

In most of the essays in this volume, restorative justice is conceived as an innovative way of dealing with crime, delinquency or bullying. This essay expands the relevance of restorative justice practices - such as conferencing and circles - beyond their limited use in criminal justice systems. Used widely, restorative practices can significantly contribute to the grander project of enhancing the civility of society. By involving all of those affected by a specific offence, conferences and circles enhance democratic processes by moving responsibility for decision-making away from judges and lawyers and giving it to those citizens with a direct interest at stake (McCold, 2000). But the potential of restorative practices goes beyond resolving specific incidents of wrong-doing to providing a general social mechanism for the reinforcement of standards of appropriate behaviour. Restorative practices demonstrate mutual accountability - the collective responsibility of citizens to care about and take care of one another (Pranis, 1998).

The state, under the guise of caring for its citizens, steals their conflicts and hands them over to courts. In doing so, government deprives its citizens of direct participation in the resolution of those conflicts, thereby undermining society's capacity for civility (Christie, 1977). People need involvement, both on a practical and emotional level, so that the harm done by the offence is fully addressed (Crawford et al, 1990). Christie (1977) explains that a state monopoly on resolving conflict represents a loss for both the victim and for society - a lost opportunity to deal with the anxiety and misconceptions produced by the offence and to repair civility.

If we are serious about conceiving of taking responsibility as a democratic virtue, then it will not be enough to cultivate restorative practices in formal criminal justice institutions. Restorative justice concepts '...are directly relevant to the harms suffered in the course of everyday life and routine conflict, and where the event is not classified as a crime' (Peachey, 1992: 552). People also need this kind of involvement in disputes in schools, workplaces and elsewhere in the community. How can society move beyond current formal restorative rituals to incorporate restorative practices into everyday life?

Before demonstrating how attributes and partial elements of formal restorative processes can be used in our daily interactions, it is necessary to review the variety of approaches to the social control of misbehaviour. We suggest that most of modern Western thinking has been largely limited to rationales and justifications of punishment, prohibiting a more realistic consideration of the policy options available.

Beyond the Punitive-Permissive Continuum

Punishment is the prevailing mode of social discipline today, not just in criminal justice but throughout society. Retribution is assumed to be the most appropriate formal or informal response to crime and wrong-doing in communities, schools, families and workplaces (Newman, 1978; Marongiu & Newman, 1987).

Being 'tough on crime' is not a new phenomenon. Bernard (1992) identified a 'harsh-liberal' cycle of juvenile justice policies, which has been repeated three times in the last two hundred years. The liberal reform cycle begins when justice officials and the public are convinced that juvenile crime is exceptionally high, so there are many harsh punishments but few lenient treatments for juvenile offenders. Eventually, forced to choose between harsh punishments and doing nothing, reforms are enacted to provide non-punitive treatment alternatives. After some time, however, justice officials and the public blame these lenient treatments for perceived high crime rates. This leads to a narrowing of lenient treatments and expansion of harsh ones (repressive reform). Then the cycle is set to begin again. Society finds itself trapped on a punitive-permissive continuum (Figure 8.1).

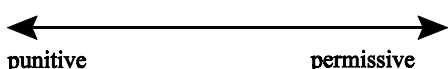


Figure 8.1 *Punitive-Permissive Continuum*

The United States now seems poised for the liberal part of such a cycle, as the public becomes increasingly disillusioned with harsh penalties. In a recent survey of households in eight northeastern states, 75 percent of the public agreed that the entire criminal justice system

should be completely changed (Schulman et al, 1999). If Bernard is correct, we will soon begin a new round of liberal rehabilitative reforms. Is there an enlightened public policy alternative that can prevent history from repeating itself in endless repetition of reform and counter reform in our approach to social discipline?

Reconsidering Social Discipline Policy

We can construct a more useful view of the social discipline choices by looking at the interplay of two more comprehensive continua - control and support. Control is defined as the act of exercising restraint or directing influence over others (Black, 1990: 329). Clear limit-setting and diligent enforcement of behavioural standards characterise high social control. Vague or weak behavioural standards and lax or non-existent efforts to regulate behaviour characterise low social control. Support is defined as the provision of services intended to nurture the individual (Black, 1990: 1070). Active provision of services and assistance and concern for individual well-being characterise high support. Lack of encouragement and minimal provision for physical and emotional needs characterise low support.

For simplicity, we limit these continua to the extremes of 'high' or 'low'. In Figure 8.2, we combine a high or low level of control with a high or low level of support to reveal four general approaches to social discipline and the regulation of behaviour. We call these four approaches or policy models *punitive*, *permissive*, *neglectful* and *restorative*.

The punitive approach (upper left of Figure 8.2) is comprised of high degrees of control but little individual support or nurture, while the permissive approach (lower right of Figure 8.2) is comprised of low control and high support, a scarcity of limit-setting and an abundance of nurturing. Thus four policy options become apparent, revealing the punitive-permissive continuum as a false forced choice.

Development of the Social Discipline Window

The origin of this contingency approach to group dynamics began with the research of Kurt Lewin (Lewin et al, 1939; Lewin, 1943, 1948) who defined three basic behaviour patterns distinguished by the degree to which leaders allow subordinates to participate in decision-making: *authoritarian*, *democratic* and *laissez faire* (Luthans, 1985: 476).

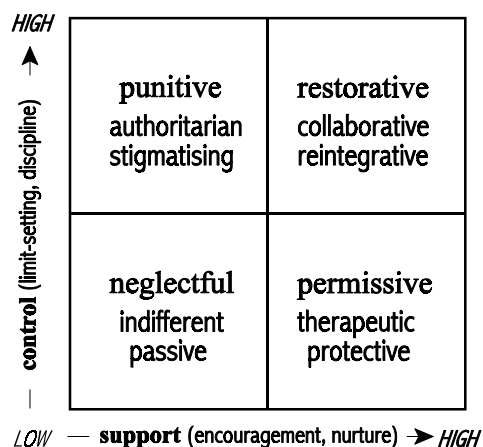


Figure 8.2 *Social Discipline Window*

Stodgill and Coons (1957) and Blake and Mouton (1964) independently isolated two primary dimensions of behaviour related to leadership effectiveness. Respectively, the first dimension was *consideration* (for employee needs) or *employee-centred*. The second dimension was called *initiating structure* (the degree to which the leader defines and organises tasks for subordinates) and *production-centred* (the degree to which the leader is task-oriented). These two-dimensional approaches led to one of the best-known leadership models, the 'managerial grid', which identifies four styles of management: *authority compliance*, *country club*, *impoverished* and *team style*.

Glaser (1969: 289-297) published a similar grid to describe parole officer behaviour. He used the same people-oriented dimensions as Blake, which Glaser called *support* (provision of services to clients) and *control* (concern for public safety through supervision). He identified four behaviours that he labelled *punitive*, *welfare*, *passive* and *paternal*. Duffee et al (1978: 396-400) expanded upon Glaser's model to describe general organisational models of correctional policy, re-labelling the two dimensions as *concern for the individual offender* and *concern for public safety*. These authors called the four policy approaches *reform*, *rehabilitation*, *restraint* and *reintegration*.

All of these two-dimensional typologies grew out of empirical studies and all have been empirically validated and replicated. However, Glaser's interpretation of the second dimension as control is more useful for the purpose of generalising to the social discipline of misbehaviour. Notice that all of these models agree that the HIGH-HIGH corner of the diagram captures Lewin's dimension of participation. By contrasting control and support, the social discipline window classifies individual, organisational and other approaches to formal and informal social discipline in a broad range of settings. These settings include parenting children, teaching students, supervising employees, regulating corporations and responding to international conflicts (Braithwaite, forthcoming).

The Punitive Approach

The punitive approach (upper left of Figure 8.2), is high on control of behaviour but low on supporting and nurturing the individual - the traditional 'spare the rod, spoil the child' approach to social discipline. Schools, employers and courts in the United States and other countries have increasingly embraced the punitive approach, suspending and expelling more students, reprimanding and dismissing more employees, and imprisoning more citizens than ever before. The theoretical history of the punitive approach dates back to the mid-eighteenth century to Cesare Beccaria and Jeremy Bentham in what is called the classical school of criminology. Bentham saw all behaviour as reducible to the pursuit of pleasure and the avoidance of pain and felt punishment could be used as a deterrent. Both felt that punishment should fit the crime, defined crime in legal terms and emphasised offender free-will. They viewed punishment as a necessary evil to regulate civil society.

Duffee et al (1978: 398) and Glaser (1969) describe this approach in correctional settings as highly moralistic. This approach assumes offenders willingly committed their offences. It treats all offenders alike using 'firm but fair' rhetoric. Convicted offenders are seen to have privileges, not rights, which should be granted to those most compliant. The emphasis is on community safety with a high level of supervision intended to catch violators and enforce rules

Max Weber (1864-1930) first articulated the classic approach to administration. He assumed that people are basically lazy and untrustworthy. The purpose of discipline in bureaucracies is to maintain order through clear lines of authority and rules, strictly enforced by a system of punishments and rewards (Souryal, 1995: 42). Taylor (1913) advocated designing work 'scientifically' in such a way that the human element had minimum influence on production, and both Weber and Taylor favoured an authoritarian approach to organisational management.

Redeker (1989) describes the modern version of bureaucratic authoritarianism as the 'progressive' model of employee discipline - progres-

sive because it involves a graduated series of punitive responses for minor misbehaviour. For theft, assault, intoxication or criminal offences, summary dismissal without opportunity for redemption is deemed appropriate (Redeker, 1989: 70, fn 5).

Nelsen (1996) refers to this approach to parenting and teaching as strictness, involving excessive control of children. In its extreme form, there is order without freedom, no choices or explanations - 'You do it because I said so.' Punitive parenting is adult-centred, and children are not involved in the decision-making process.

Cameron and Thorsborne (this volume) report that school administrators' approach to staff discipline tends to be no less punitive than the discipline policy used for students. While it is rare for staff to be terminated, they say 'current formal procedures for resolving diminished work performance issues, and grievance processes, for example, if not wholly punitive, are extremely punishing emotionally, with the system paying the price through absenteeism, sick leave and resignations'.

The Permissive Approach

In many ways the permissive approach is a mirror opposite of the punitive. The positivist school of criminology rejects a legal definition of crime, focuses on the act as a psychological entity, emphasises determinism over free-will, and holds that punishment should be replaced by a scientific treatment of offenders in a way that protects society by curing the cause of the misbehaviour (deviance). The positivist view blames imperfect social systems or individual pathologies (Duffee et al, 1978: 258). In either case positivists tend to excuse the offender from personal responsibility and call for active social programs to prevent and treat crime.

Duffee et al (1978: 398-399) describe this approach as *rehabilitation*, where the source of criminality is assumed to be within the person or their reaction to social influences (Johnstone, 1996). The correctional system is seen as a hospital where therapy is provided for improper socialisation, poor family experiences and other social maladies. The emphasis is on treatment and self-expression with correctional officers acting as therapeutic professionals.

The humanistic or human relations approach to management traces its beginning to Elton Mayo (1880-1949) and the Hawthorne experiments of the 1920s and 1930s, which investigated worker productivity. Mayo concluded that resolving social problems faced by workers increases their productivity and that inspiration and motivation are basic needs of workers. Herzberg's (1968) research found dissatisfaction related to unfavourable working conditions such as strict policies, low pay, inferior status and inflexible supervision. Satisfaction related to motivators that include individual achievement, recognition, responsibility, growth and work itself. Likert (1961, 1967) argued that no organisation can maximise its production potential without concern for employee motivation.

McGregor (1960) also studied worker productivity and postulated Theory X and Theory Y as opposites on a continuum. Theory X is the classical perception of humans, implying that management must constantly control, punish and manipulate the worker. Theory Y envisioned workers as willing to work and failing to be productive only when management failed to provide the proper motivators. Factors found to produce satisfaction in workers were the work itself, a friendly atmosphere, personal recognition and acknowledgement of achievement, professional growth, work challenge, accomplishments, responsibility and discretion. Thus, from a human relations perspective the essential task of management is to arrange conditions and operations optimally for the people who work for them.

Blake and McCanse (1991: 29) refer to this style of management as *country club management* - high concern for people and low concern for production. Thoughtful attention to the needs of people leads to a friendly organisational atmosphere and a comfortable work tempo.

Nelsen (1996) describes this approach to parenting and student discipline as no limits - freedom without order, unlimited choices, a 'you

can do anything you want' approach. Parenting is child-centred and misbehaviour is excused or not believed. ... There are no rules: 'I am sure we will love each other and be happy, and you will be able to choose your own rules later.'

The Neglectful Approach

An absence of both limit-setting and nurturing is neglectful (lower left of Figure 8.2). One can hardly talk about a body of literature advocating neglect as an intentional policy approach to social discipline, although there are a few such theories (e.g., Schur, 1973). However, we know that growing up is the single most effective cure for crime and misbehaviour. Left alone, the vast majority of misbehaving children eventually become productive members of society (Hirschi & Gottfredson, 1983).

Gabor's (1994) review of a wide range of self-report surveys of average citizens from the United States, Canada, England and Sweden all consistently showed that most, if not all, people break the law at one time or another. Cohort studies also consistently report that between one-third and one-half of all males will be arrested at least once during their lifetimes (p 56). Gabor concluded that criminal behaviour is widespread in society and not limited to 'deviants'; yet, only three to four percent of crimes in Canada and well under one percent of crimes in urban areas of the US lead to the punishment of the offender (p 287). In this sense, 'doing nothing' is the most common response to crime in society.

Relying solely on government to respond to criminal behaviour, without individuals or communities themselves taking any responsibility, is in itself neglectful. It is made doubly so by the community in leaving crime matters entirely in the hands of statutory agencies, and by the latter in considering that when a culprit has been adjudicated guilty and allotted a punishment that is the end of their responsibility' (Marshall, 1992: 25).

The Restorative Approach

The fourth possibility is restorative (upper right of Figure 8.2), the approach to social discipline and control of behaviour that is the focus of this volume. In this chapter we define restorative justice as a process where those primarily affected by an incident of wrong-doing come together to share their feelings, describe how they were affected and develop a plan to repair the harm done or prevent a recurrence (see Braithwaite & Strang, this volume; see also McCold, 1996, 2000). The essence of the restorative approach is a collaborative problem-solving response to misbehaviour. Restorative approaches simultaneously exercise high control and high support, confronting and disapproving of wrong-doing while supporting and acknowledging the intrinsic worth of the wrongdoer.

In a community or family group conference, those who admit what they have done are usually diverted from formal processing. The offender meets with the victim(s) of their actions and the families and friends of both victim and offender, and all are encouraged to tell how they were affected by the behaviour. Nathanson describes the affects or emotional dynamics of a conference:

The initial response of the perpetrator is often indifferent and unconcerned. Yet as the conference runs on and both family groups begin to speak about their estrangement from the perpetrator, that individual comes swiftly to learn that the love of the community is a deeply missed and quite important part of his or her world. With such recognition comes an avalanche of shame, after which the individual is likely to express remorse, accept the forgiveness of all concerned, and sign a document pledging to work in some way to repair or undo the damage produced by the antisocial act. (1998: 85)

Braithwaite (1989) called this process reintegrative shaming, where disapproval is expressed within a context of care and concern. As an approach to crime, Braithwaite likened it to the family model of discipline, where disapproval and control of behaviour are possible while maintaining bonds of respect.

Charles (1985) summarised developments in educational discipline across seven recent models (Kounin, Neo-Skinnerian, Ginott, Glasser, Dreikurs, Jones, Cantner). All seven models include restorative themes: all students seek belongingness and success; misbehaviour is a choice which has consequences; the teacher best achieves discipline by modelling good behaviour and demonstrating persistence, consistency, follow-up and control; effective school discipline requires collaboration from the whole school community including students and parents (Charles, 1985: 205-207).

The restorative approach to parenting and classroom control has been called positive discipline (Nelsen, 1996). 'You can choose within limits that show respect for all' (pp 7-8). Nelsen suggests that adults and children decide on rules for their mutual benefit, choosing solutions to problems that are helpful to all concerned.

Effectiveness of the Approaches

Meta-analyses of the research are unanimous in their findings. McLaren (1992) concluded that interventions that expose offenders to harsh or rigorous regimes rarely result in reduced re-offending. MacKenzie (1998) concluded from the research that deterrence programs that increase the punitive impact of the sentence, such as Scared Straight where young people are taken to prisons where inmates tell them of the horrors of prison life - or shock probation, do not reduce crime and have been associated with increases in the later criminal activities of participants. Snyder and Patterson (1987) concluded that delinquents who engaged in overt aggressive behaviour came from families that were more punitive. Braithwaite (1989) argued convincingly that stigmatising misbehaviour through punitive responses can produce deviant subcultures and organised efforts to circumvent official controls.

Reviews are also consistent in findings about permissive approaches. Gendreau and Ross (1983) found that unsuccessful delinquency programs included the use of counselling procedures which depended primarily on open communication 'friendship' models, were non-directional or involved self-help groups in which the offenders themselves were in charge of the program. Also, programs based on a 'medical model' disease conception of anti-social behaviour have not been fruitful. McLaren (1992) concluded that interventions based on a 'medical model' are even less likely to be effective than punitive, deterrence-based approaches. Gottfredson (1998) concluded that for juvenile justice and non-juvenile justice interventions alike counselling interventions are among the least effective for reducing delinquency. MacKenzie (1998) concluded that meta-analyses of rehabilitation continually show these programs are not effective in preventing crime. Baumrind (1971, 1978) concluded that the loving laissez-faire style of child-rearing is very ineffective, while Snyder and Patterson (1987) found that delinquents who demonstrated covert anti-social behaviour (e.g., lying, stealing) had families characterised by lax and permissive discipline.

Very little research has been conducted on the effects of neglect as a deliberate strategy. Most young people will mature out of criminal behaviours as they assimilate into adult society, with the attendant responsibilities for work and family. West and Farrington's (1977) Cambridge longitudinal study of delinquency found boys who were equally delinquent but escaped apprehension had better long-term outcomes than boys who were caught. Box's (1981) review of research on the effects of labelling found a majority of the studies supporting the conclusion that punishment can lead to deviance amplification among those punished (also see Braithwaite, 1989).

We have known since Kurt Lewin first told us in 1939, that the amount of participation that the 'changee' feels is the most important factor in behaviour change. Collaboration works better than other approaches to achieve the goals of organisations (Likert, 1961; Stodgill, 1974; Bowers & Seashore, 1966; Blake & Mouton 1964; Glaser, 1969). Both Baumrind (1978) and Braithwaite (1989) interpret the empirical research on the effectiveness of child-rearing as showing that authoritative or reintegrative parenting, setting limits with love, is the most effective. Gendreau and Ross (1983) found that successful

criminal justice programs had characteristics that distinguish them from their less successful counterparts, including client participation in resolving personal or social difficulties and interpersonal relationships between client and staff marked by empathy and trust. McLaren (1992) identifies a small number of effective programs that had distinct characteristics: relations between staff and offenders characterised by empathy, trust and open communication; offenders trained in practical, personal and social problem-solving skills; and offenders involved in planning interventions. Sherman (1998b) claims that while there may be disagreement over the exact causes of crime, there is widespread agreement about a basic conclusion - strong parental attachments to consistently disciplined children in watchful and supportive communities are the best 'vaccine' against street crime and violence.

The authoritarian-punitive approach to social control and discipline of behaviour appears always to lead to backlash, at least in its most extreme forms. Totalitarian regimes create their own pressure for popular rebellion. Harsh and stigmatising punishments eventually produce resentment and a desire for revenge and can lead to organised groups actively working to circumvent authority. Without concern for the emotional and physical conditions of those subject to control, it is questionable whether even a moderate level of punishment can produce more compliance than deviance amplification (Wilkins, 1966).

If we have been waiting for the research to prove restorative practices work we need wait no longer. Collaborative, problem-solving approaches have a history of success in families, communities, organisations and international relations. The social science research is overwhelming, consistent and clear. In the vast majority of situations, restorative practices work better than punishment or treatment approaches.

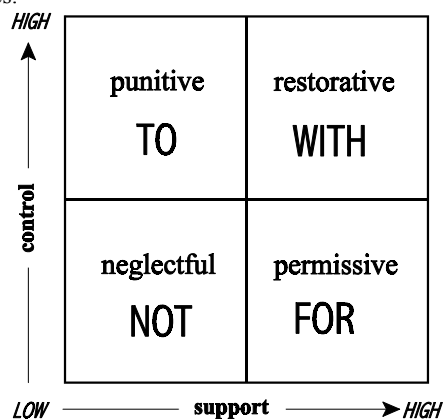


Figure 8.3 Simplified Social Discipline Window

Summary of the Models

The Community Service Foundation (CSF) is a non-profit, non-governmental organisation that works with troubled youth in southeastern Pennsylvania. Staff at CSF's six alternative schools and 12 group homes have been using restorative practices since 1977 (Wachtel, 1998). At a management retreat supervisors identified four key words as a shorthand method to help CSF staff distinguish the four approaches contained in the social discipline window: NOT, FOR, TO and WITH. (Figure 8.3)

If staff were to be neglectful towards youth in the agency's programs, they would NOT do anything in response to inappropriate behaviour. If permissive, staff would do everything FOR the youth and ask little in return, making excuses for behaviour. If punitive, staff would respond by doing things TO the youth, scolding and handing out punishments. Responding in a restorative manner requires that staff work WITH the young people in their care and engage them directly in the process of holding them accountable. A critical element of this restorative approach is that, whenever possible, WITH also includes victims, family, friends and community - those who have been affected by the offender's behaviour.

We see this as fundamental democratic practice. NOT is the world of

passive citizenship, of alienation. TO is the world of tyranny. FOR is the world of paternalism. WITH is the practice that nurtures democratic citizenship. Becoming a democratic citizen who is actively responsible is not something that just happens (Barber, 1992). Democratic citizenship is something we learn WITH others. Sadly most social discipline is in the worlds of TO, NOT and FOR.

The Restorative Practices Continuum

Although the restorative approach to social discipline expands available options beyond the traditional punitive-permissive continuum, the implementation of restorative justice to date has been narrowly restricted. The concept of restorative justice is usually confined to a few programs like community service projects designed to reintegrate offenders and formal rituals such as victim-offender mediation, sentencing circles and family group conferences or community conferences.

The term 'restorative practice' includes any response to wrong-doing that falls within the parameters defined by our social discipline window as both supportive and limit-setting. By way of illustration, examples from CSF schools and group homes have been placed along a 'restorative practices continuum' (Figure 8.4). Moving from left to right, the restorative interventions become increasingly formal, involve more people, more planning, more time, are more complete in dealing with the offence, more structured and, due to all of those factors, may have more impact on the offender.

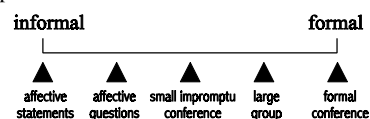


Figure 8.4 Restorative Practices Continuum

The most informal is a simple affective statement in which the wronged person lets the offender know how he or she feels about the incident. A staff member might say, 'Jason, you really hurt my feelings when you act like that. And it surprises me, because I don't think you want to hurt anyone on purpose.' If a similar behaviour happens again, the staff member might repeat the response or try an affective question, perhaps asking, 'How do you think Mark felt when you did that?' and patiently wait for an answer.

In the middle of the continuum is the small impromptu conference. Brenda Morrison in her work in Canberra schools (see Morrison, this volume) refers to this as 'corridor conferencing'. Our residential program director was awaiting a court hearing about placing a 14-year-old boy in a CSF group home. The boy's grandmother told the director how on Christmas Eve, several days before, her grandson had gone over to a cousin's house without permission and without letting her know. He did not come back until the next morning, just barely in time for them to catch a bus to her sister's house for Christmas dinner. The program director got the grandmother talking about how that incident had affected her and how worried she was about her grandson. The boy was surprised by how deeply his behaviour had affected his grandmother. He readily apologised.

Close to the far right of the continuum is a larger, more formal group process, still short of the formal conference. Two boys got into a fist-fight, an unusual event at CSF's schools. After the fight was stopped, their parents were called to come and pick them up. If the boys wanted to return to the school; each boy had to phone and ask for an opportunity to convince the staff and his fellow students that he should be allowed back. Both boys called and came to school. One refused to take responsibility and had a defiant attitude. He was not re-admitted by the group. The other was humble, even tearful. He listened attentively while staff and students told him how he had affected them, willingly took responsibility for his behaviour, and got a lot of compliments about how he handled the meeting. He was re-admitted and no further action was taken. The other boy was put in the juvenile detention centre by his probation officer. Ideally, he would be a candidate for a formal family group conference.

Informal restorative interventions often simply involve asking offenders questions from the scripted formal conference. 'What happened?' 'What were you thinking about at the time?' 'Who do you think has been affected?' 'How have they been affected?' Whenever possible, we provide those who have been affected with an opportunity to express their feelings to the offenders. The cumulative result of all of this affective exchange in a school is far more productive than lecturing, scolding, threatening or handing out detentions, suspensions and expulsions (see also Morrison, Cameron & Thorsborne, this volume). Interestingly, CSF's staff rarely hold formal conferences. They have found that the more they rely on informal restorative practices in everyday life, the less they need formal restorative rituals.

Restorative Contagion

Restorative justice is a philosophy, not a model, and ought to guide the way people act in all of their dealings in everyday life (see Braithwaite & Strang, this volume). In that spirit CSF uses restorative practices in dealing with its own staff issues and strives for an atmosphere in which staff can comfortably express concerns and criticisms directly to supervisors and to each other. Several CSF employees became engaged in a squabble that was disrupting the workplace. A conference was convened with no clearly identified wrongdoer. The participants were asked to take as much responsibility as possible for their part in the problem and were assured that everyone else was being asked to do the same. Not only did a great deal of healing take place during the conference, but several individuals made plans to get together one-to-one to further resolve their differences. The conflict is now ancient history and no longer a factor in the workplace.

Restorative practices are contagious, spreading from workplace to home. A CSF employee described how she, her husband and her younger son restoratively confronted her young adult son, who had just entered the world of work. The parents expressed their embarrassment that their son had been late to work at a company where they knew a lot of his co-workers. They insisted that they were stepping back from the situation. If their son lost his job, it was not their problem, but his. As a result of the informal family group conference, the young man now sets three alarm clocks and gets to work on time.

A police officer who was trained in conferencing shared how he confronted his little boy, who had torn off a piece of new wallpaper, with questions from the conference. The youngster became very remorseful and acknowledged that he had hurt his mother, who loved the new wallpaper, and the workman he had watched put up the new wallpaper. Dad felt satisfied that the intervention was far more effective than an old-fashioned scolding or punishment.

A police officer ran a variation on a family group conference with a dispute between neighbours about a barking dog; another held an impromptu conference on the front porch between a home-owner and an adolescent prankster who stole a lawn ornament. Still another police officer held a conference for the families of two runaways, helping the teenagers' understanding of how hurtful their actions were, although they had not committed a criminal offence that would typically require the officer's involvement. An assistant principal made two teenagers, on the verge of a fight, tell each other how they were feeling and quickly resolved the dispute. A correctional officer addressed an inmate's angry outburst with a conference. A social worker got family members talking to each other in a real way about a teenager's persistent truancy and got the youth to start going to school.

Principles of Practice

The examples in the last section, and others like them, suggest six simple principles of practice:

1. *Foster awareness.* In the most basic intervention one may simply ask a few questions of the wrongdoer which foster awareness of how others have been affected. Or one may express one's own feelings to the offender. In more elaborate interventions one provides an opportunity for others to express their feelings to the offenders.

2. *Avoid scolding or lecturing.* When offenders are exposed to other people's feelings and discover how victims and others have been affected by their behaviour, they feel empathy for others. When scolded or lectured, they react defensively. They see themselves as victims and are distracted from noticing other people's feelings.
3. *Involve offenders actively.* All too often one tries to hold offenders accountable by simply doling out punishment. But in a punitive intervention, offenders are completely passive. They just sit quietly and act like victims. In a restorative intervention, offenders are usually asked to speak. They face and listen to victims and others whom they have affected. They help decide how to repair the harm and must then keep their commitments. Offenders have an active role in a restorative process and are truly held accountable.
4. *Accept ambiguity.* Sometimes, as in a fight between two people, fault is unclear. In those cases one may have to accept ambiguity. Privately, before the conference, one encourages individuals to take as much responsibility as possible for their part in the conflict. Even when offenders do not fully accept responsibility, victims often want to proceed. As long as everyone is fully informed of the ambiguous situation in advance, the decision to proceed with a restorative intervention belongs to the participants.
5. *Separate the deed from the doer.* In an informal intervention, either privately with the offenders or publicly after the victims are feeling some resolution, one may express that he or she assumed that the offenders did not mean to harm anyone or that he or she was surprised that they would do something like that. When appropriate, one may want to cite some of the offender's virtues or accomplishments. The goal is to signal recognition of the offenders' intrinsic worth and disapprove only of their wrongdoing.
6. *See every instance of wrong-doing and conflict as an opportunity for learning.* The teacher in the classroom, the police officer in the community, the probation officer with his caseload, the corrections officer in the prison all have opportunities to model and teach. One can turn negative incidents into constructive events - building empathy and a sense of community that reduce the likelihood of negative incidents in the future.

Conclusion

We know the world will change only very slowly and very imperfectly. We cannot afford to be unrealistic or utopian. We must be flexible and experimental. In implementing restorative practices we must allow ourselves to move beyond the limited framework of the criminal justice system and recognise the wider possibilities.

Most of our current practices are not only ineffective in changing negative behaviour, but they undermine democratic citizenship. They teach punitive or permissive approaches to problem-solving by doing things TO and FOR people, rather than engaging WITH them in a way that asks individuals to take responsibility for their own choices. If systems are not inherently restorative, they cannot hope to effect change through an occasional restorative intervention. Restorative practices must be systemic, not simply situational. You can't just have a few people running conferences and everybody else doing business as usual. You can't be restorative with students but retributive with staff. You can't have restorative police and punitive courts. To reduce the growing negative subcultures inside and outside corporate life, to successfully prevent crime and to accomplish meaningful and lasting change, restorative justice must be perceived as a social movement dedicated to making restorative practices integral to everyday life.