

Résumé du contenu/English Summary

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RÉSUMÉ DU CONTENU / ENGLISH SUMMARY

Translation : Dorothy Crelinsten

In order to clarify the general theme of this issue of « Criminologie », we are translating the editorial written by Mr. Denis Szabo, rather than presenting a brief summary of each article. In effect, for lack of space, it is impossible to do justice to the various authors. We trust, therefore, that a general outline will suffice to interest the English reader in requesting a translation of a particular article.

Criminal policy consists in the rational execution of the norms established in the Penal Code by the legislator, taking into account the contribution of the social sciences. These have two distinct contributions to make in drawing up a criminal policy : first, they describe, assess and analyze the human and socio-cultural realities and clarify the context in which the reality exists and on which the norms are superimposed. Second, through techniques borrowed from economics, these disciplines evaluate the impact and effectiveness of the measures that evolve from the application of the norms. By showing the degree of cohesion and the inconsistencies between the set goals and the results obtained, the social sciences furnish an essential contribution to criminal policy.

Like economic policy and social policy, criminologists have been talking for a long time about criminal policy. Preoccupation with the public welfare, the desire to see science « be of service » led researchers to risk the application of theories, the results of research, in order to find a solution to the dilemmas of life in society. Traditionally, it was jurists, in their role as legislators in Parliament or Government, men of the law acting as magistrates, prosecutors, lawyers, who practiced criminal policy somewhat in the manner of M. Jourdain. The appearance of the social sciences introduced a new dimension whose integration in today's criminal policy will not be without some difficulties.

The present issue of « Criminologie » illustrates our point. Objectives such as the proper functioning of the system of criminal justice having become problematic ever since the 60's, numerous commissions of inquiry established by governments and professional groups, the Bar in particular, have studied the

matter. It quickly became apparent that there was a considerable margin between the norms imposed by the legislator and the « norms » practiced by the various organizations, services or agencies charged with enforcing the law. To conduct research on the extent of these differences, on the diffuse powers of assessment used by policemen, magistrates, prosecutors, educators or therapists, has become a priority in criminology over the past ten years or so. These studies show the existence of another system of « norms » which are confused, contradictory and are sometimes even substituted for those firmly proposed by the Criminal Code.

It is the point where these two systems of norms intersect that is explored by the authors of this volume. G.A.B. Watson expresses the full scope of the problem ; he brings up the challenge to criminology, for it is the latter which should clarify the path of criminal policy. He indicates the extent of the inconsistencies in the application of the laws and announces the forthcoming results of the important studies undertaken at the Centre of Criminology of the University of Toronto, which is in the process of analyzing, throughout the whole system of criminal justice, the powers of evaluation of each agency.

The contribution of Maurice Cusson and Danielle Laberge-Altmejd gives us a foretaste of the work devoted to astute and administration which the researcher must accomplish if he would play the role he is supposed to play in criminal policy. Applied to juvenile justice, their work immediately arouses an interest in further similar undertakings in other countries.

The contribution of the American Bar is presented by Alice Parizeau who analyzes its importance with regard to Canadian and Quebec problems.

In this issue, the editorial team hopes to initiate discussion and encourage studies to increase the contribution of the criminological sciences to the criminal policy which the legislator has been drawing up at an accelerated pace in the past few years in our country. We have opened our pages to our colleagues in the criminological centre of Toronto and to practitioners, such as Gilles Langelier, adviser to the « Affaires professionnelles de l'Association des Centres d'accueil du Québec », in order to show the convergencies in studies based on a criminal code of federal

jurisdiction, and undertaken, furthermore, in a North American context.

We therefore have to demonstrate the relevance of American studies. Their very North American specificity makes it possible, in this regard, to differentiate ourselves from the countries of continental Europe. In effect, in these countries, as is apparent in every page of the book by Yves Roumajon, which Alice Parizeau summarizes and reviews in her readers' notes, the legal norms are much less flexible, since the social mores are much more stable. As a result, there are conflicts and maladjustments which represent aspects very different from the North American reality which is reflected in the pages of this issue.