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Desistance and the State: Revisiting the Individualization Thesis in Criminology and Criminal Justice

Desistance und der Staat: Erneuter Blick auf die
Individualisierungsthese in der Kriminologie und der
Strafjustiz

The growing influence of neo-liberalism in crime policy and practice has resulted in the responsabilization of individuals: criminality and risk tend now to be seen as operating at the individual level, rather than the structural level. Individuals are solely responsible for their actions, not only in starting offending but also in stopping, and are to blame for their own predicament (an epistemological fallacy). Herein, we argue that structural barriers to rehabilitation and reintegration were erected by political decision making from the 1980s. This resulted in criminal justice practitioners increasingly focussing on individual-level factors (cognition, agency, employability) and neglecting the structural causes of offending. We thus propose that the state take a more proactive stance in reducing reoffending and fostering opportunities for reintegration through broader social welfarism, rather than penal policies.

Keywords: Desistance; epistemological fallacy; individualization; neo-liberalism; probation; social practice; the state.

Der wachsende Einfluss des Neo-Liberalismus in der Kriminalpolitik und entsprechenden Praxis hat die Verantwortlichmachung von Individuen mit sich gebracht: Kriminalität und Risiko werden nun tendenziell eher auf der Ebene des Individuums als auf struktureller Ebene angesiedelt betrachtet. Individuen sind allein für ihre Handlungen verantwortlich, nicht nur dafür sich kriminell verhalten zu haben, sondern auch dafür damit wieder aufzuhören. Ihnen wird ihre eigene missliche Lage vorgeworfen (ein epistemologischer Fehlschluss). Diesbezüglich argumentieren wir, dass strukturelle Barrieren für die Resozialisierung und Reintegration durch politische Entscheidungen seit den 1980er-Jahren errichtet wurden. Dies führte dazu, dass Praktiker:innen des Kriminaljustizsystems zunehmend individuumsbezogene Faktoren in den Blick nahmen (Kognitionen, Agency und Fähigkeit zur Erwerbsarbeit) und strukturelle Gründe für Straftaten vernachlässigten. Wir schlagen daher vor, dass der Staat eine stärker proaktive Haltung bei der Rückfallprävention einnehmen und Gelegenheiten für Reintegration eher durch wohlfahrtsstaatliche als durch kriminalpolitische Aktivitäten fördern sollte.

Schlüsselwörter: Desistance, epistemologischer Fehlschluss, Individualisierung, Neoliberalismus, Bewährungshilfe, soziale Praxis, Staat.

Introduction

“In our ‘society of individuals’ all the messes into which one can get are assumed to be self-made and all the hot water into which one can fall is proclaimed to have been boiled by the hapless failures who have fallen into it... The distinctive feature of the stories of our times is that they articulate individual lines in a way that excludes or suppresses (prevents from articulation) the possibility of tracking down the links connecting individual fate to the ways and means by which society as a whole operates; more to the point, it precludes the questioning of such ways and means.” (Bauman 2001: 9)

This article explores the links between individual fate and how society operates in a neo-liberal age with regards to the supervision of those embroiled in the criminal justice system. The article is informed by Furlong/Carmel’s (1997) concept of the epistemological fallacy, and we suggest that it is mistaken and counterproductive to demand individual responsibility and self-determination from people, without also seeking to modify the real and powerful social, economic and cultural constraints on their lives. The debate around the causes of and solutions to problems associated with the potential exclusion of marginalised groups in society is ongoing within the criminological literature on offending, desistance and risk (Farrall 2019; Garland 2001; Healy 2014; Hudson 2003). Such commentators note that there is a tendency towards a deficit or pathological model of social exclusion, to the point of excusing, if not ignoring, the role of the state in either fostering or alleviating such exclusion. This tendency is no more evident than in the field of desistance from crime.

We begin by explaining the concept of individualization as it relates to desistance, before exploring how the individualization thesis has been influential in constraining the role played by certain criminal justice policy makers and practitioners in promoting offender reintegration. Indeed, we go further in arguing that a discourse is prominent which suggests that would-be desisters must take ultimate responsibility for “breaking with the past” and becoming law-abiding (albeit often still marginalised) citizens, what one of us has elsewhere termed the “individualization of desistance” (Barry 2020). We then offer recent empirical evidence on structurally-induced marginalisation and seek to understand the level of legitimacy and effectiveness of criminal and youth justice systems in addressing the needs, circumstances and actions of those attempting to give up crime. As part of this analysis we draw upon the work of Bourdieu to illuminate not only how the historical, social and cultural context of an individual’s life can shape and form the social practice around risk and offending but also the role of the state in this process. We suggest that social practice can also be driven by external political forces rather than being self-generated and is symptomatic of the failings of the state itself to take greater responsibility to avoid the charge of individualizing desistance. Whilst we acknowledge that different practices, both social and

political, operate in different criminal justice jurisdictions, we confine most of our examples to policy, practice and research emanating from the UK.

The rise of the individualization thesis

According to both Beck (1992; 1994; 2001) and Bauman (1998; 2001), the certainties once associated with industrial society have been eroded by a new, second era of modernity in which the stabilising institutions of family, work and welfare, and the old solidarities of class and party, have been progressively eroded by the imperatives of capitalism and neo-liberalism. This has created increased insecurity and resulted in “the individualization of social inequality” (Beck 1992: 87). Beck uses the term individualization to mean that people in late modernity are required to resolve personal problems and life crises with much less guidance from established scripts, and to take responsibility for their own life narratives. This so-called “risk society” epitomises heightened danger from risks that are expected to be managed through individual endeavour alone:

“Hazards are no longer taken as coming from God or as inherent in a world which cannot be changed (Giddens 1999). Risk society is a new social form in that it signifies... a new relationship between risk, responsibility for risk, and the decisions taken by people and governments” (Hudson 2003: 52).

Beck implies that individualization is a positive development in the history of modernity, in that it liberates individuals from traditional classifications such as class, status and oppressive labour relations (Beck 2001). However, he also argues that individualization denies groups their *social* identity and renames social problems as personal inadequacies: people’s failures are their *own* fault, rather than a result of socio-political inequalities. Writing about the move away from welfarism, Leadbeater (1989: 141-144) argued that Thatcherite individualism shaped both people’s desires and actions and shared much with other critiques of neo-liberalism, most notably Rose’s work on individual existence (1996) or Foucault’s (2005) observations on the self. In this vein, Dardot/Laval (2013) argue that “the neo-liberal project” has refashioned both society and individual social actors. They argue that neo-liberalism produces particular kinds of social relations, new ways of living and being, and certain subjectivities. In short, neo-liberalism (like social welfarism before it) is a form of human existence which shapes the ways in which people conduct themselves, relate to others and to their own biographies as much as it is a system of economic governance.

The key characteristic of neo-liberalism is what Dardot/Laval term “competitive behaviouralism” (2013: 4). Echoing Foucault, they argue that neo-liberalism is therefore a form of “government of life” (*ibid*: 4-5) which has produced politically-induced behavioural change resulting in a new human condition which embraces individual competitiveness, the “training of bodies” and the

“management of minds” (*ibid*: 258), and which encourages individuals to take personal responsibility for their lives and life-courses, however risky. This individualism is created via the fostering of competitive individualism in new institutional environments, and Dardot/Laval (2013) argue that this is a departure from earlier conditions since individuals are encouraged to tolerate the new harsher conditions without hope or expectation that the state will assist, except in the most extreme cases. In turn, individuals – and the institutions with which they interact – reproduce, expand and reinforce competitive relations between themselves and others. The outcomes one achieves, the economic resources one accumulates, and the status one enjoys are constructed as the consequences of individual choice in the project of self-realisation (Dardot/Laval: 2013). The distribution of resources is determined by individuals’ actions rather than as the outcomes of inter-generational or class-based processes. The field of action in which the “responsible” neo-liberal subject is located grows ever wider and competitive individualism becomes institutionally embedded (*ibid*: 277). In short, government policies affect both individuals’ life-courses and their understandings of why their life-courses unfold as they do.

The individualization thesis has inevitably led to greater interest in and attention to agency, namely a belief that in a notionally free society, self-determination is of primary importance. King (2012: 323), however, cites Emirbayer/Mische (1998) in arguing that agency is a “quality of engagement between the actor and their structural context” which is “intrinsically linked to structure” (King 2012: 325) and is thus a dynamic relationship between structure and individual action. Despite this, policy makers ascribe greater significance to static demographic characteristics such as past offending career or ethnicity rather than to dynamic socio-political characteristics such as class or status. In recent debates within philosophy and critical theory on the concept of recognition, for example, there is a suggestion that class and inequality have been eclipsed by identity and difference (Fraser 2003; Taylor 1992; Thompson 2016). Indeed, the concept of individualization has parallels with the concept of recognition in that there is a subtle shifting of responsibility from the state to its citizens, which has created a defensive and “aggressive individualism... punctuated by outbreaks of volatile, frenetic compassion or volatile quasi-solidarity built around hostility to dangerous or unfamiliar outsiders” (Hudson 2003: 55). We would argue that so-called “dangerous outsiders” are the scapegoats for a state which seeks to protect the *status quo* through pushing pathologies of social exclusion. “Dangerous outsiders” are also those least likely to have the power and the opportunity to re-assert and reintegrate themselves, of which would-be desisters are a case in point.

The structure/agency debate in desistance research

Theories of desistance (including those relating specifically to agency, to structure or to a combination of the two) have been well documented and critiqued (*inter alia* Healy 2014; Weaver 2019). Initially focussing on *why*

people desist from crime, they increasingly concentrate on *how* people desist, whether directly from within the individual and his/her identity development, or indirectly through external supports. This is not to say that the desistance literature has ignored structure *per se*, but that any analysis of structure has tended to be static rather than dynamic. Laub/Sampson (2003), for example, identify how stable employment, romantic and family relationships and other forms of life transitions help people desist from crime. But a body of literature has recently emerged that questions the dominance of an overly-agentic focus at the expense of factors relating to the socio-economic, political and cultural climate within which desistance might be fostered (Dufour/Brassard/Martell 2015; Farrall 2019; King 2012; Maruna 2020). That said, as Weaver (2019) notes, these interactionist theories of desistance tend to be a counter to deterministic agentic accounts, and do not fully explain the combined and interrelated roles of structure and reflexivity in changes in *both* identity and circumstances. Such theories “fail to consider how, exactly, individuals’ reasoning and actions are variously enabled or constrained by the relational, cultural and social contexts within which these processes are embedded” (Weaver 2019: 651).

In promoting further research on “societal access routes” and “opportunity structures”, France/Homel (2006: 298) note that social, cultural and political processes tend to be secondary to individual pathways and behaviours. In recent years, both self and social identity have become more prominent in the desistance literature, drawing on factors such as belonging, hope and motivation (Healy 2010; McNeill 2012; Nugent/Schinkel 2016). This literature has certainly allowed a greater focus within criminology on structure as well as agency – given that factors such as belonging, hope and motivation cannot be generated in a vacuum but require external (structural) input (Farrall et al. 2014). However, there is still a lack of any interrogation of the *political* processes at play within the field and how these processes can undermine belonging, hope and motivation (Graham/McNeill 2017). Graham/McNeill note that desistance research has grown “to include a much more expansive but still nascent social movement in pursuit of wider structural changes” (*ibid*: 446), but they also note that much of the contemporary literature, and indeed criminal justice policy and practice, nevertheless still focus on the individual’s intrinsic propensity to desist – their presumed inner strengths and weaknesses, and their willpower, or lack of it, to sustain a law-abiding lifestyle. As Kemshall (2002: 50) notes, “offenders are made responsible for their own problems and for finding and implementing their own solutions”. Likewise, McNeill (2012) suggests that there is an “almost obsession-like approach” to rehabilitation at the expense of reintegration.

Recent critiques of desistance research have acknowledged a reductionist phenomenon in respect of would-be desisters, a phenomenon “which simultaneously de-contextualises and responsabilizes individuals for their own desistance and reintegration” (Graham/McNeill 2017: 443). Graham/McNeill conclude that reintegration should be seen as “inescapably a relational, a

social and a political process” (*ibid*: 446), involving not just the individual, but also communities, civil society and the state. This is especially the case for young people – a “hapless population” (Brown 2005: 29) or “the usual suspects” (McAra/McVie 2005: 5) – whose transition from offending to desistance is not always linear or well-defined, and their fragmented and often chaotic transition from childhood to adulthood makes them the obvious scapegoats that the state requires to further its policies based on individualization and responsabilization. In respect of people who have offended and are embroiled in the criminal/youth justice systems, this situation has led to the epistemological fallacy of the state blaming vulnerable groups and individuals, which then, arguably, becomes a self-fulfilling prophecy.

The epistemological fallacy

Not only does the state continue to give precedence to the individual as the primary initiator of desistance, but social actors themselves also tend to frame their self-understanding in terms of individualization, and, in effect, to blame themselves when things go wrong. In youth studies this discussion has used the idea of an “epistemological fallacy” as a way of exploring how blame is attributed to certain forms of outcomes:

“Individuals are forced to negotiate a set of risks which impinge on all aspects of their daily lives, yet the intensification of individualism means that crises are perceived as individual shortcomings rather than the outcome of processes which are largely outwith the control of individuals... young people frequently attempt to resolve collective problems through individual action and hold themselves responsible for their inevitable failure.” (Furlong/Cartmel 1997: 144)

Laub/Sampson (2003: 141) cite Cohler (1982) in suggesting that “a subjective reconstruction of the self is especially likely at times of transition”. However, political and economic transitions and more structural periods of change are particularly pertinent in respect of the liminality of those (such as young people) engaged in offending (Barry 2006). In the 1990s, interventions with offenders moved from a welfarist to a managerial model, promoting the greater responsabilization of individuals *vis-à-vis* their criminal lifestyles, making sanctions more punitive and encouraging individualised intolerance by decoupling crime from its social context (France/Bottrell/Armstrong 2012; see also Feeley/Simon 1992). The 1990s also saw increased political interest in Risk Factor Analysis, despite its mixed success in preventing crime (France/Freiberg/Homel 2010). In addition, criminal justice practice became more risk-oriented and driven by a tick-box exercise in performance management targeting (France/Freiberg/Homel 2010).

In terms of young people, there has been a tendency to treat them as adults for punishment or intervention purposes, yet “the establishment of adult

identities has become more problematic” for young people in late modernity as opportunities and structures that traditionally operate to create transitions have fragmented and been reshaped by wider political and economic forces (Furlong/Cartmel 1997: 141). Similarly, the establishment of non-offending lifestyles for adults can become challenging in the absence of meaningful work, hence, the zig-zag and fragmented nature of both youth transitions which confound aspirations towards desistance (Barry 2006), and the process of desistance itself. MacDonald et al. (2011: 150) in their study of young people’s offending and risk taking in the UK found that young people lacked a “sociological understanding of their lives” and they “refused to seek explanations of their criminal careers that went beyond their own personal failings and mistakes... a discourse of individual responsibility ruled”. Those who have become entrenched in offending lifestyles are assumed not to sense that their own troubles are rooted in factors external to them; they have no immediate way of perceiving them as public issues which impact on the lives of many people in similar situations to them. However, France/Haddon (2014: 317) remind us that people are *not* “political dupes” who accept that the mismatch between aspirations and outcomes is all their own fault. Although individualization has given people belief in their autonomy irrespective of class, they are nevertheless often aware that their outcomes are indeed structured and beyond their control (France/Bottrell/Armstrong 2012). However, the epistemological fallacy is stretched to breaking point when those most often embroiled in criminal justice systems as a result of structural constraints are subject to often invasive and punitive interventions conducted by practitioners who are authorized, as “agents of the state” (Bourdieu 1999: 184), to purportedly responsabilize offenders, as the following section argues.

Practitioners as agents of the state

This article focuses on probation practice within criminal justice in the UK since that is the primary arena in which those who break the law are specifically sentenced to be actively supervised, rehabilitated, restored or reintegrated. Whilst such interventions are expected in sentencing individuals to imprisonment, diversion or community payback, the focus of probation is clearly to change rather than to control, albeit to varying degrees (Weaver/Barry 2014). As discussed above, many people routinely involved in the criminal justice system believe that changing their own circumstances is *their* responsibility, part and parcel of growing up or of “getting on in life”. In this context, probation has been argued to be there merely as a sounding board in that process of desistance (McCulloch 2005). In a study of probationers and their supervising officers, McCulloch (2005) found that service users did not think that probation *per se* should or could resolve their social problems, but that probation officers could only listen and talk to service users about such problems:

“Probationers had a sufficiently informed, critical and realistic view of what they expected from probation... this is not to suggest that probationers did not value direct help in resolving social problems, the study merely indicates that probationers did not expect or need that to come directly from probation workers.” (McCulloch 2005: 16)

We argue that the research literature emanating from the late-1990s onwards within criminology focused on cognitive behavioural approaches and continues to be applied (Myers/Goddard/Davidtz 2020) – and in some cases misapplied (Weaver 2019) – by professionals in the criminal and youth justice fields. It increasingly epitomizes a neo-liberal, narrowly conceived approach to offending and desistance, and divorced to varying degrees from the social context in which these processes occur. Numerous commentators (*inter alia* Drakeford/Vanstone 2000; Kemshall 2002) argued at the start of the 21st century that governments have for decades sought to “turn probation into an agency which ignores the *social* causes of crime and perpetuates the social exclusion of individuals” (Burnett/Baker/Roberts 2007: 235, emphasis added). Indeed, Kemshall (2002: 41) argued that probation programmes had become a “key mechanism of social control in advanced liberal societies” (see also Garland 2001). These types of interventions have a normative appeal to policy makers and practitioners and they remain the dominant form of approach used in organisations such as probation and social work. Indeed, Maruna (2020) argues that cognitive behavioural programmes have become synonymous with treatment rather than rehabilitation. Such programmes are “individualistic and corrective” (Kemshall 2002: 47), have limited longer-term effects on reoffending rates (Healy 2010) and have become divorced from the need to tackle social and economic problems alongside tackling cognitive ones (Farrall 2002).

Running parallel with this focus on cognitive behavioural change is the uncertainty amongst probation practitioners as to whether wider social change is indeed part of, or feasible within, the official probation remit. Despite Ainslie (2021) suggesting that welfare principles still trump policy messaging in probation practice, the freedom of probation practitioners to support those embroiled in the criminal justice system has been progressively undermined and discredited by policy and practice agendas in recent decades (Bottoms/Shapland 2019; Garland 2001), primarily by policy makers and legislators who continue to mould probation practice as treatment rather than rehabilitation. Indeed, Brannen/Nilsen (2005: 416) state that the concept of individualization has “considerable appeal” to practitioners. McCulloch (2005) also notes that probation staff are often restricted in supporting structural change for probationers both because of probation’s seemingly narrowly-defined professional mandate and because of increasingly limited resources within the criminal justice arena. Thus, supporting individuals through addressing wider structural concerns in the process of desistance is not always encouraged as “valued activity” for probation staff (Bottoms/Shapland 2019: 71). Whilst McCulloch (2005: 14) sees it as “concerning” that probation practi-

tioners do not feel able to give greater attention to the issues most associated by probationers as barriers to desistance, namely resolving their social problems, she still concludes that responsabilizing service users and individualizing desistance is the better approach: “It is perhaps more desirable, as well as more realistic and inclusive, for probation to direct its efforts towards developing the individual and community partnerships needed *to enable probationers to achieve these goals themselves*” (McCulloch 2005: 19, emphasis added).

We argue that individualization prioritises the individual over the social; reflects risk factors as individual malfunctions; promotes intolerance; and side-lines the political, cultural and social aspects of disadvantage (France/Bottrell/Armstrong 2012). This continuing individualization of desistance may well result from a genuine lack of capacity, at most, to effect wider structural change and, at least, to effectively remove the structural obstacles to the integration of would-be desisters into mainstream society. However, it should not result in probation practitioners resorting to a focus on more responsabilizing and individualizing aspects of a probationer’s lifestyle (e.g., failing family relationships, low levels of employability and high levels of drug/alcohol misuse), at the expense of addressing more structural problems affecting their integration into the wider society (e.g., labour market inequalities, extended youth transitions and an erosion of welfare support). Indeed, Farrall (2002) suggests that probation staff have a duty to take a much more proactive role in changing material circumstances in order to aid reintegration into mainstream society. This is as much a community and societal issue as a professional one, however, where reintegration should be seen as a two-way street (Maruna 2020). It is not within the gift of “street level” probation practitioners, as agents of the state, to merely change *their* ways of working, not least in the current economic and political climate. We argue that in order to “de-individualize” desistance and to address wider social inequalities, greater attention should be given to scrutinising and informing the policy guidance that governs how services to offenders are designed and delivered. Responsibility must therefore lie at the level of the state, through which the political and ecological landscape of crime is moulded and manifested.

The political-ecological context of crime

Recent papers by Farrall/Gray/Jones (2019, 2020a and 2020b) point to the underlying role of political decision making with regards to the onset and prolonging of offending careers. Farrall/Gray/Jones (2020b) argue that the economic policies pursued by the Thatcher governments of the early-1980s created poorer communities in which (unlike earlier generations) the predictability of the future became uncertain. These authors chart how rates of school truancy (a predictor of offending) increased for a cohort of children who grew up in the 1980s relative to a cohort who grew up in the 1960s, and

was positively associated with later offending in this cohort's 30s and 40s, in areas in which heavy industries were lost. As well as restructuring the economy, UK governments during the 1980s also challenged various welfarist social policies, such as housing, social security and education policies, and successfully sought to produce widespread social change via national-level policies. Social housing (owned by local authorities and rented to local residents, from usually, but not exclusively, the lower social classes) was offered for sale to tenants from 1980. This had the effect of increasing homelessness and of (over time) making local authority housing estates the residences of poorer people (Murie 1997). However, it also changed the experiences of the children of social housing renters. Farrall/Gray/Jones (2019) show that coming from a family which did not buy their council house when offered was associated with statistically significantly higher rates of homelessness, which in turn was associated with greater levels of contact with the police and courts and greater rates of violent victimisation.

The basis for our thinking about the impacts of the social and economic policy changes noted above – as having both strong behavioural and self-ideational elements – is underpinned by the literature on the impacts on society and individuals of welfare policies and the later shift to neo-liberal individualism. Esping-Anderson (1990) argued that the welfare state had become deeply embedded in the everyday experience of citizens, noting that just as the entire political economy was structured by welfarism, so too were individual desires, possibilities and life-courses. Equally, little recognition is given to the possible criminalising processes that may occur as a result of affirmative policies which are seen to superficially encourage greater socio-economic inclusion (Case/Haines 2009) but which fall well short of being transformative (Fraser 2003). As a result, both theories of criminal careers and desistance often lack an understanding of the political and ecological relationships that shape peoples' engagement in offending. What we start to see is that desistance theories based on responsibilization operate to shift responsibility *away* from the state and onto the individual and locate blame *within* individuals. "Tailoring prevention projects around the risks presented... can serve to consolidate negative representations of the risk posed... and give credence to the notions of choice and intractability that underpin punitive policies" (Case/Haines 2016: 122).

Part of the challenge then is to provide alternative and creative ways of theorising and thinking about the relationship would-be desisters have with the processes and outcomes associated with desistance, and indeed about the state's relationship with both those people and the very idea of desistance. On the one hand, as shown above, much criminological theorising fails to shift the emphasis from the individual to the wider political context, seeing the individual as the start and end point for any form of analysis and explanation, which now seems contentious given the Farrall/Gray/Jones papers cited above. On the other hand, more structural theories of crime can over-emphasise structure without addressing issues of choice or agency. To move beyond

this, we advocate the need for an approach that not only centralises political relationships as core to our understanding of social practice but also embeds our understanding of offending and desistance not as agency or structure but as a form of social practice that rejects such dichotomous constructions of the individual (Bourdieu 1979).

Bourdieu's concept of social practice is critical here, in that he rejects dualisms (Wacquant 2006), seeing proposals such as subjective versus objective, material versus symbolic and structure versus agency as false dichotomies, arguing instead for an approach that recognises the embedded (and embodied) nature of social relationships or what he calls the structuring of structures in the everyday social practice of individuals (Bourdieu 1977). Bourdieu suggests that there are limits to our ability to perceive the whole picture and there exists a strong element within our decision-making process that is shaped by "the way things are". Such a position acknowledges routine, regularity and order to our social practice. This does not deny reflexivity, but it acknowledges that routine social practice is where things just happen. Within this, "intentionality without intention" or "knowledge without cognitive intent" remains important in helping to create what Williams has called "the pre-reflexive subject" who is immersed in their own social world (Williams 1995: 582). This, it is argued, creates a "feel for the game" or an understanding of a person's positionality in terms of the life world in which they are embedded (Bourdieu 1977). At the heart of this is the idea of habitus. This set of dispositions that emerge through our childhood and develop through our culture and history operate to help inform who we are. Habitus does not preclude reflexive decision making and action although it must always be understood in relation to a person's current and past position in their life worlds (Bourdieu 1977).

A good example of this is evident in the work by Crawshaw/Bunton (2009). They show how Bourdieu's theory of social practice can explain the risk taking and criminal activity of a group of young men in a deprived city in the UK. Their research draws attention to how risk taking and offending for these young men is an everyday experience and that responses to it are framed by their habitus. It challenges the ideas that young people are active risk seekers and offenders who are making rational (or irrational) choices, showing instead how their habitus informs them of the rules of the game and how it should be played. In this sense, risk taking and offending can be seen as having their own logic of practice that frames how young people deal with their social circumstances in any given situation.

By conceiving of desistance as nothing more than a process to be undertaken by self-determining individuals, divorced from any social context and irrespective of the resources such individuals can access to accomplish the task, the process of desistance is significantly harder and the desired outcome of "charting a path towards greater social inclusion" (Farrall/Bottoms/Shapland 2010: 547) is much less likely without the active collaboration of the state.

[Re-]responsibilizing the state

Late modernity is often assumed, unquestioningly, to be the trigger towards individualization, and yet little commentary is given on the role of the state in driving that individualization forward (Bottrell/France 2015; see also our thinking derived from the work of Dardot/Laval 2013 outlined above). Beck/Beck-Gernsheim's (2001) treatise on individualization fails to interrogate the origins of the concept, but nevertheless argues that it has become part of the political landscape, replacing communitarianism as fostering greater autonomy and choice for individuals. The state offers guidelines on how to live one's life oneself, but individuals must take that advice on board, and/or suffer the consequences (Beck/Beck-Gernsheim 2001). There is an assumption by Beck/Beck-Gernsheim that individualization has been chosen by the people rather than imposed by the state. However, we would question that assumption and argue that individualization, whilst purportedly "[liberating] people from traditional roles and constraints" (*ibid*: 202), also liberates the state from its traditional responsibilities to those people. This is a prime example of how political ecology operates to shape the actions of the state and then the social practice of individuals. Wacquant (2010), for example, mobilises Bourdieu's concept of the bureaucratic field suggesting that "neoliberal state-crafting" explains how state power has been remobilised to discipline and supervise social life (*ibid*: 197). In this context the neo-liberal state does not only create "small government" (*ibid*: 214), it is aggressively interventionist, turning its regulatory focus onto those who have relatively little economic or political power (Gamble 1988). Wacquant (2010) suggests that the neo-liberal state, by embracing *laissez-faire* capitalism, benefits the most powerful in the system, while disciplining less powerful populations at the bottom rungs of society. He goes on to argue that the "unforeseen timing, steep socio-ethnic selectivity, and peculiar organisational path of the abrupt turnaround in penal trends in the closing decades of the twentieth century... [suggests] state-crafting" (Wacquant 2010: 210). In its wake, it would therefore seem that, in many fields of life, individualization has been adopted wholesale by the state, impacting the professional framework and structures of practitioners working in these fields. In the case of offending and desistance, offenders and would-be desisters themselves continually frame their understandings of their own behaviour as individualised thus showing how the epistemological fallacy operates in locating blame (France/Bottrell/Armstrong 2012).

Individualization (and its inherent assumption of choice) has therefore, in our view, become a social engineering tool to maintain the status quo of the powerful and, contrary to the rhetoric of neo-liberalism, to contain, rather than to liberate, "the nether regions of social space" (Wacquant 2010: 202). To Wacquant, the penal apparatus which comprises the police, courts, prisons and probation is a "core organ of the state" (*ibid*: 211). Indeed, France/Bottrell/Armstrong (2012: 8) argue that whilst informal social controls at the

micro-level are the focus of many criminological theories of onset and desistance, “they fail to recognise forces at the political and economic level” – the macro level social controls which we would argue are so important in matters of crime and justice. Individualization ignores class and social status: people live with “do-it-yourself biographies” (Beck/Beck-Gernsheim 2001: 3) and national politics has become depoliticised: “the non-political becomes political and the political non-political... individuals feel themselves to be originators of political intervention” (*ibid*: 45). As King (2012: 331) suggests, the individualization thesis implies “a degree of freedom and choice which is unavailable to many would-be desisters, given the unequal socio-economic conditions of contemporary late-modern society”. Indeed, Graham/McNeill contend, *vis-à-vis* the criminal justice system, that to “de-contextualise and de-politicise crime is to belie its roots both as a social construct and as a social problem” (Graham/McNeill 2017: 443).

We suggest that the individualization of desistance has been driven from within policy circles because it fortuitously deflects attention away from structural deficiencies. The state is thus “liberated” from its traditional responsibilities towards its citizens, in terms of wider policies for integration. It is imperative, therefore, that criminologists critically question the true cost-effectiveness of criminal justice interventions and that the state retreats from seeing criminal justice as “the leading edge of social policy” (Young 2011: 21). Indeed, Hudson suggests that the field of penal policy has *expanded* rather than *contracted* in the age of individualization: “Not a rolling back of the state, but a transference of state activity from social policy to penal policy” (2003: 56). We would argue that such an expansion should be focused much more on socio-economic, and much less on penal policy, thus enabling the state to look beyond crime reduction through punishment and treatment and towards wider social justice and integration. There is a normative argument for the state intervening more constructively in the process of desistance, a process that can either be “carefully cultivated” or “neglected and trampled” (Graham/McNeill 2017: 440):

“Those in whose name punishment is delivered have an obligation to restore those whose debts are settled. And those whose offending flows from those social injustices and inequalities that the state permits, perpetuates and exacerbates, are owed additional duties of support.” (Graham/McNeill 2017: 446)

What we have shown in the discussion above is how decisions and actions of the state, professionals working in criminal justice and the individual actors or service users themselves can only be understood by framing the analysis in an ecological and political way which recognises both the social nature of behaviour and the political drivers to social practice. What we see is the state operating and shaping in ways that make individualization core to how we perceive and explain the behaviour of those in the criminal justice system. It also reinforces the importance of recognising the epistemological fallacy in

this process which locates blame and creates a narrative of individualization that is used to explain the everyday actions of individuals.

Making desistance work: an opportunities-based approach

Theories of desistance initially focussed on risks-based (e.g., Farrington 2002) and latterly on strengths-based approaches (e.g., Best 2019) to support the process of desistance, but rarely have academics or policy makers/practitioners promoted an *opportunities-based* approach. An opportunities-based approach would shift the focus from the individual and his/her immediate milieu to the state and its wider social policy and governance arrangements. For many desisters, such governance would relate to improving labour market openings, removing the stigmatisation resulting from convictions, increasing state benefits and offering “parity of participation” (Fraser 2003: 36) in mainstream society. As in the recovery field, desistance requires “effective societal responses that promote inclusion and engagement” (Best 2019: 199). The dearth of integrative opportunities for many, especially young people, is, we would argue, a direct result of failings of the state, if not “the abdication of the state” (Bourdieu 1999: 181), a state which most readily blames its citizens for the difficulties they face.

Whilst it is easy to critique the current theories of desistance for their individualistic orientation, producing credible policy suggestions which go beyond individual-level interventions is far from easy. One of the problems, we would contend, with the current approach to desistance from crime is that it has been left not only to would-be desisters themselves but also to criminal justice agencies, which, despite their best efforts, run the risk of further stigmatising the very people who need the most help. Perhaps, then, a better way of intervening is to *not* target anyone in particular, but to intervene at the community or neighbourhood level where agencies are *not* part of the criminal justice apparatus and focus on opportunities rather than threats. Given the importance of independent housing in narratives of desistance, and of supported housing for younger people, there is an obvious opportunity to reinvest in social housing, but in ways in which this term (social housing) is not used as a metaphor for “houses for poor people, the unemployed and the sick”. Houses which are owned (or co-owned) by local authorities and rented, with the possibility that this may at some point be offered for purchase by long-term residents (and where the receipts are used to build new homes, which was prevented by the 1980 Housing Act) is one way forward. Investments in schools and in education more generally, particularly in disadvantaged areas, is another means of reducing the likelihood of offending amongst future cohorts of children. Efforts to get all people (irrespective of offending status) into meaningful and well-paid work are to be encouraged, with the proviso that such work is not tokenistic and short term, and motivates employers via tax breaks. Small and medium-sized enterprises engaged

in refurbishment of existing housing (Best 2019) or the construction of new homes (Bracken/Deane/Morrisette 2008) can run alongside similar efforts to recycle and sell furniture or household items (as documented by Sarno et al. 2000). The green economy, catering outlets and businesses engaged in construction or civil emergencies should offer new employment opportunities for people – again, irrespective of offending status, and would be relatively inexpensive for local employment agencies to encourage via loans and grants. Systems whereby former offences which do not threaten the wellbeing of children or other vulnerable persons are sealed or removed from court records provides other ways of removing some of the obstacles to desistance which many people report (Farrall 2002).

Conclusions

This article has highlighted the current lack of critical analysis of the social and political context within which people desist from crime. We also raise the important question about the role of the state, power and other broader systems in the processes of desistance. The article proposes that desistance research embeds people's situations, structural locations and behaviours within the wider political, social, cultural and economic context (France/Bottrell/Armstrong 2012). In so doing, we suggest that the agency/structure debate, and indeed the pathologizing of crime inherent in the individualization thesis, should be given less attention within criminological research circles in favour of a wider focus on the interplay and influence of policy, politics and power.

In arguing against the individualization of desistance, this article is *not* saying that there should be *no* focus on the choices and experiences of individuals themselves, or that criminological enterprise should focus less on individualist explanations and more readily embrace structural explanations alongside these. Whilst people (especially adults) do need to be held accountable for their actions, to paraphrase Marx: “They did not choose the circumstances in which they acted.” More importantly, they should be praised when, against the odds, they alone succeed in overcoming adverse circumstances and desist from crime. What this article *is* saying is that individual work with people who offend needs to be proactively supported by concurrent wider structural change and that the focus of much future desistance research could fruitfully be diverted to the state's wider role in *meaningfully* addressing structural barriers to integration (Barry 2021). Just as wider ecological and political processes can initiate and sustain offending careers, so too they can end them.

In the introduction to this article, we indicated that the individualization of risk, as described by Beck, was an endemic feature of late modernity which inexorably plays out in a range of institutional settings in contemporary society, including youth and criminal justice. People must now “produce, stage and cobble together their biographies themselves” (Beck 1994: 13) in circum-

stances which are ideologically presented as both desirable and necessary for autonomy and choice. However, we have argued that the political and ecological context of all social practice is a crucial impetus to how individuals act/react. Brannen/Nilsen, for example, suggest that “to ignore structure is to ignore the possibility of inequalities and differences in resources that are systemic and systematic rather than individual and random” (2005: 424). Despite the welcomed increase in focus of desistance research on structural constraints to the process of desistance, some desistance commentators continue to suggest that policy makers and practitioners have failed to fully engage with this contemporary literature (Ainslie 2021; Weaver 2019) and still operate on the basis that the adverse socio-economic circumstances that offenders face are changeable primarily at the individual level. Indeed, much desistance research suggests that criminal justice interventions are limited in their broader effectiveness (Halsey 2016; Shapland/Farrall/Bottoms 2016). Yet, increasingly, we and other commentators (*inter alia* Duff 2001; Graham/McNeill 2017) argue that for crime to reduce, social problems and circumstances beyond the individual must be alleviated. Equally, Young (2011: 2) argues that it is not the individual that needs to change but “the unruly forces of contemporary society”: in other words, we must politicise the processes associated with both the causes of crime and the drivers to successful and lasting desistance.

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