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Holding the Police to Account in Divided Societies: The Role of Politicians

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The ability to maintain order and enforce law has been conceptualised as part of the very definition of the state (Weber, 1954, 338). Indeed, the work of Charles Tilly and his collaborators point to the importance of policing in the development of early modern European states, preceding other public services such as universal education by centuries (1975, 27). Using the term "service" points to an inherent tension within the concept of policing. Law and order is a collective good which enables *all* in society to plan their lives, relatively free from the coercion of others. However, the police service is also an agent of the state and the prevailing regime – the very fact that it "monopolises the legitimate use of violence" points to how it may be used to stifle dissent, particularly when there are divisions in society which threaten the stability of the state.

Such ambivalence within the police function points to the need for accountability if a state is to be democratic[1]. This paper looks to a key element of democracy – elected politicians – for this accountability, focusing on how they use their opportunities to speak in the legislature about policing. My focus follows that of the public administration literature, which describes a simple accountability mechanism, relying on politicians to oversee the performance of public servants (Campbell and Wilson, 1995; Barzelay, citing Aucoin, 2001; Behn, 2001). However, this work is usually situated in societies where there may be disagreement over policy direction but there is a general consensus on the state's future and the nation's identity. This paper seeks to extend the literature's treatment of political- bureaucratic relations by examining how politicians use their oversight powers in divided societies.

Using debates and question periods from the UK and Canadian legislatures, I examine legislative attempts to hold the police to account, in particular focusing on the effects of division. I will argue that the existence of conflict distorts the workings of accountability: politicians use oversight to demand policing which is responsive to the majority group, rather than the needs of society as a whole. There is consequently less emphasis on using parliamentary time to debate how the police should adapt to change, to consider information provided by the public or to resolve inter-group conflicts over policing. Far from preventing the abuse of police powers, political oversight is therefore likely to draw the police further into conflict – either because the police are incentivised to serve one group to the detriment of the other, or because minority groups expect them to do so and therefore withhold co-operation.

Before moving to the research section of the paper I will outline why policing and hence police accountability is so crucial in divided societies and explain the hypothesised effect of conflict on political oversight. These predictions will be tested against the data from the two legislatures. If, as I argue, the politician-based model of accountability contributes to conflict over policing, this raises the question of whether there are

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[1] Guillermo O'Donnell surveys definitions of "democracy" and finds consensus that a respect for basic civil liberties such as freedom of expression and association is necessary for a state to be democratic (2001, 9-12). These liberties can easily be undermined if the police are able to use their coercive powers to prevent dissident groups publicising their views.

approaches which do not incentivise biased policing[2]. I will therefore conclude by outlining a future research program examining alternative accountability models. To assess whether these alternatives are better suited to divided societies, this research will look further down the causal chain – from the effect of conflict on the way the police are held to account (this paper's focus) to the effect of different accountability mechanisms on police behaviour and police-community relations.

The significance of police accountability in divided societies

States with deeply divided societies are defined as those that have cleavages (for example based on ethnicity or religion) which are reinforced by social and political institutions (e.g. political parties and schools) as these are organised along the lines of the cleavages (Lijphart, 1977, 3-4). In such states, the issue of who gets what is highly politicised and may exacerbate conflict if one group is subject to more state coercion or receives less from the state than another group.

Policing is a particularly sensitive public service – it combines coercive powers with daily contact with the public, meaning that any misuse of these powers has an impact which is serious, immediate and widespread. If the police are viewed as the agents of the prevailing regime, minority groups can undermine them by withholding information that would aid a criminal investigation or enable the prevention of inter-group violence.

Mary O'Rawe and Linda Moore argue that if policing is to contain conflict rather than exacerbate it, oversight mechanisms are needed. Such mechanisms should ensure that coercive powers are not abused but also give the community some choice in the way it is policed (1997, 107 and 134). Kaare Strøm conceptualises accountability as a series of principal-agent relationships. Voters delegate policy choice and resource allocation to politicians, who in turn delegate budgets and powers to bureaucrats (in this case, police officers) with a mandate to implement policy and provide services (Strøm, 2000, 266-268). Much of the literature on principal-agent relations is concerned with whether the agent actually does fulfill the principal's wishes and therefore focuses on the problems of selecting the most appropriate agent and monitoring her actions after delegation[3].

However, the principal's wishes will themselves be controversial if there is continued disagreement on the future of the state, of which the police is a part. Political oversight of the police may exacerbate conflict in two ways. Firstly, it is precisely the groups who are socio-economically disadvantaged or otherwise excluded from the political sphere (e.g. the unemployed, the young, members of ethnic minorities) that may come into conflict with the police (O'Rawe and Moore, 1997, 163). If the police are to build positive relations with the whole community (and therefore help contain inter-group conflict) it is

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[2] Even if the police do not respond to these incentives, I argue that biased oversight still causes harm as it gives the public reasons to *expect* biased policing, which has a knock-on effect on relations between the police and minority groups.
[3] On moral hazard and adverse selection, see for example Moe, 1984, 754-756; Miller, 1993, 120-138 and Shepsle and Bonchek, 1997, 360-370.

these excluded groups that need to be engaged in the accountability process. Getting information from these groups and indeed the wider public is particularly important: the police need intelligence on criminal activity, sources of tension or violence and suggestions for how disorder can be prevented. Such information is inherently local in its nature, requiring detailed knowledge of who is involved in crime in a particular neighbourhood, of local disputes which might lead to wider sectarian conflict and of which areas and time periods are most at risk (Weitzer, 1995, 1; Patten Commission, 1999, para 7.15[4]). An accountability model focused on the political elite risks filtering out such vital information from debates about policing priorities.

Secondly, political representatives may not be able to agree on what the police should do in the face of conflicting group demands: what is the balance between investigating crime, containing sectarian violence and maintaining cordial relations with all groups? James Bohman notes that in pluralistic societies it is difficult to resolve disagreement by resort to higher principles of justification[5] as there is no agreement on such principles. Further, the veracity of "facts" and what is meant by expertise may also be contested (1996, 18; 77). Holding the police to account is therefore not simply a question of gathering information about police activities as this information itself may be challenged. These complications mean that in designing accountability arrangements, policy makers are forced to confront the following question: if there is no agreed vision of who the police should serve and what they should do, how can they be held to account for their performance?

The hypothesised effect of conflict on political oversight.

Geoffrey Marshall argues that political oversight of the police should be "explanatory and cooperative" – politicians engage in a dialogue about the allocation of resources and policing priorities. He states that in a divided society this debate needs to be as inclusive as possible, to demonstrate that minorities are not simply subject to policing; rather, they are citizens who are served by the police (cited by McGarry and O'Leary, 1999, 98). However, the work of Eric Nordlinger casts doubt on whether such an approach is possible within a majoritarian political process. He argues that majoritarian democracies are not suited to regulating severe conflicts as they do not take account of all segments in society (1972, 33).

It is hypothesised that this effect will be most pronounced in those divided societies which have experienced prolonged, violent conflict. In such circumstances, politicians will use their accountability powers to demand that the police serve the majority group, rather than provide a collective public good. This occurs because politicians are electorally incentivised to champion the interests of their group, and the oversight of

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[4] A more general discussion of the importance of "local knowledge" (defined as "the mundane yet expert understanding of local conditions" by Feldman and Khademian, 2004, 25), in planning public services can be found in Scott, 1998, 309-341 and Feldman and Khademian, 2004).

[5] In this case such a principle would be that political representatives holding a majority in the legislature should direct public servants.

public servants offers several opportunities[6] for politicians to demonstrate that they are doing so. The hypothesised causal process is summarised in Figure 1.

INSERT FIGURE 1 ABOUT HERE.

It might at first appear that this bias of political oversight would be expected in *all* divided societies - indeed, part of Lijphart`s definition of a divided society is that political parties form along the cleavage and that citizens vote for the parties representing their group (1977, 4). However, such citizens do not necessarily support parties that are antagonistic to other groups. Lijphart and Nordlinger`s work on consociational bargains is premised on the assumption that voters will not automatically punish moderate, ethnically-based parties who are prepared to negotiate with other groups.

The factor which makes hard-line political behaviour more popular with voters is not divisions *per se* but a recent history of violent conflict. Where inter-group rivalry has reached a level which disrupts everyday life and causes people to fear for their personal safety, even moderate group-members are incentivised to support hardliners. David Lake and Donald Rothschild describe a security dilemma where each group has limited information about the intentions and propensity to violence of the other group (1998, 8-18). Further, they have reason to distrust information they get from the other side because they know the other side has an incentive to induce them not to attack – they may therefore signal that they are not aggressive to lull their rivals into a false sense of security. Neither side can make a credible commitment that they will not attack (in the absence of third party monitoring), or that, if they gain control of state institutions that they will not use them to oppress the other group[7]. The commitment is not credible because once a group does gain control, there is nothing to keep them to that commitment. This leads to a classic prisoner's dilemma – each side thinks that the other group will attack (or in this case, use public services to oppress) them so therefore they decide that they need to be ready to attack as well. In the absence of clear, reliable information about the other side, rational individuals will work with the information they do have – i.e. the rhetoric they hear from their leaders.

The empirical part of this paper will therefore test the following predictions:
- politicians in a divided society with recent violence will be less willing to compromise with each other over policing priorities than politicians in a non-violent divided society.

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[6] For example, questions to the responsible minister or public servants themselves and speeches or interventions in debates over the budgets and priorities of public agencies.

[7] In applying this argument to the ways in which politicians use oversight of the police to signal to voters, both fears are relevant. Voters in the majority group fear direct attack by minority group militias, leading them to demand policing which protects them rather than serving the whole community. Voters in the minority group fear that the majority will use their control over state services to oppress them, leading them to distrust or possibly attack public servants.

- politicians from a violent, divided society will be more likely to use police oversight powers to demand responsiveness to their group alone than politicians from a non-violent society.

Methodology

I will examine political accountability by focusing on the legislative activities of politicians from divided societies. The material examined will be contributions to debates[8] and questions to members of the executive which pertain to policing. These contributions will be coded using Jürg Steiner *et al*'s Discourse Quality Index. The index was developed to operationalise Jürgen Habermas's theory of democratic deliberation, which states that the legitimacy of laws rests on the fact that they were agreed through a process of reasoned arguments and a search for a consensus (1996, 31-34). As the creators of the index note, this model is particularly appropriate for conflict resolution in divided societies (Steiner et al, 2004, 8-15).

The index assesses the quality of reasons offered to support a position, the level of respect shown for counter-arguments and opposing interests and whether politicians co-operate to adjust proposed policies/laws in order to reach consensus (2004, 170-179). It is a powerful tool with which to assess whether politicians use their accountability powers to further their own group's interests, or whether they co-operate to ensure that the police serve the interests of the community as a whole.

I will add two elements to this index, to further assess the effect of conflict on politicians' demands:

- do the MPs' activities encourage responsiveness to a particular group or do they ask the police to focus on a range of issues? The Discourse Quality Index focuses on the *process* of deliberation, whereas I also want to gather data on the output – the demands actually made of the police in a public forum. This is important because they may affect actual police activity and public expectations of police behaviour.

- do MPs make reference to the opinions or experience of their constituents?[9] As argued earlier (pp 5-6), the police need information from the public in order to contain conflict. Politicians have access to such local knowledge through their contact with their electorate - do they bring this to bear on the evaluation of police performance or debates over policing priorities? Even if political oversight raises the expectation of biased policing and minority groups consequently withhold information from the police, this effect could be mitigated if politicians themselves

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[8] This includes all debates in the legislature, including those on legislation (Government Bills and Private Member Bills), and those where motions are introduced to raise and discuss an issue.

[9] This would require evidence that the individual or group has actually contacted or come into contact with the MP in order to impart this information; I do not include general, unsubstantiated claims by MPs that "my constituents think X". I also do not include references to the work of public agencies in the constituency (e.g. the work of a local school). As agencies of the state it would be expected that such entities have links to the executive through which they can pass information and/or lobby; these are connections which non-official groups and individuals do not have.

are a conduit for this local information. Evidence of public inclusion in the accountability process would therefore cast doubt on my argument that political oversight hampers the ability of the police to predict and manage inter-group conflict.

Case selection
I will investigate this hypothesis through two case studies of country/parliamentary years: Northern Ireland in 2006, where the Protestant-Catholic divide and the Irish Nationalist movement for re-unification with the Republic of Ireland has led to a history of severe conflict[10], and Canada in 2003, which had largely dealt with its Francophone-Anglophone division and secessionist movement within Québec through political means[11], experiencing only limited and infrequent inter-group violence. I will therefore be focusing on the parliamentary activities of MPs from Northern Ireland and Québec[12] in the UK and Canadian House of Commons respectively. Although these societies at first glance to be divided by different characteristics (religion in Northern Ireland, language in Québec) commentators[13] from both societies have argued that the conflict is really about competing memories of history, different cultures and mutually incompatible visions of the political future. Language and religion therefore serve as identifying markers for the respective groups, but the conflict is not reducible to these factors alone. The *political* impact of the divide is comparable, leading to separatist movements which are represented in both national legislatures

Each case is of parliamentary discourse from one year. These are the 2006 parliamentary session in the UK, so as to capture the most recent dynamics between the parties[14], and

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[10] The conflict caused over 3,000 deaths between 1969 (the beginning of most recent "Troubles") and the multi-party peace agreement of 1998. There were also several earlier periods of conflict, dating back to the late 16th century. See Farren, Sean and Mulvihill, Robert F, 2000, 201.

[11] Examples include the Meech Lake Accord of 1987, the Charlottetown Accord of 1992, the Québec referendums of 1980 and 1995, the Clarity Act 2000 and the Canadian Parliament motion of 2006 recognising the Québécois as "a nation within a united Canada". The most infamous exception to this was the Front de Libération du Québec (FLQ) Crisis of 1970, when an extremist secessionist group kidnapped two people and the federal government imposed a state of emergency.

[12] There have also been tensions arising from the policing of Aboriginal peoples within Canada. Dennis Forcese argues that after Confederation the Royal Canadian Mounted Police (RCMP) was an important nationalizing influence, both upholding law and order and providing a national symbol. However, as Aboriginal peoples did not consent to Confederation, they are less likely to identify with this nation-building role; indeed several commentators have argued that policing by the RCMP *vis a vis* First Nations and Inuit peoples followed a "colonial" model (Forcese, 2002, 6; Loree, 1987, 1). This relationship is not examined in this paper because MPs in the Canadian House of Commons are not elected purely to represent Aboriginal communities (unlike MPs from Québec whose constituents will all be Québécois). In Canadian history (i.e. since 1867) there have only been 25 MPs who are themselves First Nations, Inuit or Métis (Parliament of Canada, 2008, on-line) meaning that there is not enough material in any one parliamentary year to accurately assess how Aboriginal MPs hold the police to account, and whether they do so in a way that represents Aboriginal interests.

[13] See, for example, Connor, 1994 on Northern Ireland and Taylor, 1993 on Québec's place in Canada.

[14] 2007 is not examined because the Northern Ireland Assembly and the Northern Ireland Executive were restored to power on 8 May 2007. While the police were not accountable to the Assembly in 2007 it was anticipated during this year that policing would soon be devolved to the Assembly (see footnote 12). Given this, and the fact that several Northern Irish Members of the Westminster Parliament are also Members of the NIA, looking solely at Westminster exchanges in this year would not capture the full range of parliamentary discourse on policing.

the 2003 session in Canada (the most recent complete session with a majority government). In majority governments there is no need for the government to co-operate with other parties to pass its legislation (assuming a secure majority). In minority governments the government needs to co-operate, but at the same time parties are likely to be expecting an early election, thus shortening their time horizons even further than would be the norm. I would therefore expect the quality of discourse to differ systematically between parliaments with a majority and minority governments, for reasons unconnected with the level of conflict in society, making this an important factor to hold constant. The UK has not had a minority government since 1979 – as I wish to examine recent political accountability, I have therefore chosen the two most recent years with *majority* government. I have not selected the year 2003 in the UK as this year began only two months after the suspension of the Northern Ireland Assembly, amid allegations that staff from Sinn Fèin, the Irish Republican party, had been spying on Assembly Members on behalf of the Irish Republican Army (a Catholic paramilitary group). The resulting acrimony and uncertainty in the Northern Irish peace process mean that one could expect lower levels of co-operation than would be the case today, making the comparison of 2006 UK and 2003 Canadian discourse a fairer one.

Intensive case studies enable the researcher to trace the hypothesized causal mechanism rather than simply demonstrating a correlation between independent and dependent variables. They are therefore a useful tool in developing and elaborating theory, or when applying it to new contexts, as I seek to do by applying public administration literature on accountability to divided societies (Munck, 2004, 8).

The selection of these two cases follows John Stuart Mill's Method of Difference (1868, 429-435) as they share several characteristics which might affect the operation of political accountability and policing but they differ on my independent variable – whether divisions have led to violent, sustained conflict. Holding these factors constant allows the inference that any difference I observe in the dependent variable (whether political accountability helps resolve conflicts over policing) is caused by the difference in the independent variable. Table 1 summarises the shared characteristics and key difference between my cases.

INSERT TABLE 1 ABOUT HERE

I will also examine the discourse on policing of two control groups within both countries – MPs from Newfoundland and Labrador (in Canada) and Wales (in the UK). These groups come from regions which do not have separatist movements, despite sharing factors which might be expected to encourage disaffection from the rest of the country (distinct histories and cultural identities and socio-economic deprivation relative to other regions[15]). This research design will allow me to compare how MPs hold the police to

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[15] Baldwin, Brown and Maynard, 2003, 4.

account, comparing situations of greater and lesser conflict both within and across my cases.

Limitations of the research design
Firstly, examining legislative discourse in the Westminster Parliament will not capture the views of the five Sinn Fèin MPs who do not take their seats there[16]. However, it is substantively important to examine the discourse as it was in Sinn Fèin's absence. An important aspect of the Discourse Quality Index is participation itself (Steiner et al, 2004, 171). The fact that Sinn Fèin are not able to ask questions of UK Ministers about Northern Irish policing, or participate in relevant legislative debates means that certain viewpoints are not expressed. The final consensus or bargain on police priorities is therefore unlikely to take account of these viewpoints. This means that the final agreement will not be accepted by all those who are subject to it. In other words, the role given to the police by politicians will not be viewed as legitimate within the Republican community, thus limiting the potential for political accountability to resolve conflict.

Secondly, the close match of my cases helps rule out other factors which may affect discourse on policing. However, this also makes it difficult to generalize any findings beyond parliamentary democracies. Other factors such as electoral systems may have effects on discourse which will not be made apparent by this research design. This research is intended as the first step in a wider project. If it appears that political accountability does encourage biased policing, a logical extension of the work is to consider alternative approaches to police accountability in divided societies. Before drawing this conclusion I am testing the political accountability model in the circumstances where it can be expected to work best – where the executive depends on the legislature for its survival, making it (in theory) highly responsive to the demands of legislators, and with high incentives to ensure that bureaucrats (i.e. police officers) also comply with these demands.

Results

I collected a total of 279 separate pieces of discourse, consisting of every question asked or answered in Parliament, and every statement made in a Parliamentary debate which pertained to policing and was made by MPs from Quebec and Newfoundland & Labrador or Northern Ireland and Wales in 2003 and 2006 respectively. Table 2 shows how the data breaks down by province/region.

INSERT TABLE 2 ABOUT HERE

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[16] This is because they would have to swear an oath of allegiance to the British Crown to do so, which is contrary to their beliefs that Northern Ireland should be part of a united Republic of Ireland. See Hansard (UK), 20 April 2006, Cols 275-276 (exchange between Stephen Pound MP and Lady Sylvia Hermon, MP) for a recent discussion.

These summary statistics suggest, unsurprisingly, that violence increases the salience of policing as a political issue. The only region where divisions and/or alienation from central government has led to recent and widespread violence (Northern Ireland) has far higher rates of political discourse on policing (both in terms of the percentage of MPs involved[17] and the frequency of their involvement). The political importance of policing in such conditions is underlined by the frequency of references to the police service's role in containing sectarian violence or terrorism. This was the main subject of 18 interventions from Northern Irish MPs (15.5%) as opposed to 2 from Welsh MPs[18], 1 from a Québécois MP[19] (0.95% and 1.8% respectively) and none from Newfoundlander MPs.

Within each country the prediction that deeper divisions leads to an increased interest in policing holds. Northern Ireland with its history of political violence has higher levels of policing discourse than Wales, and Québec, with its separatist movement has higher levels than Newfoundland and Labrador. Finally, Northern Ireland (with political violence claiming 3,000 lives since 1969 and continuing incidents of sectarian violence[20]) has more frequent interventions on policing than Québec (largely free of violence related to the Francophone-Anglophone divide since 1970).

Caution is required on the last point, as Wales (without a fully fledged separatist movement[21]) also has a higher level of interventions on policing than Québec. This may be because there are omitted variables which lead to a higher level of policing discourse in the UK as a whole compared to Canada, which swamps the effect of a separatist movement. Alternatively, the impact of recent violence may be greater than the impact of a separatist movement – if so then there should be a bigger difference between the Northern Irish MPs and the other three groups than there is between the three non-violent areas. However, the within-country gap between Québécois and Newfoundlander discourse casts doubt on the latter interpretation. Given the small total number of Newfoundlander MPs, further research involving other regions without a separatist movement is required to test this possibility.

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[17] Judging from the frequency of news stories about Sinn Fèin's views on policing during the same period, it is likely that this percentage would have been even higher had Sinn Fèin MPs taken their seats in Parliament (A search of BBC Online for "Sinn Fèin and policing" stories within 2006 returned 250 separate news reports. Search performed 2 April 2007). Of the 13 MPs who did attend Parliament, all of them spoke about policing at least three times.

[18] One of these references was in fact a statement about the situation in Northern Ireland, not Wales.

[19] This was a question about the risk of terrorist attack on the US Embassy in Ottawa and was therefore unrelated to Canada's internal divisions.

[20] Farren and Mulvihall, 2000, 201; see David Simpson MP, 21 November 2006, Hansard, Cols 497-498 for a Unionist perspective on recent sectarian violence,

[21] Plaid Cymru, the Welsh Nationalist party, no longer advocates independence for Wales and there has been no referendum on independence in Welsh history (Bohrer and Krutz, 2005, 665).

Conflict resolution

The data examined so far suggest that conflict has an impact on the salience of policing in the political arena. This raises the question of whether the political accountability model is able to resolve such conflict (at least as it pertains to policing) or, conversely, whether the conflict is likely to subvert the workings of accountability in the way hypothesised in Figure 1. Firstly, Northern Ireland, and to a lesser extent Québec and Wales[22], conform with stage three of the hypothesis – divisions in society determine that region's political party structure in the national/federal legislature. Newfoundland and Labrador follows the same party system as the rest of Canada, where the cleavage is along economic/political rather than ethnic/religious/linguistic lines.

To determine whether the next step in the process has occurred (when politicians use accountability to demand that the police serve their group's interests) I used the section of the Discourse Quality Index pertaining to the justification of demands. The Index categorises justifications as follows: those based on constituency or sectional demands (i.e. from the same group as the MP herself); those which are neutral; those which appeal to the collective public interest and those which seek to protect vulnerable groups in society (which are different from the MP's own group). Table 3 summarises these results and shows that the pattern is not clear – within country, politicians from areas with deep cleavages are less likely to invoke the public interest when holding the police to account. However, politicians from Quebec are slightly more likely than those from Northern Ireland to invoke the sectional interest of their group, suggesting that violence *per se* is not affecting the results. Overall, the political model of accountability is certainly used by politicians to further the interests of their group but the data also show that consideration of the whole community and of disadvantaged groups is also invoked.

INSERT TABLE 3 ABOUT HERE

Under Habermasian conceptions of deliberative democracy, initial demands are only the beginning of the process. Even in situations when politicians act as "champions" for their groups to the exclusion of others, there is the potential for counter-arguments to change the dynamic of the accountability process. This depends, however, on how politicians respond to the interests and arguments of other groups.

However, in this stage of the process a clearer pattern emerges – the most dominant response across the board is negative, but MPs from the regions without sectarian violence are more likely than those from Northern Ireland to value counter-arguments. These results cast doubt on the ability of a political accountability model to resolve

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[22] All of the Northern Irish seats at Westminister are held by parties which cater for either Protestant Unionists or Catholic Nationalists or Republicans. The party structures in Wales and Québec does not totally mirror the linguistic/ancestry cleavage but both contain one party which runs only in the region and whose chief aim is to protect the interests of that region against encroachment by either the national/federal government or other regions/provinces. The main difference between the latter two is the Bloc Québécois's much stronger commitment to sovereignty. These comments are based on the party standings in the years examined and therefore do not address the ADQ's breakthrough in the 2007 Quebec elections. In any case, this development has yet to affect the federal parliament.

conflict where it exists. Divisions (whether violent or not) are associated with politicians making demands which are *not* designed to appeal to the whole community, and the prevailing reaction to counter-arguments is to ignore or denigrate them. In such circumstances it is perhaps not surprising that politicians in all the regions except Wales were far more likely to stick to their original position than they were to change their position or offer a new proposal to break deadlock. In over 60% of the exchanges in the other three regions (90% in Northern Ireland) there was no attempt to find common ground[23].

INSERT TABLE 4 ABOUT HERE

These results suggest that the political model of accountability as it currently operates in the UK and Canada is far from an ideal picture of deliberation: politicians often (though by no means always) justify their demands of the police in terms of their own group's interests. Where this happens, the potential for an exchange of viewpoints is diminished by the tendency to ignore or denigrate counter-arguments, and offers of compromise or new proposals are rare. Taken together, these hurdles suggest that political accountability may *not* be the best vehicle for reaching consensus on policing priorities and thereby resolving conflict.

Balanced incentives
Overall, the data does not support the prediction that politicians will demand police responsiveness to one group`s concerns, to the exclusion of others. Across the whole population only 23% of the questions, speeches, statements or interventions in Parliament were concerned with responsiveness.

INSERT TABLE 5 ABOUT HERE

However, disaggregating the data by region and by topic points to a more complex story – the interaction of the intensity of conflict with the competences on which politicians focus. Parliamentary statements or questions about long-term planning (and how the police should respond to social change) are much more frequent in the British cases than the Canadian ones. This is partly due to the focus of Welsh MPs on community policing and the reduction of high volume "nuisance" crime and anti-social behaviour. This approach has been a central plank of British Home Office policy since 2003[24]. However, as with the (limited) use of public information discussed below, this agenda seems to reinforce an accountability model based on local, informal consultations rather than one

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[23] This reluctance to compromise cannot be explained as simply adherence to party discipline, as the data are questions and contributions to debates, not voting records. Under the Discourse Quality Index a politician would be scored as engaging in "constructive politics" if they made a new proposal which could be returned to in the future, even if their voting intentions on the day in question remained the same (Steiner et al, 2005, 179).

[24] Community policing is an approach to policing which focuses on developing relationships between the police and the different groups in the local community. It sets policing priorities and allocates resources on the basis of consultations with local people and has been part of the strategy to prevent anti-social behaviour and regenerate deprived areas. See Home Office (UK), 2003 for an overview and the rationale behind this approach and National Audit Office (UK), 2006 for a recent evaluation.

based on the national legislature and central executive. It follows that the long term changes these MPs are urging the police to make would in fact reduce the ability of national politicians to direct police priorities.

In Canada, there is greater focus on compliance with the law and the protection of human rights, and specifically on police actions in individual cases. Interestingly, however, the single largest concern in Northern Ireland and Québec both point to issues stemming from divisions in society – sectarian violence and terrorism (Northern Ireland)[25] and RCMP actions in an individual case, that of Maher Arar[26]. What differs between the two regions is whether politicians address conflict in a way which cuts across cleavages rather than reinforces them. Québécois MPs[27] were prepared to expend parliamentary time on the case of a citizen who was neither from their province nor their linguistic group. These MPs included three from the Bloc Québécois, who as separatists would not be expected to have a long-term interest in conflicts between the federal government and groups of Canadians other than Francophones[28].

In Northern Ireland, further examination of the discourse about sectarian violence shows that politicians refer to violence as experienced by their *own* group and as perpetrated by the *other* group. This point is reinforced by the data on responsiveness. In Northern Ireland there is only one reference to the need for the police to be responsive to victims of crime as an undifferentiated group (as opposed to nine such references from Welsh MPs). The groups to which Northern Irish politicians believe the police should respond are politicians themselves (15 mentions) and Protestants who wish to join the police service (11 mentions). Both concerns are again intrinsically linked to the Protestant-Catholic conflict. The former set of comments refers to the wish to see control over policing devolved to Northern Ireland itself; this only became possible when the suspended Northern Irish Assembly was restored as part of the peace process[29] and when Sinn Fèin recognised the Police Service of Northern Ireland (PSNI) as legitimate and agreed to co-

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[25] This issue is treated as one of strategic competence in Table 5 because the Police Service of Northern Ireland's major role in the peace process is to contain sectarian violence, thus providing space for politicians to negotiate with each other and to share power. Conversely, the peace process has brought major changes to the police service itself. See the Report of the Independent Commission on Policing in Northern Ireland (the Patten Commission), 1999 for details.

[26] Arar, a Canadian Muslim, was deported to Syria by the US Government on suspicion of links with terrorism, partly due to information provided by the RCMP. See the Report of the Commission of Inquiry into Actions of Canadian Officials in Relation to Maher Arar (The O'Connor Commission), 2006 for background on this case.

[27] MPs from several provinces and parties raised the Arar case, but for the purposes of this project only the interventions of Québécois MPs were reviewed. None of the MPs from Newfoundland and Labrador raised the case.

[28] This is not to assert that their motives were entirely altruistic – the MPs may have calculated that any scandal which harms the reputation of the federal government and its police service will increase the popularity of separatism. However, if this is the case then the MPs believe that their constituents care sufficiently about the plight of a Muslim Canadian from Ontario for it to affect their political beliefs, reinforcing the point that there are cross-cutting ties of respect between different groups in Canada.

[29] The Assembly was reinstated on 26 March 2007; at the time of writing policing powers remain with the Westminster Parliament, as there has to be a vote at both the Assembly and at Westminster to devolve control in this area. See Northern Ireland Office, 2007, on-line.

operate with it[30]. The second issue relates to the police service's recruitment policy (to recruit equal numbers of Protestant and Catholic police officers for ten years) which is a part of the PSNI's reform programme, itself part of the wider peace process. The statistics on responsiveness are one example of the impact of Sinn Fèin's absence: 10 of the 13 sitting MPs are from Unionist parties, resulting in the comparatively low number of calls for police responsiveness to the minority group.

To sum up, contrary to my initial prediction, politicians do show concern for long-term issues, but the points they raise tend to be either the products of division or to suggest a different type of accountability altogether (that of community policing). The level of violence behind divisions also seems to make a difference. MPs from an area with a history of violence seem to be more inclined to urge responsiveness and planning for the future in a way which defends the interests of their own group. In contrast, MPs from a party which is strongly antagonistic to the federal government (and the rest of Canada) will nevertheless use issues of human rights to defend the interests of groups besides their own.

Public Inclusion
As argued at the outset of this paper, political oversight which is biased towards one group may increase conflict even if the police do not respond to the demands of politicians. This is because these demands are made publicly, giving minority groups reason to expect police bias, making it less likely that they will pass on information about sectarian tensions. But can politicians help to mitigate this effect by being an alternative source of such information for the police?

The evidence presented here suggests that they do not. Of 279 pieces of police-related discourse, only 11 (3.9%) refer to information or experiences gained from individuals outside the political process or the bureaucracy[31]. Of these, only two used information from constituents to draw systematic conclusions about crime patterns and make arguments about policing priorities. These concerned anonymous tips which helped the MP to provide new information to his peers about drug injection sites (Québec[32]) and the evidence of shopkeepers about a protection racket, which fed into a Select Committee report on organised crime and its effect on economic investment (Northern Ireland[33]).

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[30] Until very recently, Sinn Fèin saw the police as an instrument of (British/Unionist) control, used to suppress Irish Nationalism. An example of this argument is the speech given by Martin McGuiness, MP (and member of the Northern Ireland Executive) in response to police raids of Sinn Fèin offices:
> "They (the police) *sympathise with and are loyal to rejectionist Unionists and they are beavering away continuously to undermine the Good Friday Agreement*"
>   Official Record, Northern Ireland Assembly, 8 October 2002.
However, at a conference held in 2007 the party voted to support Northern Irish policing for the first time in its history. (BBC Online, 28 January, 2007).

[31] By bureaucracy I mean any public agency, including the police.
[32] Pierre Paquette MP; Canada Hansard; October 29, 2003, 17.15 (Debate on the Criminal Code).
[33] Sammy Wilson MP; UK Hansard; November 30, 2006; Cols 157WH-159WH.

However, even in these cases, a caveat applies. The information supplied would no doubt be of use to the operational decisions of the police, but this is an argument which is more supportive of a community-based model of accountability where this information is conveyed directly to the police rather than through a third party[34]. The very specificity of the information limits its use in helping politicians to set *national* police priorities.

The remainder of the interventions which featured information from the general public re-told an anecdote from one constituent. These were used to illustrate the impact of crime or anti-social behaviour (MPs from Wales and Québec) or to make the case that their group was either being targeted for violence or discriminated against by the police (MPs from Northern Ireland). Such evidence has value in the sense that individuals may feel that their experience has been noted by decision-makers. However, such examples do not use local knowledge to systematically determine local needs, nor do they lead to a rational consensus of the type described by Habermas. Anecdotes do not give decision makers a sense of how widespread a particular crime problem is, nor do they suggest new approaches which could resolve a deadlocked debate. The examples of anecdotal evidence from Northern Ireland actually suggest that they may make the situation worse – becoming a contest as to which group has suffered the most at the hands of the other[35].

Conclusion
Taken together, these results suggest that political accountability has limited potential to resolve conflicts over policing in deeply divided societies, particularly when divisions have resulted in a history of inter-group violence. The model also fails to systematically include the wider public in police accountability. When political discourse does incorporate their knowledge or experience this tends to be a reaction to a particular incident, or to serve as illustration rather than being a pro-active attempt to make use of local knowledge to set policing priorities. The picture is more hopeful in terms of the policing issues raised by politicians – these were balanced between fiscal, responsive, strategic and legal/human rights concerns. However, even in this area there are doubts about the performance of politicians as accountability holders: the logic of community policing suggests a shift in accountability to the local level[36] and divisions in society have led to politicians demanding police responsiveness to their own groups rather than the community as a whole.

These findings suggest a wider research agenda, focused on two issues. Firstly, the way in which politicians use the accountability process is only of substantive interest to

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[34] Pierre Paquette actually gained his information from calls made to a community action phone line in his riding, so this information was already held by the police. His intervention therefore serves to provide new facts to fellow MPs rather than to the police

[35] See for example the exchanges between Mark Durkan, MP, leader of the (Catholic) Social Democratic and Labour Party (SDLP) and Jeffrey Donaldson, MP of the (Protestant) Democratic Unionist Party on sectarian violence and religious discrimination in the police service's recruitment procedures (UK Hansard, 20 April, 2006, Cols 312-314).

[36] Community policing models in the UK and Canada to date have focused on police consultations with self-selecting community groups. Encouraging community-based accountability therefore further undermines the model of using elected representatives to oversee policing.

students of civil conflict if we expect it to have an impact on that conflict. Biased political oversight may exacerbate conflict in two ways – firstly if the police heed the politicians and provide biased policing. The literature on principal-agent relations tells us that this is not automatic. The police (either senior management or individual officers on patrol) may have different preferences and take advantage of the fact that politicians cannot monitor their every action to provide policing which serves the community as a whole. However, even if this is the case, the public has already witnessed the demands made by politicians. Expectations of biased policing can have the same impact as policing which actually is biased if it causes minority groups to distrust the police. In extreme cases this may lead to violent confrontations between the minority group and the police. Even a passive disengagement from the police will hamper their ability to contain inter-group conflict. James Scott has argued that modernist bureaucracies often miss the importance of "métis", or local knowledge which could help the state better understand the complexities of its society (1998, 313-319). This argument is particularly pertinent to policing (Independent Commission on Policing for Northern Ireland, 1999, 40-45) where effectiveness relies on detailed knowledge of the area being policed – where does crime occur, who is involved, how could it be deterred, when is sectarian tension like to lead to violence? Further research would therefore focus on tracing the causal process from political oversight to police behaviour and public perceptions of the police, and the subsequent effect on police-community relation and inter-group conflict. Figure 2 shows how the causal chain examined in this paper could be extended.

FIGURE 2 ABOUT HERE

Secondly, are there alternatives to a political model of police accountability, which would be more appropriate for divided societies? The underlying problem in a political principal-agent model is that the principals have preferences which favour some groups in society to the detriment of others. This could be avoided by introducing multiple principals with different preferences[37], finding a neutral principal[38] or introducing separate policing and accountability arrangements for each group[39]. These solutions lack the clear lines of accountability (voter to politician to public servant) of the political oversight model. For example, less bias would have to be weighed against the monitoring costs of multiple agents, an outside monitor`s lack of local information and the impracticality of separately policing intermingled populations. A future research programme should therefore focus on the trade-offs between these different models of accountability, the types of state where each would work best and the response of the police service itself to such a multiplicity of accountability.

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[37] This could be achieved either by having a political process which shared power between groups or by introducing non-political accountability holders, such as the legal system, community groups or those with expertise in policing who had different preferences and incentives to those of politicians.

[38] In deeply divided societies, a neutral principal might have to be an outsider, with no connections to any of the conflict groups. This follows the model of international peacekeeping and policing missions.

[39] The latter model would follow the consociational model of elite bargaining and self-administered public services for each group.

Figure 1: The hypothesised impact of conflict on political oversight of the police

Deep divisions in society and associated conflict

Most salient political issue is this divide

Politicians elected primarily as "champions" for their respective groups

Politicians use "accountability" to demand that the police serve their group's interests.
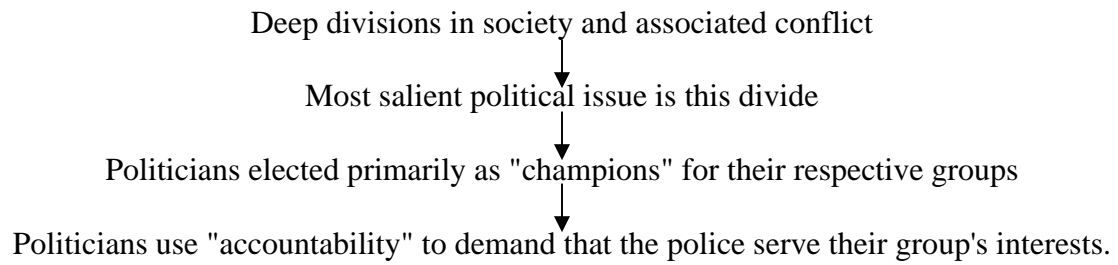
Table 1: Comparison of cases

	Canada (Francophone-Anglophone divide)	*Northern Ireland (Protestant/Catholic divide)*
Factors to be controlled		
Political system	Democratic; Parliamentarian	Democratic; Parliamentarian
Colonial history	British	British
Electoral system	Majoritarian (first past the post)	Majoritarian (first past the post)
Form of upper house	Upper house not elected; limited power	Upper house not elected; limited power
Level of government to which the police is accountable	Federal (RCMP reports to the federal Minister of Public Safety)[40]	Central (PSNI reports to the UK Home Secretary)[41]
Separatist movement	For Québec to separate from Canada (support among some Francophones). Separatist party has parliamentary seats at federal and provincial level	For Northern Ireland to exit the UK and re-unify with the Republic of Ireland (support among some Catholics) Republican party has parliamentary seats at national level, and in the Northern Ireland Assembly (suspended in 2003 but restored to power in 2007).
Territory affected by divisions	Divisions both within Québec and outside it (mainly Ontario, New Brunswick, Manitoba and at the federal level of government).	Division primarily within Northern Ireland, but during the Troubles violence spilled over to the UK mainland through paramilitary attacks.
Independent variable: Recent history of violent conflict	Low; organized violence rare since 1970	Moderate: active paramilitary campaigns, high death count and periodic disorder, stopping short of civil war.

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[40] Ontario, and, more relevantly for my purposes, Québec have their own police forces which report to the provincial level of government. However, the federal branch of the RCMP retains functions across all of Canada, including Ontario and Québec. These include protecting VIPs and investigating organized crime, terrorism, some drugs-related crimes, economic crimes and other crimes threatening Canada's territorial sovereignty and security (RCMP, 2004, on-line). The provincial branches of the RCMP will also be responsible for policing Francophone communities outside Québec.

[41] The British government is aiming to devolve responsibility for the Police Service of Northern Ireland to the Northern Ireland Assembly (Northern Ireland`s legislature, established as part of the peace process) by May 2008 (Northern Ireland Office, 2007, on-line).

Table 2: Discourse on policing, by region.

Region (Total no MPs)	Number of MPs engaged in policing discourse	% of MPs engaged in policing discourse	Number of "speech acts"[42] re policing	Average speech acts re policing per MP*
Northern Ireland (18)	13	72%**	116	6.4**
Wales (40)	23	58%	105	2.6
Quebec (75)	24	32%	53	0.7
Newfoundland & Labrador (7)	1	14%	5	0.7

* Calculated on the basis of the total number of MPs in the region.
** If these averages were calculated on the total number of MPs who took their seats in Parliament (13), the figures would be 100% and 8.9 respectively).

Table 3: How politicians justify their demands on the police.

	NI	Wales	Quebec	Nfld & L
Modal category	Neutral	Public interest	Sectional interest	Public interest
% of discourses meeting this description	32%	39%	33%	60%
2nd most common code	Sectional interest	Sectional interest	To protect vulnerable/ disadvantaged groups	To protect vulnerable/ disadvantaged groups
% of discourses meeting this description	31%	31%	30%	40%

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[42] This is the term used by Steiner et al for a self-contained unit of discourse, i.e. asking or answering one question, one statement in a speech or one intervention in another MP's speech (2004, 1-2).

Table 4: The treatment of counter-arguments in parliamentary discourses on policing.

	NI	Wales	Quebec	Nfld & L
Modal category	Includes a counter-argument specifically to denigrate it	Ignores counter-arguments	Includes a counter-argument specifically to denigrate it	Ignores counter-arguments
% of discourses meeting this description*	41%	31%	48%	50%
2nd most common code	Ignores counter-arguments	Explicitly values a counter-argument	Explicitly values a counter-argument	Includes a counter-argument specifically to denigrate it AND Is neutal towards counter-arguments
% of discourses meeting this description*	38%	30%	26%	25% (each)

* This calculation excludes questions which are purely factual and where the speaker expresses no opinion (usually written questions), as if no argument is made to begin with the coder cannot identify what would be the applicable counter-argument.
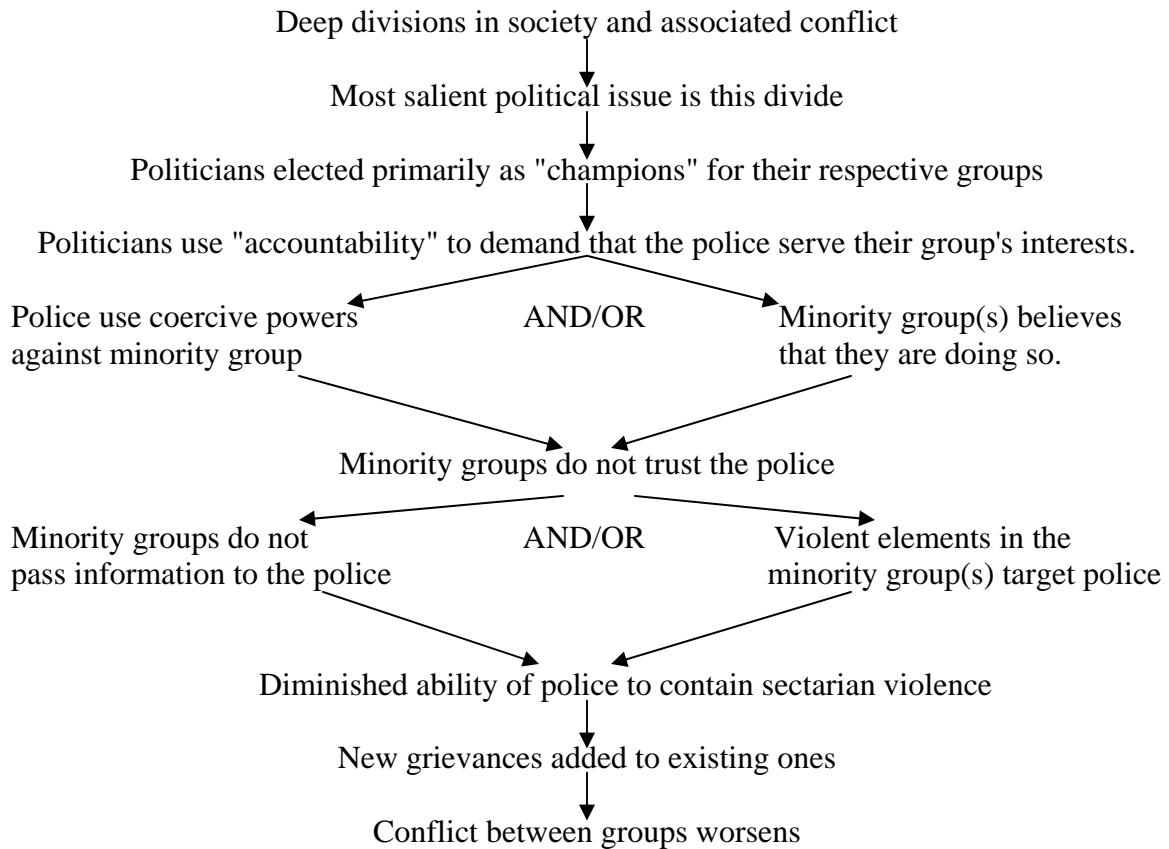
Table 5: Frequency of legislative discourse making specific demands of the police
(see over page for notes)

Issues raised	Wales	NI	Quebec	Nfld	All
Fiscal competence					
Loss of / damage to equipment	1	2			*3*
Payroll costs	1	2		1	*4*
Policing/staffing levels	7	6	7		*20*
Overall funding levels	8		1	1	*10*
Cost of specific programmes / operations	9	6	2		*17*
Police stations (numbers and costs)	1	1			*2*
Bureaucratic procedures	1	2			*3*
TOTAL FISCAL	**28**	**19**	**10**	**2**	**59**
%	**25%**	**17%**	**17%**	**33%**	**21%**
Responsiveness to the needs of:					
Victims of crime/accidents	8	1			9
Minority groups as potential suspects	4	2	1		7
Minority groups as potential victims		1			1
Minority groups as potential officers	1		1		2
Young people	3		3	2	8
Politicians	10	15	1		26
The majority group as potential officers/staff		11			11
The majority group as potential victims		2			2
TOTAL RESPONSIVE	**26**	**32**	**6**	**2**	**66**
%	**24%**	**29%**	**10%**	**33%**	**23%**
Strategic planning/ long-term changes to policing					
Co-operation with other police services	7	5	2		14
Co-operation with other public agencies/voluntary groups	6				6
Community policing	10		2		12
High volume crime	7	3			10
Vulnerable groups	3	10			13
Sectarian violence/terrorism	2	18	1		21
Crime prevention	6	2			8
Other types of crime	1	3	3		7
Training/qualifications	2	5			7
Business plans / targets	2				2
Clear up rates (convictions/prosecutions)	4			1	5
TOTAL STRATEGIC	**50**	**46**	**8**	**1**	**105**
%	**45%**	**41%**	**14%**	**17%**	**37%**
Compliance with legal and ethical standards					
Investigations into individual cases	1	6	17	1	25
Potential for police abuse of civil liberties (e.g. when debating extra police powers)	3	3	12		18
Systematic sexual abuse/harrassment by police			3		3
Actual police abuse of civil liberties	1	1	1		3
Internal police discipline (short of criminal behaviour)		4			4
TOTAL REGULATORY	**5**	**14**	**33**	**1**	**53**
%	**5%**	**13%**	**57%**	**17%**	**19%**
TOTAL FOR ALL COMPETENCES	**110**	**111**	**58**	**6**	**285**

Notes to Table 5
1. Numbers refer to the number of acts of discourse encouraging the police to prioritise each issue.
2. Two acts of discourse are omitted from this table as they do not fit into any of the competences – Police Memorial Day (Quebec) and the welfare of police dogs (Wales). They are included in the total row at the bottom of the table, and all the percentage calculations take account of them.
3. The total in this table (285) is greater than the total acts of discourse examined (279) as some statements raised more than one issue.

Figure 2: The hypothesised impact of political police accountability in divided societies

Deep divisions in society and associated conflict

Most salient political issue is this divide

Politicians elected primarily as "champions" for their respective groups

Politicians use "accountability" to demand that the police serve their group's interests.

Police use coercive powers against minority group   AND/OR   Minority group(s) believes that they are doing so.

Minority groups do not trust the police

Minority groups do not pass information to the police   AND/OR   Violent elements in the minority group(s) target police

Diminished ability of police to contain sectarian violence

New grievances added to existing ones

Conflict between groups worsens

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