Morality & Justice

Analysing Maruna's notion of desistance through the distinction of crime and offender



Daan Winter
Student number. 1031686
d.winter@student.uvh.nl

Master Thesis - University of Humanistic Studies
Supervisor: Prof. Dr. Laurens ten Kate
Second reader: Dr. Fernando Suárez Müller

January 31, 2025
Wordcount: 16.326

“If only it were all so simple! If only there were evil people somewhere insidiously committing evil deeds, and it were necessary only to separate them from the rest of us and destroy them. But the line dividing good and evil cuts through the heart of every human being. And who is willing to destroy a piece of his own heart?”

— *Aleksandr Solzhenitsyn, The Gulag Archipelago 1918–1956*

"The law, my boy, puts us into everything. It’s the ultimate backstage pass. It’s the new priesthood, baby."

—*Satan, in the devil’s advocate*

Abstract

This master thesis explores the utility of the distinction between 'crime' and 'offender' as a critical lens for understanding desistance, particularly through the framework of Shadd Maruna's redemption and condemnation scripts. Drawing on legal principles such as *actus reus* and *mens rea*, this study critiques the conflation of actions with identity in contemporary desistance theories and highlights the gaps in Maruna's theory of desistance. The thesis begins with an overview of desistance theories, tracing their development from classical criminology to contemporary sociogenic and identity-based approaches. By examining Maruna's focus on self-narratives, it identifies the central role of personal agency in sustained desistance, as illustrated through the redemption script and condemnation script. This thesis argues that Maruna's framework overly simplifies offenders' identities, neglecting the broader cultural, situational, and psychological contexts of crime and rehabilitation. Through a phenomenological methodology, including examples from personal experiences with prisoners, the thesis critiques Maruna's reliance on a binary framework and the flawed conceptualisation of the 'real me.' It highlights the limitations of such frameworks in accounting for offenders who morally justify their actions or whose narratives don't fit into the binary categorization of redemption or condemnation script. Additionally, it examines the role of cultural influences, the nature of specific crimes, and external subcultural influences within criminal networks. The thesis concludes that desistance theories must move beyond the prescriptive goal of creating law-abiding citizens. It instead advocates for a holistic approach to rehabilitation that enforces the development of a moral compass independent of legal obedience.

Key words: *the distinction between crime and offender; The notion of desistance; Maruna's account of the redemption & condemnation script.*

Preface

While growing up, I had a lot of friends in the streets and went outside to play and cause a bit of trouble. In my experience it was a diverse mixture of children and teens from a wide variety of cultural backgrounds, social classes and upbringings. When I moved out of my hometown to study and live in Utrecht, I lost touch with a lot of the people I hang around with back then. Some of them landed on their feet, but others are still trying to figure out a life that works for them. In Utrecht I made a lot of new beautiful friendships and relationships that deeply inspired the way I want to live my live. When I started my studies at the university of Humanistic studies and learned about the profession of humanistic chaplain in prison, I was immediately grabbed. I knew that I wanted to experience and learn in this unique environment and was very happy that I succeeded in finding an internship at JC Schiphol. While engaging in beautiful and authentic conversations with the inmates at Schiphol, I slowly felt a strange nostalgic feeling washing over me. It was a form of connection I haven't felt in a long time. It reminded me of some of the people I hung around with in the past, and the homes I visited. It's a kind of friendly similarity that is hard to pin down. A feeling which is best described in the opening lines of the poem Howl, by Allen Ginsberg:

'I saw the best minds of my generation destroyed by madness, starving hysterical naked, dragging themselves through the streets at dawn looking for an angry fix, angelheaded hipsters burning for the ancient heavenly connection to the starry dynamo in the machinery of night'

I want to dedicate this thesis to the all those beautiful wandering souls of my past, and may they eventually find a meaningful place in life.

Table of contents

Abstract 3

Preface 4

1. Introduction 7

1.1 Introduction 7

1.2 Problematization 7

1.3 Research questions and purpose 8

1.4 Relevance 9

1.5 Methodology 10

2. Overview of theories of desistance 12

2.1 Brief history of theories of desistance 13

2.2 What are noticeable theories of desistance? 14

2.2.1 Sociogenic theories 14

2.2.2 Identity-based theories 15

2.3 What is the distinction between crime and offender? 16

2.3.1 What is crime? 16

2.3.2 What is the figure of the ‘offender’ and how does it relate to identity? 17

2.3.3 What is the tension between these two concepts? 17

2.4 What is the role of the distinction between crime and offender in theories of desistance? 18

2.5 Why is cognitive transformation theory relevant for this research? 19

3. Maruna’s scripts 21

3.1 Who is Maruna? 21

3.2 What is Maruna’s theory of desistance? 22

3.3 What is Maruna’s condemnation script? 23

3.4 What is Maruna's Redemption script? 24

3.4.1 What is the ‘real me’ in Maruna’s theory? 25

2.3.2 Hyper moralism 27

3.5 Formulating a critique 27

4. a critique of Maruna 29

4.1 What is a critique of Maruna’s account against the backdrop of the distinction of crime and offender? 29

4.1.1 Lover the sinner, hate the sin 29

4.1.2 Neglecting the crime 30

4.1.3 Focus on the offender narrative 32

4.1.4 The meta-narrative of offenders. 32
4.2 How does the concept of 'real me' falls short 33
4.2.1 Critique of Maruna's core self 33
4.2.2 Maruna's duality in the 'real me' 35
4.3 How does this critical lens show gaps in Maruna's theory, ... 36
4.3.1 No inner contradiction and no desistance 36
4.3.2. Different crimes, different offenders 37
4.3.3 Crime as a culture 38
4.4 How are Maruna's two scripts intertwined? 40
4.4.1 A holistic approach 40
4.4.2 The process of desistance without the outcome of desistance 42
5. Conclusion & Discussion 43
5.1 Conclusion 43
5.2 Discussion 45
References 46

1. Introduction

1.1 Introduction

"Everyone steals. That's how it works. You think people out there are getting exactly what they deserve? No. They're getting paid over or under, but someone in the chain always gets bamboozled. I steal, Son, but I don't get caught. That's my contract with society. Now if you can 'catch' me stealing, then I'll go to jail, but if you can't, then I've earned the money." – Mr Robot

During my work as a humanistic spiritual counsellor in the Justitia Complex Schiphol, I encountered multiple convicts who explicitly identified themselves as career criminals. On one occasion, I spoke to a man named Peter. He told me he regretted imprisonment, not because of guilt, but because he had become 'sloppy' and had taken high risk, low-reward jobs to sustain his drug habit. He believed he was rightfully in prison because he got caught, but guilt doesn't seem to be eating at him. His plans for the future were not to stop committing crime but to stick to the 'safe' jobs, which would earn him higher profits and a lower risk of getting caught. He told me he moved out of his parents' house at the age of thirteen and started sleeping under shopping carts and on public benches in the street. He said he started stealing because he wanted better living conditions. When I asked if he has certain values he tried to uphold, he said he didn't steal from the elderly or children, which suggested the possession of a certain moral compass. When asked if his moral compass aligned with the values of the Dutch legal system, he laughs and clearly replied, *'No'*.

I find the conversations I have with the inmates in JC Schiphol fascinating. These men share their life stories with me, often during times of existential crisis, though not always. I hear inmates say that they do not belong here or that they are not like all the other convicts whom they consider to be 'real' criminals. But in the case of peter, he seemed quite confident and sure about his life story and his action that led him to prison. The thefts he committed were just one aspect of his life, not the whole story. It was illuminating to see how he positioned himself and how he related his identity to his action in a way that was uniquely his own. My conversations with him made me reflect on how the inmates at JC Schiphol perceive the actions that lead to their imprisonment to the stories they tell about themselves. How did it shape their life stories?

1.2 Problematization

There is an ongoing debate about the complex and often tense relationship between crime and the offender, a distinction that is frequently conflated. This confusion can lead to flawed

punitive measures and ineffective rehabilitation efforts. The philosopher Hannah Arendt highlights this issue by showing how the failure to separate crime from the person who committed it can impact legal punishment. Arendt explains that punishment is usually justified based on four main reasons: (1) The protection of society against crimes, (2) the rehabilitation of the offender, (3) the deterrent effect of punishment for potential future offenders, (4) retribution. However, she argues that these justifications do not hold up when applied to a person accused of war crimes. First, war crimes take place under entirely different conditions than 'ordinary' criminal acts. Secondly, rehabilitation does not seem relevant in this context, as war crimes are often committed in extreme circumstances rather than as a result of personal criminal tendencies. Thirdly, there is not a deterrent effect because war crimes typically occur in unique situations that are not easily prevented by punishment. Finally, Arendt questions whether retribution is even possible when dealing with crimes on the scale of genocide, given how systematic an vast such acts are (Arendt, 2020, p.77).

Different theories, such as identity-based theories, attempt to explain criminal behaviour and desistance. However, these theories risk oversimplifying the relationship between crime and the offender. While scholars working with identity-based theories have contributed to a deeper understanding of criminal behaviour, their categorization can impose certain limitations. An example of this is Shadd Maruna's notion of desistance that rigidly classifies self-narratives. This practice may not fully capture the experiences of convicts who do not fit within his prescribed scripts. This issue relates to Hannah Arendt's critique of punishment and accountability, where the conflation of crime and offender can lead to misguided legal and rehabilitative efforts. If scholars and the legal justice system does not accurately recognize the situational and contextual factors that influence criminal actions, they also risk failing to recognize the complexities of desistance. This suggests a need for a more nuanced and holistic approach to understanding narratives of offenders and desistance that goes beyond binary frameworks.

1.3 Research questions and purpose

The aim of this thesis is to explore if the distinction between crime and offender can help to deepen our understanding of the notion of desistance and provide a more nuanced perspective on Maruna's account of the redemption script and condemnation script.

Research question: *To what extent can the distinction between 'crime and offender' serve as a critical lens on the notion of desistance, against the backdrop of Maruna's account of the redemption and condemnation script?*

Sub questions:

1. What are noticeable perspectives in contemporary theories of desistance considering the distinction between crime and offender and what gaps exists in desistance research regarding this distinction?
2. What is Maruna's account of the redemption and condemnation script?
3. In what way can the distinction between crime and offender serve as a critical lens to analyse Maruna's account of the redemption and condemnation script?

1.4 Relevance

By using the critical lens of crime and offender I hope to gain insight into normative assumptions present in academic literature. This approach enriches the academic debate by combining these different disciplinaries. I aim to add more depth and nuance to existing theories in the academic field. It's important to shed light on the gaps within contemporary theories in the criminology field, because it indirectly impacts the way society perceives convicts and rehabilitation methods. Rehabilitation of the offender is an important goal of the penitentiary system in the Netherlands. The aim of rehabilitation is that the life of the convict becomes the same as that of other law-abiding Dutch citizens after release from prison (Elbers,2016, p.28).

Besides academics, a lot of people are fascinated by crime and the criminal mind, hence the quote from the popular tv-series MR robot. There are many narrators who retrospectively give meaning to the actions of specific criminals. The idea of the villain in popular culture, or societies fascination with the true crime genres, emphasizes the idea of the criminal behaviour essentialism. This phenomenon is described by Shadd Maruna as the bogeyman myth. This myth suggests that society often perceives social deviants as individuals with inherent and unchangeable flaws in their character. It implies that those who deviate from societal norms are inherently different, often labelled with terms like sociopaths, career criminals, or scum (Maruna, 2001, p.4). Despite consistent academic research refuting this myth, it continues to fuel tendencies towards mass incarceration and perpetuates the discourse of essentialism surrounding criminal behaviour. This myth obstructs the rehabilitation processes of ex-convicts into society because it reduces them to an evil spirit that cannot be changed. While the inmate might still be in an identity crisis, trying to give meaning to his actions, society already labels his life story and narrative identity as a criminal. This label of offender plays an essential role in the life stories humans tell about themselves and impacts the way a person gives meaning to a crime they committed. I hope this thesis may path the way to new ideas about punitive measures and challenge existing prejudices and stigmatizations regarding convicts.

By analysing life stories through this lens, I hope to contribute to the understanding of self-perception of convicts within the bigger societal framework. By seeing how the element of crime plays a role in their narrative identity, it may shed light on the reasons why some people repeat their crimes and others quit and become law-abiding citizens. This lens may provide new insights into humanistic counselling practices, offering different ways to understand someone's life story.

1.5 Methodology

To address the research questions, this study employs both a theoretical and phenomenological approach. To answer sub-question 1, I will conduct a multidisciplinary literature research to provide a comprehensive overview of theories of desistance. Through comparative literature analysis, I aim to present an overview of desistance theory in order to understand the broader academic discourse in which this thesis is situated. To address sub-question 2, my primary source will be Shadd Maruna's book *Making Good: How ex-convicts reform and rebuild their lives.* Secondary literary sources will be used to deepen the understanding of the primary source. To address sub-question 3, I will employ a combination of literature review and phenomenological examples. The purpose of phenomenological research is to illuminate the specific experiences and identify key phenomena through the perspective of those who live them. This makes phenomenological research particularly effective in challenging structural and normative assumptions by analysing them through the lived experiences of individuals (Lester, 1999, p.1). Following the framework of critical humanism, as described by K. Plummer in his book *documents of life* I will provide phenomenological examples based on my experiences during an internship in prison. Plummer describes critical humanism as an approach towards society and knowledge. This approach consists of five core principles: (1) paying tribute to human subjectivity and creativity, (2) dealing with concrete human experiences (3) showing an intimate familiarity with such concrete experiences (4) self-awareness of the researcher's own moral and political role while conducting the research (5) supporting a epistemology of radical pragmatic empiricism, which sees knowledge as grounded in experience (Plummer, 2006, p.14). The data for the examples I will provide are gathered from both group discussions and individual conversation with prisoners. After each session, I made brief notes, some of which were later included in my internship report. These examples will serve to illustrate alternative self-narratives and the entanglement of Maruna's two scripts. However, the findings of this study do not lend themselves to direct generalization. I aim to provide detailed commentary on individual perspectives to challenge underlying normative

assumptions present in Maruna's research. Finally, in the conclusion, I will return to the research question and draw upon the work of Hannah Arendt to argue the claim that rehabilitation should reinforce moral development and integrity besides it's aim to produce law-abiding citizens.

2. Overview of theories of desistance

Desistance refers to the process by which individuals cease engaging in criminal behaviour and transition to a crime-free life. This concept is widely explored in criminology and sociology, with a focus on understanding why and how individuals stop offending. This process is influenced by a range of personal, social, and structural factors (McCuish, 2019, p.1). Because desistance is generally defined as the cessation of criminal activity by an individual, it is an unusual phenomenon to study as it describes the absence of an event rather than the occurrence of one. Gradually, scholars have come to understand desistance not as a singular event marking the end of a criminal career, but as a process. (Bushway & Paternoster, 2013, p.216) Despite this understanding, there is no universally agreed-upon common definition of desistance. Laub & Sampson describe multiple examples of the variety of definitions used in by different scholars in the criminological field. (Laub & Sampson, 2001, p.8) Some scholars have attempted to disentangle the concept of desistance by breaking it down into multiple components. However, a clear and precise definition of desistance cannot, be developed in isolation from a specific research question. The definition a scholar uses depends on the research question they try to answer. Laub & Sampson distinguish between the process of desistance and the event of the termination of offending, asserting that the latter is the outcome of desistance. They state that: '*understanding desistance from crime requires a theory of crime and the criminal 'offender'* (Laub & Sampson, 2001, p.3). Additionally, desistance can also be understood as a separate state of being for the ex-offender (Fox, 2022, p.1).

The aim of this chapter is to provide an overview of the theoretical landscape of desistance theories and the key figures who have contributed to their development. The first section presents a brief history of the study of criminology over three centuries. It traces the development of perspectives on criminal behaviour and how it has evolved. The second section examines contemporary theories of desistance. It focusses on the ongoing debate between sociogenic and identity-based theories in criminology. The third section explores the distinction between 'crime' and ' the offender' through the principles of criminal law: *actus reus* and *mens rea.* In the fourth section, this distinction between 'crime' and 'offender' will be used as a lens to understand the differences between sociogenic and identity-based theories. Finally, I will argue that identity-based theories, particular Maruna's theory, provide the most relevant framework for addressing the main question of this thesis.

2.1 Brief history of theories of desistance

In this section I present a brief history of the study of criminology, starting with its conception in the 18th century to its most recent developments in the early 21st century. Starting with one of the key figures in the origin of criminality: Cesare Beccaria (Paternoster, 2010, p.767). Cesare Beccaria was a 18th century philosopher of the Enlightenment. He is seen as the father of Classical criminology and published an important book called: *on crimes and punishment.* In classical criminology and deterrence theory, criminal behaviour was largely seen as a rational choice. Offenders are person capable of free will. Beccaria rejected the cruelty that took place under the legal codes in Europe. He believed the practices of torture and convictions without trail where barbaric because of their irrationality. He argued they were ineffective to control crime. Therefor he proposed three things to reform this system: (1) a system of legal reforms with clearly written laws (2) the abolishment of torture and punishment without trail (3) a proportionality between the committed crime and the punishment inflected on the offender. The third proposition shows a clear relationship between 'the offender' and 'the crime'. Depending on the act, the severity of the punishment for the offender will be decided. According to Beccaria, the motivation to engage in criminal behaviour was an ever-present self-interest. He called this the despotic spirit which is present in every man (Paternoster, 2010, p.768). The tangible motives that push a person into the act of committing a crime needs to be countered by punishment. Beccaria emphasized the importance of the deterrence element in punishment, to warn future criminals. He argues that's better to prevent crimes then to punish them (Paternoster, 2010, p.769).

In the late 19th century, the positivistic school appeared as a reaction to the classical ideas in criminology. The positivistic school claimed that criminal behaviour was biologically motivated and seen as a rational free choice. Criminals where simple born that way. This perspective gained popularity in a time where Darwin's *origin of species* was released. One of the key figures in the positivist movement was Cesare Lombroso. With his book *"L'uomo delinquent."* he created the foundation of the positivistic movement in criminology, rejecting the classical school of Beccaria. His theory assumed that the criminal nature is organic and unchangeable at its core. According to him all 'born criminals' have similar physical characteristics. (Albrecht, 1910, p. 72). He argued that the origin of certain crimes lay in atavism, a modification of the biological structure caused by the reappearance of an ancestral genetic trait which has been lost though the process of evolutionary change. Lombroso related the 'crime' and the 'offender' on a biological organic level, arguing that trying to change certain

'offenders' is futile. Therefor he proposed the only possible good punishment in some cases is the death penalty. The positivistic school of thought was heavily criticized during the turn of the century, partly because of its relationship with eugenics. Scientist searched for better explanation for criminal behaviour in the physical surrounding.

In the 1930's, the sociologist of the Chicago school developed and produced detailed and compelling life histories of criminals and delinquents (Aspden & Hayward, 2015, p.236). They rejected the focus on biological or genetic explanations of human behaviour, and attempted to understand human behaviours as shaped by societal structures and the physical environment. From a similar perspective, Eleonor Glueck conducted a large study in in the 1940's into the relationship between age and crime. (Rocque, 2014, p.2-3). The maturation theory emerged as an important theory in de the field of criminology. The maturation theory claims that people mature out of crime. It states that biological drives connected with aging eventually lead to a decline in criminal behaviour. A famous expression in criminology: *the best tool against crime is the 30th birthday* finds its origin in this theoretical perspective. Although maturation is deeply connected with the biological age, the process happens (or doesn't happen) regardless of age. These scholars set the stage for sociogenic theories which developed further in the second part of the 20th until today.

2.2 What are noticeable theories of desistance?

In first section I provided historical context for a better understanding of the contemporary debate in desistance theories. There are multiple theories why (or why not) desistance occurs. In this section I will describe the debate between sociogenic theories and identity-based theories.

2.2.1 Sociogenic theories

Travis Hirschi developed the social control theory in the late 1960's. He declined the dominant premise that criminal behaviour needed to be created from societal forces. Hirschi stated that every person from birth possessed the hedonistic drive to act aggressively and selfishly that can lead to criminal behaviour. It's innate in human nature to act in this manner, and most of 'us' can control these natural drives towards criminal behaviour. He didn't asked the question: why do people commit crime, but reversed it and asked: why do people not commit crime? (Pratt,2011,p.58) Hirschi claims that the answer is: because people form pro-social bonds which control our urges towards deviant behaviour. He distinguishes four interrelated forms: attachment, commitment, involvement and belief. These bonds control our behaviour indirectly, having influence even when they are not present in our lives. Hirschi perspective caused a

significant paradigm shift in the criminology field. Later in his career Hirschi developed the self-control theory of crime. Glueck and Hirschi's work still have a huge influence on the academic field to this day.

In the late 20th century the scholars Robert J. Sampson and John H. Laub were influenced by the work of Glueck and Hirschi and subsequently developed the life-course theory. This theory focuses on the external factors influencing a person's life. As individuals progress through different life stages, they acquire new social roles that deeply impacts their behaviour. A key contribution of Sampson & Laub was their theory of turning points, which they introduced in 1993. The theory posits that there are biographical turning points that are related to desistance in criminal behaviour. These radical changes in a life history can mark a clear separation between past and the future behaviour. Examples of these turning points are marriage, parenthood and getting a job with responsibility. Sampson and Laub builds upon data from the maturation theory developed by Glueck. Their research relate desistance to the concept of aging in their life-course theory which is regarded as a notable explanation for desistance in the academic field (Bushway & Paternoster, 2013,p.216). In their life-course theory, Samson and Laub describe desistance as a biological and deterministic trend, strengthening their theory with the age crime curve. The age crime curve is one of the most consistent observations in sociogenic theories of criminology. The curve shows a strong relationship between age and criminality. It shows that criminal behaviour increases across adolescence. The curve peaks at late adolescence and rapidly declines soon after late adolescence. While scholars continue to debate the causes of the curve, there is broad consensus that it represents a real and measurable trend (Schulman, 2013, p. 848). The life-course theory remains a foundational framework in desistance research and continues to shape the current theoretical landscape (Wickert, 2022).

2.2.2 Identity-based theories

The identity theories that became more present in the beginning of the 21st century can be seen as a reaction to the movement of sociogenic theories. Scholars who developed the identity-based theories acknowledge the external factors and the role of age in the process of desistance but believe the component of personal agency is neglected in the life-course theory. They argue that desistance is a choice. Sustained desistance most likely requires a fundamental and intentional shift in a person's sense of self'. These theories are called the cognitive transformation theories. An important element in these theories is the role of self-narratives in promoting and sustaining desistance (Marsh, 2011, p.1) During the turn of the century there was a revival of interest in first-person life narratives that accompanied the desistance approach

to offender rehabilitation (Aspden & Hayward, 2015, p.236). This enriched the sociogenic theories by taking the lived experience of the individual into account.

Peggy Giordano further developed the field of identity-based theories with the cognitive transformation theory. She studied the process of cognitive transformation within identity in more detail. She describes a process in which four types of closely related cognitive transformations can be distinguished: (1) Shift in the actor's openness to change (2) Exposure to a hook for change (for example a job offer) (3) The ability to focus reflectively on the self (4) Transformation in the actor's perspective on criminal behaviours (Giordano, 2002, p.999) However, Giordano is also critical of this fixation on the individual in order to understand criminal motivation. She illustrates multiple seductive reason for the prison system to focus on a micro level theory. First, The need to take responsibility for one's actions is a cornerstone of the criminal law. Second, there are clear ethical and practical difficulties in involving the partners and families of the offender. Third, current day prison staff are mostly trained psychologist focused on the individual. Finally, this position is ideological more comfortable because there is less of a confrontation with basic inequalities, like inequality, poverty and mental health, that serve as criminal influences. (Giordana, 2022, p.790) This critique shows that even if identity theories emphasize the role of choice more than sociogenic theories, they still acknowledge the position of external forces on criminal behaviour.

2.3 What is the distinction between crime and offender?

During this academic debate a recurring problem accurse with different perspectives on the causation of criminal behaviour and the ending of criminal behaviour. To tackle these problems, criminal justice law holds two important principles which can prove useful in analysing these theories of desistance.

2.3.1 What is crime?

The definition of a crime is hard to pin down. It depends from which perspective you answer the question. Lawyers will argue that a crime is anything that is prohibited under criminal law. The criminological account is interested with locating criminal liability in the social context. (Lamond, 2007, p.610) An important distinction can be made between Fault-based crimes and strict liability offenses. Fault-based crimes need an *actus reus* (the guilty act), and a *mens rea* (the guilty mind). For example, holding someone liable for murder. Strict liability offenses don't require a *mens rea*, just the *actus reus* is enough to hold an individual accountable. This is applicable in the case of traffic violations. These laws are important for public safety, laws that fine people regardless of intent contribute to a safer road and less possibility of an accident to occur. Lamond opposes this harsh distinction between strict liability offenses and fault-based

crimes. He argues that the law itself regards *mens rea* as the default condition of crime itself. He claims there needs to be a unitary account of criminal liability. (Lamond, 2007, p.612)

In order for a crime to be committed there always has to be an *actus reus* and sometimes a *mens rea*. The *actus reus* can be a bodily movement whether voluntary or involuntary. The status of being something, for example a drug addict is not an act and can therefore not be criminalized. Also the *mens rea* alone is not enough to hold someone accountable. The thought of committing a crime is not a crime in itself. The Latin phrase: *actus reus non facit reum nisi mens sit rea (the act is not culpable unless the mind is guilty)* is an important cornerstone in criminal justice law. There is a clear distinction in law that not an identity (a drug addict) can be punished but the act of taking drugs can be punished. However the punishment is acted out on the offender, he who committed the action. *Mens rea* deals with intent and knowledge not motive (Luban, 2011, p.26).

2.3.2 What is the figure of the 'offender' and how does it relate to identity?

The offender is the one who is hold liable for the action of committing a 'crime'. In the case of deciding the level of liability for a crime, the *mens rea* plays an important part. If the *actus reus* can be connected to a suspect but not the *mens rea*, someone is often not hold liable for the crime in contemporary western society. The *mens rea* in criminal law is connected to the offender, and the offender needs to make a plea for his intentions. *Mens rea* refers to the intention that the offender must possess at the time of committing a crime. What is the position of the *mens rea* of the offender (that part of the mental state which is connected to the liability of a crime) with the narrative identity of the offender? Actions that are done with a clear *mens rea* are seen as expressions of an individual free choices. This happens less if there is a lack of *mens rea*, for example with an accident. There is less of a link with the narrative identity. *Mens rea* reveals a lot about an individual's decision-making process, which is an important part of 'who they are'.

2.3.3 What is the tension between these two concepts?

These two principles serve essential purposes in the criminal justice system. They result in fairness in punishment; harm that is caused by accident should be punished less then intentional harm (Chan, 2011). Also, these principles aim to deter potential offenders. Individuals know that not only the act, but also the intent behind the act will be considered in punishment. The connection between identity and *mens rea* in criminal law is significant. The mental element of the crime impacts their inner sense of self. We will see that the relationship between these two concepts are ever present in the history of criminology, and are still present in today's debate.

2.4 What is the role of the distinction between crime and offender in theories of desistance?

How people perceive offenders, and to what extent the public reduces their identity to the crime they committed, influences the punitive measures and rehabilitation methods society adopts. Analysing theories of desistance from the perspective of this distinction can be fruitful to deepen the understanding of the process of desistance. For example, life-course theory, is more concerned with the changes of criminal behaviour over time. They focus on the crime that took place, the *actus reus* instead of the offender's self-narrative. They acknowledge a small role of self-perception and the possibility that this influences their criminal behaviour. As explained earlier, Laub & Simpson make a distinction between two conceptualizations of desistance. These two concepts can also be described as: (1) desistance from crime and (2) desistance from being an offender. The first focusses on the termination of criminal acts done by an individual. someone may stop doing crime, resulting in no *Actus Reus* but this may result from external forces not applicable to the process of desistance. For example: increased surveillance or security, life changes (like getting a job) or other factors. The concept of desistance as the termination of criminal behaviour is a clear measurable unit. It's possible to measure the frequency of crimes committed by a specific individual. Forms of social control and policies can help this initial desistance process. But what does these crime's say about the process of desistance from being an offender? This depends on the individual experiences of the offender. This change in actus rea might not reflect a change in the *mens Rea.* The second focusses on a deeper level in the person where someone no longer sees themselves as an offender. I argue that the process is aimed at sustained desistance. Sustained desistance happens when their criminal intent is changed and they are more aligned with prosocial goals. It involves an identity change and a change of *mens rea.*

In identity theories, the focus is more on the role of the offender. Shadd Maruna claims that desistance is not just the termination of offending behaviour (the crime) but an identity transformation of 'the offender' into a 'non-offender'. Identity theories focus on the de-labelling process of becoming something else then the stigmatising label of offender (Graham & McNeil, 2017, p.6) Maruna highlights the impact labelling can have on the self-narrative in his studies. He writes about the bogeyman myth, which is a myth in which the society emphasizes the role of the offender. According to him several studies sought the link between the punitive attitude of the public and different theories of crime (King, 2009, p.7). He claimed that those who believe criminal are freely chosen by the individual are more likely to be punitive then the

people who believe crime is the result of societal circumstances. This perspective influences the believe in redeemability that public holds. If citizens have the assumption: 'once a thief, always a thief' then not much can be done to change the criminal pattern of offenders. From this perspective it's more reasonable to separate these individuals from the rest of society. In their research, King and Maruna distinguished four different clusters of perspectives in the public. First, the positivist who don't believe in change. This group of the public sees offenders as 'permanently damaged by society'. This group will probably advocate long sentences for offenders, not necessarily as retribution but to keep society protected from offending individuals. Second, the positivist who believe in change, they see offenders as 'victims of society' who need help and support. This group is the least punitive in their punishment because their believe is grounded in situational determinism. They argue that individuals are pushed into crime by external forces and can also be pushed out of crime through other external forces like social hooks. This believe is compatible with the sociogenic theories of desistance that scholars as Laub & Simpson put forward. Third, there are the classical thinkers who believe that crime is a choice. Because crime is a choice, they believe that also desistance is a choice. They support punitive measures that rehabilitate the offender combined with a justice model partly aimed at retribution. Finally, there are the classical thinkers who believe people can't change. They believe that some people have an inherent criminal nature and deliberately choose for a criminal lifestyle and cannot do otherwise. Maruna, argues that there are similarities with the idea of 'criminology of the other' that Garland puts forward. This entails a intrinsic otherness of the criminal where no bridge of understanding or mutual ground is possible between us (the non-offender) and them (the offender). Because intrinsic evil defies all attempts at a rational understanding of this behaviour. (King, 2009, p.20). This shows a public interest in relating the actions of the crime to the offender which strongly influences stigma's surrounding the identity of offenders.

2.5 Why is cognitive transformation theory relevant for this research?

In the last section of this chapter I argue that I want to delve deeper into the cognitive transformation theory of Maruna. Maruna is a key figure in this theoretical field. He introduces the concept of the self and human agency in criminal behaviour, more rigorously. Maruna emphasizes the notion of self-narrative, and when we can speak of true desistance (Laub & Sampson, 2001, p.27). He advocates an implication for narrative therapy and self-change.

As I explained earlier, personal agency in desistance plays a big role in most theories of desistance (Maruna, 2016, p. 292). Some scholars claim that this agentic vision can

revolutionize the way we think about rehabilitation. McNeill argues that in providing help for offenders to end their criminal careers, rehabilitation experts need to see themselves less as providers of correctional treatment and more as supporters of the desistance process which is part of the offender (McNeil, 2006, p.46) This perspective on desistance holds an interesting position regarding the relationship between offender and crime. It perceives the integration of the crime into a self-narrative as a necessity for desistance. Maruna shows how in western society, offenders seek to control their narratives to conform to 'our' expectations of a returning 'ex-offender'. (Graham & McNeil, 2017, p.7) I believe that a deeper understanding of identity transformation in the work of Maruna can help us better understand the self-narratives in theories of desistance. I will provide four arguments why I believe this is the case.

Firstly, there is a common idea in criminological theories that crime is bad and desistance is good. Desistance hold the ethical view that people have the capacity to live a life in which they stop their criminal career, therefore claiming that the concept of 'evil' people is a myth (Fox, 2022, p.3). This is a normative assumption in desistance theory that needs further exploring. Because identity theories assume that the individual has a choice in this process. Secondly even Laub & Simpson, who are strong proponents of sociogenic theories, acknowledge the impact self-narrative can have in the process of sustained desistance. Thirdly, the search for a meaningful identity can cause intense feelings of ontological insecurity at its core. This is topic of interest for many spiritual chaplains that work with offenders in the justice system. The self is continually being projected forward in the future. In which the for itself is realized. According to Stephan Farral, the existential perspective is specifically insightful when applied to the concept of changes in the criminal career (Farral, 2005, p. 372). He states that by understanding this process, we can have a better understanding of how people make and remake themselves. He states that important work echo's some core concepts of existentialism and notes Giordana and Maruna. While not explicitly referring to existential sociology, they mirror the core assumptions of this philosophy. For example: a slowly evolving sense of inner self and the capturing of the 'total person' which is an important assumption in existential sociology. Although I will not delve deeper into existential sociology in this research It still contributes to my reason of interest in these specific kinds of theories. My critique will be grounded in a like-minded perspective. Finally, the critique Giordana puts forward with regard to the individual focus in prison system is still present. The punitive system these days is focused on the individual, therefor it's meaningful to understand the change of identity on an individual level. Suggestions for further research into this topic can provide more pragmatic solutions to the question of desistance.

3. Maruna's scripts

In this chapter I will describe Maruna's condemnation and redemption script in more detail. First, I will begin by examining Maruna's perspective on desistance. Secondly, I will provide a description of the condemnation script and the redemption script. Lastly, I will argue why a critique of these scripts is necessary.

3.1 Who is Maruna?

In 1998, Shadd Maruna published his influential book on the Liverpool Desistance Study (Maruna, 2001). This study examined extensive interviews with offenders and ex-offenders on the process of desistance. Maruna argued that true desistance only occurs when individuals undergo a fundamental shift in their self-perception (Hearn, 2010, p.10). This change of perspective includes a reconceptualization of the crime with which they identify. To achieve this, the offender needs to leave their old identity behind and create a new identity. This new identity is based on a more positive life story, thereby reducing the chance of repeating criminal behaviour. However, Maruna argues that stigmatization can disrupt this identity transition of offenders by overruling different ideas of the self with negative perceptions. This prevents the individual from embracing change and keeps the old identity intact (Elbers, p.18). Through a detailed text analysis, Maruna evoked offenders' own views on what they see as important aspect in the process of desistance. Maruna identified two "scripts" or self-narratives from this data. He labelled these two scripts the "redemption" and "condemnation" scripts. The redemption script is associated with desistance from crime and the condemnation script with a persistence in crime. The redemption script is defined by a belief that individuals possesses personal agency and have the capacity to take charge of their own life and future. They can make choices and achieve goals and strongly believe in the possibility of a 'new way of being' for themselves, despite their former life of crime. In contrast, the condemnation script is defined by the opposite characteristics. It's characterised by a sense of victimhood, the inability to control superior forces and a belief by being bound to a certain fate. The individuals following this script relied strongly on chance effects that are out of their personal control to positively impact their lives such as winning the lottery (O, Sullivan, 2015, p.221).

These scripts are forms of narrative. A narrative is a subjective and temporal representation of a series of events. These narratives are imbued with intentionality and purpose. Narratives are the way that humans make sense of their experience and make their lives meaningful and understandable (Maruna & Lien, 2020, p.3). Maruna also uses the term self-narrative. Self-narrative refers to a psychological construct which takes the form of an

internalized autobiography or understanding of the self. This internalized autobiography represent a person's self-identity and are important in providing a coherent sense of self and a purpose in modern life. Maruna states that the best way to access these internal self-narratives is to listen to the external narratives the narrator repeatedly tells about themselves. (Maruna & Lien, 2020, p.4) Maruna's findings have stimulated a renewed exploration of traditional perspectives of desistance, the sociogenic and structural aspects in the field of criminology (O, Sullivan, 2015, p.222).

3.2 What is Maruna's theory of desistance?

Maruna perceives desistance not as an even that happens, but the continued absence of a specific type of event like crime.(Maruna, 2001, p.17) Maruna makes a distinction between primary and secondary desistance. Primary desistance refers to the temporal and behavioural aspects of desistance. This term describes what a person isn't doing, and focuses on the cessation of offending behaviour. Secondary desistance refers to the developmental and identity-related aspects of desistance. It describes the complete cessation of a criminal career. Secondary desistance focuses on being and becoming instead of doing. (Graham & McNeil, 2017, p.3).

Maruna claims that even though the perception on the causes of criminal behaviour have shifted in the 20th century from biologically motivated to environmentally motivated, there is still a hard distinction made between the offender and the non-offender in criminology(Maruna, 2001, p.19). However, Maruna acknowledges the two types of desistance described earlier by Laub & Simpson in Chapter 1. First, desistance as an event of the termination of crime (Initial desistance), and desistance as a maintenance process (sustained desistance). He relates these two types of desistance to two different types of questions: the '*how?'* and the '*why?'*. The *why* question is asked when studying initial desistance. But Maruna is more interested in *how* people stop their criminal career and not necessarily 'why'. He gives the example of smokers vs. ex-smokers. Every smoker knows smoking is unhealthy and maybe even tried to quiet because of this. However a lot of initial quitters don't stop and start smoking again in a few days. So understanding why people stop is different than how some people really stop smoking. The important question Maruna asks is: how do people maintain their resolve against the short term temptations? (Maruna, 2001, p.24) The study of the termination of crime triggers the question of why? Why does somebody initially stop committing criminal acts? But the study of sustained desistance summit's the question: how? How does someone stay away from a criminal career? (Maruna, 2001, p.27)Turning points and moments of clarity are important but overstated in order to answer this type of question. According to Maruna, to reach sustained desistance most

likely requires an intentional and fundamental shift in a person's sense of self (Paternoster, 2009, p.1107). The method Maruna uses is to deepen the understanding of this fundamental shift is phenomenological criminology. The study in his book *Making good* is an attempt to understand the decision-making process of offenders through the examination of the self-image they are trying to uphold. This is described as the 'foreground' of the offender instead of the 'background' (which consists of environmental factors). Analysing the subjective experience can enhance the positivist approach. From his phenomenological research he made the distinction between two types of narratives. One describes the self-narrative of the persistent offender, which is called the condemnation script. The second describes the self-narrative of the ex-offender, which is called the redemption script. Additionally, Maruna criticizes the age crime curve, arguing that there is a correlation between age and crime but saying that age doesn't cause criminal behaviour to stop. For example: older offenders can simple be more cautious or experienced then younger offenders, making them less likely to get caught. (Maruna, 2001, p.20).

3.3 What is Maruna's condemnation script?

In this section, I want to elaborate on the condemnation script that Maruna puts forward. He describes multiple characteristics of this condemnation script. Maruna assumes that's better to have a bad identity then no identity at all. But what form of coherent sense of self thus the condemnation script provide to persistent offender?

Maruna claims that the most of the adult offenders he contacted lacked a form of enthusiastic commitment to crime (Maruna, 2001, p.75). They generally expressed that they are sick of going to prison and their position in society. The persisting offenders spoke about a desire to change their lives and even stop their criminal career. However, the persisting offenders said they experience a feeling of being doomed to a life of criminality, partly due to drug dependency, poverty and lack of skill. They feel like they have no choice but to persist in criminal behaviour. He states that this is a weak sense of personal control which will cause: depression, substance abuse and criminal behaviour. Stating that it's useful to see yourself as the cause and not the effect of a situation. This is one of the reasons Maruna characterizes the narrative of persistent offenders as condemnation scripts, the individuals have a view of being 'condemned' to their lives of crime. He strengthens his claim with literature on self-absolutory narrative strategy. In self-absolutory narrative strategy a negative present comes linearly forth out of a negative past. He defends this claim by giving examples of persisting offenders who describe that negative events that took place in their childhood as important turning points in

their lives. Maruna uses the concept Pawn self to describe this view, where individuals feel that the outcomes in life are mostly dependent on circumstances and chance events (Maruna, 2001, p.76)

This description of the self can be a useful tool to escape the burden of choice inherent in life. Maruna finds an explanation for the reason why criminals seek out their self-victimization. He argues it's in order to maintain a coherent sense of oneself as a victim of society. However he also highlights that many offenders are repelled by authority, arguing that it can bring a person in a fatalistic mood. In this case, criminal behaviour is a way for the individual to feel in control in a situation. Persisting offenders experience a sense of freedom that comes with no longer worrying about succeeding in the world. There seems to be a paradoxical relationship in this burden of choice. On the one hand, they don't feel responsibility for the outcomes of their actions because of a belief in the pawn self. On the other hand, the act of committing crime is a way to establish a sense of freedom of choice and thereby taking a form of responsibility for committing the action.

However, there are also persisting offenders who have a more positive and optimistic vision of their future. Because persisting offenders feel that they have little to none effect on the ultimate outcomes in their lives, the idea of waiting for the big score becomes more prevalent in their hopes for the future. An example of the big score is winning the lottery. There is a belief that the path towards happiness can be found in hyper consumption. Maruna finds similarities with the narrative of persisting offenders and Cushman notion of the 'empty self'. Cushman claims that individuals in western societies are faced with feelings of growing alienation and fragmentation of their era. To combat this feeling of alienation and fragmentation, individuals seek experiences that continually filles them up like consuming goods, romantic partners, empathic therapist and food. Maruna argues that considerable research suggest that extrinsically orientated goals, for example achieving financial success or social recognition, are often related with low measures of personal well-being and self-actualization (Maruna, 2001, p.82). However, these virtues of hyper consumption are celebrated by mass media, popular culture and advertising in our era. This suggests that in a way persisting offenders are already integrated into the dominant mainstream culture (Maruna, 2001, p.83).

3.4 What is Maruna's Redemption script?

According to Maruna , the redemption script is at the heart of the book and the concept he wants to contribute to the field of criminology (Maruna, 2001, p.15). The redemption script entails the

self-narrative of ex-offenders who successfully achieved sustained desistance. Maruna acknowledges that every self-narrative is unique but that we can see recurring plot devices in these self-narratives. These recurring plot devices imply that some stories are culturally persuasive and meaningful for people struggling to desist (Maruna, 2001, p.88). Additionally, the self-narrative of the redemption script doesn't simply consists of the opposite elements of the condemnation script (Maruna, 2001, p.86). This section covers how the redemption script 'works' by showing the specific elements of this narrative that makes it coherent and convincing, following the standards of narrative logic from Bruner (Maruna, 2001, p.87). Because Maruna assumes that the horror of identity nakedness is worse than death, the ex-offender needs a coherent narrative to justify and explain his turnaround, not only for other people but most importantly for himself. Otherwise the offender will fall back into their old identity. The ex-offender needs to rewrite his shameful past as a necessary prelude to a different meaningful life of productivity (Maruna, 2001, p.88). Maruna argues that desistance happens in the making domain of the self. He argues that the narratives of desisting differ from active offenders in three fundamental ways: (1) an establishment of the core beliefs that characterize the person's 'true self', (2) an optimistic perspective of personal control over one's future, (3) the desire to be productive and give something back to the next generation and society as a whole (Maruna, 2001, p.88).

3.4.1 What is the 'real me' in Maruna's theory?

In this section, I will examine Maruna's concept of the 'real me'. Maruna argues that it's essential to every desisting narrative to establish a 'real me'. This 'real me' reflects a person's subjective understanding of their true nature. According to Turner, in contemporary western society, individuals search for clues to define this real self. This real self is often experienced as deep, unsocialized, inner feelings and impulses rather than institutionalized roles or professional identities (Maruna, 2001, p.88).Maruna argues that in order to desist, an individual must reach back into early experiences to establish an 'old me' instead of creating a 'new me' . Those individuals who seek desistance attempt to recover an unspoiled identity from their past experiences. This recovery allows them to take the decentre the position of 'crime' in their life story's (Maruna, 2001, p.89). This recovered identity becomes believable when there are clues and hints of the 'real self' in a person's life narrative. A common example of this recovered identity is the narrative of the heroic underdog. This is a narrative where the individual portrays themselves as someone who had to commit crime purely as a means of survival or to provide for their family.

Offenders often attribute the negative aspects of their lives as products of their environment rather than seeing them as part of their core identity (Maruna, 2001, p. 92). According to Petrunik & Shearing the self can be divided into two parts: the 'I' (the self as subject) and the 'me' (the self as object). However, some participants in Maruna's study described that their criminal behaviour comes from the 'it', an alien force outside themselves (like drug addiction) that control their negative behaviour. They perceive this force as not being part of the 'real self'. This distinction serves an important function, it helps offenders to protect themselves from the shame associated with their criminal actions. Thereby preventing crime from defining their core identity. Maruna gives examples of the language people use to illustrate this separation. He notes how offenders often replace 'I' with 'It' when speaking about their past actions. For example: *'**it** started with of with little things and then **it** got bigger you know'*. In this sentence 'it' is referring to criminal behaviour acted out by the offender, subtly detaching the individual from responsibility. Maruna also identifies a second 'linguistic strategy' used by participants, they substitute 'I' with 'we'. He argues that these linguistic strategy's help participants to free the 'real me' from external constraints.

Another strategy that offenders use to develop a redemption script can be found in the concept of tragic optimism. Tragic optimism defines the believe that one's mistakes in life can make a person stronger. The case of tragic optimism is coined by the existentialist psychiatrist Viktor Frankl. It focusses on the question how to remain optimistic about life when facing tragic aspects of human existence like pain, guilt and death (Frankl, 1984, p.1). Frankl views these inevitable aspects of the human condition as potentials which allows humans to turn suffering into achievement, deriving from guilt the opportunity to change oneself and deriving from life a responsibility to take action (Frankl, 1984, p.1). The experience of being a criminal can be turned into a strength in the redemption script. For example, here is a statement an ex-offender often makes: 'If it weren't for X, I would never have seen Y. Eventually, Maruna states that many individuals following the redemption scripts hold the underlying assumption that they have become moral superior compared to people without a criminal past. They hold this assumption because they reason they have been through it all and still choose to pursue a better life for themselves and others. This phenomenon is often referred to as 'ascent through descent'.

Ray Paternoster shares Maruna's view that sustained desistance requires a fundamental and intentional shift in a person's sense of self. However, there are big differences in their perspectives. While Maruna argues that desisting offenders do not create entirely different new identities but rather reconstruct their past in a way that aligns with their present prosocial self, Paternoster objects that this is not a real identity change but personality continuity. In

paternoster's perspective of desistance, the offender has to cast off his old identity in favour of a new one (Paternoster, 2009, p.1107.

2.3.2 Hyper moralism

Maruna writes that each individual seeks a life pursuit worthy of our time to prevent meaninglessness and void in our lives. The reconstruction of someone's live as a moral tale is an important element of the redemption story. Moral heroism serves as an essential element of the desisting ex-offender to find meaning in their past and to present it proudly to the outside world. Their sense of optimism as a generative role model can be useful to sustained desistance. Maruna says this is important for ex-offenders to go legit, because if going legit means accepting self-hatred, stigmatization and a docile life, then there is not enough good reasons for offenders to desist. A criminal life, with all its shortcomings, at least provides people with momentary escapes into excitement and power.

Maruna argues that there is a strong similarity between the major elements of the redemption scripts and major elements in the rationalization process of individuals regarding different types of life traumas (Maruna, 2001, p.106). When confronted with existential crises, people convince themselves that there is a 'silver lining' to the situation. In the case of becoming an ex-offender, there is an attitude towards the dominant societal ideas of justice and morality. Maruna claims that the system may need more reform then the ex-offender themselves in their self-narratives. When talking about their past, desisting offenders draw a clear distinction between their 'real selves' and their crime. They also lose the ambition of the 'big score' present in the condemnation script.

3.5 Formulating a critique

Before I explain why I choose to criticize these aspects of Maruna's theory of desistance, I will give a summary of the characteristics of both scripts. The condemnation script is characterized by a fatalistic and deterministic believe in one's life-course. Individuals who follow this script perceive their life-trajectory as predetermined and shaped by external forces from early childhood experiences. They often fixate on childhood experiences, such as poverty or sexual abuse, as defining moments that shape their identity. This leads to a passive self-narrative in which intentional actions are perceived as having little to no impact on future outcomes. Additionally, they experience a loss of sense of agency and lack of future-orientated thinking which Maruna considers essential for desistance. Individuals who follow this script tend to have a strong victim mentality, viewing themselves prim primarily as victims of society. This causes the creation of a self-enforcing feedback loop in which they repeatedly place themselves in situations that validate their victimhood (Vesvey, 2013, p.245).

In contrast, the redemption script is characterized by a self-narrative in which individuals seek to establish their fundamental goodness and adherence to conventional values, despite their past criminal behaviour. They provide explanations for how and why they engaged in crime, providing contextual justifications for their actions. This script emphasizes the individual's ongoing efforts to change and reform their lives, detailing the reasons behind this transformation. In this script a sense of continuity is central in their self-narrative, as they link their past experiences with their present state of change. Finally, individuals who follow this script place a strong focus on giving back to society as a means of redeeming themselves. Maruna describes this phenomenon as hyper moralism.

In the next chapter I will formulate a critique on Maruna's script. I argue that a critical engagement with Maruna's work is necessary for several reasons. First, Maruna is a key figure in the field of criminology and his research is widely recognized as a landmark study. It's important to criticize a study which has a significant impact. Secondly, while analysing Maruna's work I encountered multiple normative assumptions embedded in his claims. By formulating a detailed critique I aim to bring awareness to these assumptions, as they can shape research findings and shape the theoretical landscape in a unfavourable way. Thirdly, Maruna's research lacks a nuanced understanding of the self, limiting its usefulness for diverse offender experiences. Finally, Maruna's framework of the two scripts oversimplifies self-narratives, leading to possible rigid conclusions that fail to capture the complexity of desistance or a persisting criminal career.

4. a critique of Maruna

My aim in this chapter is not to undermine the valuable research done by Shadd Maruna, but rather try to fill in the gaps he left behind while exploring his two major self-narratives regarding offenders. In this attempt I hope to find a deeper understanding of the self-narratives used by offenders to describe and motivate their desistance or continuing criminal behaviour. Using the critical lens of the distinction between crime and offender I want to show that Maruna's account of the redemption and condemnation script reduces the offender to the sheer accountability for the crime they committed. This approach neglects a holistic view of the individual offender. Maruna states that people choose to end their career and follow the characteristics of the redemption script, but only if the offender arrives at the prescribed conclusion of the redemption script.

First, I will employ the distinction between crime and offender to critique Maruna's offender focused approach. Secondly, I will demonstrate how Maruna's conceptualization of the 'real me' in self-narratives, lacks depth. Thirdly, I will show gaps in Maruna's theory based on different crimes and the difference in offenders. Finally, I want to show the interconnection between the two scripts, to understand the self-narratives of offenders who doesn't fit in either one. I aim to make suggestion towards a more holistic approach to self-narratives of offenders. Hopefully, providing a more nuanced perspective on the possibilities of desistance and raise the question whether the process of desistance is possible without the prescribed conclusion of desistance.

4.1 What is a critique of Maruna's account against the backdrop of the distinction of crime and offender?

4.1.1 Lover the sinner, hate the sin

The lived experience of being arrested and convicted is the ideal opportunity for the existential realization that one has to change. However, it can also reinforce an offender's antagonistic worldview and disconnection from society (Maruna, 2001, p.138). Based on this assumption, Maruna continues to explain Lofland's distinction between 'deviant smithing' and 'normal smithing' in prison. In deviant-smithing the message is communicated that the offender has an inner pathology or disease. In normal smithing the message is communicated that the offender is at its core a 'normal' person, despite what others think of him or his own ideas about himself. This view of normal smithing has similarities to Braithwaite's notion of reintegrative shaming Reintegrative shaming conveys disapproval while maintaining respect for the offender. The

offender is seen and treated as a good person despite having committed a wrong or criminal act. In contrast, Stigmatization is disrespectful shaming by labelling and treating the offender as a bad person. Stigmatization is unforgiving and leaves the offender permanently labelled with a stigma. Whereas reintegrative shaming is forgiving and reinforces rituals and normal smithing that affirm and restore the offenders rehabilitation. (Braithwaite, 2000, p.1) . In this perspective, an adaptive identity that can help facilitate the process of reintegration of the offender, is provided (Maruna, 2001, p.140).

It's important to note that human agency plays a role in both scripts. Maruna argues that the act of committing a crime can even be a manifestation of a criminal's one freedom. This paradox is present in the condemnation script. Maruna promotes a 'love the sinner, hate the sin' approach, arguing that this better reinforces rehabilitation. (Maruna, 2001, p.14). With this phrase Maruna clearly makes a distinction between the offender and the crime. He proposes a public attitude in which a separation between offender and crime is desirable and should both be viewed differently: one loved (the offender) and the other hated (the crime). Simultaneously recognizing the contradiction in the offender's narrative, while aiming at the part of him that believe he has a good core. This belief is grounded in the concept of reintegrative shaming and normal smithing and is an important element of Maruna's view of the process of desistance. We can conclude that Maruna is aware of the distinction between crime and offender and actively engages with this distinction.

4.1.2 Neglecting the crime

Aspden & Hayward bring more focus on the element of the act of committing a crime. They are cultural criminologist who focus on the reality of emotional experience of the person who experiences them. They give examples of criminal offences like waving a gun in someone's face or victimizing a cell mate. For cultural criminologist the most important is the criminal act itself. Aspden & Hayward describe it as 'the moment of transcendence' it affords. (Aspden & hayward, 2015, p. 240) They see the stories that narrators create for themselves as valuable tools, but not as important as the act in itself. They clearly distinguish between the crime and the offender. They are wary for what they call: postmodern language games in which the focus is on multiple interpretations of one narrative. In Maruna's approach the focus is mainly on the responsibility of the offender in relationship to the crime. However, the event itself can leave trauma on the person seen as an offender. Trauma can trigger a recurring bodily reaction, which is not necessarily present in a person's self-narrative. This aspect of the crime is neglected in Maruna's theory of desistance.

Maruna argues that substantial personality change over time can only be developed through self-narrative. However, Ben Law challenges this viewpoint, questioning the extent to which self-narratives truly reflect personal transformation. Law illustrates his critique with an example from Maruna's Liverpool study, in which an inmate, Carl, shares a plausible redemption script during an interview. However, shortly after the interview, Carl contradicts the narrative that he told through is actions. Carl aggressively took crisps out of the prison cantina after being this denied. Law is not arguing that the offender's narratives is dishonest or performative, but rather that they reveal a different kind of self-revelation. He highlights the distinction between what individuals say about themselves and how they behave in practice. Law suggests that narratives are more accessible and observable events to the researcher than to identify important experiences that shape them. This raises questions about the limitations of self-narratives to fully capture identity transformations (Law, 2020, p.16).

The second example Law gives is related to research about trauma. Law argues that trauma and the unsaid are deeply interconnected. Trauma is characterized by its difficulty and refusal to be rendered into language. Therefor it's difficult to wholly integrate it into our self-narratives (Law, 2020, p.16). I experienced similar examples during my internship.

Case: Mike
'When it happened, I knew it was wrong, I immediately felt it, I didn't want to be part of this. This isn't my life.' – Prisoner who was convicted of taking part of a kidnapping

Figure 1. witnessing extreme violence

Mike described the crime of which he was convicted. He found it hard to talk about the crime because of the family members involved. Even towards me in the role of spiritual chaplain, he was very suspicious and a little bit closed off. Finally, he described the event that he witnessed (a form of kidnapping, he was bystander). He told me he immediately knew that he doesn't want this to be a part of his life. He knew at that moment he didn't want all of this and knew it was wrong, because of the violent nature. Mike illustrates the *moment of transcendence* he experienced while being part of a crime. This shows the importance of focusing on the crime and not necessarily the offender. Another example is shown here.

Case-example Peter
''Sometimes, I see my work (break-ins) as art, when everything just works, only nobody's sees it'' - In a philosophy group conversation about art

Figure 2. moment of transcendence

This can be described as a 'moment of transcendence' while engaging in criminal behaviour. Shedding a new light, and not reducing the act to a specific interpretation, not necessarily a traumatic experience but maybe more in line with a religious experience.

4.1.3 Focus on the offender narrative

Maruna focusses on the narrative of the offender. Neglecting societal influences that people can have on the position of the offender. Maruna suggests that criminal behaviour might be used to fill the emptiness in the life of an active offender. External stigma and internalized shame also led to feelings of being doomed. This position brings the focus back to the offender narrative and inner drives which causes his criminal behaviour. Maruna suggests that pursuits which are generative can address the needs of desisting criminals. He sums up: Fulfilment, exoneration, legitimacy & therapy (Maruna, 2001, p.119). However, these generative pursuits are not necessarily connected with desisting. Here is an example:

Carel
'I'm not a thief, I am a businessman. I have never stolen in my life, When I was young, I worked in as a weed cutter an worked my way up. It is the people who do rip deals who make this world violent. If everybody kept their word, there would be no violence. I am not afraid because I keep my word (…) …They say they can keep my here, But now I make new connections. I take when step back and when I am out I can make hundred steps forward, it's an opportunity.'

Figure 3. Generative criminal pursuits

In the multiple conversations I had with Carel, he told me that he could rationalize his actions as a businessman. I saw an enthusiastic offender, who found fulfilment in the enterprise he build. Although Maruna does not deny that criminal behaviour can provide individuals with a sense of potency and empowerment, he doesn't explore this question either (Maruna, 2001, p.121). He partly motivates this by claiming that he had trouble finding adult offenders who had an enthusiastic commitment to crime (Maruna, 2001, p.75). However this explanation is too easy to reject the possibility of fulfilment persisting offenders can achieve in criminal behaviour. I argue that characteristics of the redemption script can be attributed to persisting offenders.

4.1.4 The meta-narrative of offenders.

Maruna remarks that grand narratives influence the level of desisting criminals. He argues that in Japan, the old myth that criminal behaviour is partly caused by a bug/worm (Mushi), in the

body of the offender. This meta-narrative makes it easier for the offender to rejoin society with less guilt because the public makes a distinction between the crime and the person who commits it (Maruna, 2001, p.164). The meta-narrative Maruna uses to describe the interviews is the bogeyman myth. The aim of the bogeyman myth is for non-bogeyman to justify their lack of moral responsibility in the creation of the bogeyman. (Maruna, 2001, p.168) However, Maruna seems to follow the same distinction by creating two scripts of desistance. Going even further, Maruna implies that this cultural belief has a possible starting point of the process of reintegration of ex-offenders. Maruna argues that offenders can use the cultural belief of dichotomy in good and 'bad' people to protect themselves against shame. The interviewees of Maruna use the concept of the 'real criminal to tell themselves they are not really the bad guys (Maruna, 2001, p.138). The next section will delve into this matter more detailed.

4.2 How does the concept of 'real me' falls short

4.2.1 Critique of Maruna's core self

David Gadd & Tony Jefferson criticize Maruna for his inadequate description of the subject. They express a concern, which is developed over years of experience in teaching criminology, that the individual offender is not of interest to criminologist. According to them, the conception of what it is to be a person (the subject), is presupposed in an already existing framework or theory of crime. This results in an inadequate view of the individual, neglecting the complex and contradictory human being that operates in a difficult social environment which is the basic reality for every human being (Gadd & Jefferson, 2007, p.1).

Maruna's viewing of desistance as the transformation from an offender to a non-offender reduces an offender to the accountability for his act of committing a crime. Maruna attributes only those characteristics to the offender that are beneficial to the process of desistance, neglecting the ambiguity and complexity inherent in the process. He employs the concept of the 'real self' in self-narrative of desisting offenders to explain how they integrate past actions into a sense of personal continuity. However, recent studies show a shift from a coherent conceptualization of the self to a more fragmented and elastic understanding (Law, 2020, p.14). Maruna's conceptualization of the self lacks depth and does not sufficiently engage with criminological debates on the nature of selfhood. Ben Law, for instance, criticizes Maruna's use of the self in criminology.

The main argument in Ben Law's article is that understanding different dimensions of selfhood can help develop more sophisticated accounts of self-change (Law, 2020, p.14). Law follows the argument of Maurice Merleau-Ponty, arguing that the self is not merely a narrative

construct, but rather a complex entity that perceives, thinks and acts. The self is the entire human organism including its narratives and this should be the foundation for any account of the self. (Law, 2020, p.13) Law refers to the self that Maruna describes as the *reflective self.* According to Law, this is a part of the self but not the whole self. Even Maruna himself questions the ability of the language to express the reasons for desistance (Maruna, 2001, p.166). Nevertheless, Maruna contends that for ex-offenders to successfully desist from crime, they must construct a cohesive prosocial identity through storytelling (2001, p. 85),. He explains: *"If such an enormous life transformation is to be believed, the person needs a coherent narrative to explain and justify this turnaround."* (Presser & Sandberg, 2015 p.8). Paternoster and Bushway also critique this conceptualization of the self. They perceive the self not as a single unit but as a collection of selves (Paternoster, p. 1112). They make the distinction between a working self and a possible self, in which the working self is orientated towards the present and the possible self towards the future. Their critique of narrative criminology is that it is blind to unconscious cognitive processes that shape our behaviour beyond language.

In contrast to the reflective self, Law also discuss the experiencing self. The experiencing self encompasses transpersonal or transcendental aspects of identity. Charles Taylor argues that western culture cultivates rational self-reflection while neglecting alternative states of being, such as 'non-communicating states' of the self. These alternative states are often dismissed as obstacles to rational reasoning of the. Theologians have explored these different states of the self. They propose a the existence of deep inner state of being in which self-awareness extends beyond analytical reflection self (Law, 2020, p.8). According to Aspden and Hayward, the involvement of criminal activities can offer a 'moment of transcendence' as discussed in paragraph 4.1.2.

Lastly, law introduces the unconscious self. This approach posits that to fully understand an individual, there needs to be an exploration of their unconscious life. This unconscious life consists of their wishes, dreams, fears and conflicts. Narrative criminologist Alfredo Verde argues that every text has a certain amount of the unsaid present. This 'unsaid' refers to implicit references to cultural narrative tropes or meta-narratives. Bringing more attention to these broader cultural influences and the language in which an individual's narrative forms itself would provide more understanding of their self-narrative (Law, 2020, p.11).

Law critiques Maruna for his tendency to underestimate the value of unconscious motives and for approaching the unconscious with scepticism. Maruna claims that psychosocial interpretations of the unconscious are partly chaotic and creative endeavours by researchers to find a hidden meaning or origin in life stories (Law, 2020 p.12). However, there can be made a

distinction between more traditionalist and psycho-analytical approaches towards the unconscious and newer approaches such as Mlodinow's 'new unconscious' theory. This 'new unconscious' theory suggests that certain mental processes remain unconscious not due to repression, but because of the inaccessibility of the mind due to the architecture of the brain (Law, 2020 p.13).

4.2.2 Maruna's duality in the 'real me'

There is a certain duality in Maruna's motivation for criminal behaviour in relationship to freedom. He claims it's a form of freedom while at the same time rejecting this premise. According to Lyng the concept of edgework is important to take into account when discussing possible motivations for criminal behaviour. Edgework conceptualizes activities that involve voluntary risk taking in various domains of social life. Examples include dangerous occupations, extreme sports but also high-risk finance and certain forms of crime. Lyng argues that the participation in edgework can result in distinctive experiential characteristics like specific sensual pleasures and aesthetic arousal experiences. During edgework, the participator confronts an 'other world' which can alter the experience of time and space. The edgeworker perceives time faster or slower than normal and spatial boundaries are collapsing. This experience gives a hyperreal quality to activities that involve edgework which results as feeling more authentic than everyday reality. The lived experience of edgework goes beyond words. Other researchers claim that edgework can be seen as a way to produce a sense of self-determination or self- actualization. This heightened sense of self is often regarded by edgeworkers as their authentic or 'real' self. The edgeworkers emphasize the inherent capability of their bodies to react creatively, with proportion, ad-hoc, and automatically in life-and-death situations. The skills of the edgework are thereby seen as non-cognitive and fully embodied in nature. (Lyng, 2011, p.109)

There is a clear difference between the description of the true and authentic self between Maruna and Lyng. Maruna argues that the 'real me' is a narrative tool necessary to construct a redemption script of the offender. This narrative tool is important to create a sense of control over one's life by believing in an inherent true good self. However, Maruna highlights the consistency in certain criminal behaviour as a pawn story of the self in which the individual reinforces a sense of self-victimization (Maruna, 2001, p.77). Lyng would object to a few characteristics of the condemnation script, summarized in the previous chapter. First, the belief in a passive self-narrative in which intentional actions won't result to ultimate outcomes. Second, the belief in the loss of a sense of agency and a lack of focus on the future, which is

essential for desistance according to Maruna. From Lyng's perspective, Maruna's analysis neglects the importance of the action of committing a crime on the conceptualization of the 'true self'. Lyng would argue that the act of doing edgework results in a sense of self-determination, self – actualization and even a 'true' or authentic self. When considering edgework it's strange to attribute the characteristics 'loss of agency' and 'passive self-narrative' to individuals who participate in these kinds of behaviour. Lyng description has certain similarities with Ben law's conceptualization of the moment of transcendence, and the impact the experience of a transgressive act can have on individuals.

4.3 How does this critical lens show gaps in Maruna's theory,

Maruna argues that in order to desist, the offender has to face their inner contradiction of doing bad things while believing they have a good core. However, the fundamental beliefs in this good core doesn't necessarily have to align with justice, and can be strongly justified by the individual themselves. This begs the question: if the contradiction is resolved will this automatically lead to desistance?

4.3.1 No inner contradiction and no desistance

Reflecting on past behaviour through a new perspective does not necessarily result in desistance. For example, in the case of Peter who reflects on parts of his criminal behaviour as a form of art in figure 2. Here, I present another example to illustrate the ability of reflection on past behaviour without the outcome of desistance.

Peter
'I am here because I did a lot of fast jobs, you know, car theft and such. I did a lot of those and they eventually caught me. And now I am here, well deserved and I learned my lesson. Not to stop stealing, but to only do the big jobs. The safe jobs. I am good at those, I will never get caught. Those are also pay better. ***Question: why did you do those fast jobs?*** *Because I was addicted, I needed the money fast, I wasn't thinking. Addiction got me there.*

Figure 4. Sloppy jobs

Peter perceives his time in prison as well-deserved, but he lacks a feeling of guilt because he is acting in a way with his beliefs. Peter doesn't show an inherent contradiction which is according to Maruna necessary for to develop a redemption script. Peter fully accepts his crime because he lost the game. He still holds a coherent sense of self. He felt guilt for his addiction which caused him to 'get sloppy' but said he believed his actions are morally justified. Another

example is Carel. Here is an example in which Carel shows his disdain towards thieves. and two other criminals who respect their craft, because they steal from people who can 'lose it'.

Carel
'I'm not a thief, I am a businessman. I have never stolen in my life, (..)It is the people who do rip deals who make this world violent. If everybody kept their word, there would be no violence. Those people I despise…'

Figure 5. Despising thieves

However, the anarchist disagrees with this moral statement. He has a different view towards these crimes.

Adam
'I don't believe in private property, if I can take it, it's mine. The war didn't fuck me up, capitalism did. - Dedicated vegan anarchist.

Figure 6. Anarchist Ideology

These two offenders showed no specific sign of changing their course of action when they are released. Morally oppose each other crimes, and morally justify their own criminal actions. In line with Maruna's reasoning these both could be defined as a condemnation script in which they refuse to show responsibility for their actions. And the only way to become part of the redemption script. However, these people don't show the contradiction with the good core, they have a worldview and take different forms of responsibility. Their 'good core' doesn't align with the legal justice system.

4.3.2. Different crimes, different offenders .

Different type of crimes also involves different types of offenders. Maruna doesn't make a difference between the characteristics of a crime and the impact it has on the process on forming a redemption or condemnation script. It's the aspect of being a criminal, not the crime which an individual committed, that is the essence of his approach. Verde speaks about the impact the crime has on the perceived moral compass of the offender between offenders. Showing research in which inmates assign 'true wickedness' to the category of sex offenders (Verde, 2020, p.36). This results a narrative problem for sex offenders, because they lack the other to project their bad parts and reveal their good core. Therefore, Verde argues that the nature of the crime impacts the process of writing a redemption script. The criminologist Victor and Waldram addressed this problem of sexual offenders. They related it to the concept of the dissonant self, present in sexual offenders. They explain that cognitive dissonance is a state of tension in an

individual when they experience two contradicting cognitions or notions about themselves. In order to rehabilitate there is a need to overcome this cognitive dissonance and accept their actions as a part of themselves but not their whole selves (Victor & Waldam, 2015, p. 101). They give the example of Jason, a sexual offender who desisted. His response to questions about his self-perception was: *'I've been able to move past that and just say, "I am who I am." I'm not an S.O. [sexual offender]. I'm not a . . . ex-convict. I'm not all this negative crap that . . . other people hold over you for years. And that's why I just say, "I am who I am," because I'm not any of this stuff that society says that I am . . . from the stigma. I'm just a normal person. I made some mistakes. I've had some poor coping skills. But I did my time and learned a lot and changed my life because of it.'* (Victor & Waldam, 2015, p. 104). Victor & Waldam argue that this answer suggests that the sense of selfhood in sexual offenders is less focused on ideas of authenticity like the 'real' me as Maruna describes it. Instead, sexual offender employs other cognitive devices like containment and compartmentalization. Compartmentalization is a way of mental organization of conflicting ideas and believes in an individual. They hold these conflicting ideas in separate and largely unconnected cognitive schemas (Strauss, 2005, p.223). According to Victor & Waldom, Jason views his life in chapter that reflect an evolving self instead of a 'core good self'. The decision to separate parts of life into different chapters can be described as compartmentalization.

Olaf
'I didn't knew she was so young, she tricked me. I cannot believe how a person can be so full of rage evil and rage. I find it hard to look at her. But deep down I understand that she is troubled, and I try to feel compassion. Even though I am here' - Individual convicted of sexual misconduct with a minor

Figure 7. Sexual misconduct

During my internship is spoke to multiple sexual offenders. However, all the people accused of committing such a crime argued they were innocent. In my conversation they talked about their obstacles in dealing with resentment towards their victims who accused them of being a sexual offender. Although I approached this with doubt, they seemed sincere in their belief that they were innocent. I would argue that the nature of the crime, in this case a sexual felony, impacts the structure of a self-narrative. that may conclude in desisting behaviour of the offender.

4.3.3 Crime as a culture

Maruna speaks about meta-narratives in society and individual narratives. But in this process he neglects the subcultural of criminals themselves. Ferrel argues that it's helpful to speak of

crime as a culture in this regard. He states criminal behaviour is also subcultural behaviour which is collectively organized around networks of symbols, rituals and shared meaning (Ferrel,1999, p.403). Here is such an example of shared meaning in relationship to 'snitching'

Mike
'…however, it's still my father, I can't snitch on him. But I also don't want anything to do with him. If he talked, I wouldn't be here. He could say I had nothing to do with it. But now I am here. But I am not talking.

Figure 8. Snitching

The shared meaning and values present in his family outsides of prison impacts his narrative on the criminal act. The fact that he doesn't speak about it impacts the self-narrative. In the law, individuals are protected from testifying against their relatives by legal privilege (Eikelboom, 2018).

Additionally, also inside prison the impact of subculture is very present. During a group-discussion prisoners explained to me certain symbols and moral codes present in their prison subculture. For example, verbally calling out someone's mother practically is an invitation to a fight. Someone has to stand up for themselves. One inmate told me the following experience when he first came into prison in a group conversation.

Saul
'He threatened me to throw hot water on me, constantly walking circles around me during recreation. Once he said that I knew I had to do show something. I stood up and gave him a headbutt. The first thing I thought was: 'fuck, now I have to go to the isolation cell' – Prisoner who headbutted another inmate.

Figure 9. solitary confinement

Other inmates present at the group conversation agreed with Saul's action, stating that they would responded in the same way. When I asked why he did not report the incident to the guards instead of headbutting, Saul explained that he did not want to be seen as a snitch. The label of snitch can have severe consequences behind bars. This example reflects shared meaning gained from collective experience embedded within prison subculture. The individuals participating in this subculture agree with the violent reaction of Saul as a means of protecting one's position in the social hierarchy. Beyond this reasoning, James Gilligan claims that violence can be interpreted as symbolic language. He suggests that the body of the victim can be seen as a medium of communication rather than the merely an inability of verbal communication by the offender. He argues it's a form of enactment that can protect the participator from the force of

psychic symptoms, like humiliation or shame, that they are unwilling or unable to tolerate. For such individuals, avoiding physical confrontation can enhance these feelings, while striking first through violence serves as a protective mechanism to prevent the risk of the repetition of past feelings of humiliation and tragedy(Law, 2020, p.13). This perspective may apply to the case of Saul, as his decision to engage in violence was not only about self-protection but also about projecting to others his ability to control his circumstances. Additionally, the process of being placed in solitary confinement can be interpreted as a symbol of a *rite of passing* in prison. A rite of passage is a series of rituals that transitions an individual from one social status to another. Societies definition and the individuals self-perception is thereby transformed (Davis-Floyd, 2008, p.256). In the case of Saul, it shows that he isn't afraid to defend himself physically if the situation deemed necessary. The social environment is aware of this by the fact that he has been to solitary confinement.

However, Maruna's theory fails to consider the importance of collective experience within a criminal subculture. In this case-example,. Maruna would reduce the crime to the responsibility of the individual offender, neglecting the role of the direct physical social environment in which the crime occurs. Although Maruna talks about meta-narrative, it only about the perception related to the individual, not the group.

4.4 How are Maruna's two scripts intertwined?

My aim in this section is to show that the two scripts proposed by Maruna are more intertwined and a more holistic approach towards self-narratives is necessary. This perspective provides a more nuanced understanding on the possibilities of desistance and raises the question whether the process of desistance is possible without the prescribed conclusion of the cessation of a criminal career.

4.4.1 A holistic approach

A holistic approach aims to understand offenders as whole individuals with meaning and purpose in their lives like all other non-offender individuals. It considers criminal behaviour in the context of their total behaviour rather than reducing individuals to their offenses. However, this approach does not ignore the problems of criminal behaviour and its effect on society and the offender themselves. This approach values the potential of the individual and acknowledges the intrinsic worth of the offender (Mahoney, 2024, p.3). A model that embodies this holistic approach is the Good Lives Model (GLM). GLM is centred on shifting the focus from risks to strengths by emphasizing the individual's inherent skills and contextualising offenders in their specific circumstances. GLM aims to enhance opportunities for rehabilitation. An important

element of GLM is the recognition that everyone has a need to obtain certain primary goods that contribute to a fulfilling life. This model provides a foundation of strength to increase the opportunities for individuals to obtain these primary goods (Mahoney, 2024, p.4).

I argue that my critique is rooted in this holistic approach. Firstly, by recognizing the cultural aspect of committing a crime in paragraph 4.4.3, I criticise Maruna's neglect for the contextualisation of specific circumstances of offenders. While he addresses that meta-narratives (as discussed in paragraph 4.1.4) contribute to stigmatization, he does not fully explore the effects of this impact on self-narratives. Secondly, in paragraph 4.1.2 I discussed two examples of inmates who experienced a *moment of transcendence* while participating in a crime. However, both deduced different conclusions from this experience. Mike rejected this moment, stating that he knew in an instant that he didn't want to contribute his life to this world, whereas Peter embraced it and saw a kind of beauty in this moment. It must be said that the crimes themselves differ in nature. However, the place of the crimes in the self-narratives is totally different. A holistic approach is necessary to positions these subjective experiences and their individual meanings Thirdly, in paragraph 4.3.2 I discuss how separating crime from the offender reveals critical gaps in understanding. Crimes are not uniform experiences, each crime has specific and unique elements to them that alter the experience and perception of the offender. Thus, all crimes cannot be reduced to the state of simple 'being a crime' and simply be classified under a single script without recognizing their individual characteristics. Fourthly, Maruna holds a version of the self as coherent instead of fragmented. While elements of the Good Life Model align with Maruna's redemption script, as it emphasizes the individuals ability to build upon their inherent skillset and pursue a different future. However, it does not provide space for complexity and ambiguity. In paragraph 4.2.1, I discuss Law's pursuit to deepen the understanding of the self from a more holistic perspective. Fifthly, Maruna fails to acknowledge his own paradoxical relationship with freedom and neglects the role of edgework in obtaining certain primary goods. In paragraph 4.2.2, I discuss how Maruna does give importance to obtaining certain primary goods through criminal behaviour. However, Maruna fails in exploring the specific nature of obtaining these goods in a criminal context. Finally, in paragraph 4.3.1, I discuss how offenders ideological perspectives influence their criminal behaviour. Maruna neglects how these ideological perspectives can provide meaning, purpose and vision in self-narratives of offenders. I provided multiple examples of different ideological perspectives and their unique relationship to specific crimes individuals committed. In paragraph 4.1.3, I provided an example of how specific criminal choices provided a form of fulfilment in life. A holistic approach would take these process of understanding the world

seriously. However, Maruna rejects these explanations as mere excuses from the offender to justify their persisting criminal career. By reducing self-narratives to fit into binary categories Maruna oversimplifies the lived experience of the offender instead of actually trying to understand them.

4.4.2 The process of desistance without the outcome of desistance

Maruna supports a ''love the sinner, hate the sin'' approach, as in detail explained in paragraph 4.1.1. However, if analysed against the backdrop of the distinction crime and offender, we discover multiple flaws in his support of this belief. Maruna appears to hold normative assumption about offenders who do not pursue desistance, treating only does who desist as worthy of understanding. A more accurate catchphrase would be ''love the sinners who regret their sins, hate the sin''. A holistic approach challenges this assumption by recognizing that offenders draw different conclusions from their experiences in crime. One conclusion is not less valid than the other if it does not promote desistance. The conclusions offenders draw from their experience can perceive the process of desistance in different ways. Some individuals may stop committing crimes without undergoing Maruna's prescribed process of identity transformation. In contrast, there are active offenders who showed signs of the process of desistance without actually ending their criminal career. Furthermore, when offenders truly reflect on their 'real selves' during the commission of crime, this does not necessarily result in the creation of a redemption script.

5. Conclusion & Discussion

The aim of this master thesis was to explore if a critical lens founded on the distinction between 'crime and offender' can provide a more nuanced view on the notion of desistance. Giving an answer to the research question of this master thesis: *To what extent can the distinction between 'crime and offender' serve as a critical lens on the notion of desistance, against the backdrop of Maruna's account of the redemption and condemnation script?*

5.1 Conclusion

The research question is divided into three sub-questions. In chapter 2 the following question was leading: *what are noticeable perspectives in contemporary theories of desistance considering the distinction between crime and offender and what gaps exists in desistance research regarding this distinction?* In this chapter I sketched a brief historical overview of the development of theories of desistance. I provided the necessary context to understand under which assumptions the current day theories have taken shape. I gave a detailed account of the distinction between crime and offender by using the legal terms *actus rea* and *mens rea.* I briefly demonstrated how this distinction can be used as a lens to analyse existing notion of desistance. Lastly, I argued why it is relevant to analyse Shadd Maruna's cognitive transformation theory of Maruna. Partly because of its importance to the field of desistance and that it's seen by many scholars as a landmark study.

In chapter 3. I aimed to highlight the specific study of Shadd Maruna. The following question was answered: *What is Maruna's account of the redemption and condemnation script?* The main argument of this chapter is that Shadd Maruna's theory of desistance emphasizes the essential role of self-narratives in the process of desistance. Maruna identifies two types of scripts (condemnation scripts and redemption scripts) as central frameworks that explain why some individuals persist in criminal behaviour while others successfully desist. Maruna argues that narratives provide meaning and purpose to offenders' lives. The redemption script, in particular, allows ex-offenders to reconcile their past with their present and future, providing a sense of continuity and moral redemption. This chapter sets the stage for the next chapter in which Maruna's theory is criticized.

After establishing the historical context and providing a detailed account of Maruna's two scripts I aimed to answer sub-question 3 '*In what way can the distinction between crime and offender serve as a critical lens to analyse Maruna's account of the redemption and condemnation script?'* in chapter 4. The methodology to answer this question was purposefully chosen to challenge normative assumption present in Maruna's theory. I argued that, while

Maruna's work on self-narratives in desistance is valuable, it falls short by oversimplifying the complexities of offenders' identities and experiences by neglecting the broader social, cultural, and situational contexts in which crimes occur. A critique based on the distinction between crime and offender revealed that different crimes suggests different forms of rehabilitation. Maruna's scripts overly focus on the offender's responsibility for crime while failing to take the diverse and multifaceted realities of offenders' lives into account. I argue for a more inclusive and nuanced understanding of offenders' self-narratives by suggesting a holistic approach that incorporates cultural, situational, and psychological complexities. This approach takes into account different perspectives on the self as described by Ben Law. I critiques Maruna's binary framework and calls for expanding desistance theories to account for ambiguity, individuality, and the potential for growth beyond prescriptive narratives. The prescribed scripts of Maruna are more intertwined.

Finally, I have shown in this thesis that the distinction between crime and offender proves to be useful in critiquing notions of desistance. In this conclusion, I want to make an important remark regarding the aim of rehabilitation in our legal justice system. In paragraph 4.3.1. I argued that people can act in line with their inner believes even though they contradict the current legal justice system. I argue that we should reconsider and reflect the normative assumption that this is contradiction is by definition wrong and that, the aim for rehabilitation to create law-abiding citizens, is to narrow. Because using the justice system the absolute moral guideline of individuals neglects real moral development separate from justice. Hannah Arendt claims 'a lot can be won' if society rejects the word 'abiding' from political and moral thought (Arendt, 2020, p.96). Considering the meta-narrative of the bogeyman Maruna argues, I want to consider another meta-narrative. Hannah Arendt speaks about 'the banality of evil' which refers to the phenomenon of crimes on a gigantic scale like genocide. These kind of crimes cannot be reduced to special circumstances like evil persons, pathology or an ideological conviction of the offender. How monstrous the crimes were, they were not committed by demons or devils, Adolf Eichman was as good as a functioning government official before being a war criminal while acting as a war criminal. He knew that what he considered to be his duty in the past was now considered a crime, and he accepted these new 'code of judgement' or laws, if it just were a new set of language rules (Arendt, 2020, p.191). Although this may be an extreme example, it shows the importance that 'becoming a law-abiding citizen' doesn't take away your responsibility to develop your one moral compass. A sense of morality is more important to develop then simple obedience to the justice system. I argue that, rehabilitation

methods should also aim for the development of a moral compass besides producing law-abiding citizens. Especially, in these times of moral uncertainty.

5.2 Discussion

I will discuss a few suggestions for possible further research. First, a possible study aimed at expanding the scope of desistance studies beyond legal obedience. Investigate the relationship between desistance and moral development with a focus on the offender's own moral compass. A possible exploration the creation of a moral compass besides law-abiding citizen. Second, conduct a study on how different types of crimes impact the process of desistance and rehabilitation. For example, explore whether specific crimes like economic crimes, violent crimes or crimes with stronger cultural motives require distinct approaches towards rehabilitation. Third, a study trying to better understand the interconnection between the condemnation and the redemption script. Fourth, how can rehabilitation programs address contradictions within coherent self-narratives of offenders who morally justify their criminal behaviour without enforcing legal obedience as the main objective. Fifth, An exploration of the role of meta-narratives in desistance. It would be interesting to investigate alternative meta-narratives and how they can be constructed to promote reintegration and reduce the stigmatization of offenders.

References

Albrecht, A. (1910). Cesare Lombroso: A glance at his life work. *Journal of the American Institute of Criminal Law and Criminology, 1*(2), 71. https://doi.org/10.2307/1133036

Arendt, H., Kohn, J., Daalder, H., & Stoltenkamp, M. (2020). *Verantwoordelijkheid en Oordeel*. Lemniscaat.

Aspden, K., & Hayward, K. J. (2015). Narrative criminology and cultural criminology: Shared biographies, different lives? In L. Presser & S. Sandberg (Eds.), *Narrative criminology: Understanding stories of crime.* NYU Press.

Braithwaite, J. (2016). *Reintegrative shaming.* Australian National University. Retrieved from https://johnbraithwaite.com/wp-content/uploads/2016/05/2000_Reintegrative-Shaming.pdf

Bushway, S. D., & Paternoster, R. (2013). Desistance from crime: A review and ideas for moving forward. In C. L. Gibson & M. D. Krohn (Eds.), *Handbook of life-course criminology: Emerging trends and directions for future research* (pp. 213–231). Springer Science + Business Media. https://doi.org/10.1007/978-1-4614-5113-6_13

Crewe, Donald J., Lippens, Ronnie, Lyng, S., Matthews, R., & Miller, W. J. (2011). Existentialism, edgework, and the contingent body. In *Existentialist criminology* (pp. 94–126). Cavendish Pub Ltd.

Chan, W., & Simester, A. P. (2011). Four functions of mens rea. *The Cambridge Law Journal, 70*(2), 381–396. https://doi.org/10.1017/s0008197311000547

Davis-Floyd, R. (2008). Rites of passage. In W.A. Darity (Ed), *International encyclopedia of the social sciences* (2nd Ed.). (pp.259-264). Detroit: Macmillan.

Eikelboom, E. (2018). Verschoningsrecht. *Te Biesebeek Advocaten.* Retrieved from https://www.tebiesebeek.nl/overig/verschoningsrecht-moet-ik-getuigen-tegen-mijn-vader-moeder-of-oom/

Elbers, J. M., Weggemans, D., & Liem, M. (2016). *Op Vrije Voeten: Herintreding van Maatschappelijk Gevoelige Ex-gedetineerden.* Leiden University, Institute of Security and Global Affairs, Faculty of Governance and Global Affairs.

Farrall, S. (2005). On the existential aspects of desistance from crime. *Symbolic Interaction, 28(3)*, 367–386. **https://doi.org/10.1525/si.2005.28.3.367**

Ferrell, J. (1999). Cultural criminology. *Annual Review of Sociology*, *25*(1), 395–418. https://doi.org/10.1146/annurev.soc.25.1.395

Fox, K.J. (2022) *Desistance frameworks.* Fox University of Vermont, Department of Sociology, USA https://prohic.nl/wp-content/uploads/2022/03/371-DesistanceCrime.pdf

Gadd, D., & Jefferson, T. (2007). *Psychosocial criminology: An introduction.* SAGE Publications.

Graham, H., & McNeill, F. (2017). Desistance: Envisioning futures. In P. Carlen & L. Ayres França (Eds.), *Alternative criminologies* (pp. 433-451). Routledge.

Giordano, P. C., Cernkovich, S. A., & Rudolph, J. L. (2002). Gender, crime, and desistance: Toward a theory of cognitive transformation. *Sociology Faculty Publications, 1.* https://scholarworks.bgsu.edu/soc_pub/1

Giordano, P. C. (2022). *Some cognitive transformations about the dynamics of desistance. Criminology & Public Policy, 21,* 787–809. https://doi.org/10.1111/1745-9133.12609

Hearn, N. (2010). *Theory of desistance. Internet Journal of Criminology.* http://www.antoniocasella.eu/nume/Hearn_2010.pdf

Laub, J. H., & Sampson, R. J. (2001). Understanding desistance from crime. *Crime and Justice*, *28*, 1–69. https://doi.org/10.1086/652208

Lamond, G. (2007) What is a Crime? *Oxford Journal of Legal Studies, Vol. 27, No. 4*, 609–632 https://doi.org/10.1093/ojls/gqm018

Laws, B. (2020). Reimaging "the Self" in Criminology: Transcendence, Unconscious States and the Limits of Narrative Criminology. *Theoretical Criminology,* http://doi.org/10.1177/1362480620919102

Lester, S. (1999). *Phenomenological research: An introduction.* Royal Geographical Society. https://www.rgs.org/media/tx1a3gji/seaweedfarminglesson2phenomenologicalresearchdocument.pdf

Luban, D. (2011), "Hannah Arendt as a Theorist of International Criminal Law". *Georgetown Law Faculty Publications and Other Works*. 619. Https://scholarship.law.georgetown.edu/facpub/619

Maruna, S. (2001). *Making good: How ex-convicts reform and rebuild their lives.* Washington, DC: American Psychological Association.

Maruna, S. (2016). *Desistance and restorative justice: It's now or never. Restorative Justice, 4(3), 289–301.* https://doi.org/10.1080/20504721.2016.1243853

Maruna, S., & King, A. (2009). Once a criminal, always a criminal?: 'Redeemability' and the psychology of punitive public attitudes. *European Journal on Criminal Policy and Research, 15*(1-2), 7–24. https://doi.org/10.1007/s10610-008-9088-1

Maruna, S., & Farrall, S. (2004). Desistance from crime: A theoretical reformulation. *Kölner Zeitschrift Für Soziologie Und Sozialpsychologie Sonderhefte*, 171–194. https://doi.org/10.1007/978-3-322-80474-7_7

Maruna, S., & Liem, M. (2020). Where Is This Story Going? A Critical Analysis of the Emerging Field of Narrative Criminology. *Annual Review of Criminology, 4,* 125. Advance online publication. https://doi.org/10.1146/annurevcriminol-061020-021757

McNeill, F. (2006). A desistance paradigm for offender management. *Criminology and Criminal Justice, 6(1),* 39–62. https://doi.org/10.1177/1748895806060666

McCuish, E., Lussier, P., & Rocque, M. (2019). Maturation beyond age: Interrelationships among psychosocial, adult role, and identity maturation and their implications for desistance from

crime. *Journal of Youth and Adolescence*, *49*(2), 479–493. https://doi.org/10.1007/s10964-019-01178-w

Marsh, B. (2014). *Narrating desistance: Identity change and the 12-step script*. Retrieved from https://www.academia.edu/2493379/Narrating_Desistance_Identity_Change_and_the_12_Step_Script

Mahoney, I., & Chowdhury, R. (Eds.). (2024). *Holistic Responses to Reducing Reoffending*. Taylor & Francis.

O'Sullivan, K., Kemp, R., & Bright, D. (2015). Identity, self-story and desistance from crime. *The Journal of Forensic Practice, 17(3)*, 219–230. https://doi.org/10.1108/jfp-03-2015-0020

Paternoster, R., & Bushway, S. (2009). Desistance and the feared self: Toward an identity theory of criminal desistance. *Journal of Criminal Law and Criminology, 99*, 1103–1156.

Paternoster, R. (2010). How much do we really know about criminal deterrence? *Journal of Criminal Law and Criminology, 100*, 765–823.

Plummer, K. (2001). *Documents of life 2*. SAGE Publications Ltd, https://doi.org/10.4135/9781849208888

Pratt, T. C., Gau, J. M., & Franklin, T. W. (2011). *Key ideas in criminology and criminal justice*. SAGE Publications, Inc., https://doi.org/10.4135/9781483388045

Rocque, M (2014) The lost concept: The (re)emerging link between maturation and desistance from crime. *Criminology and Criminal Justice* https://doi.org/10.1177/1748895814547710

Shulman, E. P., Steinberg, L. D., & Piquero, A. R. (2013b). The age–crime curve in adolescence and early adulthood is not due to age differences in economic status. *Journal of Youth and Adolescence*, *42*(6), 848–860. https://doi.org/10.1007/s10964-013-9950-4

Verde, A. (2020). Whose narratives? *Tijdschrift over Cultuur & Criminaliteit*, *10*(3), 35–58. https://doi.org/10.5553/tcc/221195072020010003003

Veysey, B. M., Martinez, D. J., & Christian, J. (2013). "Getting out:" A summary of qualitative research on desistance across the life course. In F. Losel, A. Bottoms, & D. Farrington (Eds.), *Desistance and offender rehabilitation* (pp. 245–260). Routledge.

Wickert, C. (2022, April 13). *Age graded theory/ turning points (Sampson and laub)*. SozTheo. https://soztheo.de/theories-of-crime/career-development-life-course/age-graded-theory-turning-points-sampson-and-laub/?lang=en