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**SOCIAL DIVERSITY AND DEMOCRATIC SOCIETY:
A Study of Policing**

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ABSTRACT

The area of police reform provides an avenue for examining social diversity and the democratic functioning of society. A review of primary and secondary documents on public policing and a case study on policing in Toronto highlight the challenges of diversity for police practitioners in liberal democratic society. The study assesses the new reform movement in policing in light of philosopher Iris Young's theory of citizenship. Congruence between the defining features of community policing and the culturally pluralist ideal espoused by Young highlights the potential of police reform in diverse society.

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TABLE OF CONTENTS

<u>INTRODUCTION</u>	1
CHAPTER 1:	
<u>CITIZENSHIP, UNIVERSALITY, AND SOCIAL DIVERSITY</u>	7
1. <u>The Ideal of Universal Citizenship</u>	8
2. <u>Representation in the Liberal Welfare State</u>	10
a) Appealing to Participatory Citizenship.....	11
b) Democratic Pressures on Universality.....	16
3. <u>Young's Critique of Universal Citizenship</u>	17
a) Universality-as-Generality.....	18
b) Universality-as-Equal Treatment.....	20
4. <u>The Ideal of Differentiated Citizenship</u>	21
a) Mechanisms of Representation.....	23
b) Special Representation in Policy	24
5. <u>Operationalizing Young's Model</u>	25
a) Venues for Participation	26
b) Public Discussion.....	26
c) Group-Conscious Policies	27
6. <u>Summary</u>	28
CHAPTER 2:	
<u>THE CHALLENGE OF RECONCILING DEMOCRATIC GOVERNMENT AND SOCIAL DIVERSITY IN CANADA</u>	30
1. <u>The Concept of Canadian Citizenship</u>	31
a) Immigration Policy and Ethnic Selectivity.....	31
b) The Charter of Rights and Freedoms (1982)	34
c) Barriers to Democratic Citizenship	36
2. <u>Canada's Multicultural Policy</u>	39
3. <u>Summary</u>	45

CHAPTER 3:

<u>POLICING IN LIBERAL DEMOCRATIC SOCIETY</u>	46
1. <u>The Idea of Representation and Policing</u>	48
a) Applying “Democracy” to Policing.....	48
b) Democratic Criteria and Policing	49
2. <u>Early Traditions in Policing</u>	52
3. <u>Post-War Policing</u>	55
a) Conventional Performance Measures	55
b) Police-Community Interface.....	57
c) Policing and Social Diversity	61
d) Policing and Issues of Representation	63
4. <u>Redefining Professionalism</u>	71
a) Resurrecting “the Community”	71
b) New Structures of Participation.....	73
5. <u>Summary</u>	74

CHAPTER 4:

<u>TORONTO: A CASE STUDY OF POLICING IN A MULTICULTURAL SETTING</u>	76
1. <u>Profiling Toronto’s Diversity</u>	77
2. <u>Barriers to Equality and Participation</u>	78
3. <u>Policing Challenges</u>	79
4. <u>The Task Force on Race Relations and Policing (1989)</u>	80
a) Background.....	80
b) Task Force Recommendations (Lewis Report)	83
c) Recommendations and Democratic Criteria.....	86
5. <u>Summary</u>	89

CHAPTER 5:	
<u>COMMUNITY POLICING AND SOCIAL DIVERSITY</u>	90
1. <u>Background</u>	91
a) Why the Paradigmatic Shift in Policing?	91
b) Endorsing the “Community” Paradigm	91
c) Underlying Assumptions of Community Policing	92
2. <u>Key Elements of Community Policing</u>	93
a) Partnership Perspective	94
b) Preventative/Proactive Approach	95
c) Power-sharing/Community Empowerment	96
d) Cultural Sensitivity	96
3. <u>A Review of Commentary on Community Policing</u>	97
a) Equity in Service Distribution?	97
b) Expanded Police Presence: Blurring the Public and Private	98
c) Expanded Community Role	99
d) New Paradigm or “New Professionalism”?	99
e) A Trend or Logical Response to Change?	100
4. <u>A Democratic Response to Diversity?</u>	101
5. <u>Community Policing and Democracy</u>	103
a) Venues for Participation	103
b) Public Discussion	104
c) Group-Conscious Policies	105
6. <u>Summary</u>	106
<u>CONCLUSION</u>	107
<u>BIBLIOGRAPHY</u>	112

INTRODUCTION

This study examines the relationship between social diversity and democratic government by looking at public policing in Canada. The theoretical basis for understanding this relationship derives from the work of Iris Marion Young in which she recasts democratic theory to better accommodate modern heterogeneity. It is in light of this framework that the institution of policing is being considered, specifically, to what extent might adopting the community-policing paradigm support more inclusion in democratic society.

An essential component of the relationship between policing and democracy relates to how “democratic” pressures influence perceptions of police legitimacy (Jones, Newburn and Smith 1996, 187). Indeed, an increasingly diverse, mobile, informed, and assertive citizenry is a significant feature of today’s policing environments precipitating calls for greater accountability and responsiveness in policing. Compared with other Western industrialized nations, police in Canada enjoy considerable public approval (Durkan, *London Free Press*, 1998, A9). In addition, an Angus Reid-Southam News survey conducted in 1992 indicates that 54 percent of Canadians feel the police enforce the law impartially; however, 40 percent of those polled believe the police are biased against certain minority groups (Southam News, *Toronto Star*, 1992, A5). Given the rate of diversification in our society, the issue of how police interact with key sections of the population will likely continue to attract much scrutiny and thoughtful analysis.

Changing public needs and expectations call into question the effectiveness of the crime control model, which has defined post-war policing in North America. The challenge for police in complex settings is reconciling the values and objectives associated with conventional policing methods (e.g., efficiency, standardization, and formality) with public concerns encompassing broader policing and quality-of-life issues (e.g., fear of crime and cultural sensitivity). With a view to ameliorating the police-community interface, some reform efforts target the physical, social, and psychological effects of technology-driven professionalism. The current reform movement in policing, however, supports less crime control and more service-oriented, community-based policing. Whatever its configuration, the community policing paradigm implies joint police-community responsibility for local problem solving and crime prevention.

Community policing is promoted as a cost-effective and non-coercive alternative to conventional policing, but it may also be seen as an appropriate response to diversity and police-minority tensions. Assessing the potential of community policing is problematic, however, due to limited empirical research, as well as the lack of agreement over how and what criteria are to be measured. In addition, many Canadian initiatives are at developmental and implementation stages. This study adopts a different approach, focusing instead on how community policing satisfies the following objectives: 1) police responsiveness to community needs and interests; 2) opportunities for community involvement in policing; and 3) integrating multiculturalism into a policing framework.

The Research Question

The thesis undertakes to address the following question: *Given the challenges of reconciling democratic government and social diversity, how do the reforms in policing and particularly the move to community policing correspond or relate to the ideas suggested by Iris Marion Young?*

The research question is divided into three problem areas. The first area explores the implications of liberal-democratic citizenship for minority group representation in political and social life. The possibility of examining diversity and democratic government instructs the research to identify obstacles to full and equal membership in society. Once these sources of exclusion are identified, the discussion presents a theory of citizenship more accommodative of social diversity. Given Canada's commitment to multiculturalism both in principle and in policy, the second problem area considers the question of diversity from a Canadian perspective. The third problem area looks at modern diversity in relation to police practice and philosophy, a policy area where the institutional accommodation of society's multicultural dimension is vital for effective and equitable service delivery. The discussion is particularly interested in assessing the potential of police reform in light of ideas emerging from the reformulated theory of citizenship.

Theoretical Framework

The work of philosopher Iris Marion Young provides the theoretical basis for the work proposed. In “Polity and Group Difference: A Critique of the Ideal of Universal Citizenship,” Young discusses the ramifications of liberal-democratic citizenship for oppressed groups in a group-differentiated society. Young reformulates citizenship to bring about a more inclusive democratic society. Criteria distilled from this ideal provide the framework for assessing the potential of community policing.

The purpose of this study is to explore the extent that the defining features of community policing are congruent with Young’s culturally pluralist vision of society. The thesis examines whether or not community policing, in a bid to bring about more police responsiveness and cultural sensitivity, as well as enhance community involvement in policing, satisfies the standards of equity outlined by Young.

Methodology

The methodology is realized through an analysis of citizenship, multiculturalism, and policing. Research from primary and public sources, including census data and task force reports on policing, is supplemented by related secondary data sources including articles, newspaper reports, books, and essays. The thesis also employs a case study.

The thesis comprises five chapters that are organized as follows:

Chapter 1 (first element of the research question) begins by reviewing modern citizenship and the principle of universality. Next, two themes of critical thought in contemporary citizenship discourse highlight the challenges of reconciling democratic government and social diversity. Section three examines Young's theoretical analysis of modern citizenship, while section four presents Young's theory of citizenship. The last section describes criteria distilled from Young's ideal which will serve as a framework for assessing police reform.

In Chapter 2, Canada's system of representative democracy exemplifies the challenge of reconciling diversity and democratic government (second element of the research question). The first part discusses the Canadian conception of citizenship by looking at immigration policy, the Charter of Rights and Freedoms, and barriers to democratic citizenship. The second part examines Canada's multicultural policy, demonstrating both the potential and difficulty of accommodating ethnic pluralism in liberal-democratic society.

Chapter 3 examines public policing in liberal-democratic society. The first section considers policing in relation to the idea of democracy as well as criteria distilled from Young's theory of citizenship. The remaining sections provide an overview of the police function in Canada, highlighting issues of diversity and representation.

Chapter 4 is a case study of policing in Canada's largest and most diverse urban environment. The first section employs census data to profile Toronto's demographic transformation. Section two discusses socioeconomic and cultural obstacles to full inclusion in society. In section three, a review of studies and task force reports highlights policing challenges in multicultural settings, as well as public concerns. In section four, *The Report of the Task Force on Race Relations and Policing* (Ontario 1989) probes the state of police-community relations in Ontario and makes recommendations.

Chapter 5 focuses on community policing and its congruence with Young's ideal (third element of the research question). The first section provides background on the origins, appeal, and underlying assumptions of community policing. Section two identifies the defining features of community policing. Section three reviews commentary surrounding the shift from enforcement to service-oriented policing. Section four considers the difficulty of assessing community policing. Finally, criteria distilled from Young's framework are used to assess the potential of community policing.

The Conclusion reviews the three areas of the research question, and discusses how community policing satisfies the following objectives: 1) police responsiveness to community needs and interests; 2) community involvement in policing; and 3) integrating multiculturalism into a policing framework.

CHAPTER 1

CITIZENSHIP, UNIVERSALITY, AND SOCIAL DIVERSITY

Chapter 1 undertakes to address the first element of the research problem: *The challenges of reconciling democratic government and social diversity*. Iris Young's critique of modern citizenship provides the theoretical basis for tackling this question. The discussion brings into focus implications of liberal-democratic theory and practice for group representation in political and social life, as well as the possibility of developing a theory of democracy more accommodative of diversity. It is in light of Young's theory of citizenship that the challenge of diversity for policing is examined and the potential of police reform is explored.

The chapter is divided into five sections. The first reviews liberal-democratic citizenship and the principle of universality. Section two discusses traditional structures of representation in light of two areas of critical thought in contemporary citizenship discourse. Section three examines Young's analysis of universal citizenship and section four outlines Young's alternative arrangement of citizenship. The last section considers three criteria emerging from this ideal, which will provide a framework for assessing police reform.

* * * *

1. The Ideal of Universal Citizenship

As a legal status, liberal-democratic citizenship confers on the individual a set of rights and responsibilities that accompany membership in a country's political community. Modern citizenship is usually framed in terms of basic civil rights (e.g., equal protection of the law, free speech, and property ownership) and political rights (e.g., the right to vote and run for public office). In addition, the proliferation of social and economic rights (e.g., public education, health care, and social security) has rendered post-war citizenship synonymous with the "welfare state." The granting of these rights and entitlements, while not a guarantee of equality and full participation in society, serves nevertheless to broaden the realm of personal freedom and facilitate the effective exercise of civil and political rights (Kaplan 1993, 252):

Citizenship and nationality are clearly matters for legal definition (as well as for legal dispute), but they are also intensely political and social issues, defining as they do a person's place in the world . . . [They] are related to participation in the community, democracy, access to certain types of employment, residence, land-ownership, who a people are, and what their country is all about. (Kaplan 1993: 252)

In liberal democracies, "the rule of law" is a principle of justice specifying how the state's authority is to be exercised on society (Dickerson and Flanagan 1988, 55-8). With a view to maximizing individual freedom, the state's primary responsibility is to defend national security, maintain law and order, and regulate internal processes. The

principle of legality also enforces universal submission to equal laws, rules, and policies administered impartially by the state; in short, no one is above the law.

The principle of universality in modern political thought stems from classical liberal notions of justice and equality, that people are by nature “free and equal” to pursue private interests. Universality is a relatively recent phenomenon in politics given that prior to the twentieth century, the experience of citizenship for many people was one of exclusion. Social categories of gender, class, race, ethnicity, religion, and sexual orientation dictated who legally participated in public life. In Britain, for example, virtually all but “white property-owning Protestant men” were denied full citizenship status (i.e., equal civil and political rights) (Kymlicka 1992, 2); and, in Canada, women were categorized as “not persons” (Fierlbeck 1991, 575). Underpinning the political struggles to extend legal equality, Enlightenment ideas of equal moral worth and human potential ultimately transcended arbitrary criteria for determining political membership (Young 1989, 250). In theory, a common definition of citizen denotes political equality regardless of personal or group difference:

Citizenship is a status that can be shared. Moreover, it is the one status in the modern world that can allow everyone in a community to participate individually, collectively, and equally in national projects that transcend race, religion, language, ethnicity, and region. Citizenship can be a unifying force – for everyone in a society. (Kaplan 1993: 261)

Aside from representing a legal framework of freedom and equality, citizenship signifies an emotional bond between the individual and the nation-state, a sense of

belonging attributed to being a participant and member of a community (Kymlicka 1992, 3). Traditional notions of national citizenship suggest an association of individuals who identify with a country's history, language, cultural traditions, values, goals, and religion.

In sum, citizenship denotes formal membership in a country's political community. Under the liberal-democratic ideal of citizenship, people are treated as individuals with equal rights and responsibilities under the law. In addition, the sense of attachment to the state felt by the individual reflects the psychological component of citizenship. In the next section, two themes in contemporary citizenship discourse highlight the difficulty of reconciling traditional notions of equality and social diversity.

2. Representation in the Liberal Welfare State

The claim that individuals are "free and equal" to participate in all aspects of life does not ring true for certain groups who continue to feel like second-class citizens. Throughout the West, emerging trends and contemporary social movements are renewing interest in the concept of citizenship and how we define rights flowing from liberal principles of individualism, equality, and democracy (Fierlbeck 1991, 578-80; Kymlicka 1992, 3-4; Fleras and Elliott 1996, 402). For example, the neo-liberal assault on the welfare state and growing socioeconomic disparities in industrialized nations highlight a discrepancy between formal equality and substantive equality (e.g., social justice). Equally significant is the proliferation of "identity" movements challenging ideals of

assimilation and drawing attention to the limitations of conventional structures of representation. Two areas of critical thought in citizenship discourse illustrate the difficulty of reconciling democratic government and diversity.

a) Appealing to Participatory Citizenship

The political form of representation in most democracies refers to the process whereby citizens choose those who will “represent” their interests in policymaking. In Jones *et al.* (1996) Joseph Schumpeter defines the democratic process as “that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote” (1996, 183). Agreement between the policy stands adopted by elected officials and the wishes of their constituents is an indication of responsiveness in policymaking. Representative democracy, by its very nature, precludes mass public involvement beyond the periodic vote:

Representation involves the surrender of control over decisions to others, so that any control is only exercised indirectly; it constitutes a condition of inequality, whereby only a few are entitled to take part in the decision making and the vast majority are excluded. (Beetham quoted in McLaughlin 1994: 24)

The welfare state that emerged in response to the complex realities of modernity, by the 1960s, had become associated with centralized and bureaucratized decision making. The political process, now dominated by key interests, has become increasingly remote, privatized, and fragmented. A negative consequence of “depoliticized” decision

making is apathy and cynicism among the “silent majority.” The lack of both civic activism and effective representation raises a “democratic” dilemma:

In complex social formations there are considerable difficulties in an individual, institution, political party, government or state claiming to “represent” the wishes of “the people”, “the community” or the “working class.” (McLaughlin 1994: 23)

A positive outcome is that some of those “outside” the political process have begun to challenge the legitimacy of the democratic process and call to account those entrusted with the public interest (McLaughlin 1994, 27). A trend to revitalize post-war citizenship is manifest in various social movements, political theorists, and critics of liberalism calling for more active models of citizenship and participatory society. Observing this trend, Young (1989) writes:

In response to this privatization of the political process, many writers call for a renewed public life and a renewed commitment to the virtues of citizenship. Democracy requires that citizens of welfare corporate society awake from their privatized consumerist slumbers, challenge the experts who claim sole right to rule, and collectively take control of their lives and institutions through processes of active discussion that aim at reaching collective decisions. (1989: 252)

For social movements associated with the political left, a theory of democratic government emphasizing “participation” supports inclusion and empowerment. Direct and equal involvement in decision making allows participants to challenge policymakers and change policies that affect their lives. Participation is also educative and promotes individual self-development, thereby enabling participants to identify, as well as articulate needs and interests:

In participatory democratic institutions citizens develop and exercise capacities of reasoning, discussion, and socializing that otherwise lie dormant, and they move out of their private existence to address others and face them with respect and concern for justice. (Young 1989: 252)

Civic activism is also integrative in that it encourages participants to transcend self-interest for the “common good”:

Even if most people give priority to their private interests and attachments, some degree of citizen activity and virtue is required to protect the democratic system and citizenship rights that support that private life. (Kymlicka 1992: 24)

Participation also appeals to those who lament the decline of civic responsibility. Sections of the political right, particularly neo-conservative political groups in the U.S. and Britain, claim that a preoccupation with civic rights and entitlements has led to welfare dependency and the erosion of traditional social institutions (e.g., family, church, and community) (Kymlicka 1992, 8). With a view to rectifying the imbalance between rights and responsibilities, the New Right advocates “responsible citizenship” where concern for personal well being ultimately rests with the individual. This ideal supports greater reliance on the institutions of civil society, as well as participation through voluntary service (Kymlicka 1992, 10).

This notion of personal responsibility has been applied to the underlying philosophy of work incentive programs; that is, compulsory or voluntary participation in work-related activities in exchange for social assistance. The example of “workfare” also

appeals to normative ideals of democratic citizenship. Since individual autonomy is a precondition to full and equal citizenship, and employment serves this basic function, it follows that any activity supporting this objective ought to be encouraged (Jacobs 1995, 25-7). Studies in the U.S., however, suggest that work-for-welfare does little to substantially improve the lives of those living in poverty; nor does it significantly reduce welfare costs (Rice 1995, 204).

The neo-conservative agenda also supports market-based solutions for social problems (Kymlicka 1992, 8). Market deregulation, tax cuts, privatization, and efficient service delivery are incentives that encourage competition, initiative, and community enterprise. For economic liberals, the market is neutral in a normative sense because it is governed by financial accountability, not morality. The free market respects the natural differences between individuals, therefore, the outcome of market forces cannot be predicted or predetermined. Policies promoting morality, equity, or social justice only serve to disrupt the “spontaneous order” of civil society created by the market. The proper role of the state, therefore, is that of “night-watchman” (in the classical sense), to maintain peace and security, and regulate the spontaneous order.

Critics charge that the free market is not truly democratic because it fails to recognize that “in the ‘general election’ of the market, the wealthy can vote more often than the poor, and each of their votes has a higher value” (Jones *et al.* 1996, 190). Kallen (1995) states that “the prime social indicator of political power in modern industrial societies is the attainment of strategic decision-making positions within major social

institutions” (1995, 104). Governments and dominant interests have considerable access to resources and information with which to study the effects of the market and thus predict policy outcomes. For others, the lack of funding, expertise, and access are obstacles to participation, from agenda setting to policy formulation and implementation. In addition, empirical studies on political behaviour suggest that higher income and educated groups tend to be politically more active than historically excluded groups, or those most likely to benefit from participation such as women and the poor (Jackson and Jackson 1998, 447; Held 1996, 268).

The practical solution to remote decision making is to reduce the size of administration and the distance between the democratic process and the public. Participatory theorists advocate expanding participation beyond traditional welfare state structures and processes by creating “public spaces” and localized forms of accountability in other contexts, societal institutions, and organizations (e.g., workplace and local government) (Jones *et al.* 1996, 184-5):

Fresh demands for participation were put forward, and these generated fresh discussion about this supposedly obsolete concept. Trends towards the centralization and bureaucratization of power, far from being accepted with resignation, generated an opposition which stressed the virtues of smallness, accessibility, openness and decentralization. (Arblaster quoted in McLaughlin 1994: 27)

b) Democratic Pressures on Universality

Universal citizenship has lessened neither group consciousness nor resistance to ideals of assimilation. In recent decades, the concept of “social group” has become politically salient as groups mobilized around identity seek official recognition and more inclusive definitions of citizenship. Far from achieving a common definition of “citizen,” a new awareness embodying group specificity has added a new dimension to contemporary political discourse:

While in the long sweep of history, an egalitarianism tending to uniform treatment may be the dominant trend, a powerful counter-trend is now gathering momentum in Canadian and other Western societies. (Cairns 1993: 184)

Under liberal citizenship, citizens are autonomous individuals with equal rights under the law, not social beings who form associations and belong to communities. For critics of liberalism, the spontaneous order cannot exist in reality because the possibility of joining a successful association is sometimes predetermined by exclusionary barriers (e.g., prejudice and historical disadvantage) reinforced by the “limited” or “night-watchman” state. Liberal notions of equality deny the inextricable link between personal identity, which is tied to the individual’s perceived social position, and social group affiliation (Kymlicka 1992, 28, 63). For Young (1989), cultural differences due to “segregation and exclusion from one another and particular histories and traditions” justify political mobilization against universal citizenship (1989, 268).

In this section, two themes in political discourse illustrate the difficulty of reconciling social diversity and democratic government. The first highlights support for participatory citizenship and decentralized decision making. Support for civic activism spans the ideological spectrum. Participation is seen as a source of empowerment and inclusion for traditionally marginalized groups and as an outlet for the fulfillment of civic duty. In addition, economic liberals can appreciate the advantages of downloading government responsibilities including service delivery to local levels of activity. The second theme centres on the political salience of group specificity and the need to expand the definition of “citizen” to accommodate cultural and ethnic minority groups. In the next section, Young’s critique of universal citizenship sheds light on the denial of both substantial citizenship and effective representation for certain groups in liberal-democratic society.

3. Young’s Critique of Universal Citizenship

In liberal-democratic theory, personal or group difference is relegated to the individual’s private realm of freedom. Modern citizenship is located in the “political” (public) realm of universality, homogeneity, rationality, unity, and consensus. The assumption of political equality holds that class, gender, race, and ethnicity have no bearing on a citizen’s right to participate in the state’s formal democratic processes. In theory, these differences are secondary to the more inclusive national political

community. In practice, however, the public-private distinction acts as a powerful principle of exclusion. The discrepancy between formal equality and genuine equality is not the inevitable outcome of the spontaneous order of civil society, but the result of power relations governing society's key institutions and processes. Young challenges two assumptions underlying universal citizenship to illustrate why certain groups are denied full and equal membership in society.

a) Universality-as-Generality

Inspired by notions of civic virtue, public-spiritedness and the "common good," some theorists endorse civic republican or "classical" models of democracy where political authority is vested in "the people" and exercised by them directly (Young 1989, 252; Jones *et al.* 1996, 183). Young extols the virtues of civic activism but not the idea of a unified civic public. To the extent that equality denotes "sameness," citizenship conceived in general terms operates politically to impede disadvantaged groups or those marked with difference from achieving full inclusion and participation:

The ideal of the public realm of citizenship as expressing a general will . . . has operated in fact as a demand for homogeneity among citizens. The exclusion of groups defined as different was explicitly acknowledged before this century. In our time, the excluding consequences of the universalist ideal or a public that embodies a common will are more subtle, but they still obtain. (Young 1989: 252)

No one can claim to speak in the general interest; likewise, no one can effectively represent the views of those whose understanding of policy issues is informed by group specificity:

There is no such thing as an impartial general perspective. People necessarily, naturally consider public issues according to situated experience and perception of social relation. Different social groups have different needs, cultures, histories, experiences, perceptions of social relations which influence their interpretation of the meaning and consequences of policy proposals and influence the form of their political reasoning. (Young 1989: 257)

First, Young maintains that participation in public life hinges on conformity to supposedly “neutral” norms and values. In reality, these mirror the value system, experience, and interests of historically dominant groups: “white middle-class men [who] assume authority more than others and are more practiced at speaking persuasively” (1989, 258). Where dominant views and interests prevail in policymaking, effective representation of minority views and interests (often informed by historical disadvantage, systemic discrimination, and prejudice) is undermined:

In a society where some groups are privileged while others are oppressed, insisting that as citizens persons should leave behind their particular affiliations and experiences to adopt a general point of view serves only to reinforce that privilege; for the perspectives and interests of the privileged will tend to dominate this unified public, marginalizing or silencing those of other groups. (Young 1989: 257)

Second, groups failing to meet these norms of acceptance are designated “other.” This not only creates a psychological barrier between “us” and “them,” but also reflects reluctance on the part of larger society to accept all groups on equal terms:

To experience cultural imperialism means to experience how the dominant meanings of a society render the particular perspective of one's own group invisible at the same time as they stereotype one's group and mark it out as the Other. (Young 1990: 58-9)

Finally, suppressing group specificity has repercussions for the entire group in terms of eroding group identity, the loss of cultural symbols, and undermining the group's sense of worth and self-respect.

b) Universality-as-Equal Treatment

According to Young, the ideal of justice defining freedom as the elimination of difference is oppressive to already disadvantaged groups. Insisting that the same rules and policies govern citizens alike ignores the subjective realities of group specificity. When applied to unequal situations, equal treatment produces uneven results by implicitly reinforcing existing power arrangements:

In everyday interactions, images, and decision making, assumptions continue to be made about certain groups which continue to justify exclusions, avoidances, paternalism, and authoritarian treatment [thus] the formation of law, policy, rules of public and private institutions tend to be biased in favor of privileged groups. (Young 1989: 268)

The question is whether private difference or disadvantage justifies contextual approaches to citizenship. In other words, should laws and policies enforce different treatment for different social groups? If this is the case, the task at hand is to expand the

definition of freedom in liberal-democratic theory in order to take into account the needs and interests of all groups. Held (1996) writes:

The formal existence of certain rights is, while not unimportant, of very limited value if they cannot be genuinely enjoyed. An assessment of freedom must be made on the basis of liberties that are tangible, and capable of being deployed within the realms of both state and civil society. If freedom does not have a concrete content - as particular freedoms - it can scarcely be said to have profound consequences for everyday life. (Held 1996: 264-5)

In this section, Young theorizes that the principle of universality is oppressive because it abstracts the individual from power relations governing civil society. For groups marked by difference, dominant conformity and the transcendence of difference limit the full potential of equal citizenship. Until mechanisms of representation are put into place, values, assumptions, and positions conceived as neutral or universal will continue to define the democratic process, and equal treatment as a primary principle of justice will produce uneven results in a group-differentiated society. Next, Young redefines the concept of freedom and suggests how to realize the inclusion and participation of everyone in full citizenship.

4. The Ideal of Differentiated Citizenship

Cultural pluralists like Young reject assimilation as a precondition to full and equal membership in society. For David Taylor (1996), the public-private dichotomy is false because underlying power relations, especially those based on class, race and

gender, govern both the “democratic” welfare state and civil society. According to Taylor (1996), citizenship must focus on a “dynamic, political, and differentiated” concept of need:

The ‘liberal’ history of citizenship, then, must be viewed in the context of a set of *inclusionary* and *exclusionary* practices, aimed at consolidating a particular set of social relations and of rights and entitlements. A reappropriation of citizenship must not simply be tied to an abstract set of rights guaranteed by the ‘rule of law’, but address the deeper bases of social power. . . It demands a reconceptualisation of citizenship based on the notion of need. (Taylor 1996: 157)

For McLaughlin, democratic participation:

Must be re-imagined and re-embedded in new times and new spaces . . . as social and political relations are dynamic and never static, production of representational subjects, and recognize the contingent character of social, political and self identities; and the idea that interests are always in a state of flux. (McLaughlin 1994: 24, 29)

If power is not re-articulated and re-constituted within a radical democratic framework and inequalities of power are not subject to democratic justification and actively resisted, there is every possibility that participatory structures will be manipulated through the ‘ventriloquized voices’ of the traditionally empowered. (McLaughlin 1994: 30)

The fullest possible forms of democratic deliberation necessitate the operationalization of specific structures and principles of ‘justice’, ‘equality’ and ‘fairness’ that will address positively the processes of structural, cultural and psychological disempowerment [power relations which lead to inequality], and mediate between competing needs and interests. (McLaughlin 1994: 30)

According to Young, genuine equality entails the social equality of groups. A participatory democratic theory must therefore be based on the assumption that some groups are privileged while others are oppressed, that “ours is group differentiated society” (1989, 261). Young’s “differentiated” ideal of citizenship explicitly recognizes and affirms group difference in the social and political structures and processes of the state.

a) Mechanisms of Representation

How can a centralized system of authority effectively represent the needs and interests of those “outside” the democratic process? What mechanisms of democratic control and accountability need to be institutionalized to compel decision makers to justify policy proposals or decisions reached?

Effective representation in democratic deliberations demands the elimination of barriers to participation and a process more responsive to the social arrangements of power. Young’s differentiated ideal supports mechanisms of representation for disadvantaged groups in the political process. The institutional arrangement of representation enables groups to 1) self-organize and form separate organizations where group solidarity is an instrument of political power; 2) discuss policy proposals and present group positions on key issues; and 3) veto policy proposals or legislation (Young 1989, 261-2):

Members of the group must meet together in democratic forums to discuss issues and formulate group positions and proposals . . . All citizens should have access to neighborhood or district assemblies where they participate in discussion and decision making. In such a more participatory democratic scheme, members of oppressed groups would also have group assemblies, which would delegate representatives. (Young 1989: 266)

A democratic “heterogeneous” public acknowledges the views and positions of all participants, especially those whose understanding of policy issues is linked to group specificity (Young 1989, 261, 273). In addition, a heterogeneous public promotes procedural fairness by compelling participants to justify publicly their views and wishes. The fairness of a proposal is tested when challenged by different views, priorities, and social positions. Justice is enhanced further as new information and different viewpoints expand the pool of knowledge available to all participants:

In a democratically structured public where social inequality is mitigated through group representation, individuals or groups cannot simply assert that they want something; they must say that justice requires or allows that they have it. Group representation provides the opportunity for some to express their needs and interests who would not likely be heard without that representation. (Young 1989: 263)

b) Special Representation in Policy

A “differentiated” citizenship also supports special group (collective) rights and legal status in addition to universal civic and political rights:

The inclusion and participation of everyone in social and political institutions sometimes requires the articulation of special rights that attend to group differences in order to undermine oppression and disadvantage. (Young 1989: 251)

According to Young, cultural integrity is a case where fairness warrants the explicit recognition of difference in the policies coming out of the decision-making

process. Groups need to affirm their cultural group membership without suffering disadvantage in the larger community (Young 1989, 269-71; 1990, 173-4).

In this section, Young's theory of citizenship provides two avenues for achieving genuine equal citizenship: a democratic public where the views of all participants are heard and acknowledged, and special collective rights that take into account group-specific needs and interests. The last section of this chapter considers criteria emerging from this ideal as a possible framework for assessing police reform.

5. Operationalizing Young's Theory

Implementing principles of group representation in national politics . . . or in restructured democratic publics within particular institutions such as factories, offices, universities, churches, and social service agencies, would obviously require creative thinking and flexibility. There are no models to follow. (Young 1989: 265)

Despite the absence of models for implementing representation, the possibility of reconciling democratic government and social diversity is seen through three criteria emerging from Young's theory of citizenship. These avenues for accommodating diversity provide a framework for assessing the effectiveness of the community policing paradigm.

a) Venues for Participation

Social justice entails democracy. Persons should be involved in collective discussion and decisionmaking in all settings that depend on their commitment, action, and obedience to rules workplaces, schools, neighborhoods, and so on. (Young 1990: 191)

As a key component of democratic government, the first criterion corresponds to the creation of public spaces within larger jurisdictions. Reducing the distance between decision-making processes and the public alleviates obstacles of access, political power, and resources. Public participation in localized public forums allow groups to articulate concerns, as well as challenge the experts and decision makers.

b) Public Discussion

Discussion of policy issues is another feature of democratic government. The democratic right to full information calls for free expression of opinion on the merits or weaknesses of any given proposal (free speech), as well as free access to other opinions (free assembly). A byproduct of public discussion is the creation of informed groups who are able to make informed decisions:

Compounding inequalities in the opportunity or ability to participate in the early part of the policy making process is the unequal distribution of information. (Spitz quoted in McLaughlin 1994: 31)

It also requires a distribution of the resources for propaganda and persuasion which ensures that the power to influence our minds is distributed roughly in accord with the degree of diversity of opinion within society. (Arblaster quoted in McLaughlin 1994: 31)

c) Group-Conscious Policies

The third criterion emerges from the idea of group rights in addition to universal and individualized citizenship rights. Attending to difference in policy challenges the idea that justice and equality in democratic society entails “colour-blind” application of law and policy. Examples of group-conscious policies include multicultural rights for significant ethnic populations, legal exemptions for religious groups, and affirmative action programs.

* * * *

As a non-traditional mechanism of representation, a “heterogeneous” public raises the issue of democratic accountability. In complex societies, the claim that elected officials cannot fully appreciate and thus effectively represent the interests of dissimilar others is problematic for reasons of practicality. In addition, social groups tend to have sub-groups with corresponding sets of needs and interests, which renders effective representation difficult (Kymlicka 1992, 67-9). Young counters that while consensus and mutual understanding is not assured, the deliberative process in a heterogeneous public is by far more just and accommodative of difference than a unified public.

Contemporary citizenship discourse raises important questions that merit consideration: Who is a citizen and who makes that determination? What rights does citizenship carry? What duties are citizens expected to fulfil, and what conditions should govern performance of them? (Fierlbeck 1991, 576). Citizenship reflects a nation-state's commitment to diversity, but serves also as a powerful political tool for certain interests vying to have their vision of society realized. For members of groups whose specificity challenges prevailing definitions of "citizen," their experience as participants in the common culture may be one of "other." Citizenship is a variable concept, yet contemporary citizenship discourse seeks to determine who is a member in a political community. The challenge for modern democracies is promoting inclusion in the common culture without undermining national unity, stability, and sense of community. Given resistance to ideals of assimilation, this will be no easy task. In Chapter 2, Canada's system of representative democracy exemplifies the dilemma of modern diversity.

6. Summary

The denial of effective citizenship is manifest in contemporary social movements challenging traditional structures of representation. Central to Young's thesis is that the principle of universality acts as a powerful principle of exclusion. First, dominant conformity as a precondition to participation undermines the articulation of minority

group views and interests in democratic deliberations. Second, government neutrality as the basis of justice and equality ignores the effects of systemic disadvantage and prejudice in society. The “differentiated” ideal of citizenship proposed by Young maximizes participation in decision making and supports mechanisms of representation. Criteria distilled from this ideal – participatory venues, public discussion, and group-conscious policies – represent approaches for reconciling diversity and democratic government, as well as provide a framework for assessing policing reform.

CHAPTER 2

THE CHALLENGE OF RECONCILING DEMOCRATIC GOVERNMENT AND SOCIAL DIVERSITY IN CANADA

Chapter 1 discusses the difficulty of applying liberal notions of equality to democratic societies characterized by diversity. As an ethnically and culturally heterogeneous society, Canada is a good case for examining the impact of diversity on the legitimacy of democratic institutions and processes. This discussion explores Canada's development in relation to its dual commitment to individual freedom and equality and accommodation of ethnic and cultural pluralism. The second area of the research problem addresses the following: *How Canada lives up to the task of reconciling democratic government and diversity.*

The first part of Chapter 2 discusses the concept of Canadian citizenship in relation to immigration policy, the Canadian Charter of Rights and Freedoms, and barriers to full citizenship. The second part looks at official multiculturalism to determine the extent symbolic representation in the national community preserves cultural integrity while promoting inclusion in the larger community.

* * * *

1. The Concept of Canadian Citizenship

In many countries citizenship is seen as a great prize and is treasured by those privileged enough to possess it. In Canada this is not the case. Canadian citizenship has never been a source of national unity and strength. (Kaplan 1993: 3)

The idea of citizenship in Canada is neither firmly entrenched in national pride nor in strong allegiance to the state. Throughout much of Canada's history, issues of language, ethnicity, aboriginal autonomy, and federal-provincial relations dominated Canadian political discourse (Fierlbeck 1991). With respect to ethnic and racial diversity, response in Canada has varied from general acceptance and integration of newcomers, to less favourable treatment of undesirable "foreigners." Anglo-centrist attitudes, manifest in government policies seeking to reproduce "superior" British norms and values, helped shape Canada's early development. Preserving this narrow vision of society invariably meant denying ethnic minority groups full inclusion in the common culture.

a) Immigration Policy and Ethnic Selectivity

Canadian immigration policy reflected this tendency to ethnocentrism and exclusion (Brown 1996, 9; Ungerleider 1992a, 11). Prior to the mid-twentieth century, ethnocentric attitudes, beliefs, and assumptions were openly expressed among the English Canadian social and political elite. Unfavourable groups were either categorized as "non-persons" or deemed inassimilable. For example, while Central and Eastern European

immigrants were instrumental in opening up the West, British, Europeans, and Americans were consistently the favoured ethnic groups. Attitudes began to change following massive post-war immigration and growing awareness of the persecution faced by European Jews and other “undesirables” during the Second World War.

1) Key Changes to Immigration Policy

A “point system” adopted in 1967 signaled the shift to non-discrimination in immigration policy. Race and nationality no longer determined entry into Canada; rather, selection was tied to education, labour market needs, and knowledge of either French or English. In spite of this liberalization, groups judged slow to adapt to the “Canadian way of life” continued to be excluded, typically the poor, less educated, and nonwhite groups (Metropolitan Toronto 1996, 5; Ungerleider 1992a, 14; Brown 1996, 17; Wilson 1993, 664-5). By 1978, global limits replaced quotas for specific source countries and entry was regulated by admissible class (e.g., family, refugee, entrepreneur and independent classes)(Jackson and Jackson 1998, 42; White and Samuel 1991, 71).

2) Changing Composition of Recent Immigration

Canadian census data reveal significant trends with respect to recent immigration (i.e., between 1991 and 1996). First, high immigration levels in the 1990s (an annual average of 235,000 and peaking at 256,000 in 1993) resulted in Canada’s total immigrant population amounting to nearly 5 million in 1996, a 14.5 percent increase from 1991. Immigrants in 1996 made up 17.4 percent of Canada’s population, a share that has been relatively stable at around 15 and 16 percent between 1951 and 1991 (Canada. Statistics

Canada 1996, 1).

The shift from European to non-traditional source countries is another feature of recent immigration. Prior to 1961, 90 percent of immigrants were of European descent. While these groups still represent Canada's largest ethnic groups, their share of the total population has been declining steadily (67 to 47 percent between 1981 and 1996). By contrast, those born in Asia and the Middle East jumped from 14 to 31 percent for the same period (Canada. Statistics Canada 1996, 1). The majority of newcomers to Canada now come from Asia, Central and South America, the Caribbean and African countries.

Internal developments within source countries have also influenced the immigrant profile. For example, immigration in the 1990s became more humanitarian in response to the large influxes of refugees created by regional and ethnic conflict. Additionally, economic growth coupled with declining birth rates account for a decrease in European emigration, whereas higher rates of birth, education, and income, as well as more affordable air travel account for an increase in emigration in less-developed countries.

Finally, immigrant settlement patterns have changed with the vast majority of newcomers opting to settle in Canada's largest urban centres. Toronto, Vancouver, and Montreal received 73 percent of Canada's visible minority population in 1996 (Chard and Renaud 1999, 21). The urban concentration of immigrants has major implications for the development and distribution of social policies and programs.

b) The Charter of Rights and Freedoms (1982)

The demographic transition has had a corresponding impact on Canada's political culture. As traditional British and European ethnic groups decline numerically and become less politically dominant as interest groups, increasingly urban, educated, middle class ethnocultural and immigrant groups are helping to dismantle the "rigid correlation between class and ethnicity" (Jackson and Jackson 1998, 88; Breton 1986, 34). In addition to being numerically and politically more manifest, these groups are asserting group specificity against ideals of assimilation as a means of empowerment and participation in dominant institutions (Cairns 1993, 184; Kaplan 1993, 255, 257; Frideres 1992, 61-2). The emergence of new political actors (women, aboriginal groups, linguistic and ethnic minorities, and "charter groups") seeking inclusion in nation-building exercises (e.g., constitutional reform) exemplifies the salience of group consciousness on the Canadian political landscape.

The rise of nationalist sentiment in both Quebec and Canada are two significant trends in the 1960s that prompted the search for a new Canadian political identity. In 1982, the patriation of the Constitution and the entrenchment of the Canadian Charter of Rights and Freedoms renewed interest in the concept of Canadian citizenship (Fierlbeck 1991, 576-7). Inspired by the unitary model of citizenship, the Charter seeks to create a set of universal fundamental rights that would create a common political identity in

Canadian liberalism. The equality section of the Constitution (Section 15), for example, provides substantive guarantees against discrimination based on gender, race, ethnicity, and language (Russell 1996, 98-99; Canada 1987; Canada 1992).

According to Cairns (1993), however, certain conditions preclude the possibility of realizing a unified political identity in Canada. First, Canadian society is defined by multiple nationalisms (Québécois, Aboriginal, and those identifying with a unified Canada) in addition to cultural, linguistic and religious diversity. Second, some of these identities are politicized, even “constitutionalized.” The advent of rights discourse and the Charter’s “anti-majoritarian thrust” facilitated the mobilization of “other” political identities: “Groups found that they had ‘distinct voices’ that justified ‘their explicit inclusion in public forums’” (1993, 208-9). Finally, many groups are claiming that dissimilar others cannot effectively represent their interests and views in decision making processes (1993, 201-11).

Cairns (1993) suggests that only a fragmented conception of Canadian citizenship is feasible under current sociopolitical conditions. Whereas Young believes citizenship should not enforce universal rights and responsibilities, Cairns warns that a divided, variegated political culture poses a threat to Canada’s political identity. Cairns writes: “If we survive as one country, we must accommodate diversity without so destroying our interconnectedness that we shall be incapable of undertaking future civic tasks together” (1993: 212).

The coexistence of equal citizenship rights and a charter that interprets them differently for different groups is called into question. Kallen (1990) contends that the Charter is not truly egalitarian, but reinforces a pre-existing hierarchy of ethnic and non-ethnic groups. The *Constitution Act, 1867* grants special “superior” status to English and French charter groups, special “inferior” status to aboriginal nations (Canada’s first ethnic minorities), and no constitutional provisions for subsequent immigrant groups. The result is competing categories of ethnic groups with differential bases for collective claims (i.e., special “founding/aboriginal” status and equal “multicultural” status).

The Charter provides a formal definition of equality, yet reinforces the special status of French and English minorities through collective language and educational rights (Section 23), and religious rights (Section 29). Enumerated minorities (i.e., groups specified by race, nation/ethnicity, religion, gender, age, and mental or physical disability) have a stronger platform for claims than non-specified minorities (Kallen 1990).

c) Barriers to Democratic Citizenship

Not all Canadians wish to assimilate into the common culture, but all expect full equality (economic, social and political). Canada is often promoted as an open and tolerant society, yet barriers such as racial prejudice and systemic discrimination impede

full and equal membership. Cases of intolerance and institutionalized (governmental) discrimination (e.g., the treatment of Jewish refugees from 1933 to 1945, and the internment of Japanese Canadians in 1944) represent serious setbacks in the attempt to realize the “mosaic ideal” in Canadian society (Bell 1992, 76-6; Jackson and Jackson 1998, 48-9). Canada began to address systemic discrimination in the 1960s, but the approach was preventative and did not recognize or rectify the effects of historic disadvantage (Wilson 1993, 666-7).

Exercising citizenship requires equality and participation. Without equality, full participation in Canadian society is impossible, and without participation, citizenship is meaningless (Canada 1992, 27-8). For Ungerleider (1992a), genuine democratic citizenship entails granting citizenship regardless of ethnicity, religion, or race. Realizing universal equality in Canada necessitates removing barriers to full and equal participation in society. Ungerleider highlights various government initiatives advancing notions of fairness and equality:

- A Race Relations Unit within the Multiculturalism Directorate (1981);
- Individual equality provisions of the Charter of Rights and Freedoms (1982) to eliminate discrimination against groups socially, politically or legally disadvantaged (i.e., women, visible minorities, aboriginal peoples, official-language minority groups);
- A National Strategy on Race Relations to develop and implement programs to combat racism in public institutions (1983);
- A Special Committee on the Participation of Visible Minorities in Canadian Society to study ways to improve race relations in Canada.

Its report *Equality Now!* (Canada 1984) reveals evidence of systemic discrimination in both government and society;

- The Employment and Equity Act (1986) requiring institutions to improve the treatment of visible minorities;
- The Multiculturalism Act (1988) reflecting Canada's commitment to:

Recognize and promote the understanding that multiculturalism reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage. (Canada 1991)

- The Department of Multiculturalism and Citizenship (1991) created to eliminate barriers to full citizenship (Canada 1992, 27-8).

Despite reforms to Canada's social justice infrastructure (i.e., social and economic conditions needed for democratic citizenship), certain groups are still excluded from full citizenship. According to Breton (1986) full inclusion in society demands both symbolic and instrumental/economic accommodation of diversity. At the symbolic level, Canada's public institutions need to redefine their self-image and the collective identity. At the instrumental level, policies designed to integrate visible minority groups need to consider the effects of discrimination, police-community relations, and educational opportunities for disadvantage groups (1986, 56-60). Failure to reflect Canada's changing ethnic composition has socio-economic implications for certain groups, for example, the concentration of particular groups in certain occupations.

This section illustrates the difficulty of realizing a uniform and stable definition of citizenship in Canada. The challenge is locating a conception of citizenship that is both accommodative of diversity and a source of unity. Kymlicka (1992) recommends

promoting civic activism by 1) removing social, economic, cultural barriers to participation; 2) promoting new forms of participation (e.g., strengthening the community); and 3) citizenship education (1992, 43-5). The discussion now turns to official multiculturalism in order to explore Canada's commitment to ethnic and cultural diversity.

2. Multicultural Policy

Major trends including post-war immigration, economic growth, and rising nationalism account for Canada's changing symbolic order (i.e., the collective identity, cultural traditions, and language of the country). American cultural and economic influences coupled with a declining British presence also contributed to Canada's "new symbolic cultural opportunity" (Breton 1986, 40-3). Canada's most significant challenge, however, was rising French Canadian nationalist sentiment. This led to the creation of the Royal Commission on Bilingualism and Biculturalism and the recommendation of English/French bilingualism and biculturalism across Canada. This vision of French-English cultural dualism was criticized by immigrant and minority ethnic groups ("third force" Canadians) who sought cultural equality and the symbolic affirmation of Canada as a multicultural society. Official "multiculturalism within a bilingual framework" was adopted in 1971 to counter federal "biculturalism."

The policy endorses a vision of cultural pluralism, a philosophical ideal espousing principles of equality, tolerance and mutual respect among Canada's ethnic and cultural groups. "Other" ethnic cultures and customs are to be valued, preserved and shared through government funding and sponsorship of cultural activities and heritage education. The policy sought to integrate "other" groups into the cultural/symbolic fabric of Canadian society (Kallen 1995, 171; Breton 1986, 48-50; Wilson 1993, 655). In addition, official multiculturalism seeks "to break down discriminatory attitudes and cultural jealousies . . . [and] form the base of a society which is based on fair play for all" (Bolaria and Li 1988, 39).

Since its inception, official multiculturalism has been criticized for being a costly ploy to win "the ethnic vote" and placate "third force" Canadians. Others argue the policy does not maintain cultural integrity, but merely reinforces "symbolic ethnicity" and the appearance of democratic pluralism. It has been likened to an "ethnic zoo" and "song and dance affairs" where cultures are trivialized, simplified, and reduced to "easily digestible stereotypes" (Bissoondath 1993, 373-4; Kallen 1995, 173; Bolaria and Li 1988, 40).

The policy is viewed also as an instrument of assimilation. People are free to participate in public life as individuals, but culture and ethnic affiliation is to be voluntary and a private matter (Kallen 1995, 171-2; Kaplan 1993, 258). Brotz (1980) doubts the importance of diversity in North America since most people are primarily concerned with

pursuing the “bourgeois way of life.” The separation of state and society renders ethnicity a private matter, subordinate to “fundamental unity because it is secondary, if not trivial.” Multicultural rhetoric (e.g., “ethnic zoo” and “melting pot”) only serves to “corrupt and degrade the decent liberal democratic principle” (1980, 42-4).

Other critics argue that emphasis on cultural activities, rather than political and socioeconomic affairs, does little to empower ethnic minorities (Kallen 1995, 174; Abu-Laban and Stasiulis 1992, 381). Roberts and Clifton (1982) maintains that the policy does not promote cultural pluralism because it does not accommodate separate social structures or resources for promoting cultural heritage. In addition, public institutions are still based on cultural dualism and dominant conformity is a precondition to participation

Another view appeals to a common vision of society and the preservation of a “Canadian” cultural identity. For Bissoondath (1993), official multiculturalism supports divisiveness over unity. Promoting difference as the basis of acceptance assumes people would rather retain ethnic and political ties, even historical hatreds, not adopt a Canadian identity (1993, 375-8). The Citizens’ Forum on Canada’s Future [The Spicer Commission](1991) supports immigrant integration, but not state supported constitutional or cultural forms of pluralism (Abu-Laban and Stasiulis 1992, 370). Only when individuals share similarities can respect for diversity be achieved. In Wilson (1993), Spicer states that official multiculturalism leads to “reverse intolerance by immigrants for Canadian culture and institutions, [and the] devaluation of the very idea of a common

nationality” (1993, 660).

Compared with liberal individualist and two-nation models of society, multiculturalism supports a more inclusive political discourse (Wilson 1993, 661). It legitimates the presence and articulation of ethnic minority demands, as well as representative and responsive institutions in areas such as education, health care and policing (Abu-Laban and Stasiulis 1992, 367, 381). Official multiculturalism was a response to “third force” Canadians pushing for cultural equality. It does not challenge universal citizenship because it was meant to be a political counterbalance to official bilingualism and a “symbolic recognition” of ethnic minority groups (Russell 1996, 99).

Does official multiculturalism promote cultural understanding across Canada? The recommendation that Sikh members of the Royal Canadian Mounted Police be allowed to wear a turban in lieu of the traditional Stetson offers insight into this question. RCMP Commissioner Norman Inkster had stated that “the possibility of granting exemptions is necessary to eliminate barriers to participation which existed and which made the recruitment of qualified applicants from certain visible minority groups difficult if not impossible” (Griffin, *Vancouver Sun* 1990, A2).

The turban controversy reveals tension between individualist and cultural pluralist visions of Canadian society. According to Gualtieri (1995), the granting of religious exemptions violates the state’s obligation to treat citizens alike. Altering the uniform (a

symbol of secular civil society) blurs the line between the private and public realms of Church and State. In a heterogeneous society, the secular impartiality of institutions serving law and order must be preserved. The turban, therefore, serves to undermine the image of the RCMP as an impartial national institution (1995, 29-31):

Whatever their origins, the institutions, rituals, mythology and dress of the RCMP have become a symbolic part of this de facto pervasive secular culture or, as it may be termed, Canadian civil religion. What the RCMP symbols communicate, in a general way, is the equality of all persons before the law, the legitimacy of the moral use of force and the objectivity of social regulations applying impartiality to all. (Gualtieri 1995: 29)

Despite discourse of tolerance and multiculturalism, the turban affair also indicates that normative ideals of unity continue to govern perceptions of who belongs in Canadian society. The controversy reveals strong resistance to changing symbols of national identity. Those seeking to preserve a “generic” national identity view the symbolic move by Canada’s federal police force to accommodate diversity as an affront to the traditional image of the Mountie. For Bissoondath (1993), preserving the Mountie uniform as a symbol of unity suggests that Canada’s cultural traditions cannot accommodate change. Unlike Britain, where turbans are accepted in both the military and the police, Canada is “not a country of ancient customs, and multiculturalism seems to have taught us that tradition does not admit change: that traditions, in Canada, turn precious and immutable” (Bissoondath 1993: 378).

* * * *

A level of political discourse aspires to address questions of belonging in Canada (Kaplan 1993, 245-7). An account of Canadian citizenship reveals that it is neither a simple legal matter of who belongs in a political community, nor is it representative of a perfect association of individuals sharing common experiences, goals, and interests. Furthermore, a presumption of outsider status or exclusion from the larger society is reinforced by terms such as “immigrant” and “multiculturalism.” Extolling the virtues of tolerance and multiculturalism serves to locate “the immigrant” and “ethnic minority” within a discourse of heritage based on the historical roots of “founding” and aboriginal nations.

The commitment to equality and multiculturalism outlined in the Canadian Constitution must be expressed both in vision and in policy. Given that the reality of society is complex heterogeneity, Canadian institutions will be under increasing pressure to be representative, responsive, and accountable to diversity. The challenge, however, is accommodating ethnic pluralism without undermining national unity, for a sense of belonging in a diverse society cannot be forced. Rather than view “others” as a threat to unity, membership in the national community ought to be based on acceptance of diversity. Moreover, rather than use symbols to define us, the tangible benefits of Canadian citizenship must be emphasized.

The third problem area of the research question – *the institutional accommodation of diversity in the policing context* – is examined in the remaining chapters. Chapter 3

looks at the challenges of diversity for policing in liberal-democratic society. Chapter 4 is a case study of policing in Canada's most multicultural urban setting. The last chapter discusses the potential of community policing with respect to meeting the challenges of diversity.

3. Summary

Early Anglo-centrist attitudes and the liberalization of immigration policy were two responses to Canada's commitment to ethnic pluralism. The increase in "other" political identities advancing group claims demonstrates the difficulty of realizing a unified political identity in Canada. Barriers to democratic citizenship such as systemic discrimination and racial prejudice suggest the need for more responsive and representative institutions. Political discourse and government policy began to retreat from the two-nation model of society (i.e., English-French cultural dualism) toward the legitimization of diversity. Endorsing principles of diversity, official multiculturalism seeks to integrate cultural and ethnic pluralism into the mainstream of society. The decision allowing turbans in Canada's national police force indicates resistance to diversity and support for a common vision of society in Canada.

CHAPTER 3

POLICING IN LIBERAL DEMOCRATIC SOCIETY

One approach for considering the democratic functioning of society is to examine the service activities of the state. Unlike remote national political institutions, these have a direct and more immediate impact on daily life:

There are a range of crucial public services, from education to employment, and from health to housing, which shape social and economic opportunities, and consequently delimit individuals' power to shape and develop their own lives. (Jones *et al.* 1996: 186)

Nowhere is state intervention and regulation more apparent than with law enforcement. As the physical arm of the legal justice system, police are authorized to maintain peace, order, and stability in society. How police carry out this function helps determine whether or not the state is perceived to be legitimate:

The police are the specialist carriers of the state's bedrock power: the monopoly of legitimate force. How and for what this is used speaks to the very heart of the conditions of a political order. The dangers of abuse, on behalf of particular partisan interests or the police themselves, are clear and daunting. (Reiner quoted in Jones *et al.* 1996: 187)

The police have a unique relationship with the institutions of democracy and their legitimacy. They are there to protect the fundamental freedoms of citizens . . . Paradoxically, the powers that the police possess for the protection of fundamental freedoms, also provide the potential for severe abuse of these freedoms. (Jones *et al.* 1996: 187)

In some jurisdictions, police legitimacy has been called into question with claims of over-policing, under-policing, abuse of authority, “blaming the victim,” the lack of civilian control and oversight, racial stereotyping, and minority under-representation in police workforces. Furthermore, police encounter social conditions beyond their control as law enforcers including poverty, chronic unemployment, and racial conflict, which can also undermine police-community interaction. In particular, the demographic transformation of Canadian society has had a significant impact on policing. The third element of the research question examines the new reform movement in policing in light of Young’s framework for a more inclusive society. The discussion begins by examining the police function in liberal-democratic society, highlighting conventional practice and philosophy, as well as police response to cultural diversity.

The first section of Chapter 3 looks at policing in relation to democracy and the criteria distilled from Young’s model of citizenship. The second examines early traditions in Canadian policing. The third discusses post-war policing with respect to diversity and issues of representation. The fourth highlights emerging policing trends and strategies.

* * * *

1. The Idea of Representation and Policing

Public demands for accountability in policing often appeal to notions of “democracy.” But what exactly is democratic policing? Affirmative action programs and the formation of “ethnic squads,” for example, are sometimes promoted as attempts to “democratize” the police; however, these strategies tend to be isolated efforts and do not address the wider issue of representation.

a) Applying “Democracy” to Policing

In a bid to clarify the meaning of democracy in relation to policing, Jones *et al.* (1996) prioritizes a set of ideals emerging from writings on democratic theory. These principles constitute a framework against which proposals for police reform might be analyzed, measured, or judged:

- Equity (or fairness) is the central democratic value and source of the other principles. When applied to policing, however, equity suffers from a “conceptual deficit.”
- Service delivery logically follows equity since everyone expects and benefits from effective and efficient policing.
- Responsiveness to community needs and interests is vital for determining policing priorities, resource allocation, and methods.
- Policymaking power should be distributed, not concentrated.

- Free and open information on policing matters is needed for effective, ongoing dialogue between the police and the policed.
- Police are expected to be fully accountable for their actions. In a system of democratic accountability, the potential for abuse in policing justifies an effective complaints mechanism and mechanisms of redress.
- Police governance must facilitate public participation in policymaking, particularly when police legitimacy is called into question.

Performance measures must demonstrate police effectiveness in actual community settings, not serve as “crude indicators of crime control.” To rectify imbalances in service distribution, Jones *et al.* (1996) recommends new structures of representation able to embody the democratic principles outlined above (1996, 195-6). Like Young, however, the authors acknowledge that the implementation of effective representation would be a difficult undertaking.

b) Democratic Criteria and Policing

How do the democratic values outlined above correspond to the criteria emerging from Young’s theory of citizenship?

1) Venues for Participation

The idea that political power should not be concentrated is a key feature of democratic theory. Young advocates expanding democratic deliberations beyond national and government decision-making bodies:

Persons should have the right to participate in making the rules and policies of any institution with authority over their actions. The principle of group representation applies to all such democratic publics. (Young 1990: 187)

Responsibility for running public services is usually delegated to a professional elite, centralized and by many accounts isolated and not accountable to the recipients of service (Jones *et al.* 1996, 185). While efficient administration warrants some concentration of decision-making power, critics of police governance claim the power balance is too centralized and excludes the interests of vulnerable and disadvantaged groups (Jones *et al.* 1996, 191,195). “Participatory democratic structures” allow groups to discuss policy issues and challenge policymakers (Young 1989, 258-9). With respect to the growing importance of social groups in political life, Martin (1995) writes:

Society is becoming more communal; groups seek to establish rights where rights were once the domain of the individual. Occasions for conflict among competing interests will increase. The bases of settlement will not be technical but political. Bell predicted a societywide uprising against bureaucracy (including professionalization and technical decision making) and a widespread desire for participation. It is becoming axiomatic, even with policing, that people ought to be able to influence the decisions that affect their lives. (Martin 1995: 169)

Emerging models of policing that stress equity (i.e., those seeking to equalize the impact of policing across communities) support decision making at “natural points” of gathering including community centres and neighbourhood assemblies (Jones *et al.* 1996, 189). These local spaces or forums facilitate public input in the development and implementation processes of policy initiatives.

2) Public Discussion

The idea that all views merit recognition and representation is vital to the democratic process because groups consider issues according to particular experience and perceptions. For democratic accountability, participants require full and equal information on policing with which to consider alternative courses of action (McLaughlin 1994, 31). The idea of transparency in policing advances the notion of equity more effectively than “mechanisms for *post hoc* accountability,” which tend to follow crises (Jones *et al.* 1996). In addition, where communities rely on representatives (partial representation), mechanisms of “truth-telling” and accountability (redress) are warranted (McLaughlin 1994, 24).

A democratic forum enables groups to express different views on law, policing and crime issues, as well as analyze police policies and practices. Both police and community representatives can meet and discuss ways to improve policing in certain communities, especially urban centres characterized by complex heterogeneity. In short, this criterion emphasizes preventative and proactive approaches to problem solving.

3) Group-Conscious Policies

From general policy decisions regarding policing objectives and styles to street-level discretion, decision making at both institutional and operational levels has a potential impact on those being policed. In some jurisdictions, groups claim the police

are unresponsive to their particular needs or are unfair in their treatment. Attending to difference in policy dispels the notion that fairness in policing necessitates “colour-blind” enforcement of law and service delivery (i.e., principles of legality and distributive justice). In keeping with Young’s vision of just society, equitable policing suggests sensitivity to distinctive community or group needs and interests; otherwise, uneven levels of enforcement or service distribution across communities, groups, or types of crime may result (Jones *et al.* 1996, 191).

In sum, policing is an area where fairness entails public involvement in policymaking, as well as attending to specific crime issues and community concerns. Three criteria distilled from Young’s model encompass the democratic values outlined in Jones *et al.* (1996): 1) participatory venues where groups can challenge, change, or reverse policy decisions and outcomes; 2) police-community dialogue; and 3) localized policies targeting specific needs and concerns in the community. In Chapter 5, police reform is considered in relation to this framework. The next section provides an overview of early policing in Canada.

2. Early Traditions in Policing

The earliest “policing” arrangements in Canada were informal and community-based. Maintaining social order was relatively straightforward given the modest levels of crime, as well as the small size and homogeneity of early settlements. In addition,

conditions of “poverty, ignorance and lack of practical political rights” helped to keep the population in check (Marquis 1994, 32). Solving crime, a task commonly associated with modern policing, was a private matter, not a police responsibility. In fact, police spent little time fighting and detecting crime. Before the advent of truly functional police forces, the militia were called upon to deal with serious threats to social order. Eventually, these methods proved inadequate as nineteenth-century trends, notably industrialization and urbanization, began to transform the policing environment. Informal policing declined also as traditional ties to the family and village lessened and the modern nation-state and its public institutions became the chief sources of political legitimacy.

Following passage of the *British North American Act, 1867*, administration of justice fell under provincial jurisdiction. Local communities became legally responsible for establishing a system of law enforcement, including the building and maintenance of jails and courthouses. Seagrave (1997) cites two key developments that led to the establishment of a permanent system of crime control in Canada: an expanding middle class willing to pay others to keep order and growing fear of crime and disorder (1997, 15, 21). The inability of urban bureaucracies of nineteenth and early twentieth centuries to address regulatory/welfare problems led to these issues becoming police responsibilities (e.g., police stations serving as shelters for transients). Increasingly, police dealt with perpetrators of crime instead of victims of crime, and the local police station became further removed from the community (Marquis 1994, 26, 32).

Sir Robert Peel's Metropolitan London Police (established in 1829) signaled a shift in policing responsibility, from community "watchmen" to the modern police force. Widely acknowledged as the first policing paradigm, the nine guiding principles of Peel's model represent the foundation of the modern police function. These general principles (Griffiths, Whitelaw, and Parent 1999, 2) highlight the importance of continued community involvement in crime prevention:

- The basic mission of the police is to prevent crime and disorder.
- The ability of the police to perform their duties depends on public approval of their actions.
- Police must secure the cooperation of the public in voluntary observance of the law in order to secure and maintain the respect of the public.
- The degree of public cooperation with police diminishes proportionately to the necessity and use of physical force.
- Police maintain public favour by constantly demonstrating impartial service, not by catering to public opinion.
- Police should use physical force only to the extent necessary to ensure compliance with the law or to restore order and only after persuasion, advice, and warnings prove to be ineffective.
- Police should maintain a relationship with the public that is based on the fact that the police are the public and the public are the police.
- Police should direct their actions toward their functions and not appear to usurp the powers of the judiciary.
- The proof of police efficiency is the absence of crime and disorder.

Early policing was informal, personal, and rooted in mainly small, homogeneous communities. Modernization and political emancipation helped transform the police from “community citizen” to “official.” The next section looks at the modern police function and the challenges of diversity.

3. Post-war Policing

a) Conventional Performance Measures

The modern police function encompasses crime control activities including detection, apprehension, and prosecution of criminals, as well as order maintenance and crime prevention activities including public education, conflict resolution, and traffic control. Determining equity in policing usually corresponds to the core law enforcement and order maintenance functions. First, as law enforcers, police carry out their duties in accordance with Canada’s democratic traditions (e.g., the Canadian constitution, the Charter of Rights and Freedoms, and human rights codes). Police work within a narrow law enforcement mandate emphasizing due process and principles of legality (i.e., rules based on constitutional principles and interpreted by the judiciary, legislatures, and legal authorities). The level of enforcement is appropriate to the number and severity of offences. In MacDougall (1988), Grindstaff describes the typical law enforcement mandate:

In a democratic society such as Canada, the police are required to act within the framework of a legal system which recognizes and gives effect to democratic values. They remain accountable to courts of law for their conduct, and in the final analysis to the people through their elected representatives at various levels of government. (MacDougall 1988: 4)

Second, as service providers, police are accountable to principles and regulations falling under managerial accountability. Objective data such as response times and the number of officers per capita/crime measure principles of distributive justice.

Jones *et al.* (1996) states that the principle of equity, when applied to policing, suffers from a “conceptual deficit.” As a democratic legal organization, police face an ideological conflict and policing dilemma: balancing legal and managerial accountability.

Are the police to be principally an agency of social control then, or an institution falling under the hegemony of the legal system, with a basic commitment to the rule of law, even if this obligation may result in a reduction of social control? (Skolnick 1992: 33)

Whereas the legal mandate sometimes constrains police discretion, initiative, and the performance of broader social functions (e.g., maintaining order and preventing crime), “democratic bureaucracy” emphasizes order, efficiency and initiative. Skolnick (1992) observes this dilemma:

In the abstract, the rule of law embodies rational restraints upon the authority as it defines criminal conduct . . . In practice, however, such standards may not be clear . . . Thus, although certain fundamental and relatively changeless principles of the rule of law are specifiable, the practical constraints on official conduct derived from these principles are always in a degree of flux. A legal order is never a fixed body of rules. (Skolnick 1992: 43)

A democratic society envisions constraint upon those who are granted the right to invoke the processes of punishment in the name of the law. They must draw their rules clearly, state them prospectively. The rules themselves must be rational, not whimsically constructed, and carried out with procedural regularity and fairness. Most important of all, rule is from below, not above, authorities are servants of the people, not a "vanguard" of elites instructing the masses. The overriding value is consent of the governed. From it derives the principle of the accountability of authority, accountability primarily to courts of law and ultimately to a democratically constituted legislature based upon universal suffrage. (Skolnick 1992: 50)

b) Police-Community Interface

A key feature of post-war policing is the belief that crime can only be contained through technology and well-trained, disciplined police personnel. Many U.S.-based crime control philosophies, technologies and strategies (e.g., SWAT teams, rapid response, and sophisticated weaponry) are applied to Canadian policing environments. Canada lacks the same degree of crime, racial conflict, and corruption, yet crime control and bureaucratic models rooted in American experience have become the norm (Murphy 1988b, 179). Reliance on U.S. information and research hinders the development of a Canadian tradition of research and innovation.

Police practitioners are realizing that effective policing necessitates community assistance (Ontario 1989, 157). In addition, the crime control model does not effectively represent community interests while also protecting the community (Leighton 1991, 512; Seagrave 1997, 228-9; Kelling 1987, 99; Andrews 1992, 18). Some aspects of

conventional police practice and philosophy impede the institutional accommodation of diversity:

1) Professionalism

Strict adherence to the legal mandate has produced a policing style emphasizing a professional code of ethics. First adopted in the U.S. to deal with corruption and political interference, professional crime fighting by the 1930s had become the established policing model across North America. Its defining features include the following:

- Incident-driven or reactive
- Response-oriented
- Focus on narrow response
- Emphasis on efficiency

Professionalism raises several concerns: 1) it ignores the underlying causes of crime and crime trends; 2) it is not proactive or preventative; 3) calls for service receive standard law enforcement treatment instead of alternative solutions; and 4) it does not seek effective means to prevent, reduce, or eliminate problems (Seagrave 1997, 227-9).

With respect to police treatment of racial and ethnic minorities:

The police have the challenge of either reflecting the diverse mosaic of society and enhancing the self definition of neighborhoods so that that is possible, or of retreating into a legal formalism or police professionalism which may isolate the police from the diverse elements which now characterize the society they are policing. (MacDougall 1988: 5)

2) Technology

Emphasis on efficiency and rapid response has produced a corresponding dependence on technology and specialization. Technological change has transformed the police function, in particular, the move from the beat system to motorized patrol, and local stations to centralized dispatchers.

Sophisticated computer directed responses, the impressive mobility and systems of communication can create a feeling within the organization that it possesses power enough to be efficient without seemingly old fashioned notions of '*politeia*' or public participation and influence. (Alderson 1985: 27)

3) Centralized Decision Making

Emphasis on crime control has structured police organizations along paramilitary lines and nineteenth century management style. A rigid conception of order emphasizes hierarchy, obedience, social uniformity, routine, tradition, formality, and the status quo. Decision-making power is concentrated in remote bureaucracies (managerial accountability), an approach synonymous with impartial or detached law enforcement. Critics argue that this closed and unaccountable system impedes meaningful community involvement (Jones *et al.* 1996, 192).

4) Police Occupational Subculture

Up until the 1960s, police personnel in Canada mirrored the dominant cultural group – predominantly white middle-class men. At both institutional and street levels, peers and senior officers who are representative of this group have shaped police activity.

While recruitment of ethnic and racial minorities is the key to managing cultural diversity, relaxed recruitment practices has not had a significant impact on the composition of police departments of radically altering the police culture (Lumb 1995, 27; Force 1992, 75).

5) Amalgamation and Regionalism

As a response to urban growth and the influx of immigrants, amalgamation sought to reduce policing costs, eliminate duplication, provide more egalitarian administration of justice, and equitable and efficient service delivery. The post-war process of “metropolitanization” accelerated the trend toward the amalgamation of smaller police agencies. The number of municipal departments dropped from 710 to 466 between 1963 and 1976 (Marquis 1994, 34). Between 1962 and 1977, 150 municipal forces in Ontario were amalgamated into ten regional forces, providing policing for more than 50 percent of Ontario’s population (Seagrave 1997, 32). Amalgamation concerns include 1) the loss of local control, input, and identity; 2) policymaking in large bureaucracies does not always address the needs of the local community; and 3) amalgamation hinders local initiatives such as community policing (Seagrave 1997, 32-4; Alderson 1985, 26-7).

While the core police functions have changed little over time, the removal of front-line officers from the community has rendered police less personal and more law-enforcement oriented. Reduced visibility creates physical, social, and psychological barriers between the police and the policed (Seagrave 1997, 227; 1994, 58; Ontario 1974,

25; Marquis 1994, 33). In MacDougall (1988), the Task Force on Policing in Ontario (1973) observes this shift in the police role:

Modernization of policing, emphasizing various kinds of technological innovation, has shifted the role of policing from that of peace officer to that of law officer. The change has taken place at the point of contact between police officer and citizen. It is characterized by a reduction in personal contact between citizen and his policeman. In addition, it is characterized by a greater emphasis on law enforcement than on the service aspects of police work. In many respects, it has made police work more impersonal, more case and incident oriented, and less concerned with the continuity of relationships with the community. (MacDougall 1988: 1. *Emphasis in original*)

c) Policing and Social Diversity

Given projected immigration and settlement patterns, diversity issues will continue to impact all aspects of service delivery, from policy prioritization to implementation and resource allocation. New policing environments warrant a reassessment of traditional performance measures (i.e., criteria based on actual activities), however, assessing police performance is difficult without clearly defining the role and objectives of policing.

The challenges of diversity for urban policing include ethnic tensions, new patterns of criminology, and changing immigrant settlement patterns. Measures undertaken by municipal police services to respond to diversity include various recruitment and training strategies, and efforts to combine multiculturalism and policing. Some initiatives undertaken involve changing the ethnic balance on forces (e.g., Toronto Police, Peel Regional Police); however, the formation of these special units and

multiracial forces (“ethnic squads”) does not automatically generate public confidence. In addition, employment equity does not have a major impact on police-minority relations; especially since police conduct is often implicated for negative contact (Friedmann 1992, 103).

A full-time race relations unit (Multiculturalism Directorate, Secretary of State) was a government-supported initiative created in 1979 to improve police-minority relations (Ungerleider 1992a, 15-16). It sponsored a number of initiatives including:

- Symposium on Policing in Multicultural/Multiracial Urban Communities (1984);
- Studies on recruitment, training, and police-community liaison;
- Intercultural training programs in various Canadian cities;
- Establishment of the National Police Liaison Committee of the Canadian Association of Chiefs of Police (CACP);
- Pilot projects in Quebec and Atlantic regions to recruit and train minority candidates; and
- Provincial conferences on police-minority relations.

Another national strategy to eliminate racial discrimination in Canada’s key institutions recommended that support be given to police agencies to improve practices “both in their internal management practices and in their interface with visible minorities” (Canada 1984, 9). The program provided financial and technical assistance to the Police Multicultural Liaison Committee of the CACP for initiatives involving federal, provincial and municipal policing institutions and members of visible minority communities (Ungerleider 1992a, 15-16). Initiatives also came out of commission

reports following incidents of police-minority conflict, for example, Quebec (Bellemare, 1988) and Ontario (Lewis, 1989).

Opening channels of communication between the police and the policed is yet another strategy. Many police agencies employ opinion polls to gather information about public concerns, but these tend to serve an advisory role only. Some doubt the possibility of improving policing effectiveness without changing the entire philosophy and structure of the institution.

d) Policing and Issues of Representation

What does Young mean to policing? Young's thesis focuses on "oppressed" groups in the U.S., yet her analysis of traditional structures of representation is a source of ideas that speaks to the complexities of policing and social diversity.

1) Policing and Heterogeneous Society

The level of specialization needed for efficient and effective service delivery necessitates satisfying performance criteria falling under the managerial level of accountability (i.e., concrete variables such as crime/arrest rates, response times, and the number of officers per capita). This preoccupation with statistics and objective data, however, fails to provide a true account of the communities being served.

In pre-industrial society, “informal means of sanctioning behaviour” meant predictable social behaviour encountered predictable police response (Ungerleider 1994, 102). As more and more police encounters occur with members of different cultural groups, police can no longer expect the same degree of behavioural consensus and social homogeneity (Forcese 1992, 71; Stansfield 1996, 33-4).

It is a contradiction to expect a policing style and concepts of law and order fashioned on homogeneity and consensus to adapt easily and without friction in a heterogeneous non-consensual society. Conflicts inevitably arise and more crimes are recorded. (Alderson 1979: 151)

Conventional policing might face little resistance in homogeneous communities, or in those with responsive governments and representative policymaking processes. Where this is not the case, “appeals to procedure or statistics will not address claims of inequitable treatment” (Eck and Rosenbaum 1994, 10-11). Low-income communities, often poorly organized and politically underrepresented, are typically more susceptible to coercive policing. In liberal democracies, unequal power distribution often strains relations between dominant and minority groups (Lumb 1995, 26). Increasingly, groups are seeking official recognition to gain legitimacy, and this has an impact on policing:

As ‘the primary influence on the public’s view of local government, law, and justice’ and usually the first visible representatives of government and established society in a community, the police unavoidably become involved in this social process of legitimization. (Martin 1995: 144-5)

Effective policing in democratic society relies on consent of the governed; therefore cooperation with the police must be based on “free will rather than coercion and fear-instilling techniques” (Friedmann 1992, 103). Shifts in the ethnic and race-relations climate, however, is challenging conventional mono-cultural and reactive policing models:

The police, one of the more visible public institutions whose mandate includes social control, have certainly experienced these challenges and the forces of change in the last decade or so. As our society continues to change, as people become better educated and cognizant of their society and the larger world around them, and as distinctions are made between ideology and reality, more strain points emerge and more alternatives are explored . . . The police are very much marginal in the dynamic processes involved, linked as they are to a perception of order and control posited by dominant factions or interest groups in the society. The dilemma of the police is exacerbated by virtue of their generally conservative stance with respect to social change – institutionalized and internalized. This is an issue that will continue to be of concern to both the police and the community and one which merits continuing careful examination. (Loree 1985: 410-11)

For policing institutions, which are culturally and professionally concerned with maintaining the status quo, responding to social change can be difficult:

The idea that there is one morality, a consensus view, belongs to yesterday's society. The forces of law and order are no match for the change of pace which has confronted them during the past 25 years. Not only is today's society the plural society of individual choice, but it is now almost overnight multiracial as well. Policing such a society calls for experience and know-how which until very recently has not been available. Even now adjustments at the police/public interface are having to be made. (Alderson 1979: 151)

Citing the British experience, Alderson (1985) writes:

But the police system is no longer as well placed as it was to respond to social diversity, to feel the impulses of small communities in their varied circumstances, needs and desires. Where there is no dialogue there can be no understanding, where there is no accountability there is no compulsion to serve . . . The more complex a social order becomes the more the services which tend to its needs require the flexibility to adapt to local as well as regional and national circumstances. However, there is in fact a divergence of interest and perception. Thus whilst British society has become infinitely more diversified and pluralistic the services upon which it depends, including the police, have become more remote and bureaucratic. (1985: 26)

Due process and police procedures can hamper community participation, police discretion, and responsiveness, resulting in strained relations between the police and sections of the population:

Social heterogeneity (especially heterogeneity of colour and ethnicity) and inequalities in the distribution of wealth and power make the relations between the police and visible and ethnic minorities extremely fragile because, in democratic societies, the police are " . . . the most visible . . . embodiment of the dominant group's power." (Reiner quoted in Ungerleider 1994: 91)

In addition, punishing behaviours that undermine the status quo (e.g., property redistribution through theft) while implicitly endorsing others contributes to the "criminalization" of certain groups. Labelling (e.g., references to "problem-areas" and "black crime") also serves to stigmatize certain communities and groups. Disadvantaged groups are easy police targets because they lack political influence, appear more likely to commit crime, and have limited resources with which to buy legal representation (Ungerleider 1994, 93; Stansfield 1996, 33-7, 45). Ungerleider (1994) states that the range of behavioural choices in police-public encounters depends on how one defines the situation and of one's rights as a citizen:

A person's behaviour in such an encounter is influenced by his or her perceived location in the society's system of social stratification. Police respond to their definitions of a person's location as well as the person's demeanour. It is in this way that one's self-definition and one's imputed identity intrude upon the relations between the police and the citizen. (Alderson quoted in Ungerleider 1994: 93)

2) Policing and Equal Treatment

Individuals are theoretically equal under the law and free to pursue private interests provided they do so within the law. Policing is sometimes difficult when basic individual rights take precedence over the maintenance of law and order:

This (rule of law) claims that the legal system is an expression of the people's will; that the meaning of the law is interpreted by an independent judiciary; and that the laws are impartially enforced by an apolitical force whose *modus operandi* is legally circumscribed. (Pearce quoted in Stansfield 1996: 34)

This formal model sets the general context for policing. But, in substance, policing relates to diversity. The law sets standards but their impact on different ethnic communities, economic classes or age groups may differ significantly. In preserving the peace, or maintaining order, the police bridge the reality of diversity with the reality imposed by the legal model of equality. (MacDougall 1988, 73)

Policing under the rule of law does not acknowledge differences in ability, culture, values, and behavioural styles. Unequal opportunities, rewards, and constraints in society can manifest itself in conflict between the police and key sections of the population. Young states that social conflict is the product of "relations of domination and oppression between groups that produce resentment, hostility and resistance among the oppressed" (Young 1990, 178-9). For the powerless, sometimes the only recourse is to influence change through "systematic institutional disruptions," from lawful protest to violent confrontation. Notable examples include the riots in South Central Los Angeles

(1993), Knightsbridge, U.K. (1984), and Oka, Quebec (1992) (Ungerleider 1994, 93; Stansfield 1996, 33-8). While sometimes effective in eliciting a political response or exposing areas of concern (McLaughlin 1994, 33), alternative power arrangements borne out of power struggles rarely alter fundamentally the structure of representation in the political system. Simply limiting police powers does not address the effects of socio-economic inequalities, discrimination, and overrepresentation of certain groups in arrest rates and prison populations; factors likely to produce police-community tension.

Heterogeneous societies are characterized by the absence of social cohesion (Lumb 1995, 26). The expansion of equal citizenship, both formal (civil and political rights) and practical (welfare rights) has increased expectations of due process. At the same time, modern industrialized societies have seen the decline of informal mechanisms of social control (Clarke 1987, 385, 388, 396). Citing U.S. experience, Kelling (1987, 92) maintains that general propriety among citizens has been eroding since the early 1960s: "This era has emphasised individual liberty over communal security, privilege over responsibility, self-expression over restraint, and egalitarianism over meritocracy." While these trends reduced incidents of racism, sexism, and other forms of inequality, they have also given rise to selfishness, incivility, and unlimited behaviour (Ungerleider 1994, 102). Clarke (1987) writes:

Liberalism has over-reached itself and the sinews that bind societies together have become loosened. All has become relativised, segmented and individualised. But the condition of maintaining liberty, and of having real law and order, is agreement not only on common principles but on common institutions to administer them. (1987: 385)

Alderson (1979) argues that the price for living in a libertarian society is crime and disorder. The best check on crime, therefore, is some form of cultural authoritarianism (1979, 149-50).

Police are more likely to lean toward the arbitrary invocation of authority to achieve what they perceive to be the aims of substantive criminal law. Along with these effects is an elevation of crime control to a position where it is valued more than the principle of accountability to the rule of law. (Skolnick 1992: 41-2)

Clarke (1987) draws on the inner city riots in Britain in the 1980s to illustrate the failure of separate specialized units to target specific problems: "Whenever a beleaguered group in the population seems to succumb to the criminal/antisocial enemy . . . It is then assumed that the task is complete and that the problem, be it fraud, drugs, rape, mugging, is solved." (Clarke 1987, 397).

Alderson (1985) states that post-modern societies (defined by heterogeneity, materialism, socio-economic inequalities) resort to the law for social order and stability rather than informal traditions of social cohesion and fraternity:

Contemporary society is not of such a form to take severe economic strain without considerable prospects for crime and disorder. Those parts and characteristics of the social order which used to represent homogeneity and consensus have gradually changed as the impulses which fuel social dynamism have found their outlets in social mobility. (Alderson 1985: 24)

Brewer (1991) maintains that police in divided societies (i.e., those lacking social cohesion, ethnic and racial cleavages) are more likely to resort to coercive tactics than their counterparts in more socially integrated societies like Canada. Brewer notes, however, that divided and integrated societies share common features including divided attitudes towards the police, under-representation of ethnic and racial minorities, and cases of over/under-policing (1991, 184).

Ungerleider (1994) argues that individualistic and stratified societies lack the “associational matrices” that bind people and provide informal checks on behaviour. Conflict is inevitable because inequalities generate further social stratification. Only by addressing social inequalities and the distance between police and the community will the need for a coercive control diminish (1994, 102).

Consent of the governed (or public approval) is the overriding value in democratic society leading to accountability. As agents of social control, police are subject to greater accountability. In theory and practice, however, accountability in policing is problematic. Basically a non-democratic institution, police view themselves as professionals accountable to the law for their conduct. The challenge for police is reconciling the legal mandate with the need to be a responsive and representative institution. (democratic accountability). In Canada, government, police commissions and committees provide formal representation of the public interest. In complex

heterogeneous societies, diverse views on law, crime, and policing issues justify other outlets of representation (Murphy 1988b, 186; Leighton 1991, 504).

4. Redefining Professionalism

Changing demographics, crime trends, and community expectations have generated appeals for public accountability mechanisms, new measures of effectiveness, cultural sensitivity, community involvement, and service-oriented policing. The 1980s represent a turning point in policing, especially in the U.S. where decades of urban unrest have renewed interest in the concept of “order-maintenance.” This reform movement advocates integrating a “more relativist model” into the traditional law enforcement mandate through police-community linkages, open management styles, and a continual redefinition of police objectives to reflect social changes (MacDougall 1988, 1-2).

a) Resurrecting “the Community”

Some view post-modern policing as a way to reintegrate the police into the community. As a locus for progressive change, “the community” is a popular and positive concept in political discourse often used to legitimize social and economic policy (McLaughlin 1994, 22). Community solutions to welfare cuts, for example, might include “workfare” schemes or “decarceration” whereby people released from prisons or psychiatric institutions undergo “community treatment” (Matthews and Young 1986, 78).

The realization of such policies, however, derives from an elusive concept. Who speaks for the community? Moreover, what exactly are the roles and responsibilities of the community once it enters into partnership with the police? In McLaughlin (1994), Cowley *et al.* states:

To speak of a community when working politically on issues such as housing, health, play or welfare can cause great confusion, since, however one looks at it, no community exists: on the contrary one is confronted with a cluster of class positions, conflicts and interests, some of which are irreconcilable. (McLaughlin 1994: 22)

Clarke (1987) states that personal responsibility, which has eroded along with the community, must be recaptured. Part of the difficulty lies in locating “the community” in a society where individualism and citizen rights prevails. Clarke asks: “Where are the communities with which to negotiate to achieve a socially managed form of social control?” (1987, 388, 396).

The community has become a resource to be mobilized to reduce police-public tension and mobilize citizen involvement in crime control this potential offset by pessimism of those who recognize the decline of the community as a long term phenomenon of industrial societies. (Clarke 1987: 385)

The legal mandate and professionalism are important, but many view the community as a “basic source of public authority” (Kelling 1987, 96). Many are also calling for a broader police mandate encompassing community well being in addition to individual rights. Questions about appropriate police response to diversity issues (and the community’s role in policing) factor prominently in the paradigmatic shift in policing philosophy and practice.

For McLaughlin (1994), certain theoretical concerns must be addressed in order to realize effective representation (1994, 33). He states that the central issue is whether it is possible “to imagine flexible, spontaneous arrangements, processes and necessary conditions” that:

- Work with a complex concept of community that recognizes inequality, plurality, fragmentation, heterogeneity, and conflict of interests;
- Ensure effective representation through open, genuine, and ongoing dialogue about “real” needs and concerns; and
- Maximize participation through community empowerment.

Strategies targeting specific communities (or groups within communities) must take into account different interests, cleavages and positions, including social categories of race, ethnicity that also affect community dynamics. But this confronts a basic dilemma in democratic society: balancing changing community needs and expectations against liberalism’s basic commitment to individual rights and freedoms?

b) New Structures of Participation

Accountable policing in democratic society necessitates community involvement, but what is the proper role of the individual in policing – active participant or passive recipient of service? The current reform movement in policing supports community-based and service-oriented models, including “grass roots” policing initiatives and

“community watchman” groups such as the Guardian Angels (Stansfield 1996, 209). Another strategy, team policing, applies rural forms of policing to urban settings and involves the decentralization of authority. These strategies address fear of crime and improving the police image, however, their impact on crime is difficult to ascertain.

* * * *

The discussion highlights the challenge of cultural diversity for policing. As Canada continues to diversify, our perceptions of equity are changing. The assumption that police-community relations in Canada’s urban centres need improving has prompted some police managers and observers to rethink conventional police practice and philosophy. In Chapter 4, a case study of policing in Toronto highlights the need for culturally sensitive policing. In Chapter 5, criteria distilled from Young’s vision of justice are used to assess the potential of police reform.

5. Summary

Policing in Canada is the product of British tradition and American innovation. A discussion of the broad evolutionary stages of the police function highlights the challenges of diversity for police. The discrepancies between policing objectives and community concerns is revealed through certain features of the modern crime control model: legal accountability, reactive policing styles, an organizational structure (emphasizing hierarchy, centralized decision making, and a “professional” code of

ethics), reliance on U.S.-based technology and philosophy, and an occupational subculture based on mono-cultural norms, values, and standards. Conventional performance measures emphasize efficiency and standardization, not equity, effective service delivery, and the underlying causes of crime and disorder. A trend to service-oriented and community-based policing is emerging as the dominant reform movement in policing.

CHAPTER 4

TORONTO: A CASE STUDY OF POLICING IN A MULTICULTURAL SETTING

Chapter 4 is a descriptive study of public policing in Toronto, an ideal setting for studying the complexities of urban policing. First, as the destination of choice for immigrants, Toronto has become Canada's largest and most diverse policing environment. How police interact with different segments of the population is indicative of how well Toronto as a society accommodates diversity. Second, Toronto has been the subject of several inquiries calling into question this commitment to accommodation. Third, the policing experience in Toronto reveals a link between racial tension and the move to community policing. Finally, Toronto offers concrete examples of initiatives undertaken by police that are congruent with Young's ideas.

The chapter is divided into four sections. The first section employs census data on immigration and demographic trends to describe Toronto's diversity and social transformation. Section two looks at barriers to full participation and equality in Toronto. In the third section, a number of reports highlight the complexities of policing and diversity. The last section examines the Task Force on Race Relations and Policing (1989) and its impact on policing in Ontario.

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1. Profiling Toronto's Diversity

Toronto is undergoing a major social and demographic transformation. Census figures from 1996 indicate that Toronto is by far the largest recipient of newcomers to Canada, as well as the most culturally diverse region in the country (Mitchell, *Globe and Mail* 1997, A10):

- 42 percent of Toronto's population was immigrant in 1996 (38% in 1991).
- One in five Toronto residents are immigrants who arrived in Canada after 1981 (One in ten arrived after 1991).
- Toronto's immigrant population grew four times the rate of the non-immigrant population between 1991 and 1996.
- Toronto represents 15 percent of the national population, but has 42 percent of Canada's visible minority population (1.3 million people).
- 32 percent of Toronto's population is visible minority.
- Before 1961, 92 percent of Toronto's immigrants came from Europe, including Britain.
- In 1996, the European-born represented 17 percent of Toronto's recent immigrants.
- Most of Toronto's immigrants come from new source countries: Asia, the Middle East, Central and South America, the Caribbean and Africa.
- Between 1991 and 1996, Hong Kong was the most important source of immigrants.

Aside from being the fastest growing multicultural area in Canada, Toronto also has the highest proportion of individuals (25%) speaking a non-official language at home (followed by 22% in Vancouver and 12% in Montreal) (Canada. Statistics Canada 1998). This diversity, as well as the spatial distribution of Toronto's groups, is having a major impact on the ability of Toronto Police to respond to changing ethnic, cultural and linguistic needs.

2. Barriers to Equality and Participation

Despite Toronto's economic growth and prosperity, inequalities do exist and cultural barriers operate to deny certain groups full and equal membership in society. The report *Ethno-Racial Inequality in Metropolitan Toronto: Analysis of the 1991 Census* (Metropolitan Toronto 1996) correlates immigration patterns and socio-economic factors (i.e., education, unemployment, poverty, and income) to explore the extent some groups suffer "serious deprivation relative to the overall distribution of education, jobs and income." The report reveals major disparities among ethnic and racial groups in Toronto. Overall, European groups enjoy higher living standards compared with aboriginal groups and those from the Caribbean, Latin America, and Africa who tend to have the lowest levels of income and education, and most likely to live in poverty.

Some fear social diversification will exacerbate the existing race-relations climate and fuel ethnic tensions (Mitchell, *Globe and Mail* 1997, A10; Metropolitan Toronto 1996, 33). This is particularly the case in high immigrant areas facing socio-economic obstacles (e.g., Jane-Finch and Parkdale). Immigrants can be easy targets in times of economic decline, high unemployment, or competition for housing and services (Bissoondath 1993, 378).

3. Policing Challenges

The challenge of diversity for police in Toronto is revealed in a number of official reports, some precipitated by conflict:

- *The Police are the Public and the Public are the Police: Task Force on Policing in Ontario: Report to the Solicitor General [The Hale Report]* (Ontario 1974)
- *Royal Commission Inquiry into Metropolitan Toronto Police Practices [The Morand Report]* (Ontario 1976)
- *Now is Not Too Late, Volumes I and II* (Pitman 1977)
- *Report to the Civic Authorities of Metropolitan Toronto and its Citizens* (Carter 1979)
- *Policing in Ontario for the Eighties: Perceptions and Reflections: Report of the Task Force on the Racial and Ethnic Implications of Police Hiring, Training, Promotion and Career Development* (Ontario 1980)
- *Investigation into Relations Between Police Forces, Visible and Other Ethnic Minorities [The Bellemare Report]* (Commission des droits de la personne du Quebec 1988)

The reports facilitate an assessment of the congruency between police response and reality of multiculturalism. The inquiries address various public concerns encompassing police accountability, civilian restraint and oversight, visibility, cultural sensitivity, as well as the need for police to reconnect with the communities they serve. Many recommendations call for changes in recruitment, promotion, and training practices in order to attract members of minority groups, especially in senior positions. The reports also cite initiatives undertaken by police to address changes in the policing environment. For example, efforts by Toronto Police include the Metro Police Outreach Program to recruit more visible minorities and women, and an Ethnic Relations Unit (created in 1970s).

4. The Task Force on Race Relations and Policing (1989)

a) Background

Canada has never experienced the same degree of racial and ethnic unrest as the U.S. From time to time, however, a reordering of policing priorities has been undertaken in various Canadian policing jurisdictions. The years between 1975 and 1995 was a time of intense activity in race relations and policing in Ontario, when “not less than seven Royal Commissions, task forces, or special studies” were conducted (McKenna 2000, 1999).

Many of the recommendations from previous reports were either slow to be implemented, or never adopted. The reports offer politically motivated “symbolic reassurance” but do not address the broader economic, social and political aspects of inequality (McIntyre 1992, 647). This leads to the question of whether police-minority tensions are merely manifestations of the existing race-relations climate, or phenomena specific to policing? In 1989, Toronto mayor Art Eggleton stated that the tensions between police and the city’s black community were indicative of deeper issues, including the lack of employment and social opportunities, racial discrimination, as well as institutions out of touch with the cultural and racial diversity of Toronto’s population (Eggleton 1989, 2-3, 7).

According to Ontario’s latest major inquiry into policing and race relations, the perception that little has changed has led to a general lack of public confidence in the police and “a frustrating cyclical pattern” (Ontario 1989, 33-4). *The Report of the Task Force on Race Relations and Policing* (Ontario 1989) outlines similar concerns raised in previous studies, and warns that failure to address these concerns will continue to erode public confidence in police and undermine police legitimacy. The lack of substantive progress in police-race relations prompted this warning:

We clearly and unequivocally report that relations between police and visible minorities in the province of Ontario are at a dangerously low level. To continue to do nothing about the situation will, we believe, result in catastrophe. Furthermore, the cycles of the past have shown that action which is not measurable, continuous and subject to public accountability will fail. (Ontario 1989: 35-6)

Relations between police and visible minority communities reached an all-time low in the late 1980s. Two separate fatal police shootings of Toronto-area black men provided the catalyst for change in Ontario.¹ A week following the second incident, Ontario's Solicitor General established a six-member civilian panel "to address promptly the very serious concerns of visible minorities respecting the interaction of the police community with their own."² The terms of reference of The Task Force on Race Relations and Policing include:

- Training methods with respect to visible minorities;
- Improvements to training and education for recruits and serving officers;
- Hiring practices and promotional processes, including employment equity programs;
- Improving police-minority interaction through liaison officers, committees, education programs, and race relations training;
- A monitoring system to review police-minority interaction; and
- Police use of force.

Aside from being a response to the sense of crisis following the shootings, the Task Force also sought to address the impact of Ontario's rapidly growing visible minority population on policing. Ontario's 121 police forces were surveyed and public

¹ Lester Donaldson was shot and killed by Toronto police on August 4, 1988; Michael Lawson was shot and killed by Peel police on December 8, 1988.

² Metro Toronto's public complaints commissioner, Clare Lewis, chaired the Task Force. The other board members are: Dr. Ralph Agard, Kamala-Jean Gopie, Police Chief James Harding, T. Sher Singh, and Roy

hearings were held in Toronto, Windsor, Ottawa, and Thunder Bay to allow police and community representatives to express their views and concerns. Many written and oral submissions revealed a lack of confidence in the police among key sections of the population. The following statement, for example, refers to the distancing effects of conventional policing:

We are very concerned about the rise of a police culture that isolates police officers from the people they serve and looks to the technologies of violence rather than human understanding in dealing with society's problems. (Ontario 1989: 134)

b) Task Force Recommendations (The Lewis Report)

The Report of the Task Force on Race Relations and Policing (released April 1989) produced fifty-seven recommendations, which constitute a framework for reform and offer practical and non-confrontational tactics for efficient, representative, and responsive policing. Several themes prevail:

1) Hiring

Among public institutions, police appear the least reflective of the multiracial and multicultural communities they serve. The predominantly white male composition of Ontario's police workforce suggests (17, 27) minority candidates are "frozen out" of policing (61). Visible minorities represent at least 12 percent of the available general labour market, yet the Task Force's survey on hiring and promotional practices indicates that fewer than 2 percent of officers are members of visible minority groups (Toronto

Police and Peel Regional Police had the greatest minority representation at 3.9% and 4.1% respectively). The Report recommends mandatory hiring targets, affirmative action and employment equity initiatives, aggressive recruiting campaigns, and ending cultural biases in hiring and testing procedures.

2) Training

Using the “bad apple” theory to justify police misconduct masks systemic discrimination and racism within police agencies, thereby hindering positive relations. The Report recommends skilled instructors to carry out comprehensive civilian-based race relations training. The Report acknowledges the potential difficulty of reconciling qualities associated with conventional policing and occupational subculture (e.g., strength, assertiveness, and authoritarianism) and the qualities endorsed by race relations training (e.g., understanding and tolerance) (95).

3) Monitoring

While resort to force is a small component of policing, police abuse of authority can have a disproportionate impact on visible minorities (127-8). Trust must be balanced with accountability, not simply “trusting in blind faith or good public relations.” In addition, police-led investigations do not satisfy the public’s demand for impartiality. The Report states that while police expertise is needed for investigating cases of police misconduct, the process must include civilian oversight (147-8). The Task Force recommends a system for monitoring police-minority interaction. This is especially important given the nature of policing: 1) its insular subculture and paramilitary

organization; 2) police influence over people's lives; and 3) authority to limit freedom through their right to question, interrogate, arrest, and use of force/possess extensive powers to carry out their duties (36-8).

4) Community-Based Policing

In spite of their image as "law enforcer," police devote nearly 80 percent of their time to service-related activity. The Report notes that policing in Ontario was originally community-based and service-oriented. This approach prevails in smaller communities, but its urban counterpart has become anonymous, unresponsive, and reactive. Increasing personnel and equipment has not had a significant impact on the amount and seriousness of crimes being committed. Success is measured by the volume of arrests and convictions, not community well being and the long-term effect of their actions on public perceptions (160). The Report states that deployment of community policing is vital for improving police-minority relations (157-9). Support for community policing is manifest in three of its recommendations, which correspond to police responsiveness, police-community consultation, and minority representation in the police workforce. Particular initiatives include special liaison officers, committees, community education programs, and race relations training (164).

The Report supports proactive initiatives that foster cross-cultural communication and cooperation. Shifting responsibility to community-levels allows police to redirect resources to more serious concerns. Redirecting police activity and organizational restructuring would encourage policing that is more rooted in the community (162). To

offset the anonymity of police officers and the isolation created by the patrol car, the Lewis Report, like the Hale Report (Ontario 1974), recommends less law enforcement and more informal, personal contact (e.g., foot patrol programs and mini-stations).

Furthermore, effective policing requires police to visibly resemble the communities they serve. The Task Force survey reveals the utilization of special “race and ethnic relations units” in some jurisdictions (165). While criticized as “weak and isolated” efforts that fail to foster genuine communication or fundamentally alter police practices, the Report maintains that these units are needed until community policing can be properly instituted.

c) Recommendations and Democratic Criteria

Some of the Task Force recommendations are congruent with the criteria distilled from Young’s theory of citizenship.

1) Venues for Participation

Members of visible minority communities feel that being labeled inherently criminal (e.g., references to “black crime”) hinders participation. Such perceptions distance police from key sections of the community. Wolfgang and Cohen write:

When crime and colour converge, the person is in double jeopardy . . . To the visible badge of colour is added the label of criminal, reinforcing attitudes of prejudice and compounding acts of discrimination . . . What is most regrettable is that many people – partly from a readiness to believe – strongly associate the two factors of colour and crime . . . The private citizen, clinging to a false premise, is soon beset by a host of false fears and driven to hasty reprisals. (Ontario 1989: 20)

The idea of participation underscores many Task Force recommendations (e.g., enlisting community assistance, and liaison and community advisory groups) (20, 26).

2) Public Discussion

Community consultation facilitates the articulation of public concerns. It also allows police to elicit information and interact with the community in contexts other than law enforcement (158-9). Effective policing requires police to initiate communication (e.g., organize community groups, and listen public criticism, explain police activity, provide information, and offer solutions) (161). The Task Force survey indicates that twenty-two forces in Ontario engage in some form of community liaison (170-1).

3) Group-Conscious Policies

The Report states that public confidence requires a perception of “equity” in policing (23). While the concept of equity is important for those being policed, some groups claim they receive unfair treatment, either through neglect or harassment. They do not want “special” treatment, yet expect to be policed the same way as the majority community (153-4). For police in heterogeneous society, the challenge is adapting service to broader social changes and conditions. Police must respond to changing public

needs, as well as reflect the values of those that they serve (26).

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The primary goal of the Task Force is to prevent a repeat of events that led to the shootings of Donaldson and Lawson. The recommendations set in place many policing changes in Ontario in the early 1990s, including the creation of the Race Relations and Policing Unit, the Employment Equity regulation, the Special Investigations Unit, and other initiatives designed to address problems of race relations and policing (e.g., 1990 revisions to the Police Services Act).

The Lewis Report states that the onus is on the police to adapt to the new social reality that is cultural diversity (26). However, police resistance to some recommendations, the Toronto riots in 1992, and the Stephen Lewis Report (Lewis 1992) show that police-minority relations still need improving. In 1992, the Task Force on Race Relations and Policing was reconstituted and released a status report offering an additional forty-two recommendations (Ontario 1992). In 1995, the Commission on Systemic Racism in the Ontario Criminal Justice System (1995) found that both Anglo and non-Anglo residents of Toronto believe the police are biased in their treatment of certain groups. In addition, Blacks were more likely to feel they had been treated unfairly by the police (Griffiths *et al.* 1999, 40). Furthermore, thirty-two percent of Toronto's population is visible minority, yet the "racial minority" component of the Toronto Police workforce is still very small (3.7% for Senior and Command Officers;

3.6% for Sergeants and Staff Sergeants; 8.7% for Police Constables; 22.1% for Civilian)(Toronto Police Service report “Equal Opportunity” dated November 9, 1998, 2).

5. Summary

The chapter highlights the theme of multiculturalism and policing in Canada’s most diverse urban policing environment. The interaction between police and visible minorities in Toronto is observed through newspaper accounts and several inquiries calling into question the city’s commitment to diversity. Toronto is an explicit case of police-minority conflict triggering a political response and compelling police to reconnect with the community. Toronto also exemplifies police actions undermining police-community relations. The formation of the Lewis Task Force demonstrates the link between racial tension and community policing.

CHAPTER 5

COMMUNITY POLICING AND SOCIAL DIVERSITY

Given the challenges of complex heterogeneity outlined in Chapters 3 and 4, the discussion is now interested in assessing the potential of the new reform movement in policing with respect to the accommodation of diversity. This is achieved by applying the defining features of community policing against the criteria emerging from Young's theory of citizenship.

Chapter 5 consists of five sections. The first looks at the origins, appeal, and assumptions underpinning the paradigmatic shift in policing. The second highlights four defining features of the community-policing paradigm. The third reviews some criticism leveled at community policing. The fourth section examines the difficulty of measuring the effectiveness on community policing. Finally, criteria distilled from Young's ideal assess the potential of community policing.

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1. Background

a) Why the Paradigmatic Shift in Policing?

Negative media reporting of incidents and the release of the *Report of the Task Force on Policing and Race Relations* (Ontario 1989) renewed interest in the concept of community policing. With a view to improving police-minority relations in Ontario, the Lewis Report calls for a de-emphasis of military-based law enforcement and more personal and community-oriented and culturally sensitive policing. Other factors account for the move toward community-based and policing (Friedmann 1992, 100-1, 107-8):

- New crime and disorder trends
- The search for cheaper policing alternatives
- Calls for more police accountability
- Quality-of-life concerns and fear of crime
- Immigration and settlement trends
- Increasingly assertive minority communities

b) Endorsing the “Community” Paradigm

As a concept and policy initiative, community policing enjoys support from government, academia, and the general public. Most police managers claim to have adopted some variant of community policing (Friedmann 1992, 100), and endorsement is observed among “the major socialization agents for policing” (e.g., Police Services of the

Solicitor General Canada, Canadian Police College) (Clairmont 1991, 469). *A Vision of the Future of Policing in Canada: Police-Challenge 2000* (Canada 1990), a discussion paper submitted to public debate, highlights public support for community policing and its goal of reestablishing the balance between crime prevention and law enforcement. Another document, *Introduction to Community Policing: Shaping the Future* (Ontario 1991-1994) describes community policing as an assortment of proactive and reactive measures aimed at community well being. Strategies include: problem solving/crime analysis through community profile development and statistical analysis; inter-agency referrals, zone policing; foot patrol; crime prevention, community relations; advisory boards; and victim assistance.

c) Underlying Assumptions of Community Policing

Numerous assumptions underpin support for community policing. First, community policing offsets the negative effects of modernization and technology-driven professionalism. For example, many programs and initiatives seek to address the isolation and “psychological barrier” created by the patrol car by enhancing police visibility and accessibility through direct contact (other than law enforcement) and joint crime-prevention strategies (Fleras 1992, 75-7). Second, order maintenance, exemplified by the “broken windows” approach, is perceived to be equally important to community well being as law enforcement (Clairmont 1991, 472; Friedmann 1992, 26). The third assumption relates to the idea of the community as a participant in policing, especially with respect to problem-solving activities, policy prioritization, and implementation

(Fleras 1992, 74-6). Fourth, police authority and legitimacy comes from two sources: police professionalism (i.e., the police legal authority and their mandate derived from democratic institutions) and the community (i.e., public approval coming out of community tradition and standards) (Friedmann 1992, 26; Leighton 1991, 492; Kelling 1987, 96). “Policing by consent” is reminiscent of policing in England in 1829 when it was assumed that police could rely on the community for their authority. This theme prevails throughout community policing literature and is illustrated by Peel’s oft-quoted dictum: “The police are the public and the public are the police.”

2. Key Elements of Community Policing

Community policing suffers from ambiguity by the fact of its widespread appeal. While promoted as modern, progressive, and democratic, its vision and philosophy correspond to “old-style” policing rather than a particular initiative. Canadian programs and innovations have materialized under different labels including directed patrol, zone policing, foot beats, mini stations, and crime prevention programs (Ontario 1989, 158). In the literature, the underlying philosophy of community policing is often framed in terms of key elements or common themes theoretically distinct from conventional policing.

a) Partnership Perspective

Under the professional model, crime is the “exclusive property” of the police. The community is a resource in the fight against crime, yet devoid of its own authority. “Abstracted professionalism” and technology, while forming “thin blue line” against crime, also form a line against the community. The community-policing paradigm broadens the social role of police while expanding the community role in policing. Internal structural/organizational changes seek to improve the basis of police-citizen interaction by establishing a closer police-community partnership. Community policing is based on a joint police-community effort to solve local crime and disorder problems, as well as enhance community well being (Fleras, Desroches, O’Toole and Davies. 1989, 155-6; Fleras and Elliott 1992, 221-2; Fleras 1992, 76-7; Leighton 1991, 487).

The community is no longer a passive recipient of law enforcement, but a willing participant in crime prevention and problem solving. Community policing provides an outlet for citizen involvement in decision making and various community empowerment actions. “Co-operation with the police is in the interest of the public and is preferred when it is based on free will rather than coercion and fear-instilling techniques” (Friedmann 1992, 103).

Police are recruited from the community and therefore cannot be thought of as

separate from the community. "The community" is a key resource in order to reduce tension between police and public, and hopefully also to mobilize the public to participate in controlling crime" (Clarke 1987, 385). Ongoing voluntary contact between the public and the police provides officers with the knowledge and skills needed for different types of community interaction besides law (Ontario 1989, 158-9). Joint collaboration in order maintenance can range from minor involvement in crime prevention programs such as Neighbourhood Watch and Crime Stoppers to more sustained relationships that focus on the root causes of local problems.

b) Preventative/Proactive Approach

Whereas the crime control model emphasizes rapid response to calls for service regardless of type of call, community policing addresses the underlying social causes of crime and civil unrest (Fleras 1992, 75; Fleras *et al.* 1989, 156). Operationally, this suggests crime prevention (i.e., building safer communities) through mechanisms of social development and participation such as community-based consultation and problem-solving tactics (Leighton 1991, 488; Fleras 1992, 74, 77). Examples of preventative policing include school-liaison programs and police involvement in youth programs. Anecdotal evidence suggests that efforts to integrate police into the community are often successful (Fleras 1992, 100). For example, the foot patrol project in 31 Division of the Metropolitan Toronto Police Force (Jane-Finch Corridor) was implemented in part to tackle issues beyond the conventional police mandate (e.g., drug and alcohol abuse, derelict buildings, garbage, and graffiti).

c) Power-Sharing/Community Empowerment

Under conventional policing, military discipline and centralized hierarchy impedes community participation (Clairmont 1991, 471). The community paradigm supports the devolution of policing operations, as well as decentralization of internal organizational structures and police administration. This implies participatory decision making, in particular, public input in policy formulation, design, and implementation of local programs. The transfer of authority and resources to the community promotes police accountability in the setting of priorities and practices (Fleras 1992, 78-80; Fleras and Elliott 1992, 222). Community policing involves “a reordering of police priorities within a wider context of “decentralization” and “devolution,” changes in both police organization and subculture, as well as individual attitudes and behaviour” (Friedmann 1992, 26). Tactics such as the deployment of community officers and storefront stations (or “mini-stations”) enhance police visibility and accessibility (Fleras 1992, 79).

d) Cultural Sensitivity

Policing was predicated on mono-cultural norms and values, whereas multicultural policing seeks to reform “the internal structure and external linkages of the police” (Fleras 1992, 79-80). A key objective of community policing is to foster positive dialogue and police-minority interaction, especially in culturally significant areas

(Ontario 1989, 158; Fleras *et al.* 1989, 155). A fundamental concept of community policing requires police organizations to represent the population that they serve. This entails increasing the number of recruits from cultural and ethnic minorities (Griffiths *et al.* 1999, 81). Culturally sensitive policing expanded during the 1980s with the introduction of “ethnic squads,” race relations training, multicultural courses, and new recruitment techniques (Fleras and Elliott 1992, 224-5).

3. A Review of Commentary on Community Policing

a) Equity in Service Distribution?

Some argue that crime prevention programs exacerbate an existing dualism in advanced industrial societies. “The reality of policing a complex, diverse, largely urban society characterized by structured inequality occasionally presents police agencies with situations when they are likely to resort to technologies of ‘hard policing’” (Leighton 1991, 506). Community policing initiatives appear effective in communities where they are needed least (i.e., ethnically homogeneous, affluent, and educated middle-class societies). The question is whether traditional reactive “legalistic,” crime control model will remain “the norm for those in lower socio-economic areas” (Leighton 1991, 508; Skolnick and Bayley 1988, 86).

b) Expanded Police Presence: Blurring the Public and Private

Police in democratic society are expected to be apolitical or engage in community development activities (Leighton 1991, 510; Murphy 1988b, 188; Skolnick and Bayley 1988, 85). Reducing the relational distance between the police and the public blurs the line between police and community responsibilities. The police mandate is broadened beyond crime control to address order maintenance issues that do not traditionally or technically fall within the legal realm of policing (Leighton 1991, 510). Depending on one's political view, enhancing police power can be seen as "intrusive and dangerous or protective and responsible." Bayley (1988) writes:

Western political theory as well as practice has tried to separate public from private domains. Community policing seeks to make that division indistinguishable. It tries to enlist the public in the state's maintenance of order just as it tries to insinuate police officers into private sphere of activity. (Bayley 1988: 231)

The neo-conservative desire for order, stability, and restoration of traditional values and institutions supports a more assertive and authoritative state and police role. The ideal of "good order" supports a "social obligation" to promote community well being. Notwithstanding the liberal tradition of governmental non-interference, local autonomy in police-related issues might be perceived as a cost-efficient, non-coercive alternative to conventional methods. This corresponds to the trend of fiscal downloading and privatization of service provision.

c) Expanded Community Role

Those concerned for neighbourhood well being should bear responsibility for safeguarding that welfare. Community policing, therefore, requires the involvement of local government, community and business leaders, public and private agencies, churches, schools and hospitals. Under community policing, the public no longer passively receives service. Functions that were once the exclusive domain of the police are now performed in the “private” realm of “the community.” Joint responsibility for local protection contradicts the police’s long-held attitude (stemming from their “quasi-judicial autonomy”) of non-interference by the public (Martin 1995, 144). (decentralized provision of service)

d) New Paradigm or “New Professionalism”?

Does community policing represent a conflicting policing philosophy or does it merely expand the traditional police mandate? (Fleras and Elliott 1992, 222). Elements of community policing (e.g., public input, effective service delivery, and police accountability) reflect values already existing in conventional policing (Goldstein 1987, 8). Murphy and Lithopoulos (1988) suggest that conventional policing is community-based and therefore “community policing” is simply a natural modification of the traditional model (Friedmann 1992, 103-4; Murphy 1988a, 407).

e) A Trend or Logical Response to Change?

Reform is not necessarily an automatic response to crisis. Some writers maintain that the evolution of policing coincides with social change, although police organizations have historically been slow to adapt to change (McKenna 2000, 122). Martin (1995) describes a causal link between the evolution of society and policing ideology (e.g., the impact of individualism on policing). Others maintain that community policing is not a new concept, but a way of adapting traditional philosophy (Peel's principles) and practice to a new policing environment (McKenna 2000, 123). Community policing has been dismissed as "nostalgic exercises," for example, citizen involvement in policing resurrects the past when local communities were self-policing and defined the limits of acceptable behaviour (Goldstein 1987, 7).

Obstacles to implementing community policing include the growth of private policing, fiscal constraints, and police and community resistance to change (the "'political' issue of dealing with demand for reactive policing" (i.e., calls for service). Downplays the importance of professional policing, and the democratic significance of impartial and fast response to all calls for service (Clairmont 1991, 473; Fleras and Elliott 1992, 225). In addition, proponents maintain that in order to be effective, community policing must be adopted as a philosophy or "way of life," not an add-on to existing policing style (Clairmont 1991, 471). Police across Canada have experimented with community-policing strategies, but few departments have altered substantially the

existing police organizational structure. Foot patrols and storefront stations become operational, for example, remain isolated strategies (Friedmann 1992, 108).

For Clarke (1985), the appeal of community policing schemes such as Neighbourhood Watch lies not in their effectiveness, but in the development (by reviving community institutions) of a sense of control and security derived from an “understanding that collective resources, formal and informal, are being directed at those kinds of conduct which are held to be most offensive” (Clarke 1987, 387)

4. A Democratic Response to Diversity?

The idea of equity underscores democratic theory, yet evaluating equity in policing has been little discussed (Jones *et al.* 1996, 190). By extension, evaluating community policing as a democratic response to diversity also suffers from this “conceptual deficit.” Unlike conventional policing with its clearly articulated goals, statistical data, and quantifiable performance criteria, assessment of the impact of community policing on perceptions of security, disorder, social cohesion, and police-minority relations has been quite modest (Palmiotto 1995, 39). First, ambiguity with respect to defining indicators of success, the method employed to make such a determination, and criteria to be measured account for the difficulty of effectively measuring community policing (Murphy 1988b, 185).

Second, most community policing initiatives in Canada are at developmental or implementation stages. Studies to date emphasize documenting the implementation process, not the impact, success, or failure of programs. Moreover, few studies meet “classical evaluation standards” (Seagrave 1996, 37; Murphy 1988b, 185). Studies tend to describe initiatives implemented or response from the police agencies/communities affected; however, few emphasize scientific experimentation or deal in depth with issues of implementation and impact. Nevertheless, community-policing initiatives report high levels of satisfaction (Clairmont 1991, 472).

Evaluating policing requires articulating the goals or objectives to be measured (Seagrave 1996, 36). Community policing is often associated with policies attempting to forge links between the police and disenchanted groups, or reduce the physical, social, and psychological gap between the police and the public. (Lumb 1995, 25; Eck and Rosenbaum 1994, 11), build trust and change perceptions. Examples include community participation; assignment of officers to specific area; setting police priorities and reallocating police resources and personnel to meet specific community needs and interests (Goldstein 1987, 7).

Community policing is a popular yet ambiguous concept. The next section examines community policing in light of three approaches for accommodating diversity, to determine the extent the key elements of community policing are congruent with Young.

5. Community Policing and Democracy

How do the guiding principles of community policing correspond Young's theory of citizenship? Young provides three avenues for assessing the potential of community policing. These criteria serve as practical alternatives to conventional performance measures.

a) Venues for Participation

Under conventional policing, police are guided by principles of legality and distributive justice, not the operational direction of the public. The philosophy and rhetoric of community policing provides outlets for civic engagement in problem-solving activities including problem identification, policy formulation and implementation. Underlying the partnership principle is the "core assumption that the level of crime, disorder, and fearfulness in a community is inversely related to the level of public participating in policing." It advances the notion of public responsibility for maintaining safe communities (Fleras and Elliott 1992, 221; Fleras *et al.* 1989, 156). Community policing supports a "more active, democratic, and politicized community" where group needs and concerns are incorporated into police priorities and strategies. Suggests participatory decision making (i.e., power-sharing/distribution; empowerment focus; front-line discretion). Community organizations (e.g., school bodies and voluntary

organizations) are often employed (Goldstein 1987: 9) and deemed necessary for police accessibility and responsiveness (Fleras and Elliott 1992, 221; Fleras *et al.* 1989, 156).

Enlisting community assistance in local problem solving is problematic for reasons of practicality. It is unrealistic to expect mass participation without running the risk of dissension and stalemate will occur if every group has a voice and veto power. Community policing reinforces informal social controls, thus reducing the need to resort to coercive policing measures. Goldstein (1987) counters that this implies communities are easily identified and homogeneous; and that police and community interests are fully reconcilable (1987, 8, 10). But who legitimately represents or speaks for the community, and once the community is defined, what exactly are the roles and responsibilities of the community once it has entered into partnership with the police? The system should be flexible enough to allow for the creation of participatory mechanisms when police legitimacy is called into question, or to address sources of hostility between the police and certain segments of the community (Jones *et al.* 1996, 193, 197).

b) Public Discussion

Fostering communication across differences is a key objective of community policing. Consultation and local-level problem solving allow groups within the community to articulate concerns about crime and disorder, and offer solutions, and service distribution. Fostering constructive dialogue strengthens lines of communication,

and provides new modes of data-retrieval for effective policing. Formal channels of communication help identify problem areas, as well as prioritize services based on local needs, crime, and disorder problems. Through community involvement, citizens also learn to avoid becoming victims of crime (Fleras 1992, 74; Fleras and Elliott 1992, 22i; Fleras *et al.* 1989, 156).

c) Group-Conscious Policies

Equality under the law and respect for the individual are basic themes in liberal-democratic theory. Compliance with due process and equal treatment remains important, but strict adherence to the legal mandate hinders discretionary powers. Community policing challenges the notion that equity in policing entails colour-blind law enforcement. Order maintenance requires some level of discretion. Specific needs are targeted and appropriate police response is considered before resorting to law, or applying set rules. In addition to conventional measures, under community policing, assessing fairness emphasises public perceptions, the quality, and amount of police-community contact (Eck and Rosenbaum 1994, 11-12). Different methods of policing tend to be more even in their impact. Special structures would bring the voices of the disenchanted to the attention of policymakers, thereby equalizing the impact of policing (Jones *et al.* 1996, 191, 194). The community paradigm is locally relevant in that police can innovate, experiment, and develop policies that target local needs.

Community-policing initiative raises a key concern with regards to how demographic change and crisis management get translated into policy reforms. For example, Community Action Policing (CAP) adopted in Toronto (summer 1999 and 2000) was criticized for targeting poor and disadvantaged groups. In theory, police enforce the law impartially, but some groups are labeled “deviant” and some communities are deemed problem areas.

* * * *

6. Summary

Community policing is a popular yet ambiguous concept, emerging in response to both internal and external factors. The discussion proposes a synthesis of basic principles underlying philosophy of community policing: joint police-community responsibility, and cultural sensitivity. Criteria used to assess the potential of community policing indicates congruence between community policing and Young’s theory of citizenship.

CONCLUSION

The thesis employs a three-part approach to address the research question: *Given the challenges of reconciling democratic government and social diversity, how do the reforms in policing and particularly the move to community policing correspond or relate to the ideas suggested by Young?*

The first part of the problem examines traditional structures of representation in light of two themes in political discourse. Young theorizes that the ideal of universal citizenship, by ignoring the subjective realities of group specificity, operates politically to deny certain groups the tangible benefits of equal citizenship. Homogeneity as a precondition to participation in public life and universal submission to equal laws and policies render marks of difference obstacles to full citizenship. Young reformulates citizenship theory to allow for more inclusive policymaking and special representation in policy.

The second problem area focuses on Canada's commitment to diversity and how it relates to questions of belonging. As a modern liberal democracy defined by complex heterogeneity, Canada is an ideal setting for considering the challenge of accommodating diversity. Multiple identities in Canada preclude the possibility of a common culture and unified public. Despite the transition from Anglo-centrist attitudes and policies to greater acceptance and integration of newcomers, however, the turban controversy indicates

strong support for a narrow vision of society. As traditional ethnic groups decline numerically, current immigration trends suggest visible minorities will account for one-fifth of Canada's total population by 2016, with 56 percent living in Ontario (Chard and Renaud 1999, 25).

Official multiculturalism endorses principles of equality and mutual respect among Canada's cultural and ethnic groups, however, its ability to address discrimination and preserve the cultural integrity of ethnic minority groups has been called into question. At the instrumental level, policies need to reflect the changing ethnic composition of society, yet Canada's institutions are predicated on a two-nations model of society. Critics maintain that the policy neither empowers minority ethnic groups nor promotes cultural pluralism.

The third problem area is interested in policing and the challenge of diversity, specifically, the possibility of reforming police philosophy and practice to better accommodate diversity. Public services are increasingly under pressure to respond to changing demands as a result of the vast numbers of newcomers to Canada. With respect to the diverse needs and expectations of different ethnic, cultural and linguistic communities, police services in particular are compelled to assess the impact of values and objectives tied to conventional methods.

The transition to equality-based policing and technology-driven professionalism

has had a corresponding impact on the police-community interface. Individually and institutionally, police have become isolated from those that they serve and in some jurisdictions, performance criteria do not provide a true account of policing effectiveness. Some aspects of conventional methods hinder accommodation. For example, policing is a tradition-based institution defined by hierarchy and a rigid conception of order.

The challenge of diversity highlights the need to explore community policing as an option for accommodating diversity. As a response to both internal and external influences (e.g., changing demographics), the new reform movement in policing offers the possibility of a more inclusive society. Three objectives – police responsiveness, community participation, and integrating multiculturalism into a policing framework – are indicators of effectiveness for community policing. First, the ultimate test for policing agencies is the ability to respond to needs and interests of all sections of the population, especially the vulnerable, disadvantaged, ethnic and racial minority groups.

Second, the citizen's sense of safety and security is tied to community well being, and effective policing requires some level of civic responsibility and cooperation. The need for cooperation notwithstanding, the exclusivity of the crime control model has been blamed for distancing the police from their constituents. The idea that policing agencies should not hold a monopoly on providing safety, security, and order is the central theme in community policing philosophy. Community policing endorses public participation in the co-production of order through local-level autonomy in crime control and

decentralized decision making. Given the prospect of genuine engagement of the “community,” it remains to be seen whether this commitment to more inclusive policing will be realized (McKenna 2000,344).

It is within a context of major demographic change that the potential of accommodating diversity in policing is examined. Integrating multiculturalism and policing into a workable framework is vital given that police agencies are increasingly called upon to serve the needs of distinct communities, or groups within these jurisdictions. Genuine understanding of the “community” is vital for community policing. Toronto as a case study highlights the theme of multiculturalism and policing. Forty-two percent of its population in 1996 was immigrant, which represents the largest immigrant population in all census metropolitan areas in Canada (Mitchell, *Globe and Mail*, 1997, A10).

Can Young's theory of citizenship helps us to understand the question of diversity and policing? Young's critique of universal citizenship highlights the importance of taking diversity seriously and proposes a way to do so. Criteria emerging from Young's approach allow us to evaluate community policing – participatory venues, public discussion, and attending to difference in policy. In particular, community-based consultative and participatory structures operating throughout the process allow socially, economically, and politically disadvantaged sections of the community to influence change.

Community policing does contribute to more inclusion in society, but there are a number of concerns. Adopting the philosophy and principles of community policing entails institutionalized and substantive reform (i.e., encompassing the entire traditional bureaucratic and paramilitary organizational structure), not token gestures or public relations exercises (McKenna 2000, 342-3). In addition, implementation of community policing must overcome resistance to the change process by police practitioners.

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