

**The Annual Review of
Interdisciplinary Justice Research**

Volume 1, Fall 2010

Edited by
Steven Kohm and Michael Weinrath
The University of Winnipeg
Centre for Interdisciplinary Justice Studies (CIJS)
ISSN 1925-2420

Introduction

This volume of essays was drawn from the conference “Practicing Justice: Interdisciplinary Perspectives on Crime, Law and Justice” held over three days in May 2010. “Practicing Justice” was the second annual justice-themed event hosted by the Centre for Interdisciplinary Justice Studies (CIJS) at the University of Winnipeg Criminal Justice department. Our hope was to provide a forum for open and intellectual discussion about justice in all its forms. To this end, we assembled a diverse group of participants including practitioners from the various justice agencies, Honours students from our own program, graduate students from a number of universities across Canada, local researchers, and academics from a variety of disciplinary backgrounds in Canada and the United States. What united all these participants was an interest in the elusive concept of ‘justice.’

The objective of the conference was to examine justice from a variety of standpoints. The practice of justice is all too often characterized by rigid dichotomies and entrenched rivalries: practitioners versus academics; applied researchers versus theoretical scholars; and community versus university. “Practicing Justice” was envisioned as an inclusive forum that might close the gap that separates often divergent perspectives on justice. We firmly believe that in order to understand justice and move toward the practice of justice – however defined – we must first be able to hear and understand others who bring different perspectives to the table.

We must acknowledge the hard work of Professors Richard Jochelson and Kelly Gorkoff who a year earlier initiated a bold dialogue across the disciplines which culminated in our inaugural justice-themed conference “Theorizing Justice: Interdisciplining the Divide”. Their goal was to “bridge the gap between disciplines, community agents, and institutional forces ... to identify the division between disciplines and to build an inclusive approach. They cited the words of our keynote speaker Professor John P. Crank – who writes: “one must

gather together liberals and conservatives, professionals and academicians, federal and local justice organizations, judges, defence counsel, prosecutors, sworn officers, managers... they all bring something to the table... they all bring a commitment to justice” (Crank, 2003).

The present volume of essays showcases a diversity of perspectives on justice. We are pleased to present submissions from practitioners of justice, Honours and graduate students, and academics of divergent disciplinary backgrounds. The essays that follow both critique conventional understandings of justice and suggest ways to better practice justice, however defined. Some works are highly theoretical and abstract, while others are more hands-on and applied. What unites all these submissions, however, is their commitment to and passion for justice.

What Does it Mean to Practice Justice?

While the conference theme and title was “Practicing Justice,” these terms remain remarkably open to different interpretations. Often, the term “practice” is used deliberately to contrast with “theory”; the former being concrete and useful and the latter being more esoteric and less relevant to the day-to-day lives of ordinary people. In the realm of criminology and criminal justice, practice typically denotes the work that goes on inside the various government agencies of (criminal) justice – police, courts and corrections – or those who work in support of these agencies. Sometimes, ‘practice’ is seen by academics as being merely concerned with efficiency, and largely unconcerned with issues of substantive, procedural, or social justice. For some, to be interested in the practice of justice is tantamount to accepting uncritically the status quo.

However, outside those academic disciplines concerned with crime and justice, practice conjures up different associations. For instance, in the realm of sport, practice is part of a process by which athletes strive to continually improve their performance. Conceived in this way, practice becomes an intriguing concept to place alongside justice. Much like the athlete who

practices tirelessly knowing that perfection is never possible, we might similarly think about justice as an ideal worth striving toward, but recognizing that perfect justice will always be beyond our grasp. However, like the athlete, we can view our efforts as an attempt to improve upon our current position. Viewed in this way, practicing justice means that we are not satisfied with the status quo. We may disagree about what justice might ultimately look like, but we can agree that more work needs to be done. Practice moves us more closely toward perfection.

Indeed, the notion of practice for practitioners is often embedded in moral issues of justice and improving practice. It is true that outside institutions or agencies like the Ombudsman and University, academics are associated with cogent global or individual criticisms of the practice of criminal justice agents. Yet for the individual police officer, lawyer, probation officer or correctional officer, ethical dilemmas are confronted on a daily basis. The decision to exercise or not exercise discretion in situations is inevitably tied up in questions of justice. For example, is the use of a criminal or prison charge an appropriate measure to achieve a just end, or are the interests of the public being frivolously gambled away by emotional practitioners? On the research side, improved technical expertise by practitioners is more and more research driven. The use of evidence based practices and research to improve expertise allows us to build, if nothing else, a more rational, logical form of justice.

How we individually choose to practice justice will naturally vary. We recognize that justice may be practiced in a variety of ways including, but certainly not limited to: empirical research and evaluation, community organization and social activism, theoretical development and debate, academic study, and professional or volunteer work in the various agencies associated with justice. We acknowledge all these practices – and more – as appropriate and necessary to include in an open dialogue about justice. The essays that follow therefore present a wide variety of practices that strive toward justice.

Of course justice itself can be conceptualized in many ways.

For many, the concept implies the outcome of the operations of the agencies of the criminal justice system. Accused persons are exonerated or convicted in a court of law – justice is served. Convicted offenders are punished and the innocent set free – justice is served. Occasionally, a miscarriage of justice is discovered and a wrongfully convicted person is identified. In such a case, justice can only be restored when the system acknowledges and corrects its mistake. No doubt, this image of justice will resonate with many. However, focusing on the end point of a system of criminal justice does not capture the broader meaning of the term. In order to fully explore the broad range of meanings encapsulated in the term ‘justice’, we must turn to disciplines (and practices) not typically associated with the study of crime and criminal justice. Among the academic community, we have embraced submissions from traditional criminologists, legal scholars, sociologists, and criminal justice scholars. At the same time, we have also welcomed work by students and academics in women and gender studies, aboriginal governance, education, international development studies, social work, and conflict resolution studies. Each discipline brings its own viewpoint on what justice means. Terms like social justice, economic justice and restorative justice speak to the variety of concerns bound up in the practice of justice. Practicing justice for some means embracing different methodologies of research. For others, justice is practiced through creative pedagogy. Whether seen as an outcome, a process, or combination of the two, justice provides the heart and soul of the submissions that follow. Practicing justice, therefore, requires that we open our minds to perspectives and interpretations beyond our own. It is our sincere hope that by appreciating the diversity of practices of justice, we can each learn more about our own perspectives on justice. We hope that this collection of essays will continue the dialogue started at “Practicing Justice.”

Steven A. Kohm
Michael Weinrath
Winnipeg, 2010