

Criminal Justice Policy Review

<http://cjp.sagepub.com>

Restoring Justice Through Community Policing: The Northern Ireland Case

Margaret E. Martin

Criminal Justice Policy Review 2006; 17; 314

DOI: 10.1177/0887403405284736

The online version of this article can be found at:
<http://cjp.sagepub.com/cgi/content/abstract/17/3/314>

Published by:



<http://www.sagepublications.com>

On behalf of:

[Department of Criminology at Indiana University of Pennsylvania](#)

Additional services and information for *Criminal Justice Policy Review* can be found at:

Email Alerts: <http://cjp.sagepub.com/cgi/alerts>

Subscriptions: <http://cjp.sagepub.com/subscriptions>

Reprints: <http://www.sagepub.com/journalsReprints.nav>

Permissions: <http://www.sagepub.com/journalsPermissions.nav>

Citations <http://cjp.sagepub.com/cgi/content/refs/17/3/314>

Restoring Justice Through Community Policing

The Northern Ireland Case

Margaret E. Martin

Eastern Connecticut State University, Willimantic, CT

Principles of restorative justice guide new approaches to criminal justice policy and practice worldwide; however, scant attention is paid to policing within this paradigm. This article describes the theoretical, practice, and value dimensions of restorative justice and examines these in relation to community policing ideology and practice. It presents a policy analysis of the bold Northern Ireland police reform experience and explores the central dilemmas and opportunities inherent in transforming police within communities in conflict. In spite of substantial implementation challenges, community policing may restore justice because of the demand for a sustained peace, dynamism generated when police reform is part of larger social reform, and determination elicited from the poignant recognition of prior injustice. Through police reform, there is potential for greater local democratic control and accountability of the state social control mechanism.

Keywords: *community policing; restorative justice; Northern Ireland*

Principles of restorative justice guide new approaches to criminal justice policy and practice worldwide. Central to the ideals of restorative justice are prevention of harm, human rights and dignity, empowerment of those disempowered, and peace-making. Both the philosophy and practice of restorative justice within communities at peace and communities in conflict have been advanced significantly during the past decade. Much of the practice, however, has focused on postcrime events such as offender-victim mediation, alternative sentencing, restitution, conferencing, and offender reintegration. Little attention has been placed on the beginning stages of the process, especially policing. This article examines, from theoretical and practical perspectives, the development of new policing policy as part of the peace process in Northern Ireland. It frames the study within the context of restorative justice. It examines new structures (organizational, interorganizational, political, and community), processes, and cultures that are being created to redress historical wrongs and propel peace building. It examines policing in societies in transition within the context of emerging criminal justice ideologies and practices as well as international structures, opportunities, and threats.

Northern Ireland is engaged in a tumultuous and historic change. With the Good Friday Agreement of 1998 (United Kingdom and the Republic of Ireland, 1998) the foundation for peace building was established, but the processes of changing social institutions and individual beliefs have been difficult. Although almost all elements of social structures and processes must change in the process of peace, no one aspect of this change has been more contentious and central to the development of a new civil society than the reconstruction of policing. Constantly challenged and modified, the newest construction of policing and policing policy represents one of the largest and boldest experiments in community policing globally.

Fundamental Questions

Restorative justice ideas have emerged as newly acceptable in American and global criminal justice practice. Although not yet considered mainstream, certainly some of the principles of restorative justice are reshaping justice policies. Yet there has been little attention to the role of policing in this shift. Although there has been some attention to problem mediation, arrest diversion, and antiarrest approaches, there remains question about how or if policing practice could be restorative.

Perhaps to discuss whether policing can be congruent with restorative justice principles, it must first be necessary to ask whether policing itself is essential to social functioning or holds intrinsic value for society. Certainly in any articulation of nonutopian society, we must argue that some form of social control is necessary for community to function. In complex societies in which informal means of social control are no longer sufficient, policing may be necessary to ensure fundamental human needs of safety and security. Morris argues that both public safety or security, and personal safety, require peace and order and are components of restorative justice (Morris, 1992). Policing is fundamental to these goals and to the protection of domestic and international human rights. Policing is a public good (Loader & Walker, 2001), but as the legitimate purveyor of state coercion, it must be held accountable to democratic control.

Policing may be necessary for the effective functioning of other social institutions. The battered women's movement for instance, demonstrated that personal safety within the family might require police intervention. The use of police to intervene in institutions such as families, schools, and workplaces is however not without problem (Berger, 2003; Martin, 1999). Abuses of police power are well documented and the ability to protect the most vulnerable members of society is questioned as police are cited for both their failures to protect and their continuation of oppression.

There is enough evidence, however, from societies in conflict and in transition from war to peace to demonstrate that although complex and wrought with significant challenge, there is a fundamental need for police to act as maintainers of peace and order (Brewer, 1991; United Nations, 2003). The vulnerability and risk faced by persons in societies in conflict demonstrate the centrality of policing to the maintenance of order and safety of persons as well as the preservation of cultural identities through

protection of cultural artifacts. In the process of peace building, states must often wrest control of policing from paramilitaries or other forces. Marenin (1982) argues that although there is no state during revolutions or in anarchy, the state is a practical necessity during other periods, for there is a demand for order. Order may be general, assuring the safety of the public, or specific, using the power of the state to advance particular interests.

Policing, seen through the lens of critical criminology, has traditionally been viewed as a state mechanism for repression, oppression, and entry into the punitive apparatus of the justice system of the state. It is without doubt that policing has been used as an instrument of repression and has been integral to the maintenance of the state (Williams, 2003). But as Marenin (1982) states, "The police, *a priori*, are neither repressive nor deserving of support as defenders of a universal consensus on the public good" (p. 259). Historically, policing developed concurrently with private capital and the centralization of political power (Bayley, 1994). These associations may not be essential or inevitable. If societies develop transitional practices to produce a more ideal set of social relations centered in civil society and human rights, they must begin by crafting new social structures and processes that are consonant with ideals of restorative justice. Therefore, I will examine whether there are elements of emerging practice in community policing that may be consistent with restorative justice principles.

Restorative justice poses complex questions about equality and justice. These questions are highlighted in police policy and practice. Can community policing be a transitional structure to promote a nonpunitive, restorative justice system? Can policing itself ever be restorative? Could policing be restorative in stable societies, in societies in conflict, or in both? This article will present a policy analysis of the Northern Ireland police reform experience. It will examine the policy now in formation, with some attention to the process of the policy development. Although it is too early to examine the impact of the policy in relation to restorative justice principles, it will examine contradictions and challenges in the policy framework.

Congruence of Community Policing With Restorative Justice Principles

Community policing may be a fashionable policy buzz word or a complex and changeable set of philosophies, values, and practices that are simultaneously old and very new. Undoubtedly, however, community policing does represent a particular approach to police practice that can be contrasted with militaristic and managerialist policing and that has gained popularity and credibility globally, especially during the past decade. Community policing is characterized as democratic, accountable, and transparent. It fits with emerging notions of civil society (Munck, 2002) that view social institutions as reflecting local needs and representing the multiple interests within communities.

Community policing is now the dominant paradigm of policing in the United States, with more than 85% of the U.S. population now served by some type of community policing force (Hickman & Reaves, 2001). It is rapidly becoming a preferred policy of policing internationally. Community policing differs from recent traditional American and British policing in its goals, accountability mechanisms, processes, and values. Until the late 1980s, both United States and British police operated as an arm of the justice system concerned with crime solving, apprehension of lawbreakers, and the promotion of law and order. The organizations were accountable to the executive branch of government, often shaped by political processes and sentiments. Organizationally, police departments valued authority, loyalty, efficiency, and managerial and technical competence. The new approach to policing took hold at a time when fear of crime continued to climb while the crime rate receded, and research suggested that little in police practice actually reduced crime rates (Bayley, 1994). A new or renewed focus on developing knowledge about, and relationship with, neighborhoods and communities emerged. This new approach to policing highlighted the importance of knowing the community, not just to solve crimes but also to actively prevent crime and to solve social problems that were associated with crime. Community policing was intended to promote a heightened quality of life. Accountability broadened to include sanction from representatives of the community and its various interests. Acceptance required more transparency in police operations, openness in communication, and values that supported these new structures and processes. Perhaps most important, the community-policing philosophy necessitated values change that included respect for diversity, power sharing, collaboration, and problem solving.

Restorative justice practices emerged from the victims' rights movements and very early approaches to offender rehabilitation. These practices ultimately reject punitive, retributive policy and practice, and embrace peacemaking and human need attainment. Restorative justice approaches seek to make whole the victims of crime. They also assist offenders in restoring their humanity, lost too in the process of crime. Restorative justice approaches move beyond the individuals affected by crime, to include understanding of the structural aspects of society and communities that create harm and foster violence. Restorative justice is an active, collaborative strategy to prevent injury and harm as well as promote human well-being and equality (Quinney, 2000; Sullivan & Tiff, 2001).

In examining the relationships between restorative justice and community policing, it is important to note that they exist at different levels of abstraction and, perhaps more fundamentally, emerged in opposite directions. Restorative justice is an ideal that is given meaning and relevance through practitioners seeking alternatives to punitive justice practices. It continues to evolve and be tested against ideals. Community policing, on the other hand, emerged from a set of practices that eventually became characterized and rationalized by an ideology. Given this challenge, we can examine the congruence of restorative justice principles with the ideals of community policing practice in three key areas: the expressed goals or ideology of each, the values espoused, and the practices and processes employed.

Three areas of analysis will be used to examine larger goals of community policing and restorative justice: the relationship to the state, critique of social structures, and human needs and relationships. Perhaps the most congruent goals of restorative justice with community policing are those that relate to individual well-being and human need. Clearly, restorative justice seeks to prevent harm and promote human well-being. Community policing too articulates this goal. More specifically, it seeks to prevent injury and loss as the result of crime and to promote human safety and security. Human relationships and the uniqueness of human experience are the focus of both restorative justice and community policing. In both, the meaning of crime and the felt needs of community are central. Restorative justice principles seek to repair relationships that were harmed through crime, either the relationship of the victim with offender or offender with community. The goal of restorative justice is to return the victim to a previctimized or improved state—to make the victim whole. It also seeks equality as a component of a restored relationship. Whereas these goals can more appropriately be met through postarrest practice (mediation, conferencing, alternative sentencing, restitution, and the like), there can be a police role in restoring relationships. In fact, community policing does seek to engage factions within communities that are in conflict and to provide nonpunitive community alternatives, such as referral to resources or treatment, for persons in need. But here too there are differences. Restorative justice principles seek not only social harmony but also inner transformation of the individual through processes of understanding, empathy, compassion, and forgiveness. Community policing ideally seeks social harmony through the promotion of law-abiding and community-enhancing behavior with little overt concern for cognitive, emotional, or spiritual change or transformation.

In relation to values and practices, there may be less correspondence. Although the ideal of restorative justice articulates an understanding of how social institutions and structures have created and sustained harm to individuals and groups (and, in some instances, fostered violence), there is little structural critique in the community policing idea. Individual failing, including the problems of drug abuse, family and peer difficulties, and the lack of deterrent effect of the justice system reinforce police ideology about the causes of crime (Crawford, 1997). Problems of racism, unemployment, poverty, and other social-structural problems are not central to community policing rhetoric.

Neither restorative justice nor community police practice are necessarily anti-statist, although the ideals of restorative justice acknowledge the role the state plays in producing and maintaining oppression. Many restorative justice practices seek to remove the state's formal mechanisms of social control to create community-based systems of change. Theoretically, neither restorative justice nor community policing are antibusiness, as business is seen as having a vital role in community life. Although neither restorative justice nor community policing are delinked from the state (as both in practice are at least partially accountable to the state), they are community centered. Both have the potential for greater amounts of delinking, especially through the evolution of civil society approaches that will be discussed later.

There is some value congruence between the ideals of restorative justice and the espoused principles of community policing. In each domain, human rights, equality and equity, power sharing, respect for diversity, culturally competent and inclusive practice, and accountability to the community are core values. Perhaps less evident in restorative justice principles is the notion of transparency. This feature of civil society emphasizing community accountability is critical to reformed policing and certainly related to a legacy of corrupt and secretive policing. Peacemaking is central to restorative justice values and included in this are the values of nonretribution and non-punishment. Especially in societies in conflict, community policing can be viewed as a component of peace building. Its approach is through order maintenance first, then the prevention of harm and crime. There seems, however, to be little critique of retributive ideals or policing as the point of entry into a punishment-based criminal justice system.

In practice and process, there are some areas of correspondence between restorative justice and community policing, yet ironic differences. The practices of community policing appear to be similar to central restorative justice practices, such as victim-offender mediation and conflict management. Problem solving, collaborative, democratic, action-oriented, and empowerment-based practices are identified in community policing as important to best practice. In both restorative justice and community policing, the work is local, decentralized, and based on intimate knowledge of the community and fosters respect for the felt needs and unique meanings of the experiences of persons in the community. Restorative justice practice gives voice to persons silenced in retributive justice systems. Both victims and offenders are able to express their needs and wants in the search for understanding and change, whether the goal is peace, forgiveness, safety, restitution, rehabilitation, or other outcome. Importantly, offenders are a focus of intervention both to recognize and restore their humanity in the process and to ensure reintegration into community. In community policing, there is an emphasis on the voice of multiple communities. There is an acknowledgement that in managerialist or professional forms of policing, professional expertise and political considerations shape policy and practice. Conversely, the development of trust, fairness, and effective decision making are considered central to effective community policing practice. The public views these as central to the legitimacy of police (Tyler & Wakslak, 2004).

Community policing reform reflects the practice principles of antibureaucratic organizational practice (Pranis, 1998). Counter to the typical managerialist organizational structure of policing, community policing places strong emphasis on accountability mechanisms, including the development of feedback systems, access opportunities, evaluation mechanisms, and independent oversight. The emphasis on accountability to community is one of the most significant distinctions of community policing from recent policing ideologies and the one with the greatest potential for organizational and social reform and transformation (Herbert, 2001).

There is, however, little attention to the role of offenders in community policing rhetoric, the focus being quite consistently on the law-abiding public. In fact, the prevalent association of "broken windows policing" (Kelling & Coles, 1996, p. 20) with community policing has produced an order-maintenance focus that has vilified and

criminalized many with little evidence of social benefit (Harcourt, 2001). Crime is constructed traditionally, as Bergalli and Sumner (1997) state, "Crime is a category to bifurcate the normal [law abiding] from the pathological [criminal]" (p. 200). Community policing is best described as police practice to protect and develop the law-abiding community, saving those who can be saved from persons who are potential offenders. The practice continues to create and maintain "the other." As in early social welfare policy development, some persons are considered deserving of efforts to be saved but others may never be integrated into the law-abiding community.

Community Policing in Northern Ireland: The Attempted Transformation of an Organization

Northern Ireland's embrace of community policing is unique and complex. It represents both the best of historical policing in Britain, the legacy of the peeler, and a necessary strategy to create a way forward in a divided society. The Royal Ulster Constabulary (RUC), the police force for the six counties that comprise Northern Ireland, was until recently the police force of the province, implemented at the time of partition of the island of Ireland. The force was seen as either the protector of the state and way of life by some residents (Brewer, Guelke, Hume, Moxon-Browne, & Wilford, 1996) or as a brutal violator of human rights and corrupt arm of a colonial power by others (Ellison & Smyth, 1996). The reformed police service, the Police Service of Northern Ireland (PSNI), is being reconstructed as the result of the peace accord known as the Good Friday Agreement (United Kingdom and the Republic of Ireland, 1998), the report from the Independent Commission on Policing, *The Patten Report* (Independent Commission on Policing for Northern Ireland, 1999), and numerous legislative changes in the British Parliament. The RUC and PSNI have also undertaken organizational change internally (Police Authority of Northern Ireland, 2000).

Patten states, "The issue of policing is at the heart of many of the problems that politicians have been unable to resolve in Northern Ireland" (Independent Commission on Policing for Northern Ireland, 1999, p. 2). The charge for community policing was clear. Peace requires "a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole" (United Kingdom and the Republic of Ireland, 1998, p. 22). Without providing a thorough and nuanced description of the RUC to better assist in understanding the context of the transformation of the service to the PSNI, we will simply present that the RUC was one of the largest police forces per capita in the world; it employed 92% of persons from the dominant (Protestant and unionist) community when the community was divided approximately 52% to 48%; and although it was perceived as acceptable to many persons in the province, it was seen as highly unacceptable to relatively large segments of the community (Ellison & Smyth, 2000; Independent Commission on Policing for Northern Ireland, 1999; Mulcahy, 1998; Pickering, 2002). Its organizational structure and culture could be described as managerialist, professional, and

bureaucratic (Brewer et. al., 1996) at best, or, according to other observers, racist and corrupt (Ellison & Smyth, 2000; Mulcahy, 1998).

Although the RUC did begin efforts to change the organization from within and attempted to escape the quagmire of deeply divided political positions and a crisis of public legitimacy (Mulcahy, 1998), the thorough, balanced, and cutting-edge recommendations of the Patten Commission were the most significant blueprint for organizational and policy change. Initially met with modest acceptance by international observers and many of Northern Ireland's centrist political parties, the recommendations were challenged by both left and right. In the ensuing few years, Sinn Féin, a political party and voice of the republican movement, has moved from criticism to acceptance of Patten and has pressured the British government to revise policing legislation to be more consonant with Patten. Although significant reforms have occurred, Sinn Féin stands as a major critic of new police structures and refuses to sit on planning and oversight boards until all of the reforms recommended by Patten are fully implemented (Sinn Féin, 2003). This party explicitly challenges the society to promote restorative justice, to achieve ideals of human rights and equity in policing. Its stance is explicitly antistatist, antiracist, and anticapitalist.

In spite of Sinn Féin's refusal to participate in community policing until reforms are complete and in spite of the reticence of some community members to proceed with reform (36% of Protestants recently polled considered it unacceptable to complete the process of police reform, 2% of Catholics so agreed [personal communication, Republican Mailing List, 2003]), the transformation of the police service is under way. Innovative and visionary community steering and accountability mechanisms have been implemented. The *Mission Statement and Core Values* of the Northern Ireland Policing Board (NIPB), the independent body charged with directing and monitoring policing, identifies core community policing characteristics.

To secure in partnership with the chief constable, the police service and staff associations, for all of the people living in Northern Ireland an effective, efficient and impartial police service that will secure the confidence of the whole community and work in partnership with this community to contribute to the development of a safe, more harmonious and peaceful society. On behalf of the community, the Board will set high standards for the behavior and performance of the police service and hold the police to account for achievement of these standards. In addition, it will set high standards for itself in its dealings with the Police Service and the general public. (NIPB, 2002, p. 7)

The NIPB is an appointed body, ostensibly independent of the police service and the government. It consists of 19 members, a chair and vice-chair appointed by the secretary of state, 10 members of the Northern Ireland Assembly appointed through the d'Hondt process that strengthens minority representation, and 9 independent members appointed by the secretary of state through open competition. It identifies its core values as "accessibility, accountability, responsiveness, objectivity and independence, impartiality, integrity, partnership and mutual respect" (NIPB, 2002, p. 7).

Perhaps what is most significant about the attempted transformation of the police is the scope and comprehensiveness of change, its visionary qualities, and its reform of a

force that had faced international disapprobation. The board's objectives include the promotion of community policing and human rights principles. The board directs and holds the police force accountable for achieving objectives set by the board and by new district police boards. These local boards, district police partnerships (DPP), are community-based boards that direct and evaluate the PSNI in local neighborhoods or communities. The reform of the police force includes the implementation of an independent office of police ombudsman, establishment of an affirmative action plan that requires 50% of hiring be from the Catholic community, adherence to a comprehensive code of ethics, and institution of a training and education center.

In many respects, the process of reforming the police service in Northern Ireland holds promise to achieve goals that are restorative. There is a clearly articulated goal to restore community, to build peace, to protect human rights, and to ensure the security of all persons in the community. There is overt recognition that there is a legacy of exclusion, marginalization, violence, and pain that must be overcome. There is an attempt to address the fears of abuse of power and protect citizens from police misconduct. There is a broad-based system of democratic boards, which are local and representative of and responsible to community and direct and evaluate local policing efforts. There is transparency in the effort, with, for instance, substantial biographical and financial information about members of the board available publicly (NIPB, 2005). Importantly, the approach is comprehensive and establishes accountability mechanisms that are independent of the state.

Opportunities and Challenges

Northern Ireland presents a provocative case study in the establishment of community policing as a vehicle to build peace and ensure safety. In many respects, it presents goals, values, and practices that are consistent with restorative justice ideals. However, numerous contradictions to these ideals are possible in the policy implementation. Additionally, the developing police policies raise questions about the nature of restorative justice itself, especially in relation to the role of the state.

The republican party, Sinn Féin, has leveled the most powerful criticism of reform efforts. This party represents the interests of persons most marginalized in the society, predominantly Catholic and lower socioeconomic class persons who seek to unite with the Republic of Ireland. Sinn Féin has consistently challenged police practice and new police policy. It currently will not take its position on the NIPB because of disagreements regarding community control and accountability for policing, recourse for wrongs, the lack of legitimacy regarding diversity on the force, and prior human rights violations by current officers (Sinn Féin, 2004). The history of this party's acceptance of most of the new policing strategies is remarkable in that it had begun its position from the base of arguing for the total elimination of the RUC. It has maintained pressure on the British and Irish governments to ensure that its positions regarding policing have been accommodated resulting in continual Parliamentary modifications of the new police policy. Sinn Féin also places policing at the heart of the peace process,

arguing vehemently that community members need and want police. Currently, some persons in the republican community, as well as some unionist communities, reject state policing (McGarry & O'Leary, 1999; Pickering, 2002) and employ local paramilitaries or former paramilitaries (such as the IRA and the UDA) to ensure safety, settle disputes, solve crime, recover stolen merchandise, and punish offenders. There are neighborhood justice centers that have emerged to provide community-based mediation and conflict management outside of the paramilitary structure (Hall, 2000).

Sinn Féin and republican community organizations demand the right of citizens to have a legitimate police service to protect the elderly, to address violent youth, and to prevent crime. They also insist on the creation of a fair judiciary (Falls Community Council, 1998; Sinn Féin, 2003). This stance poses both a challenge and an opportunity for criminal justice reform in Northern Ireland. If the party is able to leverage these changes in new legislation, it will promote progressive reform, fully implement the policing oversight bodies as it takes its seats on the NIPB and DPP, and propel the peace-building process through the establishment of new legitimized community institutions. If it is unable to gain these reforms, a significant proportion of the population will continue to see the police and justice systems as oppressive arms of the state. The result may be continued lack of legitimacy, reliance on paramilitary organizations, and lack of access to state-based welfare and security.

Northern Ireland's policing project, if fully implemented, is venturesome and innovative in its embrace of democratic design and accountability mechanisms. It may in practice provide a model for the transformation of policing in the early 21st century not only for divided or conflict-ridden societies but stable, pluralistic societies as well. It may fit the ideals of restorative justice, although not fully, but incrementally and transitionally in the movement to a more humane criminal justice system and society. But new policing policy in Northern Ireland poses enormous challenges in practice. Although the legacy of violence in a divided society propelled the creation of such comprehensive and radical change, it simultaneously presents extraordinary difficulties in implementation. These challenges are similar to those faced in the implementation of other community policing proposals, but the stakes may be higher.

The human rights, crime prevention, and equality components of Northern Ireland's policy are highly monitored and visible elements of the policy change. There are numerous bodies internal to the United Kingdom and Northern Ireland (Human Rights Commission, Secretary of Northern Ireland, Committee on Justice, Office of the Oversight Commissioner, and others), external (Human Rights Watch, Amnesty International, The Lawyers' Committee on Northern Ireland), and supranational (European Commission on Human Rights) responsible for oversight or monitoring. Certainly, however, the legacy of oppression and the existence of racism and sectarianism in society are not eliminated through policy. Websdale's (2001) account of the use of community policing as a new form of apartheid dramatically demonstrates the potential for abuse of human rights in community policing practice.

A major question about community policing's restorative potential is its relation to the state and whether the state's interests (and perhaps the interests of capital or even

global capital) will always supercede the interests of community. This is a fundamental question for the future of restorative justice as well. Much of the debate regarding the future of civil society centers on whether community-based, grassroots, or local governance and interests are a countervailing force to the interests of the state, global capital, and their interlocking interests (Habermas, 1996; Munck, 2002).

In an ideal form, community policing would represent the interests of a local community. Marenin (1982) compellingly argues that it is possible for police to be delinked from the state. Although policing emerged simultaneously with the development of the state and markets, it does not necessarily serve the interests of property only. Bayley (1994) contends that although police up until the 19th century protected the interests of government by suppressing unrest and controlling the population, 20th-century policing evolved to respond to the needs of the public and is democratically responsible to the populace. It is, he argues, a “renegotiation of the social contract between the police and society” (p. 120). Johnstone (2002) contends that restorative justice practices can in fact build community. Major questions in this regard must be raised. Can police be fully delinked from the state if the state does not punish, but must policing be linked to the state if there is punishment to ensure fairness and legitimacy? Can there be a partial delinking that can adequately serve the needs of community and not the state or global elites? Might suprastate entities play a much more important role than the state in the 21st century, the “hollowing out of the state” (Rhodes, 1996, p. 661), further facilitating the delinking of police with state and providing opportunity for more local control? Bass (2000) demonstrates that community organizations do have the capacity to shape police organizations. Loader and Walker (2001) reconceptualize the role of the police in the 21st century as a vehicle to transform communities, from traditional interest and territorial communities to sustaining affiliated or attached communities.

The public interest is multidimensional and policing reflects this. Loader (2000) identifies the challenges to democratic accountability of policing that is increasingly “fragmented, diverse and networked” (p. 324). If community policing is to be truly reflective of and responsible to the community, however, might local interests be as easily, or more easily, shaped by elites, the interests of capital, or even sectarian agendas than if responsible to the state? The rhetoric of community policing includes attention to the interests of local business, in fact partnering with business. At the local level, is there compatibility between business and other community interests, or might the tension between the interests of various elements in the community result in domination by some interests, withdrawal by others? How will the role of elites and class shape community policing? How can interest in directing and monitoring police be maintained to ensure community control? The local and global dilemma will shape the immediate future of policing with both opportunities for democratic, community-based policing and national and global impediments to serving local needs promoting instead the interests of state and global capitalism (Anderson et al., 1995; Crawford, 1997). Might true community control of police, incorporating informal means of social control and targeted efforts to prevent crime result in the loss of procedural safeguards for offenders, net widening, or replication of current inequities?

Northern Ireland at this very early stage of implementation suggests some of these challenges of implementation. Although the NIPB is an independent body directing the actions of the PSNI, its chairs and its funding derive from the United Kingdom. Although some members are elected members of the Northern Ireland Assembly, the Northern Ireland secretary selects others. At present, the British government has suspended the democratic local assembly. The Northern Ireland secretary gives goals to the policing board, the policing board establishes goals, and then requests local goals from the DPP. These boards have just begun, but already questions have been raised about whose priorities are most important: How will conflicts between community goals and state-level goals be addressed, and how will communities ensure continuity of police personnel to ensure that the knowledge of and relationship with communities so necessary for community policing can develop (McGarry & O'Leary, 1999; NIPB, 2002).

The role of class and elites in society is far more recognized in Europe than the United States, and this may play a positive role in ensuring that police serve the interests of the entire community, especially the poor and marginalized. As in many societies, the police are drawn from the ranks of the blue collar, and in Europe, police are more attuned to this and even aware that their interests are more alike those policed than the interests of other members of the justice system, such as lawyers and judges. The members of the PSNI who had been members of the RUC may have a mixed class consciousness because of their high salaries, their exclusion from community for security, and other reasons. Marenin (1982) contends that the drive toward the professionalization of the police was to alienate them from their working-class roots, their class identification, which would make them unreliable protectors of elites. The influx of half of new recruits from the Catholic community may connect the new service to the working class, but the process of change may be too slow. Ironic is the role that police labor unions play in restraining progress toward community policing, with the Police Federation of Northern Ireland (1999) rejecting affirmative action plans and community accountability mechanisms. Similarly, the Cincinnati police union voted unanimously to cancel a creative community-policing plan that attempted to redress the wrongs committed by police for racial profiling and violation of civil rights (Kay, 2003). Community policing may have some potential to counter these tendencies through training, integration, accountability mechanisms, organizational structure, and ethos.

In practice, the values of community policing pose continual challenges for police organizations, oversight agencies, and the community. Ideals of human rights, equality, transparency, accountability, power-sharing, respect for diversity, and peace are lofty challenges for any organization to achieve, even those whose purpose is not crime prevention or human safety. Northern Ireland's experience as a society and its policing history is rife with very serious transgressions in these regards. Can the history be overcome and a new organizational culture be established? Will other aspects of the justice system be similarly willing to change? How will the newest recruits who are vetted in human rights standards and trained in cultural understanding relate to members of the PSNI who are not vetted or trained, and how will this affect the organi-

zational culture? Thatcher (2001) demonstrates that values conflicts between police and community organizations present either possible failures of these ideals or new opportunities for organizational change.

Community policing practice poses serious challenges for individual police officers and their organizations. The skills and orientation of the police pose difficulties for the achievement of community policing ideals. Police are asked to engage in dual roles—those of social welfare and social control. Although most of traditional policing activities do not deal directly with crime but relate more to serving a variety of human needs and emergencies, the police have generally viewed their expertise and focused their skills in areas such as investigation, crime control, and apprehension of offenders. Community policing requires an orientation to understanding and valuing community needs. Empathy, community organization, problem solving, mediation, empowerment practice, and other attitudes and skills are necessary. Some police complain vehemently that they are not social workers, and neither their training nor values support this new role.

In Northern Ireland and in many communities in which community policing is adopted, departments expect most of the force to engage in community policing. There often becomes a fracturing of the organization into community policing and real policing. Although a new training academy is a central feature of the new force, police training does not attend to the more humanistic and social welfare skills and attitudes. There is often goal displacement in such organizations away from community policing toward prior models (Goetz & Mitchell, 2003) and emerging police practice (terrorism, cross-border issues, security, intelligence). In fact, some of the skills necessary for investigation, such as suspiciousness following the unlikely lead or the unusual event, may counter the necessary orientation to collaboration. Often, internal values within the police organization may favor the work of investigation, international policing, counterterrorism, organized crime, or undercover work. Officers who engage successfully in community policing may not receive the rewards to encourage their work.

Conversely, community policing may be in competition with other state and community goals that may be more efficiently served and met without the use of social control. Policing is an expensive social service. Resources that assist the community in meeting its needs may be better distributed to social work, education, or health services. In Northern Ireland, there is not yet the devolution of police services to these other arenas, although an optional tax may be levied locally to allow contracting for complimentary services (Ryder, 2000).

Community policing purports to resolve problems and prevent crime and expects that crime will more likely be solved by intimate knowledge of the community. There are many conundrums embedded in these beliefs. Although members of a community may be willing to work with police to ensure that problems are resolved and even that offenders are apprehended and brought to justice, as arrests increase in communities, may communities become destabilized and residents' attachments to communities weaken? In Northern Ireland, a major goal of the NIPB is that there will be a decrease in crime. New policing policy promotes engaging communities that have been alienated from the police. An increase in crime reporting from these communities would

indicate acceptance of the legitimate role of the PSNI in these communities but, ironically, would be contradictory to the police objectives.

Conclusion

In the most favorable analysis, community policing may be the way forward for communities in conflict to seek justice in the formal justice system. In fact, community policing may be more likely to be sustained and practiced in societies that are emerging from conflict. There may be a clear vision of, and a demand for, a sustained peace; dynamism generated when police reform is part of a restructuring of major social institutions; and determination elicited from the poignant recognition of the injustices produced when policing is unavailable to all. There is enormous potential for local democratic control and accountability of the state social control mechanism, probably more than in any other area of the justice system. Policing provides for the fundamental needs of safety and security and can do so with respect for human rights, attention to the equitable distribution of resources, and recognition of vulnerability. Northern Ireland's dramatic policy plan demonstrates that the integration of principled vision, establishment of local democratic structures, and major restructuring of the organization, culture, and ethos of policing can gain the support of broad segments of the population and represent a new social institution that can bridge sectarian history in a divided society.

The Northern Ireland community policing plan may be the most important and comprehensive national community policing endeavor of the new century. It may begin the process of this century's momentous shift in the location of the authority over police (Bayley, 1994) and may transform this leading edge of the criminal justice system. But there are many possible contingencies that can scuttle the plan, for there are no easy answers to the conundrums now evident or likely to surface in implementation. The major strength and essential element is accountability to community—real, not advisory. Legitimacy must arise from procedural justice: There must be mechanisms to ensure that human rights are central and minorities' voices are heard regarding control and fair treatment. Comprehensiveness too is important. Piecemeal reforms, the veneer of community-style policing cannot fundamentally change organizational structure and ethos sufficiently to achieve the goals of community policing. The power of supranational entities, whether nongovernment organizations or quasi-state bodies, may also ensure that communities maintain control and that standards of justice are enforced. Finally, the willingness of communities to accept or even forgive the pain of past community relations may be central to their vision and motivation to transform policing. In the process of policy development and in outcome, community policing can become fully compatible with restorative ideals.

References

- Anderson, M., den Boer, M., Cullen, P., Gilmore, W., Raab, C., & Walker, N. (1995). *Policing the European Union*. London: Oxford University Press.
- Bass, S. (2000). Negotiating change: Community organizations and the politics of policing. *Urban Affairs Review*, 36(2), 148-177.
- Bayley, D. H. (1994). *Police for the future*. London: Oxford University Press.
- Bergalli, R., & Sumner, C. (1997). *Social control and political order: European perspectives at the end of the century*. London: Sage.
- Berger, R. R. (2003). The "worst of both worlds": School security and the disappearing fourth amendment rights of students. *Criminal Justice Review*, 28, 336-354.
- Brewer, J. D. (1991). Policing in divided societies: Theorising a type of policing. *Policing and Society*, 1, 179-191.
- Brewer, J. D., Guelke, A., Hume, I., Moxon-Browne, E., & Wilford, R. (1996). *The police, public order and the state* (2nd ed.). New York: St. Martin's.
- Crawford, A. (1997). *The local governance of crime: Appeals to community and partnership*. Oxford, UK: Oxford University Press.
- Ellison, G., & Smyth, J. (1996). Bad apples or rotten barrel? Policing in Northern Ireland. In O. Marenin (Ed.), *Policing change, changing police: International perspectives* (pp. 171-197). New York: Garland.
- Ellison, G., & Smyth, J. (2000). *The crowned harp: Policing Northern Ireland*. London: Pluto.
- Falls Community Council. (1998). *A new beginning: A new police service*. Belfast, Northern Ireland: Independent Commission on Policing.
- Goetz, B., & Mitchell, R. (2003). Community-building and reintegrative approaches to community policing: The case of drug control. *Social Justice*, 30, 222-247.
- Habermas, J. (1996). *Between facts and norms* (W. Rehg, Trans.). Cambridge, MA: MIT Press.
- Hall, M. (Ed.). (2000). *Restoring relationships: A community exploration of anti-social behavior, punishment beatings and restorative justice*. (Island Pamphlet No. 29). Newtownabbey, Northern Ireland: Island.
- Harcourt, B. E. (2001). *Illusion of order: The false promise of broken windows policing*. Cambridge, MA: Harvard University Press.
- Herbert, S. (2001). Policing the contemporary city: Fixing broken windows or shoring up neo-liberalism? *Theoretical Criminology*, 5, 445-466.
- Hickman, M. J., & Reaves, B. A. (2001). *Community policing in local police departments* (Bureau of Justice Statistics Report NCJ-184794). Washington, DC: National Institute of Justice.
- Independent Commission on Policing for Northern Ireland. (1999). *A new beginning: Policing in Northern Ireland*. Belfast, Northern Ireland: The Northern Ireland Office.
- Johnstone, G. (2002). *Restorative justice: Ideas, values, debates*. Portland, OR: Willan.
- Kay, J. (2003). *Cincinnati police union wants out of deal aimed at better ties with black community*. Associated Press Report. Retrieved July 27, 2004, from LexisNexis database.
- Kelling, G. L., & Coles, C. M. (1996). *Fixing broken windows*. New York: Touchstone.
- Loader, I. (2000). Plural policing and democratic governance. *Social & Legal Studies*, 9, 323-345.
- Loader, I., & Walker, N. (2001). Policing as a public good. *Theoretical Criminology*, 5(1), 9-35.
- Marenin, O. (1982). Parking tickets and class repression: The concept of policing in critical theories of criminal justice. *Contemporary Crises*, 6, 241-266.
- Martin, M. E. (1999). From criminal justice to transformative justice: The challenges of social control for battered women. *Contemporary Justice Review*, 2, 415-436.
- McGarry, J., & O'Leary, B. (1999). *Policing Northern Ireland: Proposals for a new start*. Belfast, Northern Ireland: Blackstaff.

- Morris, R. (1992, Spring). Restorative justice: Path to the future. *Odyssey: Creative Alternatives in Criminal Justice*, pp. 90-95.
- Mulcahy, A. (1998). *The dynamics of the police legitimation process*. *Dissertation Abstracts International*, 59(06A), 2195. (UMI No. 9838244)
- Munck, R. (2002). Global civil society: Myths and prospects. *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 13, 349-361.
- Northern Ireland Policing Board. (2002). *Northern Ireland Policing Board corporate plan: 2002-2005*. Belfast, Northern Ireland: Author.
- Northern Ireland Policing Board. (2005). *Our people: Members of the Northern Ireland Policing Board*. Retrieved December 8, 2005, from http://www.nipolicingboard.org.uk/our%20people/our_people.htm
- Pickering, S. (2002). *Women, policing and resistance in Northern Ireland*. Belfast, Northern Ireland: Beyond the Pale.
- Police Authority of Northern Ireland. (2000). *A policing plan for Northern Ireland 2000-2001*. Belfast, Northern Ireland: Author.
- Police Federation of Northern Ireland. (1999). *The federation's final response to the Patten Report*. Belfast, Northern Ireland: Author. Retrieved December 8, 2005, from <http://www.policefed-ni.org.uk/patten/section12.shtml>
- Pranis, K. (1998). *Guide for implementing the balanced and restorative justice model* (NCJ No. 167887). Washington, DC: National Institute of Justice Office of Juvenile Justice and Delinquency Prevention.
- Quinney, R. (2000, February). *Peacemaking criminology*. Paper presented at the conference Peace and Policing in a Divided Society, San Diego, CA.
- Rhodes, R. A. W. (1996). The new governance: Governing without government. *Political Studies*, 44(3), 652-667.
- Ryder, C. (2000). *The RUC: A force under fire*. London: Arrow Books.
- Sinn Féin. (2003). *Transfer of policing and justice powers*. From Irish Republican News and Information, 26 January 2003. Retrieved December 30, 2005, from <http://sinnfein.org/documents>
- Sinn Féin. (2004, March 15). The truth about policing in the north of Ireland. *The New York Times*, p. A25.
- Sullivan, D., & Tifft, L. (2001). *Restorative justice: Healing the foundations of our everyday life*. Monsey, NY: Willow Tree.
- Thatcher, D. (2001). Equity and community policing: A new view of community partnerships. *Criminal Justice Ethics*, 20(1), 3-18.
- Tyler, T. R., & Wakslak, C. J. (2004). Profiling and police legitimacy: Procedural justice, attributions of motive, and acceptance of police authority. *Criminology*, 42, 253-281.
- United Kingdom and the Republic of Ireland. (1998). *The agreement: Agreement reached in the multi-party negotiations*. Belfast, Northern Ireland: Author.
- United Nations. (2003). Of conflict, and post-conflict, situations. *UN Chronicle*, 40(1), 16-18.
- Websdale, N. (2001). *Policing the poor: From slave plantation to public housing*. Boston: Northeastern University Press.
- Williams, K. (2003). The demand for order and the birth of modern policing. *Monthly Review*, 55(7), 16-23.

Margaret E. Martin, MSW, PhD, is a professor of social work at Eastern Connecticut State University. Her research examines social policy and organizational change in justice systems with a focus on social justice and human rights.