

International Journal for Crime, Justice and Social Democracy



Institutional Ethnography as a Method of Inquiry for Criminal Justice and Socio-Legal Studies

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Abstract

Institutional ethnography (IE) is a method of inquiry created by Canadian feminist sociologist Dorothy E. Smith to examine how sequences of texts coordinate forms of organisation. Here we explain how to use IE, and why scholars in criminal justice and socio-legal studies should use it in their research. We focus on IE's analysis of texts and intertextual hierarchy, as well as Smith's understanding of mapping as a methodological technique; the latter entails explaining how IE's approach to mapping differs from other social science approaches. We also argue that IE's terms and techniques can help examine the textual work undertaken in criminal justice and legal organisations, and reveal how people are governed and ruled by these organisational processes. In the discussion, we summarise how IE can productively contribute to criminal justice and socio-legal studies in the twenty-first century.

Keywords

Institutional ethnography; criminal justice studies; socio-legal studies; research methods; standpoint; texts.

Please cite this article as:

Doll A and Walby K (2019) Institutional ethnography as a method of inquiry for criminal justice and socio-legal studies. *International Journal for Crime, Justice and Social Democracy* 8(1): 147-160. DOI: 10.5204/ijcjsd.v8i1.1051.



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Introduction

Criminal justice and legal agencies are full of textual knowledge practices that govern and shape our worlds. Some people's sense of self can become completely constituted by these agencies (e.g., criminal, prisoner). These powerful agencies can create social problems for those who are governed by organisational processes when these agencies use a framework (e.g., security, treatment) at odds with how people (be they workers in the agencies or not) experience their daily lives. These referential frameworks and the contradictory priorities embedded within them organise the practice of frontline workers in legal and criminal justice systems, which may result in these agencies excluding the very people they are supposed to serve. As such, this paper considers the potential of what is called institutional ethnography (IE)—a method of qualitative inquiry created in Canada—for exploring the nexus between dominant (official) and experiential knowledge practices in the context of everyday functioning of legal and criminal justice agencies. We consider IE to be an alternative method for social and legal inquiry that carries significant potential for examining textual work undertaken in legal and criminal justice organisations. By using IE's tools, not only can a researcher examine such textual work but can also reveal where and how problematics are produced and authorised in the everyday work of legal and criminal justice agencies. In focusing on the ways in which textual practices play a key role in these institutional processes, we introduce readers to IE's key terms.

Although IE has been predominately used by academics and practitioners in Canada and the United States (see Malachowski, Stasiulis and Skorobohacz 2017)—specifically in social work, health care (Ng, Bisailon and Webster 2017), sociology (Smith 2006) and education (Griffith 2006)—in recent years IE has been attracting some socio-legal and criminal justice scholars. Notably, Marsden (2012) used IE to research migration law, Matulewicz (2015) to research workplace harassment, and Doll (2016, 2017) to research mental health law. Cunliffe (2013) explored the production of court transcripts, Nichols (2018) investigated the regulation of youth, Walby (2005a, 2005b) researched surveillance practices, and Welsh and Rajah (2014) examined prison reintegration. However, IE is not taught and used as widely as it should, and has not been addressed in criminal justice research methods (Kraska and Neuman 2008) and legal research methods (McConville and Chui 2017; Watkins and Burton 2017) literature. Stanley (2018) has argued that IE should be treated as one of the most insightful, original methods of inquiry ever developed in the history of sociology, yet it remains little known in criminal justice and socio-legal studies. To encourage a broader international utilisation of IE's methodological and analytical tools, we make a case for why criminal justice and socio-legal scholars should train in and consider its use.

We argue IE can play a key role in helping criminal justice and socio-legal studies scholars explore law as a practice in the twenty-first century, as it can enhance a more nuanced study of *law in action*. Valverde, Levi and Moore (2005: 96) note that scholars who study *law in action* focus strictly on people and abandon legal texts and other material things, but texts, in terms of both their content and material forms, 'create patterns of interaction'. We aim to demonstrate how the IE toolbox can assist criminal justice and socio-legal studies in their exploration of texts *in operation*, and how institutional priorities such as punishment, security and treatment are achieved through routine actions of professionals working in institutions governed by texts. This paper adds to the discussion urging criminal justice¹ and socio-legal studies scholars to rethink how people and texts interact within legal practices.

First, we describe the foundational elements of IE. This includes focus on standpoint, texts, text activation and intertextual hierarchy, as well as Smith's understanding of mapping as a methodological technique. Second, by engaging with examples of IE work undertaken in the field of law and criminal justice, we outline its fit and suitability for examining the world of texts that make up legal and criminal justice organisations. Finally, we address some potential contributions of IE to criminal justice and socio-legal studies.

Institutional ethnography explained

The conceptual foundation for IE was established by Canadian feminist sociologist Dorothy E. Smith (1987, 1999, 2005) and further developed by her colleagues and followers (see DeVault and McCoy 2006; Griffith 2006; Pence 2001; Smith 1988; Turner 2006). IE is reflective of a commitment to the exploration of institutional processes from the perspective of embodied subjects who work in institutional settings or who are subject to those processes. Essentially, it proceeds from actualities of people's lives and explores the problems that matter to those people. Further, by linking these everyday problems to systems and their extra-local organisation, IE can reveal how these processes constrain the ability of professionals to support the persons they serve (Rankin and Campbell 2006). We focus on three features of IE: conceptualisation of standpoint, textually mediated relations and a technique of mapping, which we find of particular relevance for criminal justice and socio-legal research projects.

Standpoint, whose standpoint, and why it matters

Created as an alternative to sociologies that begin with abstract operationalised concepts, IE is undertaken from the standpoint of people who experience oppressive and marginalised practices, and whose interests researchers are committed to advancing. Bisailon (2012: 619) defines standpoint as a social position 'informed by the bodily experience, relevancies, and problems of a designated group of people'. Standpoint is located in the 'issues, concerns, or problems that are real for people and that are situated in their relationships to an institutional order' (Smith 2005: 32). This could be the standpoint of a criminalised person, a prisoner or even a criminal justice worker such as a defence attorney or a probation officer. For institutional ethnographers, standpoint is also 'a methodological starting point in the local particularities of bodily existence' (Smith 2005: 228). In our own research, we have carried out work from the standpoint of legal aid lawyers as well as the standpoint of people under surveillance. Similarly, Nichols's (2018) work starts from the standpoint of criminalised youth.

According to Smith (1987: 107), in IE standpoint is not meant to:

universalize a particular experience [but] it is rather a method that ... creates the space for an absent subject, and an absent experience that is to be filled with the presence and spoken experience of [people] speaking of and in the actualities of their everyday worlds.²

When inquiry begins with 'experiential knowledge of and concerns with the world' (Bisailon and Rankin 2013: 1) there is, thus, a commitment to learning what people know about how they are governed and ruled (Mykhalovskiy and McCoy 2002). In this sense, a standpoint is an epistemological subject position offered to people involved in institutional relations as knowers of these relations. This knowledge may not be available to others who are located differently in the institutional world. Research produced from the standpoint of officials working in the criminal justice system will produce different knowledge than studies conducted from the standpoint of a criminalised person because, enmeshed in different institutional worlds, these groups of people know institutions from different vantage points (Doll 2017). Acting in their official capacity, the latter group operates from within the ruling regime, while the former 'embrace[s] the standpoint of those who stand outside a ruling *regime*' (Smith 1990: 633, emphasis in original). Hence, the line of fault lies between institutional 'objective' knowledge and reflexive subjective knowledge (Smith 1990: 635).

Organisational processes can create a disjuncture between what people are experiencing and what organisations do. Problems occur when one experiences a disjuncture by which some organisational process seems unfair, alienating, exploitative or unjust (Rankin 2017). Thus, for Smith (1987), starting with standpoint and the everyday world as problematic requires researchers to make an ontological shift to understanding people's everyday lives as structured

by extra-local organisational processes. By examining local settings and what happens there, a researcher can create a basis for explicating 'how [these] settings, including local understandings and explanations, are brought into being—so that informants can talk about their experiences as they do' (Campbell and Gregor 2008: 90).

Lastly, whose standpoint a researcher adopts matters, as it is an articulation of their political commitment. For institutional ethnographers, research is an emancipatory undertaking that can contribute to social change by revealing to standpoint informants³ how their problematic encounters with institutional complexes such as law, criminal justice and health care are organised. Standpoint will define the entry point into the exploration of an institutional regime and provide further direction for inquiry. As researchers in IE projects explore local and extra-local relations and gather a significant amount of data, keeping standpoint in mind allows them to map the extra-local and organisational without losing track of the lives of actual people whom these organizational processes affect.

Text, text activation and textual interchanges

While IE begins its exploration from the everyday world, these experiences themselves are not the object of investigation. IE goes beyond the local and the individual to a broader set of relations that organise both the micro context and people's experiences of it; hence, IE differs from an ethnomethodological or interactionist methodology⁴. Interested in discovering *how things are put together* and *how things work* in real life, IE investigates 'empirical linkages among local settings of everyday life, organizations, and translocal processes of administration and governance' (Smith 2006c: 15; Walby and Anaïs 2015).

Texts in IE's ontology are 'the foundational media of co-ordinating people's work activities, including talk, in large-scale organization or in institutional complexes' (Smith 2001: 175). Thus, as an essential element of bureaucratic institutions, texts organise what happens to people in their everyday lives, as workers and decision-makers rely on texts and think through textual discourses and categories in their work. Due to these capacities of texts, 'the technologies of texts and textuality as these enter into the coordinating of people's [actions] are foundational to [IE's] project' (Smith 2006a: 65). IE's exploration of the work of texts includes an empirical investigation of a) how people engage with text; b) how texts are produced in relation to other texts; and c) what people do (and can do) in organizational settings, embedded in a network that created the conditions for those actions. Smith coined the term 'textually mediated social organisation' 'to express the notion that engagement with texts concerts and coordinates the actions of people' (Campbell and Gregor 2004: 170) across sites enabling institutions to achieve their prescribed functions.

Texts in IE are treated as 'material artefacts that carry standardizing messages' (Bisaillon 2012: 620) and include such iterations as printed matter, film and photographs. Due to their material form, texts can be replicated across sites and times. In our own research, these include forms used to assess people and categorise them, but also occurrence reports and surveillance videos that are later translated into written descriptions of some event. People in organisations work with these texts, which shapes the lives of those in other contexts, and texts also carry messages and connect offices and workers. While institutional texts are promoted 'to be technical and neutral [those practices] are in fact political and interested' (Campbell and Teghtsoonian 2010: 180) as ideological messages are encoded in texts. In IE the term 'ideological' however refers to 'a form of knowledge that is uprooted and ungrounded from the social circumstances in which it is produced' (Frampton et al. 2006: 38). This process of uprooting knowledge happens through the practice of abstracting, generalising and standardising in textual categories. Making the local disappear in some translation of someone's life is what Smith (1999) refers to as the conceptual practices of power. It is through these processes that the presence of the subject becomes

suspended, and these institutional knowledges become detached from the actual (Smith 1999: 59–60).

Notably, ‘texts do nothing on their own’ (Frampton et al. 2006: 38) and they only accomplish their ideological work when people ‘activate’ them—as, for example, by referring to, reading, filling out or reproducing their content. Essentially, texts are activated by the interpretive work that people do in organisations (using specific rules). As Nichols and Griffith (2009: 241) put it:

texts require someone who is able to actualize them as instructions for action, and then move these (or consecutive texts) on to the next someone, somewhere, whose reading and action will continue the textually-mediated relation.

Texts are also conveyed to other sites and organisations where more editing, interpreting and translating is done. In IE, texts are not analysed in abstraction but rather as elements of work processes. Smith (2006c: 6) recognises that:

because institutional processes are essentially mediated by and based in texts, it’s easy for research to become preoccupied with the textual and, hence, to lose touch with the embodied actualities of people’s work.

Hence, those actualities are crucial to understanding where a person is in their body, in the local setting of their life.

While the text work happening in organisations transforms people’s lives, not all texts are equivalent in their capacity to coordinate people’s work. The intertextual hierarchy of organisations is configured by boss texts or ‘mandating texts’ (Quinlan 2009: 629). These texts set the frameworks for interpreting and working on other texts in organisations. According to Dorothy Smith (2006a: 65), a ‘boss text’ governs the work of inscribing reality into a documentary form by providing a discursive frame for those working in organisations, hence, orienting their observing and report-writing work to certain elements of local actualities. How texts hierarchically order practices and processes of work in local setting needs to be investigated. The capability of some legal texts as boss texts could be located in their statutory position, and this relation cannot be assumed a priori but must be ethnographically investigated. The point is not simply to locate a boss text in relation to some other texts and to try to understand how someone’s local experiences (represented in standpoint) are categorised, managed and ruled in this extra-local site of knowledge production. The focus of IE must instead remain on the actual practices and processes of text work rather than abstract networks between texts and/or between categories.

Given the above, the first goal of the ethnographic exploration of texts is to explore the kind of texts, the routes and the moments they enter people’s work. The second goal is to explore ethnographically how people work with those texts in ways that affect the lives of others in different contexts. Institutional ethnographers must arrive to and closely study the sequence of text work that connects organisations and that are the micro-processes of ruling relations. Data collection is conducted using observations, document analysis, interviews and sometimes auto-ethnographic reflection (Taber 2010). However, in IE the interviews conducted in organisations are about the text work that people do. DeVault and McCoy (2006) write that listening for and asking about texts in interviews allow for a kind of probing oriented towards the explication of ruling practices. The point of interviewing in IE is not to learn about an individual, but to study their location in the relations of ruling or to reveal what the individual does with texts. Institutional ethnographers ask these sorts of questions: Where do these texts come from? Where do these categories and classifications come from? What do you do with these texts? What other texts are involved? What do you do with these categories and classifications? Where does the text go? In terms of data analysis, Smith (2005: 136) suggests this occurs through data dialogues that

begin with interviewing people governed by organisational processes, interviewing the people who work with texts in organisations, and examining the texts themselves and how people work with them.

Mapping: Connecting the multiple levels of IE analysis

Institutional ethnographers also ask a broader question throughout the inquiry: what is coordinating all those actions that occur in local sites that, in turn, produce, for example, a disjuncture between women's experiences and institutional accounts? To learn about the extended chain of coordination that organises practices and work in local sites in a way that produces specific experiences, institutional ethnographers employ ethnographic methods of investigation and mapping. The practice of mapping is linked to the notion of cartography (Bisaillon 2012: 615) and involves a visual representation of a set of relations at multiple levels and spanning spheres of work. In IE, mapping provides a visual representation of sequences of actions and interchanges that connect the activities of individuals working in different parts of institutional complexes.

The goal is not simply to provide a map or a picture of these relations (in the form of a network) and, thus, 'fix' them in some way. The challenge is to create a map that shows not just where some work happens but reveals how and why it happens (Norstedt and Breimo 2016). Maps used in IE contain references to spheres of work and types of texts. The focus is on how texts organise and coordinate people's actions, and institutional ethnographers are also aware that these relations can change over time. Learning about the role of texts, their hierarchical order within institutional processes, and the moments of their activation in people's work, allows institutional ethnographers to map how ideas and institutional discourses make their way into the local where they are translated into institutional practices. Turner (2006: 139) notes that mapping in IE:

does not produce, for example, a chart of organizational structure, map of job descriptions, work flow analysis, or diagram of social network. Rather, the analytic procedure results in an account of the day-to-day text-based work and local discourse practices that produce and shape the dynamic ongoing activities of an institution. Such an account extends from the accounts and observable work of people engaged in it who may not be aware of just how their routine textual work puts together the large-scale institution and its outcomes.

According to Waters (2015), mapping in IE is sometimes misunderstood. It is not as simple as drawing the connections between key nodes in a network, which is as far as most network analysis goes (Emirbayer and Goodwin 1994). These maps must also represent spheres and types of works, levels and types of texts, and hierarchies among organisations. By undertaking an IE of the 'empirical linkages among local settings of everyday life, organizations, and translocal processes of administration and governance' (DeVault and McCoy 2006: 15), the initial focus of mapping is on individual activities with texts performed and observed in local settings. The subsequent focus of mapping is on linking these textually organised activities to social and economic processes in a way that reveals a disjuncture between actualities of people living and working in local settings and institutional regimes (DeVault and McCoy 2006). Smith notes (in Widerberg 2004: 182) that exploring these multiple levels of analysis, connecting the local and extra-local, and connecting the individual and organisational, has the benefit of preventing spurious theorising and claims.

These maps provide illuminating visual aids for multiple audiences. Turner (2006: 140) saw the utility of mapping and maps in strategising citizens' intervention in governance and policy practices pertaining to land development, while Pence (2001) used maps in strategising intervention in criminal procedure to enhance safety of women when their partner-offender was

released. In our own research, maps were powerful in showing the moments when lawyers' possible interventions in psychiatric involuntary admission cases became constrained.⁵

Why IE in criminal justice and socio-legal studies?

In this section, we discuss the applicability of IE for socio-legal and criminal justice projects by drawing on recent examples in the field. Criminal justice and legal agencies, like other modern bureaucratic institutions, heavily rely on texts and text-based knowledge practices. First, these textual practices shape standpoints and create a bifurcation of consciousness for people who are ruled by institutional relations, whether they are workers in these institutions or service receivers, with implications for the work and lives of real people. Second, there are many practices of inscription, classification and ratification to be analysed in criminal justice and legal contexts. Third, IE is well positioned to map relations that could be revealed to those working in agencies as well to subjects of their governance, so these practices could be challenged.

Criminal justice and law shape standpoint and create a bifurcation of consciousness

IE projects begin in the experiences of people who are subjected to oppressive institutional practices in their everyday lives, such as gay persons who experience police raids on bathhouses (Smith 1988), female servants in restaurants who endure sexualised comments from their customers (Matulewicz 2015) or women who attempt to re-establish their lives after they had been released from prison (Welsh and Rajah 2014). Welsh and Rajah (2014) argue that standpoint is a powerful way of drawing attention to the experiences of criminalised women and then exploring the textually mediated relations of legal and criminal justice agencies that rule over these relations. In their study, Welsh and Rajah (2014: 328) note that 'discourses on housing and prisoner re-entry tend to recognize housing for crime-processed people as important because it is a means through which to show compliance'. While re-entering women need to provide a home address, the parole, public housing systems and welfare systems work against each other, limiting women's housing options. By exploring textually mediated relations, we can see how these women are constructed through institutional discourses and how these discourses exclude women's everyday realities of finding housing, yet meet the demand of institutional surveillance. When people's experiences—for example, sexual pleasure of GLBTQ2IA people—depart from what is known about their lives in institutional discourse organised around crime, treatment and deviancy, people can experience bifurcation of consciousness. In legal and criminal justice settings, some ruling relations are enacted through legally binding discourses and authorised practices, suppressing people's experiential knowledges and the bodies they inhabit.

However, standpoint as an origin for analysis does not need to simply draw attention to those who are criminalised. IE is also well positioned to start from aspects of professional experience of persons working in legal and criminal justice organisations when that experience is absent or ignored in official accounts of their work. For example, Doll (2017) adopted the standpoint of legal aid lawyers who represented persons in proceedings pertaining to involuntary admission to psychiatric facilities in Poland and whose knowledge, expertise and work involvement was ignored by judges making decisions. People start thinking about themselves and their lives and work through the ruling discourses, even subordinating their own experiential accounts to the dominant one when those two do not match (Welsh and Rajah 2014).

In addition to revealing the disjuncture between experiential and institutional accounts, IE helps to account for how this disjuncture is produced and authorised institutionally. Research on text activation and textual coordination between organisational sites of legal or criminal justice systems can demonstrate how and what social actions or institutional concerns are privileged and how (Cunliffe and Cameron 2007: 15). One such way is through classification and categorisation imposed on workers in legal and criminal justice agencies. As Smith (2006c: 8) argues, 'people aren't as they are in actuality, but they are expressions of pre-given categories: doctor, patient, nurse, pharmacist, and so on'. Assigning a worker a professional identity category

comes with a set professional and institutional discourses that one must follow. Smith (2006c: 8) notes, 'institutional discourse sets up a way of seeing in terms of its specialized functions'. It imposes a way of knowing by professional services as well as the 'problem' to be addressed by professional action, so that the 'problems ... are actionable and manageable in terms of available policy solutions' (Smith 2005: 187). For example, Doll (2017) found that judges who view themselves as legal professionals, not medical ones, restrain from any engagement with diagnostic or treatment matters, which limits their engagement with the person undergoing admission. Similarly, Pence (in Campbell and Gregor 2008: 70) argues that:

worker's tasks are shaped by certain prevailing features of the system features so common to workers that they begin to see them as natural, as they way things are done ... rather than as planned procedures ... ensuring certain ideological ways of interpreting and acting on a case.

Since workers in legal and criminal justice agencies are called upon to govern and manage on behalf of an organisation, workers (i.e., defence lawyers and prison guards) may experience a bifurcation of consciousness when their work as professionals is at odds with what is required from them. They may sense that the classifications and categories of an organisation are unintelligible or create harm. Miller (in Campbell and Gregor 2008: 110) rightly points out 'the textually mediated process of helping constructs the workers involved as much as it does the clients or patients'.

IE can help uncover this naturalisation in discursive practices across criminal justice and legal systems by attending to experiential standpoints and textually mediated knowledge. IE suggests that activities in bureaucratic contexts are standardised by, for example, legally binding discourses and by objectified forms of knowledge that are adopted and reproduced in local settings, along with institutional priorities. Further, institutional discourse and knowledge are grounded in a view relying on objectified and generalised forms of knowledge that suppress and substitute an experiential account of lives of persons who institutions claim to serve.

Criminal justice and law are full of texts and text activation

There are numerous instances present both in the legal system and in criminal justice where textualisation occurs. Given the extensive reliance on texts in legal and criminal justice organisations, locating texts and actions within temporal relations is especially useful for demonstrating how some information comes to be ratified and naturalised as a 'legal fact'. The significance of texts and textualisation lies not only in that they organise local activities in organisations, but also that they orient them towards extra-local interests and concerns. Although boss texts—such as codes and statutes and so on—provide a frame through which these institutional processes are ordered, the frame does not prescribe a definite meaning to terms or procedures, but rather provides 'terms under which what people do becomes institutionally accountable' (Smith 2005: 113).

One instance of textualisation is the process of inscription and categorisation that occurs on hourly bases in criminal justice and legal work settings. Concepts and categories that feature as elements of legally valid decision-making need to be filled locally with meanings and activities that can be recognised by other practitioners as meeting those legal criteria. Matulewicz (2015) shows how the category and the definition of sexual harassment that includes unwelcome physical contact excludes subtler and less visible forms of unwelcome sexual conduct. Predefined texts, in the forms that organise criminal justice processes such as work of police or work of other legal professionals, always already organise the inscription of facts. They press the messiness of life into standardised categories and filter institutionally 'relevant' facts from those deemed institutionally 'irrelevant'. For example, Nichols (2018) traces the texts involved in classifying youths as at risk in a racialised neighbourhood of Toronto, Canada and showed how the lived

realities of these youths disappear in the multiple texts that are created to govern their lives. Nonetheless, these documents and what they purport to show about the youths are treated as facts that other policing and social service agencies use in ruling over them. Once produced by an officer who holds a position of trust 'it is extremely difficult to challenge [the] accuracy' of official documents (Cunliffe 2013: 36).

To investigate the reification of information into objective legal facts, institutional ethnographers turn their attention to the process of interchanges as texts travel across organisational sites. For example, Doll (2017) traced the flow of texts pertaining to decision-making in psychiatric involuntary admission in Poland and how these texts become activated in those sites. What became apparent from tracing those interchanges is that facts produced by paramedics at their emergency intervention became rewritten by psychiatrists into involuntary admission forms and by judges into pre-hearing and judicial hearing forms. Moreover, each actor within the involuntary commitment system deferred responsibility for assessing the quality of one's mental disturbance to other actors. Through those interchanges, the facts not only become ratified but also objectified. As the particularities of a given subject disappear, so do the material relations underlying the production of those texts (Doll 2017).

Cunliffe and Cameron (2007: 15) point out that tracing these interchanges and co-production of institutional texts is not about a singular judicial decision and production of a single text, but rather this is an inquiry into 'what social actions or institutional concerns are privileged in the authoritative, objectified [legal] accounts' and how a particular official version of events becomes authorised. Such an inquiry can open up 'relations and organization that are, in a sense, actually *present* in [people] but are not observable' (Smith 2006c: 4) for an investigation. The discourses represented the interests of institutional systems and created disjuncture between objectified forms of knowledge and what people know and experience as subjects living in the everyday world.

Mapping within and across criminal justice and legal organisations

Creating maps can be analytically useful for explaining where the key 'processing interchanges' (Pence 2001) that people work with texts are located, but can also be practically useful for activist and advocacy groups interested in challenging practices of criminalisation. For example, Nichols (2018) shows how the bureaucratic mechanisms involved in the regulation and criminalisation of youth actually create less safe spaces for them, in turn. This research reveals the disconnect between what regulatory and justice agencies think they are doing and what actually ends up happening for the people governed by these practices (Nichols and Braimoh 2018). Yet, the commitment is to representing 'a world in which individuals are located as knowers of that world' (Waters 2015: 146). Moreover, IE maps reveal how some interests are sidelined (Waters 2015: 147) and others reproduced when people start using standardised polices, forms and categories. As Turner (2006) shows, IE is powerful in its ability to map relations between organisations that may not be apparent even to those in the organisations and relations being mapped. Notably, George Smith (1988) demonstrated how Canada's *Criminal Code* is used to coordinate the policing of sex and sexuality. Likewise, Walby (2005a, 2005b) has shown how surveillance practices are coordinated across organisations in ways that reproduce dominant discursive frames in criminal justice and security settings.

In legal and criminal justice organisations, even the workers do not always know where the texts go, how they are created, or what they do elsewhere in other offices. Thus, the mapping of institutional ethnographers can be quite revealing. The importance of making IE analysis accessible to non-academic audiences with the help of maps is consistent with IE's goals of expanding people's knowledge of their own lives and trouble they experience, but also promoting social change enacted from *below* (Smith 2007). Institutional ethnographers argue that people

can enact social change at either an institutional level, through their own practice or at a structural level, through changes to institutional practices or texts governing them.

For this reason, negotiating access can be tricky for institutional ethnographers. However, this issue of access is no more tricky than it would be for any other ethnographer, save that depending on the process they are interested in someone using IE might need to negotiate access to several agencies or several offices within one agency. Mapping these relations requires that institutional ethnographers follow an iterative, recursive process to traverse and diagram the reticular configuration of these connected criminal justice and legal agencies.

Discussion and conclusion

This paper has described key concepts and techniques in institutional ethnography for criminal justice and socio-legal studies scholars. Beginning with the everyday world as problematic and standpoint grounds research in the experiences and issues that people face. However, IE goes further by locating in the local worlds and spoken words of respondents how organisations shape us in ways that are beyond our control. IE also examines the work that people do with texts in organisations that shape people's lives. It learns about those texts from those people who are classified or categorised by them, then locates where those texts are worked with and ethnographically studies how those texts are used, interpreted and conveyed. By doing so, institutional ethnographers connect local contexts to extra-local organisations (e.g., Ministry of Justice). The goal is to explore not just how these texts are put together but how they are activated, how they are interpreted and how they are used to achieve certain organisational goals. There may be some texts in these organisations that are superior, or 'boss' texts, which guide the interpretation and activation of other texts and knowledges. For Smith (1987), these textual practices with their classifications and categories do not correspond with the lived actualities of what people face every day. In fact, people and their experiences 'disappear' from the texts composed in organisations (in a way Smith likens to being transmogrified), and multiple organisations convey and share these texts in ways that contribute to the governing and ruling of people. Once institutional ethnographers locate the problematic, the texts and the organisations involved these relations can be mapped in ways that reveal connections, processing interchanges (Pence 2001) and ruling relations that may not be evident to those doing the ruling or those being ruled. In this sense, IE spans levels of analysis in ways that most forms of qualitative research do not.

This paper has also made three arguments for why criminal justice and socio-legal scholars should be interested in using IE. First, criminal justice and legal agencies are full of text-based knowledge practices that manage and shape our lives; second, there are many practices and processes of inscription and classification to analyse. The work of people in criminal justice and legal agencies cannot transpire without working on, writing up, emailing, receiving, interpreting and revising texts. Some of these may be standardised forms, and other texts may just be notes. Either way, these texts are powerful in how they shape the governing practices of criminal justice and legal agencies. Institutional ethnographers are nevertheless determined to get to those places in those agencies to observe how criminal justice and legal personnel work with those texts. Finally, such ethnographers are well positioned to map the relations between criminal justice and legal agencies that could be revealing to those working in those agencies, as well as those subject to their governing practices. IE could help criminal justice and socio-legal scholars to challenge dominant ruling discourses in the justice sector (Mykhalovskiy and McCoy 2002) and to extend community-based and participatory approaches to research (Nichols, Griffith and McLarnon 2018; Smith 1990) as well. The cited criminal justice and legal institutional ethnographies provide good examples of the multiple types of texts that are involved in criminal justice and legal processes, and how criminal justice and socio-legal studies can benefit from IE's insights. In sum, IE is suitable for socio-legal research that focuses on legal institutions as well on professionals and their work practices. This is because IE grounds investigation in people's embodied

experiences of their everyday life or work, conceptualises social and legal phenomena in a relational way, explores the connection between local sites and local sites and trans-local process ethnographically, and understands texts as mediators of institutional relations.

To conclude (our coda), we anticipate a key criticism of IE, which might be raised by sceptical criminal justice and socio-legal scholars. This is the suggestion that IE is not positioned to study law in a way that does not simply perpetuate a reductionist approach. While we have argued that IE is suitable for socio-legal research, we also understand that a socio-legal scholar would need to apply IE in their study of law in a way that responds to the complex, nuanced understanding of law that predominates sociological and legal thinking (Doll 2017). Socio-legal scholars have argued that in social science research on law the specificity of the law disappears (Cowan and Wincott 2015). However, to avoid a reductionist understanding of law, institutional ethnographers must, thus, engage with both its external and internal aspects (Valverde, Levi and Moore 2005). As IE does not start with predefined concepts, definitions or static sets of relations, it definitely carries potential for such an engagement. One way would be to take seriously socio-legal scholarship that focuses on legal technicalities and legal knowledges (Riles 2005, 2004; Valverde, Levi and Moore 2005), but this would require that institutional ethnographers engage with legal knowledges and technicalities not just with legal norms or legal practice. Legal knowledges and technicalities are important organisers of how judges and lawyers engage in legal work and with each other. The incorporation of attention to legal technicalities can help explore knowledge practices adopted in local sites, as such details exemplify the 'how' of legal mechanism (Valverde 2009: 153). Due to IE's focus on texts, their internal relations and textually organised knowledges, we would, therefore, suggest that it can be integrated with scholarship on legal technicalities.

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¹ We use the notion of criminal justice rather than criminology, as we are guided by the literature on differences between the two fields, notably the claim that criminal justice studies should focus on criminal justice agencies and work, while criminology has a preoccupation with explaining crime (Duffee and Allan 2007; Kraska and Brent 2011; Snipes and Maguire 2015). As Kraska and Brent (2011) argue, criminal justice studies as a discipline is no longer simply practitioner oriented. We use the notion of socio-legal studies to refer to the social scientific study of law (Hillyard 2002), which is conceptually and methodologically broader than traditional law and legal studies training.

² Smith's original formulation of standpoint focused on women's experiences, which she found were ignored in organisational practices including the categories and theories of sociology and other social sciences. Recently, Smith (2005) has argued that IE should be thought of more as a 'sociology' for people rather than only women (although, this was implied in her earlier works).

³ The term standpoint informants was introduced by Laura Bissillon and Janet Rankin (2013).

⁴ We should also point out that Smith's approach differs very much from the approaches of Michel Foucault and Pierre Bourdieu (in ways we do not have space to elaborate here; see Smith 1999).

⁵ For help designing and conducting an institutional ethnography study, see Benjamin and Rankin (2014); Bissillon and Rankin (2013); Campbell and Gregor (2004, 2008); Ng, Bissillon and Webster (2017), Rankin (2017); Smith (2006b); and Walby (2007, 2013).

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