

Résumé du contenu/English Summary

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RÉSUMÉ DU CONTENU/ENGLISH SUMMARY

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It is ten years, now, since the proceedings of the International Symposium in Comparative Criminology, devoted to the police, were published (*Police, culture et société*, Les Presses de l'Université de Montréal, 1974). Both the participants and the authors who contributed are outstanding specialists in the «criminology of the police». University researchers met with practitioners to discuss the more and more problematic role assigned to this force in contemporary society. The work of the symposium was one phase of the studies that researchers at the University of Montréal have been engaged in for several years on the organization of the police and their role in a democratic, pluralistic and rapidly evolving society.

The reasons motivating criminologists in their studies have not varied substantially in the ten years. The article of J.-P. Brodeur, in charge of this thematic issue, is evidence of this consistency. In western societies today still suffering from an authority crisis, the police must first and foremost ensure the defense of a law and order that is being contested from all sides. Studies on the discretionary power of the police have shown that the judgment exercised by a policeman in the accomplishment of his duties is a better indication of the real crime situation in his milieu than his official records. Because of this, the action of the police constitutes the basis for the public's image of crime, the fear it arouses and the judicial or political reaction it triggers.

This key role of the police, already noted during the work of the 1973 symposium, inspired two major orientations in the research on this particular mechanism of social control. On the one hand, there have been systematic psycho-sociological studies on the police as an institution and social organization, on the police personality (recruitment, training, performance, etc.), on the effectiveness of police action in terms of its cost/effect, on the public's image of the police and its expectations regarding the police. All these studies were undertaken during the 60's and our symposium reflected both the methodological and theoretical problems that emerged from them. The second focal point of the research was the analysis of the role of the police in the «fabrication» of criminal activity. Choosing subjects such as business, political or sex-related crime, the authors

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showed the arbitrary, unilateral and often conspiratorial manner in which the police carry out their tasks. The equivocal action of the police, particularly in the field of intelligence (informing, etc.), was intensely criticized from all sides, and its legitimacy was systematically contested by active and ideologically inspired minorities.

During the past ten years or so, most of the studies of the first orientation have been expanded and taken up by the government technical services. Like other major bureaucracies, the police and public safety services have substantial research facilities, engaging competent researchers and providing a more thorough academic training for their own personnel. The university thus fulfilled its role as intellectual «animator» and «stimulator» concerning this problematic public service.

The second series of studies, for obvious reasons, was not taken up, at least publicly, by the police and other State agencies charged with security. It is not surprising that research oriented toward the analysis of police action in the dim frontiers between «the old» and the «new», as well as between the «customary» and the questionable, the prohibited, and the «still not legitimate», drew the attention of university researchers. The latter are known to be more sensitive to the «problematic» than the seemingly «obvious». Furthermore, the incidents revealed by two important Canadian commissions of enquiry, the McDonald Commission federally and the Keable Commission provincially, furnished abundant, and in many respects surprising, material for criminologists to look into!

The contents of this issue clearly reflect the two orientations noted above: for the first, «pragmatic criminology», we have the contributions of Marc LeBlanc, Clifford D. Shearing and H.-P. Vignola; for the second, those of J.-P. Brodeur, R. Lévy and P. Robert.

The studies reported by Marc LeBlanc describe how the action of the police, as well as their attitudes and interventions, have adapted to the changes stipulated by the legislator. We find that far from being a blind instrument of «law enforcement» (a term clearly indicating the pragmatic nature of the police action), the police modulate the law by taking the particular circumstances into account as well as the demands of their own conscience. Very marked is the persistent shifting of their perception, between vigorous repression of crimes committed by recidivist criminals, on the one hand, and the practice, considered soft, of the courts or correctional and parole

services, on the other. Police resistance to certain clauses of the new legislation concerning minors could prove to be paralysing; other provisions, however, will seem to be effective because of the firm support of the police.

LeBlanc's article demonstrates how important it is for the justice administration to understand the attitudes of its own agencies and take the measures necessary (information, explanations, guidance and follow-up) in applying the law; otherwise the law may become a dead letter and the non-enforcement of the laws contribute, even more than crime itself, to the discrediting and delegitimizing of the penal and public security systems.

C.D. Shearing's study tells us about the development of private police services. This is a field of social and professional activity that has taken an unsuspected dimension over the past ten years or so. A result of the professionalization of the police services and the consequent increase in costs, the proliferation of private security services, first started on this side of the Atlantic, has now been massively introduced in Western Europe. The principle of the monopoly of public power, obtained by Royalty and the State authorities in their hard struggle against the feudal lords, is, in practice, being questioned. We are now seeing a decentralization and fragmentation of the police function. More and more, simple guarding, the surveillance of property, the control of traffic and parking, as well as many traditional functions of the police are being entrusted to private services. On the whole, these are modelled along the lines of the first agencies, such as Pinkerton's. The scope of the movement, however, is such that, over the next few years, we should re-examine our ideas on the maintaining of law and order as well as on social control and the prevention of crime, in the light of this spectacular development.

The contribution of P.-H. Vignola, former director of the Montreal police, evidences the concerns that weigh upon the directors of large city police. Dependent on the municipal authorities, in close contact with public opinion through the medium of a critical press, appreciated in general by the population (as shown in surveys), the director of police is on the horns of a dilemma, for his policemen's union has practically a monopoly on public power, especially in countries that have no military conscription (as is the case in Canada). As a former police director, he makes a point of the conciliation that is necessary between the various powers that make the rules or influence the police.

J.-P. Brodeur evaluates, for the reader, the research perspectives of these past years concerning the second tradition mentioned earlier. Having participated as consultant in the work of the Keable Commission, instituted by the Quebec government, he was able to get first-hand experience regarding the action of the police during the particularly uncertain and ambiguous events of October 1970. Evoking an apprehended insurrection, the Canadian authorities instituted the War Measures Act. The author describes very well the interpenetration of the attacker and the attacked. He reveals the never-ending mechanisms of police provocation in the cat and mouse tactics whereby the roles of victim and perpetrator sometimes become interchangeable. These analyses lead him to question a certain number of customary assumptions.

Again we find this complex relationship between protagonists in the article of journalist Marc Laurendeau, critical observer of the Quebec scene of the past few years. He deals with the role of police informers. It should not come as a surprise, on reading these two studies, that the role of the police appears more ambiguous than ever, morally more suspect and hardly neutral.

The article of J.-P. Brodeur focuses our attention on the change in our perception of the police brought about by their suddenly visible role as defender of the political legitimacy of the State. During major political crises where this legitimacy is contested by large and politically organized minorities, certain police operations appear to be clearly illegal, before even being declared unwarranted.

The contribution of R. Lévy and P. Robert, in a French frame of reference, broadens the discussion to include all the customary functions of the police. The authors show how police activity is a prisoner of the legal and social structures: a large portion of crime escapes it for lack of resources and lack of political support from other agencies of the State apparatus, the press and public opinion. The authors point out the relative failure of successive governments of the Republic, whether they represent the «left» or the «right», to orient the police toward an effective role in the prevention and control of crime. They conclude, with very good reason, that considerable work remains to be done in order to ascertain more precisely the impact of police action on crime. They suggest a complete reconstruction of the object of analysis before a sociology of the police is possible.

We hope that we have given the reader an interest in examining this dossier on the police attentively. There are instructive examples

to be found on the contribution of criminological research to the adaptation of the police to the functions of social and judicial control as present conditions have established their practice. But the reader will also be confronted with important theoretical questions on the very significance of police action in our societies and with conditions (still uncertain) for an analysis more pertinent to the changing definitions of law and order.