Some of the most vibrant areas in criminological theory today are theories that try to explain desistance from crime. In the last fifteen years or so there have been major contributions to this area by scholars such as Gottfredson and Hirschi (1990), Moffitt (1993), and Maruna and his colleagues (Maruna 2001, 2004; Maruna and Roy 2007; Farrall and Maruna 2004). Arguably, the two most prominent theoretical explanations of criminal desistance currently in the field are the age-graded theory of informal social control by Sampson and Laub (1993; Laub and Sampson 2003), and the theory of cognitive and emotional transformations by Giordano and her colleagues (Giordano et al., 2002, 2003, 2007). Although there are some important differences between these two theories of desistance—Sampson and Laub’s rests on a social control foundation that emphasizes the role of conventional sources of social bonds in desistance, such as a stable job and good marriage, while Giordano’s symbolic interactionist/neo-Meadian theory relies much more on emotional growth and changes in the preferences of offenders—there is one important piece of common ground. Both theories seem to give a great deal of importance to the idea of human agency in their theories. We say “seem” because in neither theory is the role of human agency fully articulated or explained nor is it unambiguously incorporated into the theory. In both Sampson and Laub and Giordano there is an unreconciled tension between the main theoretical account of desistance and human agency. In the remainder of this chapter we will provide a discussion of each of these two theories of desistance and how they fall short of fully incorporating an important role for human agency. We end with a discussion of how another theory—Paternoster and Bushway’s (2009) identity theory—more fully brings human agency into the desistance process.

**The role of human agency in Sampson and Laub**

In their 1993 book, *Crime in the Making*, which first fully articulates their age-graded theory of informal social control, desistance is given a central role. In this introduction to their desistance theory, they are clear (1993: 21) that quitting crime is due to participation in conventional social roles that strengthen an offender’s previously weak social bonds, presumably to the point where crime is now more costly than conformity:

The third major theme of our research, then, is that changes that strengthen social bonds to society in adulthood will lead to less crime and deviance. Conversely, changes in adulthood
that weaken social bonds will lead to more crime and deviance. This premise allows us to explain desistance from crime as well as late onset... our theoretical model rests on social ties to jobs and family as the key inhibitors to adult crime and deviance.

Clearly then, the twin pillars of Sampson and Laub’s initial foray into desistance theory are job stability and marital satisfaction. Participation (or a loss of participation) in these two conventional social roles turns previous offenders into non-offenders (desistance) and explains how previous non-offenders can become offenders (adult onset).

In this initial cast, the age-graded theory of informal social control is very structural; in fact, there is no mention of human agency in the entire book. That fact is not surprising since the notion of human agency did not really capture the imagination of current day social scientists1 (at least sociologists) until later in the 1990s, with the publication of Emirbayer and Mische’s (1998) landmark paper, “What is Agency,” in the *American Journal of Sociology*. What is a bit surprising, however, is Sampson and Laub’s failure in 1993 to seriously take up the question as to what might lead former criminal offenders to abandon their criminal past and be interested in both a stable conventional job and a successful intimate relationship, with the commitment and perseverance that both would entail. In other words, even if good jobs and stable marriages can turn the bad into good, how is it that the bad are even interested in becoming conventional, and how do they acquire good jobs and marriage partners even if they are interested? Sampson and Laub (1993: 140–2) attempt an answer to this question when they suggest that many employers simply “take a chance” on hiring an ex-offender with the hope that the investment will pay off. But this is not a very satisfactory answer for two reasons. First, it is not at all clear why an employer would even bother to take a chance on hiring an ex-offender absent any information or signal that the person will become a good employee (particularly in an economy of high unemployment). Second, even if an employer does “take a chance,” Sampson and Laub’s account does not explain why an offender would want to take that chance and accept a steady job and become conventional. Sampson and Laub also suggest that pro-social marriage partners make the same kind of leap of faith in connecting themselves to a former offender, suggesting that the arrival of both jobs and marriages is in large measure a matter of luck or chance, events beyond the offender’s control and intentions.

This question was seriously taken up by these two authors in the follow-up study to the 1993 book by Laub and Sampson (2003), *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. In fact, the revised age-graded theory that is introduced in this book (ibid.: 9) was precisely intended to take human agency and offenders’ choice seriously: “We specifically revise our age-graded theory of informal social control by bringing into account the interplay of *human agency and choice*, situational influences, routine activities, local culture and historical context” (emphasis added). One could be forgiven for thinking at the outset of this book that their earlier structural position would be abandoned (or at least much softened) in favor of one which argues that before securing conventional jobs and marriages ex-offenders must first undergo some kind of internal change, including a change in how they think about themselves, and that as full human agents they intentionally and purposefully choose to leave crime and deliberately choose to take on a job and/or marriage (ibid.: 55):

Fortunately, as developed in more detail below, what is most striking in the narratives we collected is the role of human agency in processes of desistance from crime and deviance. *The Glueck men are seen to be active players in their destiny, especially when their actions project a new sense of a redeemed self.*

(emphasis added)

This is an important pair of sentences for a number of reasons.
First, we have an inkling as to what these two theorists understand human agency to consist of. To be sure, human agency is a wooly concept, but Laub and Sampson clearly implied that among other things it includes the capacity of persons to purposefully choose a given course of action—they act rather than merely react to the roles and situations they happen to find themselves in—and act in accordance with their desired outcomes. They also imply one source of these desired outcomes or preferences when they suggest that human agency in criminal desistance is particularly revealed when persons “project a new sense of a redeemed self.” At least one manifestation of human agency at work in the process of criminal desistance, then, is when those who have been offenders decide that they would like to change who they are, what they are doing, and pursue different outcomes—such as conventional jobs and intimate partners. In fact, Laub and Sampson (2003: 55) in the very same paragraph give us an example of what occurs in the minds of those desisting: “One man told us how he felt when he left prison: ‘The heck with you [guards and others in authority]. I made a conscious effort – do my time and get the hell out. And don’t come back.’” The conscious effort and decision to quit crime, and the decision to become a different sort of person, came first, before he left prison, and before a job or marriage was sought or strengthened. The offender Laub and Sampson describe here clearly made the decision to go straight before the arrival of turning points. Rather than the musings of one solitary offender in the Glueck data, however, Laub and Sampson (ibid.) suggest that “[t]here are numerous examples of similar actions in our narrative interviews, with ‘redemption’ emerging as a key process in desistance.”

Based on these arguments that appear in the beginning of their 2003 book, one could easily get the impression that Laub and Sampson are indeed taking human agency seriously in their revised theory, suggesting that offenders desist because they want to quit crime, and intentionally decide to project a new self, a projection that is accepted as genuine by some employers and some conventional intimates. However, to Sampson and Laub an identity change or other internal transformation is more likely to be a consequence of a good marriage than a cause (Sampson and Laub 2005: 34), and an identity change is not necessary for desistance either to be initiated or successfully completed. While not a component of Sampson and Laub’s informal social control theory of desistance, the notion that offenders tire of their past ways and past self and actively make a decision to assume a new identity and new courses of action based upon that identity is entirely consistent with a rational choice theory of desistance. It is also squarely consistent with a view that what initiates desistance from crime is a dissatisfaction with one’s past and past self, and the intentional construction of a new self and a new life. That is what the offender quoted above from Laub and Sampson is clearly articulating. Whatever optimism a reader may have that desisting offenders in Laub and Sampson’s theory are active participants in their own lives is, however, dashed as the details of the revised theory are revealed throughout the remainder of the book and in subsequent writings and further revisions.

There is ample evidence to suggest that whatever the nod given to the importance of human agency in their revised age-graded theory, Laub and Sampson are indeed structuralists (Farrall and Bowling 1999) wherein desistance is both initiated and maintained by participation in social roles and the conventional demands of those roles that former offenders passively react to. For example, offenders are not active in intentionally seeking out conventional opportunities; rather they are the acquiescent recipients of good fortune. In our view, one of the great weaknesses of Sampson and Laub’s theorizing is that they do not fully explain two critical components of the turning point theory of desistance: (1) how do opportunities such as good jobs and pro-social intimates arrive in the lives of criminal offenders?; and (2) should they arrive, why would former offenders even be responsive to the direct or indirect social control efforts of conventional partners or employers? Sampson and Laub repeatedly refer to the fact that turning points arrive
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randomly, “selection is surely operating at some level, but most marriages originate in fortuitous contacts rooted in everyday routine activities” (2003: 45; emphasis added), and that desistance primarily occurs because conventional jobs and marriages provide direct social control or monitoring of the activities of former offenders. They state, “what has not received enough attention is the role that marriage plays in restructuring routine activities and the direct social control that spouses provide” (ibid.: 135) and “even more than marriage, work, especially full-time work, leads to a meaningful change in routine activities. Work restricts many criminal opportunities” (ibid.: 47). However, given what we know about assortative mating with respect to both attitudes and behavior (Krueger et al. 1998) as well as the role of conventional social networks in providing information about job opportunities and how conventional opportunities are difficult to come by for those embedded in crime (Granovetter 1973, 1974; Holzer 1996; Hagan 1993), absent some internal change in the offender and a consequent “signal” from them that they have changed, conventional opportunities either for marriages or full-time jobs are unlikely to present themselves. Just as importantly, absent this internal change, conventional opportunities that do present themselves are not likely to be successfully taken advantage of, for why else would an offender formerly unresponsive to social control efforts suddenly begin to bend to the demands of employers and intimates? Bluntly put, without a change in character or identity, why would someone who previously said “Piss off” to the missus in response to entreaties to stay at home rather than go out with the mates now suddenly begin to reply, “Yes dear”?

To further underscore the weak position of human agency in their revised theory, the central theoretical construct that Laub and Sampson (2003: 278) employ to explain the process of desistance from crime is the notion of desistance by default which “best fits the desistance process found in our data.” Notice that they do not say that desistance by default occurs occasionally, or sporadically, but that it “best fits” the desistance they observed. We need to fully comprehend what this desistance by default is and how it contradicts what we (and they) think of human agency. When they speak of desistance by default, the men described by Laub and Sampson are clearly not “active players in the desistance process” (ibid.: 141); rather, most of them were described as having desisted with little intention or purpose on their part—they simply found that they had quit crime without intending to, without even realizing it: “Desistance for our subjects was not necessarily a conscious or deliberate process . . . many men made a commitment to go straight without even realizing it” (ibid.: 278–9); and “our main point is that many of the desisters did not seek to make good – they simply desisted with little if any cognitive reflection on the matter” (ibid.: 279). These desisters by default, in other words, did little proactively to seek out turning points; rather, marriages and jobs came to them and they simply reacted to the restrictions imposed, without even realizing what was happening to them (ibid.: 147):

the men who desisted from crime seem to have acquired a degree of maturity by taking on family and work responsibilities. They forged new commitments, made a fresh start, and found new direction and meaning in life. These commitments were not necessarily made consciously or deliberately, but rather were “by default” – the result of “side bets” [citation omitted]. The men made a commitment to go straight without even realizing it.

We cannot see how performing an action without consciousness, without any cognitive reflection on the matter, “without even realizing it” can possibly be consistent with the notion of human agency as involving purposeful and meaningful action. If there is any ambiguity at all about Laub and Sampson’s position as a structural one where persons react to role requirements rather than intentionally act with thoughtful goals in mind, we ask the reader to contemplate
their own conclusion about where Laub and Sampson’s sentiments lie after reading the quote below from Howard Becker which they provided with approval (2003: 149):

A structural explanation of personal change has implications for attempts to deliberately mold human behavior. In particular, it suggests that we need not try to develop deep and lasting interests, be they values or personality traits, in order to produce the behavior we want. It is enough to create situations which will coerce people into behaving as we want them to and then to create the conditions under which other rewards will become linked to continuing this behavior.

Laub and Sampson’s own conclusion (ibid.) was that “we believe that most offenders desist in response to structurally induced turning points that serve as the catalyst for sustaining long-term behavioral change.”

Finally, recall early in Shared Beginnings (2003: 55) where Laub and Sampson hinted at a very active human agency wherein former offenders change their identities and subsequently their preferences to ones more compatible with a conventional life: “[t]he Glueck men are seen to be active players in their destiny, especially when their actions project a new sense of a redeemed self” (emphasis added). One could easily take this to mean that offenders exercise choice and make a conscious decision to change their life which includes changing their identity, how they make money, and with whom they spend their time. However, by the end of the book (ibid.: 278–9) they are emphatic that any such identity change or change in cognitive reflection either is not necessary for desistance to occur or only occurs after turning points have worked their magic and have changed offenders:

Our stance on the desistance process contrasts with emerging theories of desistance that emphasize cognitive transformations, or identity shifts as necessary for desistance to occur.... We believe that most offenders desist in response to structural turning points that serve as the catalyst for long-term behavioral change.

In sum, at several points in the text when they could have developed the notion that human agency in the desistance process requires some kind of cognitive reflection on the part of offenders, and an intentional decision on their part to change their life and identity, Laub and Sampson walk away and put the majority (all?) of their explanatory eggs in the structural role basket. The reader may object that while this very structural, weak human agency position characterized their theory in 2003, in subsequent writings they made a greater attempt to bring fully agentic actors into it. We think readers of subsequent papers will be greatly disappointed, however, as Sampson and Laub continue to adopt a very structural position that places great weight on persons’ reacting to the social control demands of conventional roles they inadvertently find themselves in. In a 2005 essay, for example, they reiterate the position articulated in Shared Beginnings with respect to unconscious desistance: “many men made a commitment to go straight without even realizing it” (Sampson and Laub 2005: 37, emphasis added) and that desistance actions may be “below the surface of active consciousness” (p. 38). They also categorically reject a rational choice position on desistance mischaracterizing the theory by stating that rational choice theory cannot account for how we construct our preferences. It can, however, as preferences rationally extend from our identities (for example, I make charitable contributions to groups that reflect “who I am”—pro-environment, politically progressive—rather than “who I am not” or to the groups that provide the highest marginal rate of return) (see, Akerlof and Kranton 2010 and Fletcher 2011). Finally, they categorically reject the necessity for any
pre-turning point internal changes in persons whether it be a change in identity or any cognitive transformation. As developed below, however, a rational choice theory of desistance would argue that the source of our preferences is our identity—when our identity changes so does our preference for conventional work and social roles like marriage that demand greater social control as well as for the “party life” (Shover 1996). Laub et al. doggedly stick to a structuralist position of desistance in a revised version of the revised theory written subsequent to this (2006: 326), where they argued that their theory “rejects the notion that cognitive transformation is necessary for desistance to occur.”

The role of human agency in Giordano and colleagues

An important direction toward fully incorporating human agency in a theory of criminal desistance was made by Giordano and her colleagues in a pair of papers (Giordano et al. 2002; Giordano et al. 2007). In the 2002 version of the theory, referred to as the theory of cognitive transformations, Giordano et al. acknowledge that conventional roles such as stable jobs and good marriages (what they call “hooks for change”) may play an important role in desistance from crime, but they put forth the addition to Sampson and Laub’s theory that offenders must first undergo an internal change—a cognitive transformation. Although they discuss four different types of cognitive transformations, there were two types in particular that the offender must first undergo before desistance is possible: (1) there must be a greater openness to change on the part of the offender; and (2) the individual must perceive the hook as being salient or important for them. The two other types of cognitive transformations—changes in one’s preference for crime or how one views crime, and the fashioning of a new, conventional “replacement self”—come about only after and as a result of involvement in conventional roles or hooks for change. We seem pretty sure about this assessment given the explicit language in their paper (2002: 1002): that “[h]ooks for change can provide an important opening in the direction of a new identity” and “hooks influence the shift in identity.” This understanding of the temporal relationship between hooks for change and identity change is also consistent with the causal diagram of the theory they provide (ibid.: 1029) where identity transformation is clearly shown as a consequence of involvement in conventional roles like parent, spouse, and worker.

The more prominent role given to human agency in Giordano’s 2002 theory can be seen in their suggestion that it is through the intentional and willful actions of offenders that hooks for change (like jobs and marriages) are acquired, what they call “agentic moves” (2002: 1003) whereby “the actor creatively and selectively draws on elements of the environment in order to affect significant life changes.” There is a clear role for agency in this 2002 version of Giordano et al.’s theory—actors involved in a desistance project need to change something within themselves, their “openness to change” and their attitude toward various conventional hooks for change. A person who makes him/herself open to change will, then, have decided that they want to change their life and will begin to take steps in that direction so that movement toward conventional roles is a deliberate, intentional human action, not something that takes place subconsciously. It is not specified nor explained, however, exactly what these agentic moves may be, but the suggestion that offenders play an active role in their own desistance is many steps beyond Sampson and Laub’s contention that most desistance takes place by default.

In addition to the ambiguity with respect to the origin of agentic moves and exactly what their role is in the desistance process discussed above is the fact that human agency plays a very limited role in the desistance theory of cognitive transformations. Giordano et al. (2002: 1026) argued that a general proposition of their theory is that “on a continuum of advantage and disadvantage, the real play of agency is in the middle.” Their position (ibid.) is that human agency is not
relevant when social and personal capital is high, and not likely to be enough to overcome daunting obstacles for those under great economic and social adversity: “[g]iven a relatively ‘advantaged’ set of circumstances, the cognitive transformations and agentic moves we describe are hardly necessary; under conditions of sufficiently extreme disadvantage, they are unlikely to be nearly enough.” Apparently, human agency is not exercised among those who are in the upper or lower tails of the disadvantage distribution. It is not clear why this must be so since even those with great advantages must have some human agency in order to make good use of them and those burdened with great disadvantages must, it would seem, require a large amount of human agency in order to prevail at all. It is not clear if Giordano et al. (2002) are saying that things like openness to change and a receptive attitude toward hooks are not always necessary for desistance to occur, or simply that human agency does not include these things as it pertains to desistance from crime.

Although human agency has a limited range in Giordano et al.’s theory of cognitive transformations in 2002, and an identity change or replacement self is not required before there is an openness to change or a desire to seek out conventional turning points, it is clear that their theory allows for far greater human agency than the very structuralist position of Laub and Sampson. At least there is a hint (2002: 1000) that offenders must “move toward, or select the various catalysts for change” implying that persons actively decide to quit crime and that human agency therefore involves an intentional choice (Dietz and Burns 1992) on their part which in turn initiates a change in their life.

Giordano et al.’s (2002) theory of cognitive transformation was revised in 2007 (Giordano et al. 2007). In addition to the four types of cognitive transformations that make up the 2002 paper, in the 2007 revision of the theory the role of emotional transformations becomes an even more critical component of desistance from crime. They argue that in many if not most offenders’ lives there has been conflict with parents and intimate others at an early age, and that recurring instances of this conflict in the family or in subsequent intimate relationships over time eventually molds an angry or a depressive self that was instrumental in their persistence in crime. Some offenders, however, find romantic partners who are pro-social and provide the offender with both a conventional role model as well as social support for their initial steps toward breaking from crime, but also in a process of social learning, they provide new pro-social definitions. In the 2007 version of the theory, then, participation in social roles and role taking with a pro-social partner helps offenders break from crime through both emotional (changing the way anger is understood and managed) and cognitive (new definitions of a criminal lifestyle) transformations.

While human agency as the capacity of individuals to make intentional and fully conscious actions on their own behalf was an important part of the 2002 theory, in the 2007 revision Giordano and colleagues back away from any implication that individual-level agentic mechanisms are an important part of desistance. In spite of the talk about “agentic moves” in the 2002 paper, the desire for desistance is not something that has its origins in the heads or consciousness of offenders, but through the individual’s participation in social role taking and social learning processes of imitation and social reinforcement. As social constructionists, therefore, Giordano et al. highlight (2007: 1607) the consequences of role taking experiences and social interactions and eschew more individualistic processes. In fact, they are openly hostile to the possibility that desistance is a result of individual mental processes, arguing that even personal thoughts are not the construction or possession of individuals but are social products:

According to Mead and other symbolic interactionists, then, thoughts, while located within the individual, are nevertheless deeply social in origin. This is an important point, because it steers us away from a view of cognitive transformations as deriving from individualistic mental processes.
The intention to steer away from individualistic mental processes seems to contradict their position in 2002 that human agency is just such an individualistic mental trait. In their discussion of human agency in 2002 (p. 999) they suggested that agency flows from the individual’s internal state:

As Dietz and Burns (1992) note, a display of human agency requires the availability of at least some choice and some amount of power (what the individual does can make a difference) ... agency is associated with intentional and reflective actions. Here, reflexivity refers to the notion that “the actor has enough awareness of the effects of actions to monitor those effects and use information about the perceived effects to modify their rule system.”

*(emphasis in original; quoting Dietz and Burns 1992: 192)*

Despite the fact that human agency in 2002 seemed to require choice and the reflexive capacity to think about and monitor one’s thoughts and actions, by 2007 Giordano et al. clearly preclude any individualistic mental process from desistance.

In fact, one of the reasons for the revised theory in 2007 (p. 1614) was to further move away from any scent of an individualist explanation and toward a more social constructionist interpretation:

The theory of cognitive transformations [articulated in the 2002 paper], in turn, likely over-theorizes actor-based changes in perspective and the primacy of associated agentic moves [emphasis added]. A focus on role taking and the character of emotions elicited through these positive social interactions, however, serves to highlight the fully social aspects of the catalyst–actor relationship.

In other words, the 2002 theory of cognitive transformations contains too much individual agency, which is corrected in the 2007 version that is based upon role taking within pro-social romantic relationships.

### The role of agency and rational choice in the identity theory of desistance

As a competing theoretical explanation of desistance from crime, Paternoster and Bushway (2009; Bushway and Paternoster 2012, 2013) have developed a rational choice model that more fully incorporates human agency as involving intentional self-change. Following Dietz and Burns (1992) and Bandura (2006), human agency consists of the following properties: intentionality, forethought, reflexivity, and power. Persons possess intentionality when they have a deliberate purpose for their action; in short, they make things happen according to a strategy rather than solely reacting to things happening to them. Forethought is the capacity to create future goals and plans, and through these “cognitive representations, visualized futures are brought into the present as current guides and motivators of behavior” (Bandura 2006: 164). Reflexivity is the ability to self-monitor and self-regulate so that decisions made and actions taken can be revisited and revised. Finally, human agency requires some amount of power or self-efficacy, which reflects the real or perceived ability a person has to take their actions that produce the desired outcome. Human agency, of course, is not a dichotomy but is arrayed on a continuum with some possessing more than others.

The Paternoster and Bushway identity theory of desistance pushes human agency into theories of desistance beyond existing accounts. In this theory, offenders who once were satisfied both with the commission of crimes and their current lives begin to become discontented as
they are no longer able to keep failures isolated and less able to account for failures as due simply to misfortune or incompetent crime partners. Failures become linked together and projected into the future in a process known as the crystallization of discontent (Baumeister 1994), and, as a result, there comes a growing realization that the current identity of offender and current life of an offender needs to change. In the words of the theory, the crystallization of discontent leads offenders to connect failures and project them into the future in identity terms as a “feared self,” the kind of person that the person does not want to become—for example the person will die without family around, will become incarcerated until aged, or will continue to be addicted to drugs.

Going through the alternative courses of action of persisting in crime or quitting, the desisting person first decides to quit, much like the offender described by Laub and Sampson above who decided to quit crime before leaving prison. This feared self provides an initial motivation for deliberate self-change but must eventually be replaced by a more positive self. The offender in the process of desisting now visualizes herself as being free from crime in the future, with legitimate work of some sort (Opsal 2012) and having a non-criminal partner. This visualization provides motivation for intentional self-change and this visualization and decision to change must occur before turning points can be accessed and before they can be used effectively. In this theory, human agency is reflected in the notion of a future identity that does not involve crime (forethought), an intentional decision to change one’s life and self (intentionality), the construction of a plan to change and a continual reassessment of that plan (reflexivity), and a belief that one’s efforts will ultimately prevail even in the presence of failures (power).

In the Paternoster and Bushway identity theory of desistance, then, it is a change in a former offender’s identity that both explains the movement into conventional roles or “hooks,” and explains why those who had previously been involved in crime would be receptive to these pro-social influences. One who has changed their identity from an offender to a more pro-social one, and who begins to act accordingly by shunning the “party life” and adopting more conventional behavior patterns (temporary but “honest” employment, for example), sends a signal to others (employers, pro-social possible intimates) that they are not the same person they once were and have left the life of crime/drug addiction. Further, while conventional turning points (stable marriages, full-time employment) are extremely helpful in maintaining a pattern of desistance, they are not essential since one with a changed identity can, though we acknowledge not without difficulty, cobble together a life that does not involve criminal behavior but would perhaps involve working in a labor pool, janitorial work, fast food service, or temporary construction work. Thus, an offender who has sincerely decided to quit crime and has taken on a new identity need not have what Giordano et al. (2002) have termed “the full respectability package,” the combination of a well-paying job and emotionally satisfying marriage, that is central to Sampson and Laub’s model of desistance. Emotionally satisfying intimate relationships and stable employment are not essential for desistance, but a change in one’s identity is because the change in identity triggers pro-social behaviors and preferences in the offender.

There is beginning to appear some empirical evidence in support of the importance of identity in the desistance process. LeBel et al. (2008), for example, examined desistance among the 130 male property offenders from the Oxford Recidivism Study who were initially interviewed in the 1990s and were followed up some ten years later. They found that a previous offender’s “subjective states,” which included an identity as a conventional family man was indirectly related to long-term recidivism risk through its effect on reducing re-entry problems. There is evidence in Laub and Sampson’s own follow-up of the Glueck boys into old age that is entirely consistent with the identity theory of desistance. They refer (2003: 142) to the case of Michael who made “a conscious decision” to enter the military because he feared what would happen if...
he did not: “If I'd gone back out on the corner—I’d get mixed up with the same gang that I got involved with, so I didn’t want to do that.” As Michael attests, he underwent a change of identity and preferences before entering the military. Similar processes are evident in other cases. Norman (ibid.: 142–3) related that he changed in part because of a feared self (our words, not his) and that “what motivated him in large part was the fear of losing his wife and family if he did not straighten out,” and John desisted when he “was ready and willing to take advantage of opportunities that came his way to avoid repeating what he saw as his father’s mistakes.” In all these cases desistance would not have occurred, it can be argued, without a prior change in the type of person one wanted to be, and the actions that were necessary to become that person. Opsal (2012) examined the role of both employment and identity in desistance from crime within an interviewed sample of 43 female ex-offenders, with the interviews taken both immediately after the women were released from incarceration and again approximately three months later. To summarize the results, Opsal found that both conventional employment and identity change were important in the desistance process though it was impossible to make a clean causal inference as to whether identity change or jobs came first. There was clear evidence from the narratives, however, that the process of desistance involved the ideas of a feared and possible self that are central to the identity theory. One of Opsal’s women (2012: 388) reflects this:

So I got another chance and I’m gonna do it this time, because I want to change. I want to go home and be with my kids. I want to live a drug-free life. I want to be able to be an abiding citizen and do what I need to do and not always be in trouble and be bad-ass. That is not me.

The female offenders in Opsal’s sample illustrate the difficulties that serious offenders have upon re-entry. All were unable to find the kinds of stable well-paying jobs that the Glueck males enjoyed during a time of economic prosperity. Like virtually all offenders released from prison today, when these women found jobs they were generally in the food service and janitorial sector, paying at the minimum wage. Finally, using longitudinal data (the Rutgers Health and Human Development Project) and growth-curve models, Rocque et al. (2016) found that even, when a cluster of control variables was taken into account, a favorable improvement in one’s identity over time was related to a decline in offending. While there has yet to be a definitive study of identity change over time and desistance, these few empirical efforts seem to indicate that one’s identity is an important component of the desistance process.

Conclusion

Theoretical insight into desistance from crime was greatly advanced by the important work of Sampson and Laub (1993; Laub and Sampson 2003) and their idea that pro-social “turning points” like jobs and marriages are critical in the desistance process. Subsequent to this, Giordano and colleagues (Giordano et al. 2002; Giordano et al. 2007) made an equally important contribution by highlighting both the importance of the "upfront" work that offenders must first engage in for turning points (“hooks” in their parlance) to be effective in bringing about desistance. They have suggested that desistance is more likely when offenders undergo both cognitive and emotional transformations such as being open to change, perceiving that the hook is important for change to occur, and learning better ways to manage anger and respond within relationships with conflict. In the Giordano theory of cognitive and emotional transformations, the mechanisms that bring about desistance are social (participation in pro-social roles) and “not . . . simply the result of individualistic mental processes” (2002: 1001).
Although both theories have provided crucial insight into how criminal desistance occurs, and both acknowledge the importance of human agency, the actual presence of agency in both is anemic. We think that both sets of theorists would agree that the core ingredients of human agency would involve the understanding that to be agentic human conduct needs to be intentional, and deliberate, that it must involve an active consideration of alternative courses of action that precede a strategy of action, and that the strategy for action includes a projection into the future of the desired end. In spite of the principle in both theories that offenders are active participants in their own reformation, both have constructed theories that render human beings neither fully active nor conscious decision makers. For example, the arrival of pro-social opportunities is presumed by Sampson and Laub to be a matter of good fortune, and it is simply taken as given that attempts by conventional others (spouses/partners, employers) to enforce direct social control will be well received. Similarly, other than a reference to “agency moves” Giordano et al. (2007) are silent with respect to how serious offenders would find and successfully interact with pro-social romantic partners, key to the desistance process in their account. The Sampson and Laub theory essentially asserts that offenders can and do change without their awareness or deliberate intent. While Giordano et al. seem to allow for greater agency, the exact role that meaningful action plays in their theory is unclear because they do not make clear what “agency moves” imply. There are deeper problems with Giordano et al.’s theory as well in that they are hostile to what they call “individual mentalistic processes” such as the meanings that persons have in their heads about their own actions, and seem to suggest that all meaning and cognitions, including thoughts about who they are and what they want to be, is a social product rather than an individual’s own construction. In the Giordano et al. theory then, persons both make agency moves and have most of their thoughts, meanings, and desires given to them by society. We do not see how these theories can have it both ways: a person who has their thoughts, interests, and identity essentially handed to them by society or a person who desists from crime without being aware of it cannot in our minds be terribly agency.

The identity theory of Paternoster and Bushway (2009) is an extension of this line of desistance theories. They have argued that offenders must first change their self-identity (who they are and want to be) before pro-social opportunities arrive and can successfully be taken advantage of. This theory, then, challenges Sampson and Laub’s and Giordano et al.’s notion that turning points and romantic partners arrive by chance and that there does not need to be any internal change before these kinds of pro-social opportunities are made available or successfully put to use. While Giordano et al.’s symbolic interactionist theory heavily relies on social processes of behavior change, the Paternoster/Bushway theory is founded on an “internalist” model of rational choice wherein preferences and behaviors are shaped by actor’s “strong reasons” (Boudon 2003) or their “ultimate concerns” (Archer 2000), which includes one’s self-identity. This internalist model, which is also consistent with Weberian action theory, relies on the very individualistic mental processes that Giordano et al. (and Sampson and Laub) explicitly reject. The relationships among purpose or strong reasons, human agency, and one’s identity were eloquently captured by the philosopher Martin Hollis (1977: 101):

He acts freely, only if he has good reasons for what he does (and no better reasons for doing something else). He has good reasons, only if he acts in his ultimate interests. His ultimate interests derive from what he essentially is.

(emphasis added)

Thus, it appears to us that the theoretical and empirical study of the role of identity in desistance from crime promises to be an important avenue of work in the years ahead. There are, therefore,
important issues remaining to be addressed. For example, if one’s identity is related to desistance from crime, what role does identity have in the onset and continuation of crime? With respect to the onset question, previous work a generation ago by Reckless (Reckless et al. 1957) and Scarpitti (1964) indicated that a favorable self-concept provided some insulation against involvement in crime. With respect to persistence, it is possible that for some offenders one of the effects of incarceration is to authenticate their offender self-identity, making desistance from crime that much more difficult. It would also be important for researchers to investigate the many ways that serious adult offenders with extensive arrest records and long bouts of incarceration can desist from crime when so many barriers to successful re-entry like job and housing restrictions exist. The serious consideration of the role of personal identity in criminal desistance promises to open up rich areas of exploration for criminologists and promises to enliven an area that has already provided notable theoretical insights. In spite of what has seemed in this chapter to be strong disagreements with Sampson and Laub’s and Giordano’s theories of desistance regarding their treatment of human agency, there is one point on which we think we all heartily agree: agency is a crucial ingredient in desistance and thus will be a first-order challenge for future work in life-course criminology.

Notes
1 Before this, philosophers in action theory such as Hollis and Nell (1975) and Hollis (1977) and economists such as Jon Elster (1983, 1986, 1989) had explored the notion and implication of human agency in behavior and, while not always using the concept of human agency, sociologists such as Simmel and Parsons were also centrally concerned with the place of intentionality, “will,” or purpose in human conduct.
2 With respect to employers, Holzer (1996: 90, emphasis added) observed that “[e]mployers much choose among applicants on the basis of the skills and personal characteristics they perceive them [job seekers] to possess.”
3 We would note that to Laub and Sampson (2003: 280) just as participation in conventional roles (turning points) gets offenders out of crime, a failure to get involved in these roles, rather than their own lack of desire to change and forge a new identity, and its nexus of social controls is what makes persistent offenders: “the persistent offender . . . seems devoid of linking structures at each phase of the life-course, especially involving relationships that can provide nurturing, social support and informal social control . . . . the persistent offenders we interviewed experienced residential instability, marital instability, job instability, failure in school and the military, and relatively long periods of incarceration.”
4 We must acknowledge that Laub and Sampson do speak directly to the fact that human agency is an important part of the desistance process, and return to that theme at the end of Shared Beginnings. The problem, however, is reconciling that position with the assertive faith they have that neither identity change nor other cognitive transformations are necessary for desistance to occur. In the end, they simply argue (2003: 281) that desistance includes both strong human agency and unconsciousness or desistance without ever realizing it: “In our life-history narratives, one thus sees strong evidence for both will/human agency and ‘commitment by default’ [citation omitted] often in the same man’s life.” Unfortunately, they never deal with the problem posed by this tension—how can agency exist on a large scale and yet desistance by default “best fit” the desistance process. How can persons be active players in their own destiny and yet find themselves in a life they did not deliberately commit to but found themselves there without realizing it. Laub and Sampson’s (ibid.) attempt to reconcile the fact that they want to have it both ways without working out the tension by crafting the concept of “situated choice”: “Perhaps the concept that best captures this theoretical idea [the existence of both human agency and apparent structural determinism] is ‘situated choice’, but other than a list of what this includes (life-course transitions, macro-level events, situational context, and individual will), it is not at all clear how the tension is reconciled.”
5 In a 2001 paper, Laub and Sampson (2001: 50–1) seem to acknowledge some role for identity change in their theory of desistance: “[i]t seems that men who desisted changed their identity as well, and this in turn affected their outlook and sense of maturity and responsibility.” It is not, however, clear from this whether the identity change came first and brought about the change in “outlook and sense of maturity and responsibility” which then led to turning points arriving and desistance continuing, or if
identity change followed involvement in conventional roles like jobs and marriages. This confusion may have been cleared up in subsequent works. In Shared Beginnings (2003) they repeatedly state that while identity change is possible, it only comes after offenders have been in contact with turning points such as stable jobs and good marriages (though it is not clear how or why an offender would change his/her identity if participation in turning points were made without the person even realizing it or below the level of consciousness). This point is reiterated in Sampson and Laub (2005: 34): “Consistent with the general turning point processes discussed above, theoretically marriage has the potential to lead to one or more of the following in the lives of criminal men: . . . (5) situations that provide an opportunity for identity transformation and that allow for the emergence of a new self or script” (emphasis added).

Giordano et al. (2002: 1002) also provide a verbal description of the causal chain linking some cognitive transformations to hooks for change to identity change: “Our fundamental premise is that the various cognitive transformations not only relate to one another (an ideal typical sequence: an overall ‘readiness’ influences receptivity to one or more hooks for change, hooks influence the shift in identity, and identity change gradually decrease the desirability and salience of the deviant behavior) but they also inspire and direct behavior.” Further (ibid.: 1027), “as we discuss each catalyst or hook for change, an important consideration is the degree to which such a hook enables the actor to craft a satisfying replacement self and one that is seen as incompatible with continued criminal behavior.”

In the 2007 version of their theory where emotional change becomes one of the cognitive transformations, agentic moves are again brought up to explain how these emotional transformations come about (2007: 1607): “we highlighted that, particularly in adulthood, the individual has an important role in making agentic moves in the direction of others who subsequently provide and reinforce the new definitions.”

Convinced by the empirical analyses presented in their 2002 paper that, at least for their sample, jobs and marriages do not necessarily contribute to desistance, in their 2007 revised theory they place much greater weight on emotional changes as a result of role taking in good relationships with romantic partners.

These predictions are clear from their text: “Thus, we expect that while criminal involvement generally decreases with age, those within an adult sample who continue to evidence a stronger anger identity will be more likely to persist in crime and violent behavior – even after traditional predictors, including marital attachment, employment circumstances, and their own early behavioral profiles have been taken into account” (2007: 1612). “We expect that higher levels of adult depression in a follow-up sample of juvenile offenders will be associated with criminal persistence, net of traditional predictors such as marital attachment and prior delinquent history” (ibid.).

References


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