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Generative Justice: Exploring Its Reintegrative Possibilities and the Implications for Parole Reform

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This chapter introduces the burgeoning concept-praxis called 'Generative Justice' (GJ). It explores the characteristics and contours of forms of justice that might be thought of as collaboratively 'generated' among diverse communities, and which are in turn 'generative' of solidaristic social relations. The chapter discusses the theoretical origins of the concept before showing how generativity and solidarity are associated in theory and practice, as are the material and utopian goals of GJ. To demonstrate these connections, the chapter draws on empirical research conducted by one of us (Weaver) into Italian social cooperative through-the-gate projects which, we suggest, are prolific sites of generative justice as produced and experienced by justice-affected members. The conclusion considers the implications of GJ for the future of parole.

I. INTRODUCTION

This chapter builds on emerging work surrounding the burgeoning concept-praxis which we call 'Generative Justice' (GJ). Initiated by the authors, and shared with a founding network of academics and activists (some with direct experience of criminal justice systems), we have begun exploring the characteristics and contours of forms of justice that might be thought of as collaboratively 'generated' among diverse communities, and which are in turn 'generative' of solidaristic social relations. This, we argue, stands in stark contrast to perceptions and experiences of parole, particularly in the UK and the USA; experiences which, we argue, are often alienating, degrading and disintegrating in effect. Taking this as our starting point, we then proceed to elaborate what GJ is, how generativity and solidarity are connected in theory and practice, and what kinds of justice GJ represents and seeks. In so doing, we draw on empirical research conducted by one of us (Weaver) into Italian social cooperative through-the-gate structures of employment, whose origins, modus operandi and manner of relating are, we propose, expressions and examples of generative justice in practice with people serving prison sentences, people nearing release, people on day release or people who have been released. In our conclusion, we circle back to consider the implications of GJ for the future of parole through this lens.

II. PAROLE, CONDITIONALITY AND ALIENATION

Parole is conditional release from prison to the community, where the parolee serves the remainder of the sentence under supervision and subject to certain conditions, and where they therefore endure 'the purgatory of being a conditional citizen' (Vaughan 2000: 26). In contrast to Foucauldian readings of penal supervision (*cf* Robinson and McNeill 2023), McNeill (2018; 2020) argues that, at least where 'mass supervision' has become a reality (*cf* Miller 2021), conditionality of this sort

> functions less to discipline poor and marginalised people and more to disqualify them from the entitlements of ordinary citizenship. In so doing, conditionality constructs them as denizens, thus serving to limit the liabilities for the state that arise from social inequalities. (McNeill 2020: 295)

While, as McNeill (2020: 296) acknowledges, 'penal practitioners can and do provide care and assistance', there are significant constraints on their capacities to ameliorate, let alone address, the socio-structural deprivations underpinning much offending, in turn shaping both the unequal processes of criminalisation and the profoundly inadequate conditions into which many formerly imprisoned people are released (Weaver et al 2021).

Many people on post-release licences report inadequate through-the-gate transitional arrangements (Weaver et al 2021). Post-release, the effects of sub-standard housing provisions, the pressures of conditional welfare arrangements, social isolation and insufficient economic resources texture and constrain their daily lives. For example, in a Scottish study, post-release supervision was typically described by Weaver et al's (2021) participants as consisting of short meetings to 'check in' and report on current circumstances while simultaneously being dominated by risk-centric decision-making (see also Weaver and Barry 2014). A number of parolees referred to a pervasive sense of surveillance and monitoring (Weaver et al 2021). Ultimately, as Weaver et al (2021) observe, these deprivations and constraints further complicate capacities to comply with their release conditions and are aggravated, for some, by experiences of addictions, poor mental health, homelessness, poverty and trauma, which together degrade people's sense of social connectedness and human dignity. Indeed,

> the vulnerabilities that conditionality creates … exacerbate … structural inequalities … to symbolically degrade and disqualify, producing symbolic, political and material effects for the 'penal state' that uses both hands to push away those that it has made vulnerable and whose vulnerabilities it has itself magnified through conditionality. (McNeill 2020: 306)

In spite of these cumulative and multilayered structural and systemic disadvantages and degradations, somehow many people can and do recover from contact with the criminal justice system, and (re)gain a sense of belonging. However, this is rarely attributed, by those affected, to what happens *on parole.* Indeed, in our experience, recoveries of this sort are co-produced in and through social relations *outside of the penal system*, where relations, values and practices of solidarity and subsidiarity are more often found (Weaver 2015). Our similar observations over decades, with different projects and communities, prompted us to explore what we tentatively termed 'generative justice'.

III. GENERATIVE JUSTICE

We soon discovered that the term was already in use by political theorists in the field of ecological activism to refer to 'relations of open reciprocity, communal sharing, gift giving and voluntary collaboration [that allow] value to circulate in its unalienated forms, including labor power, political expression and interspecies ecological exchanges' (Eglash 2016: 377).

Ron Eglash's idea of generative justice as a 'transformative and sustainable reparative process' (Eglash et al 2024: 2) resonated with our own thinking and experience, as did his recognition that such processes begin with the 'bottom-up circulation of unalienated [ie uncoerced] exchanges' (ibid 373), which are not extractive in nature. Indeed, Eglash argues, just interactions are most likely to occur where value is co-produced and circulated for the common good, rather than with the aim of monetising or exploiting value from one another for personal gain. We similarly understand practices of generative justice as prefigurative and emergent, and as arising in and from (in our case) existing communities, movements and organisations involving justice-affected people. Crucially, these sites respond to justice-affected people in ways that are generative of social relations characterised by solidarity, subsidiarity, recognition, reciprocity and inclusion.

Despite their very different contexts and entirely independent development, these two visions of generative justice share common features. Both rest on a moral economy of exchange, gift relations and reciprocity, and the rights of 'value generators to create their own conditions of production' (Eglash 2016: 382). Eglash draws on dynamics of peer interaction and horizontal organisation, a rebuttal of 'top-down' hierarchical decision-making, a celebration of action from below. Self-help, social justice and sustainability are foundations for 'truly self-

generating sources of value', without which there is 'no way to obtain human [and non-human] flourishing' (Eglash 2016: 251).

In the context of criminal justice, generative justice also shares some obvious similarities with reparative justice approaches (broadly defined), but it attends to the harms of criminalisation as well as crime, it is more concerned with looking towards the future than the past, it insists on the interconnections between criminal and social (in)justices, and it locates responses in ideas and practices which are often outside the conventional criminological canon or have originated outwith the criminal justice system.

In certain respects, GJ's focus on activism and practice is similar to Transformative Justice (Brown 2019), though, in our experience, GJ need not start from or assume a commitment to penal abolitionism. There are closer parallels with the Systemic Justice movement in that we connect criminal (in)justice to damaging, cumulative, intersecting injustices arising from racial, social, gendered and economic marginalisation and disqualification (Systemic Justice 2023). Likewise, we argue that solidarity, recovery and reparation are animated by those directly affected (and allies) as they identify and respond to converging opportunities for change and action.

In this vein, we also draw on Nancy Fraser's (1998) work, because of its emphasis on the coexisting demands for the material, symbolic and political conditions that might enable social justice. These are equal recognition (of status), redistribution of material resources and representation in political decision-making. Applying Fraser's ideas to considerations of GJ more specifically, we can perhaps clarify and identify important formative thresholds where reparation and recovery (both subjective and social) can begin. Firstly, there is a need for recognition, where the intention is to address the 'hidden injuries' caused by disrespect or degradation arising from criminal stigmatisation (Fraser 1998: 4). Secondly, recognition becomes the qualifying condition for parity of participation and representation, ie equal and unburdened interaction with other citizens, particularly in decision-making about the direction of the life of a community or polity. Thirdly, the distribution of material resources must be such 'as to ensure participants' independence and voice' (Fraser 1998: 5), consistent with notions of epistemic justice (Fricker 2007) and epistemic participation (Schmidt 2019), which both connect with, yet go beyond, the framing of voice in theories of procedural justice (eg Weaver et al 2023).

Together, these three conditions proffer some foundational tests for reflecting on how or why projects may design or reflect practices around recognition, participatory parity and practical assistance as antidotes to, or in efforts to ameliorate, intersecting disqualifications and exclusions. But they also offer avenues for thinking afresh as to how, or indeed whether, parole might be either generative or just in its goals, means, norms or effects.

These three conditions also serve to highlight what 'Maloptical' (McNeill 2018; 2019) parole (ie forms of parole that misrecognise their subjects) fails to provide if and where it produces degradation in place of recognition, silencing instead of participation, and disqualification in place of material provision. We will return to questions about the complex relationships between parole and justice in our concluding discussion. In the next section, however, we discuss evidence drawn from one example of a form of in-prison and post-release support (drawing on Weaver's research on social cooperatives) that, far from being Maloptical, seems to illustrate the possibility, the practicality and the promise of more generative approaches.

IV. RE-ENTRY VIA SOCIAL COOPERATIVES IN ITALY

A. Methods

As part of a wider study of 'work integration social cooperatives' in different European countries, one of us (Weaver) conducted 40 semi-structured interviews in Italy: 22 were with prisoners or former prisoners and 18 were with professionals. In the main, the professionals occupied various roles in two different types of social cooperatives (discussed below) in Northern Italy, and from groups with other relevant roles – ie a magistrate, an academic, staff of non-governmental organisations (NGOs) and a cooperative consultant. Weaver also spent time in and around the different workshops to get a feel for and sense of the cooperative culture.

In terms of the demographics of 'worker' participants (ie imprisoned or formerly imprisoned people), six were female and 16 were male, and the average age of the worker participants was 41. The youngest participant was 22 and the eldest 65. Of these participants, eight worked inside the prison; eight were on alternative sanctions (meaning they worked outwith the prison but returned to the prison at the end of the working day); and six were former prisoners who were no longer subject to criminal justice sanctions but still worked for the cooperative. The majority (n = 18 were either serving or had served what we (in the UK)

would classify as a long-term sentence, eg more than five years for convictions of robbery (five), drug-related offences (seven) or homicide (six), with others mentioning property or violent offences. Sixteen of the 22 participants had served more than one prison sentence. These baseline demographic data broadly reflect the overall portrait of prisoner and former prisoner employees in participating cooperatives. The types of work the cooperatives provided are consistent with other work integration social cooperatives in the region and include recycling, agriculture, textiles, warehousing and some specific projects – making dental moulds, archiving digital records and glass engraving.

The aim of the research was to examine the ways in which social cooperative structures of employment can support social integration and desistance from crime. The research explored the legislative and policy contexts that enabled the development and implementation of social cooperatives and explored how the cooperatives variously enabled or constrained the social integration and desistance of their members.

Data were analysed using Braun and Clarke's (2019) method of Reflexive Thematic Analysis. This involved familiarisation with the data, which was achieved by repeatedly replaying the audio recordings while reading the transcripts, identifying patterns occurring within and across the interviews, and taking preliminary notes to document these analytic observations. The next iterative stage involved generating and refining initial codes, which, once 'completed' and clustered, informed the development and definition of core themes in response to the research aims and objectives. The findings presented here briefly outline the structure of the cooperatives and existing research into their impacts. We highlight primarily workers' experiences of participating in the various social cooperatives, and both workers' and professionals' understandings of role of the social cooperatives in supporting the social reintegration of imprisoned and formerly imprisoned workers.

B. Social Cooperative Structures and Impacts

In different countries, there is a range of different cooperative structures – and even not-for-profit organisational structures – that provide high-quality, paid employment for those distanced from the labour market, including justice-involved people, those anticipating release and those recently released from prison. The Italian social cooperatives we focus on here provide not only employment, but also resettlement services for those both in prison and in the community. Though space prohibits a fuller analysis of the social and cultural contexts

in which they arose, in brief, these 'social solidarity cooperatives' (as they were initially known) emerged from civil society *before* they were subsequently institutionalised in Law 381/1991. Specifically, according to this law (Article 1), social cooperatives are created to:

> pursue the general interest of the community in promoting personal growth, and in integrating people into society by providing social, welfare and educational services and carrying out different activities for the purposes of providing employment for disadvantaged people. (Borzaga and Depredi 2012: 39)

The law identifies two types of social cooperatives: social cooperatives supplying social services (A-type) and social cooperatives integrating disadvantaged people into work (B-type). In this latter case, at least 30 per cent of employees must be disadvantaged workers, a category which includes imprisoned people and those formerly imprisoned. The law also frames social cooperatives as collective organisations that invest in and engage with the local community, and represent the interests of different groups of stakeholders; in this sense, there is a co-productive element to cooperatives. The decision-making process of social cooperatives is also democratically driven – on the principle of 'one member, one vote' (ibid). Not all those participating in the cooperative are, however, members; rules of membership diverge, but tend to be the choice of the worker and come with a nominal fee.

While we also have insufficient space here to elaborate the economic dimension of social cooperatives, evidence confirms their resilience in withstanding economic and pandemic crises (Tortia and Troisi 2021) and suggests that social cooperatives have a beneficial impact on local economic and social development (Montrone et al 2024) because of the collaborative relationships that they establish with public services and private enterprises, and with each other – sometimes in the form of consortia (Borzaga and Tortia 2009).

As Borzaga and Depredi (2012: 46) observe, the collaborative relationships enhance collective action, 'foster social cohesion' and encourage altruistic behaviour, and this is reinforced by the horizontal mechanisms of governance and influence that structure the cooperative approach. As we go on to discuss, and as Borzaga and Depredi observe, influence between cooperatives and community is bidirectional to the extent that:

> networking relationships and external ties can influence the internal equilibrium of the [cooperative], because internal norms develop in connection with the social values prevalent in the community of reference … Therefore, adherence to general community ideals influences the social norms within the network and the behaviour of all parties. (Borzaga and Depredi 2012: 46)

While this can contribute to attitudinal change – be it towards parolees, or perceptions of collective agency and social cohesion (Pestoff 2009) – it is through this mutual engagement,

exchange and social recognition that social cooperatives, for example, can support not only desistance from crime, but also the more elusive objective of social re/integration (*cf* Rubio Arnal and McNeill 2024).

If prefigurative politics is 'the deliberate experimental implementation of desired future social relations and practices in the here-and-now' (Raekstad and Gradin 2020: 10), then the emergence of these social cooperatives from civil society in response to an unmet need prior to their subsequent institutionalisation in Italian law (Borzaga et al 2017) is an important example of this. They are deliberately and intentionally committed to a more horizontal, egalitarian, inclusive and democratic approach that privileges cooperation between equals, highlights reciprocity and mutualism, and promotes a political notion of solidarity (Hunt and Benford 2004), claiming the need to empower citizens and local communities, and enabling them to claim and enforce their rights. There is, therefore, significant overlap with social movement praxis here.

V. EXPERIENCES OF SOCIAL COOPERATIVES: WORKERS' VIEWS

Across many workers' accounts, work, family and the home are cited as intrinsic and interdependent elements of the change process, and for many, as essential conditions of social integration. While the emphasis on these elements is reportedly something of a cultural norm in Northern Italy, the significance of employment in workers' accounts also reflects, at least partly, the social welfare and penal context. To come out of prison on alternative sanction, one *must* have a job, but also, for those who do not meet the eligibility criteria for social security (INPS-IT 2024), participation in paid work is the only real means outside of criminal activity or illicit alternatives of gaining an adequate income to meet subsistence needs.

For many workers, both in and outside of prison, obtaining an income was a key incentive for wanting to work. The fact that the cooperative is almost the sole provider of work in prisons was cited by imprisoned people as a major incentive for working for it. In this regard, initial motives were both individual and instrumental. While this remained the main, initial incentive for some, often and over time, people's motivations for staying involved and the perceived outcomes and benefits expanded to include more personal and relational concerns. Personal outcomes included the acquisition, development or maintenance of work skills and a

sense of accomplishment. The relational aspects included the relational context of work (eg feeling part of something, developing a sense of belonging and togetherness), as well as the relationality that participation in work and in specific work contexts heralded (eg being closer to or providing for one's family).

> At first, I decided to work for the co-op just to have the chance to go outside prison to stay closer to my family but after starting work for the co-op – I really started enjoying the cooperative environment and culture … to be a member of the co-op makes me feel part of a group, of a family. (Worker, Male, Age 36_1)
>
> To be working alongside others is really important and working together makes you feel connected to something. Before I felt so isolated. There is a sense of togetherness among the women working in here. (Worker, Female, Age 32_6)
>
> Working means that I can provide for my family. (Worker, Female, Age 42_3)
>
> Working on the outside 'you can interact in a way that you can't in prison and you can have different conversations compared to those you have in prison. (Worker, Male, Age 22_9)
>
> The best part is the opportunity to see your family at lunch break in a different environment from the prison … for us, this brings a very different outlook because it improves the dynamics with our families. (Worker, Male, Age 34,_19)

And indeed, as one professional put it:

> [P]roviding a job is not the only thing, but through work, we put the person at the centre of our relations inside the co-op. The social relationships within the cooperative and the feelings that develop among people who belong to the co-op are the most important part of the rehabilitative journey. (Professional_1)

What also emerged was a symbolic or communicative aspect to work, in terms of what it signifies or demonstrates to oneself and to others about one's capacity to live differently. The social recognition of this change that some participants experienced mattered greatly to them.

> I had the need to show myself that I was able to work and so it is that I am. (Worker, Male, Age 33_18)
>
> To show that I am able to change my behaviour and that I can behave responsibly and reliably … It is a way of showing I have changed … It shows that when I am released, I can be trusted, I am reliable. (Worker, Male, Age 45_4)
>
> Work, in general, is central to rehabilitation – not just for the money. It is a way of proving you have changed, that you can take responsibility and that gets recognised by the officers and the co-op, so you feel good. (Worker, Female, Age 41_7)
>
> I am different. I have to show to my family that I am a different person and I have noticed that they are looking at me with different eyes. (Worker, Male, Age 43_10)

More negative comments related to the level of pay, although this varies between cooperatives. Some mirror pay rates in the private sector; in others, pay can be up to €200 less per month. Overall and otherwise, self-reported job satisfaction was high.

For some, particularly those working in prison, the cooperative context of the work was of no consequence; it was the only option available to them, and it was the opportunity to work and

to earn an income that was of significance to them. But working for a cooperative in prison is a different experience to working for one in the community; it is more difficult to experience the cooperative culture in a 'secondary' and secure environment, where there is limited or no interaction with others outside the prison.

More generally, the cooperative values of self-help, self-responsibility, democracy, equality, equity and solidarity and the ethical values of honesty, openness, social responsibility and caring for others shape both the cooperative culture *and* how it is experienced.

> The ethics of the co-op is one of inclusion; it is to move towards, to develop, active citizenship. It is a way of acting – or being. (Professional_2)

Crick (2002: 2) argues that active citizenship represents a focus on 'the rights to be exercised as well as agreed responsibilities'. Although the concept of responsibility appears in participants' accounts (in relation to the symbolic meaning of work), in the main, the idea of 'responsibility' *as a value* was more frequently expressed by those working outside of the prison – by former prisoners and by professional employees. What emerged strongly was a feeling of solidarity, which very clearly meant sharing a common or mutual responsibility through reciprocity. Reciprocity, in turn, implies *inter*-dependence and therefore on a sense of shared solidarity (Donati 2009):

> In the cooperative, we all have to cooperate with each other and so the way we relate to and interact with each other is different – the whole experience is different. It is a matter of responsibility. We are all part of something that together is collectively owned. A boss [in a private firm] can instruct you to do something but, whatever way, the final product belongs to him or to her. You produce it for them. It is not yours. In a co-op the final product is yours, so you are invested in the whole process. A cooperative depends on cooperation. It cannot function any other way, so unlike the private sector, there is a chain of responsibility rather than a chain of command … so, if I make a mistake, there is no sanction or punishment – we work together, all of us, to find the solution. We work together through the good and bad things. (Worker, Female, Age 40_5)

In addition to references to shared responsibilities, experiences of solidarity were often expressed in reference to feeling 'at home' or being part of a 'family', terms that imply a sense of mutual respect, support and trust and a sense of belonging and togetherness.

> I feel at home here and, for me, this is my home. (Worker, Male, Age 43_10)
>
> To be a member of the co-op makes me feel part of a group, of a family. (Worker, Male, Age 36_1)
>
> I have a high level of satisfaction but – that depends also on the people I am working with [and their] level of satisfaction and the shared levels of trust required of working cooperatively. This is where the meaning of it is for me. (Worker, Female, Age 40_5) [insert added]
>
> I have a really good relationship with … the other workers. It is a very collaborative culture and when new workers come in, we help them. So there is a sense of solidarity there … we

> collaborate and help each other with the work that we have to do. (Worker, Female, Age 32_6).

The impacts of the social cooperatives were also discussed in terms of how their interaction with others within the cooperative, whether workers or professionals, made them feel accepted, respected and valued.

> I feel that here I am a person. I don't feel discriminated [against] here and this is very important for me. (Worker, Female, Age Not Given_2)
>
> [Name of professional] said to me [when I arrived] 'thank you for coming here' and this made me [feel] very happy because I thought I was the one that should be thanking them, rather than the co-op thanking me. I won't ever forget this in my life. (Worker, Male, Age 43_10)
>
> I have discovered here that people here are very sensitive and kind and I feel respected here. (Worker, Male, Aged 33_18)

Individualised support, underpinned by mutual respect, was a key element of the cooperative experience, as was the protected and protective environment that cooperatives provided.

> I have been helped by the right people here. I have always found people ready to listen to me … I think the most important thing that co-ops are able to do is listen to people and to give them answers. If they don't understand you, they go on asking you until they are able to understand you and give you answers. (Worker, Male, Aged 46_20)

One of the key values and principles of cooperatives is democratic member control. As noted above, this means 'one member, one vote', and it reflects the co-ownership of the cooperative from which the sense of shared responsibility is intended to derive. Not all workers are members. While some felt that they had a say in the operation of the cooperative and were heard, others believed they were restricted to expressing their views on specific work-related issues rather than the governance of the cooperative.

> I can influence the work we do and … and I can give my opinion. (Worker, Female, Age 32_6).

Notwithstanding this, while some felt their membership provided them with the opportunity to have an equal say, others felt that this aspect of ownership was less meaningful than the autonomy they enjoyed in their work.

> I am free to organise or manage my own work … I am very independent. I am much more free here than I could be in the private sector. (Worker, Male, Age 54_21)
>
> I think we have the opportunity to play a decisive role in very few cases. (Worker, Male, Age 54_21)
>
> There is no real means of influencing the overall operation and development of the co-op because it is the management that decide everything, even though we are members. We participate in the annual meeting but we don't have any significant opportunity to influence things otherwise (Worker, Male, Aged 65_22)

This dynamic was considered to relate to the size of cooperative, which suggests that the expression and experience of cooperative principles *in practice* risked being diluted in larger organisations.

> The co-op now is bigger than it was before and this has significantly altered the dynamics … I have my own idea of what works in cooperatives and for me it relates to their size. A small co-op is better like this one at the beginning … In a smaller environment, you can really take care of people; in a larger co-op you start changing your … philosophy. (Worker, Male, Age 54_21)

VI: THE ROLE OF THE COOPERATIVE IN SUPPORTING SOCIAL RE/INTEGRATION.

The Italian social cooperatives involved in Weaver's study are all affiliated to or provide NGO facilities (as well as A-type cooperatives). These serve three aims: (i) they provide support to prisoners and formers prisoners; (ii) they provide support to communities; and (iii) they offer the opportunity to workers and members to volunteer in the community as a means of providing structure, reinforcing cooperative values, developing new social relationships and supporting social or community integration.

Another key contribution that workers identified was the opportunity that the cooperatives offered in terms of learning new or remembering old norms of interaction; they offered a process of (re)adjustment and (re)socialisation, a means of (re)building a life and opportunities to (re)learn how to interact differently than the relational norms they had become accustomed to after years in prison.

> Work is central to resocialisation into the outside world and this means that you need this re-education of the outside world while you are in prison … I mean in terms of being in the world and building a life. (Worker, Female, Aged 41_7)

> You need to pass through the co-op to start being reintegrated into society. The co-op is the right mechanism for coming out of prison because you need to start down a different path … [it] helps you learn how to cope with the demands of work … and how to manage social relationships. (Worker, Male, Aged 43_10)

> The most important fact is the capacity to feel, to be part of a group, a sort of family. In this way they start to rebuild or build positive relationships. (Professional_2)

As noted already, work and family were almost without exception proposed as the key ingredients of integration – the spaces or spheres from which one feels variously included or excluded. As such, the cooperatives also provided support to the families of imprisoned workers and facilitated family mediation, and they created the space for family contact to occur in more natural and private environments for those on day release, thus enabling family reintegration.

Cooperatives provide work as well as supporting access to 'mainstream' employment, drawing on their networks of professional relationships. Cooperators, those employed by the cooperative in professional roles, appear to be skilled collaborators and negotiators.

> I think the co-op is able to help you because the manager has a good relationship with the private sector so they can help you find the best opportunity … acting as a guarantor for you … and this makes a huge difference. (Worker, Male, Age 46_20)

'Worker' participants also discussed the idea of integration and what it meant to them in terms of not feeling or being seen to be different; not feeling stigmatised and marginalised, but just the same as anyone else. People felt they were integrated when they had work and were a part of a family, community and/or social network. Being normal meant 'being' and 'doing' in the same way as others around them; it was about *mutual* identification, social recognition, acceptance and belonging, which gave people a sense of self-respect and social worth.

> Working for the co-op has given me a sense of what it is to be normal and to take responsibility … [it] has taught me how to live normally, within the rhythm of life. (Worker, Male, Age 35_11)

> I feel that I am well accepted by people for what I am, as a normal person and not as a former prisoner. This is a very important element to improve your self-confidence … people from the area, not only from the coop, treat me as a normal person. (Worker, Male, Age 46_20)

In the context of this chapter, we do not have space to explore public attitudes to people with convictions in Italy in any depth. But most participants – professionals and workers – reported that there is a significant stigma attached to imprisoned and formerly imprisoned people, and, in terms of supporting reintegration, this can be a considerable challenge. However, the different cooperatives, to differing degrees, engaged with and invested in the local communities in which they are embedded. Various strategies for enhancing community cooperation and support included holding social events for workers, professionals and communities to participate in. Cooperatives developed community-facing features, eg. running a café or shop; engaging in and/running charitable initiatives and services that benefitted people in the local community; providing social services to meet local unmet need; and providing work for people from the community. Often, the people who worked for the cooperative – besides the 'workers' – also came from the local community. Thus, there were strong local community relationships that were carefully maintained by the cooperatives.

Of course, the question of the impacts of cooperatives on reoffending is complex; participation in the cooperative might trigger change or it might provide opportunities to consolidate a process of change that has already begun. Evidence about reconviction is harder

to assess. A significant challenge encountered during this research was the absence of mechanisms for monitoring people after their release from prison in Italy; recidivism rates are not routinely collected or calculated. Moreover, the cooperatives do not maintain follow-up data on the people that formerly worked with and for them.

However, according to the professional participants, this varied from person to person. What seemed clear, however, was that, in the main, involvement with the cooperatives gave people real and sustainable opportunities to live differently and this generated a perception of low rates of recidivism:

> Recidivism rate is very low. There was only one case that the man … resumed his old criminal lifestyle. (Professional_1)
>
> The recidivism rate is very low. (Professional_2)
>
> Very low, not significant. (Professional_3)
>
> In [our] experience, the recidivism rate is very low: 2–3%. (Professional_4)
>
> I don't have a percentage in my mind but it is well known that the employment opportunities provided by the cooperative help to stop recidivism. (Professional_6)
>
> We don't have an absolute percentage … we can see that of the people we work with in the cooperative, 70% of people don't commit crime again, while the percentage is the other way round in the case of people that aren't involved in the co-op. (Professional_8)
>
> We had statistics from 1987 to 2004 … and we can say that very few of them recidivated: 68% of people that we engaged with here were reintegrated; 14 % were recidivists and the remaining percentage is … people we lost [track of]. (Professional_13)

This was borne out by workers' perceptions of the difference that the cooperative has made to them.

> I did not have the opportunity to change before – like now, with the cooperative work. I am ready for change now and there are positive things happening with my family and with my work. I have a better balance. (Worker_Male_Age 45_1)
>
> Yes, I have stopped offending. I am going home to Tunisia and I would like to get married and start a family. I have learnt so much about what is really important … I am not concerned because things are different now. I am different now … working for the coop has given me a sense of what it is to be normal and to take responsibility and I want to hold on to that and take the chance I have been given. (Worker_Male_Aged 35_6).

VII. CONCLUSIONS: SOCIAL COOPERATIVES, GENERATIVE JUSTICE AND PAROLE REFORM

The examples above suggest that Italian social cooperatives are prolific sites of generativity enacted for, by and with justice-affected people. We also hypothesise that such generative practices are intentionally designed to foster solidaristic social relationships as well as

providing vital frames for personal re-evaluation based on self-worth, dignity and a sense of place in the community. In this sense, generative practices may be seen as the building blocks of solidarity, while solidarity is in turn formative of more sustained forms of justice. Solidarity building, it follows, is both a condition and an outcome of generative justice.

A. Generating Solidarity

Further, as the work of the wider Generative Justice network shows, these kind of practices and experiences occur in many countries and domains of criminal justice practice and civil society, mainly in community-led projects, but also in anti-poverty, equality, sustainability, environmental and social movements (McNeill et al forthcoming). That said, we also recognise the hyper-local or situated nature of these projects, which raises possible practical issues about the potential, plausibility and desirability of 'scaling-up' to meet mass demand, or whether and to what extent their dynamics can be reproduced within state agencies or structures like parole systems. Here, we alight on three characteristics that problematise that prospect.

Firstly, the capacity of cooperatives to generate solidarity is shaped by structures or practices that facilitate ways of being-in-relation through which to build collaboration, based on grounded acts of self-responsibility, mutual aid, democracy, equality and solidarity. These 'fraternal' values inform modes of relating which generate the kinds of relational goods on which desired outcomes depend. Trust, reciprocity, shared responsibility and cooperation are both the premise and the promise of relational goods, and as such they underpin GJ principles, practices and projects.

A second proposition is that deliberative and commonplace (micro)practices involving acceptance and recognition can generate more sustained, solidaristic social relations (which we argue are productive and just preconditions to establishing structures for building justice better; see below). As Donati (2011) elaborates, notions of reciprocity or mutual exchange are central to social relations – they are the 'engine', or, in his words, 'the generating mechanism of social relations'. It is the practice of reciprocity that generates and regenerates the bond of the relationship, motivated by the maintenance of the emergent relational goods. Critically, this reciprocal orientation is also the source of collective intentionality in larger groups, where those groups are premised on social relations that are characterised by solidarity. Reciprocity and mutuality are not, however, common features of parole systems;

rather, these systems tend to *act upon* parolees in order to secure their compliance and, with it, a presumed reduction in – or at least containment of – their riskiness (Corcoran and Grotz 2016).

Thirdly, the unidirectional exercise of supervisory power over an individual violates another precondition and product of solidarity: subsidiarity (Donati 2011). Subsidiarity is facilitated by moving resources to support the other without making them passive or dependent, but in such a way that it allows and assists them to do what is required in accordance with their priorities and concerns. Risk-focused parole supervision, by contrast, is more likely to produce passivity or resistance precisely because it imposes prescribed priorities and agendas on parolees (Werth 2023), depriving individuals of capability to shape the conditions of their own flourishing (Sen 1999: 87–90).

By contrast, subsidiarity both requires and consolidates solidarity – which is about sharing a common or mutual responsibility through reciprocity – and which, as we have emphasised, implies interdependence and trust. Subsidiarity is also connected with the notion of 'responsibility' *as a value* – as an interactive norm, rather than always being instrumentally and narrowly conceived in relation to one's offence. In generative justice settings (*cf* McNeill et al forthcoming), group members tend to develop an interlinked sense of self-responsibility *and* mutual responsibility born out of shared oppression, lived experience, interdependence and reciprocity. As Gitterman (2006: 93) observed, when 'group members become involved with one another, they develop helping relationships, and become invested in each other', out of which a sense of belonging, community and 'we-ness' is co-produced (Weaver 2015). This 'we-in-relation' is key to solidaristic subjectivities.

In sum, cultures of solidarity like those produced in the cooperatives discussed above emerge where people share a common or mutual responsibility through reciprocity, which implies interdependence. What we extrapolate from this is that the cultural and relational environment of GJ spaces, places and practices seems to produce the very resources through which recovery and integration – perhaps even desistance – can be enabled, and in so doing, allows generative justice to be expressed and practised.

B. Generating Justice

As constituent parts of the criminal justice apparatus, parole systems purportedly balance fairness for individuals against multilayered risks and protections. Although this alone does

not preclude state agencies from generative capacity, it amplifies questions as to the form/s and conditions of justice they enable and/or frustrate by virtue of their function. These questions are inseparable from the penal purposes of reintegrative justice(s) they represent. Indeed, working within traditional discourses of criminal justice in modern liberal democracies, the legal philosopher Antje du Bois-Pedain described reintegration as the core social function of punishment and argued that 'there is reintegrative momentum inherent in punishment … Far from threatening or challenging an offender's membership in the community, punishment reasserts or reinforces it' (du Bois Pedain 2017: 203). In other words, the point of punishment is supposedly to create pathways to reintegration. Yet the contemporary policy and practice of what we have termed 'Maloptical' parole frustrates that purpose. The example of the social cooperatives we have discussed above – and, we suspect, of generative justice approaches more generally – at least suggests the possibility of developing other models of re-entry support that can generate reintegrative momentum through the practice of mutuality, reciprocity, subsidiarity and solidarity.

In our view, the generation (or regeneration) of solidarity is both a condition of justice and a product of it. Recognising this places a primary emphasis on creating certain conditions in which people can thrive; conditions that facilitate human flourishing and growth, and which recognise the human dignity of the other. What is being generated is the sense and experience of solidarity and belonging, from which other relational and material goods are generated. The principle of subsidiarity describes how we go about doing that.

Clearly, the notions of justice in play here extend far beyond the retributive and risk logics dominating our criminal justice systems. Indeed, though epistemic, social, distributive and relational justice – the theories of justice underpinning our concept of generative justice (see McNeill et al forthcoming) – might seem far from criminal justice, the links are not difficult to make in theory or in practice (as we hope we have illustrated above).

In GJ, the development of greater belonging and solidarity brings us closer to justice as a value and norm, rather than as a system or process: it helps us identify and make our individual contributions, it helps us form or reform the right relations with one another, and it brings us closer to discerning and enhancing our collective good. By contrast, the kind of justice that seeks compliance, docility and machine-like integration seems more concerned with stability and security – and with preserving the status quo – than with differentiated justice and with individual, relational and collective flourishing. As such, the justice in GJ is,

first and foremost, a way of 'doing justice' that is generative in effect and relational in character.

We suspect that pursuing GJ in the context of re-entry into society probably means looking beyond the problems and potentialities of the system itself, and in all likelihood means decentring the system from what we understand as post-release reintegration. This is not necessarily to deny the necessity or value of professionalised and state-sanctioned systems of parole supervision. However, it is to insist that the primacy of social relations in both reintegration and justice processes necessitates forms of grassroots and civic engagement (Corcoran et al 2018). While these forms of horizontal engagement were once key parts of many Western probation systems, in late modernity, they have withered away as systems, and services have residualised around risk management and other core statutory functions (Maguire et al 2019). (Indeed, we wonder whether contemporary staff working in the parole systems we know best (ie in the UK) still feel able to claim social [re]integration as their goal.)

We argue, therefore, that there is an urgent need for social innovation in systems and practices of parole that goes beyond parole system reforms, as the gap between the scale of the challenges and the scale of the available solutions continues to widen. Our existing models are failing or have become stagnant, and the internal systems reforms (focused, for example, on release timing or decision-making processes) are, at best, ameliorative rather than transformative. This is perhaps partly what has driven recent calls in the USA for probation and parole abolition (Loopoo et al 2022). Indeed, there are regions of the world where far greater effort is being put into collaborations between the state and civil society to support reintegration. Singapore's 'Yellow Ribbon Project' is one interesting example. So, while ours is certainly a call to utopian methods (Levitas 2013; Wright 2013), and for the development of sustainable alternatives that utopian theories require, there are many examples (small and large) in many places, like the example we discuss above, that indicate the prefigurative, 'adjacent possible' (Loader and Sparks 2012; 2022) is much closer than we think.

In the final analysis, we argue that transformative change depends centrally on the recognition that the generation of relations of solidarity (and thus of just social relations) must lie at the heart of our efforts. Crime itself can be understood as a source, a sign and a symptom of *relational* problems. When we harm one another and find ourselves in conflict, relationships suffer – and *relational work needs to be done*. Acknowledging that the pre-

history of criminalised harms is also often one of failed relationships between the state and its citizens, it follows that the relationality involved is not simply interpersonal or interactional in nature; rather, generative practices are also integral to and concerned with responses to the effects of systemic and penal harms. Indeed, attempts at healing and recovery from various social and systemic harms are often undermined by the dehabilitating (Scott 2016), degrading (Cottam 2018: 21–48) and 'anti-social' (Carlen 1998) effects of penal and rehabilitative systems. More constructively, embedded within our orientation is the consciousness and the experience that, despite this damaging context, in particular places and projects, practices of recognition, acceptance, inclusion and solidarity with others are being developed with and by justice-affected people to a significant, if often invisible, degree.

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