

(1) Restorative Justice; (2) Relational Practices; (3) Affective Practices; Working Definitions

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In the year 2000 along with Matt Casey, Anne began to use the *Restorative Justice Conferencing Script*, (O'Connell, c.1999), with families affected by domestic violence, and since then the team in Goulburn have developed what they have coined "*Explicit Affective Practice*". This practice is based upon the Affect and Script Paradigm of Silvan S. Tomkins; Professor Tomkins was a philosopher and psychologist; who described affects as the innate biology through which our emotions are experienced.

Professor Tomkins was

"One of the most influential theorists on emotion and emotional expression. Over a period of 40-some years – until his death in 1991 – he developed a set of original, important ideas about the nature of affect and its relationship to cognition and personality. Tomkins dealt with fundamental questions in a fresh and provocative way, establishing affect as a separate, biological system and providing compelling data on discrete affect expression". (Demos V, 1995).

In the year 2001 we attended Real Justice Conference training, and during this session facilitated by Terry O'Connell we were introduced to the Psychology of Affect as the theory underpinning the success of the conferencing process. O'Connell in his paper "*From Wagga Wagga to Minnesota*" traces the history of the Conference Script and the search for a sound underpinning theory or explanation of its success. He writes;

'David Moore who at the time was a lecturer in policing studies at the Charles Sturt Universitysoon became interested in conferencing. David searched for a rigorous theoretical framework to understand the emotionality consistently observed in conferences which he felt Braithwaite's theory did not address. He found what he was looking for in Don Nathanson's work on Silvan Tomkins' affect theory'. (O'Connell, c.1999, p 2).

The benefits of the conferencing process are widely documented, but in our work

we did not always have the capacity or see that the conference process was possible. We recognised that that O'Connell's script was useful in terms of client engagement and decided we wanted the benefits delivered to conference participants for 'our' client families. Hence we pursued the nexus between the demonstrated success of conferencing and Tomkins Theory of Affects and Donald Nathanson's description of responses to *shame*. (Dr. Nathanson is Executive Director of the Silvan Tomkins Institute, The Institute '*is dedicated to the study of human emotion....teaches the psychology of affect and the scripts through which we manage it, as well as the systems of personal growth and repair*'. www.tomkins.org)

Today in our practice we place specific emphasis on developing a concise understanding of the affect and script paradigm with the client, and specifically the AFFECT of SHAME, to enable an appreciation that shame is an innate affect amplifying the emotion of shame; that precedes behaviours identified by Nathanson within the "*Compass of Shame*", and the four polar negative responses of "*attack other, attack self, withdraw and avoid/deny*" (1999, p 312).

By paying particular attention to the affect of shame and its manifestation in life's challenges through behaviours exhibited in the "*Compass*", we make a clear distinction of these behaviours, separate from the person presenting. Our practice is described as explicit as we share our understanding and knowledge of the psychology of affects with our client families to empower them to better manage life's challenges.

Our practice development has resulted in what we have coined the "*Tools of Life*". These have been drawn from identifiable models that explain an RJ philosophy such as Real Justice's *Social Control Window* and O'Connell's conference script. Other tools drawn from Tomkins are; the nine innate affects and Tomkins' *Blueprint for Life*, Nathanson's *Compass of Shame*, and Kelly's (1993), *Blueprint for Healthy Relationships*.

We share these "Tools" with our clients; these we suggest are tools primarily to regulate and modulate affect and behaviours, resulting in "Fair Process".

"The State of Play"

The following has been prepared in an attempt to share and spell out the philosophy of Restorative Justice, and by doing so increase knowledge to further advance related practices.

From our observations, different practice fields have emerged since conferencing brought a new dimension and understanding to repairing fractured human relationships. Almost invariably Restorative (Relational) Justice (Practice) has been defined in terms of processes such as conferences and circles around

crime or wrongdoing, centred on offenders and victims.

We have observed that the common thread in all Restorative / Relational practices is primarily the dominance and sharing of emotions and triggers of inappropriate behaviour and sharing the emotional impact on those affected.

We find the success of the Restorative / Relational Process and Affective Practice approaches conflate with Tomkins' Blueprint for Life, which suggests that:

"In the case of the human being, the fact that he is innately endowed with positive and negative affects which are inherently rewarding and punishing and the fact that he is endowed with a mechanism which automatically registers all his conscious experience in memory, and the fact that he is innately endowed with receptor, motor, and analyzer mechanisms organized as a feedback circuit, together make it all but inevitable that he will develop the following General Images: 1) Positive affect should be maximized 2) Negative affect should be minimized; 3) Affect inhibition should be minimized; 4) Power to maximize positive affect, to minimize affect inhibition should be maximized." (1962, p 328).

We believe that the Scripted Conference owes its success in Tomkins' Blueprint because it facilitates the maximizing of affect around a particular event, sharing and minimizing negative affect, the sharing and maximizing positive affect as identified by Abramson & Moore (2001).

We assert that a restorative process is an opportunity to share affect and emotion in a safe, rational context, and the role of a facilitator is to create the environment where this can happen. We say that this understanding of affects and responses to shame enables us to maintain what is called in Transactional Analysis 'Adult ego state', in other words we can express and experience strong emotion without being overwhelmed by it.

We have then developed our own mode of Affective Practice; the progression of the model relies on shared knowledge, experiences and commitment, and is a work in progress.

We want to share the following 'Working Definitions' in an attempt to present our observations of the current 'State of Play' and increase our understanding by stimulating the feedback and contributions. We acknowledge that emphasis on emotions is an emerging field that potentially has central application to the betterment all human relationships!

Restorative Justice - A Working Definition

Restorative Justice (RJ), can be described as the sharing of affects and emotions AROUND AN EVENT that has been classified as a criminal offence within the Criminal Justice System. It can bring together the victim and the offender and supporting communities, or sometimes just one of these.

It can be described as any process which facilitates owning behaviour and the sharing of the emotional harm, followed by the development of a plan to repair that harm, processes can include: conferencing, circles, small groups and one-on-one discussions.

RJ differentiates itself from the Criminal Justice System's traditional response in that it normally involves both the victim and the offender and communities of care, and creates an emotionally honest dialogue and understanding of the event and the subjective harm caused, as contrasted with the rational, objective and adversarial discourse of the mainstream judicial system. It allows those affected a space to be heard and understood around the harm felt, and a space to develop a plan together to repair the harm, and to re-connect those affected across communities.

The future for Restorative Justice and its application and response to wrongdoing within the Criminal Justice System can be further explored through knowledge of and application of Tomkins' Psychology of Affect and through applying Tomkins' Blueprint.

Relational Practices - A Working Definition

Relational Practices (RP) can best be described as the sharing of affects and emotions around AN EVENT/S THAT HAVE FRACTURED RELATIONSHIPS. The concepts of 'victim' and 'offender' are either blurred or not relevant.

RP can be described as any process which facilitates owning behaviour that has impacted on others, the identification and rational discussion of the emotional hurt for others of this harm, and the generation of processes to repair that harm.

Processes can include: conferencing, circles, small groups and discussions around inappropriate behaviours and includes the development of a plan to repair this harm.

RP differentiates itself from the punishment model that wants to assign blame, in that the emotional harm is explained from all sides, and all those impacted are included in the process. RP creates a space for all affected by wrongdoing to have their voice included in a joint plan to repair relationships.

The future for Relational Practices and its application and response to wrongdoing can be further explored through knowledge of and application of Tomkins' Psychology of Affects and applying Tomkins' Blueprint.

Affective Practices - A Working Definition

While Relational Practices (RP) can best be described as the sharing of affects and emotions around FRACTURED RELATIONSHIPS, Affective Practices (AP)

are processes that make each person's affects and emotions - and the hurtful behaviours they trigger - central to rational discussions initiated to repair relationships. These affects can be unconscious physiological disturbances in the body, and frequently produce 'neurotic', non-intentional behaviour. Such behaviour is quite distinct from psychosis (- i.e., from what people normally think of a 'madness').

Explicit AP is best described as any dialogue that shares some identified explanatory tools, based upon a contemporary theory of affect, both with those exhibiting and with those impacted by the harmful behaviours, in order to promote - for both - their learning and competence in a new approach to self-change and to overcoming harmful and unproductive mutual behaviours.

It acknowledges that inappropriate or harmful behaviours are motivated always by affects and emotions. *Explicit AP* are primarily about sharing the underpinning theory of Affects with all members of the effected group, so as they can:

- Be empowered with knowledge to identify their behaviours as separate from themselves as persons, and as widely observable in society;
- Understand and recognise the affects and emotions that precede and trigger their own inappropriate behaviours; (harmful scripts).
- Agree on a mutual intention to model alternative more productive behaviours; (wholesome scripts) and then
- Practice these improved behaviours - under supervision as clients - so as to weaken the power of old triggers and create and improve emotional understanding & emotional wisdom, under whole-person control. It's about becoming '*affect savvy*'.

Explicit AP thus includes an explicit methodology to repair fractured relationships, with a goal of moving all parties towards wholesome behaviours and relationships, based upon better emotional intelligence. Thus they are able to strengthen relationships which have become tenuous and repair those which have been fractured. Clients consistently report higher levels of self-esteem and confidence and importantly and enhanced capacity to understand and deal effectively with disappointment, conflict and tensions in their lives.

The future for *Explicit AP* and its application and response to wrongdoing can be further explored through knowledge of and application of Tomkins' Psychology of Affects and applying Tomkins' Blueprint.

Conclusion

Our enquiry into the practice and philosophy of Restorative Justice as applied in our work with families, has instigated an enthusiastic research agenda into Tomkins's psychology of affects, finding answers to our own personal and professional development and discovering solutions to the difficult client

situations presenting.

We believe that Tomkins' psychology of affects provides a sound base for our explicit use with families who overwhelmingly remark as to the common sense of the approach. Families appreciate this new knowledge; which provides an emotional / behavioural tool box to manage future challenges.

Researcher John Donald spent twelve months in action research assisting in the definition and reflection of our practice, he coined our practice *explicit* and he noted the implication for theory as;

'An overarching theoretical task was combining fragmented concepts and constructs. Goulburn Family combines relationships, behaviours, and affects – an intensely human combination. In addition, it was for me combining theory and practice, the human and the technical, the emotional and cognitive and the everyday and the abstract. These combinations do not seem to be vigorously investigated and debated in the literature but largely remain separate concepts without recognition of their links to each other. These separate concepts sit ill at ease with the increasing inclusiveness of an emerging knowledge society.' (2004, p 211).

We believe a concise knowledge of Tomkins's psychology of affects presented as "Tools of Life" , should be introduced to ALL CHILDREN, providing a new language to discuss emotions and challenge behaviours, making a knowledge of emotions mainstream and increasing emotional intelligence towards a more peaceful world; we suggest that emotional intelligence is fundamental to all healthy relationships.

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