

The school system: Developing its capacity in the regulation of a civil society

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## **Developmental Institutions**

Can our school system, through the adoption of restorative justice practices, play a role in the maintenance of a civil society? This chapter argues that it does hold an important role as a developmental institution in this capacity. An understanding of a civil society is advanced that highlights the reciprocal interplay between social capital and responsible citizenship. These arguments are substantiated through sociological and psychological theories that uphold the importance of social relationships to the regulation of social justice. Restorative justice is introduced as a participatory learning framework through which social bonds can be re-constituted and strengthened, thus building our capacity to sustain a civil society. Principles of restorative justice, in the context of addressing school bullying, are presented, as well as a preliminary survey of educators' attitudes towards these principles. Obstacles to the implementation of restorative justice are then examined. The chapter concludes with a final examination of the role of restorative justice in the maintenance of a civil society.

## Civil society

A current theme of social theory is that the development of social capital is essential to our capacity to build and sustain a civil society (Australian commentators: Cox, 1995; Krygier, 1997; Malouf, 1998). This thrust is also developing internationally, in countries as different as America and Russia (see Putnam, 1995; Kawachi, Kennedy & Wilkinson (1998); Kennedy, Kawachi & Brainerd, 1999). Further to this, the United Nations is now turning to social, as well as economic, indicators of national development and social health. Social capital has been conceived as "... the social glue, the weft and warp of the social fabric which comprises the myriad of interactions that make up our public and private lives - our *vita activa*" (Cox, 1995, p. 18). This conception of social capital captures the regulatory power of a web of positive social relationships to the maintenance of a civil society. Selznick (1996) takes this point further; he argues that the development of communal bonds through a participatory regulatory framework is central to the development of personal responsibility:

Personal responsibility is most likely to flourish when there is genuine opportunity to participate in communal life. These conditions require substantial investment by the community and its institutions. At the same time, how much the community invests, and what kind of investment it makes, will depend on the prevalence of a sense of personal responsibility for the common good. (p. 14)

Strong institutions that develop genuine positive relationships within the nexus that sustains individual and collective life seem essential to our capacity to build a civil society (see also O'Connell & Ritchie, this volume). Within this web of regulatory frameworks, the school system provides a solid foundation on which to build, as it is a central institution in the development and education of all citizens. Given Selznick's

(1996) emphasis on the reciprocal process of individual and collective life in building responsible citizenship, if we fail to make the investment of developing social capital in our schools we may miss a significant opportunity to nurture the development of a responsive civil society.

Social capital is then built and regulated through strong and effective developmental institutions, such as schools, that not only acknowledge and enforce the development of individual responsibility, but also the reciprocal processes of upholding the responsibilities of institutions that represent us as collectives and the claims they have on us. In other words, given that macro-social processes of institutions inform and nurture the micro-psychological processes of individuals and vice versa, what we know about the underpinnings of social life at the micro level should reflect practice at the macro level. With the rise of capitalism in the last century, our regulatory institutions have mostly assumed that individuals are solely motivated by individual self-interest. In line with this thinking, rewards and punishment have been the dominant mode of regulation. However, if we think that individuals are also motivated by the need for affirming social relationships (or to simply find meaning for themselves as group members), our institutions should acknowledge and carry the responsibility of building positive relationships. Institutions, in regard to the latter, would then need to develop the social glue that Eva Cox speaks of; the stuff that binds us and defines us in terms of the collective identities we share and nurture.

When social institutions give us the message that we don't belong, our pro-social attitudes and behaviors can quickly become anti-social. Thus, institutional frameworks can bring us together in terms of shared social identities (and collective goals) or they can disenfranchise us to the extent that individuals come to define

themselves in terms of anti-institutional identities. For example, within the institutional framework of the school, students can take on the responsibilities of a good citizen and identify as one; but if students are not given the opportunity to find a respected place within the school community, they can also take on delinquent social identities. To this end, the school system plays a significant role in developing the capacity for good citizenship.

Whether it be the school system, or any other regulatory system, an interesting misfortune is that our most well developed theories of social regulation, and cooperation within these systems, are based on the assumption of individualism. In much of our theory and policy development we have failed to recognize the importance of the social groups to which we belong in regulating our social behavior. More specifically, we have failed to acknowledge the psychological reality and importance of the social group to the individual (see Tajfel and Turner, 1979; Turner, Hogg, Oakes, Reicher & Wetherell, 1987). In other words, the importance of collective identities that individuals hold and share, as responsive members of society, must be recognized and become an important aspect of the regulatory frameworks that are constituted within our institutions.

### **Restorative Justice: Practice into theory**

Restorative justice is a productive regulatory framework whose aim it is to maximize our capacity to reintegrate those disenfranchised from their communities, foster responsible citizenship and build social capital. One could argue that a central tenet of restorative justice is the assumption that the nature of our social relationships sustains our capacity to live as responsible citizens. For example, Braitwaite's (1989)

reintegrative shaming theory maintains that caring relationships hold a central role in the process of conferencing:

... the support of those who enjoy the strongest love or respect with the offender structures reintegration into the ritual. It is not the shame of police or judges or newspapers that is most able to get through to us; it is shame in the eyes of those we respect and trust. (p. 45)

Nathanson's (1992) use of affect theory (see also Moore & Forsythe, 1995; Retizinger & Scheff, 1996; Scheff, 1990; Tomkin's, 1962) has argued that shame is "the central social regulator that governs our social interactions with others" (p. 99). The assumption is that because social relationships are psychologically important to an individual, the affect state of shame regulates individual behavior by bringing social awareness to a wrongdoing. Psychologically, an individual is motivated to deal with this state of shame. Bringing the importance of shame and social relations together, Nathanson (1992; 1997) has argued that positive reactions to shame evoke a change in our self-image; however, if social relations break down, shame can have a negative affect. This negative affect can lead a disenfranchised individual, be it victim or offender, to attack others, attack self, avoid or withdraw.

Social identity theory (Tajfel and Turner, 1979) and self-categorization theory (Turner et al., 1987) also uphold the importance of group life, through identity formation and maintenance, to self-regulation. The theories argue that our self-concept is molded through the functional antagonism that exists between individual and group level processes. We self-stereotype in terms of social identities that create meaningful relationships for us. These social identities emerge within a framework that gives meaning to our place within society. Specifically, self-stereotyping has been defined as "those aspects of an individual's self-image that derive from the social

categories to which he (sic) perceives himself (sic) as belonging” (Tajfel & Turner, 1979, p. 40). Self-categorization theory developed this understanding further, conceptualizing a social identity as the psychological link between the self and the collective that emerges through the psychological process of categorization. The role of acting out by the offender and the victim can thus be conceived as manifestations of subjectively relevant social identities that creates meaning for the individual through the process of self-categorization.

While these theories uphold the practice of restorative justice an interesting aspect to the development of the field of restorative justice is that practice has foreshadowed theory. Of significant influence in this development has been the family group conferencing model of restorative justice used to address juvenile crime. This model provided a timely opportunity for practice to inform theory. Within a context of genuine collaboration between practitioners and academics, the theoretical emphasis turned from debates about the pros and cons of different regulatory models (of policing in this case) to the compelling question of: “why does it work?” As Braithwaite (1999) states “Indeed, for all of us practice was ahead of theory, and it was well into the 90s before the North American label restorative justice subsumed what had been developing elsewhere for a long time” (p. 22). The steady momentum of the restorative justice movement is a poignant example of the productivity that can emerge within a collaborative dynamic of theory and practice (see also Lewin, 1951).

Reintegrative shaming theory (Braithwaite, 1989) argues for a restorative process of crime prevention that: (1) makes it clear to the offender that their behavior is not condoned within the community; and (2) is respectful of the individual while not condoning the behavior. It is this process that allows for a change in attitude and behavior to take place. In other words, in the context of important and meaningful

social relationships, attitude change towards a community can take place, through an individual taking on responsibility for a wrongful act. This process allows reintegration to occur and (hopefully) subsequent acts of wrongdoing to be reduced. It has been labelled reintegrative shaming in that the shaming process is reintegrative rather than stigmatizing. The theory predicts that shaming processes of a stigmatizing nature result in further wrongful acts. Applying this analysis to the school community: school suspensions handed down in a punitive (stigmatizing) manner increase the likelihood of further wrongful actions while processes such as family group conferencing decrease the likelihood of further wrongful acts. A number of school districts have used this theoretical framework to develop a range of interventions within the school system (see Cameron & Thorseborne, this volume; Hyndman & Thorseborn, 1994; Moore, 1998; O'Connell, 1999; O'Connell & Ritchie, this volume; Wachtel, this volume).

Ahmed's (1999) analysis of bullying behavior in schools further substantiates the importance of shame in the maintenance of social relations. Her analysis shows that bullies, victims, bully/victims and non-bullies/non-victims each used different strategies in the management of shame in relation to the acceptance of wrongful acts and feelings of acceptance in the school community: bullies by-pass shame; victims are caught in a cycle of persistent shame; bully/victims are swept up by denied by-passed shame; while non bullies/victims discharge shame. Each of these shame-management styles relates to wrongdoing and social relations in the following way: bullies deny wrongdoing while not feeling rejected by others; victims are more likely to chronically accept wrongdoing and feelings of rejection by others; bully/victims do not accept wrongdoing but feel rejected by others; while non- bullies/non-victims accept wrongdoing without feeling rejected by others. Examining these categories in



relation to an identity analysis: bullies are generally alienated from the school community, which would not be a reference group for bullies (and may even be a negative reference group); victims would feel insecure about their relationship with others in the school environment; bully/victims are chronically ambivalent about their relationship with the school community; while non-bullies/non-victims would feel secure in terms of their relationship with others at school.

Koh (1997) uses a social identity and self-categorization analysis in her studies of social delinquency in schools. She argues that the current practice of exclusion, like other strategies for dealing with delinquent behavior such as time out, behavioral counselling and community work, have one feature in common: they are individualistic, rather than social, in nature. These interventions typically pathologize the individual's behavior. Contrary to this individualistic analysis, Koh argues that the role of acting out by the victim and the bully can be better understood as manifestations of subjectively relevant social identities that create meaning for the individual. She argues that delinquent behavior can be more effectively understood as intergroup behavior rather than interpersonal behavior. Emler and Reicher (1995) have made similar claims:

... to address both the social contours and the individual variability of delinquent conduct. On the one hand, one must be able to explain the social determination of delinquency without being socially deterministic. On the other, one must be able to account for individual variability without succumbing to individualistic reductionism. What is required then, is an account of which factors feed into the proximal process by which individual actions are produced. (p. 5)

In other words an effective analysis of social delinquency must closely examine the proximal relationship between individuals, collectives and the social institutions that regulate them.

The social dilemma literature has examined the relationship between institutional structure and individual behavior from a paradigm of social exchange and control (see Kormorita and Parks, 1994). Until very recently, this body of literature has been largely individualistic in nature. This line of thinking grew from the finding in the 1960s that in mixed motive situations of interdependence, individuals fail to cooperate; that is, individuals fail to perceive themselves as a collective. Within the social dilemma paradigm the assumption is that interdependence is a necessary condition for group formation; however, this assumption has been questioned by self-categorization theory (see Morrison, 1998; Turner et al., 1987). Morrison's (1999) social identity analysis has shown that under certain conditions institutional frameworks which aim to foster positive social interdependence can be undermined and transformed into situations of negative interdependence. This process can be understood through an analysis of the conditions under which social identities become salient. Social cooperation is argued to be a product of a salient social identity. If the salient identification does not mirror the interdependence structure, cooperation will not ensue. In other words, group interaction in terms of the interdependence structure can be unproductive (if not antagonistic) in fostering positive social relations if the self-category (and associated meaning) that is salient for the individual does not foster positive social bonds.

School bullies, for example, may be objectively interdependent with others in the schools community, and rely on their dominance of others within this institution to achieve their sense of self-worth, but they are not psychologically interdependent with this community. There is no mutual positive regard between the school community and the individual. The school community would not be a shared social category with others in the school, and thus not a positive reference group. The reference group that

would more likely be salient would be a delinquent sub-group of the school community. This is the group that would be psychologically relevant, and provide the motivational basis for bullying behavior.

This social identity critique of interdependence theory brings new insights to reintegrative shaming theory as Braithwaite (1998) acknowledges: “[The theory] is sloppily theorized on this question, slipping back and forth between interaction-based and identity-based accounts of how criminal subcultures influence action” (p. 52).

An important point should be made here. This identity analysis should not be confused with an identity analysis that emphasizes uni-dimensional identities, such as with labelling theory. As Braithwaite (1994) has argued:

Labelling theorists did useful work, but their work was myopic, exclusively focused on ‘front-end’ processes that certify deviance. Above all, they envisage individuals to have ‘total identities’. We suggest that by employing instead the notion of multiple identities one can recast the interest in transformation ceremonies, asking questions as much about ceremonies to decertify deviance as to certify it. ... In a reintegration ceremony, disapproval of a bad act is communicated while sustaining the identity of the actor as good. (p. 142)

In contrast to the work of labelling theorists, social identities are conceived as context specific self-categorizations that emerge as a property of group processes. For each individual many different social identities can emerge. As such, the theories emphasize multiple-dimensional identities over uni-dimensional identities.

Kawachi and Kennedy (1997, see also Kawachi, Kennedy, Lochner & Prothrow-Stith, 1997) have made a similar point. They build on the fields of sociology and political science, where the concept of social capital is used to explain the means by which communities come together, that is cooperate, to overcome the dilemmas of collective action. What these researchers have added is how this framework can

explain heterogeneity, as well as homogeneity. In other words, they have used social capital to capture the multi-dimensionality of social life.

**Restorative Justice – What message does it carry for social justice in civil society?**

In line with the practice of restorative justice, this chapter has argued that social capital is built through strengthening dominion (freedom as non-domination; Pettit, 1997) in the lives of individuals. This can be achieved through thoughtful development of institutional design that aims to construct a web of productive social relationships (see also O'Connell & Ritchie, this volume). It is this web of relationships that maximize the dominion of individual lives. Too often our institutional designs have failed to recognize the importance of collective processes to individual lives, and when individuals don't fit into our social institutions, typically we find ways to exclude them rather than create opportunities to build mutual understanding through the enhancement of social relationships. At best, we hope that offenders will be rehabilitated (often in isolation from society as a whole) and subsequently conform to the institutional demands. How is restorative justice different?

Restorative justice seeks not to exclude the individual but create mutual understanding. This participatory practice resides in the tension that sustains individual and collective welfare. Between the extremes of individual and collective life reside a myriad of dominions that make up our individual lives. These dominions are sustained by both individualistic and collective needs. Normatively, our thinking is still caught up in the end points that define the dichotomy; that is, between liberals, who generally support a welfare model of social justice, and conservatives, who generally support a punitive justice model. Zehr (1990) has argued that "Restorative

justice is touted as a long-overdue third model or a new “lens”, a way of hopping off the see-saw" (p. 8). Instead of arguing in terms of these extremes of the legal system, restorative justice, in practice, recognizes that citizens have both individualistic and collectivist needs and motivations. While, for the most part, the existing behavioral correction system rests on premises upheld by individualism, restorative justice practices recognize the importance of a theory of social relationships - the dominions of self-awareness that we share in terms of social identities - in the regulation of social justice.

As Wachtel, O’Connel and Ritchie, as well as Cameron and Thorsborne (this volume) has each argued restorative justice practices fit nicely within the context of a school environment in that they are opportunities for the individual to learn from their experiences in a meaningful and supported environment. Two basic tenets of the practice are: (1) acknowledgement of and taking responsibility for harm resulting from inappropriate behavior; and (2) acknowledgement of and restitution to those affected by the inappropriate behavior. An effective restorative justice practice will take participants through a process that connects the inappropriate behavior with the harm done to the victim, the offender and other collateral parties, while at the same time connecting the individual to a community of care and respect. The process aims to enable the offender to accept responsibility for the wrongful act and then create opportunities to strengthen the relationships that sustain individual responsibility. Through the development of mutual understanding between those affected, it is hoped that the offender will then carry through the process of ‘making things right.’

‘Making things right’ could include a range of actions/behaviors taken on by the offender that constitute restitution to the individuals within the community affected. School suspensions (as opposed to permanent exclusion), for example,

could constitute a restorative justice practice if it is seen as legitimate opportunity, by all involved in the process, to ‘make things right’. If the offender shows a positive learning outcome and a renewed sense of belonging from the process of being suspended and reintegrated then the practice has been restorative. It is the social meaning that is given to the act of suspension that is important. If the offender gives meaning to the suspension through self-examination which engrains anti-institutional identity patterns (e.g. I don’t belong at school; I’m just not cut out for school; I never can do the right thing at school), the intervention will only prove to further stigmatize the offender and encourage participation in other (often deviant) subcultures. If, on the other hand, the offender understands the intervention as an opportunity to ‘make things right’ then an effective learning outcome can be achieved and responsible citizenship fostered. While there are many ways to practice restorative justice, the common aim is to re-constitute the capacity of the offender, victim and community to sustain positive and productive relationships.

### **Schools, social justice and civil society**

The importance of positive school relationships to developing a productive school environment, in terms of achievement and citizenship for students, has been well documented (Mortimore, Sammons, Ecob & Stol, 1988; Reynolds & Cuttance, 1992; Rigby & Slee, 1998). As Cameron and Thorsborne note in their chapter, Sergiovanni (1994) captures the essence of restorative justice when he emphasizes the importance of shifting the focus in schools from contractual institutions based on rewards and punishment to communities bound by moral commitment, trust and a sense of purpose:

Values, beliefs, norms and other dimensions of community may be more important than the relationships themselves. But it is the web of relationships that stands out and its through the quality and character of relationships that values, beliefs and norms are felt. (p. 18)

Schools are one of our most important institutions. They harbour a microcosm of society and they teach us many things through both an overt and a hidden curriculum. Explicitly they teach us about numeracy, literacy and other core business; implicitly they teach us about our place in the world. If we alienate a child from the school community, we essentially have created the potential to alienate a child from society as a whole. Repetitive bullies and other offenders within the school system, as well as their victims, are at a high risk of proceeding down the route of social alienation and subsequent anti-social behavior. For bullies, this cycle can lead to lives of crime and violence; for victims, the cycle can be one of social isolation and suicidal tendencies (see Callaghan & Joseph, 1995; Dietz, 1994; Farrington, 1993; Olweus, 1991; 1992a). There is a significant link between students who are most likely to be involved in school bullying and later incidents of juvenile delinquency at school, as well as beyond this community (Gottfredson, Gottfredson & Hybl, 1993; Huesmann, Eron, Lefkowitz & Walder, 1984). In particular, it is those students who suffer suspensions, exclusions and truancy that are most at risk. Given the unsupervised nature of suspension and exclusion from the school community, there is a good chance that these young people will become involved with subcultures that participate in a wide range of anti-social behaviors. If the subculture then begins to define the individual's life, the rate of suspension is likely to increase as they become disenfranchised from the school community.

While violence in schools is often viewed as part of a much larger "culture of violence" in society, schools, more than any other social institution, have the potential

to curb behavioral problems and front-end the process of social regulation. To this end, school curriculums should include programs that explicitly teach children how to deal with conflict in social relationships. Not only will this develop an important skill that underlies personal and social growth, it will also provide an early intervention process in social regulation. Too often our institutions try to mask social conflict. Given that social conflict is a necessary and important aspect of human development, would it not be more productive to teach children how to work through conflict? Often it is not conflict, per se, that is the problem but how well the conflict is approached and handled. Do we choose channels that impose punitive sanctions? Do we do nothing or permit it to happen? Or do we try to create mutual understanding through a learning process for all involved? Schools, as educational systems, are an appropriate institution in which to provide a learning process for not only core business but also the business of building responsible citizens.

Justice Einfield (1998) in his keynote address to a national conference on safe schools, recognizes the important role that schools play in imparting a sense of justice in the community. As he states:

If it is the obligation of society as a whole to address the social injustices that confront the disadvantaged and the victims of discrimination, it is the responsibility of schools to impart to children the equal worth of all peoples ... Knowledge is the key to overcoming prejudices and ignorance, and school is the environment to which society has entrusted the responsibility of providing the foundations of a lifetime of learning.

The lesson a child learns when he or she is cast out from the school community becomes one of their stronger lessons in life.

**What principles could constitute a process of restorative justice in schools?**



Given the diversity of practices that could constitute restorative justice, is it possible to develop a set of principles that underpin restorative justice? A few will be suggested as a starting point. These principles will be examined in the context of restorative justice as applied to school bullying. School bullying has been chosen as it presents itself as one of the most effective early intervention targets for a number of reasons. First, the school environment is the one institutional framework that we all participated in from an early age into our young adult life, as such it is an important institution to target. Second, bullying is one of the first signs of social behavior that signals the breakdown of social relationships. Thus bullying at school is an important target to front-end the regulation of social justice. Drawing on current literature, the following six principles have been put forward in targeting, designing and evaluating the effectiveness of restorative justice intervention programs: (1) bullying and being bullied are ways of behaving that can be changed (Rigby & Slee, 1998; Olweus, 1991, 1992b); (2) wrongdoing, such as bullying, concerns actions and should not involve the denigration of the whole person (Moore and O'Connell, 1994); (3) the harm done by bullying to self and others must be acknowledged (Retzinger, 1991; Scheff, 1990, 1994); (4) reparation for the harm done is essential (Retzinger and Scheff, 1996); (5) both bullies and victims are valued members of the school community whose supportive ties with others should be strengthened through participation in communities of care (Bazemore & Umbreit, 1994); and (6) forgiveness is necessary for social reintegration (Tavuchis, 1991). Together, these six principles should constitute an effective restorative justice intervention program, the question now turns to how one implements an effective and sustainable program.

## **How ready is the school community to work with the principles of restorative justice?**

A number of commentators have noted the importance of acknowledging where the school community is at when implementing a behavioral change program (see O'Connell, 1999; Slee, 1992). With this in mind a survey of ten primary schools (96 staff members) in the Australian Capital Territory was carried out at the end of 1998 asking educators about behavioral management at their school (see Morrison, forthcoming, a). Within this survey, a number of questions were asked about agreement with these principles. Responses were given on a five point scale ranging from strongly disagree (1) to strongly agree (5).

In terms of the first principle of behavior change for bullies and victims, teachers agreed that both bullying ( $M = 4.30$ ) and victimization ( $M = 4.32$ ) were ways of behaving that could be changed. They also agreed that both bullies ( $M = 3.29$ ) and victims ( $M = 3.34$ ) are basically good kids who, respectively, have done some bad things or couldn't stand up for themselves. There was further agreement that bullies ( $M = 3.43$ ) and victims ( $M = 4.13$ ) are valued members of the community who deserve support. In terms of actions taken to effectively deal with an act of bullying, it was agreed that the harm done to those affected must be acknowledged by the bully ( $M = 4.46$ ) and the victim ( $M = 4.05$ ). It was also agreed that some form of reparation by the bully is essential ( $M = 4.19$ ) and that the form of reparation should focus on the victim and his/her family ( $M = 3.75$ ). Finally, there was general agreement that it is important that the bully ( $M = 3.53$ ) and the victim ( $M = 3.63$ ) be forgiven for his/her actions. Given this general agreement in terms of principles that underlie restorative justice, why is it that suspension rates and incidents of bullying are increasing in our

school communities? For example, in the Australian Capital Territory, suspensions rose significantly in the years 1993 to 1997. In 1993, 592 students generated 770 suspensions (some students having multiple suspensions), and in 1997, 1138 students generated 1963 suspensions (ACT Council of P&C Associations). Thus in a five year period the number of students suspended had almost doubled, while the number of suspensions generated has almost tripled. This indicates that not only are suspension rates increasing but the rate of multiple suspensions is growing at an even faster rate. It seems for a growing group of students suspension is the option most often adopted. One may think that the processes of implementing restorative justice would be a practical option to trial to address this worrying trend; however, in practice this has not been the case. The evidence suggests that there are a number of obstacles to the implementation of restorative justice practices.

### **Restorative justice in schools: What are the obstacles?**

One obstacle to implementing restorative justice practices that was highlighted by this survey is the perception by teachers that parents want more punitive interventions. Teachers were asked how they think problems of bullying should be brought under control and how they thought most parents wanted the problem of bullying to be brought under control. Responding on the same five point scale, ranging from strongly disagree (1) to strongly agree (5), three questions were posed. Do you think the problem of bullying should be brought under control: (1) through a dialogue involving teachers/students/parents; (2) through enforcing stricter rules and discipline; (3) through a participatory dialogue backed up by stricter enforcement. The frequency data revealed that 67% of the teachers strongly agreed with the

participatory dialogue approach, followed by 56% of teachers strongly agreeing with the combined approach, and with only 30% of the teachers strongly agreeing with the enforcement approach.

These results are interesting when compared with what they thought parents wanted. The pattern is reversed. The dialogic and combined approaches drop significantly, to 32% and 33% respectively, while the enforcement approach rises to 60%. These trends indicate that teachers perceive parents not to be 'on side' with restorative principles. However, data from Ahmed's (1999) survey indicates that 53% of parents strongly agree with the combined approach, followed by the dialogic approach (33.5%) and the enforcement approach (34%). That is, the teachers' view of what parents want is not what parents actually report wanting.

These results were mirrored in the data collected from teachers on how much they trusted various groups in contributing in a constructive way to controlling the problem of school bullying. Teachers responded on a scale ranging from 'not at all' (1) to 'a great deal' (4). School teachers ( $M = 3.69$ ) and principals ( $M = 3.66$ ) rated highest, followed by students ( $M = 3.23$ ). This was followed by parents in general ( $M = 3.07$ ), with parents of bullies ( $M = 2.43$ ) and parents of victims ( $M = 2.51$ ) rating significantly lower. These data highlight the importance of implementing a dialogic intervention that includes teachers and parents. One reason is that this can help teachers understand that parents are not as opposed to restorative principles as the teachers assume. Pessimism about the punitiveness of the other has been a more general obstacle to restorative justice. We see it in the resistance of some restorative justice advocates to engage the victims movement with restorative justice (see Strang, this volume). We also see it in politicians and judges assumptions that the people are

more punitive and less restorative than they really are (Roberts & Stalins, 1997; Braithwaite, 1999).

### **New Models of Practice**

A number of obstacles to implementing behavioral change in school programs have also been highlighted by O'Connell (1999) in his review of different attempts to introduce restorative justice practices into schools. Three of these programs will be briefly summarized.

Community Accountability Conferencing (CAC) was introduced into Queensland schools beginning in 1994. This was one of the first attempts in Australia to introduce restorative justice practices into schools with the aim of addressing incidents of serious harm in the school community. The promising results of the initial trial lead to the development of a pilot program throughout Queensland (see Thorsborne and Cameron, this volume). Nearly all schools in the trial reported that they had changed their thinking about managing behavior from a punitive to a more restorative approach. Participant satisfaction with the fairness of outcomes was very high. However, these same schools failed to practice CAC on a number of incidents, opting for more traditional approaches.

School Community Forums were introduced in New South Wales Schools in 1997 as part of the Alternatives to Suspension pilot project (McKenzie, 1999). Based on the successes of the CAC process in Queensland, the forum process was established on a similar model. The results of this program suggested that these forums worked best in the context of school bullying and harassment, in that the forums had a great capacity to build empathy among participants. The process worked effectively at

exposing the complexity of the bullying-victimization cycle at many levels, such as the grey boundaries of bullying and victimization and the extent of collateral damage. While many teachers reported that they developed insights into behavioral management, this pilot was inconclusive in the context of the wider project, which aimed to reduce and find alternatives to suspension. This was due to the fact that so few forums were run, only 20 in an 18 month period. Concerns were also raised in respect to the heavy investment of time and resources that the forum process draws. Again the insights gained did not lead to a system-wide change in behavioral management practice.

The Lewisham Primary School Community Project was implemented at the beginning of 1998. The program involved the NSW Police Restorative Justice Group and the Port Jackson Behavioral Management Team working with the school. The aim of the program was to achieve a reduction in suspension rates and the need for police involvement at this culturally diverse inner city school. At the beginning of 1998 the school teachers received 24 hours (over 8 weeks) of training in the theory and practice of restorative justice. Teachers made the commitment to incorporate restorative justice principles within their classrooms on a day-to-day basis. This involved their interaction with all members of the school community – students, teachers, and parents. They also developed and standardized a continuum of practices such that each student had the opportunity to learn from his/her experiences. At the end of 1998 the results were encouraging. The number of playground incidents that resulted in formal disciplinary entries dropped from an average of 20 per week to around two or three. The number of suspensions was also reduced. Further, where a suspension did result, this was in the context of a conferencing process to allow for learning and reintegration into the school community to occur. Police involvement

was reduced and teachers felt increasingly confident about handling serious incidents within the school. Despite this apparent success, the school continued to struggle with the ideals of restorative justice and its place within the school.

The evidence suggests that while the thinking about managing behavior can change, this often does not lead to systematic changes in practice. And while educators' thinking is not antagonistic towards principles of restorative justice, the practice as a whole is not upheld. A number of tensions remain in the system that draw schools into the maintenance of traditional approaches. Beyond the issue that teachers perceive parents to favour punitive over restorative practice, other issues include lack of a shared rationale for the adoption of a restorative justice approach within the school community, as well as issues of time in systems where professionals are already under stress. This begs the question: what constitutes effective levers in moving from "thinking about" restorative justice practices to "participating" in restorative justice practices. Discovering these levers defines a central part of our future research agenda.

### **Conclusion: Pessimism and Hope**

It has been argued that the school does have an important role to play in the development and maintenance of a civil society. Building skills in conflict resolution is an important aspect to the development of responsible citizenship (Morrison, forthcoming, b). The effectiveness of these skills is developed further when nurtured in the context of both family and school, and even more so in mutual collaboration.

Selznick's (1996) argument remains valid: strong institutional investment that enables the capacity for individuals to participate in communal life is the cornerstone

of building responsible citizenship. We have found the evidence to show that schools are an important institution in the maintenance of a civil society. The question is how to best achieve this end. Restorative justice could play a central role in this regard. As Braithwaite (1999) has argued, restorative justice seems to have the leverage to capture the hearts and minds of both libertarians and conservatives. Our attitudinal data, while indicating teacher support for restorative justice principles, also reveal teacher pessimism about parental support for those same principles. It may be, however, that restorative justice institutionalizes a solution to this central obstacle to its own realisation. It is the deadly simple solution of institutionalizing a dialogue between parents and teachers that will reveal, contrary to the pessimistic beliefs of each about the other, that both sides evince strong support of the six core restorative justice principles we have identified.

O'Connell (forthcoming) states that: "Hope is what makes everything worthwhile. ...[Yet] our existing [institutional] practices do not engender hope and optimism". O'Connell's years of experience as a practitioner of restorative justice tell him that hope was the common outcome sought by participants, victim and offender alike (see also Sherman & Strang, 1997). Hope is the emotional stimulant of responsible citizenship. Krygier (1997) made this a theme of his Boyer lectures: "Our institutions ... will have to be looked at not just from the perspective of reducing our fears but also from that of securing our hopes" (p.110). Restorative justice programs in schools offer one practical institutional mechanism for Krygier's aspiration to cultivate hope as we allay fears.



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