

Integration and Reintegration: Comparing pathways to citizenship through asylum and criminal justice

Authors

Steve Kirkwood (The University of Edinburgh)

Fergus McNeill (University of Glasgow)

Corresponding author

Dr Steve Kirkwood

Lecturer in Social Work

The University of Edinburgh

Chrystal Macmillan Building

15a George Square

Edinburgh EH8 9LD

United Kingdom

E-mail: s.kirkwood@ed.ac.uk

Phone: +44 (0) 131 650 6646

Author biographies

Steve Kirkwood is a Lecturer in Social Work at the University of Edinburgh. His PhD in Psychology, from the University of Edinburgh, focused on asylum seekers and integration in Scotland. His main research interests relate to identity and justice, including desistance from offending, often using discourse analysis or evaluation methods.

Fergus McNeill is Professor of Criminology & Social Work at the University of Glasgow where he works in the Scottish Centre for Crime and Justice Research and is Head of Sociology. His research explores institutions, cultures and practices of punishment and rehabilitation.

Word count: 7,923

Abstract

The development of scholarship related to particular categories of people who are subject to different forms of social control often results in subfields that become or remain isolated from each other. As an example, theory and research relating to the reintegration of ex-offenders and the integration of asylum seekers have developed almost completely independently. However, both processes involve people who are marginalised and stigmatised through legal and social processes, and policies and practices in the two fields share somewhat similar concepts and goals.

This paper therefore seeks to identify insights through a critical comparison of these two areas of research, theory and practice, with the intention of enriching our understanding of both. This comparison highlights that the frameworks reviewed here enable us to move beyond a narrow focus on service user's behaviours, needs or risks, and into an examination of questions of identity, belonging and justice.

Key Words: Rehabilitation, reintegration, offenders, asylum seekers, desistance

Introduction

The development of scholarship related to particular categories of people who are subject to different forms of social control often results in subfields that become or remain isolated from each other, reinforced by artificial boundaries between professional bodies and academic disciplines. This means that advances in knowledge may not always cross from one subfield to another. As a specific example, practice and theory relating to the integration of asylum seekers and the reintegration or rehabilitation of 'ex-offenders' have largely developed in isolation from one another. However, in both contexts, similar processes and goals apply, and in both contexts these processes and goals relate to people who are marginalised through formal legal and informal social processes. For these reasons, we suspect there is much to gain through critically comparing these two fields. In this paper we do this by exploring the resonance of McNeill's (2012) model of 'Four forms of 'offender' rehabilitation' with the experiences of asylum seekers and the resonance of Ager and Strang's (2004) model of 'Indicators of integration', originally developed for use with refugees and asylum seekers, with the experiences of ex-offenders. Our intention is that such a cross-field comparison will help advance theory and understanding relating to both subfields and in doing so, work towards the development of a broader framework in which knowledge regarding integration and citizenship can be pooled in order to progress theory and practice in social work and related disciplines.

This article contributes to the growing body of research and theory on the intersections between criminal justice and immigration policies and practices (e.g., Aas, 2011; Bosworth & Guild, 2008; Malloch & Stanley, 2005; Pickering & Weber, 2014). Much of this research has been concerned with the criminalisation of migrants and much of it therefore brings critical criminological notions to the understanding of attempts to control migration, focusing on aspects of border control, policing and detention. The present article takes a somewhat different approach by bringing concepts from migration studies to the examination of criminological issues and by specifically engaging with issues of rehabilitation and reintegration.

Two models of (re)integration

McNeill's (2012) Four forms of 'offender' rehabilitation

McNeill's (2012) model first evolved in the context of a somewhat technical debate about evidence based practice in 'offender rehabilitation'. His paper begins with a review of current arguments about what a credible 'offender' rehabilitation theory requires and by exploring some aspects of current debates about different theories. It goes on to locate this specific kind of

contemporary theory-building in the context of historical arguments about and critiques of rehabilitation as a concept and in practice. More pertinent in the context of the current discussion, in the third part of the paper, he examines the nature of the relationship between ‘desistance’ theories (explaining how and why people stop offending and progress towards social integration) and rehabilitation theories, so as to develop his concluding argument that narrowly conceived debates about the merits of different forms of ‘psychological rehabilitation’ have been hampered by a failure to engage fully with debates about at least three other forms of rehabilitation (legal, moral and social) that emerge as being equally important in the process of desistance from crime. The concluding discussion of the paper is introduced coincidentally with a quote that deploys the metaphor of mobility (perhaps even implicitly, migration):

‘To the extent that felons belong to a distinct class or status group, the problems of desistance from crime can be interpreted as problems of mobility – moving felons from a stigmatized status as outsiders to full democratic participation as stakeholders’ (Uggen *et al.*, 2006: 283).

Drawing on evidence from desistance studies – which often draw from and rely upon the lived experience of rehabilitation and reintegration – McNeill argues that rehabilitation is a social project as well as a personal one. Whether cast in deontological terms as being concerned with the requalification of citizens, or in utilitarian and correctional terms as being concerned with their re-education or re-socialization, rehabilitation raises profound political questions about the nature of (good) citizenship, about the nature of society, about the relationship between citizenship, society and the state, and about the proper limits of legitimate state power.

The practical challenges of ‘delivering’ or ‘transforming’ rehabilitation ultimately rest upon these shaky and underarticulated philosophical foundations and at least some of rehabilitation’s problems come from the failure of some of its proponents and practitioners to engage adequately with these moral and political questions. Such engagement requires ‘psychological rehabilitation’ (which is principally concerned with promoting positive individual-level change in the ‘offender’, developing his or her motivation, skills and capacities) to articulate its relationships with the three other forms.

The first of these concerns the practical expression of Cesare Beccaria’s (1764/1963) concern with the requalification of citizens; this is the problem of ‘legal or judicial rehabilitation’ – when, how and to what extent a criminal record and the stigma that it represents can ever be set aside, sealed or surpassed. Maruna (2011) has recently argued cogently that efforts to sponsor rehabilitation and reform must address the collateral consequences of conviction – mostly

notably its stigmatising and exclusionary effects -- or be doomed to fail. No amount of supporting people to change themselves and their behaviour can be sufficient to the tasks and challenges of rehabilitation and desistance, if legal and practical barriers to reintegration are left in place. The most obvious of these barriers relates to the effects of criminal records in terms of labour market exclusion (McGuinness, Armstrong and McNeill, 2013).

However, McNeill argues that such barriers are not just legal – they are moral and social too. A solely psychological conception of rehabilitation is inadequate to the moral and social offence that crime represents. In simple terms, doing something for or to the ‘offender’, even something that aims at somehow changing them to reduce future victimisation, fails to engage with other key aspects of dispensing justice. Perhaps most importantly in moral terms, rehabilitation offers no moral redress *per se*; it operates only on the individual ‘offender’, not on the conflict itself and not on the victim or the community (Zedner, 1994). Critically, reparation – and reparative work in particular – seems capable of fulfilling this function in ways in which rehabilitation cannot, perhaps principally because reparation seems better able to convey (not least visibly) that redress is being actively provided. Rehabilitation, by contrast, is typically a private and secretive business, incapable of responding to the late-modern re-emergence of appetites and demands for more expressive forms of justice (Freiberg, 2001; Pratt *et al.*, 2005).

Reparation perhaps speaks to the insistence that moral demands have to be satisfied, and moral communication secured, before ‘moral rehabilitation’ can be recognised (see also Duff, 2001). In simple terms, a person who has offended has to pay back before s/he can trade up to a restored social position as a citizen of good character; as Bazemore (1998) has argued, redemption needs to be earned. This is not necessarily bad news for rehabilitation; as the Scottish Prisons Commission (2008, para 33) noted, ‘one of the best ways for offenders to pay back is by turning their lives around’. But it does mean that rehabilitation theories and practices need to engage much more explicitly with questions of justice and reparation.

In a later paper further developing the model, this time with reference to the philosophy and sociology of punishment, McNeill (2014) adds more explicit recognition of the reciprocal duties implied in moral rehabilitation; duties that are owed by the ‘offender’, the community and the state to one another. In addition to the offender’s obligation to make good, the community and the state must accept a duty to support reintegration that rests on two principles. Firstly, to the extent that the community and the state bear some complicity in permitting or exacerbating the criminogenic social inequalities, they too must make good. Secondly, even under a retributivist approach to punishment, the polity has a duty to make sure that the punishment ends and that there is no punishment beyond the law (*nulla poena sine lege*). Yet criminological and sociological

evidence about the enduring unintended effects of punishment both for individuals and for their families, surfaced not least in studies of desistance, suggests that this duty is commonly neglected *de facto* if not *de jure*.

Ultimately, even where psychological issues are tackled, legal requalification is confirmed and reciprocal moral debts are settled, the question of ‘social rehabilitation’ remains. In European jurisprudence, the concept of ‘social rehabilitation’ entails both the restoration of the citizen’s formal social status and the availability of the personal and social means to do so (Van Zyl Smit and Snacken, 2009). But in using the term, McNeill means something that is ‘broader, deeper and more subjective; specifically, the informal social recognition and acceptance of the reformed ex-offender’ (McNeill, 2012: 15). This, rather than the advancement of the ‘science’ of personal reform, is perhaps the ultimate problem for rehabilitation in practice; it lies at the root of the hostile correctional climate that bedevils and undermines rehabilitation (Garland, 2001), and it lies behind the mistranslation, corruption and misuse of rehabilitation theories.

Ager and Strang’s (2004) ‘Indicators of Integration’

Ager and Strang (2004) were commissioned by the Home Office to develop a framework and indicators for integration for evaluating the work of projects that assist asylum seekers and refugees in the UK. They did so on the basis of a thorough literature review and extensive empirical work with asylum seekers. The authors outlined ten ‘domains’ of integration, clustered in four categories:

- Means and markers: Employment; Housing; Education; Health.
- Social connections: Social bonds; Social bridges; Social links.
- Facilitators: Language & cultural knowledge; Safety & stability.
- Foundation: Rights and citizenship.

The first category is described as ‘means and markers’ because they are both an indication of the extent to which an individual is ‘integrated’ as well as aspects that should assist people in integrate in other ways.

The second category draws on research and theory into social capital, which is constituted by the social resources available to a person through their formal and informal social networks, including family members, friends and work colleagues etc. (Coleman, 1988). Ager and Strang (2004, p. 4) define the three domains as follows:

1. Social bonds (connections within a community defined by, for example, ethnic, national or religious identity);
2. Social bridges (with members of other communities); and
3. Social links (with institutions, including local and central government services).

The third category relates to aspects that are necessary for facilitating integration whereas the fourth category relates to the role of rights and obligations including legal grounds to remain in the host society and political engagement.

Ager and Strang (2004, p.5) define someone as being integrated when they achieve public outcomes within employment, housing, education, health etc. which are equivalent to those achieved within the wider host communities; when they are socially connected with members of a (national, ethnic, cultural, religious or other) community with which they identify, with members of other communities and with relevant services and functions of the state; and when they have sufficient linguistic competence and cultural knowledge, and a sufficient sense of security and stability, to confidently engage in that society in a manner consistent with shared notions of nationhood and citizenship.

This overall framework conceives of integration as a *process* as well as defining successful integration as *achievement* in the range of stated domains (Ager & Strang, 2008). The authors also point out that if this definition was applied to members of the host society it would inevitably highlight that not all members are equally 'integrated', if at all; however, they suggest that the benefits of integration are such that this is a goal that should be worked towards for *all* members (Ager & Strang, 2004). This framework therefore functions as a sort of 'ideal' that might be used to guide service development and evaluation in terms of policies and practices directed at asylum seekers and refugees, although it holds the potential to be applied to other members of society as well.

In terms of supporting these different aspects of integration, the main forms of Home Office of support for asylum seekers relate to: housing, in terms of providing 'no choice' accommodation; education, in that children can (and must) attend school for free; health, through access to free healthcare through the National Health Service; and support to meet 'essential living needs', in that household gas and electricity bills are covered by the government and a small weekly payment is provided (currently £36.62 for a single adult; Home Office, 2015). Local authorities and voluntary sector organisations may provide further support to asylum seekers and refugees to assist with other forms of integration. Scotland has devolved responsibility for most aspects of asylum seeker integration and recent national strategy specifically seeks to address most of these

domains, with most emphasis on ‘means and markers’ and ‘social connections’ (Scottish Government, 2013).

Integrating the frameworks

Though the fit is not perfect, there are some broad similarities between the four strands of each framework, as illustrated in Table 1. In the remainder of this paper, we work our way through a critical comparison of each of these four aspects.

Table 1. *Comparison of ‘Four forms of ‘offender’ rehabilitation’ and ‘Indicators of integration’.*

McNeill (2012)	‘Offenders’	Ager & Strang (2004)	Asylum seekers
Legal / judicial	Legal recognition as rehabilitated	Foundation (rights and citizenship)	Legal recognition as refugee / citizen
Social	Social capital	Social connections (social bridges, social bonds, social links) Means and markers (employment, housing, education, health)	Social capital
Psychological / personal	Human capital & resources	Facilitators (language and cultural knowledge, safety and stability)	Human capital & resources
Moral	Moral reform / reconciliation	Facilitators (language and cultural knowledge, safety and stability)	Moral reconciliation / cultural competence

Legal or judicial re/integration

‘Offender’ and ‘asylum seeker’ are categories produced through the law which have both legal and social consequences. Both render those subject to these labels as somehow ‘suspect’ and may marginalise them in terms of their rights and social position. In a legal sense, those convicted of offences may be subject to a range of formal controls, such as community sentences, unpaid work requirements, electronic monitoring or imprisonment. Other aspects of offenders’ citizenship and rights may also be restricted or rendered conditional (Vaughan, 2000). Some legal forms of this limited citizenship can extend indefinitely, such as in the case of ‘felon disenfranchisement’ in some jurisdictions (Manza and Uggen, 2006), preventing prisoners from voting in general elections, limiting their access to public assistance or public housing, requiring

them to comply with certain forms of registration or preventing them from working in certain occupations or accessing education. Beyond these formal legal controls, being categorised as an offender can result in a person's rights and opportunities being curtailed in a range of more informal ways, such as through becoming more isolated through the stigma attached to being known as an offender (Robbers, 2009) or discrimination in the employment market.

Although the term 'asylum seeker' is not in the United Nations Geneva Convention of 1951 relating to the Status of Refugees (UNHCR, 2007), it generally refers to someone who is awaiting the outcome of an application for refugee status (e.g., UK Parliament, 1999). Asylum seekers may be subject to a range of controls and restrictions on their rights – such as being barred from working or being detained – as well as being provided with a range of support. The 'supportive' aspects of these provisions may be justified in line with an ethical duty to assist those whose lives would otherwise be in danger and may have no other means to support themselves (Boswell, 2005). However, the more restrictive elements may be justified on the grounds that a state has the sovereign right to determine who is allowed to enter the country and the harsher aspects of such policies and practices may be founded on a model of deterrence that treats people as 'objects' of policy (e.g., Bagilhole, 2003; Malloch & Stanley, 2005; Zetter, 2007). As in the case of the criminal justice system (e.g., Sparks, 2001), the legitimacy and effectiveness of deterrence in the asylum system are contested (Bagilhole, 2003; Schuster, 2003).

In criminology, labelling processes have long been recognised as playing an important role in people's involvement in criminal behaviour (see Becker, 1963; Erikson, 1962). Labels such as 'offender' may work to reinforce deviant behaviour as well as emphasising a sustained level of risk of further offending, resulting in greater stigma and marginalisation in society (see Young, 1971). More recent research has highlighted the potential impact that official labelling – even in a welfarist system -- may have on young people's offending trajectories (McAra & McVie, 2007). In relation to asylum seekers, Zetter (2007, p. 184) explained how labels such as 'illegal asylum seekers', 'bogus asylum seekers', 'economic refugee/asylum seeker' and 'illegal migrant' associate ideas of criminality and marginality with refugees, undermining their right to enter or remain in the host country. Asylum seekers may be forced to attain false documents and/or rely on human traffickers to enter a country (Barsky, 2000). This increases the likelihood of them being perceived as criminals. In this regard, the term 'asylum *seeker*' implies that any alleged grounds for refugee status have yet to be established; border control agencies have been said to have a 'culture of disbelief' or 'cultural of denial' that assumes asylum claims are without grounds unless proven otherwise (Souter, 2011).

Zetter (2007) suggested that refugee labels are going through two seemingly contradictory processes: they are being *politicised* in *public* discourse while being treated as *apolitical* within *bureaucratic* discourse. In relation to both offenders and asylum seekers, such labels may be subject to this dual process whereby they have an apparently technical meaning in legal contexts yet become infused with greater social meaning in the wider public context, often related to negative connotations that emphasise an allegedly 'suspect' nature, thus legitimising marginalisation. The criminalisation and 'othering' of asylum seekers in political and media discourse has intensified hostility among some communities and social groups, and has justified policies that are detrimental to the integration of asylum seekers and refugees, such as the use of detention and the removal of the right to work for asylum seekers (Malloch & Stanley, 2005; Mulvey, 2010; Smyth & Kum, 2010). Arguably, the system also functions to *depoliticise* asylum-seeking behaviour in the sense that it treats it in terms of certain legal definitions rather than being understood in its wider social and political contexts. For instance, the terms 'illegal migrant' and 'bogus asylum seeker' work to discredit those who are subject to these labels and position them as illegitimate while potentially obscuring the political processes that create these definitions and their unequal social impacts.

Although in the case of 'offenders', there is in theory a legal adjudication that precedes negative labelling (rather than an assumption of 'guilt'), in practice processes of criminalisation reflect social inequalities -- and once people have been criminalised and penalised, there is ample evidence of enduring stigma. The assumption of guilt may be a social reality for many people with experience of the criminal justice system. In relation to mitigating these consequences for 'offenders', Maruna (2011) has highlighted the potential importance of rituals of reintegration. In the UK, legislation such as the Rehabilitation of Offenders Act 1974 provides a way of treating convictions as 'spent' after a certain period of time -- and most of these periods were recently reduced through the Legal Aid, Sentencing and Punishment of Offenders Act 2012 -- but Maruna's point goes further than this. He explains that, despite the heavily ritualistic and symbolic aspects of going through the processes of arrest, conviction and imprisonment, rituals surrounding the reintegration of offenders are largely absent, except in the relatively rare practice in some jurisdictions in USA issuing 'certificates of rehabilitation'.

In contrast, asylum seekers receive refugee status if their claim is accepted; however this is not a signal of integration. Indeed, in England the policy direction suggests that the integration process should only *begin* once a person has been given refugee status (Da Lomba, 2010), whereas the Scottish Government supports the notion that integration should begin upon one's arrival in the country, irrespective of status at entry (Scottish Executive, 2005). Furthermore, refugee status in the UK currently only confers *temporary* leave to remain for five years (Da Lomba, 2010), meaning

the situation of refugees remains precarious. Research by Stewart and Mulvey (2011) highlighted that technical citizenship does not necessarily result in 'substantial citizenship' (p. 68), in terms of access to equal participation in society, nor does it directly map on to feelings of belonging or being integrated in other ways. Although Ager and Strang (2004, 2008) identify legal rights and citizenship as a 'foundation' for integration, the above discussion suggests that the reality is much more complex. 'Citizenship' in the technical sense is neither a first step nor a conclusion to integration, but is rather one aspect of the broader process that both acknowledges one's right to belong and confers a range of rights that ought to further support integration.

Personal re/integration

For both asylum seekers and 'offenders', the process of (re)integration inevitably will have a personal dimension. For asylum seekers, there are a range of personal issues that might equally apply to 'offenders' and indeed to the general population, such as education, skills, experience and other personal characteristics and capacities or forms of 'human capital' or 'cultural capital' that are likely to assist someone to 'succeed'. There are other additional aspects that may be relevant to many migrants more generally, including language competency and cultural knowledge; in some respects it might be argued that offending can be construed as a failure of 'cultural competence' – a failure to understand and adhere to the norms of the community. Finally, there are aspects that are perhaps more specific to asylum seekers, including the persecution, conflict and violence they may have experienced or witnessed in their country or origin, potentially including torture, as well as trauma and separation they may have experienced during and after fleeing their home. That said, the prevalence of trauma in the backgrounds of offenders is also significantly higher than in the general population, especially for women (Covington, 2002).

Employability represents a key personal asset and employment a key site of social integration. There are some similarities and some differences in terms of barriers to labour market integration for people in these two groups. In Ager and Strang's (2004) model, they describe employment as being both a means and a marker; that is, having appropriate employment is an indication that one is to some extent 'integrated' but it also works to assist people in the process of integration, in the sense that it can help people to gain income, improve language skills, make contacts etc. that can help people to become more integrated in other aspects of their lives. In relation to ex-offenders, employment can work in similar ways, and may also promote desistance from crime through providing legitimate forms of income and aspects of informal social control (i.e., a reason not to commit crime) (Laub and Sampson, 2003).

In relation to employability, whereas many people involved in persistent offending are assumed to lack skills and attributes that would make them suitable for employment (Graffam, Shinkfield & Hardcastle, 2008), many asylum seekers have a range of skills and qualifications that make them well suited for employment (Charlaff, Ibrani, Lowe, Marsden & Turney, 2004); however, legal systems work to create formal and informal barriers to employment. Asylum seekers in the UK are not allowed to work until they have received refugee status. This process can take several years in some cases, during which time people may become deskilled and demotivated, and their skills, qualifications and experience may be unrecognised or devalued when they are eventually in a position to apply for work (Smyth & Kum, 2010). In the context of this article, the description of this stage as ‘probationary citizenship’ (Mulvey, 2010) seems particularly apt. Due to a fear of heavy sanctions for employing people illegally, employers may be wary of employing people with refugee status or discriminate against them on the basis of ethnicity, nationality or religion (Phillimore & Goodson, 2006). Similarly, even where ex-offenders do have skills and potential, they may have had less chance to access relevant qualifications. And even where they have secured qualifications, employers may be wary of taking perceived risks in employing them (McGuinness et al., 2013).

In relation to ‘offenders’, theory and practice around personal rehabilitation has tended to focus on changing thoughts, feelings and behaviours from pro-criminal to pro-social (e.g., Andrews & Bonta, 2010) but more recently a broader interest in exploring ex-offenders’ self-narratives has developed (e.g., Giordano, Cernkovich & Rudolph, 2002; Maruna, 2001). In terms of these aspects of personal change, McNeill (2006, p. 47) draws on the work of Maruna and Farrall (2004) to suggest that there may be two aspects of ‘desistance’ or the process by which people move away from crime:

‘primary desistance (the achievement of an offence-free period) [and] *secondary desistance* (an underlying change in self-identity wherein the ex-offender labels him or herself as such)’.
(emphasis in original)

Although the importance of secondary desistance has been debated (e.g., Bottoms et al., 2004), processes related to de-labelling (Maruna, 2011) and ‘subjective’ assessments of one’s position (Farrall, 2002) seem to play an important part in one moving away, and staying away, from involvement in crime. Similar processes may be relevant for asylum seekers, as they are required to portray themselves as ‘genuine’ refugees in order to gain refugee status, which involves them positioning themselves as being someone who is a victim or potentially vulnerable to persecution, and rehearsing stories about their treatment in their country of origin (e.g., Barsky, 2000). Asylum

seekers' accounts can be seen to justify their belonging in the host society while reinforcing the danger in their home countries (Kirkwood, McKinlay & McVittie, 2013a).

However, labels such as 'asylum seeker' and 'offender' can be understood as 'spoiled identities' (Goffman, 1963), which involve stigma, and therefore people may generally wish to leave them behind. Just as people may question the point at which an 'offender' becomes an 'ex-offender' or simply a 'person', at what point does an 'asylum seeker' or 'refugee' become a 'regular' member of society? Rather than people completely distancing themselves from their experiences of persecution and claiming asylum, these experiences may come to be an important part of their changed self (see Maruna & Roy, 2007). Legal definitions, as well as 'objective' measures of integration – such as achieving certain levels of education, employment, health, housing, social contacts – may be insufficient, as feelings of 'belonging', ideally reflected back by other members of society, may be necessary for people to be 'integrated' in a way that is not superficial. In this case, asylum seekers could feel 'rehabilitated' (i.e., in terms of their personal well-being and human capital) without feeling 'integrated' (i.e., in terms of feeling that they 'belong' in society).

In terms of understanding the goals of personal or psychological rehabilitation, just as the personal rehabilitation of offenders should not merely focus on the absence of offending (Ward & Maruna, 2007), the personal integration of asylum seekers should not merely focus on the absence of persecution. Rather, theory and interventions should aim to encourage the sort of human thriving we would hope to see in any member of society. Furthermore, while 'objective' measures of personal integration – such as employment, education, health and housing – may be instructive, particularly at the group level, the 'subjective' assessments and self narratives of a person's circumstances are essential to understanding how 'integrated' someone is, and the role of these 'objective' factors in terms of their well-being, behaviour and sense of belonging (see Farrall, 2002).

Social re/integration

A key aspect of social re/integration relates to 'social capital', a concept that is used in relation to both asylum seekers (e.g., Ager & Strang, 2004, 2008; Deuchar, 2011) and 'offenders' (e.g., Farrall, 2004; McNeill & Whyte, 2007). As stated above, social capital relates to the social resources available to a person through their social networks and plays a key part in Ager and Strang's framework. In relation to the rehabilitation of 'offenders', social capital plays an important role in terms of people accessing opportunities (e.g., employment) that would allow them to engage their human capital as well as helping to develop a 'stake in conformity' or reason to 'go straight' (McNeill, 2006). In both contexts, the relationship between social connections and

opportunities may be thought of as ‘two-way’, in the sense that greater connections are likely to lead to more opportunities and engagement in certain opportunities is likely to increase the quantity, quality and range of social connections. The corollary to this is that an absence of social connections or engagement in relevant opportunities is likely to operate as a significant barrier to integration. Research by Mulvey (2013) has also highlighted that social bonds (e.g., family, friends and other co-nationals) play an important role in integration in terms of social support and feelings of belonging, meaning that integration is not just about connections with members of the host society.

Importantly, McNeill (2012) argues that the social dimension of integration is not just about the formal recognition of social status, but also relates to the broader acceptance of the individual. In relation to asylum seekers, this would mean both the recognition of someone as a ‘legitimate’ refugee who has fled persecution (as opposed to the more ‘suspect’ label of ‘asylum *seeker*’) and the respect for someone’s culture, ethnicity, nationality etc. In this regard, theories relating to the integration of migrants tend to recognise the two-way nature of this relationship and the importance of a climate of acceptance among the host society, such as support for multiculturalism, in order to encourage and assist people’s desire for integration (Castles et al., 2002). This relates to the de-labelling processes (Maruna, 2011) referred to above, and highlights that this is both personal and social, in the sense that having positive identities reflected back upon the individual by others in society is likely to reinforce these identities and play an important part in feelings of integration and belonging.

In relation to ‘ex-offenders’, Maruna (2001) argues that ‘generative activities’ – that is, paid or volunteer work or taking on ‘helping’ roles – may play an important role in people ‘going straight’ and developing positive, pro-social lives and identities. Similarly, for asylum seekers, having an opportunity to engage in appropriate paid employment, volunteer work or other supportive community roles may help people feel they are ‘giving back’ to society as well as increasing the feeling that they are actually part of that society. If this applies to ‘ex-offenders’ in the sense that they are able to ‘pay back’ the ‘debt’ relating to the harm their offending has caused, asylum seekers’ engagement in generative activities may also allow them to ‘pay back’ on the protection they have received from the host society, and in doing so may move beyond the position of being only a recipient of support. However, it is important that asylum is seen as a right, rather than as a service for which the recipient must pay.

Moral rehabilitation and reintegration

As we noted above, McNeill and Maruna (2010, cited in McNeill, 2012: 15) argued that ‘an offender has to pay back before s/he can trade up to a restored social position as a citizen of good character’. To some extent this situation is reversed for asylum seekers, who may be victims of various crimes and harms in their country of origin and/or during their attempts to flee. Furthermore, the asylum system itself may inflict a series of harms on people, through preventing them from working, through making it difficult for families to be reunited, through potentially unjust processes, and through the use of detention and deportation (Bosworth, 2008). In addition, some asylum seekers may experience hostility, discrimination or violence at the hands of members of the local community (Kirkwood, McKinlay & McVittie, 2013b). This being the case, the host society should acknowledge the harms that occurred in the country of origin as well as make good on the damage it may have inflicted during the asylum process.

Furthermore, the host society may be implicated in the conditions that created the situation of persecution in the first place, through colonial legacies or military activities (Souter, 2014). This aspect of moral integration is generally absent from the theorisation of asylum seekers’ experiences, with greater focus on the ways asylum seekers should bring their morals in line with those of the host society rather than attempting reconciliation in terms of the harm done upon asylum seekers by people in their country of origin or the host society. Political discourse often suggests that moral obligations are fulfilled simply by allowing and conferring asylum (Schuster, 2003), but we would argue that the duty to protect implies greater obligations on the part of the host society, such as the requirement to address harms done by the asylum system and by the effects of persecution. We have already noted above, in relation to ‘offenders’, that the state and community has a similar duty to recognise and address their complicity in the social injustice that may have indirectly influenced the harms an offence has caused, and to ensure that punishment ends and that its collateral consequences are ameliorated.

For asylum seekers, striving to achieve a ‘good life’ does not provide sufficient legal grounds for gaining refugee status and many sectors of society do not accept this as sufficient justification for entering and remaining in the country (Lynn & Lea, 2003). Considering this in the light of Ward and Maruna’s (2007) Good Lives Model, it appears that some people are seeking something that is ‘good’ in itself – e.g., a better life for themselves and their families – but are using ‘illegitimate’ means to achieve this (e.g., forged documents, falsifying grounds for asylum, working without the relevant legal rights). However, arguably this is a result of the global conditions in which we live, whereby legal means of moving from one place to another are often unavailable (Castles et al., 2002). There are parallels with some criminal behaviours, such as selling drugs and prostitution, whereby people are supporting themselves through means that are illegal in certain contexts (although not in others).

Conclusion

We hope that this article has demonstrated the usefulness of comparing research, theory and practice across sub-fields that share similar goals and processes in relation to re/integration. While this discussion has focused specifically on the integration of asylum seekers and ‘ex-offenders’, similar comparisons might be instructive in relation to other sub-fields and groups in society, such as: those recovering from substance problems or mental health issues; people experiencing homelessness; victims of crime; people with disabilities; etc. Such work might help to develop common frameworks that allow for better synthesis of research, theory and practice across sub-fields in order to benefit understanding and service delivery. In this regard, the common thread is an interest in achieving integration or enjoying ‘citizenship’, broadly conceived, across segments of society that otherwise experience disadvantage and isolation. Hopefully this contribution emphasises the importance of looking beyond disciplinary boundaries to explore issues that have commonalities for people with quite diverse backgrounds.

We recognise that there are complex and enduring problems with the concepts of integration and citizenship. Perhaps in taking this discussion forward, for example, we would need to more clearly articulate the differences between liberal and republican versions of citizenship (Braithwaite and Pettit, 1992); the latter placing greater stress on the importance of positive liberties and social as well as political rights. Equally, we might need to engage with contemporary debates about the prospects for and desirable forms of social solidarity in late-modern, complex societies. Following Hudson (2008), we would argue for a cosmopolitan vision of justice – one that recognises the centrality of obligations of hospitality within ‘societies of strangers’; obligations rooted in the insistence upon respecting our common humanity irrespective of our origins and identities – and, in the case of ‘offenders’ even irrespective of the harms we may have caused in the past.

While it is not our intention to impose a single or simplistic goal that must be applied to all areas of social services, and certainly not for all individuals, we see merit in compelling public services (including asylum and criminal justice services) to engage with the central question of what social goods (and what kind of society) they exist to promote, rather than being justified, defined and measured in terms of their contribution to minimising harms. We suspect that the latter way of framing services militates towards segmentation between services, rather than their integration, and that it tends to dehumanise their recipients as bearers of risks or needs, rather than as citizens who may need some support to enjoy their rights and fulfil their obligations.

Acknowledgements

This paper is based on our presentations to the 13th Annual Conference of the European Criminology Society in Budapest, September 2013, and The University of Edinburgh's Social Work 'Work in Progress' Meeting, June 2014. We are very grateful for the helpful comments and questions of those in attendance. We would also like to thank the two anonymous reviewers of this article for their helpful feedback. This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

References

- Aas, KF (2011) 'Crimmigrant' bodies and bona fide travelers: Surveillance, citizenship and global governance. *Theoretical Criminology*, 15: 331-346.
- Ager, A and Strang, A (2004) *Indicators of integration: Final report*. Available at: <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs04/dpr28.pdf> (accessed 24 October 2014)
- Ager, A and Strang, A (2008) Understanding integration: A conceptual framework. *Journal of Refugee Studies*, 21: 166-191.
- Andrews, DA and Bonta, J (2010) *The psychology of criminal conduct* (5th ed.). Newark, NJ: Matthew Bender.
- Bagilhole, B (2003) *Soft haven? A critical analysis of the treatment of asylum seekers in the UK*. Paper delivered at ECPR conference, Marburg, 2003.
- Barsky, RF (2000) *Arguing and justifying: Assessing the convention refugees' choice of moment, motive and host country*. Aldershot: Ashgate.
- Bazemore, G (1998) Restorative justice and earned redemption: communities, victims, and offender reintegration. *American Behavioral Science*, 41(6): 768–813.
- Beccaria, C (1764/1963) *On crimes and punishment* (trans: Pallouci, H). Indianapolis: Bobbs-Merrill.
- Becker, HS (1963) *Outsiders: Studies in the sociology of deviance*. Glencoe, Illinois: Free Press.
- Boswell., C (2005) *The ethics of refugee policy*. Aldershot: Ashgate.
- Bosworth, M (2008) Border control and the limits of the sovereign state. *Social & Legal Studies*, 17: 199-215.
- Bosworth, M and Guild, M (2008) Governing through migration control: Security and citizenship in Britain. *British Journal of Criminology*, 48: 703-719.
- Bottoms, A, Shapland, J, Costello, A, Holmes, D and Muir, G (2004) Towards desistance: Theoretical underpinnings for an empirical study. *The Howard Journal*, 43: 368–89.
- Braithwaite, J and Pettit, P (1992) *Not Just Deserts: A republican theory of criminal justice*. Oxford: Abingdon Press.

- Castles, S, Korac, M, Vasta, E and Vertovec, S (2002) *Integration: Mapping the field*. Available at: <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs2/rdsolr2803.doc> (accessed 24 October 2014)
- Charlaff, L, Ibrani, K, Lowe, M, Marsden, R and Turney, L (2004) *Refugees and asylum seekers in Scotland: A skills and aspirations audit*. Edinburgh: Scottish Executive.
- Coleman, JS (1988) Social capital in the creation of human capital. *The American Journal of Sociology*, 94: S95-S120.
- Covington, S (2002) *A woman's journey home: challenges for female offenders and their children*. Working paper prepared for the "From Prison to Home" National Policy Conference of the Urban Institute, U.S. Department of Human Services, Jan. 30-31, 2002.
- Da Lomba, S (2010) Legal status and refugee integration: A UK perspective. *Journal of Refugee Studies*, 23: 415-436.
- Deuchar, R (2011) 'People look at us, the way we dress, and they think we're gangsters': Bonds, bridges, gangs and refugees: A qualitative study of inter-cultural social capital in Glasgow. *Journal of Refugee Studies*, 24: 672-689.
- Duff, A (2001) *Punishment, communication and community*. New York, NY: Oxford University Press.
- Erikson, KT (1962) Notes on the sociology of deviance. *Social problems*, 9: 307-314.
- Farrall, S (2002) *Rethinking What Works With Offenders*. Cullompton, UK: Willan.
- Farrall, S (2004) Social capital and offender reintegration: Making probation desistance focused. In: Maruna, S and Immarigeon, R (eds) *After crime and punishment: Ex-offender reintegration and desistance from crime*. Cullompton, UK: Willan, pp.57-82
- Garland, D (2001) *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University Press.
- Giordano, PC, Cernkovich, SA and Rudolph, JL (2002) Gender, crime and desistance: Toward a theory of cognitive transformation. *American Journal of Sociology*, 107: 990-1064.
- Goffman, E (1963) *Stigma: Notes on the management of spoiled identity*. Middlesex: Penguin Books Ltd.
- Graffam, J, Shinkfield, AJ and Hardcastle, L (2008) The perceived employability of ex-prisoners and offenders. *International Journal of Offender Therapy and Comparative Criminology*, 52: 673-685.
- Home Office (2015) *Asylum support*. Available at: <https://www.gov.uk/asylum-support/what-youll-get> (accessed 16 January 2015)
- Hudson, B (2008) Difference, diversity and criminology: The cosmopolitan vision. *Theoretical Criminology*, 12(3): 275-292.
- Kirkwood, S, McKinlay, A and McVittie, C (2013a) The mutually constitutive relationship between place and identity: The role of place-identity in discourse on asylum seekers and refugees. *Journal of Community and Applied Social Psychology*, 23: 453-465.

- Kirkwood, S, McKinlay, A and McVittie, C (2013b) 'They're more than animals': Refugees' accounts of racially motivated violence. *British Journal of Social Psychology*, 52: 747-762.
- Laub, J and Sampson, R (2003) *Shared Beginnings, Divergent Lives: Delinquent Boys to Age 70*. Cambridge, Ma.: Harvard University Press.
- Lynn, N and Lea, S (2003) 'A phantom menace and the new Apartheid': The social construction of asylum seekers in the United Kingdom. *Discourse & Society*, 14: 425-452.
- Malloch, MS and Stanley, E (2005) The detention of asylum seekers in the UK: Representing risk, managing the dangerous. *Punishment and society*, 7: 53-71.
- Manza, J and Uggen, C (2006) *Locked Out: Felon Disenfranchisement and American Democracy*. New York: Oxford University Press.
- Maruna, S (2001) *Making good*. Washington, DC: American Psychological Association.
- Maruna, S (2011) Reentry as a rite of passage: *Punishment & Society*, 13: 3-28.
- Maruna, S and Farrall, S (2004) Desistance from crime: A theoretical reformulation. *Kölner Zeitschrift für Soziologie und Sozialpsychologie*, 43: 171-94.
- Maruna, S and Roy, K (2007) Amputation or reconstruction? Notes on the concept of "knifing off" and desistance from crime. *Journal of Contemporary Criminal Justice*, 23: 104-124,
- McAra, L and McVie, S (2007) Youth justice? The impact of system contact on patterns of desistance from offending. *European Journal of Criminology*, 4: 315-345.
- McGuinness, P, McNeill, F and Armstrong, S (2013). *The use and impact of the Rehabilitation of Offenders Act (1974): Final report*. Scottish Centre for Crime and Justice Research 02/2013: University of Glasgow.
- McNeill, F (2006) A desistance paradigm for offender management. *Criminology and Criminal Justice*, 6: 39-62.
- McNeill, F (2012) Four forms of 'offender' rehabilitation: Towards an interdisciplinary perspective. *Legal and Criminological Psychology*, 1: 18-36.
- McNeill, F (2014) Punishment as Rehabilitation. In: Bruinsma, G and Weisburd, D (eds) *Encyclopaedia of Criminology and Criminal Justice*, DOI 10.1007/978-1-4614-5690-2, Springer Science and Business Media: New York.
- McNeill, F and Whyte, B (2007) *Reducing reoffending: Social work and community justice in Scotland*. Cullompton, UK: Willan
- Mulvey, G (2010) When policy creates politics: The problematizing of immigration and the consequences for refugee integration in the UK. *Journal of Refugee Studies*, 23: 437-462.
- Mulvey, G (2013) *In search of normality: Refugee integration in Scotland*. Available at: http://www.scottishrefugeecouncil.org.uk/policy_and_research/research_reports/integration_research (accessed 24 October 2014)
- Phillimore, J and Goodson, L (2006) Problem or opportunity? Asylum seekers, refugees, employment and social exclusion in deprived urban areas. *Urban Studies*, 43: 1715-1736.

- Pickering, S and Weber, L. (2014) New deterrence scripts in Australia's rejuvenated offshore detention regime for asylum seekers. *Law & Social Inquiry*, 39: 1006–1026.
- Robbers, MLP (2009) Lifers on the outside: Sex offenders and disintegrative shaming. *International Journal of Offender Therapy and Comparative Criminology*, 53: 5-28.
- Scottish Executive (2005) *Scottish refugee integration forum: Action plan — progress report*. Available at: <http://www.scotland.gov.uk/Publications/2005/04/04142815/28180> (accessed 24 October 2014)
- Scottish Government (2013) *New Scots: Integrating refugees in Scotland's communities*. Available at: <http://www.scotland.gov.uk/Publications/2013/12/4581> (accessed 16 January 2015)
- Scottish Prisons Commission (2008) *Scotland's Choice*. Available at: <http://www.scotland.gov.uk/Publications/2008/06/30162955/0> (accessed 24 October 2014)
- Schuster, L (2003) *The use and abuse of political asylum in Britain and Germany*. London: Frank Cass Publishers.
- Smyth, G and Kum, H (2010) 'When they don't use it they will lose it': Professionals, deprofessionalization and reprofessionalization: The case of refugee teachers in Scotland. *Journal of Refugee Studies*, 23: 503-522.
- Sparks, R (2001) Prisons, punishment and penalty. In: McLaughlin, E and Muncie, J (eds) *Controlling crime*. London: Sage, pp.201-256
- Souter, J (2011) A culture of disbelief or denial? Critiquing refugee status determination in the United Kingdom. *Oxford Monitor of Forced Migration*, 1: 48-59.
- Souter, J (2014) Durable solutions as reparation for the unjust harms of displacement: Who owes what to refugees? *Journal of Refugee Studies*, 27(2): 171-190.
- Stewart, E and Mulvey, G (2011) *Becoming British citizens? Experiences and opinions of refugees living in Scotland*. Available at: http://www.scottishrefugeecouncil.org.uk/assets/1460/Citizenship_report_Feb11.pdf (accessed 24 October 2014)
- Uggen, C, Manza, J and Thompson, M (2006) Citizenship, Democracy, and the Civic Reintegration of Criminal Offenders. *Annals AAPSS*, 605: 281-310.
- United Nations High Commissioner for Refugees (2007) *Convention and protocol relating to the status of refugees*. Available at: <http://www.unhcr.org/3b66c2aa10.html> (accessed 24 October 2014)
- UK Parliament (1999) *Immigration and asylum act 1999*. Available at: http://www.opsi.gov.uk/acts/acts1999/pdf/ukpga_19990033_en.pdf (accessed 24 October 2014)
- Van Zyl Smit, D and Snacken S (2009) *Principles of European prison law and policy*. Oxford University Press: Oxford.

Vaughan, B (2000) Punishment and Conditional Citizenship. *Punishment and Society*, 2(1): 23-39.

Ward, T and Maruna, S (2007) *Rehabilitation: Beyond the risk assessment paradigm*. London, UK: Routledge.

Young, J (1971) *The drugtakers*. London: Paladin.

Zedner, L (1994) Reparation and Retribution: Are They Reconcilable? *The Modern Law Review*, 57: 228-250.

Zetter, R (2007) More labels, fewer refugees: Remaking the refugee label in an era of globalization. *Journal of Refugee Studies*, 20: 172-192.