Unable to come up with a sort of spontaneous sociology that would allow them to make a distinction between criminal profiles and others, they fall back on an elementary phenomenology that makes their target the whole of young people of minority background, living in housing projects or moving around city centers, and whom they identify principally on the basis of their external appearance and their presence in public spaces.

To adopt a demographer’s term, being a young person of color in a banlieue has become a “proxy” for crime – in other words, an approximation considered sufficiently accurate to be substituted for the reality sought. These are the people who are most often subjected to stops and frisks, those toward whom the police behave aggressively, the ones who often end up being brought in for questioning. Indeed, if it has become impossible to “tell the difference between youngsters and hoodlums,” to use the phrase of the head of police, it is because, to law enforcement agents, they all look the same. As the mayor of the city told me, describing a scene reported to him by the person concerned, “when they do an identity check on a big black guy in the street, it doesn’t cross their minds that he might have a Master’s in economics or a Ph.D. in history.” At first sight, and particularly if he is dressed casually, and even worse if he wears a hooded sweatshirt, he is simply a “bastard” like the others.

As research on the police in North America has shown, a somewhat undifferentiated view of the general public is a common trait of the image the police have of society.¹⁵ It is based on their feeling that they are misunderstood and unappreciated by citizens. In return, it permits them to consolidate their group against a population seen globally as hostile. But this image still allows for a series of distinctions that form the basis of differentiated attitudes and behaviors. Police aggressiveness is focused on certain categories, sparing others. Basically, their perspective on the social order, and especially on the economic order, is a legitimist one. There is certainly nothing surprising in this, given the mission they are charged with by the state. But in light of their modest social status, their position is actually more emotional and more radical than might be thought. On the one hand, they often exhibit contempt for working-class people, despite the fact that many of them are from similar backgrounds, and on the other,

they demonstrate esteem for wealthier individuals, whom they seem happy to protect.

In this respect their attitude toward young people is quite revealing: in their discourse as well as in their practices they make a clear distinction between middle- or upper-class youngsters and those from the projects. On the night of a party organized by students from a private professional school, I was aboard one of the police vehicles parked outside the location where the celebrations were taking place. The patrol officers remarked to me, with a tone of awe that seemed unmingled with envy: "Imagine being able to pay \$20,000 to study!" They appeared to be more disappointed by these young people's naivety than irritated by their ostentation: "They walk around talking on their brand-new cell phones, out on the street – it's no wonder they get them stolen!" A few yards away, on the sidewalk, a number of students were clearly drunk, most of them smoking marijuana and creating a rowdy disturbance, but the officers did not intervene to check and search them. Evidently, they were there not to curb the excesses of gilded youth, but to ensure that they were able to enjoy themselves without fear that the other youth, from the nearby projects, would intrude and spoil the party with thefts or fights. Indulgent and protective, they were the guardian angels responsible for watching over these young men and women, rather than keeping a check on them.

The same applied to adults: just as residents of the projects were the subject of sarcastic comments, better-off individuals were treated with deference. An anticrime squad officer described to me an arrest of which he seemed particularly proud. Three days earlier, an SUV had been reported stolen: "A \$120,000 Land Rover! With a \$12,000 Rolex inside as well!" he exclaimed, with an admiration that bore no resentment. The case was not too difficult, since the vehicle had a tracking device that allowed it to be easily traced. The rest was just a matter of waiting, and after a 12-hour stake-out, they caught the thief, a "Malian," red-handed, "without even damaging the vehicle," he added proudly. The owner of the car, well versed in good etiquette, promised a case of champagne to show his gratitude, and the head of police told his men he would save them a bottle or two to reward their heroic deed.

Residents of the projects enjoy no such benevolence from law enforcement agents, who find it hard to imagine there are honest people living there. Even the crimes they fall victim to add to their disrepute. I often heard officers commenting on the dilapidated state of apartment blocks in a tone of contemptuous disapproval: "Look at that! The lobbies were only just repainted and there are already

tags all over!” The only time I heard any of them show some sympathy toward the inhabitants was one officer who felt sorry for the owners of vehicles burned out in the riots of 2005. “Those poor people that work to pay for a car and then get it burned by these little assholes,” he said to me. But this phrase seemed doubly ambiguous. On the one hand, it adopted the official discourse of the time, with an ironic undertone. On the other, it allowed him to further reinforce the stigma on the youth, who were seen to be attacking their own parents. Thus it seems the sincerity of this compassion toward residents from the projects should be regarded with some caution. In general, no distinction was made between parents and their children, the former being not only held responsible for the latter’s misdeeds, but also suspected of being complicit in their crimes through their silence.

Officers often complained about this vow of silence. It was readily ascribed to the fear of reprisals from local crime bosses that might result from any collaboration with law enforcement. It is certainly true that the police did not always act with the necessary confidentiality about their informers. One night a man reported that three young people were causing noise pollution with a car, which even resulted in an altercation with residents of the project. The anticrime squad team I was with proceeded to question three boys who met the reported description. They were told to stand in the middle of the street in the beam from the police car headlights, with the person who had reported them remaining hidden in the dark. The man confirmed that the boys were the culprits. A short while later, at the station, attempting to get them to admit they had committed the offense, the officer interrogating the youngsters, at the end of his tether, yelled: “Stupid asshole! You might as well admit it: the gypsy recognized you!” The lieutenant witnessing the scene told me later that this was a mistake, for the name of an informant should never be revealed to a suspect. But the reticence displayed by residents of the projects toward the police had much more to do with their previous experience of their operations: almost every time someone called them, the situation seemed to get worse, and the disorder to be greater after than before.

However, on closer examination – in which the officers rarely engaged, considering all inhabitants of these neighborhoods with the same suspicion – substantial variations were evident in the way people reacted to the police. One late afternoon when I went out on foot with a uniformed team, we met another group staking out a small square where they thought drugs were being sold. Passing by, a Caribbean woman stopped us and suggested that we should spend

the evening there too, as there were “a lot of young people smoking” in the area. After observing the site for a few minutes, the officers burst into the square where several young people were talking, causing them to run off: there was nothing to suggest they had been committing any crime, but they had no desire to be publicly exposed to the ordeal of a stop and frisk – or perhaps they had hashish with them. Not knowing where they had fled, the officers asked an elderly woman of European origin who was looking out of her ground-floor window whether she had seen anything. When she said she had not, they commented, resignedly: “These people always claim they don’t know anything.” Banging on the doors of the apartments that opened onto the square, they eventually entered one and proceeded to check the identity of the tenant, a North African man in his thirties who had just returned from work and reacted strongly to this rough intrusion into his home. A number of teenagers watched the scene from several dozen yards away, and an African man took one of them, his son, aside, ostentatiously rebuked him for being outside instead of doing his homework, and strictly ordered him back to the family apartment.

Here, then, one can identify four very different attitudes on the part of residents: first, collaboration; second, mistrust; third, animosity; and fourth, one that seems harder to interpret, for while it gave the impression of an enthusiastic demonstration aimed at presenting oneself in a good light for the police, one might wonder whether it was not rather a preventative tactic, making a show of severity to avoid the son being subjected to a risky check and search. Whatever the case, contrary to the remarks of the officers, who thus deprived themselves of potential allies, residents of the projects did not always react to their presence in the same way: some saw them as a threat to themselves and their families, while others were more trusting. “It’s good they make sure the young people aren’t getting up to anything stupid,” said one woman happily after her son had just been subjected to a stop and frisk close to her home. Such comments, which manifested some support for the police, were welcomed in the moment they were uttered, but did not seem to have any lasting effect because the officers continued indiscriminately to imagine all the inhabitants as hostile.

Paradoxically, the group the police considered most reliably cooperative was the Roma. Their relationship with them was complex. The officers showed deep contempt, seeing them as dishonest and dirty: “From the Gippoes, we only picked up crap,” and “Romanians are filthy,” they would generalize, sometimes making a distinction between the former, pejoratively called “Manouches,” who have lived

in France for a long time, and the latter, designated by their supposed citizenship, although many of them were in fact from Bulgaria. Each time they made one of their rare forays into Roma camps, or one of the frequent traffic checks to which Roma vans were subject, they seized the opportunity to express their scorn and even disgust openly. But there was one category of Roma they found fascinating – the young people, especially for their driving skills. Some of these youths would amuse themselves by driving sports cars at such speeds that the police almost never managed to catch up with them: “They’re totally crazy! When they put their foot down, in a Peugeot 406 Turbo or an Audi Quattro, you can’t keep up with them.” But they had to acknowledge a good side to them, a sort of integrity in their criminality: “It’s true they’re hard to catch. But once you catch them, there’s no problem. They play by the rules, they don’t make a fuss. Even if we’ve roughed them up a bit they won’t tell tales. They’re not like those other bastards, blacks and Arabs, they’ll file a complaint. But the Gippoes aren’t the type to hit their head on a wall, split their skull open and say you did it.” The Roma habit of complete capitulation once they were arrested, whatever the offense, made the police see them as “good customers” who accepted “sportingly” that they had lost the game and had to pay the price, in the form of verbal and physical assaults about which they would not complain, and eventually a court sentence. “They’re straight-up. They’re players. If they win, they win, but if they lose, they lose.” They demonstrated submission to the law of the strongest, but also to the reign of chance: as a result, they could be expected not to make any trouble.

Despite what I often heard, the police still managed to recognize certain “honest people.” These were mainly white inhabitants of neighborhoods of detached housing and residential areas of the city. They were generally only referred to in the context of being victims of crime: burglary, mugging, vandalism to cars. In these cases, a degree of fellow feeling was established, the police acting courteously, and the victims seeming reassured. We sometimes met them on patrols, too, when a police operation led them to appear: they would come to their window or out onto the street in their slippers to see what was going on. Conversations might arise, generating a degree of complicity against the criminals in question or crime in general. Uniformed officers posted to local precincts on the outskirts of the city were certainly acquainted with some of the residents, but this was far from what is known in other countries as community policing, and in France as “*police de proximité*” (literally vicinity police): since 2002 this expression is, in any event, banned from official discourse, since it is stigmatized by the right-wing government as the

epitome of the left's mistakes in the domain of law enforcement.¹⁶ However, it seems that some echoes of it remain in police practices.

Thus, one evening when we were cruising slowly through a street of small stone houses, the crew leader, seeing a middle-aged man at his window, stopped the car and chatted briefly with this chance informant while standing in the street. He explained that the mission of his unit was to fight crime and ensure safety, and emphasized how important people like this man could be in achieving this goal. Eventually he gave him his cell-phone number, telling him not to hesitate to call if he saw anything untoward or suspicious in the neighborhood. This exchange was doubly remarkable, since it was the only one of its kind that I observed in my 15 months of research, and it took place on a particularly quiet street. I mused as I got back into the car that this conversation was unlikely to result in any substantial change in the crime statistics. (I knew, by contrast, that criminals "bound" by the threat of "bringing down" their suspended sentence, for example, were definitely much more valuable informers, but they were deemed the property of the investigative services, particularly the drugs squad.) This kind of faint echo of the short-lived vicinity policing also seemed to pertain among the senior officers. One day, as I was conversing with the deputy chief of police in his office, his cell phone rang in his pocket. He answered, and I heard him talking in a friendly way to a resident of the city who had not been able to get through to law enforcement in relation to a minor incident. He told me afterwards that this was an elderly lady he had met at a neighborhood meeting, at which he had spoken about the work of the police and had given out his number – to be used only for emergencies, he had stipulated, though this fact seemed not to have been taken in. This episode revealed an effort to establish links between the police and the community – or, more specifically, the imagined community of honest people, who, it was taken for granted, were not to be found in the projects.

Beyond the accepted discourse about loss of trust in the police that seems to encompass the whole of society together as a uniformly hostile mass, complex and ambiguous distinctions emerge in the interactions between the police and their public. The image that the officers have of society leads them to construct relatively homogeneous categories around a friends/enemies polarity that complicates the dichotomy described above, between honest people and hoodlums. Of course, some of the friends may prove ungrateful, particularly when they speak up in support of a black or Arab man who is being brutally questioned, and, conversely, some enemies can turn out to be trustworthy, notably by accepting the punishment inflicted

on them without a murmur, as Roma do. But the main difference introduced by this new opposition is that it is no longer based on a relationship to crime or the law. The distinction between honest people and hoodlums was grounded on a presumption of guilt. The distinction between friends and enemies implies a framework of susceptibility. Residents of the projects, members of minorities and working-class youth, with a large subset in the intersection between all three of these groups constituting the category of “bastards,” are defined as susceptible to committing crime or to being complicit in crime, whether actively or passively. From their perspective, officers patrolling these neighborhoods are therefore justified in indiscriminate checks and searches on young people, but also in treating them without respect and roughing them up, and at the same time retaining the possibility, if things turn bad – for example, if insults are hurled or missiles thrown in response – of generalizing these practices to all residents in the course of punitive operations that spare neither adults nor children.

But the boundaries of the enemy population fluctuate. They may extend almost infinitely depending on the circumstances, to include the mayor of the city suspected of defending residents in his area for political reasons, members of a tenants’ association accused of protecting criminals, journalists who report incidents involving law enforcement, filmmakers who depict life in the banlieues, and probably social scientists. The people to whom this most commonly – but also most disturbingly – applies are the youth workers in charge of teenagers in specialized prevention services or in local community centers. The police find it especially difficult to establish the distinction between these professionals and their clientele because many of them are young, and of modest background and immigrant origin. Thus, through a kind of moral contamination, they may be treated with the same aggressiveness and contempt as those under their care, and, if they are young men, may themselves undergo the same ordeals of stops and frisks. The experience is all the more traumatic for these professionals because by brutally ranging them alongside the youth, the police eliminate all possible authority they may have over these youth (how can you respect special educators who are seen as potential criminals?) and reduce them to a social and racial condition shared with them (ultimately, everyone living in the projects looks the same).

One evening in June 2007, around midnight, as I patrolled with an anticrime squad crew, we received a call reporting the presence of a group of teenagers outside a Youth Judicial Protection (PJJ, Protection Judiciaire de la Jeunesse) care hostel.¹⁷ At that point, this was

all we knew. According to information imparted to me later by a patrol officer, it was alleged that, as a car waited at a red light, one of the boys had shouted “Fuck France!” and another had made as if to throw his shoe at the car; the driver had then reported the incident to the police station. In the account I was subsequently given by the youth worker, as she was talking with the teenagers about their experiences in prison, a conversation that prompted quite powerful emotional reactions on their part, a car stopped; thinking she was being threatened, three men “with shaved heads” got out and offered to defend her, displaying a hostile attitude toward the adolescents, and then left. Whatever the truth of this troubling, but common, divergence between versions of the same event, the team I was with proceeded to the location. We approached on foot and took up a hidden position at the corner of the street to observe the scene. Outside the hostel, a sizable building with a small garden surrounded by fences, five or six boys aged 15 or 16, of African origin, were chatting with a young woman in the parking lot. From time to time an exclamation or a burst of laughter reached us, and the teenagers exchanged friendly punches or played at chasing one another. Over the 15 minutes that we hid watching them, we saw no incident involving drivers; cars in any case passed infrequently at this late hour. Suddenly, five vehicles, three marked cars from the public security unit and two unmarked anticrime squad cars – in other words, almost every officer available at that time in this district with a population of approximately 200,000 – burst onto the scene, as if some serious breach of public order was taking place. A dozen agents, in uniform or plain clothes, surrounded the youngsters; we joined them. The boys appeared to have done nothing worse than hang outside in the evening chatting and teasing one another in the company of their counselor.

This fact did not escape the police. Most of them remained silent, but stayed there threateningly a few yards from the group, occasionally exchanging perfectly audible insulting comments: “Look at the little assholes!” or “What are they still doing out, the cocksuckers?” But it seemed that they found the greatest fault with the youth worker, a young North African woman. Four of them took her aside, asking aggressively what the teenagers were doing outside their hostel at that hour. She explained calmly that it was a hot night, the youngsters were a bit agitated and they had come out to chat. The officers reproached her harshly for having followed them outside rather than making them come in, and held her responsible for the resulting disorder, adding offensive comments about her profession. Hurt, she retorted: “But I’m doing my job! – It doesn’t look like it.

– (Softly): It’s true we don’t do the same job you do . . . – Fortunately! – . . . but we’re also looking after youngsters in difficulty, and contrary to what you think, we get good results. – You call that good results? – (Indignantly, with a forced smile) You are joking, aren’t you, officers?” Later, she admitted to me that at that moment, the way things were going, she was afraid she would end up in custody. She told me above all of the embarrassment and humiliation she felt, hearing her professional activity dismissed in front of the minors of whom she was in charge, “treated like a little girl in front of the schoolteacher” who “confronted me like I was stupid.” At the same time she recognized that it was lucky she was a female, for if not she would certainly have been subjected to an identity check and body search, as had happened some weeks earlier to one of her male colleagues, in the course of a similar episode.

After a tense verbal exchange with the counselor under the gaze of the youngsters, the police ordered them back into their hostel. The boys obeyed coolly, grumbling. As they re-entered they seemed particularly animated. A youth worker in his fifties, who had stayed indoors watching the scene, hailed the departing law enforcement agents with evident exasperation: “Thank you, officers, thank you for your help!” When I later evoked this scene with her, the young woman, recognizing that her previous experiences with the police had gone much more smoothly, told me how much this episode had shocked her, adding that from now on she would think twice before contacting them if problems arose at the hostel. Although she believed until then that her institution shared with law enforcement a common mission of preventing crime, she now realized that the police viewed youth workers as enemies, on the side of the youngsters, she said. But this discovery was nothing out of the ordinary, it being long established in sociological studies, especially in North America, that what binds the world of the police most effectively is the hostility they perceive on the part of the general population, which justifies their own hostility toward the public. Manifest hostility toward youth from the projects, latent hostility toward those seen as protecting or excusing them for alleged professional, ideological or ethnic reasons: in the case of this counselor, it may be that all three reasons pertained.

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Thus the theater of law enforcement intervention is often a scene of drama. This statement can be understood in two ways. Firstly, in relation to the real world: for the individuals undergoing or witnessing police questioning, the spectacle in which they are involved or

which they are merely observing holds a powerful emotional charge at the same time as arousing a sense of the seriousness of what is at stake. Secondly, in relation to the written expression of it: the accounts of both journalists and sociologists attempt to reconstitute, more or less felicitously and artfully, something of the emotion felt and the seriousness perceived. But drama is not the only literary form that can help us to grasp and give an account of the experience of the actors.

There would certainly be value in being better able to recognize, and hence to explain, the comedy that is played out in the interactions between the police and their public. This is not a matter of describing the humor officers exhibit and the jokes that circulate within their world. Of course, as in many professions, there are codes of humor and types of jokes more or less specific to the milieu, and police station canteen humor can hold its own against hospital night-shift humor. Here, however, I am suggesting something quite different. I propose to think differently about the theater of police operations, paying attention to certain comic forms, particularly comic situations; failing to reveal these makes it impossible to grasp the work of law enforcement in its entirety and its diversity. The element of comedy is usually involuntary – differentiating it clearly from humor and jokes. It is the interaction itself, and the playing of the actors during the course of the interaction, that produces comedy, often unknown to the individuals concerned – at least the officers: it is not certain that it entirely escapes their public. I have often thought, as I witnessed a scene, that if it had been filmed it would not fail to make viewers laugh. This would not necessarily be the result obtained if they heard officers' very specific humor and jokes – proof that these are indeed two distinct realities. We could therefore use the term “comic epiphanies” to describe these kinds of recognition – almost revelation – of the comedic aspect of police work.

I have already provided examples of such striking scenarios: the panicked reaction to a colleague's call for help at the moment when officers were at the gas station, culminating in a late arrival at the wrong address; the extreme risks taken driving at high speed to a correctional facility, only to find that the helicopter suspected of being part of a prisoner escape was in fact a civil security craft transporting an emergency case to the hospital; a marked patrol car left unguarded outside a housing project during a confrontation with a group of teenagers, prompting an ironic prediction of damage that did indeed occur minutes later; the radio that was not turned down and blasted a loud message as two crews lay hidden trying to catch a burglar.

Sometimes the scene may even turn to farce. One night we were called to an offense at a “commercial property at 36, Rue des Peupliers.” On arrival the officers found neither the business nor the street number. Thinking it was a mistake, they made their way instead to “36, Avenue des Peupliers,” a short distance away, but with no more success. They decided to retrace their steps and investigate a large building on the street they had initially explored. The “commercial property” was in fact a higher education institute. The security guard on duty confirmed that the call to the police had come from his service. We entered the building with him and had begun to systematically search through the corridors when we suddenly unintentionally set off the alarm. For several minutes we tried to find a way to turn it off, but in vain. We were thus obliged to continue combing through the building amid the deafening noise. After a long, rather aimless tour, from empty classrooms to deserted common rooms, we arrived at the library, where we inspected between the rows of books. Just as we were leaving, the security guard and I failed to realize that the heavy wooden door of the reading room was closing behind us, shutting the two officers inside among the books, their cries drowned out by the strident alarm. It was some time before we noticed their absence and managed to extricate them from their predicament. We set off once more and spent another 30 minutes looking around, during which our noisy and bumbling search would have allowed any thief to escape without difficulty. Aware of the absurdity of the situation, and disappointed at coming away empty-handed once again, the officers nevertheless showed no sign of irritation. For them it was just one of the mundane episodes that make up their everyday routine, dependent on calls and patrols, testifying to their forgetfulness or imprudence in a profession that values guile and circumspection. Settings and characters, spaces and objects seem often to resist them, as demonstrated by their meanderings through the town in search of an address that at best they identified too late, or interventions so clumsy that they almost never culminate in the hoped-for arrest of a criminal in the act.

Obviously, residents themselves often develop various forms of obstruction to police work. One late afternoon in the winter of 2006, as the patrol was coming to an end without having encountered any incident of note during the shift, the crew I was with entered a project, and the leader, perhaps to prove he was not letting the lack of action send him to sleep, told me with a knowing smile that we were going to visit an apartment block supposed to conceal small-scale marijuana dealing. After parking the car, we walked assuredly toward the entrance to the building. Through the frosted glass of the

thick door, which only opened with a code number the officers had forgotten to bring with them, we could perceive slender silhouettes and hear male voices. The crew leader briefly considered the best course of action, and decided to bang on the door. Silence fell inside. "Who is it?" someone asked. A moment of hesitation. The officer, who I sensed was uncertain as to the next move, finally called out in an authoritative voice: "Police!" Immediately the shadows disappeared like a flock of starlings. One of the officers ran off around the back of the building, suspecting there might be an escape route through the basement. A resident, a man of African origin in his thirties, arrived at this moment, obviously coming home from shopping. The crew leader ordered him to open the door, and the man did so. The officers rushed into the lobby. Their colleague who had gone to the other side of the apartment block re-emerged from the basement, indicating that there was indeed an exit on the other side, through which the youngsters had most probably fled. While one of the officers embarked on an exploration of the false ceiling, looking for drugs that might have been hidden there, the other two roughly checked and searched two teenagers caught on the stairs, though there was nothing to suggest they had anything to do with the group that had initially been in the lobby. To his surprise and mine, the man who had opened the door for us was subjected to the same humiliating and brutal ordeal. He protested his innocence, but without letting him speak the officer who had gone round the back of the building, and was therefore unaware of the assistance this peaceable tenant had given his colleagues, yelled at him to "shut up," shoving him against the wall and roughly inspecting his body and clothes. It appeared that, owing to the color of his skin, he was placed rather too hastily into the category of suspects. The team leader, who realized the mistake, nevertheless did not dare say anything on behalf of this providential collaborator who was being treated like a criminal. A few minutes later, without finding anything suspicious but not without provoking some alarm among residents, we left.

For the officers, it was the end of the day. I found it difficult to ascertain whether they realized the disturbing nature of this episode: the determined walk toward the building, the unfortunate forgetting of the door code, the excessive haste of the operation, the belated check for a possible alternative exit and, to crown the debacle, the proud, movie-cop cry of "Police!" – as if the individuals behind the glass door would docilely open up, submit to the usual humiliations and risk an arrest, when escape through the basement allowed them easily to avoid all of this. But I had been able to sense their agitation via their nervous attitude toward their three temporary

hostages, despite the fact that, in the case of two of them, nothing suggested misconduct and, in the case of the third, everything indicated that he was keen, if somewhat coerced, to come to the aid of the police. To continue the theatrical metaphor, then, this operation might be described as falling into the tragicomic genre, though there is no certainty that all the participants would share this view. The youngsters who fled would probably recount the story to their friends with laughter; the three who were subjected to searches would certainly feel resentful; as for the officers, they did not seem inclined to rehash this inglorious moment among themselves. This is no doubt one of the characteristics of the police show: not everyone laughs – or cries – at the same moment; for any given scene, not only the actors but also the spectators have very different experiences.

Yet, the metaphor of theater, regularly employed in interactionist sociology, and the reference to games, often used by commentators – including, as we have seen, those within the police – have their limits. Of course, if we seek to get a sense of the performance of the police, the image they want to project or simply the image they do project, the stylistic register in which they inscribe their attitudes and their behaviors, the idea of theater does help us to understand this second-level form that is afforded them by their authority (sometimes), their power (always), but also their uniform (even if it consists of jeans and sports jacket over a T-shirt), their weapons (an armory that is constantly enriched and diversified) and the image of their profession (fed by movies, videos and websites). Similarly, if we wish to understand the action of the police and their interactions with their public, particularly youth in working-class neighborhoods, the idea of a game undeniably throws into relief the way both take on roles, with the police acting “the mean guys” and the youngsters playing “the smart guys,” their mutual provocations responding to and amplifying one another, and with a “cops and robbers” scenario that seems to endlessly reproduce the succession of altercations and chases. But this evocation of both theater and a game creates a literary or ludic distance from the violence of social relationships.

Any presentation of the self proceeds from a performance, and any interaction with others involves role-playing, but restricting ourselves to this reading, as many commentators do, risks failing to grasp the essential: the life behind the theater, and behind the game, the experience. For the residents of the projects, indeed, experience of the police is often what shapes their life, normalizing it, determining it and, sometimes, even ending it – symbolically, through imprisonment, or literally, through death.

Violence

But even the most “advanced” state can resort to threats of violence or to open violence against “disorderly” citizens whenever the normal institutions for generating social consensus are weakening or changing.
Nancy Scheper-Hughes, *Death Without Weeping*, 1992

Through the hostility and through the stereotype, the police become a close, social group, in which collective action is organized for self-protection and an attack on the outside world.
William A. Westley, *Violence and the Police*, 1950

A little over a year after the riots of 2005, en route to a university in another country where I was to give a lecture on the recent urban disorder, I was preparing to pass through baggage control at the Paris Charles de Gaulle airport when a security guard, a man of around 30, told me to turn back and join another line. Without really understanding the reason for this instruction, I did as he asked. When I passed him again minutes later, in the correct lane this time, he apologized and justified himself: “Sorry sir, but I had no choice. There are cameras watching us and if I’d let you through they’d have fined me.” I replied that it was not a problem, but he continued: “The police watch us.” After a moment, becoming increasingly agitated, he added: “Whatever, I don’t like them, I never greet them. Each to his own.” Intrigued, I asked if he had already had dealings with the police. “They killed my cousin. It happened a few years ago, in the south of France,” he told me, his voice still charged with emotion and animosity. “Shot in the head, because they thought he was in a stolen car.

He wasn't, but he died just the same." It was difficult to continue the conversation, whatever my desire to do so, in such inappropriate circumstances. I noticed at that point that my informant was of North African origin.

Shortly thereafter, seated on the plane, I opened my newspaper. The entire back page was devoted to the story of a 19-year-old high school student who had drowned trying to escape police who were chasing him because he and a friend had been painting tags on the highway's noise barrier.¹ After crossing the eight lanes of the road, the two boys had separated, one jumping over a 30-foot ravine to hide in bushes, the other running away through the undergrowth. The manhunt organized by three anticrime squad teams located the latter by the edge of the water. Terrified to see the police coming, he had dived in, but soon disappeared, without anyone attempting to come to his aid.² "Hunted, flushed out like an animal by the anticrime squad, all for a scribble on a wall," the father of the victim, a locksmith, said sadly. He related how afraid his family – Jews from the Greek city of Salonika – were of the police, a fear transmitted through generations since World War II when French officers had snatched his grandmother and aunt and taken them to the Drancy internment camp to be deported to Germany. The investigation of his son's death, conducted without any reconstruction of the facts, ended in a decision that there was no case to answer. "It was designed to blacken the youngster and whitewash the police, who didn't try to help him," the general secretary of one of the police unions stated bluntly. In its report, the National Committee on Security Ethics highlighted the disproportionate resources deployed in relation to the offense, the inability to evaluate the risks the two boys had taken, and finally the failure to render assistance to a person in danger.

Thus, within less than one hour, I had twice been confronted with an account of the death of a young man, either killed or pursued by the police. Suddenly brought up close, the violence of the relationship with law enforcement was being forcibly impressed upon me, through the whispered confidence of a security guard and the unsought revelations of a newspaper article, at the very moment that I was preparing to present my work on the recent riots. What struck me much more than the coincidence of these discoveries was that it seemed to point to how banal these deaths in police operations were – and not only banal, but banalized. If one began to pay attention, one could get a measure of their reality, but, conversely, if one was not specifically interested in the subject, it was possible to ignore it.³ Without passing judgment on these particular examples, what I found remarkable was the way they divided the social world between those confronted with

such cases on an almost daily basis, and those who probably would never have to face them.

In the film *Freedom Writers*, which became popular among teenagers in the banlieues at the time I was ending my fieldwork, one scene seemed to especially touch them. The heroine, a young woman who has chosen to teach in a high school in a difficult neighborhood in Long Beach, California, but comes up against hostility from her students, gives them a little exercise one day: using red tape, she marks a line down the middle of the classroom and asks those who have lost a friend to violence to stand on it. The students of color, Latinos and African Americans, come forward, leaving one white boy standing aside. She poses the question again – this time who has lost two, three and finally four or more friends. Each time everyone remains in the same place.⁴ Responsive to the pathos of this scene, young French viewers seemed to identify with the Californian students. In the film, this overstated but effective episode serves to raise awareness of a hitherto invisible social inequality in relation to the very fact of being alive: in France, as in the United States, certain sectors of society and geographical areas are much more at risk than others of premature death from violent causes, some being directly or indirectly related to police activities. But this transatlantic parallel should be put into perspective: in US cities the generalization of possession, carrying and use of guns, and more broadly the brutalization of social relations, result in a rate of accidents and homicides out of all comparison with that of the French banlieues, the rate of deaths by firearms per 100,000 being ten times higher in the United States than in France.

But death is only one of the possible outcomes of violent interactions between the police and the youth – fortunately the least common. In general, physical violence, when it occurs, takes the form of beating during questioning, interrogation or custody. While bodies and certainly minds retain the traces of this violence, the administrative and judicial record is much more forgetful. People who fall victim to it often hesitate to file a complaint. When they do so, the police are generally slow to record their grievances. But even when both conditions are met, investigation is rare, and sanctions exceptional. In Fabien Jobard's study, both internal administrative investigation by disciplinary committees and external judicial investigation by examining judges ended in a "no further action" decision in approximately nine out of ten cases, which were thus definitively closed.⁵ In other words, given the number of situations that could result in court judgments, and the leniency of the institutions responsible for assessing them, an actual trial for police violence is an exceptional event. I shall

now analyze such an occurrence, when I was able to follow the proceedings in the district court, interview the public prosecutor and, thanks to his diligence, gain access to all the documents in the prosecution's case file.

As the public prosecutor told me, the reason the seven police officers had been summoned before the court, indicted for acts of violence, was not so much the seriousness of the incidents as their coverage by the media. The swollen face of one of the two victims, a Turk, had made the front cover of the Turkish cultural monthly in France; it was also featured in a national daily newspaper in Turkey, all too happy to be able for once to return the accusation of failure to respect human rights that France was using to oppose this country's entry into the European Union. The Turkish Consulate General had referred the matter to the *préfecture*, which had demanded that the case be treated in exemplary fashion. An investigation had been conducted, resulting in proceedings being brought. The public prosecutor confirmed that it was indeed exceptional for so much attention to be focused on a case of alleged police violence. The file prepared by the disciplinary unit of the Regional Directorate of Public Security included 117 interview transcripts, which I could consult, including 81 statements from complainants, suspects and witnesses; the trial itself occupied the court for an entire afternoon, whereas such cases generally merited no more than a few minutes. Yet there was nothing factually distinctive about this case, to judge from the dozens of referrals for similar ones on which the National Committee on Security Ethics issues its opinion.

One January 1, around 4.30 a.m., the officer on duty at a local police station received a call from a resident in a nearby project about a fight at a family party. A second one, more urgent, followed shortly after, this time reporting gunshots. Later, it emerged that young people from the neighborhood had tried to get into the community hall where the party was being held, that an argument and a scuffle had ensued, and that the head of the family had called the emergency number. It remained unclear, though, whether, anxious that the police seemed not to be coming, he had mentioned gunshots to persuade them of the urgency of the matter, or whether his message had simply been misunderstood. At the station the night had been calm up to that point, and by the officers' own admission, they were "well lubricated" as they had generously celebrated the New Year. After the second call, the duty officer informed the three other local stations in the district, asking them also to send crews. Arriving at the location before the others, he entered the deserted complex on foot with his team and they made their way to the place near the community

hall where the altercation was supposed to have taken place. They heard loud voices, from which they estimated – though they could not see them – that there might be around 20 people on the premises. But there was no fight, nor even any dispute, so it seemed that things had settled down. Still not fully reassured, the police went back to their car to await reinforcements. The other crews showed up, and there were now 20, and soon 30, officers at the scene. As the duty officer stated later in military terms: “Me and my troops secured the scene after I had given the order to split into two groups, the first under my command, the second under the command of the sergeant major from the neighboring station. Our two groups then lost sight of each other, as they secured the project while we approached the individuals who were arguing.” When they saw this substantial deployment of police, most of whom had donned riot gear, with helmets and nightsticks, the few individuals still at the location quickly dispersed. The organizer of the party, who had reported the incident, introduced himself to the officer to explain what had happened. Although he was unable to describe the young men who had disrupted their evening, he confirmed that there had been no gunshots and that calm had soon returned.

Nevertheless, meanwhile, the 30 officers had rushed through the alleyways of the project in pursuit of individuals who had run off at the sight of the police. After a few minutes of stampeding and shouting watched by awakened residents, many of whom were now at their windows, some protesting vociferously at this disturbance in the middle of the night, the officers returned with their captives: two men, handcuffed, looking in a bad state. One was of Caribbean origin, the other Turkish. According to the police, the former had hit an officer and resisted arrest, whereas the latter had shouted an insult, fallen as he tried to escape, and struggled when the handcuffs were being put on. In the opinion of all the officers subsequently questioned, there was great confusion. Eventually brought to the station, the two men were placed in custody on grounds of “insulting and resisting law enforcement,” after having been examined by a private physician who confirmed that they were well enough to remain in the precinct. However, when they were released the next day, they consulted the forensic specialist at the public hospital who recorded serious injuries and gave them certificates for sick leave – one of them for seven days, the other for five.

This is how the facts can be summarized before we consider in greater detail the documents produced during the investigation and the testimony heard in a trial where only the Turkish man filed a lawsuit, the Caribbean man simply appearing as a witness. According

to the information gathered during the inquiry (in which it is worth noting that, surprisingly, not 1 of the 81 witnesses interviewed was a resident of the neighborhood, since, apart from the 2 victims, statements were sought only from police officers and several firefighters who had provided first aid) and to the evidence heard at the trial (in the answers to questions put by the judge and the public prosecutor), the arrest of the two men can be reconstructed as follows.

The Caribbean man, who was alternately described as being “of black race” and “of African type,” was in fact the nephew of the organizer of the party. He had just left the hall to return home when the police arrived. As might be expected, accounts of what happened differ depending on their source. According to the police version, when one of them approached him, the man “kicked the officer in the ribs without any warning.” Several officers rushed to the defense of their colleague, and, trying to make use of their tear gas canister, they accidentally sprayed it on themselves, sparking an outbreak of alarm among their ranks. Panicked, they distributed nightstick blows blindly right and left, injuring one another and heightening their agitation still further. As the suspect defended himself, they had to get rough to bring him under control, but all violence ceased once he was handcuffed. Four officers were taken to the hospital for treatment, mainly, it appeared, due to blows received from their colleagues. The man’s version was somewhat different. As he was leaving the party, he was hit in the back with a nightstick, started to run and was hit again, this time in the face by another officer. “That really infuriated me,” he admitted, and he defended himself. Blinded by tear gas, he was thrown violently to the ground, kicked and hit in the back, abdomen, arms and legs. Once he had been handcuffed, he was taken to the precinct where two officers roughed him up another time, while a third, attempting to punch him, was held back by his colleagues. The medical certificate made reference to bruising to his face and hematomas in various places on his body. Despite the marked divergences between the two versions, the investigation and trial helped to establish a number of facts. Through cross-checks between the various accounts given by the officers, and their answers to questions in court, it was shown that the one who had asserted in his statement that he had been kicked at the start of the incident had lied, that the witness had indeed been hit in the face with a nightstick without warning, beaten when he was already handcuffed lying on the ground, and roughed up once again at the police station, including by an off-duty officer who had come in to celebrate the New Year.

The Turkish complainant, a restaurant owner who had been living in France for approximately 20 years, was coming home from a celebration at his friends', and just happened to be in the street near the party when he was stopped by law enforcement. In this case, accounts were also contradictory. In the police version, they heard someone insulting them and turned around to see the man they thought was the author of the invective. They approached him. He started to run and tripped: "He wasn't moving, I thought he'd hurt himself," said one officer who stated that he handcuffed him quickly, but added that the man started to struggle, and had to be brought under control by other officers come to back him up. Here too the plaintiff's version differed significantly. When he saw people running off in all directions, he took fright: "I panicked and I started to run too," he said. The police pursued him, one of them tripped him and he was rained with blows as he shouted that he had not done anything. Once he was handcuffed, the beating continued. As he was being taken to the precinct in the van, he passed out several times. In his deposition he stated that he recognized his main assailant as the officer in plain clothes who was not on duty that night, but his testimony, which would have entailed grave consequences for this agent, was set aside by the disciplinary unit examining the case, on the grounds that the suspect had been confused by alcohol and emotion. The certificate drawn up in custody by the private physician, as the complainant, hands cuffed behind his back and covered in blood, was barely able to stand, simply noted: "individual conscious, lucid, not complaining of anything." The next day, the public forensic doctor indicated, however, "a large antero-superior perforation of the left eardrum, inner-ear hemorrhage, extensive purple bruising behind the ear, periorbital hematomas, superficial grazes, bruising to the forehead," and "a left acromio-clavicular sprain" as well as numerous lesions on the rest of the body. Here again, cross-checking of the police officers' statements and answers to questions in court established both reckless use of force, as they even managed to hit one another, and blows administered when the man was under control and handcuffed, resulting in serious injuries.

The investigation of these incidents, which resulted in the conviction of the officers, focused on the violence rather than any justification that might be advanced for it. In fact, while this may be a relevant factor in the case, the inquiry and the trial sought not so much to establish whether there was provocation on the part of the two men as to determine the conditions under which violence was used. The fact that the Caribbean man might have kicked a police officer for no reason, or that he was hit twice with nightsticks, including once

in the face, leading him to lose control, and that the Turkish man might have cursed the police or simply run off like the other residents of the project, were apparently not the major factors in the evaluation of the acts of violence. It seems probable, nevertheless, that the hypothesis of the Caribbean man returning home from a party and attacking a police officer gratuitously in full view of 30 of his helmeted colleagues, seemed hardly more credible to the persons present in the court than the assertion that the Turkish man, departing from his friends' home, had been recognized in the dark as the person uttering insults against the police, when the officers themselves had testified that invectives were being shouted at them from the upper floors of the apartment blocks. But the matter at issue was not whether there were valid reasons for the questioning, but the actual conditions of the use of force.

The two crucial factors in determining whether there is a legal qualification of police violence are the disproportionate and unjustified use of force. A large body of evidence pointed to disproportionate recourse to coercion: the photos of the victims and their medical certificates, with one officer summoned before the disciplinary unit, speaking about the condition of the Turkish complainant, admitting: "When I saw the guy, I thought they'd gone a bit far"; but there were also the almost naive statements of the police who explained that, in the confusion, they injured one another with kicks and nightsticks, unable to aim their blows accurately at their suspects. The utilization of the tonfa, a defense baton considered to be a weapon that can cause serious injury, especially to the head, was judged excessive, given the unequal numbers and the grounds cited. The use of force was also deemed unjustified once the individuals being arrested were placed in a position where they could not harm the police: the public prosecutor told me he was pleased that he had managed to read between the lines of the officers' statements, and particularly that he had got them to unwittingly admit in court that blows had been struck at the two men who were already handcuffed, first at the scene of the arrest and later in the precinct. This evidence was a key element in his closing speech.

In addition to these two critical factors, there was a series of aggravating circumstances not directly cited in the judge's verdict, but explicitly referred to in the report of the National Committee on Security Ethics. Firstly, it was confirmed that officers who had attended the incident were under the influence of alcohol. The sergeant major acknowledged, "I don't think these mistakes would have happened were it not that some officers had been drinking." This fact explains not only the excessive violence but also the numerous clumsy

actions undertaken. Secondly, there was the presence of an officer who was not on duty, who admitted having consumed alcohol and who attempted to avenge his injured colleagues by beating the two men with their hands cuffed behind their backs, one at the police station, the other at the hospital. The Committee therefore emphasized: "It is clearly established that a disciplinary offense took place." The judge probably took these two factors into consideration in his final decision.

However, there was a third noteworthy element, which was highlighted in the Committee's report, and was borne out by both the officers' statements and the evidence provided in court. When the punitive operation was launched, the sergeant major leading the group of officers whose job was, as he put it, to "secure the scene" attempted to galvanize his troops, shouting: "We lost the Algerian War. 40 years ago we chickened out. We're not going to do it again today. Take no prisoners: it's no holds barred!" After 37 years with the police, he had reached the highest rank possible for a patrol officer and was a few months away from retirement. When questioned by the disciplinary unit, he conceded: "I've no call to deny it, and if anyone had asked me that's what I would have said." But he tried, almost jokingly, to justify himself: "I said it to lighten things up. It made everybody laugh. My officers were really tensed up. We could hear stones falling on the cars. But it wasn't meant at all in a racist way. Anyway I've been living in an Arab environment for 30 years. My first wife was an Arab, and my second one is too. I really said that to relax the younger officers, because some of them were quite wound up." It might well be imagined that his revelation during the investigation, and its confirmation in court, would constitute an aggravating circumstance because they suggested that the treatment meted out to the two men, who were easily identified as being non-European, was not unrelated to their physical appearance and their assumed origin. During this period, provisions for combating racism (the law of January 20, 2003) and discrimination (the law of February 25, 2003) had just been reinforced with tougher penalties, including for law enforcement officers, and a shift of the burden of proof in favor of victims. But this argument was not put forward in court. When I expressed my surprise to the public prosecutor, he told me – seeming to ignore the new legislation – that cases brought on issues of racism and discrimination never succeeded, because it was impossible to establish intention with any certainty.

The closing speeches by the lawyers for the police were relatively brief. They did not attempt to exonerate their clients – the facts were well established since some had confessed and others had been more

or less explicitly denounced by their colleagues – but tried to attenuate the crime. Their rhetoric emphasized three elements. The first argument invoked was the local context, which they did not hesitate to paint in alarmist tones: “You have to realize: this is a war zone. Once a police officer comes out of the police station, he’s a target.” They carried on: “In these neighborhoods, you have to adapt to circumstances. When they are exceptional you have to react in an exceptional manner. When they’re normal, you have to react normally.” In other words, what might be intolerable in another context became acceptable here, given the local situation where anything was possible. A second point related to the officers, as the lawyers attempted to demonstrate for each both his individual qualities – “He is a victim of his own devotion to duty” – and his collective virtues – “There is a laudable solidarity that develops among them.” Thus, violence was portrayed as the sign of dedication and fellowship. This was in particular the basis for the defense of the off-duty officer, as his lawyer sought to induce the court to forget his drunkenness and brutality: “He has a sense of duty. When help is needed he stays. He gives a hand.” No one reacted to this unusual reading of professional deontology. A third factor was cited in relation to the action itself. The lawyers attempted to minimize the excessive use of force: “You’ve heard my client admit: I made this mistake. Words, and actions too, sometimes outrun thought.” This, it was suggested, was not a beating, as the witness statements, photographs and medical certificates had suggested, but a simple excess of zeal. Moreover, the lawyers argued that the facts needed to be re-evaluated morally to account for the unjustified use of force: “It was not a desire for vengeance, but a desire for justice.” The blows inflicted on the men in custody at the precinct attested to the ethical probity of the officers.

However, the lawyers did not resort to a fourth line of argument habitually used in court: that which consists in accusing the victims in order to discredit them, searching their past for factors that might make them appear disreputable and therefore presenting ill-treatment as, if not justified, at least excusable. In particular, no one referred to the attack the Caribbean man was alleged to have launched without reason, or the insult the Turkish man was supposed to have uttered when he saw the police. The lawyers probably realized that such justifications would not be well received in this context, given the contradictions between the officers’ statements. Their arguments were thus ambiguous, and almost comical, especially regarding the Turkish victim: “I do not say that he said those words, I do not say that he did not . . . He says that he ran, perhaps this was not the best decision, but I do not reproach him for it.” One of the lawyers even

risked a joke, alluding to the photos that had been exhibited: “It was certainly a vigorous questioning. Having seen the poor man’s face afterwards, you could hardly say otherwise.” But this humor seems not to have amused the judge.

Finally, of the four kinds of argument that provide the customary rhetorical framework of this sort of trial, and more broadly the justification by the police when violence is alleged, the lawyers only used the first three: the context of the action, the qualities of the officers, and the description of the acts. The public prosecutor rejected the excuses concerning the police, stating that, on the contrary, he expected them to behave in an exemplary fashion, and refuted the minimization of the brutality, emphasizing that it was unacceptable. However, significantly, he took up the argument about the dangerous environment of the projects, as if to reduce the scope of his own accusation and find attenuating circumstances for those he was seeking to convict: “We’re all aware how difficult this job is, the incredible conditions in which police interventions take place.” Given the facts that were demonstrated during the investigation and the trial, particularly in relation to the calm atmosphere that reigned in the project at the point when the crews arrived and the spectacular disorder they had provoked by intervening, themselves drunk and aggressive, this line of argument might seem surprising, but it testifies to how difficult it is for the prosecution, even in a case where the evidence seemed so clear, to adopt a position entirely independent of the police – as if, in a final flourish, it was necessary to remind the court that the two institutions were on the same side. This indulgence of prosecutors toward law enforcement agents is actually common in France: it attests to their increasing dependence on the executive power, as they are, unlike the judges, under the control of the Ministry of Justice, to the point that, in its decision of May 6, 2009, the European Court of Human Rights denied them the status of “judiciary authority.” The National Committee on Security Ethics was less indulgent in its report, arguing that the “incredible conditions” the public prosecutor alluded to related to how the intervention was conducted rather than the context in which it took place.

The verdict, read some weeks after the trial, was ultimately both symbolic and merciful. Symbolic, because five of the six officers charged received sentences of four months’ imprisonment, while the sixth was acquitted: it is exceptional that the police are convicted for acts of violence, but the case was so obvious and so public that leniency would have been incomprehensible to many. Merciful, because the sentences were suspended and were not entered into the open criminal record (which is available to local and national government

authorities, as opposed to the closed record, which is accessible only to the judicial authorities): in other words there was no ill effect on the officers' careers. Thus, although unusual in terms of the judicial statistics, the sentence was nevertheless very moderate. Aware of the favorable treatment they had received, the officers did not appeal the judgment. The court's message therefore seemed to answer the hopes of one of the defense lawyers: "Come to a verdict that teaches them a lesson," he had suggested, pleading for clemency in the judge's decision. "Remind them of the law they are charged with upholding." But three years after the trial, there was room for doubt whether the lesson of the verdict had been fully absorbed by the officers: the complainant had not received 1 cent of the 12,000 euros of compensation the six officers had been sentenced to pay him. In response to repeated inquiries, the National Directorate of Public Security asserted that it did not know where the officers were. The victim's lawyer referred the case to a succession of different incumbents in the post of minister of the interior, who invariably replied that the services concerned would be questioned. Ultimately, in one of the very rare trials for police violence that had led to a verdict unfavorable to them, the penalty, minimal though it was, had not been executed. The message the state authorities were sending to the courts seemed clear: police impunity should remain the rule, and if judges took it upon themselves to convict law enforcement officers, the penalties would not be applied.

The case brought against the police on charges of violence was paradoxically both exceptional (as a case) and exemplary (in terms of what it revealed). On the one hand, it resulted from a set of circumstances that come together only on rare occasions, since it required that the victim file a complaint, that the grievance be recorded, that the case be referred to the prosecutor, that an investigation be ordered, that a dismissal be avoided, that a trial be held, and that a guilty verdict be reached. With each stage in this chain of unlikely events, the number of cases diminishes, ending with only a few dozen in which officers have actually been sentenced in the past decades, with no guarantee that the sentences will be enforced. What is presented here therefore corresponds to a procedure that is not at all representative of the way allegations of excessive use of force are generally treated, since the great majority never get to court. On the other hand, the case was a moment of truth that revealed the mechanisms through which police violence is produced and justified. Every situation is of course unique, but it is clear how a particular configuration of circumstances may give rise to the unleashing of brutality. The images of a hostile environment and a dangerous

operation led the police to talk of a project to be “taken over” and “secured,” justified both riot-control equipment and deployment in large numbers, and finally even prompted the war cry rallying the troops that added a neo-colonial slant to the operation. As a result, despite the fact that it started with a family party where the guests had almost all dispersed and the intruders had already left, that the organizer confirmed that everything had calmed down, and that the site was indeed quiet, none of these factors could overcome the mental picture of the situation the police had drawn for themselves. This representation of the scene, and its practical consequences in terms of the way the situation was to be managed, had the effect that the officers surged out in pursuit of individuals peacefully leaving the party, or returning from a friendly celebration, who did not understand what was happening, and ran off as a reflex action. In the scramble, some of those fleeing were apprehended at random and a cycle of brutality began, in which resisting law enforcement or simply protesting good faith resulted in increased aggressiveness, sometimes further aggravated by the clumsy distribution of blows and the incompetent handling of weapons. Once it was over, collegial solidarity, the more or less direct involvement of various agents, and the social cost of any accusation of fellow officers in terms of future ostracization, meant that the police all felt under a vow of silence, and that, if anything was to emerge or even if there was to be an investigation, false statements would be made for the protection of their colleagues and their self-preservation. Hence while it is unique, the configuration of circumstances around this operation on that New Year’s Eve nonetheless reveals the more general enabling conditions of police brutality. And while it did not result in justice being rendered, the trial at least helped to throw light on issues that usually remain invisible and unintelligible, opaque and obscure.

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Expressing surprise at the existence of police violence could be considered as remarkable in itself. From a sociological point of view – and thus beyond the specific situation in France – violence is in fact constitutive of the very role of law enforcement. In modern societies, it is to the police that the state delegates its “monopoly of the legitimate use of physical violence,” in the terms of Max Weber’s classic definition.⁶ Beyond this general sociological principle, theoreticians of public force, particularly in North America, have made their own Egon Bittner’s dictum, that the “use of force is the essence of the police role.”⁷ In other words, above and beyond the diversity of tasks entrusted to the police – whether arresting a wrongdoer, containing

a demonstration, preventing a domestic dispute from degenerating, giving verbal warnings to careless drivers or providing first aid to an injured person – what distinguishes them from other professional groups and even from other citizens is the possibility, if they judge it necessary, of using force to resolve the problem, and also the fact that everyone is aware of this, and behaves accordingly.

For the Canadian sociologist, modern societies are unlike past civilizations in that they seek peace by peaceful means. As a general rule, recourse to force nevertheless becomes legitimate in three specific contexts: self-defense against aggressors; the power of coercion attached to certain professions in relation to certain population groups, for example prison officers in relation to detainees; and finally, the institution of the police, for which the use of force is “essentially unrestricted,” provided that it results in death only in exceptional situations, that it is justified not on personal grounds but on the grounds of the collective good, and that it does not derive from a simple desire to harm or vent one’s anger: “Aside from these restrictions there exist no guidelines, no specifiable range of objectives, no limitations of any kind that instruct the policeman what he may or must do. Nor do there exist any criteria that would allow the judgment whether some forceful intervention was necessary, desirable, or proper. And finally, it is exceedingly rare that police actions involving the use of force are actually reviewed and judged by anyone at all.” The conclusion is clear: “In sum, the frequently heard talk about the lawful use of force by the police is practically meaningless.” In other words, not only are there no directives and no principles underlying the action, but there is also no analysis or sanction after the event. The use of force is left entirely to the discretion of officers, with virtually no external scrutiny. It thus becomes conspicuous why the boundary between the recourse to force and the exercise of violence is so difficult to define, however much one strives to identify it: just as war is no more than an extension of politics, violence is simply a continuation of the use of force.

The distinction between the two terms is essentially normative. The police must know how to use force, but must not exercise violence. However, given the absence of guidelines, of criteria, of evaluation, and of judgment with regard to the appropriate way of using force, it is easy to see how, for law enforcement officers, violence is a concept almost without content, except in extreme cases identified as such:⁸ in their eyes, the use of force is simply a means to achieve an end such as bringing an individual they are arresting under control. This view is far from being shared by the rest of the population, who interpret forcing suspects to the ground, and subjecting them to

painful armlocks, throat compressions, suffocation and beatings as intolerable brutality: some attempt to intervene, to object publicly through testimonies or, nowadays, to film in order to later provide evidence. Where the police say they are using force, the public sees violence.

One captain admitted that, when an individual is arrested, sometimes the methods used may seem excessive.⁹ “It shocks people,” she said, “whereas in fact, it’s just taking precautions,” because “if someone refuses to cooperate, we don’t know to begin with if we’re dealing with a dangerous criminal or just a driver without a license.” But she acknowledged: “There’s a fine line between robust questioning and a police blunder.” Contrary to popular opinion, she continued, the tried and tested techniques used by police officers allowed them “to avoid taking risks themselves and even to prevent the individual being brought under control from injuring himself.” She agreed, however, that the outcome did not always prove these precautions effective: during a demonstration of an arrest organized for a group of representatives by a prefect keen to prove that this type of intervention was harmless, the two police instructors who were “playing” the scene, one as suspect, the other as officer, ended up in the hospital with bruises and sprains. The captain was smiling as she recounted this anecdote. But I found it instructive, since it suggested that, for her as for probably many of her colleagues, the distinction between force and violence ultimately lay in the intention: in this case, it was hard to imagine that the two officers had voluntarily injured one another; thus the fact that there were physical consequences did not indicate that there had been violence, but at most an inappropriate or clumsy application of force. These injuries paradoxically attested to the fact that when people were hurt during their arrest, it was a merely involuntary collateral damage. Yet in real situations, where officers are questioning not colleagues but suspects, their intention is much more difficult to divine. At best, when statements have been made and recorded, a disciplinary committee or investigating judge can arrive at a firm conviction as to the intention. But as a general rule, the distinction based on this criterion is not operative.

In practice, the features used to identify police violence – and potentially taken as the basis for a court verdict condemning it – are technical rather than psychological, as we have seen from the case described above. In any operation, the use of force must be justified and proportionate: justified with regard to the danger (legitimate defense) or the crime committed (sufficiently serious), and proportionate to the action being taken (immobilization and handcuffing)

and the physical characteristics of the individual concerned (strength and resistance). When the use of force is unjustified (beating a handcuffed individual, physical coercion for a mere lack of documents), disproportionate (suffocation or compression leading to prolonged inability to breathe, relentless beating resulting in serious injury) or both (shooting in the back an unarmed person who is running away), one speaks of police violence – in other words, acts that could lead to a court conviction. Of course, there are other actions that could theoretically prompt a judicial investigation or trial, such as failure to render assistance to an individual endangered by a police operation (the case of the death of the two boys electrocuted in Clichy-sous-Bois in 2005), or a traffic accident that suggests culpable recklessness or deliberate endeavor (the case of the death of the two youths hit by a police vehicle in Villiers-le-Bel in 2007): these are not strictly speaking cases of violence, but rather of the violent extension of a police operation, leading to death by indifference or imprudence or even implicit criminal intention.

Whether direct or indirect, police violence as identified in administrative and judicial inquiries presents three essential characteristics. Firstly, it is strictly physical: it is manifested as an action on a body. Secondly, it has easily identifiable consequences: usually injury, less often death. Thirdly, it is defined in relation to a professional standard: the police officer must demonstrate discernment in the use of force, which must be justified and proportionate. These three characteristics might seem obvious: this is in effect how police violence is always represented.¹⁰ Moreover, this administrative and judicial definition is so much taken for granted that it has been adopted by all sociological studies of the police in the last 50 years, in both North America and Europe. For example, William Westley investigates police violence, Jean-Paul Brodeur studies police coercion, Jill Nelson examines police brutality, and Fabien Jobard analyzes police blunders, with reference to what might be called an internal definition: that is, one established in relation to criteria that the police administration agrees to recognize and that the judiciary institution strives to apply.¹¹ There are certainly compelling scientific reasons, both practical (speaking the same language as officers and magistrates) and methodological (adopting the perspective of the groups under study), for confining oneself to this position. But it is worth wondering what might be gained in understanding the violence exercised by the police – thus differentiated lexically from “police violence” as understood by the disciplinary or judicial authorities – if we were to question this definition, not in order to contest its validity, but to get a sense of its limits.

The analysis I propose here aims to grasp violence as an interaction which, first, affects the integrity and the dignity of individuals, not just their body and flesh; second, may be deeply grounded, and therefore unseen; and third, involves an ethical, rather than strictly normative, component. In other words, I want to move away from the three standard criteria defining police violence. This approach is resolutely distinct from the procedure of disciplinary committees and investigating judges, because it aims not to establish grounds for punishment, but to contribute to understanding. Officers sometimes affirm that giving a good slap to a teenager who has committed a minor offense, as they could have done without fear in other times (and as probably still happens today more often than is generally believed), has a pedagogical value, but they could add that these benign punishments tend to be replaced by much more mortifying practices, and more lasting injuries, that do not involve the use of physical force.

Setting these two assertions side by side in fact suggests that we could go beyond the administrative and judicial definition, which leads to condemnation of the slap, at least in principle, but usually results in the humiliation being ignored. In this way we could begin to reflect not in the terms in which the police and judiciary think of actions, but from the point of view of how they are experienced by the public, and more specifically the victims. And this inversion of the perspective would not be limited to the experience of individuals who have had dealings with the police, but would include the broader view of society, that is, the manner in which society delegates to the police the power to treat some people outside of the law, and even to disregard their human rights. Thus by rejecting both the reductionism of the disciplinary and the judiciary (which limit violence to the excessive use of physical force) and its reproduction by the social scientists (who adopt the official definition of officers and magistrates in order to study it), we could allow ourselves to undertake a critical reading of violence in Walter Benjamin's sense of the term: "The task of a critique of violence can be summarized as that of expounding its relation to law and justice. For a cause, however effective, becomes violent, in the precise sense of the word, only when it bears on moral issues."¹² It is these moral issues that we need to explore.

On the face of it, distinguishing physical violence from moral violence is easy. Typically, one takes the form of a slap, and the other that of humiliation: in the first case only the body would be affected, while in the second the entire person would be violated. In practice, however, the distinction is less clear than it appears. Powerlessness in front of excessive use of force in itself involves a moral dimension of abasement, in the unjustified imposition of handcuffs, for example;

conversely, the mortification caused by harassment and humiliation has corporeal implications, particularly in strip searches carried out in custody. As Nancy Scheper-Hughes and Philippe Bourgois point out: "Violence can never be understood solely in terms of its physicality – force, assault, or the infliction of pain – alone. Violence also includes assaults on the personhood, dignity, sense of worth or value of the victim. The social and cultural dimensions of violence are what gives violence its power and meaning."¹³ Violence is therefore always more than it seems. Nevertheless, the distinction proposed here remains valid in that it can give presence to a reality that is habitually dismissed. Moral violence is generally ignored by official definitions and sociological analyses. Common, it remains invisible, for it leaves no traces, at least none on the body, it does not serve as grounds for complaints, and it is not subject to sanctions. Yet this is still violence, in the sense that these practices breach the integrity and the dignity of individuals, but it is never named as such.¹⁴ Because it is not named, it has no existence in social terms. Because it is not recognized, justice cannot be rendered. Yet it is this violence that has no name, and no justice, that constitutes the everyday experience of adolescents, youth and men living in the projects.

The relationship between physical violence and moral violence is historically constituted. Indeed, the pacification of contemporary societies has as a consequence the repression and penalization of physical violence, whereas moral violence, less easily identifiable, is not submitted to the same form of social control and legal sanction. Thus moral violence has become a sort of substitute violence. In most countries – the United States being a remarkable exception – this evolution is relatively well established in relation to torture (the most brutal forms of which decline, to be replaced by more effectively destructive psychological techniques) and to punishment (which no longer consists of physical ordeals but of programs of imprisonment and rehabilitation).¹⁵ But it also extends more broadly to the various domains in which violence can be exercised. This observation should not be regarded as a denial of the persistence of physical violence in general and among law enforcement agents in particular, but rather implies a shift toward moral violence, for which the cost–benefit ratio is, for the individual exercising it, much lower. The effects are probably deeper and more lasting, while impunity is guaranteed, since, although it is sometimes possible to offer corporeal proof of blows received, it is much more difficult to demonstrate that degrading acts have been committed: a deputy commissioner told me that if there was any suspicion of violence toward an individual who had been questioned, the doctor was called (this was only true up to a point,

as I found out), but physicians would record physical not psychological traces. It is notable that, while trauma is claimed and investigated everywhere after any violent event, in victims, witnesses and even perpetrators,¹⁶ the issue is never raised for those who have endured police abuse of force, as if they were outside the moral community of potential trauma sufferers.

During my research I rarely observed physical violence. There were a number of reasons for this. Firstly, it may not be such a frequent occurrence, a fact that surprised one sergeant major in charge of a police station, who said “When you see what goes on, how we’re spat on, pelted with missiles, insulted, I’m surprised there aren’t more blunders.” Secondly, my presence made it even less likely, and officers told me several times, with a meaningful smile, that if I had not been there, the individuals being questioned would have “had a rough few minutes.” In other words, in the occasional instances a suspect was being beaten, it happened out of my sight.

One night, three young men, arrested after they had been reported driving through a park in the city in an SUV, were brought into the precinct – two were white, the third of Arab origin. One officer, whom I had often heard making racist and xenophobic remarks, turned his aggressiveness on the Arab youth. After intimidating him verbally during the questioning and finally extracting an admission of guilt, he took him into an empty room in the police station to try to get him to denounce his friends, who continued to deny their involvement. His colleague accompanied him and closed the door behind them, preventing me from following them – an exceptional occurrence during my research, since I was usually free to move around. From the corridor, I heard the first officer singing an opera aria at the top of his voice while the second yelled questions, but this din only partially covered the sharp sound of slaps and the dull thud of blows.¹⁷ The two officers felt authorized to knock him about not only because he had shifted from suspect to guilty party, but also because they had just found out about his previous offenses, which meant he was unlikely to bring any complaint against them and in any case unlikely to be believed. When the three exited the room two minutes later, I understood that the boy, whose reddened face betrayed the ill-treatment he had just undergone, had not accused his friends. This type of practice has a name among law enforcement officers in the United States: the “third degree,” a technique consisting of inflicting physical or mental torments on a person who has been arrested in order to extract a confession.¹⁸ I was exposed to it from a distance on a few occasions, and less often in the station than in the street, during an arrest or in the car as suspects were taken to the station.

Just as has been shown in relation to torture, I found it quite difficult to distinguish how much of it derived from the desire to obtain information, and how much from something closer to a form of punishment or even revenge.

This kind of brutality certainly happened more frequently than I was able to witness. At the very least, the youngsters seemed to consider it entirely routine. In the study I conducted in a class for learning-disabled students in a middle school in the conurbation, all had similar stories to share. One of them, a boy of North African origin, remembered an occasion when law enforcement agents came into their project following a call from neighbors disturbed by the noise of motorbikes. When they arrived, the officers saw a group of teenagers crowded around a few bikers. Spotting the police, the adolescents ran off and the officers gave chase, one of them using his Flash-Ball but failing to hit his target: "We were sitting, we saw them, we got up and ran off, and bang! It all kicked off. I was surprised they used the weapon." The boy had time to hide in a parking lot with his friend, but his twin brother fled in a different direction and was caught. He added: "They hit him and let him go. I mean, they beat him, they really laid into him, he was all bruised up when I saw him after. He said, they just hit me and didn't even take me in. He couldn't believe it." The practice of physical punishment, which patrol officers often refer to nostalgically, seemed alive and well in light of the stories these adolescents told me, the only difference being that usually, as in this case, it was the slowest or most unlucky among them who took the hit for his guilty friends.

Although scenes of brutality were the exception rather than the rule in what I observed, scenes of humiliation were quite common. They arose daily in the street during identity checks and body searches, or when individuals being arrested were handcuffed without justification, then in the police car bringing individuals for questioning, and eventually in the station. There was a wide range of behaviors, from unpleasant remarks to racist comments, from ostentatious signs of contempt to stops and frisks enacted in front of neighbors. Each time, the point was to institute a relationship of abasement and mortification at a moment when the individuals concerned were captives of a situation that forced them to submit to torment without responding, in order to avoid being charged with insulting and resisting the police. They were even more likely to remain silent if the crimes the officers were accusing them of were relatively minor, or not established, or even non-existent, allowing them to cling to the possibility of prompt release, which an inappropriate reaction would put at risk. This treatment, in circumstances where innocence could be assumed, or even

confirmed in the case of routine stops and frisks, is in itself indicative of the ordinary nature of this violence.

Often aggressiveness was focused around subjects thought to be wounding, particularly the individual's precarious situation, aiming to produce both guilt and shame. Here are two examples. A youth of North African origin was suspected of having been involved in a scuffle in the project where he lived. In the street, where he had been stopped, a patrol officer questioned him: "You're not working? – No sir, I'm on unemployment benefit. – Yeah, you're loafing around off our money. – It's not been long, sir, only 4 months. There are people that stay on it a lot longer. I know someone who's been on it 26 months. – Yeah, right, you're going to wait 26 months. – No sir, but if you think it's easy for an Arab like me to find a job . . . – Seek, and you shall find. You're full of bullshit!" Another day, a man of sub-Saharan origin had just been stopped for a problem with the insurance on the car he was driving. On the back seat of the car taking him to the police station, the officer interrogated him: "Have you been in trouble with the police before? – No. – Be careful. Anyway, we'll check. (silence) – How old are you? – 28. – Are you working? – No, I haven't found a job. – Are you married? – Not yet. – (With increasing contempt): Don't you get it? You're 28, at your age you should have a job, a family, a house, go on holiday, have a normal life, you know? Look what you're doing with your life. It's a mess!" Given that the first individual, a youth from the Arab minority, and the second, an African immigrant, belonged to groups that studies indicate suffer massively from employment discrimination and have unemployment rates two to three times higher than French people of European origin, remarks of this kind had a good chance of reaching their target, adding denigration and humiliation to injustice.

The harassment could take harsher forms. I still retain the painful memory of a youth of North African origin shut into the plexiglass-walled room in the precinct that rendered its occupants visible to all the officers passing by. I can still see his despairing expression and hear his insistent cry: "I'm not gonna get five months in prison! On my mother's life, I'm not going back to jail!" Around him, officers went about their duties, some indifferent, others laughing and watching him from a distance, still others approaching to provoke him, and some apparently getting annoyed. The young man continued his litany: "I was at the red light, I didn't do nothing, they stop me and tell me I'm going to jail. On my mother's life, I won't do the five months! I don't want to go back to jail!" He was one of those who have accumulated convictions with suspended sentences, have been

incarcerated several times, believe that they have drawn a line under their past and can now return to normal life having paid for their misdeeds, and who discover, during a routine check, that an old sentence has been activated and is sending them back to prison.¹⁹ The police had a list of people being sought for these reasons, and, recognizing the young man when he pulled up to a traffic light, had stopped him. In his transparent enclosure, where he threw himself against the walls yelling, he seemed like a caged animal exposed to the jibes and provocations of the officers. A little while later the sergeant in charge of the anticrime squad, who had just entered the station, stood in front of him without saying a word, as if purposely mocking him. The young man resumed his lament. The officer watched him from a few feet away, haughty and silent, making sarcastic comments each time he seemed to be calming down. When the sergeant left after several minutes, one of his colleagues took over, attempting in his turn to exasperate the youth without really managing to arouse his interest. Annoyed, he approached him threateningly, again without success. Later he told me, as if regretfully: "I was this far from hitting him." His colleague commented: "If you hadn't been there . . ." The sentence hung in the air. In fact, contrary to what they thought, physical suffering would have added little to the moral suffering, which had reached a peak: this was probably why the young man seemed not to recognize the officer's hostile presence. In limiting themselves to irritating him with their mimicry, their laughter, their indignation, the police surely achieved the violence to which they aspired. Ultimately, they did not even really know this person, who had been arrested by their colleagues: he was not one of those they dreamed about bringing a suspended sentence down on one day. But the jail term he would serve and the distress it provoked obviously did not suffice for their satisfaction: they still considered they had to harass him.

As a general rule, unlike the violence manifested in relations between persons or groups – be it fights in the school yard or confrontations between rival gangs – police violence, whether physical or moral, is exercised in a radically and institutionally unequal manner. On one side are individuals who have not only the monopoly of the legitimate use of force, but also exclusive access to effective use of it given the circumstances. On the other are individuals who are doubly captive, owing to both the physical coercion they undergo and the latent threat weighing on them if ever they should have the bad idea of talking back. Whether detained, handcuffed or simply surrounded by officers, the person exposed to their power is rendered structurally inferior: he is bound to submit, and any protest or rebel-

lion can only lead to even greater submission. Violence is therefore almost always strictly unilateral. But it is also targeted. It is not applied to all. It affects almost exclusively males, mainly young men, of working-class background, living in disadvantaged neighborhoods, usually of immigrant origin or belonging to a minority. It is rarely inflicted on women, or more mature people, of middle-class or upper-class background, living in residential neighborhoods, or of European appearance.

However, as the examples cited above show, one further element needs to be added to understand the attitude of the police toward the population they subject to violence: the belief that officers are dealing with a person who is guilty, with respect both to the act for which they have stopped him and to previous offenses which they may have found by checking the records of the Reported Offense Processing System.²⁰ In the moral work of denigration that operates to render violence not only possible but desirable from the point of view of the police, recognition of the crime committed and of a criminal past is essential. An individual who is a “shit” or a “fag,” as I heard them described, can be treated as such. As we have seen, though, the capacity of law enforcement for discernment is often poor, and any young man from the projects may, until proved otherwise, find himself ranged with the generic category of “bastards,” and subject to the ordeals reserved for them.

One of the disturbing aspects of the various accounts and observations of violence, like those I describe here, is the emotions that accompany them. Enjoyment of hitting or humiliating a defenseless individual is both a characteristic of the officers involved (though obviously, not all are), and a fact that needs to be understood (well beyond the ranks of the police). In his philosophical study of the excessive use of force, Étienne Balibar emphasizes that a third term needs to be added to violence and power – that of cruelty:²¹ “The phenomenology of violence must include, at the same time as its intrinsic relationship to power, its relationship to cruelty, which is a different thing.” From a sociological perspective – and probably from a political one too – the issue is not to investigate the psychic or even anthropological foundations of the pleasure experienced in striking a handcuffed man or humiliating a prisoner, but to understand what makes it possible and acceptable. It is not a matter of pronouncing moral generalities about violent impulses, but of grasping how such acts come to be performed without eliciting disapproval. What makes cruelty possible is the image the police have of their public – or one part of their public – as an enemy fundamentally different from them. Hostility is not enough; a radical othering is also required: the other

cannot be another oneself. What makes cruelty acceptable is the construction of the individual targeted as a guilty party who deserves what happens to him: his fault can be the specific crime for which he is arrested or, more generally, his criminal past, his attitude toward society or even his mere presence in the world. Violence must be able to find a minimum of justification in the idea the perpetrator has of the person who is subjected to it and who must be made to pay. This is what political leaders work to achieve: by describing adolescents as “wild kids” (“sauvageons”) or youth as “scum” (“racaille”), the ministers of the interior – respectively, the Socialist Jean-Pierre Chevènement and the Conservative Nicolas Sarkozy – contribute to making violence possible, and when it occurs, even when it results in death, to making it acceptable, by presuming the victims guilty even if they are not. Thus the production and legitimization of violence are set in a political context that goes beyond law enforcement and involves the highest authorities of the state.

The analysis I propose here diverges from the customary social science approaches to these questions, especially in France. Indeed, when I presented a paper based on my study at a research seminar on violence, one sociologist, disturbed not by the facts I had discussed but by my reading of them, exclaimed: “All the same, people aren’t killed in police stations every day, plenty of people come out alive!” I had not described any homicide committed by officers, having limited myself to my own ethnographic observations and my commitment to describe the routine of police practice. Her remark, and the emotion expressed within it, troubled me. Is it enough to know that people are not killed in police stations every day? Should we reduce the definition of violence to its extreme physical forms, or even to murder? This reaction to my analysis arose in the context of a crucial period for the social sciences in France, a point when there had been a shift from a critical sociology to a sociology of critique,²² in which denunciation had given way to interpretation of denunciation, and a degree of mistrust of anything that might cast doubt on the researcher’s neutrality had developed. In the choice between involvement and detachment, evoked by Norbert Elias, it was admitted that social scientists should avoid the former and opt for the latter.²³ In the case of law enforcement, the issue was particularly sensitive: limiting oneself to denouncing police violence meant doing the same as human rights organizations with less competence, and the added value of research disappeared; conversely, simply reconstituting the grammar of denunciation meant abandoning consideration of the meaning of violence, therefore renouncing the commitment of the researcher.²⁴ In the first case, scientific autonomy with

regard to political action seemed to be challenged; in the second, it looked as if the political aspect of scientific work was being avoided.

The path between these two positions is narrow. I believe, nevertheless, that it can be negotiated, provided that one agrees on two requirements. Firstly, analysis must be based on ethnographic investigation: spending time in places and with people over a prolonged period makes it possible to observe scenes that can be resituated in their context, while remaining aware that the presence of the observer obviously generates an interference with what he is observing, and in particular substantially reduces the likelihood of violence occurring.²⁵ Secondly, the analysis must propose a framework of interpretation: the interaction between the police and the public cannot in itself provide the keys to understanding violence unless one takes into consideration the enabling conditions of this violence, especially the relationship to power and the justification of cruelty.²⁶ That the majority of suspects leave precincts alive is certainly reassuring, but it should not divert us from the everyday invisible violence that occurs there. That the majority of officers, most of the time, do not indulge in brutality is equally worthy of note, but does not eliminate the need to reflect on those who do, and those who witness these scenes or are aware of them but do not react. In one sense, my colleague was right: if the anthropological approach derives from an aptitude for amazement, I was still prepared to be amazed by the routine nature of the violence perpetrated by the police on certain groups of the population.

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But the fact that the violence of the police escapes the gaze of the average citizen, and even of the researcher, is hardly surprising. Everything possible is done to prevent the reality of this violence emerging into the public arena, and more particularly being brought into the courts. Complaints of brutality or references to beatings in witness statements are almost always discouraged and discredited.

One evening, in the central precinct, an officer was drawing up a report on a 14-year-old boy of Malian origin who was suspected of having stolen a bicycle, questioning him at the same time as writing up the document. After verbally reconstructing the sequence of events for the boy, who did not seem to understand what he was told, the law enforcement agent concluded: "Were you involved in stealing a bicycle with two other persons today at about 7 p.m.? – No sir. – You shouldn't tell lies. Anyway, your alibi doesn't hold water, your friend said he had been with you for 20 minutes, and the theft occurred 30 minutes before we questioned you. – . . . – Were you with two other

persons before you met your friend? – No sir. – So how do you explain the fact that the victim has identified you as one of the three thieves? – I don't know." Silence. The officer carried on typing, and then continued: "Have you anything to add? – Yes sir. Why did the officer slap me? – What officer? – The black officer. – There wasn't a black officer. – Yes there was, he was on a motorbike, my friend'll confirm it. – No, I'm telling you there was no black officer." I saw the law enforcement agent type out the boy's supposed response: "I have nothing more to add." Having finished recording it, the officer read the entire statement over to the boy and showed him where to sign. The adolescent kept his cool and protested softly: "You haven't put down that the officer slapped me. – I'm warning you, there are two crews that will testify against you and say that you're lying. The judge won't like that. – . . . – Do you still want me to put it down? – Yes. – You're going to go up against the officer you're accusing, it'll be your word against his, and what's more he'll accuse you of defamation. – But it's true, sir. There were other guys around, they'll back me up." Wearing of the argument – but probably mostly because I was there – the officer finally noted down what the boy had said.

As we have seen in the case of the trial described earlier, and as this exchange also demonstrates, officers have a whole range of techniques for dissuading anyone who wishes to register an allegation of violence. It includes intimidation, here with the successive references to the contradictory testimony other officers will provide, to the confrontation with the alleged perpetrator, and to the threat of a charge of defamation. It also involves denial: the officer accused was supposedly not present at the scene of the questioning. It finally entails mere refusal: the officer taking the statement fails to record the allegation of slapping. In this case, the officer displayed his whole rhetorical arsenal. But nothing worked, as the boy proved to be stubborn and brave. Yet, there is little chance that any further action will have been taken and, if it has, it is to be feared that the prediction of the officer has proven true and that the adolescent was considered a liar.

Deterrence usually works, though, and, even in the court case, it should be noted that in the end the Caribbean man did not file a complaint and the Turkish victim only resolved to do so because he was supported by community associations and the case had sparked a scandal in Turkey. There was another case that seemed to me even more remarkable. In a housing project, a confrontation took place one Sunday afternoon between a small group of teenagers and law enforcement officers, for reasons that were unclear: insults flew on

both sides, stones were thrown by the youngsters and live rounds were shot by the police. One of the bullets hit a young man from the neighborhood who was returning from a soccer game with friends and was more than 100 yards away from the police. He was taken to the hospital and treated in preparation for an operation to extract the bullet, before being taken into custody. His family was devastated, and he himself admitted he had been scared he would die from his life-threatening wound. In the neighborhood, the anger aroused by the event led to several days of tension, with the commissioners holding different opinions on what line to take. One argued that the police should not return to the location, in order to avoid inflaming the situation; the other thought, on the contrary, that they should make a show of heavy presence. The wounded man, of North African origin, was easily exonerated, especially given that he had never had dealings with law enforcement and had a job in the area. He still declared himself astonished at this unexpected favorable decision, having perfectly understood that the presumption of his innocence could not be taken for granted. His lawyer stated that he would most certainly be filing a lawsuit for voluntary assault with a firearm, once examination of the bullet extracted and ballistic analysis had confirmed that the shots did indeed come from the police – a fact of which there was little doubt, since cartridges had been found at the site. Yet he never did. When I expressed my surprise to the anticrime squad officers, they told me they had explained to the young man that, since he had “little brothers who had already been in trouble,” it was better for him to hold back. And so he did. He had got the message.

When, despite these generally crippling obstacles, police brutality did actually become the subject of a complaint or was recorded in a statement, or, more often, when law enforcement agents could reasonably foresee that this was likely (for anticipation was fundamental here), the most effective response was a countercharge of “insulting and resisting a person holding public authority.”²⁷ In this way, officers switched from being the perpetrators to becoming the victims of violence. Any traces left on the bodies of individuals questioned, and often certified by a physician, then became simply the marks of legitimate action by the police who were defending themselves at the same time as attempting to control and arrest the offender.

It would, of course, be wrong to portray the officers as systematically and cynically seeking to disguise their brutality by transferring guilt to the person they have subjected to physical violence. This situation no doubt does occur, even after the event, when the ill-treatment meted out has had serious consequences and the officers need to

reconstruct a credible scenario to explain death or serious injury during questioning, as happened in the case of the trial where the Turkish man filed a lawsuit against the police. But usually, it is in the heat of the moment that verbal and physical provocations, of which I have given many examples, enable officers to push the individual to commit an offense. The person being questioned rarely falls for this ploy, because the youth are generally wise to it, and some, who have already served jail time as a result of such altercations, are even informed by experience. It does happen, though, that the youngster, lowering his guard or simply unfamiliar with this situation, is caught out and answers back or, worse still, fights back: then the chain of events proceeds rapidly, and the reaction is often brutal.

In one case recounted to me by a special educator, the police had been called to a Youth Judiciary Protection hostel. One adolescent had hit another, and a scuffle had broken out. When they arrived, the anticrime squad officers found the youngsters had calmed down. Despite that, they had questioned them roughly. One officer spat on the floor in front of their feet, "trying to provoke them," but while the boy who had thrown the first punch in the initial fight "didn't respond," the other lost his temper; he was slapped twice and brutally "brought down to the floor," before being taken to the precinct. "When I arrived," the director of the hostel told me later, "the teachers were completely in shock, one of them was in tears, she kept saying it wasn't fair." In the face of the provocation by the officer, it was the adolescent who was the original victim who had cracked, while his companion, the aggressor, had stood firm. The police had sanctioned the innocent and ignored the culprit.

Everyone at the precinct knew about these practices, and the charge of "insulting and resisting" served as a marker of the quality of relations between the officers and the youngsters, or more precisely of the level of violence displayed by law enforcement agents. In a conversation around the coffee machine, one officer expressed satisfaction to her colleagues that throughout her seven years in the force, she had never had to resort to it. She had served mainly in posts related to "transport," primarily in transfers between the prison and the court. These were sometimes trying moments for prisoners, who would learn, when they appeared before the judge, that, having been on remand up to that point, they were finally being sentenced to jail, or would receive notification of a penalty of which they had not been previously aware. "When I saw they were upset, I left them in peace, and even if they expressed their anger, I didn't answer them," this officer explained. She added, however, that some of her colleagues took malicious pleasure in needling prisoners until they provoked a

situation that might be described as insult and resistance. On another occasion, an anticrime squad officer, who had switched to day shifts because he no longer wanted to be associated with his colleagues' violence and racism, told me proudly that in three years in his current post, he had had only two cases of insulting and resisting the police.

Speaking with commissioners, I also learned that they paid special attention when their officers reported this offense. "When I've got an officer who's stacking up a lot of insult and resistance charges," one of them told me lucidly, "I suspect an inability to manage situations, or even a tendency not to manage his own aggression." But this monitoring on the part of the hierarchy had few consequences, unless the offense was reported in the context of violence where the individual questioned had suffered serious injury. Internal sanctions were minimal, taking the form of warnings, or perhaps a change of schedule, transferring the violent agent to day shifts where there was obviously better monitoring of activities: this was the penalty conferred on two anticrime squad officers well known for their excessive use of force. Conversely, Fabien Jobard and Sophie Névanen's study of convictions for offenses against persons holding public authority where no other offense was committed shows that offenders received prison sentences in 10 percent of cases of insult alone, 18 percent of cases of resistance, and 20 percent of combined insult and resistance cases; in more than a third of these cases, the sentence was over two months.²⁸ In other words, contrary to what the commissioners were suggesting to me, the charge of insult and resistance is not really a two-edged sword: the implications for those being questioned are much more serious than the consequences for the police, and officers may even benefit financially if they file a civil suit, as a result of the compensatory damages they can expect from a trial.

For a youngster from the projects – and, even more, for an illegal migrant or a Roma traveler – there are thus many discouraging obstacles in the way of seeing the police violence he alleges acknowledged. But one factor is somewhat eroding what William Westley, elsewhere in the book quoted in the epigraph to this chapter, called the police's "law of silence": the spread of video cameras, whether used by amateurs or in surveillance systems. This novel form of evidence, made available to journalists and lawyers, and often posted on open-access websites, is beginning to make police brutality more visible. During the course of my research, amateur footage of two young people being beaten up by police officers following a car accident in Mont-Saint-Aignan, near Rouen, on April 6, 2007, had been widely circulated in the media and was the subject of animated conversations in the anticrime squad. The video showed the police

repeatedly kicking the driver and his passenger as they lay on the ground, already handcuffed, choking one of them, crushing the other's head against the roof of the car, and finally setting an unmuzzled dog onto them.²⁹ Even the members of the anticrime squad with whom I worked seemed impressed. But still most episodes of violence occur out of sight of cameras, leaving no traces, except on the bodies and in the memories of those who suffer them.

On my last visit to the Youth Judicial Protection hostel, where I had conducted several interviews, I arrived in the midst of a lively discussion between the director and a boy of Malian origin, aged approximately 16, in the presence of one of the youth workers. "Did you note down the patrol number? You know, you have to react in the moment. Do you understand, Alassane?" The adolescent, muttered: "Anyway it won't make any difference." But the director replied with enthusiasm: "It depends. That's not true. Of course, it might not be any use. I won't tell you it's certain to work. But it comes to a point where that's also our job: we're here to protect you. When people go too far, you have to respond and that goes both ways. Just because they're cops it doesn't mean they have the right to hit you."

As the conversation went on, I was able to reconstruct the episode that had occurred earlier that morning. The boy and two friends had been playing noisily in a little square close to the hostel. Two patrol officers asked them for their papers. Since they were only yards from their lodging, the three of them had gone out without their identity documents. All they had was their travel card, which in general is deemed sufficient identification for a minor since there is a photograph on it. But the officers were not satisfied, and, despite the boys offering to retrieve the documents from their room, they decided to take them to the precinct, which was obviously an abuse of authority, if not a transgression of the law. But the boy named Alassane had run off back the hostel, fetched his identity card and returned to show it to the officers. This honest action proved to be an unfortunate mistake. Instead of recognizing his good faith, the officers began to handle him roughly for having fled, and then to insult and slap him. Alerted by the noise, one of the youth workers ran up and tried to intervene: "They were so violent I got involved. They were shouting at him. Stuff like: 'I'm going to kneecap you,' several times. And then 'You're a failure in your family, you're a failure at school, little faggot.' It was so violent, what they were shouting, it was incredible, I've never heard anything like it."

At the point when I entered the hostel, the young woman, who had just brought the adolescent back in, was thus trying, together

with the director, to get him to file a complaint so that this violence would not go unrecorded. But the boy was clearly reluctant to do so, and although he seemed distressed by the blows, the curses and especially the insulting comments, he was minimizing them: “No, it’s nothing, it doesn’t matter. – I don’t agree, you mustn’t leave it at that, you have to make a complaint.” (The adolescent, getting angry): “Yeah, if I had been by myself, I would have hit him. I was had. – No, you were right to behave that way, otherwise they’d have taken you into custody. But that means we have to do something as well. It’s good that the police exist, because there are some dangerous people around, but they’re not there to do things like that to you. – . . . – If you don’t do anything, nothing’ll happen, you’ll go to bed tonight, you’ll get up tomorrow morning, and it won’t change anything. If you do something it might change, we can’t be sure of it, but it could change something. – (The boy, stubbornly): No, it doesn’t matter, it’s in the past, it’s done. – You know, recently, there was a human rights committee that brought out a report on just this subject that said police wrongdoing was going unpunished and calling for that to be put right. – (The adolescent, by now furious and shouting): There’s no point!” The director got involved in the discussion: “They’ve even taken some cops into custody.” But the conversation was halted by the departure of the teenager, impatient to go back to his friends. In all probability, as happened in another case of police violence against a boy from the hostel about which the director told me, he would not file a complaint. Unlike the adults in the institution who were defending principles, he understood through his own experience that the game was too unequal and he could only lose. He swallowed his frustration and rage.