

Book Reviews/Comptes rendus

Ramcharan, Subhas and Chantele Ramcharan, *Law, Order and the Canadian Criminal Justice System*. Mississauga: Canadian Educator's Press. 2005, 266p.

There is a growing tension in Canadian criminology, between “social science” and “protective service” orientations. It reflects the larger and important liberal arts/vocationalism tension that is central to debates about the role and place of higher education in contemporary Canadian society. The growth of “criminal justice studies” as well as the creation of Ontario's newest university, the University of Ontario Institute of Technology, with its mandate to offer only market driven programmes, can be regarded as outgrowths of what many have argued to be the commodification, marketisation, corporatisation, “new managerialism” or “new vocationalism” of higher education. These developments are important not only for what we might infer about how and why the practices within, and conceptions of, the liberal arts may be reshaped and transformed but also for what we can learn about the role and place of the university in contemporary Canadian society. Moreover, they can tell us something about possible changes to the regulation of academic labour and pedagogy that may come to be regarded as necessary.

This is the context from which *Law, Order and the Canadian Criminal Justice System* emerges. These pressing concerns and debates help us to formulate a position about the scholarly import of this text. *Law, Order and the Canadian Criminal Justice System*, as any text, imparts a theoretical and methodological position, even if only tacitly. The texts we use in our classes act as exemplars of scholarly output that students look to and which in part will shape their outlook and understanding about a field of enquiry and the debates that circumscribe it. What is clear is that Ramcharan and Ramcharan advocate a protective service approach to the study of criminal justice.

It should be stressed that a protective service orientation is organised around a different object of enquiry than that of social science; although there is often overlap, the two are incongruent. The former is rooted in vocationalism and is founded on a “primacy of practice” whereas the latter exemplifies the characteristics of an imaginative and reflexive mode of enquiry aimed at deepening appreciation, description, and explanation of social phenomena, things that may or may not be of interest to those working from a protective service orientation.

The text's usefulness for social scientific enquiry is informational since, in the main, it provides a synthesis of existing textbooks rather than in-depth engagement with the current scholarly literature that addresses relevant topics such as social and criminal justice, law and regulation, punishment, or policing. I present this as a weakness, but one might argue that this is a strength in that the text is an encapsulation of current textbooks and mainstream literature, therefore allowing instructors to use this book confidently, knowing that the text is representative of conventional thinking on the role and place of the legal and criminal justice system in Canadian society. It should be borne in mind, however, that "criminal justice" refers to both a scholarly field of enquiry as well as a professional field of crime control practice. As with so many criminal justice texts, Ramcharan and Ramcharan only represent the latter. This distinction may be thought of as tangential, but given the recent growth in Canada of university level programmes and departments of criminal justice (as distinct from criminology), this distinction is relevant and important and goes to the heart of the growing tension between social science and protective service orientations.

Law, Order and the Canadian Criminal Justice System is an excellent example of the "protective service" orientation to the study of crime and justice, which undermines the value of the liberal arts for understanding the theoretical and practical implications of the operation of our contemporary crime control apparatus. The text is vocationally oriented and holds criminal justice enquiry to be limited to discussion of a justice "system" and its component parts (which gives the false impression that there is such a coherent unity). In other words, the text contributes greatly to the taken for granted belief that "criminal justice" refers only to a field concerned with the technical aspects of the workings of, and practices of personnel within, the criminal justice system. The study of criminal justice, however, is also necessarily the study of social ordering more generally, of how the justice system is implicated in the reproduction of inequalities and criminogenic conditions, and of the social and political, and indeed economic aspects and implications of the ongoing reproduction of what is largely a loose affiliation of different institutions bound together through tension, conflict, and contradiction. There is a heavy emphasis on a doctrinal approach to law, both criminal and civil. Consequently, the text essentially adopts an approach to law that Alan Hunt many years ago in *The Sociological Movement in Law* (1978) outlined as the "law as social control" approach, which essentially views law as a set of rules rather than as a social institution and phenomenon. The text also does not offer any discussion of law making, which is vitally important for just what it is that is being administrated by the justice system. As the text clearly represents a protective service orientation, its usefulness for teaching criminal justice or criminology from a sociological orientation is limited.

This orientation to law, crime and justice is not unique to this text. What we find generally in criminology and criminal justice studies are texts that aim to either impart technical information about the practices and internal organisation of the criminal justice system (the majority of texts) or those which attempt to offer a considered analysis of the foundations, conditions,

and implications of these practices and their structural arrangement. There is no necessary reason for a text to offer only one or the other but this is in large part what we find and Ramcharan and Ramcharan do not break with this.

This text, however, might work nicely as a resource for those who wish to provide, in conjunction with sociological texts, an up to date and thorough explication of the administration of the criminal law in Canada. On its own, this text is too narrow in scope. It makes an excellent reference book, notably providing discussions of the Canadian Charter of Rights and Freedoms, youth justice, commentary on civil and regulatory law, as well as handy charts and glossary that may be valuable as teaching aids. It also has a very useful “case law review” section in five of the ten chapters in an attempt to ground the discussion.

Overall, this text holds to an assumption that criminal justice is only a protective service. Following from this, the authors do not attempt to situate their text within the social sciences and disregard important issues that critical criminologists and legal theorists have raised for the past thirty years. It is dubious as to whether any text, even if the main goal is to offer only “clear concise writing, up to date statistics, and fair and objective analysis of the legal system” (p. 8), can afford to ignore the criticisms, debates, issues, and problems that frame both the growth and interest in criminology and criminal justice studies programmes as well as the social problems that are increasingly being dealt with by the justice system as problems of control. In offering a portrait of criminal justice that is rooted in the protective services, the authors clearly signify that they are not endeavouring to offer a sociological treatment of criminal justice or law, which in turn impedes the usefulness of this text for sociology courses.

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