

ACJRD 10th Annual Martin Tansey Memorial Lecture

Desistance as a Social Movement

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Summary: Desistance from crime has been a considerable success story for academic criminology. The concept has deep roots, but did not emerge as a mainstream focus of study for the field until the 1990s movement toward developmental or life course criminology. From these origins, however, the term has taken on a life of its own, influencing policy and practice in criminal justice. This paper will briefly review this history, then explore what might be next for desistance research among numerous possible futures. I argue that the most fruitful approach would be to begin to frame and understand desistance not just as an individual process or journey, but rather as a social movement, like the civil rights movement or the ‘recovery movements’ among individuals overcoming addiction or mental health challenges. This new lens better highlights the structural obstacles inherent in the desistance process and the macro-social changes necessary to successfully create a ‘desistance-informed’ future.

Keywords: Desistance, Social Movement Theory, Mass Incarceration, Stigma

Research on the subject of desistance from crime has expanded impressively in recent decades. As recently as two decades ago, hardly anyone had ever heard the term and even the criminologists that created the concept could not decide how we were going to spell the word (Laub and Sampson, 2001). Ten years later, the concept appears to be almost ubiquitous in criminal justice discussions, not just in academia, but even across a smattering of criminal justice systems ranging from Singapore (Day and Casey, 2012) to Scotland (McNeill, 2004). For instance, the US Department of Justice (2011) recently funded a \$1.5 million field experiment of “desistance-based practices” in probation, and desistance research featured strongly in the Evidence Report of the UK Ministry of Justice’s Green Paper “Breaking the Cycle” announcing the original plans for the so-called (and short-lived) “rehabilitation revolution” in England and Wales (Ministry of Justice, 2010).

Certainly the concept has had considerable impact on both prisons and probation practice in Ireland, north and south, largely as a result of work by Healy (2012; Healy and O’Donnell, 2008), Marsh (2011; Marsh and Maruna, 2016), Seaman and Lynch (2016), and others (e.g., Baumer, O’Donnell and Hughes, 2009; Dwyer and Maruna, 2011; Maruna, McNeill, Farrall and Lightowler, 2012; Vaughan, 2007). In the clearest sign that the concept has come of age in Ireland, the Irish President Michael D. Higgins addressed the Cork Alliance conference[†] on the subject of “The Ethics of Supporting Desistance from Crime” in September 2016.

In what follows, I will briefly outline the idea behind desistance and why it has had such a transformational impact on justice practices. Next I will turn to the question of what is next for

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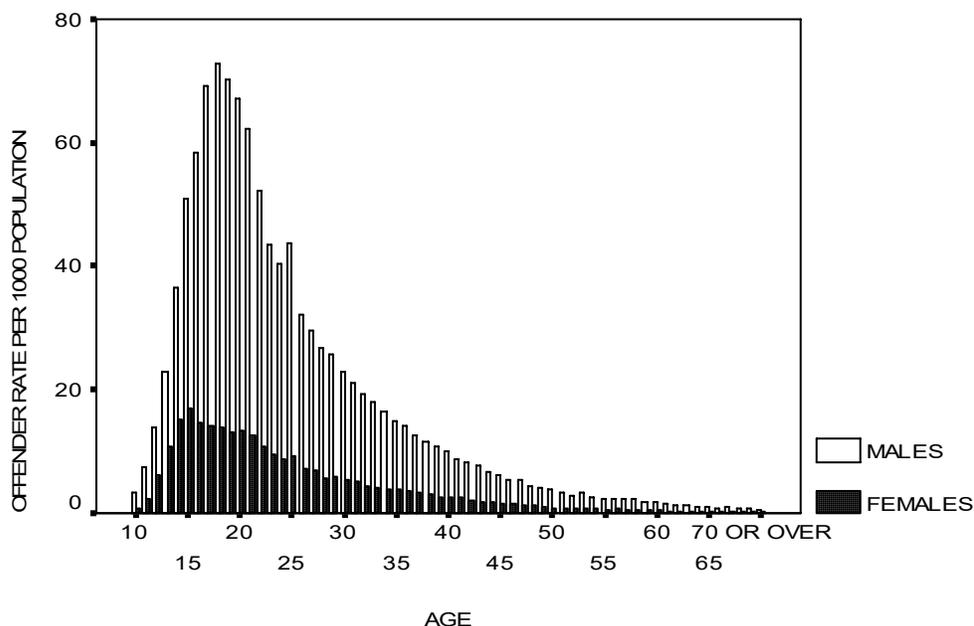
desistance thinking. I argue that the next chapter of the desistance story will largely be written by desisting ex-prisoners themselves. That is, I see desistance moving from a scientific area of study to a social movement, like the civil rights movement or the 'recovery movements' among individuals overcoming addiction or mental health challenges. Reframing the understanding of desistance as not just as an individual process or journey, but rather as a social movement, in this way, better highlights the structural obstacles inherent in the desistance process and the macro-social changes necessary to successfully create a 'desistance-informed' future.

What Is Desistance? And what is the Big Deal?

At the heart of desistance research is a very simple idea: people can change. Although crime has long been understood as a "young man's game" (and here the gender choice is intentional), criminal justice policy and practice, especially in the US, has unfortunately been based on the notion that the "offender" is somehow different than the ordinary person and that "once a criminal, always a criminal" (Maruna and King, 2009). Desistance research, in this context, was a recognition of the vast number of "false positives" in this pessimistic assumption of risk. That is, most of the people we label as "offenders" actually spend only a short time in their lives involved in criminality.

Longitudinal cohort studies of young people over time (e.g., Farrington, 1992) demonstrate that most of us engage in criminal behaviours in our youth, but almost all of us "grow out" of such things as we age and move into different roles in society (employment, parenting, and so forth) (see Sampson and Laub, 1993). Even for those individuals whose crimes become known to the criminal justice system, participation in 'street crimes' generally begins in early adolescence, peaks rapidly in the late teens or early twenties, and dissipates before the person reaches 30 years of age (see Figure 1).

Figure One: Recorded Offender Rates per 1,000 Relevant Population by Age-year and Sex, England and Wales, 2000 (from Bottoms et al. 2004)



Beginning in the 1980s, criminologists started to label this process “desistance from crime”, understood as the long-term absence of criminal behaviour among those who previously had engaged in a pattern of criminality (Maruna, 2001). Today, there is a thriving body of research on the topic from a new generation of scholars seeking to understand how and why individuals are able to desist despite the considerable obstacles they face in reintegrating into society (see esp. exciting new works such as Abrams and Terry, 2017; Hart and van Ginneken, 2017; Rocque, 2017; Weaver, 2015). Indeed, Paternoster and Bushway (2010) have recently argued that “Theorizing and research about desistance from crime is one of the most exciting, vibrant, and dynamic areas in criminology today”.

Of course, there is nothing new about studying offender rehabilitation or (it’s opposite) criminal recidivism. Thinking about this change process in terms of desistance, however, is a unique lens. Indeed, the term desistance was initially used in the literature to refer to the opposite of rehabilitation – one either was rehabilitated by the state or else they desisted on their own, spontaneously. This notion of “spontaneous desistance” is now out of fashion, but there are still important differences between desistance and rehabilitation as concepts.

Rehabilitation is typically explored in the aggregate and with a focus distinctly on the effectiveness of “programmes” or institutions in generating change. With rehabilitation research, the question is “what works?” and getting to the answer typically involves programme evaluation research privileging randomized controlled trials (RCTs) or quasi-experiments (see Gendreau, Smith and French, 2006; MacKenzie, 2012). Desistance research, on the other hand, focuses on individual journeys and not on programme outcomes. The question is “how” does desistance work, and getting to the answer often involves longitudinal studies of individuals over time (e.g., Farrall, 2004; Shapland and Bottoms, 2011) or qualitative research on the self-narratives of individuals who have moved away from crime (see e.g., Fader, 2013; Halsey, 2006; King, 2013; Leverentz, 2014; Maruna, 2001; Veysey, Martinez and Christian, 2013).

The shift the focus from rehabilitation (“what works”) to desistance (“how it works”) has had subtle but important implications for criminal justice practice, echoing the debates in the field of drug addiction work between “treatment” and “recovery” (see Best and Lubman, 2012; White, 2000). As rehabilitation was typically conceived as a sort of “medical model”, complete with language like “treatment effects” and “dosage”, the focus was on assessing individual deficits (risks and needs) and identifying the most appropriate expert treatment strategy to “correct” these individual short-comings or fixing broken people.

The desistance perspective, instead, focused less on treatments than on relationships, including those with practitioners or other prisoners, but also including a much wider web of influences across the life course, including families, employers, communities and beyond (see Porporino, 2010; Weaver, 2015). Along with this came a shift in focus from “correcting” individual deficits to recognizing and building individual strengths (Maruna and LeBel, 2003), framing individuals in the justice system as people with “talents we need” (Silbert, cited in Mieszkowski 1998), and designing interventions that provide opportunities for them to develop and display this potential (Burnett and Maruna, 2006).

Perhaps, the most interesting implication of the research so far has been on the potential role of former prisoners as “wounded healers” (Maruna, 2001; Perrin and Blagden, LeBel, 2007), drawing on their experiences to help others avoid their mistakes and benefit from the inspiration of their achievements. As one such mentor (sometimes called a “credible messenger”) told me, the reintegration process is a minefield for ex-prisoners and, “There is only one way to get through a minefield, you have to watch the guy in front of you, and if he makes it through, you follow in his footsteps” (fieldnotes).

Of course, this sort of mutual aid is an idea with old roots and is not original to desistance theory. In fact, Albert Eglash, the social scientist who is credited with coining the term “restorative justice” wrote the following a half century ago:

Our greatest resource, largely untouched, to aid in the rehabilitation of offenders is other offenders. Just how this resource is to be effectively tapped as a constructive power is a matter for exploration. Perhaps Alcoholics Anonymous provides some clues. (Eglash, 1958–1959a: 239).

Yet, the concept of the wounded healer was something of a natural fit for desistance research. After all, if the core message of desistance research was that there was much to learn from “success stories” who move away from crime, then surely the same thing could be said in the criminal justice environment. The wounded healer could deliver the desistance message (people can change) directly on the frontlines of reintegration work where it can have a direct impact. As a results, projects, such as the work of the St. Giles Trust, that draw heavily on this peer-mentoring model are often called “desistance-focused” (see Barr and Montgomery, 2016) and the proliferation of this model in contemporary criminal justice practice may be one of the primary achievements of desistance work to date.

What on Earth Next?

As the desistance idea has clearly made a big impact in a relatively short span of time, it is interesting to ask where the idea is going next – if indeed it is not simply to be replaced by the next passing intellectual fad. As in the familiar academic cliché, “more research is needed” on the subject and new and interesting findings will continue to emerge. However, as someone who has been involved in desistance work for two decades now, my view is that scientific research – at least the types we have become familiar with based in universities and justice institutions – will begin to take a more secondary role as desistance theory changes shape in the near future. The desistance concept has already evolved over the past few decades. It has moved from being a purely a purely scientific/academic idea to a much more applied topic, animating practice and policy. I argue that the next stage of this evolution will be the emergence of desistance as a social movement.

Social movements, of course, are powerful forces that by their nature tend to take societies in surprising new directions. The remarkable achievements of the Civil Rights Movement in the United States is a well-known example. Yet, it is still shocking to realise that it was only in 1955 that Rosa Parks refused to give up her seat on a segregated bus, and by 2008, Barack Obama was elected President of the United States. To move from “back of the bus” to the first African American president all within the lifetime of a single generation would seem unthinkable, except when one realises the phenomenal mobilisation and civil rights organising that took place during those five decades.

The struggle for LGBT rights in Ireland tells a similar story. Up until 1993, same-sex sexual activity was still a criminal offence in Ireland, yet by 2015, the Irish public voted overwhelmingly to legalise same-sex marriage in an historic referendum, and the country currently has an openly gay Taoiseach. Again, the unfathomable speed of this shift in public opinion can only be explained as a result of a sweeping social movement for LGBT rights led by members of the LGBT community members themselves emerging “out of the closet” and finding their voice on the public stage.

Similar social movements have transformed the fields of mental health and addiction recovery, where formerly stigmatised groups have collectively organised for their rights. Sometimes referred to as the “recovery movement” (Best and Lubman, 2012), groups of advocates for “service users” and “disability rights” have played crucial roles in advocating for patient rights in the health care system, working to reduce discrimination against individuals struggling with a variety of health issues, but especially humanising individuals with formerly stigmatised health needs. In a transformative essay calling for the development of a “recovery movement”, William White (2000) wrote:

The central message of this new movement is not that “alcoholism is a disease” or that “treatment works” but rather that permanent recovery from alcohol and other drug-related problems is not only possible but a reality in the lives of hundreds of thousands of individuals and families.

As a result of this organising, there has been a discernible backlash against professionalised, pathologising medical treatments in favour of support for grassroots mutual-aid recovery communities (see e.g., Barrett, Benson, Foster and Leader, 2014).

I see this as an inevitable next step on the journey for the desistance idea, as that concept moves from the Ivory Tower, to the professional world of probation and prisons, back to the communities where desistance takes place. Indeed, something like a desistance movement (although it would never label itself this) is already well under way across jurisdictions like the US and the UK, partially as an inevitable outcome of arresting and convicting so many people. Today it is estimated that around 70 million Americans have some type of criminal record – roughly the same number as have university degrees. Moreover, the ready availability of these records (complete with mugshot pictures and other identifying information) on internet websites has forced millions of these individuals “out of the closet” against their will (see Lageson, 2016). It is no wonder then that, even in conservative voting regions of the Midwest (so-called “red” states) there has been widespread popular support for “second chance” legislation like efforts to “ban the box” enquiring about criminal records from applications for public employment. Like with any other dramatic change in legislation, these efforts have been led by grassroots organisations, in this case drawing on ex-prisoner activists themselves.

All of Us or None (AOUON) is one such group. Based in California, AOUON is a national organizing initiative of formerly incarcerated persons and persons in prison. On its website and in its brochure, this organization states that, “Advocates have spoken for us, but now is the time for us to speak for ourselves. We clearly have the ability to be more than the helpless victims of the system” (<http://www.allofusornone.org/about.html>). Another prominent example on the east coast is the organisation Just Leadership USA (JLUSA – say it aloud) led by Glenn E. Martin. Martin, an ex-prisoner and formerly a leader in the wounded healer-based Fortune Society organisation in NYC, founded JLUSA with a mission to cut the number of people in prison in the US by half by 2030. Already JLUSA has been a leading voice trying to secure the closure of the scandal-ridden Rikers Island jail facility in NYC. Interestingly, one of the core weapon such groups utilise is their person self-narratives. Martin, for instance, has said:

We [at JLUSA] use that narrative to discuss the system, telling the truth about race and class discrimination in a way that helps people see how the reality of criminal justice does not match up to their ideas about either justice or fairness. People respond to anecdotes. You may forget data but you don't forget stories (Bader, 2015).

Similar dynamics have seen the emergence of equally prominent and successful ex-prisoner groups in the United Kingdom. On their website, the national charity UNLOCK points out that there are an estimated 11 million people in the UK with a criminal record – numbers that suggest a near necessity for a social movement (<http://www.unlock.org.uk/>). UNLOCK seeks to provide “a voice and support for people with convictions who are facing stigma and obstacles because of their criminal record.” Another ex-prisoner-led organisation that has grown with remarkable speed in the UK is User Voice, founded in 2009 by former prisoner and best-selling author Mark Johnson. User Voice has argued that the key to improving rehabilitation was to give prisoners themselves more power to influence how prisons operate. More than a slogan, User Voice have been able to put this vision into reality with their elected prisoner councils (Schmidt, 2013) that can currently be found across 30 different prisons in the UK.

Of course, Ireland has a longer standing, and more complicated relationship involving ex-prisoner activists, considering how many of the country’s early leaders spent time in British gaols for their roles in the revolution that led to the founding of the Republic. In the north of

Ireland, politically motivated ex-prisoner groups on all sides of the conflict (loyalist, republican, and various splinter groups) have formed long-lasting and successful mutual-aid and activist organisations to campaign for ex-prisoner rights and support struggling communities (Dwyer and Maruna, 2011; McEvoy and Shirlow, 2009). The link to desistance with such groups is tenuous and controversial, of course, as their membership is explicitly limited to those incarcerated for political reasons.

Still, like the New Recovery Movement, all of these groups recognise that there is a “common bond” between all persons who are formerly incarcerated and that “helping ‘the brothers’ was essential for continued group identity” (McAnany et al. 1974, p. 28). By providing a supportive community and a network of individuals with shared experiences, these groups can be interpreted as transforming an ostensibly individual process into a social movement of sorts (Hamm, 1997). Thinking of desistance in this way shifts the lens away from individual journeys to a much more collective experience, drawing attention to the macro-political issues involved in crime, justice and reintegration in ways that are often masked in the typical medical language of treatment and rehabilitation.

Importantly, none of these organisations see their primary mission as involving desistance in any way and few even use that word. For the most part, they are not rehabilitation organisations and typically do not get involved in offering treatment programmes or the like. Instead, they advocate for criminal justice reforms, in particular by “breaking through social prejudice” (Siegel, Lune, and Meyer, 1998, p. 6). Yet, ironically, the work they do (whether intended to be desistance-based or not) certainly does support desistance. Indeed, it might be the most important work one could do if they wanted to promote desistance. After all, the primary challenge that ex-prisoners face in reintegrating into society is stigma (Maruna, 2001) and although each person manages stigma differently, it is experienced collectively.

In research among other stigmatized groups, Wahl (1999, p. 476) found that “involvement in advocacy and speaking out are self-enhancing, and the courage and effectiveness shown by such participation help to restore self-esteem damaged by stigma” (see also Shih, 2004). In addition, like getting involved in helping behaviors as “wounded healers”, becoming involved in advocacy-related activities can give meaning, purpose, and significance to a formerly incarcerated person’s life (Connett, 1973, p. 114). For example, Nicole Cook, a graduate of *ReConnect* – the Women in Prison Project’s advocacy and leadership training program for formerly incarcerated women, states that:

One thing I recognize as an advocate: people respect you more when they see you are not afraid to stand up for what you believe in...Now you have a chance to prove to yourself and to everyone else, that “I made it—I was incarcerated, I felt worthless, hopeless, and all the other negative emotions you go through when in prison”. To transform into a person who speaks out and advocates for other women, that’s awesome (Correctional Association of New York, 2008, p. 5).

Conclusions: “Nothing about Us without Us”

In this paper, I have tried to sketch three distinct phases of the desistance idea. First, there were the academic contributions. Research on individual change in criminality posed a clear and important challenge to traditional academic approaches to criminological research and situating crime in “a life course perspective” became perhaps the most dominant new paradigm in the field in the 1990s. Second, these insights were followed by impacts on criminal justice practice in the real world. Desistance moved from an Ivy Tower jargon word to a style of delivering justice related interventions that foregrounded the strengths and expertise of ex-prisoners themselves to act as mentors, “wounded healers”, and architects of their own “rehabilitation.” Finally, in the coming third phase, I would argue that the real “action” in desistance will move away from both the universities and the criminal justice agencies and be centered around grassroots activist and advocacy work from organisations like JLUSA or User Voice.

Importantly, though, I am not arguing that there is no longer any role for traditional criminological research on individual desistance trajectories. In fact, even from this new, social movement lens, important questions remain about individual differences in coping and adaptation. In this regard, Thomas LeBel’s (2009; LeBel, Richie, Maruna, 2015) ground-breaking research provides probably the ideal example of work that both recognises desistance as a social movement, but also seeks to understand individual outcomes. For instance, with a sample of over 200 ex-prisoners, his survey research found that having an “activist” or “advocacy” orientation is positively correlated with psychological well-being and in particular their satisfaction with life as a whole. Moreover, he found a strong negative correlation between one’s advocacy/activism orientation and criminal attitudes and behaviour. This indicates that advocating on behalf of others in the criminal justice system may help to maintain a person’s prosocial identity and facilitate ongoing desistance from crime.

That said, advocacy work is not for everyone and it is certainly not without risk. Writing about activists from other stigmatised groups over half a century ago, Goffman (1963, p. 114) writes:

The problems associated with militancy are well known. When the ultimate political objective is to remove stigma from the differentness, the individual may find that his very efforts can politicize his own life, rendering it even more different from the normal life initially denied him—even though the next generation of his fellows may greatly profit from his efforts by being more accepted. Further, in drawing attention to the situation of his kind he is in some respects consolidating a public image of his differentness as a real thing and of his fellow-stigmatized as constituting a real group.

Such questions will be essential as the ex-prisoner movement grows internationally.

On the other hand, I would argue that traditional research practices will inevitably have to adapt in important ways to this new environment in order to remain true to the desistance idea. That is, research endeavours will need to move out of the Ivy Tower and become more inclusive, collaborating with community organisations and involving research “subjects” themselves in the data analysis and interpretation. For instance, activists in the disability rights and neuro-diversity movements have insisted that in the future there be “nothing about us without us” (*Nihil de nobis, sine nobis* in Latin) (Charlton, 1998). They argue that if experts want to convene a

conference on the problem of clinical depression or prepare a report on the prevention of autism, the voices of those who have been so labelled need to be represented in the discussion. Important policy-level discussions of individual lives should not take place “behind the backs” of the very communities that are impacted by the policies, and the inclusion of such voices has led to impressive progress in the scientific and public understanding of these issues.

Indeed, this is a natural stage in the study of any scientific topic involving human beings. Eighty years ago, it would have been possible to have a government panel or expert conference on the subject of “the negro family” in the United States that featured only the voices of white experts. Today, such a thing would seem an absurdity and an offence. Not that white scientists cannot make important contributions to such discussions. They can, and do, but were they to do so without collaboration and dialogue with African Americans themselves, their analyses would inevitably involve a process of ‘othering’ and de-humanisation. Likewise, for decades, outsider experts would write about homosexuality – sometimes as a “crime”, sometimes as a “sin”, sometimes as a “disease” – but always as the actions of the deviant “other.” Today, such voices can still be heard of course, but they are always in competition with the far more widely recognised experts on LGBT issues who work alongside or from within diverse LGBT communities.

Importantly, the “nothing about us without us” revolution is already starting to emerge in academic criminology in the form of a movement called “Convict Criminology” (Richards and Ross, 2001). Largely consisting of ex-prisoner academics, Convict Criminology has made important strides in changing the way in which crime and justice are researched in both the US (see Jones, et al., 2009) and the UK (Earle, 2016). Even criminology education at the undergraduate and graduate level has recognised the need for a move away from “behind their backs” thinking. Prison-based university courses involving prisoner students and university students learning about criminology together have spread rapidly throughout the US, UK and beyond as a result of the dynamic work of organisations like Inside Out (Pompa, 2013) and Learning Together (Armstrong and Ludlow, 2016). These courses have had a transformative impact on the way both students and university lecturers think about how criminology should be learned, while also opening important opportunities for prisoners to realise their own strengths and academic potential.

Far from undermining mainstream criminological teaching and research practices, such developments should breathe new life into the traditional classroom or research enterprise, making criminology more relevant, up-to-date and (indeed) defensible as an academic area of study. That is, inclusive social science is *good* social science. As such, I think the future is going to be a bright one for desistance research, and I look forward to working with the next generation of thinkers (and doers) in this area.

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