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Preface to the Special Issue: *Discourse, Race and the State*

Guest Editors: Karen S. Glover, Chris Curtis and Stuart Henry

This volume of the *Western Criminology Review* addresses the construction of racialized justice as a social and discursive process. Since its first appearance in criminological thinking 20 years ago, critical race theory has grown in significance. Originally part of Critical Legal Studies (CLS) that questioned law and the courts, critical race theory has grown to become a major challenge to the operation of social control and questions the legitimacy of dominant power structures. Early research drew attention to judicial outcomes --- in particular, sentencing disparities --- that appeared to indicate that race was a factor in explaining different treatment between blacks and whites. Other work went beyond reporting differences to advocating political action. Important, too, has been the ways in which a racialized criminal justice system, based on stereotypes of offenders, immigrants and criminal justice practitioners, contributes to the ongoing production of crime and that the combined effects of race, crime and "justice" differentially impact communities, families and children of racial and ethnic groups. Marginalizing youth of color, and segregating communities along the lines of race and ethnicity, generates feelings of abandonment by societal-level institutions. As injustice increases, the legitimacy of social institutions is undermined. Longtime contributors to critical race theory in criminology, Richard Delgado and Jean Stefancic (1993; 2005) have pointed out that while we need to continue to document differences in justice practices, we also need to be aware of the fundamental social processes that produce these differences. These include "the social construction of race, and the related idea of differential racialization," which holds that "race and races are products of social thought, categories that dominant society invents, as it racializes different minority groups for particular purposes" (Delgado and Stefancic 1993 and Delgado and Stafancic 2005 as cited in Lanier and Henry 2009:377).

This special issue of the *Western Criminology Review* then focuses on the ways in which discourse around issues

of criminal justice frames, channels and contributes to the institutionalized practices that produce the ultimate disparities in the system. Contributors look at how we conceive of and socially construct our view of the "other" in language that becomes an embodiment of the state's power to perpetuate injustice. They do so from the perspective of someone who worked in an institution who is now an academic, a convict's view, a critical criminologist's observation of a meeting between prisoners, victims and policymakers, and an analysis of discourse in the social construction of criminal justice. The volume marks a shift in focus from studies about racial differences in crime and justice to the processes that produce and institutionalize those differences.

Background: The articles in this volume are based on presentations at the first annual Critical Criminology/ Justice Studies conference held prior to the annual Western Society of Criminology meeting in San Diego in February 2009. The second annual meeting was held in Hawaii in February 2010, and the attendees to this collaborative hope to make it an annual event.

References

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About the special issue editors:

Karen S. Glover, Ph.D., is an Assistant Professor of Sociology-Criminology & Justice Studies, California State University, San Marcos. Her research and teaching interests include racial and ethnic studies, critical criminology, sociology of law, police studies, critical race theory, and qualitative methodology. Most recently, she is the author of the book *Racial Profiling: Research, Racism, and Resistance* (2009).

Christine Curtis is a lecturer in criminal justice, in the School of Public Affairs at San Diego State University. She was formerly a lead criminal justice researcher for SANDAG, served as a past-president of the Western Society of Criminology, and in 2010, received the prestigious June Morrison-Tom Gitchoff Founders Award for significant improvement in the quality of justice.

Stuart Henry, Ph.D., is the Director of the School of Public Affairs at San Diego State University. He is the author of numerous books on criminology and critical theory including *Constitutive Criminology* (1996 with D. Milovanovic), *Essential Criminology* (2009, with M. Lanier), and most recently, *Social Deviance* (2009).

Contact information: Karen S. Glover Ph.D., Assistant Professor of Sociology, California State University, San Marcos, 333 S. Twin Oaks Valley Rd., San Marcos, CA 92096-0001; Phone: (760) 750-4170; Email: kglover@csusm.edu

Christine Curtis, Lecturer, Criminal Justice, School of Public Affairs, San Diego State University, 5500 Campanile Drive, San Diego, CA 92182-4505; Phone: (619) 594 6224; Email: christinecurtis2@msn.com

Stuart Henry, Ph.D., Director, School of Public Affairs, San Diego State University, 5500 Campanile Drive, San Diego, CA 92182-4505; Phone: (619) 594-4355; Email: stuart.henry@sdsu.edu