

# Criminal Recidivism: A Conceptual Analysis of Social Exclusion

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## Abstract

This paper discourses the phenomena of criminal recidivism using a conceptual analysis of social exclusion. It is evidently established that, the phenomena of criminal recidivism is one of the major challenge of the contemporary criminal justice system. However, many predictors were argued by several researches as the major determinant factors of criminal recidivism in the society among the ex-prisoners. This article analyzes the criminal reoffending (recidivism) among the ex-prisoners using conceptual analysis of social exclusion of the ex-prisoners. The paper also discourses some major issues that are considered important when it comes to the analysis of social exclusion of ex-prisoners: it explains offender's family social exclusion; absence of material and social capital of ex-prisoner; and it discourses the concept of social Ostracism as another base of social exclusion and the paper utilizes the Source-Perspective Model of Ostracism as the conceptual model of the paper.

**Keywords:** Criminal Recidivism, Social Exclusion, Ex-Prisoner, Crime, Ostracism

## Introduction

Criminal activities are always on the increase despite the measures put in place by the relevant authorities to check mate it. One of the issues in the increasing aspect of crime is recidivism. According to Petersilia (2003) the greatest consequences of the increasing numbers of the prison inmates is the burden of such prisoners on both the state as well as the general community. For instance, Bureau of Justice Statistics in the United States indicated that between the years 1980 and that of 2007, the total amount of offenders placed on parole grown much higher to the extent that it exceeds two hundred and fifty percent (250%) (Glaze & Bonczar, 2008; Beck, Brown, & Gilliard, 1996) the amount covered in the year 2007, revealed that about 800,000 inmates were placed on parole (Glaze & Bonczar, 2008). Notwithstanding of the increase, it also buttressed that 60% of such inmates are further reconvicted for another new criminal behaviors within and between two years of their release from custody (Solomon, Kachnowski, & Bhati, 2005). The contributing indicators of recidivism among the inmates released from correctional centres have been discussed from different points of view (Andrews and Bonta, 1994; Blackburn, 1993). Many studies indicate that some factors and measures are positively and reliably related to the probability of criminal recidivism. For instance a research conducted by Hare (1991), revealed that indicators like arrest age (for the first time), criminal versatility, substance use like drugs or alcohol, and lack of education are often associated with recidivism. However, other study stressed the relationship between anti social behaviors such as psychopath as an important predicting factor of recidivism among ex-prisoners. More often than not Gondles (2003) maintained that factors that are contributing to criminal recidivism is when an offenders reach probation, other institutions of social control, offending behavior, family's neighborhoods and schools. However, this paper would seek to explain the criminal recidivism using social exclusion as a conceptual point of analysis.

## The Concept of Criminal Recidivism

According to Rahim (1984) recidivism can be seen as situation of going back or relapse again into the previous criminal behavior after an inmate has been punished through imprisonment. In other words, recidivism is the return of probationers (where applicable) or ex-prisoner into illegal activity after release from incarceration. Recidivism is a condition in which an individual repeats an unwanted or criminal behavior after he or she experienced a consequence of such behavior and has been presumed to be treated in order to desist from the behavior. Moreover, it is a tendency to fall back into previous criminal behavior and it also portrays arrest, conviction, and incarceration of ex-prisoner for the second or more times and it cannot usually occur where relapse did not occur within a specific period. It also varies greatly from place to place depending on the amount and quality of intervention, surveillance and enforcement (Schmallenger & Smykla 2005).

Critically, the above conceptualization is only one sided because it only gives account of recidivism as just a mere concept without stating categorically the basis on which side could be held responsible. As such studies like that of Maltz (2001) shows that criminal recidivism can be viewed from the context of Criminal Justice System. For him, the reverse of an ex- inmate into his or her criminal behavior after he or she has been fully processed through the legal system of punishing offenders can be attributed to the insufficiency of a weakness of the justice system; for instance, it could be a failure on the part of the state and the justice system.

Though it can equally be seen as an individual failure to conform but the study concluded that it is solely the state and the justice system that contribute to it.

The above research position is that, it is only the failure of the state and the criminal justice as whole that predetermines the relapse into the previous criminal behavior after an individual is released from incarceration. Though, it could be a factor, however, the findings seems to be so skewed towards the state apparatus and criminal justice without taking into account other relevant issues that can be associated outside the parameters of the justice system.

Thus, other studies did not focus on the state factor while analyzing the phenomenon of recidivism; instead they considered other crucial issues and circumstances. In a study conducted by Petersilia (2003) she pointed out the challenges that ex-prisoners faced in the areas of educational opportunity, finding a reliable work, accommodation, as well as abuse of substances are of great relevance in the analysis of criminal recidivism. She further maintained that, majority of them (ex-prisoners) exit from the prison institution with a little or no resources that can take care of them, some with no social capital, and as a result of their criminal status most of them face serious difficulty in securing job and even accommodation from one end, and societal rejection from the other end. As such due to these deficits, successful re-entry for many ex-prisoners is both difficult and unlikely. As such they may further be socially excluded which could also be another major factor that could lead to their reengagement into their previous criminal conducts which would invariably lead to their re arrest and subsequent conviction and there by becoming recidivists. In line with, it is pertinent to discourse the concept of social exclusion.

### ***Social Exclusion***

The concept of social exclusion is usually used and associated with some level of poverty and other disadvantaged criteria to assess the level of individual chance of survival and having a stake in a particular society. i.e. it is used by the social scientists to gauge the level of poverty and parity in the areas of personal income among people living in a particular society. Although it is not only limited to poverty other social variables are equally important in the discussion of social exclusion among individuals and their immediate societies. However, most of the researches on social exclusion are considered structural based and focused towards how social indicators can be used to measure the phenomenon of social exclusion. As such, efforts to address it is usually seen from the cultural and value settings on how the society should look like, and how different individuals should be fully integrated into social spheres of their own societies (Hickey and de Toit, 2007). According to Room (1995) the concept social exclusion can be perceived as a multi dimensional relegation and disadvantage which an individual faced and include many aspects of his life like economical, emotional and immediate environment.

The above conception only focus on the economy and emotion without further buttressing the issue of difficulty associated with it and how it tend to affect the social environment that is why social exclusion is seen as a compounded issue which is difficult to have a peculiar or an all inclusive definition. Nevertheless, the common trend in social exclusion include many dimensions of social life in relation to poverty level, employment opportunities, family and community ties, friendship and networks, education, political relation among many other individual community activities (Fengen, 2010).

To elaborate further, Raaum et al. (2009) argued that social exclusion happens when a person is socially degraded and denied some social activities within his particular social environment in connection with one or more circumstances and this would make him or her at some point of time to be disengaged or have a feeling of being outside the structured arena of the immediate environment and this may have a high sense of probability that an individual may remain outside of the community circle in the future. On the other hand, Atkinson 1998, cited in Raaum et al. (2009) argued that 'individuals can be excluded not by virtue of their inability to secure proper job or considerable amount of income, but it can also happen due to the fact that such individuals are considered to be having no potential projection in their subsequent future activities', this for instance can be seen from the point of how ex-prisoners are being looked upon as those who have failed in their lives by being criminals and imprisoned. As such, they are considered as inferior and with no potentialities in their lives as such become socially excluded from the affairs of their immediate communities.

### **Social Exclusion of offenders (Prisoners)**

The phenomena of social exclusion of prisoners as well as the ex-prisoners is considered to be a crucial issue when it comes to assessment of individuals that are socially excluded from their particular societies base on the notion of their social status and it has a negative effects on them as a members of the society (Social Exclusion Unit, 2002; Wacquant, 2001; Duff, 2001). As a process of individual degradation, social exclusion can be seen from a point of non-participation of an individual in some major societal activities of his or her community in which they live in (Burchardt et al., 2002). Although the concept does not only limit itself in the areas of poverty, discrimination and or disadvantaged individuals, however, being a multi faceted phenomena it also include exclusion from activities of general production level of human beings through the engagements, and social

relationships it also portrays inequality and disparity in the areas of educational opportunities, denial of equal opportunity in relation to politics and employment opportunities, poverty, family structure, social class and housing opportunities (Barry, 2002; Hobcraft, 2002). In his study, Murray (2007) categorized social exclusion of ex-prisoners in the following components;

### **Offender's Family Social Exclusion**

It is argued that inmates and even their relatives seem to be among the usual relegated and excluded people in most of the modern societies, and sometimes prior to imprisonment (Murray, 2007). However, evidence has shown that prisoners are more likely to be excluded in most cases as against the other general population, especially, they are found to be without meaningful employment, they are with little societal status, multiple psychological and physical health challenges, familial impediments as well as other segregation they have in terms of social seclusion (Singleton et al., 1998; Lynch et al., 1994; Dodd and Hunter, 1992).

Furthermore it has been argued that not only the prisoners themselves but the families of prisoners usually faced with exclusion and many disadvantages from different angles. A research with families of prisoners conducted by Arditti et al. (2003) in the United States revealed that ex-prisoners do suffer great deal in terms of material well being, prior to their incarceration in some instances. Moreover, in a research conducted among fifty six visitors to prisons in the USA, it has been shown that, prior to the relatives incarceration, majority of the inmates relatives are living with an income lesser than that fifteen thousand US dollars per annum. Murray and Farrington (2005) also reported that, averagely, young individuals (boys) are usually separated due to their parental status of incarceration and they constitute of to 5.4 percent chance of risk behavior and delinquent activities at an averagely tender age of between ten year or there about (Johnson and Waldfogel, 2004). Therefore, this pattern of neglect, stress and degrading situation may render the offenders (especially the ex-convict) to find it difficult to adjust their lives and cope with the social circumstances they found themselves and this could negatively affect their ability to desist but aggravate their tendency of going back to their criminal behaviour which would translate into criminal recidivism.

### **Absence of Material and Social Capital**

Incarceration does not merely constitute degradation among the ex-prisoner, but it also cause a denial of material resources and opportunities for ex-convicts and their relatives. In this context, the problem they (ex-prisoners) faced with regards to unemployment is a key factor on their social exclusion (Burchardt et al., 2002), this is clearly stated from various researches which shows that inmates with previous criminal and conviction records are usually discriminated as oppose to those who do not have when it comes to seeking for employment (Holzer et al., 2004; Pager, 2003). Further to this, Wacquant (2001) argued that, economic disadvantage and exclusion as a result of imprisonment is to be considered as an avenue of reducing social status and capital. As in the case of United States for instance, prisoners are purposely sidelined from accessing some of the social services rendered by the state (public shelter, job opportunities, medical assistance, and many other social services) (Wacquant, 2001). This therefore shows some level of social exclusion among ex-prisoners where there are designed policies and programs meant to cater to peoples' welfare.

Equally a research conducted in England among the inmates' wives revealed that overwhelming majority (63%) of them were faced with deterioration in terms of economic condition following their spouse's predicament of imprisonment. On the other hand, the study also shows that of to 81% of the wives are facing challenges with their employment (Morris, 1965). Furthermore, even the ex-prisoners children's social capital is usually threatened by parental imprisonment in several ways. For instance, they experienced a considerable amount of emotional distress, so much so that families are sometimes compelled to migrate out from a particular neighbourhood and equally their children are forced to change school, (this may decrease children's educational, economic, social, and cultural ties of the family as well as the general community), it also decreases social efficacy of the society and dislodge ties that exist among the community members (Rose and Clear, 2003; Clear et al., 2001).

Conversely, the above classification can said to be too broad and short of explaining other segments that exclusion of ex-prisoners that could be much more effective. Thus, many other studies conducted in this area came out with other aspects of ex-prisoner exclusion. For instance the study of Duff (2001), pointed out linguistic exclusion; Uggen et al. (2004) and Barry (2002) stressed the exclusion from the point of politics. But for Micklewright (2002), and Social Exclusion Unit (2002), they focus on the dynamic exclusion, whereas administrative exclusion was used by Dodd and Hunter (1992) and Rossi et al (2004).

Moreover, another major concept that is considered important when it is comes to the analysis of Criminal Recidivism using Social Exclusion as a determining factor is the issue of Social Ostracism which is considered to be different from both the Family Social Exclusion and the absence of Material and Social Capital.

### **Social Ostracism**

Social exclusion as a phenomena does not only stopped from labeling and stigmatizing an individual but rather

create a scenario of social discrimination and the combination of such would invariably lead to the social ostracism of an individual (Bastian et al., 2012).

Social Ostracism can be conceptualized as a situation where by people or to be specific individual would be ignored completely or relatively from the company of others in a particular group. A research conducted by Twenge et al. (2001) revealed that being ostracized stressed the point of rejection of an individual member in the sense that his/her participation towards the group life and activities is not welcome i.e. the group members do not have a good wish to associate or work with them base on certain circumstances or an individual possession of an attribute. This is to say that nobody in the group want to be acquainted (Bastian et al., 2012) with the ostracized member or getting closer (Maner et al., 2007) there by making him (individual) to be excluded.

The above argument, though important but stressed more on participation as well as group activities. However, other researchers conducted on social ostracism looked at it from the psychological view point (Legate et al., 2013). According to Batson (2009) people in a particular society usually tend to care about themselves by interacting with one another and making each person to be a stake player even when an individual is considered to be a new comer (stranger) (Weinstein and Ryan, 2010) and this help others to associate and become part and parcel of the community. However, at times, situation may warrant that some people may not be included and thus, they may be hurt and isolated by others which would have a psychological effect on them in the sense that they are intentionally ignored by others (Williams, 2007).

Moreover, among the various means of ostracism, it is generally believed that the psychological feelings as a result of being ostracized is considered to be more stretching on individual person and that could lead to any form of defiance in terms of law abiding.

A recent study conducted on the psychological cost of complying with ostracism (Legate et al., 2013) revealed that ostracism is not only physical rejection of individual from a particular society but it goes beyond mere physical rejection and it covers a physical pain, self rejected feelings as well as feeling of guilty among other people and it also create a general sense of not having personal belonging, self respect as well as having a meaningful life (Bandura, 1997; Solomon et al., 1991).

In their research and analysis of Social Ostracism Bastian et al. (2012) are of the view that individuals are usually ostracized in order to be punished for one behavior or the other. That is to say that, people can be hurt through the process or by being ostracized by others simply because they are considered to be less important (Bastian and Haslan, 2010) by virtue of their attribute or social circumstances surrounding the application of the ostracism. Thus, some are dehumanized with the acceptance of others in order to institute a harsh punishment on others especially when they are being rejected and excluded in the process of their social engagements and social interactions with other members of their societies and they are usually considered less important for meaningful reformation (Goff et al., 2008).

Therefore, base on the above analysis one can argued that social ostracism is used intentionally to punish some category of people in a particular society base on what is considered as negative attitude or behavior. Thus, it is clear that ex-convicts can face a similar trend of being socially ostracized as a basis of punishing them for engaging into an antisocial conduct or criminal activities which lead to their incarceration in prison. However, this pattern of punishment (ostracism) may not be help matters in the sense that, the effects of it would be greater than its advantage; they (ex-convicts) were punished by the institution of prison and when they are equally punish again through ostracism, that may lead them to further commit more criminality because they may develop a perception of hatred on them by the society since they are being intentionally ostracized.

To support the above argument Wittenbaum, Shulman and Braz (2010) argued that social ostracism is basically an intentional ignoring of an individual member which further compounded the effect of being excluded and hence it negates the individual meaningful existence which is also in line with the Temporal Need-Threat Model (Williams, 2009).

### **The Source-Perspective Model of Ostracism**

According to Wittenbaum et al. (2010) in their analysis of social ostracism in task group, they maintained that social ostracism is vested on the procedure that constitute the lack of necessary information about a particular group by some few members who are considered ostracized. Thus, social ostracism is said to be determine from the source as against the target group which would give a moderating condition in which the phenomena happened. Mannix and Neale (2005) contended that in most group activities members of such group are usually classified base on the knowledge and information they have and use for the group i.e. some information of such group activities are known to all members, while some information is reserved and shared only among the selected members thereby indicating that those group members that are privy and share common information are considered as cognitively placed and central to the group and that gives them more chance in terms of full participation and having some influence with regards to decision marking as opposed to those that are not privy about the group knowledge and information who are not central and having less participatory influence to the

group (Kaneda, Ohtsubo and Takezawa, 1997).

Thus, this would therefore determine which member can have the feelings of belonging and which one is having or considered him/her self as left out by virtue of the knowledge and information sharing mechanism among members of a particular group. The members that are not well informed and communicated at are considered to be socially ostracized and 'out of the loop' (Jones et al., 2009) and keeping in the loop can affect other members significantly to the extent that they can be fully ostracized as in the case of ex-convicts and by implication they would develop a sense of worthlessness and re engage in their previous anti-social behavior (crime).

In sum, the source-perspective model explains the process and the importance of knowledge and information sharing and the participation of members in a particular task group (Bonito and Hollingshead, 1997). It also assumes that social ostracism is a product from the source than from the individuals themselves i.e. communications towards group members is placed on the basis of priority and also members of particular group are having task schedules and goals as well as rational task that may likely conflict with one another as such communication to those that are considered out of the loop may determine the basis for their social exclusion and social ostracism to be precise and when that is applied to ex-convicts it could motivate them to become recidivists.

### ***Consequences of Social Exclusion***

According to Bernstein and Claypool (2012), Individuals are expected to be free and functional to their society base on the all inclusive mutuality and this can be achieved beyond just a mere facilitating basic survival processes that include social relationships, reproduction, achieving basic humans derives which are to be maintained towards stable social connections and general social relationship of an individual (Baumeister, 1991), which shows greater capability of an individual member to deal and manage any problem faced (Cohen, Sherrod, & Clark, 1986; Cohen & Wills, 1985), also likely to be associated with little or no antisocial or criminal behaviors (Sampson & Laub, 1993).

Conversely, social exclusion of individual member of a particular society would however be associated with a lots of unwanted consequences as many researches revealed for instance; high level of anxiety (Baumeister & Tice, 1990; Mathes, Adams, & Davies, 1985), lower individual status (Leary et al., 1995), low functioning of body system (Kiecolt-Glaser et al., 1984), and aggravated hostility (Leary, et al., 2003). Hence, the phenomenon of social exclusion has various and serious threats to a long term physical well being as well as threat to the individual mental capacity. Thus, it is imperative and essential for an individual existence to allow and enable individual to adjust and acclimatize with their cognitive and behavior so as to identify and avoid the danger of being socially excluded from their societies and also to come up with ways of adapting and re-affiliating position. Taking into account of the negative implications that often ensue following exclusion of an individual from groups that would only manifested negatively, i.e. both psychologically and physically and the pain cannot be eliminated (MacDonald & Leary, 2005).

Also a research conducted by Eisenberger, Lieberman, & Williams (2003) base on their findings pointed out clearly that pain and social exclusion can be considered as interwoven which scientific evidence shows that social exclusion can induce physical pain while the findings of DeWall & Baumeister (2006) buttressed the argument further by indicating that the correlation that exist between social exclusion and physical pain could be much more complicated in the sense that exclusion triggers not only physical pain, but deadening.

Moreover, the combination of the above mentioned factors can make an individual offender (ex-prisoner) to develop a sense of worthlessness since he/she is being socially excluded which may have a damning consequences on both physical, psychological as well as social effects on an individual and by implication these factors could contribute immensely towards going back to the previous criminal activities that lead to the initial arrest, conviction and sentencing to prison i.e. an individual would have a tendency of becoming criminal recidivist.

### **Conclusion**

Criminal recidivism is a contemporary social issue which is facing many societies. However, the phenomena in itself cannot be at play without a major challenge that the ex-prisoners faced in their societies when they are released from the prison institution. Therefore it can be argued that, the challenges of prisoner reintegration are posing a serious threat to most of the ex-prisoners that are released. It is clearly established by many literatures that many factors are at play and make the offender reintegration very difficult and tasking among which include static factors (gender, age at first arrest, criminal records) and dynamic factors (peer group, education, criminal neighbourhood, employment) among others as the major determinants of criminal recidivism. Moreover, this paper explained criminal recidivism from a more different point of view in the sense that it discusses the phenomena from the social exclusion of ex-prisoners point of view. The paper used conceptual analysis of social exclusion as a determinant of criminal recidivism thereby using some concepts that implies exclusion of prisoners as the pre determinant of recidivism. The paper concluded with an argument that not only the static and

dynamic predictors alone are at play when it comes to the analysis of criminal recidivism but other determinants like social exclusion can significantly be a determinant of criminal recidivism of ex-prisoners.

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