Homecomings, border encounters and hospitality: Alfred Shutz's and Jacques Derrida's contributions to conceptualizing a transition from prison

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Abstract

The journey from prison towards desistance from crime is well recognised as challenging. This paper seeks to contribute to the transitions and desistance literature through a discussion of essays by Alfred Shutz and Jacques Derrida that deal with seemingly quite different subjects. Shutz writes of Strangers entering a new society and Homecomers returning; Derrida, of borders, singularity and hospitality. Their points of connection and significance, however, lie in Shutz's and Derrida's emphasis on the relational and what it means to be human. These emphases are highly pertinent to criminological understanding and practice.

Keywords: Transitions – Homecomings – Desistance – Shutz - Derrida

Introduction

The literature on transitions from prison attests to the complex, multi-factored, intersecting issues bearing on the possibilities of desistance. Significant factors include the considerable psychological and practical challenges released prisoners face (Haney 2003; Monahan 2009; Richards and Jones 2004; Rumgay 2007) and the availability (or not) of family as a source of practical and emotional support and as potential providers of social capital (Codd 2007, 2008; Gideon 2007; Laub and Sampson 2003; McNeill and Whyte 2007; Mills and Codd 2008). Moreover, many prisoners return home and that return is likely to require all concerned to cope with the attendant emotional and psychological issues (Comfort 2008; Parke and Clarke Stewart 2003; Visher and Travis 2003).

Factors that impact on those released from prison are not limited to the private circumstances of ex-prisoners and their families. The nature and outcome of transitions and the possibilities of desistance are also affected by structural, societal issues and organisational policies and practices. For example, Clear and Rose (2001, 2003) and Rose and Clear (2003) have explored how in the USA high levels of incarceration and re-cycling have seriously impacted on the vulnerable communities

to which many ex-prisoners return. Regardless of where home is, many prisoners are likely to experience stigma. The predominantly negative discourses circulating in the wider society about released prisoners discount the possibilities of prisoners contributing to society, contribute to many employers' unwillingness to consider employing ex-prisoners, and exclude any acknowledgement of society's role in helping offenders desisting from crime (Alexinas 2008; Bain and Parkinson 2010; Burnett and Maruna 2006; Halsey 2008; Maguire and Raynor 2006; Weiman 2007).

A significant body of the desistance literature emanating from England and Scotland is concerned with the orientation and focus of offender management services. It brings to its critique of the dominant concern about risk assessment and management in these countries' correctional policies and practices discussion of the demonstrated possibilities and value of an alternative, humanistic approach. This approach does not discount risk as an issue to be addressed, but in place of what in some jurisdictions has become a deterministic practice, foregrounds the importance of a person-centred, strengths-based approach (Barry 2007; Farrall 2002, 2003, 2004; McCulloch 2005; McNeill et al. 2005; McNeill and Whyte 2007; McNeill 2010; McNeill and Weaver 2010; Robinson and Raynor 2006; Weaver and McNeill 2010).

This paper seeks to contribute to the desistance literature by introducing into the field essays by the German American sociologist Alfred Shutz (1964) and the French philosopher Jacques Derrida (1987, 1992, 2002, 2007) because the issues about which they write can be seen as highly pertinent to transition from prison and desistance. Shutz's (1964) essays are concerned with the operation of stocks of knowledge in the life-world.[1] Engaging with two instances of how the relevance of taken-for-granted knowledge is challenged as a consequence of changed circumstances, he discusses how The Stranger who arrives in a new country and The Homecomer (exemplified first by Odysseus and then by US veterans returning from World War Two) need to rework the stocks of knowledge that had previously stood them in good stead.

In the essays with which I am concerned here Derrida discusses the increasing surveillance of national borders to exclude those defined as outsiders who are seen to threaten public security; the concept of singularity and its significance as that which asks us to focus on the unique difference of each person as more than what is encompassed by the various social categories to which each person is assigned; and the nature of hospitality. The connection between the seemingly unrelated subjects about which Derrida has written and the texts of these two scholars is their explicit concern with what it means to be human. Their foregrounding of these values/issues is

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[1] In their complex account of the nature and operation of stocks of knowledge in the life-world, Shutz and Luckmann (1974) argued that we rely on stocks of knowledge in order to operate within the everyday world. These knowledge stocks are created out of the typification of experiences of all facets of the social world. Because they are understood as typical, they are assumed to be 'natural,' taken-for-granted and therefore self-evident. Typifications allow us to believe we can repeat an action or an engagement with others successfully because of assumptions of shared experience and a 'common frame of interpretation' (p. 4). The recognition that a stock of knowledge is in some respects deficient happens when an experience cannot be satisfactorily fitted into existing frames of reference. It also means that individual stocks of knowledge are never closed; they are always (potentially) open to question, although revisions of deeply entrenched stocks of taken-for-granted knowledge of the operation of the life-world represent considerable personal and societal challenges.

particularly pertinent in a societal context where to be defined as criminal is, as a consequence of the increasingly punitive discourses now in circulation, to risk being placed outside the borders of the social (Young 1996).

Derrida's and Shutz's focus on the specificity of the human situation emphasizes the significance of qualitatively constructed knowledge that enables nuanced accounts of complex and competing realities. Both scholars focus on the human situation modeled by a specific category of person (The Stranger; The Homecomer; the provider of hospitality; the guest). Their writing is grounded in an explicit and fundamental conception of the humanity of all human persons; this conception is, I believe, implicit in much of the transition and desistance literature but is not so expressly foregrounded.

Their texts also support and extend the implications of similes and metaphors running through some of the desistance literature. Regarding a transition as involving a movement between two states, Weaver and McNeill, for instance, write of a transition as like a guided 'journey,' emphasizing the 'guide's' need to know,

> 'where they started, how far and fast they have come, grasping the significance of the terrain travelled and on which they now stand, as well as the nature of the terrain and the likely pleasures and pains of the journey ahead . . .'(Weaver and McNeill 2010: 55).

More metaphorically, McNeill (2010) discusses the quality of provisioning, equipment and support necessary to sustain the traveller on the long road ahead. So too, Shutz's essays and Derrida's discussion of borders and hospitality evoke journeying; the texts of both scholars invoke, too, issues of knowledge, perception, and relationship to society. Released prisoners as travellers on a journey towards desistance are highly likely to encounter metaphorical borders beyond the actual border represented by the prison gate: those situations, where their right to proceed may well challenged via identity checks, being stopped and searched, or being denied work or accommodation because of their past.

The existence of such borders raises questions about the knowledge held by others of the traveller. Who knows this person? What representations inform that knowledge? What are the limits to these representations? What alternative knowledge do they exclude? What discourses do they shape and have been shaped by? Who benefits from these discourses? Who offers hospitality to the traveller? Why is hospitality withheld? These questions foreground how representations circulating within society and the discourses of which they are a part bear crucially on how transitions are shaped and play out.

Because much criminological writing is focused either on representations of offenders as composites of psychological or sociological factors measurable by quantitative methods and/or, in line with the western preoccupation with the individual, on the individual offender in the context of rational choice theory, the re-affirmation of the diversity of human experience and identity is crucial to the account advanced in this paper. Understanding a transition in this context has significant ramifications for

organisational policy and practice affecting the quality of prisoners' transitions that is crucial to their being in a stronger position to (re) establish their lives beyond prison. The kinds of reception accorded each person and the forms of guidance available to help them navigate the strange, the unfamiliar and the once familiar relationships and social spaces all bear on the extent to which each is able to 'make space' for themselves .

Shutz's and Derrida's essays constitute key theoretical co-ordinates informing the analysis of interview data and other material in my research project *Making Space: prisoners' transitions to family/whanau and community*.[2] The study is an exploration of the experiences and meanings associated with crossing the borders between the carceral and free worlds and the discourses that structure such crossings. Hence, the research question, 'What does it mean to attempt to move from the liminal status of released prisoner to the valued status of citizen in New Zealand'? includes in its enquiry ex-prisoners' experiences of 'border' crossings; and their perceptions of how prepared the communities into which they were released were to open up again to 'make space' for those now hoping and attempting to claim a different type of space and relationship to their society from those they had previously occupied.

Alfred Shutz: the first theoretical coordinate

In 1964, Alfred Shutz's (1964) complementary essays on 'The Stranger' and 'The Homecomer' were published in his *Collected Papers*. 'The Stranger' is an account of how a person who is perceived to be, or perceives themselves as, foreign must rework their familiar stocks of knowledge of the life-world if they are to become able to operate effectively in the new country they are entering. 'The Homecomer' explores how those returning home after a long absence also need to re-work their taken-for-granted stocks of knowledge.

Moving into a new society clearly makes considerable demands on The Stranger. He (the personal pronoun Shutz uses in both essays) needs must recognise that his familiar, taken-for-granted stocks of knowledge shaping his sense of identity and social relationships have become redundant; these must therefore be placed aside. He must then acquire sufficient understanding (linguistically, culturally, and sociologically) of the new society, when his initial knowledge of that society is

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[2] The fieldwork, carried out between September 2009 to November 2010, has involved interviewing a small number of non-Maori and Maori respondents up to three times over this period about their experiences of transition. Crimes for which the respondents had been convicted included murder, sexual offending, fraud, GBH and aggravated burglary. Sentences served ranged from one to 20 plus years. Three respondents each had over 70 prior convictions and multiple prison sentences. Respondents' ages ranged at time of conviction from 17 to 55 plus years. Most first interviews were done shortly after each person's release. By the time of the second round of interviews, four respondents had left the region and one was recalled to prison. Two respondents joined the study partway through the fieldwork and one rejoined, so taking part in a final interview. The loss of some respondents is to be expected in this field. Farrall (2002), in his longitudinal study involving an initial 199 respondents and their probation officers, suggested that this population's mobility and range of social problems affect research retention rates.

partial, incoherent and at times contradictory. He has to master new frames of reference, as falling back on taken-for-granted knowledge and assumptions that operate within his home society is not possible; indeed, the '*recipes*' (p. 94: italics in original), those cultural, sociological, linguistic and idiomatic stocks of knowledge that allow one to act matter-of-factly in a society are only gradually acquired.

In contrast to The Stranger, it could be assumed that 'The Homecomer' would be able to fall back on his accumulated stocks of knowledge because, seemingly, he is returning to familiar, 'face to face' intimate relationships and his tacit stocks of knowledge that would guide his interactions with his Home Group; equally, although his knowledge of his community is not as detailed as his knowledge of his Home Group (and, similarly, the community's knowledge of him operates at a more generalized level), nonetheless, all parties will have more generalized but shared, relevant stocks of knowledge of the other. In this setting, it can be supposed that The Homecomer could operate matter-of-factly and easily as his stocks of knowledge should enable him to function effectively within his life-world.

Shutz immediately disrupts such assumptions. His analysis of homecoming draws first on Homer's account of Odysseus' return to Ithaca when Zeus assigned Pallas Athene to assist him by casting a mist over the land that she then only slowly lifted to reveal where he was; Odysseus did not have to confront immediately all that had changed in his absence. Unlike The Stranger who knows he will encounter an unfamiliar world, The Homecomer 'expects to return to an environment of which he always had and-or so he thinks-still has intimate knowledge and which he has just to take for granted in order to find his bearings in it' (pp. 106-107). For the returning veteran (to whose homecoming Shutz turns), home is assumed to be the place that is the 'null-point of the system of co-ordinates which we ascribe to the world in order to find our bearings in it' (p. 107).

Shutz argues that The Homecomer finds that Home is no longer familiar. He quickly discovers that he no longer possesses that intimate knowledge of his Home Group because, in his absence the Home Group's patterns, modes of interaction and goals have changed. His and their previously shared stocks of knowledge of each other no longer suffice. The same issues arise in re-constituting his relationship to his community. All parties will have changed in ways that none can easily recognise or describe. Shutz notes that the nature of many war veterans' experiences make them difficult to share and, to complicate things further, the contexts in which they have lived mean that some of their more recently learnt values, behaviours and expectations are not appropriate to civilian life; it can be argued that the same holds for released prisoners. Veterans' initial high status changes over time; returned soldiers cannot presume on retaining the privileged status conferred by a uniform. Released prisoners, though, typically lack any claim to status within the wider community.

The Homecomer may well discover his sense of himself as changed is hard to realise in families and communities that do not quickly adjust their expectations and knowledge of him to take account of that change and he may well find he is under pressure to conform to out-dated accounts of himself. Shutz represents homecoming

as challenging for Homecomer, Home Group, and community; he considered all involved need to take stock of what has changed and, in light of the loss of mutual knowledge, familiarity, and shared expectations, concluded that Homecomers need a 'Mentor to "make them wise to things"' (Shutz 1964: 120).

Although Shutz focuses more on the difficulties Homecomers face than those experienced by Strangers, it is evident that the substantial challenges confronting Strangers both parallel and are in some respects different from those facing Homecomers. In order to effect a transition into a new society, Strangers must rework their stocks of knowledge. Critically, this involves relinquishing familiar modes of operation and knowing. They may meet with hostility or indifference; developing face-to-face relationships is a long process. In contrast, Homecomers return without realising the need to question the relevance of their taken-for-granted stocks of knowledge, assuming them to be a reliable given. But instead they find that their relationships with others and others' with them are constrained because of the mutual lack of fit of their separately modified stocks of knowledge.

Pallas Athene benevolently casts a mist so that Odysseus is not overwhelmed by the loss of the familiar because of changes that have taken place in his absence. Although Shutz does not state if Homer gave an account of how far she accompanied Odysseus once he left the beach and there is no description of those sites/sights that she considered it was timely to reveal or leave obscured, we can assume that she travelled some of the distance inland with Odysseus in order to assess what he was ready to observe. The mentor's significance, then, lies in the work of helping The Homecomer manage the shock of the familiar-become-unfamiliar, discriminate between relevant and irrelevant stocks of knowledge, and begin the re-learning task. It can be assumed, too, that the mentor's role extends to helping relevant others also become "wise to things." The mentor, here, plays a mediatory role, sympathetically interpreting each to the other and supporting and encouraging all parties.

Interestingly Shutz did not allocate a mentor to assist The Stranger, although in light of The Homecomer's experiences, it can be assumed that The Stranger, even if the difficulty was anticipated, may also struggle with the loss of familiar stocks of knowledge and the demands of acquiring the new. As with The Homecomer, so too The Stranger cannot accomplish the work of entering a new society without that society's preparedness to modify its stereotypical knowledge pertaining to a category of person and take account of who he is as a singular person. The movement for Stranger, Homecomer and community, from the parties' lack of relevant knowledge (Stranger, community) and knowledge-become-irrelevant (Homecomer, Home Group and community), to the acquisition of grounded knowledge and understanding of each other requires all participating in the extensive re-structuring of taken-for-granted stocks of knowledge.

In the context of the penal system, these essays raise a further question. How long an absence is needed for a Homecomer to take on the attributes of a Stranger? Is an absence of 10 plus years needed or, as respondents in my study suggested, may the concept 'Stranger' become relevant to conceptualizing where the person stands in relation to the society after what might seem a brief period of incarceration? Given

that prisoners released after long sentences may have had minimal contact with the society beyond prison and base their expectations of that society on media representations, and their values and cultural and linguistic positioning may well orient them more to the prison than to the world outside, Shutz's account of the challenges of entering a foreign country emphasises the importance of awareness on the part of the prison authorities and NGOs working with prisoners prior to and post release of the value and breadth of necessary work to be done, including advocacy, mentoring, re-working stocks of knowlede,and providing support in order to best assist each person to manage competently within the society.

In thinking about the person-become-Stranger, Raynor's (2007) commentary, for instance, on the importance of *personalised* plans to help prisoners prepare for release is highly apposite as such plans would focus on the particularity, the singularity of the individual and the tasks and knowledge gaps peculiar to *that* person. McNeill's (2006: 52) list of qualities desisters could well value in the 'virtuous offender manager' as 'optimism, hopefulness, patience, persistence, fairness, respectfulness, trustworthiness, loyalty, wisdom, compassion, flexibility and sensitivity' is significant because these qualities focus on elements that build, model and support human, not bureaucratic, relationships.

While The Stranger is likely to have substantive gaps in his stocks of knowledge of the new life-world he has entered, The Homecomer's stocks of knowledge, too, may well be inadequate. Although some prisoners will have had some contact with family members, their stocks of knowledge of each other will almost certainly be incomplete. For example, Parke and Clarke-Stewart (2003) and Braman and Wood (2003) have written of the tensions and challenges associated with released prisoners returning to their families and seeking to resume partnering and parental roles. Their findings raise questions about, for example, how penal policies and practices, including visiting policies, may best assist in ensuring the Homecomer's and family group's knowledge of each other retain some degree of current relevance. For example, because imprisoned parents are likely to have difficulty acquiring the detailed knowlege necessary to inform parenting practices, so knowledgeable support systems could take this deficit into account post-release.

Stocks of knowledge, by definition, take time to acquire and then use successfully. Pallas Athene's presence as mentor foregrounds important factors assisting with a successful 21st century transition and the achievement of desistance: the availability of an empathic helper, able to comprehend and respond to the trauma of release/return and, in some cases, make a long-term commitment to the complex work associated with supporting the released person and other key people in their environment (Maguire and Raynor 2006; McNeill and Weaver 2010; McNeill and Whyte 2007; McNeill et al. 2005; Raynor 2007). As these authors and Shutz's references to the range of other players (home group and community) make clear, the work associated with a transition cannot be accomplished unaided by the returnee nor be discursively represented as her/his sole responsibility. A return is manifestly aided by a widely shared acceptance of society's responsibility to 'make space' to allow each person to manage their transition from prison in a good enough fashion.

It can be suggested, in respect of society's recognition of its role in transitions, that the New Zealand Department of Corrections (hereafter Corrections) has a critical (and complex) role to play in relation to the media's representational practices about prisons and prisoners. How does Corrections attempt to ensure a more complex account of the carceral system is made available through the media to the New Zealand public? More specifically, what media releases does Corrections produce that contribute to building public knowledge and understanding of issues associated with transitions as experienced by Homecomers and Strangers? Where and how does it question dominant discourses primarily inscribing released prisoners as organisationally risky, incipient recidivists with fixed criminal identities? How does it position itself in relation to the contribution prisoners and ex-prisoners can make (Barnett and Maruna 2006; James 2005; Maguire and Raynor 2006); and which of its policies and procedures encourage and allow prisoners, especially those who assessed as higher risk prisoners, to make such contributions?

Jacques Derrida: the second theoretical coordinate

The word 'transition' suggests a movement initiating a journey, the end of which may well be a long way off and conceivably remain uncompleted (Sisarch and Sisarch 2007). Further, the step across the metaphorical yet real border between the prison and the wider social world cannot necessarily be understood as a step into freedom but rather a step into a discursively confined and monitored space where the carceral world extends into the everyday social world through the criminal justice system's reporting requirements, observation of parole conditions, constraints relating to (re) entering the workforce and so on. Comfort, in her study of prison visiting wrote that after the person's release, women partners may, as a consequence of their secondary prisonization, adopt roles as 'auxiliary parole officers and secondary parolees' (Comfort 2008: 189) through keeping track of appointments and monitoring aspects of the released person's behaviours. As Soja (1996) has argued, social space is not neutral but is filled with ideologies, politics, imaginaries, power, domination and subordination.

Derrida has explored this complex of knowledge, identities, politics and processes in his essay on those known in France as the 'sans papiers' where he wrote of borders as,

> ' no longer places of passage; they are places of interdiction, thresholds one regrets having crossed, boundaries back towards which one urgently escorts, threatening figures of ostracism, of expulsion, of banishment, of persecution. Henceforth we live in shelters that are under high surveillance, in high security neighbourhoods- and, without forgetting the legitimacy of this or that instinct of protection or need for security (. . .) [we have become] the hostages of phobics . . ., who cynically exploit the confusion towards political ends, who no longer know, or no longer want to distinguish between, the definition of hearth [*un chez-soi*] and hatred and fear of the foreigner-and who no longer know that the hearth [*le chez-soi*] of a home, a culture, a society also presupposes a hospitable opening' (Derrida, 2002:

134).

His words draw attention to what is now an international phenomenon: the increasing exclusion from membership of society of those who, like offenders, are defined as 'other'. Derrida draws attention to how those seeking to close borders become victims of their own fears fuelled by their embrace of exclusory political discourses. In denying others' fundamental humanity, those wishing to exclude also deny their own qualities such as empathy, generosity and hospitality; this may open them to being similarly regarded as 'other.' Coetzee's (1980) novel *Waiting for the Barbarians* is a brilliant exploration of how this shift plays out.

To return the person to their full humanity when they have been defined as 'other' by law, bureaucratic administrations or stereotyping is to recognise Derrida's concept of singularity. Derrida writes of singularity as constituted by paradoxes, aporias, and contradictions (Vaughan-Williams 2007). It is a concept critical to all ethical knowledge and action and necessarily is highly political. The singular stands in contrast to the exemplary, where one case or example stands in for all individual members who have been classified as constituting an identified class or group. Singularity, in contrast, names that which stands outside of or remains beyond what is encompassed within a mode of classification; it is the key supplement to the discursively structured self, foregrounding the unique humanity of each person. It therefore challenges the adequacy of claims of those forms of knowledge creation whose administrative rationale is to determine and apply common patterns or universals that are detached from the specificities and wealth of contexts that constitute the human objects of investigation and resist such modes of classification.

In the context of this paper, whose sub-text raises issues of justice, Derrida's (1992) discussion, 'Force of law: the "mystical" foundation of authority,' demonstrates how the determination of justice involves the assessment of the singularity of each case against the body of law. It, in effect, holds the law in suspension while an assessment is made of where *this case* and *this accused person* stand in relation to the law. Derrida wrote of how, in passing a sentence in the light of that assessment, judges performatively re-visit the law's justness (albeit that later in the essay, he discusses the complexities and impossibilities that trouble the concept of the just law). He wrote of this process,

> 'How are we to reconcile the act of justice that must always concern singularity, individuals, irreplaceable groups and lives, the other or myself as other, in a unique situation, with rule, norm, value or the imperative of justice which necessarily have a general form, even if this generality prescribes a singular application in each case? If I were content to apply a just rule, without a spirit of justice and without in some way inventing the rule and the example for each case, I might be protected by law (*droit*), my action corresponding to objective law, but I would not be just' (Derrida 1992: 17).

Derrida's (1987) essay on Mandela is a reflection on singularity, law and justice. Derrida takes as his text Mandela's defence speech during his trial for treason. Mandela appealed with dignity and eloquence to a law that his conscience obliged

him to reject; apartheid meant he was forced:

> 'To chose between compliance with the law and compliance with our consciences . . . I regarded it as a duty which I owed, not just to my people, but also to my profession, to the practice of law, and to justice for all mankind to cry out against this discrimination which is essentially unjust. . . ' (Derrida 1987: 35, quoting Mandela).

And he referred to Bertrand Russell who also found himself confronted by, "a conflict between his conscience on the one hand and the law on the other" in his protests against nuclear disarmament. Mandela continued,

> 'This is not a conflict peculiar to this country . . . . [Russell's] belief in the morality of the essential rightness of the cause for which he stood, rose superior to his *high respect for the law*. . . . The law . . . as it is written and designed by the Nationalist Government, is a law which, in our view, is immoral, unjust, and intolerable. Our consciences dictate that we must protest against it, that we must oppose it, and that we must attempt to alter it.' (Derrida 1987: 39; quoting Mandela; italics in original).

Mandela's singularity does not lie in the uniqueness of his situation. His trial and subsequent imprisonment were outcomes of one attempt among many in history to realise a vision of racial equality; in the trial he embodied those many crossroads, historical, cultural, legal, racial, devoted to achievements of human equality, for which many have fought. His singularity in this shared endeavour lay in the substantive forces and knowledge (historical, argumentative, legal, moral, religious, situational) that he brought to his defence and to the justness of his cause. His words challenged the state's classification of him as a dehumanised terrorist. His rejection of the South African state's application of the law stands as a singular response to the power of a legally constituted government.

Derrida's representation of singularity does not simply oppose the particular instance to knowledge claims based on the observance of group or universal characteristics. As his essay on Mandela makes clear, singularity is itself an instance of an ethic of knowledge, in which the core commitment is to the full humanity and hence intrinsic difference of each human subject, whatever the range of social categorizations and discourses that may represent some of the truth about that subject. Hence, as Vaughan-Williams (2007: 116, quoting Derrida; emphasis added) wrote,

> 'Instead of basing an understanding of ethico-political relations on a particular human essence (. . .) Derrida opts for a more relational view of subjectivity. What makes him feel alongside those caught up in conflict, famine, or other disastrous circumstances is a bond in excess of notions of common citizenship, as if we were all cosmopolitan citizens of the world. . . . the bond Derrida feels 'cannot be contained within the traditional concepts of community, obligation, or responsibility', since these are often wound-up with the very forces behind those circumstances producing disaster in the first place. This bond relates to 'the incalculable *singularity* of everyone, before any 'subject,' beyond all citizenship,

beyond every 'state', every 'people', indeed even beyond the current state of the definition of a living being as a living 'human' being.'

The term 'humanity' encompasses both the total of all singular human beings and the totality of the qualities which distinguish what it means to be human from other living entities; as noted above, 'singularity' is a attribute that is equally particular and shared.

'Derrida identifies an aporia here, relating to the very concept of singularity: an aporia that actually conditions the concept as such. For singularities to be genuinely singular they cannot be described as anything else that would compromise their singularity. Yet, as soon as any given singularity is identified as a singularity, it has to be, even in a very minimal way, like something. . . . Nancy points out that the term 'singular' in Latin – singuli – already announces its plurality. . . . 'The singular is primarily each one and, therefore, also with and among all the others. The singular is plural.' . . . Singularity does not make sense unless it is seen with or in relation to the other singularities that make it singular' (Vaughan-Williams 2007: 117, quoting Nancy).

Importantly, singularity also relates to 'dignity' and to 'hospitality,' qualitatively significant words informing what it means to be human. Firstly, dignity, placed against the word 'prisoner,' could easily be read as inappropriate or contradictory as official penal and political discourses tend to be sparing in their references to the dignity or right to dignity of those whose actions have denied others' dignity and humanity.

In 'On the "Priceless"', Derrida wrote of dignity as,

'of the order of what is called *priceless* [sans prix]. What is absolutely precious, the other in his or her dignity has no price. And reciprocally: everything in the other (or in myself as other and absolute singularity) that is *absolutely precious* and worthy of respect, nonnegotiable, defines the order of dignity as an end in itself ' (Derrida 2002: 324; his emphases).

This account of dignity is, however, fraught with difficulties created by the market's weighting of dignity against social, economic and ethnic criteria. To withstand the undercutting of the priceless quality of dignity and singularity through the application of market values is to move into a negotiable space of decision and thus of responsibility (moral, judicial, or political), involving decisions about what is negotiable and unnegotiable.

Secondly, Derrida's radical (and, again, highly political) conception of hospitality represents a further instance of his attention to the human and the relational. A hospitable response to another obliges us to receive as a guest one whom we cannot begin to conceive of receiving.

'I must not even be prepared to receive the person, for there to be genuine hospitality: not only to have no prior notice of the arrival but no prior definition of

the newcomer, and no way of asking, as is done at a border, "Name? Nationality? Place of origin? Purpose of visit? Will you be working here?" . . . Hospitality is not merely receiving that which we are able to receive' (Derrida 2007: 233).

There is a considerable tension in Derrida's concept of hospitality, between the obligation to welcome an unknown and potentially hostile stranger, in a situation where the person offering hospitality can do so because s/he owns the place to which the stranger is invited to enter, and the fact that the gift (of hospitality) is intrinsically conditional and limited as the person can be asked to leave. However, Caputo understands Derrida as arguing that, '[h]ospitality really starts to happen when I push against this limit, this threshold, this paralysis, inviting hospitality to cross its own threshold and limit, to become a gift *beyond hospitality'* (Caputo 1997, p. 111: author's emphasis). The hearth, *le chez-soi,* to use Derrida's use of this term in his reflection on borders, is that site where one is most at home, and admitting another to one's hearth involves trusting in the singular humanity of the other prior to knowledge that that trust will be reciprocated.

The conceptual framework for analyzing prisoners' transitions to society which can be derived from linking Shutz's and Derrida's essays includes, then, the following elements. A prisoner leaving prison crosses the border as both a homecomer and stranger who retains his otherness as offender/criminal. To manage the lack of fit between the shared stocks of knowledge about the life-world possessed before entering prison and those circulating in the society to which he returns, a guide is necessary. Together, the guide and the offender/citizen have to open new social spaces, and this requires the presence of mutual trust and belief among all parties that the singular humanity of the citizen-to-be can be affirmed and revealed in the return processes.

The above account may be read as laying itself open to the charge that it is indifferent to risk, an issue on which correctional services in the Western world are highly focused. Corrections has as its primary objective the protection of the public and in its work with parolees and probationers focuses very extensively on risk assessment and management. Risk is not a factor to be overlooked but the issue is how it is attended to. In the humanistic approach to offender management represented by the literature on desistance in which I locate this paper, the question is the orientation of the work; hence McNeill et al. (2005) affirm that risk management and imposition of controls constitute only a part of the issues with which the correctional services' should be engaged with; they also propose as productive a mode of engagement that is responsive to the parolee as a person. In other words, McNeill and his co-authors and a considerable number of other researchers point in their work to the importance of recognizing the singularity of strangers/homecomers and the creation of virtuous spirals of interaction between offenders and their probation officers. In a context where mistrust is the obvious response, what they in effect propose is, especially early in the relationship, a counter-intuitive act of trust, albeit that some wariness on both sides is a real possibility[3] As I now demonstrate from evidence in the study (so

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[3] For example, asking an offender to contribute to a post-release care plan that focuses on issues other than parole conditions (as does not happen in New Zealand) can be seen as a statement of trust that the prisoner/offender is more than their criminal past, albeit that both may well acknowledge the

connecting Derrida's concept of hospitality and the processes of transitions from prison), such acts, which may vary in their timing, can contribute to helping a person move towards desistance.

Several respondents in my study described specific people (mentors, an acquaintance-become-friend who provided accommodation and a probation officer) as seeing beyond the correctional classificatory systems defining their levels of dangerousness and risk. The bracketing to some extent of these issues required a quality of gaze that suggests experience, knowledge and preparedness to entertain an account of the other as more than their offence and assessed risk levels; indeed, only by adopting such a position is it possible to determine the rightness in *this* case of offering trust.

In a way that I hope does not do too much violence to the complexities of Derrida's concept of hospitality, I discuss a respondent's account of two modes of practice ('inhospitable' and 'hospitable') he experienced as a parolee reporting to New Zealand's Community Probation Service (CPS). The 'inhospitable' mode of practice was positioned firmly within the mainstream discourse of risk and control; the other, more 'hospitable' approach can be associated with humanistic modes of work emphasised in the desistance literature. As noted above, managing risk has its place *and* community probation practice needs to attend to other dimensions (Bain and Parkinson 2010; Farrall 2003; Barry 2007; Maguire and Raynor 2006; McNeill et al., 2005; McNeill and Weaver 2010; Raynor 2007).

The respondent had been convicted for a second sexual offence. On release on parole, he was initially assigned the 'hospitable' officer, then re-allocated to an officer whose practice I describe as 'inhospitable.' As did most respondents, so he too spoke critically about what it felt like to experience this second mode of practice. His comments arose during a discussion about what had changed in his life over the previous six months. He talked about getting employment at a worksite CPS had not visited in advance in order to inform the employer of his record, assess his risk levels in that setting, and determine if he should be permitted to work there. He knew he was breaking well-defined and, in one context, justifiable rules. However, he was anxious about the negative accounts of individuals probation staff offered prospective employers. He had been offered the work as a consequence of his close association with a local community group in the community. This group, of which the employer was a member, was well aware of his having been in prison and the nature of his offence. He said,

> 'I got a bit of a rarking up about taking the job an' they said, you know, that it was the interests of the working, the people who were in the place and I said, 'Well *hang on*. You are so worried about me working at this job and yet . I can walk around the *whole* of the city, unsupervised . and you don't care! How do you put that two together?' (. . .) He just, they just said, 'Oh, um, that's just the rules. You just . can't get a job like that and things.' And I said, 'Well, . . y'know, you sit in your *office* all day, y'know. Doing *nothink!* and that, y'know. You worry about me getting a job. Y'know.' I said, 'You, you should come out with me. You should

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difficulties of relinquising that past. It sets the stage for building further positive interactions that mistrust excludes.

come and see what I do out in the community an' that. (. . .)
I feel um, really *disappointed*, y'know, because . he's asking me all these **negative** things. Never asking me anything that's positive that's, what's happening to me out in the community.'

He believed that the officer's evaluation of his risk levels based, as he pointed out on little actual knowledge about him and his activities with the community organisation, bore a minimal relationship to the significant changes he had made in his life. The contextualizing factors he thought important to evaluating his progress and risk levels were deemed to be of no organisational interest and were accordingly devalued.

He contrasted this rigid adherence to a restrictive rule-based approach focused only on assessment of risk with the relationship he had had his first officer that he described as positive and constructive. In referring to this officer's agreeing shortly after his release to his taking a multi-day trip through his home region, accompanied by the person with whom he had lived since his release, the respondent said,

'I felt comfortable, really good with him 'cos he *trusted* me y'know, he knew that . I wouldn't do anything *stupid* to um . y'know.
A To jeopardize things?
R To jeopardize my freedom out here, yeah, go back to jail 'cos no one wants to go back to jail, well, some do but not *many* y'know um . an', an' and I think he put his trust in me and that's what I *respected*.'

The significance of this text lies not just in this speaker's emphasis on 'trust;' it lies, too, in his saying that the officer 'knew I wouldn't do anything *stupid . . .'*. This type of knowledge does not rely on a standardized, decontexualized assessment of his likelihood of re-offending; it also relies, critically, on the officer's making an assessment of the singular qualities of *this* man, the circumstances of his trip, and how best to help him move on.

He described how this officer did not, as did the second worker, ask only standardized questions in brief interviews.

'That was one thing I didn't get off him, he didn't say, "Have you been drinking? Have you been doing this? Have you been staying in, a, y'know? Are you angry or are you, y'know?' He didn't. He, he just, we just sat down and had a conversation on y'know, how my day was , y'know. And, what I was doing, what I was gonna do for, with my day and I just told him, I was just gonna go for a bike ride, y'know, just go and do, y'know, walk down town. He said, 'Yeah, that's good. Don't,' he said, 'don't bottle yourself up in the house because, y'know,' yeah, he said. Yeah, yeah, that's basically what he said. He said, '*Yeah, Get out of the house,'* y'know. 'Go and meet people an' that.'

This respondent takes as significant the 'hospitable' officer's eschewing of the offence-oriented, closed questions. Instead, a 'normal', more equal conversation took place. The officer *listens* (Barry 2007) to what is said and his questions and preparedness to take the risk of authorizing the trip (to offer trust) can be seen to

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reflect that. The respondent feels affirmed by another's interest in his current and future wellbeing and believes that his best interests are being taken into account. This orientation to offender supervision introduces a different discursive space going beyond risk assessment processes to enable the production of alternative practices: building trust, respect, and knowledge and re-affirming the humanity of offenders. The fact that a number of respondents talked of losing their sense of their humanity in prison makes it all the more important that such processes are part of probation work.

Conclusion

My intention in this paper has been to discuss how Derrida's and Shutz's texts contribute to conceptualizing further the transition processes. Shutz encourages questions about the relevance of each released person's stocks of knowledge of the life world. Their position as Stranger, Homecomer or, in some cases, both Stranger and Homecomer, direct attention to complex transitional tasks: acquiring new stocks of knowledge commensurate to the society into which they have moved, or determining what previous stocks of knowledge hold or must be revised or jettisoned. A Home Group's and community's preparedness to engage in similar work is critical; stocks of knowledge that exclude possibilities of change anchor The Homecomer to a self that may well have been out-grown or is in a process of changing. Equally, the society needs to move beyond stereotypical accounts of The Stranger and Homecomer; the responsibility for the outcome of the return is a collective one (Halsey 2008).

Derrida's texts also foreground the person within the social, addressing the powerful processes of border surveillance that obscure the determination of the singularity of the other and, in complicating the offering of the risky gift of hospitality, make it more difficult to see the humanity of the other; to be unable to see the other's humanity contributes to the society's diminishment. To place Ruitenberg's (2009: 83) words in a different context, collectively all need to participate in enabling a space to be created to allow 'newness to enter' and difference to be introduced. In a context of increasing emphasis on imprisonment, political and bureaucratic discourses point in the opposite direction. The powerful concepts for conceptualizing the desistance processes that Shutz's and Derrida's work make available can valuably supplement the existing theorizing in the desistance literature.

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