Restorative justice as a disciplinary tool: A perspective from Singapore

Julia Wong, Fang-Ying

Faculty of Social Sciences and Humanities

RESTORATIVE JUSTICE AS A DISCIPLINARY TOOL: A PERSPECTIVE FROM SINGAPORE

JULIA WONG, FANG-YING

A thesis submitted in partial fulfilment of the requirements of the University of Westminster for the degree of Doctor of Philosophy

December 2014

ABSTRACT

This thesis focuses on the use of Restorative Practices (RP) in two Singapore Secondary Schools. Relying mainly on the use of in-depths interviews with 149 students and 30 teachers, this study examines how the two schools' contexts and cultural demands affect the definitions, adaptations and practices of RP.

The research shows that RP is predominantly used as a disciplinary tool in order to uphold existing social norms. Many teachers could articulate the non-negotiables that must be secured in *all* circumstances such as those of 'non-domination' and 'respectful listening'. Teachers spoke of RP as primarily about building relationships and it is about doing things *with* (and not *to*) students. However we see instances of teachers' domination over students when teachers dictated the type of answers students were to write down on their RP forms.

The relationship between corporal punishment and RP is also examined. While many teachers believed that 'pure RP' should not co-exist with caning, they still preferred the status quo and argued that RP should be taken as a *complementary* framework alongside existing corrective practices and punishment, rather than as a *replacement* to the existing disciplinary framework. Through an analysis of a case conference, we see how caning is retained in part because it is taken to be the utmost symbol of hard treatment that is required to express condemnation in cases of major offences.

Finally, the specific context of the school is important in analysing participants' ability to engage in RP processes such as class conferences or circles. The class is not a *homogenous* community that is resolving issues collectively but consists of a group of *individuals* who belong to a class that is attempting to resolve things but the very coming together as a class to resolve and discuss issues creates difficulty for things to get done because of the group dynamics involved.

TABLE OF CONTENTS

- **A. THE UNIVERSAL ADAPTABILITY OF RJ?**
- **B. SIGNIFICANCE OF RESEARCH**
- **C. LITERATURE REVIEW AND EMPIRICAL CONTRIBUTION**
  - **1. The Various Definitions of RJ**
    - 1.1 Setting Standards for RJ
  - **2. RP As A 'Soft Approach'—(Un)suitability For Serious Offences?**
  - **3. Evaluation Studies**
- **D. OUTLINE OF THESIS**

- **A. INTRODUCTION**
- **B. THE UNWELCOMED 'BIRTH' OF INDEPENDENT SINGAPORE**
- **C. ECONOMIC PRAGMATISM AS THE NATIONAL IDENTITY**
- **D. SETTING THE POLITICAL AND LEGAL LANDSCAPE**
  - **1. The Marginalization of Space For Alternative Voices**
    - 1.1 The Case of the Disappearing Civil Societies
    - 1.2 The (Near) Elimination of Opposition Parties
  - **2. The Use of Laws to Consolidate State Power**
    - 2.1 The Co-opting of the Work Unions
    - 2.2 The Subordination of Press Freedom to the Over-riding (Economic) Needs
  - **3. Changes in the Criminal Justice Landscape: Moving Towards A "Crime Control Mode"**
    - 3.1 The Singapore Judiciary
    - 3.2 The Unleveled Playing Field Between the Prosecution And the Defence
  - **4. The (Mis)Fit of Singapore's Criminal Justice System With RJ?**
    - 4.1 The Long History of Deterrence
    - 4.2 The Prioritizing of Social Order & Communities' Needs Above Justice?
    - 4.3 Marching To A Different Beat: Issues and Concerns
      - 4.3.1 Economic Needs Before Democracy
      - 4.3.2 An Unprepared Electorate
      - 4.3.3 In The End, It's Really the Outcomes That Matter
- **E. ON MERITOCRACY, ELITISM & CONFUCIANISM**
  - 1. Elitism—An Inevitable Byproduct Or A Necessary Evil?
  - 2. Confucianism & the Asianization of Singapore
    - 2.1 Employing Confucianism for Economic Progress
    - 2.2 Employing Confucianism To Justify an Authoritarian State

LIST OF TABLES

LIST OF FIGURES

ACKNOWLEDGEMENTS

AUTHOR'S DECLARATION

I declare that all the material contained in this thesis is my own work.

<div align="right">-Julia Wong</div>

A. THE UNIVERSAL ADAPTABILITY ABILITY OF RJ?

Restorative Justice (RJ)—popularly envisioned as a process that brings offenders, victims and the communities together to resolve the after-effects of the crime—first made its debut in Singapore when the Singapore Subordinate Courts initiated the use of family conferencing back in 1994. It is also upheld as the justice model in the Singapore Juvenile Justice system since 1997 (*The Straits Times*, 2 March 1997).[1] A decade later, it eventually found its way into the educational scene too, although this time bearing a different name—'Restorative Practices' (RP). Originally introduced as a pilot programme in four secondary schools in 2005 to deal with bullying cases (*Channel NewsAsia,* 5 Nov 2005), its use has since expanded as other schools have also taken up RP on their own accord.[2]

Singapore's adoption of RJ/RP in schools mirrors the international pace, in that RJ endeavours in schools also started a decade later after its original appearance within the criminal justice context (see Braithwaite 2000; Braithwaite *et al* 2003; Karp & Breslin, 2001; Morrison, 2001). The expanding influence of RJ into school settings is not surprising, given that schools are "mediating institutions" (Stinchcomb *et al*, 2006:131) that socialize students to the acceptable norms before they go out into the 'real world', they are often quasi-judiciary in managing student misconduct (Drewery & Winslade, 2003).

RJ advocates, including David Vinegrad who was brought in by the Ministry of Education (Singapore) to train the teachers in the two schools[3] (*Orchid Secondary School*

---

[1] Interestingly, while the Subordinate Courts proclaimed (Research Bulletin, Feb 1996; Research Bulletin, Nov 1998) that the family conferencings (FCs) are based on the concept of 'reintegrative shaming' (Braithwaite, 1989; cited in Maxwell & Morris, 2002:276)—where "the offence rather than the offender is condemned and the offender is reintegrated with (included) rather than rejected by society (excluded)", it is curious that the Courts' publications never offer an explanation of 'reintegrative shaming'. Instead, it was reported by a mainstream Singapore newspaper that FCs are used "to force offenders to face up to people who have suffered because of [their] actions" (*The Straits Times*, 8 Jan 1995) by subjecting the offenders to 'shame' and 'pangs of conscience' in order to combat the rise of juvenile offences because probation alone was no longer sufficient (*The Straits Times*, 15 Jan 1995). It is worthwhile to note too that during the same period that RJ is introduced, military-style boot camp for youths was also initiated and the Subordinate Courts have proclaimed the latter 'works' (*The Straits Times*, 29 Sept 1996).

[2] It is difficult to ascertain the actual numbers of schools in Singapore practising RP as these schools do not always announced its use of RP on the schools' websites. Sometimes while schools themselves do not officially practise RP, they might have engaged service providers (who are RP practitioners) to deal with difficult students. There are also no official figures available to the public as to the number of schools in Singapore practising RP either.

[3] The profiles of the two schools will be discussed in greater details in Chapter Three.

and *Bluebell Secondary School*[4]) examined in this thesis at the onset of the implementation process, are critical of such quasi-judicial approaches. Just like the criminal justice system, the traditional approach to manage student misconduct (Thorsborne & Vinegrad, 2004:4-11) assumes that (1) when rules are broken, there must be sanctions applied *to* the offender; (2) 'discipline' requires 'punishment' through "stigmatizing, isolating, and/or incapacitating him/her"; (3) 'punishment' is the best form of general deterrence; (4) when rules are broken, the authority of the school is challenged and must therefore be restored; (5) 'quick fix' such as exclusionary practices are inevitable and (6) those involved and affected by misbehaviour may be "excluded from decisions about how to respond". This framework risks the further alienation of the very students who are in need of help and who may later cause more harm upon graduating from schools.

Vinegrad conducted a one-day RP training course with the teachers of the two schools three years before the start of my fieldwork.

> *The program intent is to challenge traditional beliefs about the management of wrongdoing. Until hearts and minds accept that authoritarian/punitive values and beliefs and practices are not aligned with the broader philosophy of school, not much can be achieved. This is the main point of RP implementation; if it is not whole school* [sic]*, forget it! This means that principals, office staff and cleaners must participate and the school must commit resources and time for a long term retooling of whole staff...So the initial training is a very directed lecture on the philosophy and values and beliefs of RJ.*
> (D. Vinegrad, personal communication, 2 May 2008)

To Vinegrad, RJ is a "participatory approach" that sees "wrongdoing as essentially a violation of people and relationships", and as such, one should not merely focus on the offender but on the community affected (Thorsborne & Vinegrad, 2004:6). A school that uses RJ to address student conduct would:

(1) Address the root causes of the behaviour rather than merely reacting to the symptoms;
(2) Provide a forum to allow the larger school community to be involved for victims and offenders are not the only ones who are affected by the incidents, and in so doing, resources and knowledge from the wider community could be tapped upon too;
(3) Use RP and find meaningful ways to address the harm and reintegrate offenders back into the school community and to develop preventive strategies;
(4) Provide the necessary link between contemporary classrooms and pro-social behaviour management processes across the school;
(5) Understand that the desire for retribution masks a concern for public safety which can be adequately addressed in a restorative way;

---

[4] Names of the two schools have been changed.

(6) Make the commitment of time necessary to repairing relationships instead of resorting to exclusionary and punitive practices as quick fixes to address student misbehaviour (*ibid.*).

Following the introduction to the philosophy of RJ above, Vinegrad introduced the teachers to a range of interventions *in response* to student misbehaviour—(1) the RP script[5]; (2) small group conferences; (3) circle time; (4) class conferences; (5) Family Group/Community Conferences. We will discuss these interventions in greater details in Chapters Four to Six. While Vinegrad provided the schools with training manuals that included that actual scripts required for RP chats and conferences (adapted from the New Zealand model), it was clear that a one-day training was "too limited in terms of time and did not allow for adequate practice and supervision…There were also no meetings prior [to the training] to address or discuss specific needs or to understand the individual school cultures" (D. Vinegrad, personal communication, 2 May 2008).

The idea of RP as "a philosophy, a 'way' of relating with each other *all the time* rather than taking it as a 'one-off' implementation" (*ibid.*) then, might not have sustainable given the limited time spent with the trainer. While Vinegrad had trained both the schools, the implementation process was left entirely to the individual schools, and in the early stage of the implementation process, the schools did many sharing sessions with other schools that were doing RP. Both schools however, retained caning (unlike some other schools that were also practicing RP) and they also made their Disciplinary Masters (and the disciplinary committees) in-charge of advocating and implementing RP, and this move to bring RP under the purview of the Disciplinary Committee brought about other issues, which will be discussed in Chapter Four and Five. Discipline Masters were also charged with the training of new teachers in the philosophy of RJ and the RP script, and weekly sharing sessions of stories of success and failure pertaining to RP also took place among the school staff in the first few years of the implementation process.

In the implementation of RJ in schools, *reactive* responses on their own are not enough—i.e. one should not do RJ only *after* the student has offended. Schools are primarily educational institutions that not only socialize individuals into becoming the ideal citizens who should know the social norms and rules, but school-based endeavours are also about "democratic classroom rules, civic and citizenship, emotional competences, catering to individual student needs, and student centred classrooms"

---

[5] The RP script consists of the following questions: (1) What did you do? (2) What were you thinking about when you did that? (3) Did you do the right/wrong thing? / What have you thought of since? (4) Who has been harmed or affected? (5) How are they affected? (6) What needs to happen to make things right? (7) How can we prevent it from happening again? What should happen if you do it again? We will discuss the RP script in greater details in Chapter Four.

(Thorsborne & Vinegrad, 2004:4). *Preventive* works are also essential to be more holistic as schools should also aim to build "social capital and achieve social discipline through participatory learning and decision-making" (International Institute of Restorative Practices). The substitution of the term 'justice' for 'practices' by schools may also its more holistic outlook that includes preventive and educational aims as it not only aims to "restoring relationships when there has been conflict or harm [but] also developing school ethos, policies and procedures to reduce the possibility of such conflict and harm arising" (Kane *et al*, 2007:6). While these two terms—'RJ' and 'RP' may be used interchangeably; I prefer to use the term 'RP' as that is what the participants in this research have termed it as such.

Preventive work such as teaching students how to listen to each other, listening and validating students even *before* they offend or make a mistake is an integral part of RP. For instance, Vinegrad explained to the teachers not only the sequence of the RP script itself, but also the rationale behind the questions.

> *The script was introduced to us, the rationale behind it, the questions, and the reason why there is not a question of 'Why'* [did you do it]*? Because, you know, if you put a 'Why' question in there when you talk to the student, you are putting blame on the person, and RP is actually a no-blame approach. It's more "<u>What</u> did you do? What happened? <u>How can we help you?</u>" You know?*
> (Joshua, *Orchid,* Chinese[6], Discipline Master; emphasis mine)

> The restorative approach concentrates on understanding who has been hurt, what harm has been done and therefore what needs to happen to make amends…it is concerned with how people *feel*….[Be it the RP script or the family conferences, in RP approaches] people are invited to share their stories and experiences in a way which allows the expression of emotion…and <u>validation and acknowledgment of these feelings are important for allowing people to understand what has happened and why, comes to terms with it</u>, and achieve some sense of closure. <u>Being understood is very powerful.</u> When understanding happens, and wrongdoers accept responsibility for their behaviour and are genuinely remorseful, healing becomes possible.   (Thorsborne & Vinegrad, 2004:33; emphasis mine)

Peta Blood, another trainer that was engaged by *Orchid Secondary* to conduct a two-day workshop on the use of circles two years following Vinegrad's training, had also emphasised on the communicative element of RP. For RP to be sustainable in schools, it is not enough to respond *after* offending has occurred, but *preventive works* that focus on the development of the social and emotional skills are also essential. Blood (2007:9) argued that the quality of relationships in the school community are also important for learning to take place in schools, and circles can be used weekly to stimulate students' learning environment, and to "engage them as equal partners in their learning" instead of

---

[6] A breakdown of the sex and racial profiles of the participants is provided in Chapter Three.

having teachers slipping into the traditional authoritarian teaching style of telling students what to do. An authoritarian teaching style may even invite "a rebellious response and damage relationships" even if that was not the intention of the teachers.

Originally used as a tool among the Native North Americans, circle time in schools "is a structured, regular occasion when a class comes together in a circle to speak, listen, interact, and share concerns" (Blood, 2007:15). These circles are different from those *reactive* interventions where a circle or conference is called for *only after* a problem has surfaced. As students sit in a circle facing one another without any bags, tables or barriers, the physical structure of the circle itself is a "symbol of unity and co-operation" that "the group is working together to support one another and take equal responsibility." (*ibid*.) Teachers should not be authoritarians even though they facilitate the circles. Instead, they are part of the circles just as the students are, and they should guide and work *with* the students. Like Vinegrad, Peta Blood also emphasised on the need to leave *communication* channels as open as possible, for instance, through the use of "I" language (Blood, 2007:29). Just as Vinegrad had taught the teachers to use a 'no-blame approach' via the RP script itself when asking students "What happened?" instead of "Why", the use of "I" language also takes 'no-blame approach'. Instead blaming others by saying, "<u>You</u> guys are too noisy", one could express what one feels and needs by articulate the issue: "<u>I'm</u> having trouble hearing what's been said, because there are a number of conversations happening in the group and what <u>I need</u> is for one person to speak at a time" (*ibid*.). With regular circle time occurring at least once a week (each time between 30 to 40 minutes), students can learn "to work together with respect, understanding, tolerance and empathy" (Blood, 2007:8) and they can be taught that they:

(1) Are responsible for themselves and others;
(2) Are accountable for themselves and others—in other words, they know right from wrong in the absence of an adult telling them;
(3) Are cooperative and have the ability to work with others—even when they don't feel like it; and
(4) Have a sense of personal potency: that they know they can make a difference, make choices right for themselves and for others, can work with others and understand right from wrong (Porter, undated; cited *ibid*.)

Teachers were trained according to Blood's training manual (2007) the structure of circle time, the type of activities that can be employed during circle time—e.g. energisers, mixers, name games (see Blood, 2007:17-26) and also tips on what to do with challenges that occur during circle time itself. While the following quote is lengthy, it is worthwhile to see how a teacher has applied Blood's training.

Circle time—it's all about how do we engage our students using circle...<u>I've learnt a lot of energisers, because there's a certain structure that you can go through in</u>

14

this circle time. It can be something related to the subject matter you are teaching, it can be something like, listening skills so basically there are a few structures. So firstly, you form a circle in any way you want, and participants just form a circle. Subsequently there's a check-in. It means everyone will share a certain thing about the topic. So for example I may say, "One interesting thing that you have done during the holidays was…", and they have to complete the sentence, but everyone of them has to share. But some of them [sic] kids, they'll say "pass, pass pass pass!" So you have to list down the ground rules—"Ok you can pass, but ultimately we'll come back to you." What we have next is a mixer, which Peta Blood introduced [to] us. So some games like "Big Wind Blow", there'll be a chair taken out, so there'll be one person without a seat. So for example I said "Move if you are wearing school uniforms", so everybody will move, but there are seats, they cannot go back to their seats. So certain mixers, activities like this, would help to break cliques among the students. So ultimately they'll be seated with people they seldom work with [and therefore allowing new relationships to be formed]. Then the next part will be "what are you going to do today?" For example, listening skills—we are going to do listening skills. So check-in, the questions will be related to listening skills as well, for example, "I find it difficult to listen when…", so it's always completion of sentences, so everyone has to share "I find it hard to listen when when when when", everyone goes [on]. So after the mixer, it'll be the activity itself. It can be a pair discussion, so you make them speak out the number, 1, 2, 1, 2, 1, 2, so everyone will have a number, everyone will have a partner, so there'll be discussion questions where everyone will come up, depending on what's your topic. We'll discuss, and every pair shares in a circle. Then maybe there's another activity, two pairs join together to form groups of four. At certain times, discussion may get boring for the kids. So Peta Blood suggests another energiser, something that can cause their energy level to gain [sic] again, so what I found very impressive were that the games can not only help to increase the energy level of the kids, but also to erm, incorporate certain skills that we want them to have. Like listening skills, there's a game called "One to Ten". In a circle, our objective is just to count one to ten. Sounds very simple, but erm, the rule of the game is that anyone can call any number at any time, so when I say "one", another person will say "two, three", but if you don't listen carefully, two persons can speak at the same time. So I say "one", "two" suddenly can be said. So our objective is, just say one to ten with one person speaking. So this was [sic] some game [sic] that incorporates some skills that I needed [in my daily teaching], not just for the fun of it. Kids will have fun but out of that game they could have learn something as well. So after energiser, they would be energised, and they can complete, depending on how much time we have, we can have another activity, if not we can have a checkout. We have a check-in at the front, and a checkout [at the back]. Checkout is actually the reflection part, what have you learnt in this session. "One thing I have learnt in this session is…", and you let the students complete the sentence. So there's a fixed structure where it can be effective and quite fun for the students, so we teachers can have fun, and students can have fun.

(Hannah, *Orchid*, Chinese; emphasis mine)

In the training sessions provided by Vinegrad and Blood then, co-operation, respectful listening and sharing (for example through the game of 'One to Ten' as explained by Hannah above) are common elements that empower its participants. By allowing participants to speak in their own voices (and thereby meeting the universal need to be heard and validated), RJ advocates like Braithwaite (1996) argue that this 'empowerment

principle of RJ'[7] can be adapted and employed according to different cultures and settings. This appears to suggest that the use of RJ can be both universal and culturally specific at the same time.

And yet the "cultural adaptation of RJ practice is one theme that looms large, [for] in most settings, relatively little has been done to examine the cultural assumptions that underlie the theory and practice of RJ" (Jenkins, 2004; cited in Pranis, 2007). However, Parsons (1951:15) noted "in anthropological theory, there is not what could be called close agreement on the definition of the concept of culture." For the purpose of this study, Parson's (*ibid*) and Krober & Kluckhohn's (1952, cited in Jenks, 2005:36) definitions will be used. They conceptualised 'culture' as:

(1) Consisting of patterns (explicit and implicit) and behaviours learned and transmitted; it constitutes a heritage or a shared social tradition;

(2) Consisting of traditional (i.e. historically derived and selected) ideas and their attached values;

(3) A product of, as well as a determinant of social action.

Researchers like Huang (2011) and Lee & Teh (2009)[8] have sought to address this gap in recent years, but this theme still remains relatively young. This might have to do with the fact that in tying 'RJ' to another 'fuzzy' concept like 'culture'[9], particularly since both discourses are diverse within themselves, it is a Herculean task to tease out what RJ is, or should be.

---

[7] Braithwaite (1996) argues that RJ empowers communities, victims and offenders by allowing them to speak in their own voices, and to resolve and process conflicts directly, rather than have the criminal justice agents 'steal' the process (Christie, 1977) and act on their behalf. Christie sees conflicts as a valuable property—for instance, it allows communities the chance to clarify and reinforce the norms which they live by and the participation in such deliberative processes enhances self-determinism. Having criminal justice professionals speedily process cases instead of allowing 'stakeholders' to deliberate and address the conflict directly has left communities and individuals without the skills to resolve their own conflicts.

[8] Huang (2011) uncovers instances in which certain RJ principles (e.g. recognising wrongdoing) were sidelined in order to realise the goal of restoring a relationship for the Asian Confucian perspective of protecting participants' face was deemed essential to allow relationship restoration. Leh & Teh (2009)'s writings also indicated how Asians participants appeared to prefer mediators to be more directive on how dispute could be resolved, rather than coming up with the solutions on their own.

[9] See Jenks (2005) for a discussion on the different conceptualizations of 'culture'. For instance, Tylor (1832-1917) took 'culture' to be the same as 'civilization'. On the other hand, Elias (1897-1990), a German theorist, distinguishes between 'culture' and 'civilization'; the former to refer to symbols and values while the latter deals with the organization of society. Secondly, 19th C evolutionary-anthropologists like Tylor conceived 'culture/civilisations' in hierarchical terms (which certainly helped to legitimize colonialism) whereas later anthropologists like Boas (1858-1942) argued for relativism, that 'culture' should be understood in terms of its own framework of meaning rather than being judged by outside investigators. In tying 'RJ' to another 'fuzzy' concept like 'culture', particularly since both discourses are diverse within themselves, it seems like a Herculean task to tease out what RJ is, or should be, if this is even possible at all!

B. SIGNIFICANCE OF RESEARCH

This thesis is largely an exploratory study that hopes to uncover the development of RP within the two Singapore secondary schools, and **it seeks to examine how the contextual and cultural demands affect and legitimize the adaptation, definition(s), and practice of RP in the two schools.**

Singapore is chosen not only because it is a country I am familiar with, but also because the purported cultural adaptability of RJ fits with Singapore's discourse of being an 'Asian' state, and this fit may cast some suspicion on the use of RJ within Singapore context.

In the last decade, Singaporeans and their statesmen have noted on numerous occasions of Singapore's 'Asian-ness' (*The Straits Times,* 13 Sept 1995; 9 Dec 2006), highlighting distinctions between Asia and the liberal democratic 'West', particularly Singaporean values of utilitarianism above individualism and Society and community above the Self.[10] Senior Minster Mr. Lee proclaims that, "Whether in periods of golden prosperity or in the depth of disorder, Asia has never valued the individual over society. The society has always been more important." [11] (Quoted in Langlois, 2001:22) Law academic Thio (quoted in *The Straits Times,* 25 October 1997) further substantiates that "Singapore courts tended to award 'communitarian' judgments and have been deferential towards collective interests and [the] Executive assessments of what the public good requires".[12]

Parallel with the rhetoric that the 'East is different from the West' is the belief that 'being different from the 'West' does not mean that the East is inferior to the West'. Indeed, both Singaporeans and their statesmen have demanded that the 'West' should not impose their own values and systems upon others (*The Straits Times*, 6 December 1995; 13 June 1995), an idea that concurs with relativistic notions of 'culture'.[13] "What works for the 'West' (particularly liberal democracy), might not work for the 'East'" has remained a consistent feature in Singapore's decade-long discourse of being an 'Asian' state. The current PM Mr. Lee echoed such sentiments at the seventh Asian-European Editors' Forum (*The Straits Times,* 7 Oct 2006), stating that each Asian country must take

---

[10] This concept of an 'East-West' divide is problematic as the two are not homogenous blocs!

[11] It is problematic to conceive 'individual liberty' and 'utilitarianism' in dichotomous terms.

[12] Thio gave various examples, including the 1995 [Colin Chan Vs PP] decision to uphold an order to deregister the Jehovah's Witnesses group on the grounds of protecting public order despite the constitutional protection of religious freedom. The argument is that the Jehovah Witnesses group is a threat to the national security of the state as its members refuses to bear arms for they claim to serve only God and no others.

[13] See footnote 9.

its own route and strike its own 'point of balance' to evolve its political system and media model according to its culture and history, its society and institutions.

In saying that RJ can be adapted according to different contexts, does this mean that the predominant beliefs and values held by members in those settings would shape and 'create' a suitable version of RJ for that context, or would the introduction of RJ be revolutionary and shape the beliefs of its participants? It is easier to aid buy-in and implement new initiatives if they looked closer to the existing ones. But what is the end product? As RJ lacks a central origin and is adaptive in nature, evaluation of what constitutes RJ is particularly difficult. Furthermore, as the emphasis of cultural relativity resides both in Singapore's 'Asian-ness' discourse and the RJ discourse, one wonders if this shared emphasis allows its users an easier way (should it so choose to) to fit RJ into the prevailing structure without effecting real changes[14] since RJ was intended to be 'adaptable' accordingly to its 'Asian-ness' or the 'Singaporean ways'.

C. LITERATURE REVIEW & EMPIRICAL CONTRIBUTION

Given RJ's origin in the criminal justice arena and its purported adaptability thesis, the literature reviewed spanned from the criminal justice arena to the educational settings, although a greater emphasis is paid to the latter given that that is the focus of this thesis.

In the course of doing the literature review, I found the literature and the use of RJ in Asia (Wong, 2005; Hosoi & Nishimura, 1999; Goold, 2003) and even more so, of RP in schools (Chan & Yusoff, 2007; Wong, 2004) to be rather sparse. Most of the RJ and RP literature centre on the Western states (see Mirsky 2003; Boulton & Mirsky, 2006; Cameron & Thorsborne, 2001; Karp & Breslin,2001; Kane *et al,* 2007). While the propagation of RJ programs by Westerners since its debut might have explained the gap in the literature between the Western and Asian, another plausible reason might be the fact that certain cultures might have already been practising RJ without systematically labelling it as such. For instance, Braithwaite (1989) speaks of the Japanese 'apology-forgiveness' culture (Hosoi & Nishimura, 1999:2)[15] as a key characteristic of enabling reintegration and reparation, which are important concepts in RJ. But RJ is not formally established in the Japanese criminal justice system. A participant interviewed (Leo, *Bluebell,* Chinese, Discipline Master) had also argued, "*Last time we also restore*

---

[14] See Mathiesen (2000:46) for the various methods that criminal justice institutions employ to maintain status quo instead of bringing out real changes.
[15] Japanese tend to apologize even if they do not acknowledge any fault or any responsibility for an act just so to maintain a harmonious, peace-oriented society,

relationships, just that now it's more structured and we make a concerted effort to do it, right? We are doing it without realising it's called RP in the past."

In Singapore, to the best of my knowledge, other than a few published papers describing schools' RP journey (Chan & Yusoff, 2007; Malek & Neo, 2010; Chan & Tan, 2012), no other known independent research has been conducted on RP in educational settings, or at least, published in Singapore. The same is said for RJ literature in Singapore's criminal justice arena, where only a paper written by a court psychologist (Ozawa, 2002) and another paper by a Law academic (Chan, 2003) is available in the public domain. The dearth of such research is unsurprising given how this country is famous for its defensive, siege mentality[16]. This study then, also hopes to gain a rare insight into the workings of two schools in Singapore.

1. THE VARIOUS DEFINITIONS OF 'RJ'

Before we turn to look at the major themes in the RJ/RP literature, let me begin by highlighting the fact that although 'RJ' endeavours in schools are popularly termed as 'RP', the two terms are used interchangeably in the literature. One may wonder if the term 'practice' necessarily means that 'RP' is subject to less definitional problems compared to 'RJ' as literally it limits the concept to 'practices'. I will not distinguish between the two for participants in this research have preferred the 'RP' term simply because they were introduced to RJ as 'RP'.

The first theme focuses on the various problems associated with the definition(s) of RJ. It remains unclear if RJ is defined as (1) a process; (2) a set of values; (3) an outcome; (4) a form of punishment; or (5) a sum of all four. As Young & Hoyle (2003:200) pointed out, the term 'RJ' as yet has no settled meaning and there is unlikely ever to be a *single* accepted conception of RJ (Johnstone & Van Ness, 2007:9) given its "internally complex and open concept."

Marshall's (1999:8) process definition appears to be more popular: he defines **RJ as "a process** whereby parties with a stake in a specific offence *resolve collectively* how to deal with the aftermath of an offence and its implication for the future." This process definition and its focus on 'collective resolution' are also reflected in the *UN Basic Principles on the Use of Restorative Justice Programmes* (2000). Marshall elaborates (*1998*:9) that the primary aims of RJ are to:

1) Attend fully to victims' needs;
2) Prevent re-offending by reintegrating offenders into the community;
3) Enable offenders to assume active responsibility for their actions;

---

[16] Siege mentality—"the knee-jerk culture of having always to defend its action—in the harshest possible manner—when questioned or criticised" (*Business Times,* 15 March 2003).

4) Recreate a working community that supports the rehabilitation of offenders and victims and is active in preventing crime;

5) Provide a means of avoiding escalation of legal justice and the associated costs and delays.

In contrast, the aims of RJ/RP on the educational front as seen from the Singapore Ministry's directive handouts are to:

1) Build or improve relationships;

2) Reduce recidivism, rates of expulsions, suspensions, detentions, disciplinary referrals;

3) Improve pupil's problem-solving skills, self discipline, self-confidence, self-esteem, empathy;

4) Support offenders while encouraging them to understand and carry out their obligations;

5) Restore victims, empower them and respond to their needs.

The above aims (be it in the criminal or educational setting) can be potentially competing, depending on the institutional and individuals' agendas and delivery of RP. While Johnstone (2003:14; emphasis mine) laments that "it is still unclear what the *core* purpose of restorative interventions is meant to be", the discipline masters who drive the implementation of RP in schools have pitched the first aim of building relationship as the over-riding aim—"*At the end of the day, you just have to ask yourself—has relationship been healed from what you are doing?*" (Leo, *Bluebell*, Chinese, Discipline Master).

RJ has also been portrayed **as a set of distinctive and varied values** such as 'democracy', 'healing', 'social support', 'caring, 'love', 'non-dominated speech', 'compassion', 'forgiveness', and 'reconciliation' (See Braithwaite & Strang, 2001; cited in Johnstone, 2003:5). Kane *et al* (2007:59) speak of the "restorative language" of effective listening, open-ended question, empathy, non-judgmental words. In the school context, Joshua (*Orchid*, Chinese, Discipline Master) mirrors most of Kane *et al*'s descriptions by emphasizing on 'no-blame', 'inclusion', 'amends' and 'solution-focused' in his RP training materials.

In the attempt to propagate the nascent RJ movement, RJ advocates may sometimes 'contrast' such warm values with the traditional, retributive practices. Daly (2000) however, warns against viewing RJ as the opposite of retributive justice, suggesting instead that the RJ and the criminal justice system may have more shared values than it is often acknowledged. A study conducted by Mascini & Houtman (2006) has suggested that rehabilitation is not the converse of repression or retribution[17], and hence the two values should be assessed independently of each other (Duffee & Ritti,

---

[17] Rather, it is the support for decriminalization that constitutes the converse of repression (p 831).

1980; cited in *ibid*.:822). Noting the tension between the 'process' and 'value' definitions in RJ discourse, Braithwaite & Strang (2001; cited in Johnstone, 2003:2) advises that it is best to conceive of RJ as involving a commitment to both. The then-Education Minister of Singapore Mr. Tharman Shanmugaratnam (2004) on the other hand, has emphasized RJ as a problem-solving method that requires attention to be paid to both the 'process' (of discipline) as well as the 'outcome'.

Related to the outcome definition is the perception of RJ as **a form of punishment.** Walgrave (2002a) and Duff (2002) offer an interesting dimension to the discourse of RJ by suggesting that RJ can be conceived as a form of punishment. Walgrave (2002a:194) disagrees with the voluntary element in the *2000 UN Basic Principles on the use of RJ*, and argues for RJ as "an option on doing justice which is primarily oriented towards restoring harm that has been caused by a crime" and "coercions may be considered so long as it primarily serve restoration" (Walgrave, 2002a:194).

Likewise, Duff (2002) offers a refreshing view by suggesting that while offenders should suffer retribution and punishment for their crimes, the essential purpose of such punishments should be to achieve restoration—"restoration through retribution." Here he departs from both advocates and critics of RJ who have claimed that RJ must choose between the punishment and restoration paradigms; suggesting instead "restoration is not only compatible with retribution and punishment; but *requires* it [i.e. punishment]." (Reproduced in Johnstone, 2003:382). Like Walgrave, Duff believes that coercion is necessary. For instance, he believes that the offender should be made to apologise to his victim even if he is insincere, for the apology communicates to the offender and victim society's recognition of the wrong the offender did (Johnstone, 2003:387). The coercive element also resides within the three elements of 'punishment': (1) hard treatment; (2) the intention of inflicting it; and (3) the link with the wrong committed before (von Hirsch, 1993; cited in Walgrave, 2002:198).

1.1 SETTING STANDARDS FOR RESTORATIVE JUSTICE

Given the lack of agreement with regards to the definition of RJ, how should one assess the degree of 'restorativeness' of any RJ program, or decide what and whose standards should apply? Furthermore, Shapland *et al* (2006:523; emphasis mine) has argued that "the fundamental democratic nature of restorative justice also militates against a different, ideologically driven, 'pure' restorative justice'", as restorative justice will be "created anew *each time* by the participants" based on those participants' normative ideas of justice and their understanding of the problem of offending. In other words, not only do the values, aims and outcomes differ across the various RJ programs

and processes (be it the use of RP script or family group conference), they also differ *each time each* process is used.

In the training of new teachers, the two schools utilised Watchel's (2013) Social Discipline Window, for that was also what their trainers David Vinegrad and Peta Blood had introduced to them.
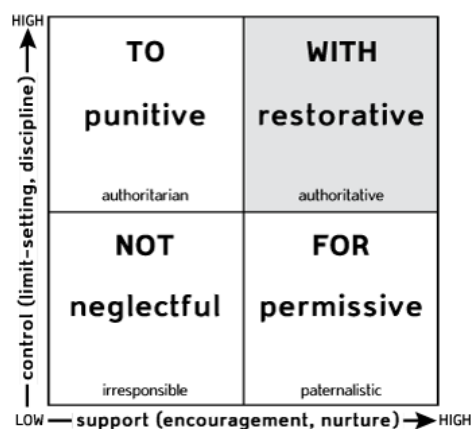
Figure 1. Watchel's Social Discipline Window

Watchel (2013) argues that the top most right 'restorative window' is the ideal, for it "combines both high control and high support and is characterized by doing things *with* people, rather than *to* or *for* them" (emphasis original). In the 'punitive window', an authoritarian style is employed (i.e. do things *to* the offenders or participants) whereas in the 'permissive' window, a paternalistic mode of doing things *for* the participants is used. The 'neglectful window' reflects plain irresponsibility when problems and stakeholders are ignored and left alone. The 'restorative window' is the ideal, for it focuses on engaging *with* the participants.

Braithwaite's (2002b) attempt at setting standards for restorative justice is even more elucidative. The following restorative justice standards should not be deemed as "prescriptive", but should be "open-textured" for overly prescriptive standards would impede RJ innovations (Braithwaite, 2002b:565). That being said, his list is particularly useful for two reasons. Firstly, they reflect international values such as those enshrined in the *Universal Declaration of Human Rights*, the *International Covenant on Economic, Social and Cultural Rights,* the *International Covenant on Civil and Political Rights* and the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, etc. Secondly, the values as listed in the following table are also "consistent with the empirical experience of what victims and offenders say they want out of RJ processes" (Braithwaite, 2002b:569).

Table 1. Standards for Restorative Justice		
Constraining Standards	**Maximising Standards**	**Emergent Standards**
Essential principles that **must be secured in all circumstances** and they should not be left out or sacrificed in the pursuit of the other standards.	These values are to be **encouraged** under the premise that empowerment is secured.	These cannot be **coerced** and are based entirely on the willingness of the parties.
-Non-domination -Empowerment -Honouring legally specific upper limits on sanctions -Respectful listening -Equal concern for all stakeholders -Accountability, appealability -Respect for fundamental human rights specified in international treaties.	-Restoration of human dignity -Restoration of property loss -Restoration of safety, injury, health -Restoration of damaged human relationships -Restoration of the environment -Emotional restoration -Restoration of compassion or caring -Restoration of a sense of duty as a citizen -Provision of social support to develop human capabilities to the full -Prevention of future injustice	-Remorse over injustice -Apology -Censure of the act -Forgiveness of the person -Mercy

According to Braithwaite's framework (2002b:569-571), there are three types of standards. 'Constraining standards' are essential, non-negotiable principles that must be secured in *all circumstances* in order to protect human rights. Some of the values include 'empowerment', 'respectful listening", and 'respect for human rights'. 'Maximising standards' are values that are to be encouraged, assuming that empowerment has been secured. Some examples include 'restoration of human dignity', 'prevention of future injustice', and 'restoration of property loss'. The third type are 'emergent standards', which include 'remorse over injustice', 'apology', and 'mercy' and these should never be coerced but ought to be based entirely on the willingness of the parties involved because they are considered as 'gifts', which have no meaning unless they are genuinely given away (*ibid.*:571).

Huang & Chang (2013) summarised Braithwaite's interpretation succinctly:

> Constraining standards fits most scholars' minimal expectation of restorative justice—to safeguard the nature of informal justice in restorative justice. The maximizing standards are consistent with goals to be promoted in restorative justice, and emergent standards are also frequently upheld by many scholars to prohibit any domination imposed on the parties, particularly the victims.

Of the three standards then, Braithwaite (2002b) argues that 'constraining standards' are most important, even if the program is unable to achieve other seemingly desirable outcomes (such 'remorse' from the offender under the 'emergent standards'). Guilt tripping and silencing an offender into feeling 'remorse' ('emergent standards') is undesirable as his or her right to 'respectful listening' ('constraining standards') would have been neglected. One does not need an RJ process to 'induce' remorse, assuming it can be done in the first place. Likewise, censuring the offender ('emergent standards') via public caning would not only go contrary to the protection of human rights ('constraining standards') as corporal punishment in public would have been deemed as a tortuous and degrading punishment under international laws, it also works against the 'restoration of human dignity' ('maximising standards').

Given that RJ is primarily a *participatory* process, it is unsurprising to find the values of 'non-domination' and 'empowerment' sitting right at the top of the list of 'constraining standards'. *All* participants should feel that they have been given the space to speak as freely as possible, for we know from empirical evidence that the desire to be heard is one of the main aims of both victims and offenders when participating in RJ processes (Strang, 2001). As such, one should not force offenders to apologise ('emergent standards'), for this would alienate both the victim and the offender, nor should we expect victims to accept the apology or forgive the offender, just so to enable 'restoration to the community' ('maximising standards').

2. RP AS A 'SOFT APPROACH'—(UN)SUITABILITY FOR SERIOUS OFFENCES?

Punishment often requires an element of 'hard treatment' and 'censure', and there is a danger that RP might be viewed as a 'soft' option compared to other forms of punishment. One wonders then if RP can be a suitable form of punishment for serious offences. In Chapters Four and Five, we will see that the teachers were not the only ones who conceive RP as a 'softer' approach. The students interviewed also deemed RP similar to 'counselling' or to be 'without punishment'.

Senior Probation Officer of the Thames Valley Statutory Adult Restoration Services, Geoff Emerson, (2006) argues that RJ conferences work better with more serious cases than less serious cases as "the lower the seriousness of the case, the more disputed the level of harm" and the easier it is for the offender to employ techniques of neutralisation. But the teachers face minor but disruptive offences (e.g. talking in class, punctuality issues) on a daily basis more so than serious offences (e.g. assault, extortion). Wouldn't participants in schools then, have fewer chances of witnessing the transformative interactions RJ conferences might have brought about?

Braithwaite (2002a) reminds us that while RJ conference may have a great persuasive effect on offenders, persuasion works best when it is backed up by credible punishment. Imprisonment then, becomes the ultimate punishment, the ultimate 'hard treatment'. This leaves practitioners with the problem of having people coming to see RJ to be used only for less serious cases. Hence, so long as imprisonment continues to be seen as the 'ultimate' form of 'hard treatment', RJ might not be able to fulfil the expressive function of punishment as effectively as imprisonment (Hudson, 1998:252). Or in the case of schools, public corporal punishment takes the place of imprisonment as the most demonstrative punishment. This importance of retaining the expressive function of punishment will be demonstrated via a case study of a family group conference in Chapter Five.

Another concern raised about the use of RJ as a punishment is that it might leave weaker participants[18] in a more vulnerable state than if other sanctions were employed. RJ processes assume that participants enjoy equal power to speak for themselves and participate fully in the process. In the criminal justice setting, because "RJ displaces the relationship between the offender and the state" as it focuses on the relationship between the offender and the victim, "RJ might reinforce any imbalance power of the crime relationship rather than confronting the offender with the power of the state acting on behalf of the victim" (Hudson, 1998:247). And in the educational setting, we have to keep in mind that not all participants are adults. There was an occasion where a *Bluebell* student was caught for bullying a younger student, and within the same day of the incident, the 15-year-old student-offender was confronted by the victim's entire family of four without any supporters on his side at all! Fortunately, the victim's family did not exact blood from him. Such chances of fate can be reduced by allowing a larger

---

[18] I use 'participants' instead of 'victims' because there can be occasions where a 'weaker' offender (coming from a less privileged background) might face a 'stronger' victim (who has more financial and social support) and the victim might call for more punitive sanctions than if the offender had contested in trial.

participation of supporters to enforce a more level-player field, whether in the criminal or educational setting—although limited time and resources are significant issues that need to be resolved.

3. EVALUATION STUDIES

I shall round off the literature reviewed with some comments on the numerous evaluation studies conducted on RJ. Evaluative research in RJ on the criminal justice front has been diverse. To name a few, it has dealt with:

(1) The use of RJ on re-offending and recidivism rates (Strang *et al*, 2013; Sherman *et al.* 2000; Shapland *et al*, 2008, 2006; Morris & Maxwell, 1998; Umbreit, 1994; *The Straits Times,* 6 March 1996; Subordinate Courts, 1996; 1998);

(2) Participants' satisfaction with RJ (Umbreit, 1994; McCold & Wachtel, 1998; cited in Braithwaite, 2002a; Hoyle, 2002);

(3) Effects of RJ conferences on parent-child relationships (Prichard, 2002);

(4) Impact of RJ on victims and their needs (Morris & Maxwell, 1998; Rugge *et al*, 2005);

(5) Comparison of what victims want as opposed to what the public thinks victims should have (Strang & Sherman, 2003);

(6) The importance and role of apology in RJ (Strang, 2001);

(7) Completion rates of RJ agreements and restitutions compared to court-sanctioned restitutions, (Umbreit, 1994), and

(8) Effects of RJ on participants' perception of fairness (McCold & Wachtel, 1998; cited in Braithwaite, 2002a; Hoyle, 2002; Rugge *et al*, 2005).

Empirical work on the impact of RP in schools on the other hand, is sparse as little evaluative studies have been attempted (Stinchcomb *et al*, 2006:132). Generally, the studies have either tended to focus on the use of conferencing or on the use of RP for bullying (Young, 2007; Rigby, 2004; Braithwaite *et al.*, 2003). Nonetheless, the limited studies have been encouraging. In an English study of 32 schools across England and Wales, it was found that that 95% of all disagreements, disputes and conflicts are resolved through conferencing, and there was also a reduction in pupils skipping school due to bullying, and an increased perception amongst students that the school is safe (Youth Justice Board, 2004).

Karp & Breslin (2001) also found a 27% decrease in the number of suspensions and expulsions, and a drop in the referrals for violent behaviour a year following the implementation of RJ in schools in Minnesota and Pennsylvania. Similarly, in Singapore context, a discipline master of a Secondary School reported that the number of disciplinary referral cases dropped by 35% in the first year of the pilot (*Channel News*

Asia, 5 November 2005). The number of latecomers and smoking offences in the said school has also dropped following the use of RP specifically for these two offences (Chan & Yusoff, 2007). Chan & Tan (2012) also noted improvements in the recidivism rate, the quality of relationships with students and the students' academic results following the adoption of RP over the years. Students were also found to be more vocal when asked open-ended questions during circle times (Malek & Neo, 2010).

The above findings from RP evaluative studies should be read with caution. While it is fine to look at disciplinary referral figures and exclusion rates, they cannot be used to detect an overall measurable impact of RP (Kane *et al*, 2007:16) as it is "often impossible to say with any certainty that one or another intervention is *the* cause of suspension reduction—or any other effects for that matter" (Drewery and Winslade, 2003; emphasis original). Perhaps the upside is that the inconclusive evidence does not mean that empirical research has proved that RJ or RP is ineffective in reducing recidivism, for there is no known study that shows that RJ increases recidivism (Walgrave, 1999; cited in Bazemore & O'Brien).[19]

D. OUTLINE OF THE THESIS

The entire thesis consists of seven chapters. The next chapter seeks to introduce the reader to the social-political context of Singapore via a historical analysis. Chapter Three discussed the methodology employed, its limitations and the difficulties met. Chapter Four to Chapter Six will present the data and analysis. Chapter Four examines the use of the RP script and I will show how RP is predominantly used as a disciplinary tool via a rationalizing process in order to uphold existing social norms. Chapter Five discusses the unsettled but inevitable relationship between RP and punishment. We will see that while many teachers believe that 'pure RP' should not co-exist with punishments like corporal punishment, many of them still argue for the status quo, and that RP should only co-exist as a *complementary* framework alongside the existing corrective practices and punishments and not as a *replacement*. Through an analysis of a case conference, we will also see how caning, for the better or worse, has to stay because it is taken to be the utmost symbol of hard treatment that is required to express condemnation in cases of major offences. Chapter Six examines the participants' attitudes towards class conferences and circles, and the data shows how the social dynamics and existing relationships between the participants (i.e. teachers and students) and their socio-cultural beliefs pertaining to authority and 'face' will affect the efficacy of RP to teach civic

---

[19] Perhaps except for cases of drink driving in the RISE (Re-integrative Shaming Experiment) in Australia. See http://www.aic.gov.au/criminal_justice_system/rjustice/rise.html.

participation and build relationships. This thesis ends off with a plea to (Singaporean) RP practitioners to rethink the meaning of 'authority' in their practice of RP for the thesis will show how the participants' rhetoric of 'Asian values' and/or Confucian ideals of 'authority' have repercussions on the way they *do* RP.

A. INTRODUCTION

This chapter focuses on key historical developments in the socio-political and legal landscapes of Singapore and their significance to the adoption and adaptation process of RJ in Singapore. A historical approach is taken as it can reveal "the choices between different objectives, institutions and techniques; the struggles and concerns which decide these choices, and the wider issues which were seen to be at stake in these calculations and struggles" (Garland, 1985:4). While this approach has its limitations, such as "the danger of historical reductionisms, of oversimplifying the reality…of the complex interrelationships amongst various factors" (Phang, 1990:32), the positioning of RJ within Singapore's historical context allows one to critique both the Singapore State and RJ.

I submit that Singapore's 'reluctant' independence in 1965, the politico-economic shrewdness of the ruling party (People's Action Party[20]) that had enabled it to helm the Government for the past 50 years, the psyche of its Founding Father Mr. Lee Kuan-Yew,[21] the State's promotion of economic pragmatism as the nation identity and its discourses on elitism, meritocracy, Confucianism, have important repercussions to form(s) in which RJ took on in Singapore. RJ as practiced in the two Singapore schools examined, appears to be a disciplining tool via rationalization techniques rather than as an empowering process that RJ advocates (e.g. Braithwaite, 1996) have often presented it as such. RJ in Singapore, with its emphasis on rationality (which tallies well with economic pragmatism as the national identity), also departs from the use of RJ as an alternative, '(re)emotionalizing' discourse (Karstedt, 2007) which had arose against the increasing emphasis of rationality with the rise of the 'risk society' (Beck, 1992). This misfit between RJ as practiced by practitioners in Singapore and that as espoused by RJ advocates highlights not only differing goals between the two, but also more importantly, it throws up important questions with regards to the discourse of RJ itself. For instance— Does RJ truly has an essence of its own (e.g. a universal, empowering ability) or can it be

---

[20] Hereafter known as 'PAP', as it is commonly known as 'P.A.P' in Singapore.
[21] Hereafter known as 'LKY', as he is commonly known in Singapore. Here, the name is written in the Chinese order, the way LKY has chosen strategically to present him as opposed to earlier usage of 'Harry Lee', which he used to be known as prior to Singapore's independence. In the Chinese order, the surname 'Lee' is presented first followed by the first name 'Kuan-Yew'. The reader will see LKY's name occurring frequently throughout this thesis, for much of "Singapore's history since 1965 is substantially the product of the mind, the prejudices and the energy of LKY." (Barr, 2000:127). Also, throughout this thesis, where Chinese names are used, they will appear in the Chinese order, just as they are used in Singapore.

reshaped to fit into the existing context, be it school or state? Or worse yet, can it be used to fulfil goals that go against RJ's purported values, for instance, using RJ to create an authoritarian State?

The main structure of this chapter is as follow—I will first present key socio-political changes introduced by PAP that consolidated the state's power that ran through three major periods (1) survival period (late 1950s and 1960s), (2) nation-building-building period (1970s and mid-1980s) and (3) period of change and rising expectations (mid-1980s to 1990s and beyond) (Ho, 2003:256). I will then briefly introduce significant state's discourses on multi-racialism, meritocracy, elitism, Confucianism, and what they mean for the discourse of RJ. To avoid repetition, issues with regards to RJ would be peppered throughout this chapter as various these various State discourses are presented.

B. THE UNWELCOMED 'BIRTH' OF INDEPENDENT SINGAPORE 1965

Sandwiched between two large Muslim states (Malaysia and Indonesia), Singapore is the smallest city-state in South East Asia. In terms of its physical size, it is currently slightly more than 3.5 times the size of Washington D.C. Its territorial size is significant for it "affects almost every aspect of policy decisions—defence, diplomacy, economic development, human resource management, transportation, and the collective psychological make-up of the nation." (Ho, 2003:16). In the period leading up to its independence (1965), it has a polyglot population of slightly over a million (today around 5.4 million, *Department of Statistics*, Singapore, 2012), of which 74.2 per cent was Chinese, 13.3 per cent Malay and 9.2 per cent Indian. It lies between Indonesia, a population of over 100 million (now nearly double) and Malaya (as Malaysia was known then), which had a population of 6.28 million.

Singapore became a British colony in 1819. Following World War II (during which Singapore was occupied by the Japanese from 1942-1945), Singapore was allowed full internal self-government in 1959, where the PAP won a landslide victory in elections that year. Limited by its small physical size and the lack of natural resources, Singapore chose to joined the Federation of Malaysia in 1963 along with Malaya, Sabah and Sarawak, following a national referendum held in 1962. The idea of an independent Singapore state had never existed until its expulsion from Malaysia in 1965 following ideological differences.[22]

---

[22] The Malaysian leaders wanted a 'Malaysia for the Malays', prioritizing the Malays who are the native sons, over all other races, while Singapore statesmen were calling for a 'Malaysia for Malaysians', where equality of opportunities were promised to all (Trocki, 2006:7).

Its sudden independence came as a real shock to the PAP statesmen, who had worked hard at persuading 70% of the electorate to vote in favour of the merger.

> Singapore had independence thrust upon it…For Singapore, 9 August 1965 was no ceremonial occasion. We had never sought independence…with separation, it became a heart without a body…We had said that an independent Singapore was simply not viable. Now it was our unenviable task to make it work… Seventy-five per cent of our population of two million [in 1965] were Chinese, a tiny minority in an archipelago of 30,000 islands inhabited by more than 100 million Malay or Indonesian Muslims. We were a Chinese island in a Malay sea…How could we survive in such a hostile environment? (Lee, 1998:22-23)

Formerly the economic centre of a wider sphere that the British had governed as one unit, Singapore at the time of its independence was greeted with a high unemployment rate of 14% (Lee, 2003:23); economic and political uncertainties following problems with neighbouring Malaysia and Indonesia[23]; acute housing shortage; labour indiscipline as a result of many years of work stoppages, strikes and demonstrations, most of which were communist-led; racial riots and gang wars (See Quah & Quah, in Sandhu & Wheatley, 1989; Lee, 1998, 2000). For the first-generation PAP leaders, "the period from 1959 to 1969 was a 'matter of life and death'" (Han *et al.*, 1998:448), and the immigrant nature of Singapore's society added on to the leaders' anxiety.

The rhetoric on survivability and the "near-apocalyptic" fear of economic doom and social 'crisis' continue till today. The stressful urgency of this period of

> the Singapore Story is experienced as trauma driving the unbearable need to retell the past sufferings and of course, their remedies…*For the State, retelling the Singapore Story hopes to imbue the national subject with this anxiety...to imagine the nation's collapse as an ever-present likelihood*…'Over-responses' make people forever sit on the edge of the seat, and this, we might say, is exactly what the State wishes. Worrying to excess—restlessly pondering the uncertainties—is the balm for the 'traumatic mind'; it is also, in another realm, a collective virtue that Lee personally exemplifies (Yao, 2007:285-288; emphasis mine).

The fate of the nation, the Singapore Story, is tied to that of the PAP. Through the retelling of this Singapore Story, the PAP leaders build up their legitimacy by stepping in with the claim that only they have what it takes to solve the nation's crises.

C. ECONOMIC PRAGMATISM AS THE NATIONAL IDENTITY

In 1960, the PAP leaders invited a United Nations Industrial Survey Mission led by a Dutch economist, Albert Winsemius, to formulate an appropriate industrialization

---

[23] According to Lee (1998:22-23): "The Indonesians had mounted their aggressive 'Confrontation' against Malaysia when it came into being in September 1963, a low-level war that included an economic boycott, acts of terrorism with commandos infiltrating Singapore to explode bombs and military incursions involving the droppings of paratroops in Johore."

programme for Singapore to overcome its problems. Winsemius (quoted in Drysdale, 1984:327; in Quah 1997) emphasized two preconditions for Singapore's success in industrialization:

> Number one is: get rid of the Communists…get them out of the government, get them out of the unions, get them off the streets. How you do it, it is your job. Number two, let Raffles (the Englishman who had founded Singapore) stand where he stands today, say publically that you accept the heavy ties with the West because you will never much need them in your economic programme.

LKY took Winsemius' advice seriously, as we shall see from the various examples discussed throughout this chapter, and economic pragmatism was to become the national identity for the newly independent Singapore[24].

Economic pragmatism was set to become the national identity not only because it sought to remind the citizens of the nation's economic survival issue, but also because it was essential for nation building. Originally an immigrant society, Singapore had (and still have) a Chinese majority population. The major tradition available for appeal was Chinese, but the proximity of a 'third China' would be unacceptable not only to its neighbouring Muslim states of Indonesia and Malaysia, but also to the PAP's rhetoric of building a multi-racial state.[25] Singapore then, differed from other newly independent states' attempts at nation building[26] and argued instead that the promotion of economic pragmatism as the "non-ideological national identity" was the only viable identity (Phang, 1990, 354). What is interesting is that this argument has been so fully articulated that it is seen even by social scientists as the only rational choice (Chan & Evers, 1978:122; Chua, 1985; in ibid.:37).

Some examples of this pragmatism are telling. Firstly, while many newly formed governments of India and Indonesia were eager to raise the living standards of the impoverished masses quickly by committing themselves to a radical programme of social redistribution, the PAP gave priority to the wealth creation (Smyth, 2000:13; quoted in Lian 2008:30), even if it meant getting over one's pride. For instance, while many newly independent states' leaders bought the theory of neo-colonial exploitation as espoused by the development economists at that time—that Multi-National Corporations were

---

[24] It can be said that this focus on economic pragmatism is not exclusive to Singapore, but is applicable to all modern capitalistic societies.

[25] It might be useful at this juncture to remind the readers that the PAP's call for racial equality was main reason why it was expelled from Malaysia.

[26] For instance, in 1945, in an attempt to bring together the diverse groups in Indonesia's archipelago, its then-President Sukarno introduced Pancasila as the "Dasar Negara", the philosophical foundation and political philosophy of the Indonesia state. The Pancasila was mainly a fuse of elements of Socialism, Nationalism and Islam.

exploiters of cheap land, labour and raw materials, LKY and his compatriots were not impressed.

Regardless of the emotional difficulties, the PAP was willing to bring in Japanese capital to Singapore in spite of the recent trauma of the Japanese Occupation (1942-1945), which had occurred just slightly more than decade before its independence (Wee, 2008:49). It was also this focus on economic pragmatism that resulted in English being made the first language when the PAP came to rule, relegating all ethnic ones to second language status. As Kuo (1996; quoted in Wee, 2008:126) puts it, "Has any other majority population ever committed such an extraordinary act of voluntary uprooting, preferring to its own language, a major world language, one which its former colonizer forced upon it [at that]?" It is pragmatism, not ideals and emotions that should rule the day, for "it is 'screws and lathes' that will provide the music for the new Singapore…The poetry to come will be in the 'factories' creating the things 'which make life easier', which will 'make our modern world hum'. (Lee, quoted in ibid.:37).

It could also be said that this emphasis on economic pragmatism as Singapore's national identity was a mere continuation from colonial times.

> Singapore has existed for 180 years since its modern founding by Stamford Raffles…It thrived because it was useful to the world. It is part of the global network of cities where successful corporations of advanced countries have established their businesses (Lee, 2000:762).

> If Singapore breaks up, it will never come back. It's man-made. It's very contrived to fit the needs of the modern world and it has to be amended all the time as the needs change. The moment it no longer fulfils that role, it will begin to decline. I would put it at once chance in five (Lee, 1995; quoted in Barr, 2000:226).

Singapore can only continue to survive if it maintained its economic usefulness to the world, just as it was useful to its British master. And to survive politically and economically, a Singapore that stands a cut above the rest has to be created and maintained.

With economic pragmatism as its focus, it is unsurprising that the State shapes Singapore to "fit the criteria of capitalist organizations—the dominant ideology is the set of governmental beliefs and values about how to create an economically successful society" (Tamney, 1996:9), or as a local activist calls it, the "Singapore Incorporated" (Ng, 2003:37). "Every government policy is rationalized and justified by one single measure: whether it enhances the likelihood of economic growth." (Chua, 2006:108) What place does RJ have in a state as such then? Would its relevance be measured only in terms of its ability to aid economic growth, for e.g. RJ might have value only if it helps to provide a socially stable environment (essential for wealth creation) by

(re)producing the obedient citizen or reducing recidivism? And in a state where pragmatism and reason are smiled upon, there might be little space left for articulation of emotions, one of prized values in which RJ is supposed to bring about (Karstedt, 2007).

D. SETTING THE POLITICAL AND LEGAL LANDSCAPE

Economic progress requires a long period of political stability, discipline and orderliness. To tackle the problems that the PAP inherited upon coming to rule, various measures were taken that enabled the State to consolidate its power base and continuous rule. The following in particular, were worthy of mention.

1. THE MARGINALIZATION OF SPACE FOR ALTERNATIVE VOICES

1.1 The Case of the Disappearing Civil Societies

The marginalization of space for alternative voices began from LKY's premiership (1959-1990) and residues of this process remained in Goh Chok-Tong's era (1990-2004) and possibly even to date, under Lee Hsien-Loong's[27] leadership (2004-current). This chapter will focus mainly on the period under LKY's leadership and to a certain degree, that of Goh's era. LKY's era is given a greater weight for "Singapore's history since 1965 is substantially the product of the mind, the prejudices and the energy of Lee Kuan Yew." (Barr, 2000:127)

Upon coming to power, the State, under LKY's premiership, sought to marginalize the space for alternative voices, particularly those from the civil societies and opposition, via the co-option and the detention of opposition and union leaders without trials (Trocki, 2006:107-8, 135). Civil society had used to active since 1867[28](Gillis, 2005), and had by 1920, developed into a rapidly expanding sphere that catered for various interests. For instance, various ethnic communities had by then began to set up organizations to represent their interests.

However, one of the main political projects the PAP between 1959[29] to 1980s was "to erase all those impulses of political activism that might have allowed the expression of political demands from the people and independent intellectual critics who might challenge the agenda of elite dominance" (Chia *et al*, 1991:176; quoted in Trocki, 2006:131). Space for alternative voices were constrained via certain legislations. For instance, under the *Public Entertainment and Meetings Act 1959*, permission is needed before any public speech may be delivered and persons wishing to speak at any public

---

[27] Here too, the name is given in the Chinese order, with the surname "Lee" presented before the first name "Hsien-Loong". Lee Hsien-Loong is also the son of LKY.

[28] The first spark of civil society could be found in 1821, where the mercantile community met together to discuss their concerns that were later presented to the colonial government.

[29] The year in which Singapore was first granted self-rule, while retaining its colonial status. PAP won the elections in 1959.

meeting (except one sponsored by the government), must obtain a public entertainment license from the police, and public meetings of more than five attendants will require a police permit. The *Societies Act 1967* requires organizations with ten or more members to register with the government[30] and political activities—"including commentary on matters deemed to be 'political'—by organizations other than political parties are prohibited." (McCarthy, 2006:110)

"The intellectual is [also] vilified on the grounds that his claim to the right of criticism is an alien tradition born of Western liberal thought" and that "new states need more power not less, more stability not instability (Chan, 1976:11; quoted in McCarthy, 2006:110) This attitude was retained even up till 1985, when the then-Minister Without Portfolio, Ong Teng-Cheong (who later became the nation's President), described those who criticized government policies as "dissenters" and in that same year, LKY referred to these critics as "wiseacres" (McCarthy, 2006:110).[31]

1.2 The (Near) Elimination of Opposition Parties

Some historical background pertaining to the role of the communists in Singapore political landscape is necessary in understanding the psyche of the State towards dissenting voices, and in particular those from the opposition parties. In 1961, a split occurred within the PAP between the communist factions and the moderates (led by LKY). This split played a vital role in the emergence of a system of power and control that was to set the tone for Singapore political system for years to come. The moderates, coming from an English-speaking, middle-class background, had ridden to power on the back of the communist—the working-class tigers' (Stenson, 1970:148; quoted in Ho, 2003:59), for it was thanks to the Chinese-speaking communist faction that the PAP was able to rally the majority of the Chinese-speaking population in the early years.

The split resulted in the communist faction leaving to form the Barisan Socialis Party and the PAP, now left with LKY and his peers, faced a period of crisis where the threat of losing its political dominance was very real indeed, for the communists' walkout meant a "loss of 70% of its support" for the PAP. "It was this very crisis that provided the backdrop to the growing intolerance towards civil society groups and oppositions parties." (Gillis, 2005:179) In the need to control and regulate grassroots consultation, the PAP rapidly built community centres to build grassroots support and to

---

[30] I remember being baffled by this Act when I was an undergraduate student at the National University of Singapore, for even extra-curricular societies or clubs had to be registered.
[31] In the course of writing this thesis, as much as I recognize the social construction and problems of nationalism, from time to time, I found myself feeling guilty for criticizing the government, and wondered if I am being disloyal to my country! One wonders if this is one example of the extent of the State's success in socializing its subjects.

provide an alternative channel for dissent, and ethnic leaders were also co-opted to serve as office-bearers in these new grassroots organizations. (ibid.:179-180).

> The formation of any alternative political organization was [further] hindered by patterns of legislations [such as the earlier two Acts presented] and enforcement that systematically crippled and ostracized these groups…and the local media were rigorously controlled (Trocki, 2006:108).

The PAP went on to win a majority in all the elections (to date), and in the years between 1965 and 1980, there were no opposition members in the Parliament.

In 1981, when Joshua Benjamin Jeyaretnam[32] became the first opposition politician to be elected to the Singapore Parliament, this loss of one seat was a "little more than a microscopic crack in the otherwise impregnable armor of the PAP, but to many in the party it seemed as though the sky had fallen." (Trocki, 2006:135). One must understand that "anything that had threatened the power of the PAP was usually interpreted as a threat to national security" (Trocki, 2006:129). The shared fate between Singapore and the PAP is reflected in LKY's first speech as the Prime Minister to the Assembly, where he said, "If the PAP government fails, it will not be the opposition that will be returned to power. They will be fleeing for their lives. Because behind us [the PAP] there is no alternative that is prepared to work in the democratic system." [Lee, 1998:319) There is a sense that "the country cannot afford to make any mistakes in any way and that if it does, it will not be able to recover." (Singh, 1992:109)

The State's attitude towards opposition could be said to mirror the British colonialists' attitude towards sedition from the 1920s onwards. Ban (2001:75; in Trocki 206:102) explained that the British believed that "the local population would not [be] likely to give trouble if left to themselves…sedition and insurrection always had a hidden foreign hand. The revolutionary impulses that came from overseas…had to be identified and erased".

LKY provides the case of the 1987 'Marxist Conspiracy'[33] to make the defense that the State's suspicions towards opposition are well founded. That year, a group of social workers, dramatists, Roman Catholic Church welfare workers and lawyers were detained without trial under the 1960 Internal Security Act[34] on the grounds that the

---

[32] An (in)famous opposition politician, hereafter known as 'JBJ' as he is commonly known as in Singapore. He is well known in part because there are only a few opposition politicians in Singapore, and in part because he became bankrupt after losing defamation suits filed by PAP statesmen.
[33] See Seow (2002) for a first-hand account.
[34] This legislation is a holdover from the British colonial times. The British had introduced a set of "Emergency Regulations" in 1948 during the Malayan Emergency in response to a communist uprising. This Act enabled the arrest of anybody suspected of having acted "or being likely to act" in a way that

"conspirators had links with Filipino leftists and proponents of 'liberation theology', as well as with European Marxists and Sri Lankan separatists. The detainees were then accused of trying to use Roman Catholic, student and other groups to build a legal front as a cover for political sabotage." (*New York Times*, 21 June 1987)[35]

Since the 1950s, the PAP has established a "political climate under which politicians have to defend any allegation of misconduct or wrongdoing" (LKY, 2000:154). Opposition members of the parliament, such as JBJ or Dr Chee Soon-Juan were sued when they defamed PAP statesmen.[36] While LKY (2000:154) provided instances where opposition members (e.g. Chiam See-Tong) have also won damages against PAP ministers as evidence that the judiciary system is fair, the State's response to JBJ's successful appeal to the English Privy Council is interesting.

The Singapore Court had found JBJ guilty of financial impropriety with regards to the collection of his party's funds. His punishment of S$5,000[37] fine not only cost him his seat in Parliament, but his conviction also led to his disbarment from the law Society. He appealed successfully to Privy Council, the then final court of appeal for Singapore. The Privy Council directed the Law Society to reinstate JBJ and recommended the Singapore government to pardon him, for they found him "fined, imprisoned and publicly disgraced for offences of which [he was] not guilty." (*JBJ v. Law Society of Singapore*, [1989] A.C. 1, [1998] 2 All E.R. 193 (P.C.); cited in Bryan, 2007:6). The Singapore State did not follow the Privy Council's recommendation to pardon JBJ and in 1994, the right of appeal to the Privy Council for all Singaporeans was abolished. It is anyone's guess as to whether the latter move was a reflex in response to JBJ's successful

would threaten security without evidence or warrant, hold them incommunicado for investigation and detaining them indefinitely without the detainee ever being charged with a crime or tried in a court of law.

[35] Lee (2000:149; emphasis mine) wrote: When dealing with the opposition, I had two preoccupations: Were they being used by the communists? And was this a "black operation", one funded and run by a foreign intelligence agency to cause mischief? It was this latter concern, which led to our investigation of Francis Seow, a former solicitor-general. The Marxist group…had gained influence in the Law Society. They canvassed for him and got him elected as president. With Seow as president, the Law Society became politicized, criticizing and attacking government legislation not on professional but on political grounds…Around that time, in 1987, a counsellor in the United States embassy called Hendrickson met Seow to encourage him to lead an opposition group at the next election. The Internal Security Department recommended that we detain and interrogate Seow to get to the bottom of the matter. I agreed. *We had to put a stop to this foreign interference in Singapore's domestic affairs and show that it was off-limits to all*, including the United States. Under interrogation, Seow admitted in a sworn affidavit that he had been asked by Hendrickson to lead a group of lawyers to contest the elections against the PAP. He also admitted that he had been to Washington to meet Hendrickson's superior in the United States State Department, who had assured him of refuge in America were he to run into difficulties in the government.
[36] According to the adduced evidence submitted in *AG v. Lingle*, between 1971 and 1993, there had been 11 cases of opposition politicians who had been made bankrupt after being sued (Quoted in Clammer, 1985:189)
[37] A fine of more than S$2,000 would cause an elected member of Parliament to lose his seat.

appeal to the Privy Council or an indication of Singapore's readiness to be truly independent, or perhaps even both.

One other factor that contributes to Singapore's "unitary government and one party-dominant system" (Ho, 2003:43) is the very lack of a credible alternative to the PAP among the opposition political parties (Lee, 1989:105). Most opposition political parties are weak organizationally, do not have sufficient funding and are unable to recruit professionals as members. The last factor is of particular interest (and this will be discussed further when we touch on "Elitism" and "Meritocracy" later on in the chapter) for "the bulk of the population has internalized the PAP's ideology of meritocracy, and measure the suitability of candidates almost exclusively in these terms." (Rodan, 1996; cited in Wee, 2008:234).

As a result of the lack of strong opposition parties, although Singapore practises the Westminster system of government and elections are held regularly, Singapore has had a unicameral government since its independence (Wee, 2008:229). In the 2001 election for instance, although PAP secured 75.3% of the votes, only 33% of voters got to vote because there most electoral wards were uncontested (*The Straits Times*, 4 Nov 2001; cited in Thio, 2004:193).

2. THE USE OF LAWS TO CONSOLIDATE STATE POWER

2.1 The Co-opting of the Work Unions

One other significant measure the State took in its quest for the nation's economic progress was the co-option of work unions under State's control. Between July 1961 and September 1962, Singapore saw 153 strikes (Lee, 2000:103). Strikes were outlawed and ceased following the enactment of the 1968 *Employment Act*. LKY aimed to change the culture of the work union from a blatant flouting of laws to that of a "reasonable give-and-take" culture (Lee, 2000:106). What was ironic was that LKY himself had contributed to the work unions' earlier culture for unions had been part of a political movement against the British colonialists. LKY himself acknowledged his role, but made the defence that economic survival of the nation comes first.

> Political leaders—and I was one of them—had offered workers the contract of independence, saying, "Come with me to freedom and I will give you what the British employers give to his British workmen." That promise we must now fulfill, *but* to do so, we had to re-establish "supervision, discipline and working norms" to get efficiency. (Lee, 2000: 104)

Since the PAP came to power, demonstrations or strikes have not been seen in Singapore (Ho, 2003:358), or if it did occur, it was at best an isolated case—for e.g., In 1997,

students from the National University of Singapore[38] wore black ribbons to protest against university fee hikes or in 2012, where a group of bus-drivers from China went on strike in protest against their pay. Goh Chok-Tong[39] (quoted in Sesser, 1992:57; in Tamney, 1996:62) explained in an interview with an essayist for *The New Yorker* that

> If you allow students to…[unfurl a banner requesting the increases in tuition fees to be scaled back]…then workers will begin to do so over the slightest grievance…And if you have several such demonstrations, right away the impression is created that the government is not in control of the situation—that the place may become unstable. That will have an impact on foreign investors.

Clearly, Goh Chok-Tong is consistent with his predecessor LKY, in his beliefs that it is economic pragmatism must rule the day and that the State cannot afford to loosen up for fear that a single mistake might cost the nation's 'survival'.

The unions were further co-opted via various legislations and tripartism. The latter involved the "joint economic decision-making by employers, unions and government to promote an industrial community", which was fully developed via the creation of the National Wages Council in 1972" (Chan, in Sandhu, 1989:77).

The absence of protests (whether in the forms of demonstrations, riots or strikes) as a political resource in Singapore has resulted in Singapore bearing the charge of being a dictatorship. "Perhaps it could be styled a benevolent one, but it was a dictatorship nonetheless" (Trocki, 2006:131). On the other hand, it could be argued that the co-option of the work unions could not simply have come about merely via the legislations. Economic survival was desired not only by the government, but also by the trade unions and workers. In short, there existed a coincidence of interests between these groups (Phang, 1990:363).[40]

---

[38] In 1997 although I was a freshman at this University I did not take part in the protest, mainly because I was not aware of it until it was over. On hindsight, chances are even if I had known about it, I probably would not have taken part in it because I doubt it would make a difference. This mentality is curious for it reflects a dissonance in my beliefs—that on one hand, I do not think Singapore is an authoritarian state, for there had been instances where plans were put off following citizens' out-pouring of responses (e.g. The 1984 Priority Scheme for Primary One Registration for children whose mothers are graduates was abandoned in 1985). On the other hand, my political apathy does stem from my belief that the state would probably go ahead with the fees hikes despite protests. However, at the end of the day, given that I can only be responsible for my own actions, I do believe that that should the fee hikes increase and I did not attempt to do anything about it, I only have my inaction to blame.

[39] Goh Chok-Tong, the then Prime Minister who succeeded LKY.

[40] In my first year at Oxford, I found myself baffled by my classmates' exclamation that I lived in a 'police state'. In their words "the right to protest and demonstrate is a basic civil right!" At the risk of sounding defensive, one wonders if more credit should be given to human agency and to the Singapore citizens. Looking at the demonstrations held at the University of Westminster in the earlier part of 2010, and the disruption they caused to the students, I could not help but wonder if there is some truth in the PAP's rhetoric that discussions and partnerships is preferred compared to demonstrations. Perhaps again, my acceptance of pragmatism could very well be an indication that I am a well-socialized Singaporean, and that this reflects the extent of success of the PAP's propaganda. But I think it would be too myopic and unhealthy to attribute this much 'faith' and 'power' to the PAP!

2.2 The Subordination of Press Freedom to the Over-riding (Economic) Needs

Lee (2000:218) argued that press freedom is secondary to the "overriding needs of Singapore".

> I did not accept that a newspaper owner had the right to print whatever he liked. Unlike Singapore's ministers, he and his journalists were not elected…In 1977, we passed laws to prohibit any person or his nominee from holding more than 3% of the ordinary shares of a newspaper, and created a special category of shares called management shares. The ministry had the authority to decide which shareholders would have management shares. He gave management shares to Singapore's four major local banks. They would remain politically neutral and protect stability and growth because of their business interests. I do not subscribe to the Western practice that allows a wealthy press baron to decide what voters should read day after day.

What is curious about the above quotation is that LKY has no issues with that fact that his statement merely indicate that one group's hold of power (the bankers) is prioritized over another group's (the press baron)[41], rather than the 'needs of Singapore per se." Perhaps one might deem that there is no issue precisely because the most important 'needs' of Singapore, as defined by the PAP are economic, and therefore would share certain grounds with the bankers. On the other hand, this transfer of power could be deemed as an extension of State's power, for not only banks do require licenses to operate but more significantly, the creation of a single corporation (Singapore Press Holdings[42]) in 1984 saw the consolidation of ownership of the seven newspapers (in English, Chinese and Malay) published in Singapore. Today, SPH publishes 17 newspaper titles in the four official languages (English, Malay, Chinese, Tamil). Furthermore, through its power to refuse licenses, which are evaluated annually, and given the fact that this company has a history of appointing retired senior civil servants as chairman[43], the State is said to indirectly control the print media (Tamney, 1996:61).

With such a centralized control of the media, it is unsurprising that Singapore's reputation in terms of its Press Freedom is terribly low. In 2009, it ranked below Kenya at 133 out of 173 countries according to *Reporters Without Borders* (quoted in *The Straits Times*, Oct 28 2009). Its poor reputation could not have been made better when foreign publications, such as the *International Herald Tribune*, the *Far Eastern Economic Review, Asiaweek, Asian Wall Street Journal* (Yao, 2007:30) all met lawsuits (and lost) when they alleged that the Singapore state utilizes "the judiciary machinery to

---

[41] Thanks to my supervisor Dr Oliver Phillips, for highlighting this point.
[42] Hereafter known as 'SPH'.
[43] The ex-chairman of SPH is Dr Tony Tan, who is now the President of Singapore. His successor, Dr Lee, Boon-Yang, was a former PAP parliamentarian.

deluge their political opponents with litigation, subsequently causing financial bankruptcy and removal from the political scene" (*GCK v JBJ*[44], Singapore Law Report, Vol. 1:54, High Court, 1998; Quoted in Clammer, 1985:189). With regards to the forceful legal responses against these foreign publications, the State explained further "We need to put a stop to this kind of thing straight away, otherwise *everyone* will be doing it." (An anonymous official, quoted in Yao, 2007:30; emphasis mine).

> There was no need for me to query who: who is this 'everyone'?...this richly suggestive statement…[is perhaps a reflection of the State's attempt at a]…pre-emptive strike against the dignity of the State. As a pre-emptive strike, such action would require imagination and touch counter-measure. To do this the State would paint the 'worst scenarios': the loosening up of the press laws would have the foreign media saying all kinds of libellous things about Singapore; allowing greater 'freedom of expression' at home would have the communalists at each other's throats; and allowing mass street gatherings would have the radicals and political opportunists rousing people's irrational passion and leading them to riots. The logic of the [these libel cases] is the logic of 'over-perceiving the harm on the State and the judiciary (ibid).

This brings us back to what we had discussed earlier, where the State is obsessed with the retelling of traumatic Singapore Story and therefore the country and the State (since the fate of the two are presented as intertwined) cannot afford any mistakes at all.

The State further debunked the low ranking and argued that they were "quite absurd and divorced from reality…Is it possible to have a modern, successful, open economy if the people are not empowered and educated?" (Law Minister K. Shanmugam, quoted in *The Straits Times*, 28 Oct 2009) Economic success then, is used to justify any charges of Singapore's seeming lacking in democratic liberties.

The 'thin-skinned' State (Tamney, 1996:132) further argues that the control of media is not merely exclusive to Singapore and that critics, particularly those from the 'West', should respect the doctrine of non-interference.

> *Singapore's domestic debate is a matter for Singaporeans.* We allow American journalists in Singapore in order to report Singapore to their fellow countrymen. We allow their papers to sell in Singapore so that we can know what foreigners are reading about us. *But we cannot allow them to assume a role in Singapore that the American media play in America, that is, that of invigilator, adversary and inquisitor of the administration.* No foreign television state had claimed the right to telecast its programme in Singapore. Indeed, America's Federal Communications Commission regulations bar foreigners from owning more than 25% of a TV or radio station. Only Americans can control a business which influences opinion in America (Lee, 2000:222; emphasis mine).

---

[44] This is a defamation suit between the-then Prime Goh Chok-Tong and the opposition politician Joshua Benjamin *Jeyaretnam ('JBJ')*

Singapore does not require the media to play the role of an invigilator because its Statesmen are akin to the virtuous and superior gentlemen (known in Confucianism as '*junzi*' 君子,which literally means the 'lord's son', or its more common meaning 'gentlemen') who hold the moral legitimacy (Thio, 2004:194) and therefore are able to act as trustees (Sebastian, 1999:235) of its citizens. The Singapore State goes further and proclaims that the Confucian notion of a respected government of *junzi* is more important than the 'Western idea' of limiting government power and treating governors 'with suspicion unless proven otherwise' (Shared White Values Paper 1991; cited in Thio, 2004:194).

> …in Singapore, government acts more like a trustee. As a custodian of the people's welfare, it exercises independent judgment on what is in the long-term economic interests of the people…Government policy is not dictated by opinion polls [as it may be the case in the United States, thereby explaining that the United States' form of democratic governance is vulnerable to populism]…

> (Goh Chok-Tong, 1995; quoted in Sebastian, 1999:235)

> We took this country from zero to here. We're not out to bring it back to zero. So I say, please put your mind at ease. Singaporeans need not worry, you need not worry for them. If you watch American television, if you watch Fox, and you watch NBC and you watch CNN, at the end of the day...you don't know where is the truth because the truth does not support a certain line that they are choosing.

> (LKY, quoted in *The Straits Times,* 4 Nov 2006)

LKY's critique of an irresponsible'[45] press resulting in citizens' loss of faith in the media may hold some weight. In a 2007 survey conducted by the Globe-scan polling institute (quoted in *The Straits Times*, 11 Dec 2007) it was found that only around 29 per cent of those interviewed in the United States, Britain and Germany think that their media does a good job in reporting news accurately, and that the Russian, British and the American media are among the least trusted. [46] Singapore's previous experience with an irresponsible press has also been used to justify the need for a stronger state control. The insensitive newspaper coverage of a custody case in *The Straits Times* concerning a

---

[45] I write 'irresponsible' in the inverted commas because I think an assessment of its responsibility would also depend on the roles in which the Media is supposed to play, assuming first of all that the debate surrounding its role is or can be settled.

[46] One wonders if this poll is able to ascertain if the results reflect respondents' faith in the form of media existing in their countries, or their faith in media on the whole.

converted Muslim girl, Maria Hertogh[47], kneeling at the altar in a Catholic church, was interpreted as the trigger to the 1950 racial riots, the first of the four major racial riots in Singapore's history (Quah & Quah, 1989:107). Interestingly, the past occurrences of these racial riots have been used as part of the traumatic Singapore Story (Yao, 2007) that citizens should be careful not to slip back into. But it should be noted that during racial clashes among different groups were minimal before 1942, and they tended to be intra-communal rather than inter-communal (Yong, 2004:55). Nonetheless, most Singaporeans do appear to concur, or at least buy into, the State's argument that press freedom is not as important as social order. In the earlier survey conducted by the Globe-scan polling institute, it was reported that "the strongest endorsement for press freedom came from North America and Europe, where up to 70 per cent put press freedom first, but in India, Singapore and Russia, 48 per cent support controls over the press to maintain peace and stability." (quoted in *The Straits Times*, Dec 11 2007)

3. CHANGES IN THE CRIMINAL JUSTICE LANDSCAPE: MOVING TOWARDS A "CRIME CONTROL MODE"

3.1 The Singapore Judiciary

We will now look at the Singapore criminal justice system. Firstly, there have been concerns about judicial independence and impartiality. It has noted, "Judges are appropriately deferential to legislative policy initiatives. By and large, they displayed a respectful orientation towards the executive and legislative branches." (Ho, 2003:393) And in contrast to the British Courts, the power of judicial review has not been used frequently to scrutinize the actions of the government and public officials in Singapore[48], although the figures have been increasing recently.[49]

Also, "the perceived judicial bias favouring the government could have stemmed from the very high number of cases won by the Government of members of the ruling party in either contempt of court proceedings or defamation suits" against critics, whether media or individuals (The UN Special Rapporteur on Judicial Independence,

---

[47] Maria was a Dutch girl who was left by her mother in care of, or given for adoption to a Malay woman during the World War II when the Japanese occupied Malaya. After the war ended, her Dutch biological mother came back and claimed her. A suit followed and was heard by the English judges at first instance and on appeal. It was held that Dutch law instead of Muslim law was the proper law, and ordered Maria, who had by then married a Muslim (and therefore converted), be returned to her natural, Dutch mother.

[48] *Ong Yew Teck* [1960] 1 Malayan Law Journal 67 (no review allowed); *Kamal Jit Singgh v Minister for Home Affairs* [1993] 1 SLR 24 (cursory review). Both cases are cited in Hor (2000:5).

[49] According to Singapore's national newspaper *The Straits Times* (25 Jan 2014), the number of judicial review cases the Supreme Court has heard has grown from "13 in the 1970s to 20 in the 1980s. It then fell to 14 in the 1990s and went up again to 16 in the 2000s. While official statistics are not available from 2010 onwards…a check on the electronic database found that the courts had issued at least 21 judicial review discussions from 2010 to last year."

quoted in Clammer, 1985: 189). According to the adduced evidence submitted in *AG v. Lingle*, between 1971 and 1993, there had been 11 cases of opposition politicians who had been made bankrupt after being sued (Quoted in ibid.)

The lack of tenure for nearly half of the judges would also explain the earlier allegation. The principles of judicial independence are entrenched in a number of international instruments[50], such as the *Basic Principles on the Independence of the Judiciary*, the *Universal Declaration of Human Rights,*[51] the *International Covenant on Civil and Political Rights*[52] and the *Commonwealth (Latimer House) Principles on the Three Branches of Government.* While Singapore has not ratified the *International Covenant on Civil and Political Rights,*[53] the *Latimer House Principles* were endorsed by the Commonwealth Heads of Government in 2003. Article IV of the *Latimer House Principle* in particular addresses the characteristics of the judicial independence, and these include the security of tenure, financial security and administrative independence. However, "at least half of the High Court judges have either no tenure or very limited tenure. Even when granted, tenure is limited by the executive's ability, through its control of the legislature and the office of the president, to remove judges with tenure." (Bryne, 2007:14). The transfer of District Judge Michael Khoo to the Attorney-General's Chambers has been cited as an example of an executive interference with the judiciary (ibid.; Clammer, 1985:190). In January 1984, Khoo had acquitted JBJ of the fraud charges but had convicted him of another count of fraud for which Khoo imposed a fine that was insufficient to make JBJ lose his seat in Parliament. Seven months later, Khoo lost his judgeship and was transferred to the Attorney-General's Chambers. Unsurprisingly, he left the government service subsequently. The State denied that Khoo's transfer was a reaction to the JBJ decision, but LKY (quoted in Bryne, 2007:15) suggested during a Parliamentary debate in July 1986 that "there was very good grounds why, if a person can make such a series of misfindings of fact and two misfindings of law in one simple case [referring to JBJ's case], he should be transferred to the Attorney-General's Chambers." Another judge later imposed a fine large enough that caused JBJ to lose his seat from Parliament and to be disbarred from law. This judgment led JBJ to appeal to England's Privy Council and was overturned by the Privy Council.[54]

---

[50] See Bryan (2007:12-16) for more details.
[51] Article 10: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal…"
[52] See Articles 2 and 14.
[53] See United Nations Treaty Collection.
[54] As mentioned earlier in section 1.2 The (Near) Elimination of Opposition Parties.

In response to critics who alleged that Singapore has a compliant judiciary, the State responded indignantly by suing these critics.

> The judges…have their standing and reputation to uphold…[Those critics] complain that I come down too hard on their arguments. But wrong ideas have to be challenged before they influence public opinion and make problems. Those who try to be clever at the expense of the government should not complain if my replies are as sharp as their criticism (Lee, 2000:154).

The *International Herald Tribune* of 7 Oct 1994 for instance, published an article by Christopher Lingle, who was then an American lecturer at the National University of Singapore, in which he wrote: "Intolerant regimes in the region reveal considerable ingenuity in their methods of suppressing dissent…Others are more subtle: relying upon a compliant judiciary to bankrupt opposition politicians." (Quoted in ibid.) LKY sued the editor, the publisher and the writer and in the end, both the editor and publisher apologized through their lawyers and admitted it was untrue.

What is interesting is that in the course of writing this very section, I pondered for a moment if I am liable to be sued in the similar fashion as the *International Herald Tribune* were for reproducing the libellous remarks that Lingle made. I feel ambivalent by this moment of pause. On the one hand, I understand that a researcher is bound within his or her biography. One can argue that this moment of anxiety reflects very well the success of the State's social engineering and the extent of its power. After all, as we have shown earlier,[55] "worrying to excess—restlessly pondering the uncertainties—is the balm for the 'traumatic mind'" and the anxious citizen is a good citizen (Yao, 2007:285:88). On the other hand, I do concur with the State's stance that one should take responsibilities for what has been said (although this can very well be read again as a success of the State's social engineering!), and my fears might very well be a reflection of my own ignorance in defamation laws. My reluctance to explain my moment of pause as a proof of the State's power might come down to my belief that more room should be given to human agency and that by explaining my unease in terms of the State's power, I am enhancing its power even further. Furthermore, the portrayal of Singapore as a "*monolithic* authoritarian regime"[56] presents "a strikingly reductive interpretation of [the] Singaporean society, so much so that it would preclude any possibility of understanding

---

[55] See the end of Section B: The Unwelcomed 'Birth' of Independent Singapore.
[56] I have no doubt that even the PAP itself is not homogenous! Recall how Mr. Michael Palmer (Ex-speaker of the Singapore Parliament) made a remark that "We have moved out of the dark ages" following positive changes made to the Criminal Code Procedure. See Section 3.2 The Unleveled Playing Field Between The Prosecution And The Defence.

the efforts of the state other than the perceived intention of political and social control."
(Velyautham, 2007: 59-60; emphasis mine).

3.2 The Unlevelled Playing Field Between the Prosecution and the Defence

Singapore began to shift from the "Due Process Model" towards the "Crime Control Model" as early as 1959[57] (Singapore's Then-Chief Justice Chan, 2006:7). Its move towards the "crime control model" has resulted in a significant dismantling of the traditional common law adversarial system. Firstly, with the utilitarian emphasis on crime control and efficiency, much of the fact-finding process and decision-making are shifted from judges and trials to police and prosecutors at the pre-trial stage. The judicial role is minimized, either because of distrust (or rather, the fear that judges would be more lenient if given more discretion), or because of inefficiency (not due to incompetency but due to the need to follow rules of procedures and evidence). Instead, "the executive or administrative role of the police and prosecutor is maximized" (Hor, 2000:7).

As Hor (2000:7) provides a good summary of the dismantling of the traditional common law adversarial system, it is worthwhile to quote him at length here.

> Much of the cluster of rights protecting the adversarial process are significantly pruned. The right to counsel exists, but is subordinated to the "needs" of police investigation, which includes the procurement of self-incriminatory statements admissible in court. No published rules or guidelines governing the manner of police interrogation exist. The right to silence has been declared not to be a constitutional right...and on a statutory level, it comes with the price of adverse inferences. It is not only the statement of the accused which is admissible, confessions of persons charged and tried jointly with the accused are also admissible. Witness statements (taken before the trial) are not normally admissible, but if these witnesses testify inconsistently in court, their previous statements can stand in place of their testimony. Confessions may be challenged for involuntariness, but opportunities to demonstrate undue pressure are few.
>
> (Hor, 2000:7)

Recent changes to the Criminal Procedure Code of May 2010[58] ameliorate the imbalance of power to a limited extent. For instance, the new Code states that the prosecution and defence exchange information that each side has on a case before the start of the trial. What is interesting (and heartening) is that an ex-PAP Member of the Parliament, Michael Palmer[59] (quoted in *The Straits Times*, May 19, 2010) acknowledged "We have moved out of the Dark Ages...For too long, defence lawyers had to operate in the dark without sight of any statements or evidence until the trial..."

---

[57] This is the year in which the PAP came to power following the British's granting of internal self-government to Singapore.

[58] See Chee (2010) for more details on the changes in the Code.

[59] In late 2012, Mr. Palmer left the party and politics, following a sex scandal where he confessed to infidelity.

This has long been a bugbear of criminal lawyers, who say that they only become aware of what they are up against when the trial begins.

However, one important right of the individual is still not addressed—speedy access to lawyers (ibid.). The Minister for Law & Second Minister for Home Affairs, Mr. Shanmugam's (quoted in *The Straits Times,* May 20, 2010) is telling, for it reflects a "better to be safe than sorry"[60] approach.

> In Singapore, the law is that the right to counsel may not be exercised immediately upon arrest, but only within a reasonable time[61]... This strikes a balance between an accused's rights and the public interest in ensuring thorough and objective investigation…From the perspective of the law enforcement agency, we need to ensure that crimes are solved, that the correct evidence is obtained, that people tell the truth…[If lawyers had immediate access to their clients], what will happen? At least in some cases, the advice given would be 'Don't cooperate with the police.'...Is that in public interest?...There is public interest in making sure that the statements taken are taken in a process with integrity and the statements represent the truth…

The latter approach is best encapsulated in *The Criminal Law (Temporary Provisions) Act* of 1958, which is a

> hold-over from British colonial legislation enacted to deal with communist insurgency in the 1950s…[it] enables the Minister (of Home Affairs) to detain indefinitely any person "associated with activities of a criminal nature" if he (or she) is satisfied that the detention is necessary for "public safety, peace, and good order (Hor, 2000:4).

This piece of legislation removed the role of the judiciary altogether, and criminal activity is dealt with exclusively by the administrative decision—no charge, no trial, no sentencing. It is "the crime control model *par excellence*." (Hor, 2000:4).

It is through this very legislation that allowed the PAP to curb the problem of secret societies with great success, as compared to the inability of the British colonialist to do so, despite being the ones who introduced this very legislation. It is argued that the British failed in their *implementation* of the suppression.

> What was required (and which was ultimately implemented [by the PAP state])…was detention without trial. Why the British colonial administration did not take this drastic step was…due to the fact that it was, in the British eyes at

---

[60] There are two popular words ('Kiasu' and 'Kiasi') in the Singapore parlance that reflect this attitude. Both words are Hokkien (a Chinese spoken variant) in origin. 'Kiasu' literally means 'afraid to lose", and it means to "take extreme means to achieve success". Although 'Kiasi' literally means "afraid to die", it is used to describe extreme means taken to avoid risk. There is a saying in Singapore that the possession of either or both of these traits is distinctively Singaporean. If there was any truth in this saying, one wonders if it is merely an extension of the State's psyche that Yao (2007) had spoken off earlier, that a good citizen is also one who is constantly worrying.

[61] Mr Shanmugam also cited a recent police study showed that more than 90 per cent of arrested persons were released within 48 hours. There has also been a scheme in place since August 2007 to grant an accused person access to counsel before his remand period is up at the tail-end of investigations (*The Straits Times*, 20 May 2010).

least, far too extreme a step to take, having regard to the concept of individual liberty…(Phang, 1990:359)

One of the safeguards to ensure that this Act is still needed in changing circumstances and that it is being applied properly, this Act has to come before the Parliament every five years in order to be renewed. Its existence till date reflects the 'siege' mentality that goes along with the Singapore Story (Yao, 2007)—that the State (and nation) must never drop their guard and they must *always* be prepared for whatever there is to come. Phang (1990:224), a Singaporean law academic who later became a judge in 2005, justifies the State's stand—"the ends do not justify the means but, *in the absence of proof of abuse* and in the light of the historical context…it is submitted that the Act should be retained until the secret society menace is *ultimately eradicated.*" (emphasis mine)

Reading this Act together with the aforementioned shift of much of the fact-finding process and decision-making from the judges and trials to police and prosecutors at the pre-trial stage, one can also see that "the theme of reliance on official discretion rings through…[for] officials will behave with restraint and responsibility." (Hor, 2000:5) This theme of reliance on official discretion echoes what was mentioned briefly earlier,[62] that PAP Statesmen are 君子'*jun zi',* who being virtuous and superior gentlemen should be trusted and therefore the media does not need to play the role of a watchdog. *The focus is in choosing the right personnel, not on setting up a system of checks and balance.*

4. THE (MIS)FIT OF SINGAPORE'S CRIMINAL JUSTICE SYSTEM WITH RJ?

4.1 The Long History of Deterrence

The use of harsh laws also sits well with the discourse of deterrence, which is regarded as one of the most important aims of punishment in Singapore (Koh, Clarkson & Morgan, 1989:20). In the second reading of the Penal Code (Amendment) Ordinance 1958, the Chief Secretary, Mr. David explained that the purpose of the amendment was to "enable the courts to impose heavier sentences on persons found guilty on certain crimes which are all too prevalent at the present time and to act as a deterrent against their commission." (quoted in Phang, 1990:172) A decade later, LKY's comments on the need for severe punishments for vandalism (which includes mandatory caning on conviction) is telling—"we have a society which, unfortunately I think, understands only

---

[62] See section 2.2 The Subordination of Press Freedom to the Over-riding (Economic) Needs.

two things—the incentive and the deterrent." (ibid) Four decades later, this emphasis on deterrence is still not lost. Principal District Judge Wong (2007) maintained that

> Our sentencing jurisprudence that the dominant choice of sentence in advancing the public interest is the deterrent sentence and the present crime control model premised on a judicious and focused application of deterrence coupled with the effective apprehension of offenders *has worked well for Singapore* (emphasis mine).

The latter quote emphasizes the importance of context in the evaluation of the criminal justice system. While its legal landscape may have departed in various ways from its British predecessor, the then Chief Justice Yong (quoted in *The Straits Times*, 13 Sept 1995) explained that these necessary departures are a result of the need for Singapore to develop a legal system that "grows out of its own soil and reflect…[its] own Asian values, such as consensus and respect for authority and the group." The rhetoric of cultural relativism has been prevalent even in Singapore's legal landscape since historical times.

4.2 The Prioritization of Social Order & Communities' Needs Above Justice?

Asian societies like Singapore are said to differ from the liberal democratic 'West' in that it values utilitarianism above individualism and puts Society and community above the Self. LKY (quoted in Langlois, 2001:22) proclaims that, "Whether in periods of golden prosperity or in the depth of disorder, Asia has never valued the individual over society. The society has always been more important". As such, it is unsurprising that "Singapore courts tended to award 'communitarian' judgments and have been 'deferential towards collective interests and Executive assessments of what the public good requires" (Thio, quoted in *The Straits Times,* 25 Oct 1997). For instance, despite the constitutional protection of religious freedom, in 1995, the Courts upheld an order to deregister the Jehovah's Witnesses Group on the grounds of protecting public order. The argument was that this group is a threat to the national security of the State as its members refuse to bear arms (and military service is compulsory in Singapore) for they claim to serve only God and no other.

One wonders how the State measures or defines 'community' as well as their needs. Is 'community' used interchangeably with 'the majority'? Which 'needs' was the State referring to—that of the need for economic success and its conditional need for order perhaps? LKY (2000:211, 549; emphasis mine) wrote in his memoirs that

> First we educated and exhorted our people. After we had persuaded and won over a majority, we legislated to punish the wilful minority. It has made Singapore a more pleasant space to live in. if this is a "nanny state", I am proud to have fostered one…

Democracy works where the people have the culture of accommodation and tolerance which makes a minority accept the majority's right to have its way until the next election, and wait patiently and peacefully for its turn to become the government by persuading more voters to support its views.

This quotes reflect a departure from 'Western' liberal ideals in that democracy is often used to ensure the protection of the minority and here LKY showed no qualms that Singapore's version of democracy is to protect the majority.[63] While this cannot be addressed within the scope of this thesis, one does question what space is left for the different groups of minorities (racial, religious, homosexuals[64], etc) in Singapore, and more so, what room does RJ have to play in empowering their interests?

Secondly, the emphasis on the needs of the 'community' may very well be a stumbling block (or not) to the purported ability of RJ to reassert emotionality in law. It was put forward that RJ arose as an alternative discourse (Karstedt, 2007) against the emphasis on rationalism, which had been present since the classical deterrence discourse and have been awarded increasing importance in recent decades with the risk of the 'risk society' (Beck, 1992). This overwhelming use of rationalism, of vulgar 'cost-and-benefit analysis' disconnects moralities from the penal realm, for modern forms of reactions towards law-breaking are now founded on the 'economic amoralism' (Slater, 1997:28; cited in Karstedt, 2007:64). The displacement of moralities from the penal discourse is undesirable, for punishments are first and foremost an emotional, social reaction against the offender, particularly so in primitive settings. It is through such passionate reactions that the validity of rules and laws are affirmed, thereby safeguarding the social solidarity of the society. Punishment then, allows society to repair the "evil" for which the crime has inflicted upon it.[65] Even in modern society, the element of vengeance in punishment is still essential, although it is increasingly neglected or displaced as forms of punishments become increasingly shaped and limited by the increasing complexity of market forces, and by economic rationality and practicality. RJ then, is one of the various attempts in recent modernity in reasserting emotionality in law. (Karstedt, 2007).

Now this is where things are a little tricky for it is unclear the shape of this emotionality (and perhaps of RJ) that is being promoted. Firstly, what is this form of emotionality that Karstedt (2007) spoke of? Is vengeance a feature of this emotionality in its attempt to bring back the displaced moralities? Are 'emotionality' and 'vengeance' interchangeable? If that is the case, it could be argued, in the most ironic twist of things,

---

[63] Thanks to Dr Oliver Phillip for pointing this out.
[64] Section 377 of the Penal Code criminalizes Gay Sex in Singapore. This legislation was re-examined in 2009, but Section 377 is still not repealed. See Channel News Asia (5 July 2009)
[65] See Ch. 2 on Durkheim, in Zeitlin (1997:345-6).

that Singapore has an easier task for its harsh laws could very well deliver more vengeance. Alternatively, does the form of emotionality resemble that of an emotional peace that comes about when participants in the RJ process are able to experience the "RJ moment"? Louis (Local RP trainer; personal communication, 29 Dec 2007) defines the latter as one where participants shared a degree of mutual 'understanding', 'forgiveness' or 'reconciliation'.[66] In light of the 'communitarian' discourse that the Singapore State spoke of, what should happen in a case where the main participants in the RJ process manage to experience this "RJ moment", but non-participants disapprove of the outcomes because feelings of vengeance have not been addressed? In a case study examined in Chapter Five for instance, a Chinese student had made racist remarks and assaulted an Indian classmate. The former was suspended from school for the same duration of time the victim was hospitalized.[67] During the conference, the victim and his parents forgave him and even went on to give words of encouragement. The victim's friends however, did not agree with the outcome and ambushed to assault the Chinese student a few days following the conference. Whose emotions should we prioritise here?

While RJ is said to have come about in response against rationality, what is fascinating here is that in the context of my research, the use of RJ in schools, particularly vis-à-vis the 'script' of questions which teachers are trained to employ when dealing with misbehaviour, still relies and emphasizes to a large extent on addressing the (lack of) rationality in offending students.

> *If I could just get him to reflect, to look back to the very point at which he made the wrong decision, before all this mess happen, I'd say the process has been successful.* (Zhen-Ren, *Bluebell Secondary*, Chinese, Head of Department)

This very co-existence of emphasis on rationality and RJ in Singapore points to the problems of the incoherent discourse of RJ. More importantly, it brings us back to the following questions—What is the fundamental value of RJ? What is the most important aim of RJ? Are there any non-negotiables in the adaptation process?

Lastly, if RJ were to be used to return moralities to the law, can it not be said that RJ is merely used as a tool to further existing social norms? While modern forms of reactions towards law breaking may be founded on 'economic amoralism' (Slater, 1997:28; cited in Karstedt, 2007:64), it does not change the fact that these punishments exist in response to a violation of a norm. The emotional weight of modern forms of

---

[66] The second form might be more reflective of the dominant perception of RJ, for RJ 'values' often include—'democracy', 'social support', 'forgiveness', 'reconciliation', 'non-dominated speech' (Braithwaite & Strang, 2001:1-2; cited in Johnstone, 2003:5)

[67] One wonders why a more 'restorative' punishment could not have been meted out—for instance, making the student take down notes on behalf of the victim during the latter's hospitalization?

punishments might have changed (depending on the case itself), but the fact remains that they attempt, however (in)effectively to uphold the societal norms.

As we have seen from the start of this chapter, the State has emphasized on the need for order for it is a pre-requisite to economic growth. So strong is this obsession with order that from time to time, the interest of order overrides those of justice. In fact, this is one of the guiding principles of sentencing in Singapore (Ganapathy, 2002:424). In *PP. v Mohammad Jais Bin Arsal* (cited in ibid), for the theft of cash and items amounting to a total S$20,[68] the District Judge sentenced the accused to seven years of preventive detention even though the usual sentence for a case of simple theft of S$20 by a first offender is only a caution being administered by the police. However as the accused had a string of previous convictions mainly for theft, he was sentenced to seven years of preventive detention.

Likewise, in the context of this research, one of the two schools examined—*Bluebell Secondary School*, had a policy whereby boys[69] who are sent out of class could be caned by teachers who are on the disciplinary committee without the need for questions.

> Ming-Zheng*: No, the moment you are sent out, they would cane [you] first before they ask you what's wrong.*
> Wei-Hong*: Ya lor.[70] The principal [has] say [sic] before, "If the person, like being sent out [sic], the discipline people will cane you all, then after that they'd ask you the reasons." She told the whole school. I don't think it makes sense lah.[71]*
> (*Bluebell Secondary*, Chinese, 15-year-olds)

> *I must say at [earlier at] that point in time [before RJ was adopted] the, the school was very challenging at that time, compared to now. The tone was definitely different…It has got no room to allow for a more amicable style. Alright, the only erm, 'acceptable' persona was to be fierce with the kids, and really instill some fear in them so that they conform and follow the rules.*
> (Joshua, *Orchid Secondary*, Chinese, Discipline Master; emphasis mine)

---

[68] This would work out to about slightly more than ten pounds as of July 2010.
[69] In Singapore schools and prisons, only males can be caned.
[70] "Lor" is a Singapore parlance. The word on its own has no meaning. In this context, "ya lor" would mean "ya boy", but spoken in a deadpan manner.
[71] Note that these two students belong to the Normal Technical Stream—where the least academically successful students would end up in. We will discuss the education system and the different streams in the next chapter. It might be a little hard to understand Wei-Hong's statements for he is speaking in *Singlish* (a local parlance where bits of the Malay, English and Chinese languages are all mixed together or we could see *Singlish* simply as a euphemism for bad English.) Particularly confusing is the bit where Wei-Hong said, "If the person, like being sent out" might appear to mean that "the person enjoys being sent out", in fact, he is basically trying to say that "If it is a case where the person is *already* sent out." Statements made by my respondents, grammatically incorrect and confusing as they may be, would be quoted verbatim in the main text and further explanation or corrections would be set out in footnotes.

The latter quote is of particular interest, for the discipline master implied that order might very well be a necessary condition for doing RJ. The RJ discourse is not explicit in addressing this issue (despite its purported adaptability thesis), whether indeed, there must be necessary conditions before RJ can be adopted. Also, with such priority given to order at the expense of justice, it makes one shudder to think of the shape (and fate) of RJ in Singapore.

4.3 Marching To A Different Beat: Issues And Concerns

The political maneuvers of the People's Action Party (PAP) since the 1950s and the employment of certain ('drastic') laws and punishment presented so far would have shed some light as to why Singapore comes to be known as an 'authoritarian', or even as a 'police state'. Ironically, upon coming to power, the PAP displayed the same 'paternalistic attitude' that its former, colonial master had (Phang, 1990:261). I will close this section with a discussion of some implications of the justifications the State have given for the discourse of RJ.

4.3.1. Economic Needs Before Democracy

In defence to the label that Singapore is an 'authoritarian' state, Lee (2000:544) argued that "history teaches us that liberal democracy needs economic development, literacy, a growing middle class" and "life must no longer be a fight for basic survival before that society could work such a democratic political system." Furthermore, it is unrealistic to expect a young nation-state to mirror the political systems and cultures of the former imperialist states that had taken 200 years to evolve. It was almost as if LKY was using history as a license to be 'authoritative'—We are a young nation, therefore please tolerate our repression, when we 'get there', it will go away.[72] Economic progress then, must come before democratic progress and this is hardly surprisingly in a place where economic pragmatism was propagated as the national identity.[73]

Indeed, the PAP has provided remarkable results to justify its different beat—By the early 1970s, full employment was achieved and foreign workers had to be imported to cope with the mounting pace of economic growth (See Ho; in Sandhu, 1989:677). Currently, Singapore's Gross Domestic Product per capita (USD$50,300; 2009 estimate; figures taken from CIA *The World Factbook*) far exceeds UK's $35,200 or USA's $46,400. According to the 2010 IMD World Competitiveness Yearbook (quoted in *The Straits Times*, 20 May 2010), Singapore is also ranked top in the global ranking of

---

[72] LKY's statements mirrors that of a Citibank official from India, who had explained Indian corruption with "We are simply not yet where the West is, but if you look at Western history, they were as corrupt in the 18th century." (Quoted in Chkrabarty, 2000).

[73] See Section C: Economic Pragmatism As The National Identity.

economic competitiveness and also "eclipsed Hong Kong and the US in areas such as employment, education, health and environment, business legislation and institutional frameworks."

While Singapore's economic success might have lend much legitimacy to the State, the promotion of economic success as the flagship of legitimacy of the PAP could very well lead PAP to its own downfall (Fukuyama, 1992; quoted in McCarthy, 2006:119), for a failure to deliver the economic goods might lead to Singaporeans calling for a change in leadership. "For Singaporeans to respect the Singapore state for what it has done for them is a bit like saying Catholics respect the Pope because he has balanced the Vatican budget or achieved a quantum leap in annual conversion to the faith." (Yao, 2007:19)

On the other hand, it may be argued that both the citizens and the State shared similar (economic) aims. Buying into the State ideology and accepting a highly interventionist State would mean the loss of some personal freedom no doubt, but many Singaporeans might jolly well have been prepared to do so (at least in the earlier years of 'survival' and nation building) if it meant improving their lives and livelihood (Lian & Tong, 2008:13). The public support for government policies in Singapore is ranked top according to the 1993 World Competitiveness Report (cited in Yew, 1995: Annex B). On the other hand, such surveys reflecting citizens' support for the State may be misleading given that since there are no "seriously contending alternatives" [to the PAP state in light of their various maneuvers] (Clammer, 1985:159-160), "material wealth and physical comfort [would be] hard to reject when the possible alternative [the demise of Singapore] is made to seem so negative." (Trocki, 2006:139). Singaporean author Philip Jeyaretnam[74] expressed further the mentality of compliance [in exchange for wealth] when he wrote of a particularly character:

> He abjures politics, saying one can be perfectly comfortable keeping within the bounds set by our present rulers, and that there's no reason why anyone should risk his career, or worse, for the sake of more freedom than he would know what to do with it.

Or as Heng (1991) captured it succinctly: "Give me liberty or give me wealth." Indeed, there is some truth in this mentality and yours truly, might be just as well guilty of it.

4.3.2 The 'Unprepared' Electorate

> History teaches us that liberal democracy needs economic development, literacy, a growing middle class and political institutions that support free speech and human

---

[74] He is also the son of JBJ and a senior counsel.

rights. It needs a *civic*[75] society resting on shared values that make people with different and conflicting views willing to cooperate with each other…I have seen so many of the over 80 constitutions drafted by Britain and France for their former colonies come to grief, and not because of flaws in the constitutions. *It was simply that the pre-conditions for a democratic system of government did not exist. None of these countries had a civic society with an educated electorate. Nor did their people have the cultural tradition of acceptance of the authority of a person because of his office.* These traditions take generations to inculcate in a people.

(Lee, 2000:549, 735; emphasis mine)

The above quote has important implications for RJ. Firstly, one consistent thesis running through State's discourses is the idea that certain conditions are required for active citizenship. How should such conditions, for instance, the maturity of the participants, be measured? Does RJ then, as a process emphasizing on participative deliberation, require certain conditions to be fulfilled before it can be set in place, or can RJ be used to build these conditions?

This 'chicken-and-egg' problem is even more perplexing in the context of RJ practices in schools, the site of my research, for schools are caught in a double bind—They need to create students capable of effecting progress and the required paradigm shifts (that have yet to come), and yet the schools themselves, still existing in the old paradigms, are charged to mould the student into the ideal citizen to fit into the status quo.

Erm, often the biggest irony of any educational system is that, because we are always caught in change, we are always shifting in paradigms. You are asking people who belonged to one paradigm to be the generators of change to the other paradigm, so you are putting twice the burden on these people because they haven't even change to this paradigm and you are asking them to generate the change! (Zhen-Ren, *Bluebell*, Chinese, Head of Department)

In response to the above double bind, Durkheim argues in favour of status quo for education is not meant to develop the abilities and potentialities of any individual for their own sake, but rather, it is to develop them to meet the needs of a society. "The man whom education should realise in us is not the man such as nature has made him, but as society wishes him to be; and it wishes him such as its internal economy calls for." (Durkheim, 1956:122)

LKY, no doubt, would have seconded Durkheim's position for he believes that "a Confucian view of order between subject and ruler helps in the rapid transformation of

---

[75] The then Minister for Information and the Arts, and Second Minister for Foreign Affairs Mr. George Yeo (1991, quoted in Hill & Lian, 1995:225) uses the term 'civic' instead of 'civil' as well. *The Straits Times* (25 June 1991; quoted in ibid.) was quick to point out that the term 'civil society' carries the implication of autonomy for the individual in the political space and accountability of government to a critical populace, both of which, in the editorial's view, were too politically adversarial.

society…you fit yourself into society—[which is] the exact opposite of the American rights of the individual." (Quoted in *The Economist* 9 Dec 1995:12; reproduced in Bell, 2006:152). How does one address the dissonance between fitting oneself into society and yet preparing himself, or even creating a society that has yet to come? Who gets to decide what type of society should be created? If the State was to (mis)employ RJ to serve its own purpose, the ambiguous definition(s) of RJ should bear a share of the blame too.

Secondly, the idea that "people did not have the cultural tradition of acceptance of authority of a person because of his office" (Lee, 2000:735) mirrors earlier enunciations that it is the right men that matter rather than the system.[76] The latter belief may very well be true, considering the importance given to the role of the facilitator in a RJ process. The choice and the role of the facilitator in Singapore has even more implications to the feasibility of RJ, given that many Singaporeans, as a result of the "arbitrary use of power", tend to practise self-censorship (Barr, 2000:229)[77] as we shall see in Chapter Six.

> Most people avoid trouble successfully by refraining from expressing opinions in public, but the widespread pervasion of the culture of insecurity has ensured that ordinary Singaporeans have earned a reputation for risk-aversion, circumspection and indecision (ibid.).

> *The sensing is that every time they sit down in a circle, they, [do it] to get it over and done with. Ya, they model each other's answers, so, tsh, they are not very, they are not very accustomed to confrontation, they see it as a confrontation I think.*
> (Naomi, *Orchid*, Chinese, Discom[78])

The 'kiasu' (Singaporean slang for 'afraid to lose') mentality might make it even more difficult to speak up, in a RJ process.

> ['Kiasu'] is a mentality where failure is perceived to be a disgrace and bring shame to the individual and the family…failure is to be avoided at all costs…it is a by-product of the very strong achievement-oriented society that Singapore has become. In the drive for growth and economic success, the system has become the epitome of meritocracy. There is no room for failure in such a meritocratic and elitist state. (Lee & Low, 1990; quoted in Barr, 2000:229)

> Researcher: So you wouldn't have spoken up if X was facilitating?
> Kieran (*Bluebell*, Chinese, 15-year-old): *You just don't wana get in the bad books of people lah, as in, you know teachers aren't supposed to be discriminant [sic] of*

---

[76] See earlier section 2.2 The Subordination of Press Freedom to the Over-riding (Economic) Needs, where LKY remarked that Singapore does not require Media to play the role of a watchdog and his later comments on Statemen being '*junzi*'.
[77] My earlier concern if I might be sued might very well sustain his point. See section 3.1 The Singapore Judiciary.
[78] Discom is short for 'Disciplinary Committee'.

students right, but you never know lah, you badmouth your teacher, then in the end, she mark your grade lower, this type is very personal one, so it's best not to say this kind of things in front of teachers. She's still human right, although she has her own principles, cannot be biased against any student, you just never know.

While Kieran's remarks highlight the importance of choosing the 'right' facilitator, one wonders if a facilitator that puts *all* participants at ease actually exist.

4.3.3. It's The Outcomes That Matter?

I shall wrap up this section by beginning with an interesting quote made by LKY before Singapore was granted internal self-rule.[79]

> Repression, Sir is a habit that grows. I am told it is like making love—it is always easier the second time! The first time there may be pangs of conscience, a sense of guilt. But once embarked on this course with constant repetition you get more and more brazen in the attack. All you have to do is to dissolve organizations and societies and banish and detain the key political workers in these societies. Then miraculously everything is tranquil on the surface. Then an intimidated press and the government-controlled radio together can regularly sing your praises, and slowly and steadily the people are made to forget the evil things that have already been done, or if these things are referred to again they're conveniently distorted and distorted with impunity, because there will be no opposition to contradict.
>
> (LKY, then an opposition PAP member, speaking at the Singapore Legislative Assembly, Debates, 4 Oct 1956; quoted in Philemon, 2009)

It is seems unbelievable, or perhaps ironic that this is the same man who made the following remark in defence of harsh punishment and deterrence.

> After what I had seen of human contact in the years of deprivation and harshness of Japanese occupation, I did not accept the theory that a criminal is a victim of society. Punishment then was so severe that even in 1944-45, when many did not have enough to eat, there were no burglaries and people could leave their front doors on latch, day or night. The deterrent was effective (Lee, 2000:242).

Placing the two quotes side-by-side is jarring, for in the second quote, while LKY acknowledges that the deterrent effect of the punishment was effective due to the harshness of the Japanese regime, the irony is that he does not recognize (or perhaps he does but is willing to pay) the price involved, that such a tactic is not only highly oppressive and unjust, but more importantly unsustainable without serious force.[80] Secondly, for someone who spoke so eloquently against repression (and having lived

---

[79] Singapore was granted internal self-rule in 1959.
[80] Thanks to Dr Oliver Phillips for pointing this out.

through two repressive regimes himself) to be justifying the use of harsh laws to bring about effective deterrence, makes one wonder if he is the *same man*.

On the other hand, LKY has never been bound by any theories or ideologies. The famous 1999 Cambridge study's (University of Cambridge, News Press) finding that it is not the severity of punishment that deters criminals, would not have changed his stand for "I learnt to ignore criticism and advice from experts and quasi-experts, especially academics in the social and political sciences. They have pet theories on how a society should develop to approximate their ideal…I always tried to be correct, not politically correct." (Lee, 2000:759). Not only is LKY not bound by any theories or ideologies, he has no qualms

> emphasizing the parts that were useful to him and discarding the elements that would hinder progress… This was a familiar pattern to Lee….he had applied the same principle to socialism, democracy, capitalism…He had believed in all of them at different stages of his life, and they had all served useful purposes (Barr, 2000:174).

Being the ever pragmatist and strategist that he is, ideas are only interesting "insofar as they can galvanise…society."(Lee, quoted in ibid.).

This selective use of various theories and ideologies throws up interesting issue for the practice of RJ in Singapore. For instance, what value does RJ have for Singapore? Which elements of RJ have been useful and which elements have been discarded? Given the thesis of adaptability in the discourse of RJ, can one fault the practitioner should RJ be (mis)used for goals that might have gone against RJ values themselves—for instance, using an RJ conference to shame the offender? Are there fundamental values that are non-negotiable even if RJ were to be adapted? In a state where economic pragmatism and its accompanying partner 'order' are emphasized, how would RJ be assessed? Should RJ be assessed according to the needs of the participants, the needs of institutions in which the participants belonged to, or the needs of the State? Or is there, should there be an objective scale to assess its success?

Going by the various statements uttered in the State dicourses, there is no doubt that the State would answer that it is the needs of the (invisible) nation that should be used to assessed the success of RJ. For instance, LKY (1992, quoted in Han, 1999:235) said, "What is good government? This depends on the values of a people." Former Chief Justice Chan (2006) echoed the point that it should be the 'people' themselves who should be of judge of the system and more importantly, the system exists for the sake of the 'people'.

> It is my belief that there can only be more or less *appropriate* models, and not *better or worse* ones. The proof of the proverbial pudding is, and will lie, in the

eating. Any acceptable model of criminal justice must effectively meet the expectations of the people it is designed to serve (emphasis original).

> Researcher: I can imagine the Western practitioners having issue with the fact that you still retaining caning despite practicing RP…
> Leo (*Bluebell*, Chinese, Discipline Master): Yes *of course, everybody do [sic] not want to see that kind of harsh punishment, that kind of treatment, not humane, bar, barbaric, only the barbarians would do that. But it is very difficult to draw the line and say this is barbaric and this is civilized, how to? <u>It's what works for the country.</u>*[emphasis mine]

It is highly unlikely then, for instance, that RJ should be treated as a transformative tool to teach citizens to deliberative democracy (Baillie, 2009), even if it is the very empowerment principle[81] of RJ that enables its universal adaptation (Braithwaite & Strang, 2000).

The Singapore State often justifies its actions via the outcomes, the results it has produced. The Singapore Criminal justice system has won many accolades locally and internationally.[82] A 1998 Survey (cited by the then Magistrate Tin, 1999:18) found that

> 96% [of the respondents] felt that the Judiciary had contributed to their sense of security in Singapore. When asked on the effectiveness of sentences given by the Courts as a deterrent for other potential offenders, 93% felt that it was effective. The CJS had met 98% of the respondents' expectations in protecting the public.

Such accolades must deserve a closer look. For instance, in the above survey, one wonders how respondents define 'effectiveness', and whether its high level of faith is placed in system, the sentences or in the judges themselves. Another example is telling. The State had cited the 2001 *World Competitiveness Yearbook*'s ranking of Singapore among the top 15 countries in the world in terms of fair administration of justice as a response to criticisms articulated by a UN Special Rapporteur pertaining to "alleged human rights violations in Singapore involving 'insinuations' of possible judicial wrongdoing." (Thio, 2004:209). A closer look on the *Yearbook*s' methodology however, would reveal that it had focused on "how conducive national environments are to 'the domestic and global competitiveness of enterprises'." (ibid.) This accolade then, is not

---

[81] Braithwaite (1996) argues that RJ empowers communities, victims and offenders by allowing them to speak in their own voices, and to resolve and process conflicts directly, rather than have the criminal justice agents 'steal' the process (Christie, 1977) and act on their behalf. Christie sees conflicts as a valuable property—for instance, it allows communities the chance to clarify and reinforce the norms which they live by and the participation in such deliberative processes enhances self-determinism. Having criminal justice professionals speedily process cases instead of allowing 'stakeholders' to deliberate and address the conflict directly has left communities and individuals without the skills to resolve their own conflicts.

[82] See Thio (2004:185) for a list of examples.

one that assesses the delivery of justice, but one that sharpens image of a 'Singapore Incorporated.' (Ng, 2000).

E. ON MERITOCRACY, ELITISM & CONFUCIANISM

Having examined the historical landscape in the political and legal settings, we will now turn our attention to some prominent ideologies employed in Singapore. In particular, we shall look at the State's discourses on meritocracy, elitism and Confucianism. It can be said that these concepts are used to further the position of one another. To put it briefly, meritocracy is necessary to the promotion of multi-racialism and equality of opportunities, for it upholds the dictum that jobs should go to one who holds the best qualifications and abilities. However, meritocracy also breeds elitism, and rather than viewing elitism as a negative thing, it can be said that it is even promoted via Confucianism, for meritocracy can distinguish the elite from the common man, and nurture them to become future 'trustees' of the State.

1. Elitism—An Inevitable Byproduct of Meritocracy Or A Necessary Evil?

The Merriam-Webster Online Dictionary defines 'meritocracy' as

(1) A system in which the talented are chosen and moved ahead on the basis of their achievement

(2) Leadership selected on the basis of intellectual criteria.

The above definitions reflect the usage of meritocracy in Singapore perfectly. Firstly, meritocracy supports Singapore's promotion of equal opportunities for all races, for in theory at least, it is talents and abilities, rather than one's race that would determine one's access to opportunities and jobs. More importantly, meritocracy and its bedfellow, elitism, furthers the State's rhetoric that it is the "caliber of the men who run the system" that is more important than the system itself (LKY, 1966; Quoted in Barr, 2000:109). While the Americans believe that a good government begins with the separation of power between the executive, the legislature and the courts, for LKY however, it is a strong central meritocracy that would create a good government.

> Good government is achieved by selecting outstanding undergraduates to go abroad to leading universities on state scholarship, bonding them to ensure they will return and serve in Singapore…[In so doing], an aura of special awe for the top leaders [is also created]. (Austin, 1989:1053).

The hunt for the elite begins from primary schools, where students are streamed into different types of classes from the age of ten. I will not discuss the education system

here, for it will be presented in Chapter Three. Instead, this section focuses on the discourse of elitism in Singapore.

The first thing to note is that LKY is unabashed by any charges of being an elitist, as the term contains a negative connotation of snobbery and political incorrectness. Instead, he retorted that:

> In any given society, of the one thousand babies born, there are so many percent near geniuses, so many percent average, so many percent morons. I am sorry if I am constantly preoccupied with what the near-geniuses and the above average are going to do. But I am convinced that it is they who ultimately decide the shape of things to come. It is the above-average in any society who sets the pace. (LKY, 27 August 1966, in LKY, *Prime Minister's Speeches, Press conferences, interviews, Statements, etc.* Singapore: Prime Minister's Office, 1959-90 , Quoted in ibid.:97)

> When people say, "Oh, ask the people!", it's childish rubbish. We are leaders. We know the consequences…*They say people can think for themselves? Do you honestly believe that the chap who can't pass Primary six knows the consequences of his choice* when he answers a question viscerally, on language, culture and religion? But we knew the consequences…If I were in authority in Singapore indefinitely without having to ask those who are governed whether they like what is being done, then I have not the slightest doubt that I could govern much more effectively *in their own interests* (LKY, quoted in Han *et al.*, 1998:134, 367; emphasis mine).

LKY did not merely stop at rhetoric, but he sought to realize them in what one might even consider as eugenicist engineering. For instance, various incentives (e.g. cash, waiver of delivery fees, higher priority in the choice of primary school) were given to poor and less educated women to encourage them to accept sterilization. (Quah & Quah, 1981:112; Lian, 2008: 37-8). Discentives were also used. For example, in 1973, the government reduced from five to three the number of children for whom tax relief was available. The maximum level of tax claimable was restricted to just over S$1000, and this was applied to all Singaporeans, except, ironically, for female professionals (such as lawyers and doctors) who not only were generally richer than the average population, but they could even claim child-related tax relief of several thousand dollars! (Barr, 2000:121). The State also encouraged other classes of women to reproduce. In 1984, to encourage graduate women (for they had a lower average of children compared to their non-graduate counterparts), children of graduate mothers were given priority for Primary One registration. This policy received a public backlash and it was abandoned within a year. A Social Development Unit was also set up in 1984 to encourage marriage amongst university-educated women (Hill & Lian, 1995:152).[83]

---

[83] I remember being amused at how upon graduation, we all received, without having sent out any applications whatsoever, a free two-year membership card from the Social Development Unit.

The State's discourse on elitism throws up important questions with regards to RJ. RJ is, purportedly, a useful tool to teach citizens democratic competence (Braithwaite & Strang, 2000; Baillie, 2009) through *participations* in RJ processes such as conferences or circles.

> [A] participatory approach gives priority to cultivating self-esteem and social commitment over humility and order, a priority presumed by the democratic goal of educating citizens willing and able to participate in politics. The low priority placed on the virtue of humility is related to the deeply rooted anti-elitism—meaning lack of deference to, if not hostility toward, the views of educated intellectuals—in societies such as the United States. *The idea that everyone's political beliefs matter equally—or at least, that there are no qualitative differences between the views of "the many" and "the few" with the talent and opportunity to be educated—is widely shared.* (Gutmann, 1999:90; quoted in Barr, 2000:225; emphasis mine)

But LKY's statements indicated a different opinion, that not every one is worthy to participate for not all voices are equal or worth hearing. Nor can all be trusted to be intelligent or mature enough to make the 'right' decisions This in itself, goes against one of the fundamental values of RJ—that of 'non-dominated speech' (See Braithwaite & Strang, 2001:1-2 & 12; cited in Johnstone, 2003:5).

A more pressing concern is the fact that citizens themselves appear to accept (willingly or unwilling) the State's discourse on elitism. Mr Ng (a food seller, in his fifties, quoted in Low, 1997:47) said that

> We have no right to oppose because we have no qualification to oppose. It is good enough to know what is happening. We don't have the ability to make a statement. Who are we and who will listen to us? Most [people like us] are not educated.

The above quote also reflects how educational standard has become the measurement to classify and judge people. More importantly, the speaker himself has accepted his lack of political right in this elitist system. Unsurprisingly, those at the other end of the system, the graduates tended to "accept elitism as necessary and inevitable." (Low, 1997:54) Mr Ang (quoted in ibid.) said, "I believe 90% of the people do not understand the complexity of politics and policies. They only follow what other people say, their opinions are easily swayed by other people or the media. Their participation will only affect the order and stability of society."

The State's discourse of elitism might affect citizens' desire to participate politically. A 1998 survey (Ooi Giok-Ling, Tan Ern-Ser & Gillian Koh, 1998; cited in Ho, 2003:366) conducted by the Institute of Policy Studies found that only 24% of the people surveyed would like to serve in grassroots organizations. 37% were neutral and about 30% indicated that they would like to participate. They also found that

Singaporeans generally feel ineffectual in influencing policy-making. Now these two findings are interesting. On one hand, one might think that those who feel that they are ineffectual in influencing policy-making would want to serve in grassroots organizations, since participation in grassroots organizations would have allow them a chance to make a difference. And yet why are they reluctant to participate? Is it because they are, to put it simply, lazy and do not want to get their hands dirty? Former Nominated Member of Parliament Walter Woon bemoaned (1991; quoted in Ho, 2003:Footnote 85) that "Singapore [has become] a society of coffee-shop complainers—people who would bitch in private about matters but do not do anything publicly." Or does one interpret the lack of desire to participate as a sign that people's jadedness, that so successful is the State's discourse on elitism that they feel that there is no point trying at all? If its citizens were so lazy, how can one promote RJ? Can democratic competence be taught by forcing students to participate in an RJ for instance? It is highly doubtful that democratic competence is even a desired aim when RJ is introduced in an elitist state.

2. Confucianism & the Asianization of Singapore

The State's discourse Confucianism would have set the defence that it is not a problem for the state to believe that not everyone is equal, for "the role of most of the population is deemed to be basically passive in the Confucian/Legalist tradition" (Barr, 2000:227). In Singapore, the discourse of Confucianism is used not only to justify its beliefs on elitism, but the selective use of certain elements of Confucianism also aids to further the State's justifications on economic pragmatism, social order and authoritarianism. Before we go on, a brief introduction on Confucianism might be in order.

Confucianism is a Chinese philosophical system developed from the teachings of Chinese philosopher Confucius (551-478 BC). It is a philosophy of "this-worldly practices of governance, of unequal structural arrangements of social actors across different social terrains and scales. Its essential aim is the achievement of harmony in every realm, from self to the family, state and eventually the world." (Chua, 2006:108). Although Confucianism does not specifically economics or does it advocates the accumulation for wealth per se, its emphasis on the maintenance of social harmony and political stability would allow economic development to flourish.

The introduction of Confucianism into the political and social landscape of Singapore is peculiar on three accounts. Firstly, as the reader may recall, LKY (1966, quoted in Barr, 2000:150) had proclaimed that he was not fond of looking to history. The appearance of Confucianism as an ideology in Singapore's waters then, must have been there to serve specific purposes. Secondly, opposition candidate Tang Liang-Hong's

promotion of Chinese values in the 1996/7 General Election campaign (Barr, 2000:157) and murmurings in the Chinese press in about the 'loss of heritage' in the 1970s (Barr, 2000:160) were slammed as being 'chauvinism'. Clearly, LKY's 180-degree turn to looking to practices from the past without being slammed by his own party is an indication of the State's beliefs that only they can set the discourses in Singapore. LKY's early hostility towards the Chinese culture was also due his fear that Chinese culture and its association with China would threaten Singapore's stability in those early years of nation building, for the PAP would not have wished for Singapore to been seen as a vassal state of China. Furthermore, as the reader might recall, a Singapore for Chinese would not have been accepted to its Malay neighbours (Barr, 2000:188). Lastly, the promotion of Confucianism is also peculiar for would it not go against the discourse of multi-racialism? An examination of the timing it was introduced and the functions it serves is essential.

Firstly, LKY's discourse Confucianism and his 'Asianizing' of Singapore (Vasil, 1995; cited in Velayutham, 2007:54) is a "historically specific response to the process of globalization." It is introduced into the State's discourses because "there is the necessity for preserving for each child that cultural ballast and appreciation of his origin and his background in order to give him that confidence to face the problems of his society." (Lee, 1966; quoted in Barr, 2000:152). As such, Confucianism, 'Asian values', etc, are all attempts to insulate Singaporeans from the undesirable Western influences, although these were themselves the direct consequence of the State's developmental strategies (Barr, 2000:144-5). Ironically, "the appearance of the state's Asian modernity discourse [also] represents the moment when the West that is already 'inside' the city-state gets hidden" (Wee, 2008:54). The Asianizing process through the promotion of Confucianism and 'Asian values' are tools for the State to resolve its ambivalent cultural identity—it is 'too Westernized' in its modernity and yet it fails to reach the Western definition of a truly modern, democratic State. (Ang & Stratton, 1995:67; quoted in Velayutham, 2007:73). The ideal cultural identity will be akin to that of Japan (Lee, 2000:179), which is distinctively Asian and economically competitive at the same time.

LKY attempted to build this 'cultural ballast' in various ways. In 1980, the State created Special Assistance Plan (SAP) Schools, which consisted of the best nine of Chinese Secondary schools and these schools would admit the top 10% of students from the national Primary School Leaving Examinations. Both Chinese and English would be taught as their first language (Lee, 2000:179). 'Confucian Ethics' and Religious studies were also introduced in 1982 and an annual "Speak Mandarin Campaign" became a common feature in Singapore since 1980 (Barr, 2000:157, 160).

The Asianization of Singapore through the promotion of Confucianism and 'Asian values' is not only inconsistent with, but is contrary to the State's promotion of multi-racialism. One does not need much imagination as to how the minorities feel towards Asianizing process. The following findings from Busch's (1971:68; cited in Tamney, 1996:99) were illuminating:

> Almost no Chinese believed that Malays were a superior group, and 80 per cent of the Chinese believed they were the superior group. Among the Malays, 36 per cent believed they were superior, 46 per cent said Chinese and Malays were of equal worth, and 19 per cent said Malays were inferior to Chinese.

Indeed, during my fieldwork, it tends to be the case that the students from the minority groups, particularly the Malays who complained against teachers being racist. The above findings on Chinese' sense of superiority also coincide with my former experience as a student a SAP school, for it was only when I entered the University that I (fortunately!) shed my racist sentiments.

Why would a State who had been promoting racial harmony promote a discourse that would highlight racial differences among its population? Tamney (1996:96) offers an interesting answer—"The nation's success is a result of the influence of Chinese culture. That is to say, ethnic revitalization is meant primarily to preserve Chinese culture." Greg Sheridan from *The Australian* had asked LKY in the 1990s how importance Chinese values had been to Singapore's success, and Lee answered "Without them we could not have done it. No amount of amount of exhortation, laws or coercion could have done it." (Barr, 2000:161) The State's image of the Malays on the other hand, mirroring that of its colonial master's stereotypes (see Phang, 1990:28), is of a "backward people who lag behind in educational and economic achievement." (Tammey, 1996:98) A former cabinet member (Rajaratnam, 1991:142; Tammey, 1996:98) believed that the poor economic performance of Malays results from a feudalistic consciousness (fatalism) and from not having the spirit of hard work. Alatas (1977, Tammey, 1996:101) made a retort instead that what Malays may lack is not a willingness to work hard but the spirit of capitalism.[84]

---

[84] In *The Protestant Ethics and the Spirit of Capitalism*, Weber's thesis was that asceticism is a necessary condition of rational capitalism, but asceticism has to exist alongside a number of other conditions. These include the "appropriation of the physical means of production by the entrepreneur, freedom of the market, rational technology, rational law, free labour and finally the commercialization of economic life" (cited in Turner, 1974a: 12). "Islamic institutions were incompatible with capitalism because they had been dominated by a long history of patriamonialism" (Turner, 1974b:231). As Allah is omniscient and that man is pre-destined, Weber asserted that asceticism could have emerged for the Muslims, "as a solution to a potential salvation anxiety" (as it did for the Calvinists). But it did not because asceticism was blocked by two important social groups—the warrior group and the Sufi Brotherhoods. "In adapting Muhammad's

2.1. Employing Confucianism For Economic Progress

There may be some truth in Tammey's (1996) thesis that the State was willing to bear the cost of alienating some of its citizens for the sake of economic success. LKY, in his 1989 National Day Rally address (quoted in Barr, 2000:186), defended the state's move to encourage Chinese immigrants from Hong Kong on the basis because the fertility rate of Singaporean-Chinese is lower than those from other racial groups, and this might affect the nation's economy adversely. Also, the Asianization process that would sharpen Singapore's 'Asian' identity is to allow access to a share of the growing Asian market (Chua, 1998b:198; quoted in Velayutham, 2007:66)

Next, let us take a quick look at the some elements of Confucianism that may be helpful to the State's discourses. As the reader may recall from the brief description of Confucianism at the start of this section, the most important aim of Confucianism is the achievement of harmony in every realm (Chua, 2006:108).

> The importance of food as a precondition for moral behaviour is vividly expressed by means of the character *'he'* （和）, or "harmony". The character is composed of two parts （禾）, meaning "grain," and （口）,meaning "mouth." In other words, a decent supply of food (grain in mouth) underpins social harmony, and conversely the absence of food leads to conflict (Bell, 2006:238).

While Confucianism itself does not address economic wealth per se, its teachings that "the government's first priority as one to secure the basic means of subsistence of the people and *this obligation as priority over civil and political rights in cases of conflicts*" (Bell, 2006:251; emphasis mine) sits perfectly with the State's justifications for marching to its own beat to bring economic success to the nation's. Abundance and Success *make* survival for the Singapore Story (Yao, 2007) is always there to remind Singaporeans of the impossible conditions that Singapore could always fall back into.

The employment of Confucianism and Asian values to further its economic goals could be seen in the messages it was promoting in the 1990 Speak Mandarin Campaign. Over a month that year, the state prepared thirty-one Mandarin lessons that citizens could hear over the telephone. The stories promote meritocracy, economic growth and nationalism. For instance,

> The first idiom discussed is "increased income and reduce expenditure." The lesson explains that countries, companies and families should follow this maxim, and the lesson closes with the statement that because the government has followed this

---

monotheistic Qur'an to the socio-economic interests of a warrior life-style, the quest for salvation was reintepretated through the notion of *jihad* (holy war) to the quest for land." (Turner, 1974b: 234-235).

principle, "our people have been able to live and work in peace and contentment."… The conclusion of another lesson is that if everyone is law-abiding, "society will be stable and the country will become prosperous and powerful." (Minister of Information and The Arts, 1991; quoted in Tammey, 1996:146).

Similarly, when the Singapore Buddhist Foundation commissioned prominent scholar-monk to write a textbook for the Buddhist Studies syllabus as part of the Religious Studies programme, the work was deemed unsuitable for it lacked "practical orientation" and failed "to reflect the 'desired national values'" (Kuah, 1991:32, quoted in Hill & Lian, 2004:204).

2.2 Employing Confucianism to Justify An Authoritarian State

Secondly, the State uses Confucianism to lend legitimacy to its leaders by emphasizing on Confucianim's priority for harmony and order. The Singapore State argues that its Statesmen are like akin to the Confucian concept of 'junzi' 君子 (literally meaning the "lord's child"), who holds Heaven's mandate to rule. As they hold the mandate to rule, the citizens have to be respectful to their rulers. Furthermore, as maintaining harmony and order is given the utmost priority, it is essential that "everyone remained in his or her status and that the traditional relationships among these status levels would be continually re-enacted." (Tammey, 1996:66)

What would this 'respect' entail? Essentially deference to the ruler even if he was in the wrong. According to the Singapore textbooks used to teach Confucian studies (CDIS 1985:80; quoted in Tammey, 1996:65), the model for the Singapore state is to be a "happy family".

> The government has the duty to listen to the people and understand their feelings which affect their lives and livelihood…Blind obedience is to be avoided. If the citizens believe a policy is wrong, they should *respectfully* explain their reasons. "This can be done in proper and lawful ways, such as writing to the press and discussing our views with members of parliament at their 'meet-the-people' sessions" (CDIS185:127; quoted in ibid. Emphasis mine)

Singapore's second Prime Minister, Goh Chok-Tong had chosen to depart from LKY's image of a "'stern father' with [the] responsibility for setting the house rules for their 'family'", and depicted himself as 'an elder brother' (*South China Morning Post*, 21 Oct 1994; quoted in Ho, 2003:56).

> Singaporeans have *grown up*. They want us to talk to them. They do not want us to talk down to them. I think that is correct. We should not talk down to Singaporeans. They are adults. We will treat them as adults. We will talk to them, exchange views. (quoted in Phang, 1990:269; emphasis mine)

His regime thus saw more spaces created (by the State) for citizens to discuss and persuade the leaders. Various political projects were introduced in Goh's regime such as the establishment of the *Nominated Member of Parliament* scheme (to help reflect non-partisan views in a parliamentary process that had comes to be dominated by the ruling party), *The Singapore 21 Committee, The Remaking Singapore* Committee,[85] and even the creation of a Speakers' Corner[86] in 2000. Interestingly, in 2002, he even proposed to establish an artificial opposition, an alternative policy group within the legislature called the "People's Action Forum"—comprised of 20 PAP Members of Parliament assisted by the Singapore Institute of Policy Studies—who would be charged with challenging government policies in Parliament. While this proposal was eventually shelved, the idea itself suggested that the only opposition that the PAP is prepared to tolerate is its own. (McCarthy, 2006:111)

Catherine Lim, a writer, used the lawful medium that State had permitted[87] (not street protest nor demonstration), but by penning an article entitled "One Government, Two Styles" in *ST* 20 Nov 1994. The PAP government was in a quandary, she argued, because it was split between Goh's people-oriented approach, and the sterner no-nonsense style of LKY. Recent events suggested, "Increasingly, the promised Goh style of people-orientation is being subsumed under the old-style, top down decision." She cited the government's move to deny single mothers the right to own public flats as well as the controversial proposal to peg ministerial salaries with those of top earning professionals[88] as signs of a hardening of the state's stand and approach on policy issues (Ho, 2003:334).

Goh regarded her comments to be undermining his authority to govern, and warned that "writers on the fringe" wanted to comment on politics and policies should enter the political arena. The PAP government would treat those who attempted to set the political agenda as people who have entered the political arena, even if they do not intend to join a political party. He warned:

> You can criticize us and we would treat you as though you have entered the political arena. If you do not wish to do so; you want to hide in sanctuaries to criticize the Government, to attack the Government, we'd say even though you

---

[85] These two are State-initiated but with members of the public sitting on board.
[86] With speakers needing a permit from the police, of course.
[87] Recall CDIS's metaphor of Singapore as a "happy family" earlier, where citizens are asked to put forth their disagreements with the 'ruler' respectfully in legal mediums such as writing to the press, or meeting the Members of Parliament etc.
[88] A Minister-of-State in Singapore can earn more the President of the United States. The PAP justified the paying of high salaries to its ministers to prevent corruption. This could again, be read as another pragmatic movie that the State undertook, for it recognized that people seek political offices not merely out of altruism.

don't want to join a party, we would treat you as though you have entered the political arena… If you land a blow on our jaw, you must expect a counterblow on your solar plexus (*The Straits Times,* 24 Jan 1995; Qouted in Ho, 2003:334)

There exists then, a 'out-of-bound' space where all citizens and foreign journalists are warned against venturing into; that the only organized groups with political intent[89] can engage and comment in political matter, and it was clear that the PAP government did not take criticisms lightly. [90] In short, there are matters where, even if you enunciate respectfully (whatever this might mean), the only way to show deference to the ruler may be silence.

The continued 'Confucian' rhetoric of deference to authority is evident in Goh's regime, despite his projected 'brotherly' role. George Yeo, the then Minister for Information and the Arts reminded Singaporeans "to know their proper place in society before engaging in politics. It is unacceptable to the government for Singaporeans to be '*boh tua, boh suay'* (literally, "no big, no small" in the Chinese Hokkien dialect, meaning 'disrespect for authority/elders')" (*The Straits Times*, 20 Feb 1995, Qouted in Ho, 2003:334) The class hierarchy then, must be kept at the status quo for the political system to function effectively and efficiently.

Throughout Chapters Four to Six, this theme of 'authority' will resurface and we will see the tensions that come about from disagreements between teenagers and their teachers with regards to the above rhetoric of deference. Teenagers, by the very nature of their age and trajectories in life, are not big fans of such emphasis on authority.

Mira*: We have to respect each other.*
Irina*: I respect the teacher who respects me first.*
Akma*: Most teachers will think "I'm the teacher, I'm higher than you, so you are the younger one, you should respect us." Young and old, you have to respect, but in terms of teachers and students, I think we have to respect each other equally.*
(*Orchid*, Malays, 17-year-olds)

I have students came up to me, refusing to sign the agreement [that came out of the class conference] *because they said "the teachers don't respect me, why should I respect them?" The thing is, I always tell them back, "the teachers have lived so much longer than you, in the first place, they deserve your respect first before they respect you, I mean, based on age!* (Naomi, *Orchid*, Chinese, Discom)

---

[89] Theoretically, there are several levels of engagements—individual, organised group, and organised groups with political intent. (Ho, 2003:335)
[90] Goh has also warned professional bodies like lawyers, that if they wish to comment on legislations, or if they want to participate, they can do so by forming "clubs", but professional bodies like the Law Society shld not enter the political arena. (*The Straits Times* 27 Nov 1995 "Professionals can form clubs to engage in politics: PM outlines future scenarios for S'pore". In Ho:2003:335)

Should and can the level-playing field in RJ be as flat as possible, when its State itself does not encourage it? One should question if this level-playing field is even desirable, for there may be some wisdom in the dictum that 'rulers know best', at least as evidenced in my fieldwork. For instance, a class had voted during a class conference to request a girl (who is unpopular and is therefore frequently bullied by many in class) to be transferred to another class. Should the teachers not have stepped in and vetoed this majority decision, an RJ process would have been used to achieve a 'un-RJ-like' outcome (i.e. exclusion). On the other hand, I wonder if it would have been better for her sake to be moved to another class. RJ's emphasis on relationship building in communities may very well be oppressive, if I may say, if it was to expect all to share this emphasis.

F. CLOSING REMARKS: HOPES FOR 'RJ' IN SINGAPORE INCORPORATED

This chapter introduces the significant events in Singapore's history, for they contribute to the making of a national psyche that prioritises on pragmatism and efficiency over ideologies. The history (and birth) of Singapore is a violent one—and its continued existence has been dependent on methods that go against RJ principles and values, as seen in the deliberate silencing of oppositional voices, etc. In the chapters to follow, we will see that RJ as adapted in two Singapore schools, is used as another mode of social control, rather than one that teaches civic participation and empowerment.

A. INTRODUCTION

This research project was first conceived in 2006 when I was working as a research assistant with the Singapore Prisons Services. I had returned from England, where I was exposed to RJ in the course of my postgraduate studies. I had mixed feelings towards RJ then, for I was both attracted by RJ advocates' (utopian) ideals of 'communities' being empowered as they come together to 'heal' and 'build peace' (Wright, 2003:21) through forgiveness, empathy, support and etc. And yet at the same time, I was cynical of the notion that RJ could be adapted to 'work' in *any* setting (Braithwaite, 1996; Davey, 2007; emphasis mine), particularly in a State such as Singapore, whose historical background as we have observed in Chapter two, has resulted in a nation, where a high degree of state control in many aspects of its citizens' lives is evident and spaces for civic movement are limited. I was surprised then, to learn that RJ has already made its official entry into Singapore since the 1990s.

In 1994, the Subordinate Courts of Singapore[91] initiated RJ into Singapore through the use of Family Conferences (FCs)[92]. The Subordinate Courts (Feb 1996; Nov 1998) proclaimed that FCs are based on the concept of 'reintegrative shaming' (Braithwaite, 1989), where the offence, rather than the offender, is condemned so as to reintegrate him with the society. That being said, it is interesting to note that the Courts' publications at that time did not offer an explanation of what 'reintegrative shaming' meant. Instead, it was reported by a mainstream newspaper in Singapore that FCs are used "to force offenders to face up to people who have suffered because of [their] actions" (*The Straits Times*, 8 Jan 1995) by subjecting the offenders to 'shame' and 'pangs of conscience' in order to combat the rise of juvenile offences because probation alone was no longer sufficient (*ibid.* 15 Jan 1995).

Nonetheless, RJ became the justice model in the Singapore Juvenile Justice system in 1997, and by 2001, FCs found its way into the *Children and Young Persons Act*, thereby allowing the Courts to use FC as a pre-sentencing forum whereby information are exchanged and recorded in order to facilitate sentencing (Magnus *et al*, 2003). Two years later, in a more 'restorative' move, the Subordinate Courts, in partnership with the then Ministry of Community Development, Youth and Sports

---

[91] Now renamed as "State Courts" (*The Straits Times*, 22 Jan 2014).
[92] We will discuss in greater detail what Family Conferences entail in the next Chapter.

(MCYS)[93] initiated the *Project HEAL*. Unlike the usual FCs, whereby the offender and his family are the main participants and such FCs are under the *sole* purview of the Courts, *Project HEAL* differs in that MCYS plays the critical role in inviting victims to participate in FCs and more importantly, MCYS maintains the role in evaluating the success of this program on the whole.

In August 2006, about two months before the start of my PhD candidature and with the blessings of my superior at Singapore Prisons, I had approached the Subordinate Courts to discuss any potential RJ-related research as an independent PhD research. Within one month, by September 2006, the Senior District Judge agreed to allow this research project to be undertaken as a PhD study, and granted me access to (1) observe FC proceedings (and I was free to approach the participants for interviews following that), (2) Probation Officers' Reports on cases that resulted in FCs and (3) to interview Subordinate Courts' staff involved in FCs and Project HEAL. Unfortunately, upon my return to Singapore a year later, due to the change of personnel at the Subordinate Courts, access that was previously granted had been revoked. This is unsurprisingly as the legal field is not one that is known to be open[94] and personnel working in this field "recoil almost instinctively at any intrusion into their autonomy" (Danet *et al*, 1980:908).

B. CHANGE OF EMPIRICAL SITE—MOVING TO RJ IN SCHOOLS

Now with access from Courts and MCYS closed to me, what are the other empirical sites where RJ is at work? In the criminal justice arena, other than the above usual state players, a number of non-governmental, voluntary welfare organisations (VWO) also utilise RJ in their work with teenagers, delinquents or prisoners, whether at the preventive or post-release stages. An encounter with a VWO[95] led me to consider examining RJ in schools, following their sharing of how they employed RJ in school settings.[96] In 2004, the Singapore Ministry of Education piloted the use of RJ (or rather 'Restorative Practices' as it is more commonly known within the local school settings[97]) in four secondary schools, with the broad aim of "bring[ing] the errant student and the victim together to discuss what each would do to help resolve the problem and prevent it from happening again" (*Channel News Asia*, 10 Nov 2004). By the time this research fieldwork began (in 2008), RJ was no longer limited to the four pilot schools, for various schools from primary to secondary levels, with their respective agendas and reasons, had

---

[93] Since 1 Nov 2012, this Ministry has been renamed as the 'Ministry of Social and Family Development'.
[94] See Danet *et al* (1980) for an elaboration of the difficulties encountered by a team of social scientists who were trying to gain access to lawyer-client relationship.
[95] Thanks to *Beyond Social Services*.
[96] I do not mean to suggest that FCs symbolises RJ.
[97] See Chapter One for the discussion on the differences (if any), between 'RJ' and 'RP' (Restorative Practices).

began utilising RJ on their own accords. However, one is unable to ascertain just how many schools in Singapore are practising RJ or not as the Ministry does not publicise such figures, and the schools themselves do not always publicise such information on their schools' websites either. Also, while schools themselves may not be practising RJ 'officially', external service providers to the schools (e.g. counsellors) may be utilising RJ tools.

1. SIGNIFICANCE OF STUDYING THE USE OF RJ IN SCHOOLS

One might question whether RJ as employed in school *should*, or *could* still be considered as 'RJ'? In fact, a director at the Subordinate Courts even went so far as to say, "*If you were to exclude the Courts from your research, then there is nothing left.*" Such comments are not surprising, given that one tends to associate RJ with its earlier movement within the criminal justice arena. RJ's associated names—'Restorative Approaches', 'Restorative Measures', and 'Restorative Practices' (RP), exist in part precisely because some practitioners wish to distinguish the context in which RJ resides in, in contrast to the criminal justice context (Mirsky, 2002). Names like 'RP' are preferred to 'RJ' also because "the concept of justice is elusive and virtually unattainable" (Karp & Breslin, 2001:267). However, 'RP' and 'RJ' do sit on a (undefined and unclear) continuum of sorts and they share important similarities—for instance, both are participatory approaches to building a democratic society (Vanfraechem, 2009).

At the start of the research process at least, it might be more worthwhile to focus our attention on how users in the empirical field understand 'RJ', rather than focusing on how RJ advocates and academics have defined the term. Even among the latter group, a consensus with regards to its definition has not been reached (Young & Hoyle, 2003:200). More importantly, as mentioned in Chapter One, given that one of the selling points of RJ is its purported adaptability and utility in all settings (Braithwaite, 1996; Davey, 2007), it might be more judicious to examine the aforementioned adaptability thesis outside of RJ's original site of utility (i.e. the criminal justice system). The definitional problems that RJ face is in part due to the binary dependence that connects both RJ and the criminal justice system, and this prevents us from understanding one without reference to the other (Wooldford & Ratner, 2008:21). While there is no denying that the failure to gain access into the Singapore Courts and MCYS is a push factor in the change of the empirical site, this change should not be read negatively. The very examination of RJ outside of the criminal justice arena may very well provide a clearer means to clarify the discourse of RJ, to examine if there is indeed a 'core' or form(s) applicable to all contexts as it is so claimed. Any context outside of the criminal justice

system then, is in itself worth studying for this very purpose given the dearth of literature on the adaptability claim.[98] In fact, literature on the use of RJ in Asia (Wong, 2005; Hosoi & Nishimura, 1999; Goold, 2003) and even more so, of RJ in schools (Chan & Yusoff, 2007; Wong, 2004) is sparse. Most of the RJ literature still centre on the Western states (see Mirsky 2007; Boulton & Mirsky, 2006; Cameron & Thorsborne, 2001; Karp & Breslin, 2001; Kane *et al,* 2007).

Any attempt to elucidate the adaptability thesis is also a sociological study of the context in which RJ is employed. One cannot enter the research field with a picture of 'RJ as practised in the criminal justice arena' and compare RJ as practised in the empirical field with that as practised in the criminal justice system. Indeed, that is not the intention of this study. Instead, this research begins by perceiving 'RJ' not as a subject-as-given, but illustrates how it becomes a subject-as-known. One should not expect to find a direct transposition of the RJ aims and practices from the criminal justice system into any other context. This is especially so in the school context for RJ participants from the schools differ from the criminal justice arena, in that being members of the schools, they are more likely than participants in the criminal justice arena, to meet and interact with each other on a daily, if not, on a frequent basis. The focus on the repairing of relationships might very well be greater as compared to the plethora of (sometimes conflicting) aims in the criminal justice system. Furthermore, given the younger age of the offenders and non-criminal nature of most of the offences that are handled by the school authorities, it is arguable that RJ in schools should very well, have a higher chance at meeting its goals (whatever the school authorities might have conceived them to be) as compared to those in the criminal justice arena.[99]

The whole premise of an adaptability thesis then, requires one to understand how RJ is understood and practised by the actors within the context in and of itself. What role(s) does RJ play in schools? What are the aims of utilising RJ? How does RJ as practised within schools look like? How is RJ different from the earlier disciplinary ideologies and discourses? How and why do its actors define RJ the way they do? And what are implications of such understandings and practices on the discourse of RJ? **My main research question then, asks—How are the definitions, adaptation and**

---

[98] While numerous accounts of RJ as practised in schools around the world (See *Restorative Justice Online*) are available, I have yet to come across a detailed study and analysis of the very adaptability thesis in itself. The accounts of different types of RJ in various countries and settings do not in themselves explain the adaptability thesis.
[99] The desired outcomes in the utilisation of RJ, is no doubt, as varied as the number of users there are in the criminal justice system, as they are in the school context.

practices of RJ in the two schools affected by their contextual and cultural demands?

2. SINGAPORE'S EDUCATION SYSTEM

Before we discuss the methodology employed in the two schools, a quick introduction to the Singapore education system is essential. Students from the age of seven to 12 spend six years in Primary schools; at the end of which they take an examination to decide which of the four streams they are eligible for in Secondary Schools. Depending on their scores, these students are then placed in Special, Express, Normal Academic (hereafter known as 'NA') and Normal Technical (hereafter known as 'NT') streams. Students in the Special and Express stream take 4 years before they take the Cambridge GCE 'Ordinary' level examinations, while those in the NA stream take 5 years to take the exam. Secondary school students then, range from 13 years of age to 17 (the NA students). NT students on the other hand, usually spend 4 years in a secondary school before proceeding to other tertiary institutions[100] without taking the 'O' level examinations. The availability of the streams depend on the academic standard of each school[101], and as such, one will not see a school offering all streams. However, the majority of secondary schools in Singapore, as do the two schools in this study, would offer the Express, NA and NT streams.

C. METHODOLOGY EMPLOYED

1. PROFILES OF THE TWO SCHOOLS

In late October 2007, I e-mailed 159 secondary schools in Singapore to enquire if they were utilising RP and if they were, would they be willing to allow me to visit in order to discuss possible research collaboration. Seven schools responded—one reminding me, unsurprisingly, that approval from the Ministry of Education is required before the school can allow me to conduct any research work; two to inform me that their schools do not employ RJ; and of the remaining four which had responded positively, I ended up conducting my fieldwork with two schools—*Bluebell Secondary School*[102] (*Bluebell*) and *Orchid Secondary School* (*Orchid*). The other two schools that responded positively were not included in my fieldwork not merely because the follow-ups after the first meeting on their end were not as prompt and positive, but more importantly, given

---

[100] NT students usually head to Institutes of Technical Educations to do foundational courses before they are eligible for studies at Polytechnics. See Appendix A for a flowchart of the Singapore Education System.

[101] For instance, there are schools that might only accept students from the Special stream, or there might be schools that accept students from the Special and Express streams. Schools in these two categories obviously would have a much higher academic standing for they do not take in students from NA and NT streams.

[102] The names of the schools have been changed. These are pseudonyms.

that I was going to take a qualitative approach, I did not think that I was able to handle fieldwork across four empirical sites. I was also pleased that I could get access to conduct fieldwork in these two schools for three reasons. Firstly, both schools had started employing RJ at around the same time, which was also way before other schools in Singapore did, and as such, the research field and data would be potentially richer. Secondly, both schools had engaged the services of the same trainers (both overseas and local[103]) and it would be interesting to examine if there are any differences in which RJ was carried out or adapted despite having undergone similar training. Lastly, and perhaps more importantly, during my first meetings with the Discipline Masters (DM)[104] in mid-Dec 2007, when I asked them if we would also require Ministry's approval before the research can take off or should I desire to publish any works coming out of this research, both of them, unlike the typical bureaucratic response that I had expected, laughed and assured me that it was not needed. This was great news to me, especially after the unsuccessful encounter with the Subordinate Courts, I wanted to minimise as much as possible any institutional or political forces binding my work.

In terms of academic caliber, while both schools offer both similar streams (Express, NA and NT), the schools' entry scores to each respective stream differed greatly. The minimum entry point for *Orchid*'s Express stream for instance, can only get one into *Bluebell*'s NA stream. In short, one could say that *Bluebell*'s academic standing is higher than *Orchid*'s.[105] As the Ministry of Education has scraped the academic rankings of schools in 2012 (*The Straits Times*, 13 Sept 2012) in an attempt to get "parents and schools to look beyond grades…[and assuage the] sometimes unhealthy competition among schools", one is unable to ascertain the actual academic standings of the two schools. However, the Ministry's 2011 ranking[106] placed the two schools on the lower rung of the table—with *Bluebell* on the higher end as compared to *Orchid*. Another difference between the two schools is that *Bluebell* is a boys' school, while *Orchid* is a co-educational school. Both schools however, began their RP journey at around the same time and they had the same trainer—David Vinegrad. In terms of the socio-economic background of the entire student population, students at *Bluebell* on the whole belonged

---

[103] The VWO mentioned earlier, *Beyond Social Services*, had also provided training for both schools before.

[104] As the Discipline Master is an important character in the promulgation of RJ, we will see his appearance throughout this thesis. Hereafter, he shall be referred to as the 'DM'.

[105] To protect the identities of the two schools, I have deliberately left out the schools' ranking positions.

[106] See the Ministry's 2011 School Achievement Table For Special/Express Course, which is retrievable at http://www.moe.gov.sg/media/press/files/2011/moa-annex-f1.pdf. Also, while official ranking tables are no longer available, some enthusiastic parents and teachers have even put up ranking tables based on the schools' entry points online.

to a more privileged background as compared to those from *Orchid*. For instance, the percentage of students who lived in private apartments or houses in 2006 at *Orchid* as opposed to *Bluebell* was 12% and 24% respectively. The educational background of parents of the students from *Bluebell* was also higher—37% of the student population from *Bluebell* had both parents who were university graduates, as compared to the 11% from *Orchid*.

2. QUALITATIVE RESEARCH: IN-DEPTH INTERVIEWS

Given that I wanted to uncover the *process* and understand *how* RJ comes to be defined, used and adapted in the participants' *social context*, a qualitative approach is adopted for the following reasons:

> (1) Depicting process requires detailed descriptions of how people engage with each other, (2) the experience of process typically varies for different people so their experiences need to be captured in their own words, (3) process is fluid and dynamic so it can't be fairly summarised on a single rating scale at one point in time, and (4) participants' perceptions are a key process consideration (Quinn, 2002:159).

Qualitative methods were chosen because I had hoped to leave an open realm of responses as much as possible. In-depth semi-structured interviews formed the main bulk of the data, and a total of 149 students, 30 teachers, three Operation Managers (OM)[107], four RJ trainers and one principal were interviewed and interviews were all transcribed verbatim. Given that the research question requires one to examine how the contextual and cultural factors affected the definitions and practices of RJ, it was best to hear from the participants themselves *in their own words* (Neuman, 1997:372) and to understand them from *their* perspectives and *settings*. The use of surveys would have required me to provide predefined answers, for instance, pertaining to the definitions of RJ. This research focuses on how the participants themselves defined RJ and what accounted for why and how their practices measured up or not. The examination of the adaptability thesis of RJ (Braithwaite, 1996; Davey, 2007) requires one to uncover *how* RJ is understood and practised by the *actors within the context* itself. Structured questionnaires are not suitable for they will not be able to explain the 'whys' and the 'hows' as they are unable to provide us with necessary detailed insights about the actors' experiences. In-depth interviews are essential here because it is through an understanding of the actors' experiences *from their own point of view* that one may uncover the very elements or factors relevant in the adaptation process. Furthermore, as in-depth interviews are

---

[107] OMs not only deal with the estate management aspects, they also play an important role in the disciplinary management of students in schools. Many OMs also were also previously policemen or army personnel. We will look at the role of OMs in a greater depth in Chapter Four when we discuss RJ as a disciplinary tool.

exploratory in nature and research focusing on the adaptability thesis are still in its early days, its exploratory nature is useful for previously unconsidered issues or themes may very well be revealed through the interviewing process, and even if none were to appeared, it is at least essential that I remain open to the possibilities that they might appear. Open-ended questions used in in-depth interviews then, allowed an unlimited number of possible answers and an opportunity for participants to qualify and clarify their responses in detail. Space is granted for complex issues, permitting creativity and self-expression. Furthermore, one can trace the respondent's logic, thinking process and frame of reference (Neuman, 1997:241). Mostly, this technique allows a more conversational feel to the interview and hence facilitates exchanges of ideas and opinions. However, as different participants provided different degrees of details in answers, some of details could very well be irrelevant and it was up to me to probe and control the depth of the interviews. Sometimes, the questions might also be too open-ended for some participants and those who were more articulated would have an easier time during the interviews. The greatest costs incurred perhaps, is the great amount of time taken for both the participants and myself.

2.1 Profile of Students Interviewed

It was essential to speak to students as minors and 'hard core' students (deviants) tend to be deemed as less credible voices and as such they are often marginalised (*ibid*.:376). To RJ advocates (Braithwaite, 2002b; Blood, 2007; Thorsborne & Vinegrad, 2004; Watchel, 2004; see Chapter One), RJ *is* a *participatory* process that engages all its stakeholders. It is less about doing things *to* its participants, and more on doing things *with* each other (Watchel, 2013). In the assessment of whether the practices measured up with the ideals of RJ as understood by the teachers, it is essential then, to not only speak to the teachers, but more importantly, to speak to the students (who are often on the receiving end of RJ and other disciplinary processes) to assess the extent to which they felt *empowered* (Braithwaite, 2002b) to speak up or to act.

Before we look at the background of the student participants interviewed, let us look at both the racial breakdown of Singapore's resident population[108] and of the two schools. The following figures are taken from the *Census of Population* (Singapore Department of Statistics, 2010).

---

[108] 'Resident' population refers to Singapore citizens and Permanent Residents and excludes foreigners, even if they are working and living in Singapore.

Demographic Characteristics	Total		Chinese		Malays		Indians		Others	
	2000	2010	2000	2010	2000	2010	2000	2010	2000	2010
Singapore Residents ('000)	3,273.4	3,771.7	2,513.8	2,794.0	455.2	503.9	257.9	348.1	46.4	125.8
Ethnic Composition (%)	100.0	100.0	76.8	74.1	13.9	13.4	7.9	9.2	1.4	3.3

Figure 2. Racial Composition of Singapore's Resident Population

Since Singapore's independence in 1965, Singapore's racial composition has remained relatively stable. For comparison purposes, we will use the 2010 Census figures given that it was closer to the period in which fieldwork for this research had taken place (2008-2009). The Chinese remained the majority of the resident population at 74.1%, followed by the Malays at 13.4%, the Indians at 9.2%. The last category, 'others', referring to any race that does not fit into the previous three categories (for e.g., children of mixed parentage of the three races, or Eurasians, etc), was the smallest in size at 3.3%. The racial breakdown of the entire school population of the two schools[109] as shown below were of a different ratio proportionality as compared to that of Singapore's resident population.

Table 2. Racial Breakdown of The Entire Student Population at the Two Schools				
	Chinese	Malay	Indian	Others
Bluebell Secondary	73%	4%	19%	5%
Orchid Secondary	52.9%	30.6%	13%	3.5%

While the Chinese still made up the majority of the student population at both schools just as they do in Singapore, the ratio composition of the Malay and Indian students differed. Noticeably, the number of Indian students at *Bluebell* was a lot more compared to their Malay students, and the percentage number of Malay students at *Orchid* could not be ignored.

Next, let us look at the racial profiles of the students interviewed at the two schools.[110]

Table 3. Racial Profile of Students Interviewed at *Bluebell Secondary School*		Chinese	Malay	Indian	Others	Total
Express Stream	Secondary 1	9	1	1		11
	Secondary 2	6	2	1	1	10
	Secondary 3	9				09
	Secondary 4	6		2		08

---

[109] Note that these figures are for the year 2006, even though fieldwork had taken place in 2008-2009. The schools could provide only figures up till 2006 at the time of fieldwork.

[110] Note that these figures are for the year 2008. While it would have been ideal to have figures for 2008 for both the Singapore Census as well as background of the entire student cohort of the two schools for comparison purposes, these figures are unfortunately not available. That being said, it is doubtful that there would be any drastic changes made to the profiles of the student population within two years.

Table 3. Racial Profile of Students Interviewed at *Bluebell Secondary School* (continued)		Chinese	Indian	Malay	Others	Total
Normal Academic (NA) Stream	Secondary 1					0
	Secondary 2	13	1	1		15
	Secondary 3	3		1		04
	Secondary 4	4		2		06
	Secondary 5	1		3		04
Normal Technical (NT) Stream	Secondary 1	4		1		05
	Secondary 2	2				02
	Secondary 3	2		2		04
	Secondary 4	5		2		07
Total		64	4	16	1	85
Racial Breakdown in % terms		75%	5%	19%	1%	100%

Table 4. Racial Profile of Students Interviewed at *Orchid Secondary School*		Chinese		Malay		Indian		Total
		Male	Female	Male	Female	Male	Female	
Express Stream	Secondary 1	2		1	3	1		07
	Secondary 2							00
	Secondary 3	1	2					03
	Secondary 4					1		01
Normal Academic (NA) Stream	Secondary 1		5					05
	Secondary 2	1						01
	Secondary 3	2	1	2	5			10
	Secondary 4		4		1	1	1	07
	Secondary 5	3	8	2	4			17
Normal Technical (NT) Stream	Secondary 1	2						02
	Secondary 2			3				03
	Secondary 3	2		2	2			06
	Secondary 4	1		1				02
Total		14	20	11	15	3	1	64
Racial Breakdown in % terms		53%		41%		6%		100%

To a certain extent, it could be said that the 149 students interviewed in this study reflected the racial composition of their respective larger school communities (see Table 2). As noted in Table 2 earlier, the racial breakdown of the four races at *Bluebell* was 75% (Chinese), 4% (Malay), 19% Indian and 5% (others). The racial breakdown of *Bluebell* students *interviewed* was somewhat similar—at 75% (Chinese), 5% (Malays), 19% (Indians), and 1% (Others). To a lesser extent, the racial breakdown of *Orchid* students *interviewed* reflected the racial composition at *Orchid*. The racial breakdown of the entire school population at *Orchid* was 52.9% (Chinese), 30.6% (Malays), 13% (Indians) and 3.5% (Others) while the breakdown of the students interviewed were 53% (Chinese), 41% (Malays), and 6% (Indians). Students belonging to the 'Other' category were absent in the interviewed sample. One is unable to tell how the racial compositions of the student population of the two schools are compared to other schools in Singapore, as such information is not available on public domain.

Before I elaborate on how I approached these students, allow me to briefly list the five groups in which the students were drawn from.

(1) The first group of students were those who had participated in one of the following RP processes—circles[111], small group conferences[112], classroom conferences[113], or community group conferences[114], be it before *or* during the course of this fieldwork;

(2) The second group of students were those had case files[115] written up on them because of their frequent misconduct, or who had filled in 'RP forms'[116], which were filed in the Discipline Masters' (DMS.s) rooms (where I hung out frequently when I was free);

(3) The third group of students were those whom I have witnessed being disciplined by teachers/DMs/discipline committee members, either at the DMs' offices or during observations of class time;

(4) The fourth group of students was those whose names had came up in the course of interviews conducted with other students, either because they were often 'picked on' by teachers or because they were known to get into trouble with teachers;

(5) The last group of students was approached arbitrary accordingly to their registry numbers and they belonged to classes of varying academic proficiency and ages (from 13-17).

Fieldwork began officially in the two schools in February 2008 and I exited the field officially in August 2009 after submitting to the schools, as they had requested, a summary report of findings. As the responsibility for the promulgation of RJ in schools

---

[111] The disciplinary systems and RJ tools used by the two schools will be discussed in-depth in the Chapter Four when we examine the use of RJ as a disciplinary tool. But as a quick reference (Thorsborne & Vinegard, 2008), 'circles', is better understood as 'classroom meetings' they can be used frequently to set goals, check-in with students' emotional well being, or improve classroom relationships via games, etc.

[112] 'Small group conferences' are usually held when certain events or events (e.g. fights, bullying) involving a few to several students occurred, and a teacher along with those students involved come together to resolve the issues.

[113] 'Class conferences' are held when a whole class is being affected by hostility or conflict (e.g. bullying, racism) or where disciplinary issues or class disturbances impede learning. A facilitator, the affected teachers and the class will discuss the issues and come up with solutions.

[114] 'Community group conferences' are similar to a 'small group conferences' and 'classroom conferences', except that it involves parents or members from the community who have been affected by the incident.

[115] The Discipline Masters (DMs) maintain files on students who were known to get into trouble often.

[116] We will examine this in detail in Chapter Four. 'RP forms' are usually handed out to students who have committed minor offences (e.g. low-level classroom disruptions), although sometimes they were also used in major offences. This form serves more as a preventive action, and it consists of five questions—(1) What has happened? (2) What were you thinking? (3) Who has been affected by your action? (4) How are they affected? (5) What do you need to do to make it right?

falls on the respective school's DMs, they not only acted as the liaison with the principals for matters requiring official approval, but they were also important gatekeepers who had continuously provided me with invaluable information, updates and logistical support. Over the first two meetings with the DMs, in order to work out the appropriate methodology to use, the DMs provided me with a broad overview of the disciplinary system and RJ tools and processes in place. The DMs' suggestions, where possible, were also incorporated in the methodology. For instance, it was the DMs' suggestion that I tag along to observe them or the Discom whenever they 'patrol' around the school. To facilitate access, both schools made me an electronic pass that not only allowed me into the schools, but also into teachers' room and lounges. I also requested for a list of teachers' names, their corresponding responsibilities or titles and classes that they were in-charge of so as to familiarise myself with the hierarchical system, as well as to put a name to the faces that I would meet along the corridors, or to reinforce my memory of the names that came up during my interviews with the students. I was also given the schools' calendars and all classes' timetables so as to facilitate logistical planning since both schools operate on a 'homeroom system' whereby students had to move around throughout the day to get to their respective subject teachers' rooms.[117]

The schools also granted me access to whatever documents they had on RP before I began the interviewing process. These documents include (1) Ministry of Education's Handout Directive on RP; (2) RP training manuals; (3) Files of RP forms collected from the students and (4) past school surveys pertaining to teachers' perceptions on RP.

In January 2008, the DMs announced to the students over one morning assembly that a 'female researcher' was going to go around to ask them questions about their school experiences. I was not formally presented to the student population when the DMs made the announcement, although it was interesting to note that *Bluebell*'s DM went a step further by reminding the students what 'RP' means, while *Orchid* had actively refrained from using the term 'RP' itself, even in the course of implementing RP.

On days where I was to approach or interview students, I would dress down in casual blouse and jeans as part of my 'personal front' (Goffman, 1956: 14-15), for it was important to minimise any possibility of students mistaking me for some other (trainee) teacher or a governmental official. I would go up to the classroom and request the

---

[117] It might be helpful to see the 'homeroom system' as being similar to the system used in universities, where students move around throughout the day according to where their lectures and seminars were to be held, as opposed to say, a system whereby students stay put in their assigned classroom in between classes for their respective subject teachers would come to their classrooms instead.

teacher's permission to speak with selected students for five minutes outside of the classroom rather than addressing them in front of the class, for group dynamics and being under the watchful eyes of others' might have adverse effects on participation rates. While I already known the names of students who belonged to the earlier four groups and hence I could call them directly, the last group of students differed in that I did not know any of their names and as such I would arbitrarily request that students of registration number[118] '5', '10', '15', '20', and '25' to come out of the classroom before inviting them to participate in the study.

Away from their classmates' view, in a casual tone and 'manner' (*ibid*.) *I* would then tell them my first name and introduce myself as a university student (instead of using the term 'postgraduate') who is doing a school project (instead of using the term 'PhD research'[119]) looking at secondary school students' school experiences. It was important that I 'normalise' this research by explaining it in terms that these young participants could understand (Neuman, 1997:359). I also emphasised that I was not a teacher or government personnel by showing them my matriculation card. I would then ask them if they were willing to help me out by sparing me an hour or so to speak with me at their convenience after school hours. And if they were willing at that point, I would pass them the subject information sheet (see Appendix B) and consent form (see Appendix C) for them to bring it home to get their parents' approval, and we would exchange contact details in order to set up a date at a later stage. Interviews were either held in a quiet room on the schools' ground or at a nearby community library.

The earlier five groups can be broadly summarised into three main groups. The first group consisted of those who have participated in RJ processes such as circle time, small group conferences and family/community group conferences. To understand how RJ tools as such are practised, it was essential to speak to this group of students.

The second main group of students consisted of those who were known to have had disciplinary issues. I came to know of these students via the following contexts. These students either had case files on them or had filled in RP forms. Or their names might have been mentioned during interviews I had conducted with their teachers or their classmates (selected arbitrarily according to their class registration numbers). These students might also be frequent faces that I had seen in the DMs' offices or the Time-Out Room. I approached these students differently in that I would go up to their classes to

---

[118] All students have a class registration number. One's registration number is tied to the first alphabet of his/her surname, and registration numbers are arranged according to the alphabetic order of their surnames.
[119] The fact that this research was undertaken as a PhD study was written on the information sheet (see Appendix B), which was given, along with a consent form, to those students who had agreed to participate in the study for their parents to read and sign.

request to see them alone outside the classroom for five minutes, even if there were other students in his class who belonged to this similar target group. After making the similar introductions that I did to other students, I would ask if they were willing to grant me an interview, and if they would, I would then ask if they had any buddies in the same class (or other classes), and if they had, whether they would like to invite their friend(s) along for the interview or if they had prefer talking to me on their own. If they prefer their friends present, I would call out their friends right at that point (or if their friends were in other classes, I would go to their friends' classrooms right after I was done with them) to hand out the necessary documents to them as well.

There were two main reasons why I gave students the option of inviting their friends along. Firstly, some of these students had been pinpointed out (whether by their classmates or teachers) as the 'usual troublemakers' who had been on the receiving end of disciplinary processes, and as such, I wanted to find out from them how their teachers had utilised RJ while disciplining them. The interviews might bring out further sensitive topics, and as such, having a friend around might be supportive and helpful. Secondly, and perhaps more importantly, regardless of whether a student has been deemed as a 'troublemaker' or not, peers', and especially friends' presence might be help in assuaging the power imbalance present between me (the adult-researcher) and them. As various authors have pointed out (Richards & Schwartz, 2002; Kirk, 2007; cited in Duncan *et al*., 2009:1695), power imbalance always exists in research relationships, and this issue is even more apparent when one deals with young people. As such, interviewing students in their social groups might alleviate any lack of power experienced by the teenagers and increase the possibilities of them "feeling able to ask questions or seek clarification, [and] having the confidence to withdraw from the project…[and more importantly] feeling able to provide candid responses to questions posed." (ibid.) Besides, interviewing students in groups would also allow them to build on each other's talk and discuss a wider range of experience and opinions (Elder & Fingerson, 2002).

The last group of students was drawn arbitrarily according to their class registration numbers, and they varied across academic strength (Express, NA, and NT) and age (from 13 to 17). At the point of selection, I did not know their names and backgrounds—for instance, I would not have known if they were known to be 'troublemakers' or not, or whether they had participated in RJ processes or not. These students were selected because while they themselves might or might not have participated in RJ processes, or have been disciplined or punished by the teachers, it is certain that they bear witnesses to the teachers' management of their classes. I did not only wish to speak to the 'usual suspects' who often into trouble with teachers, as I also

wanted to get a sense of how 'well-behaving' students perceive teachers' disciplinary styles.

Of the 168 students approached, ten Chinese boys from *Bluebell* rejected outright any participation because "*it's a waste of time*". And out of these 10 boys, nine were 16-year-olds from the Express Stream, while one was a 14-year-old from the Express Stream. There were also seven other students who had initially agreed to participate but did not turn up on the day of the interview, despite given reminders to do so the night before the interview. They were all from the Express stream—three Chinese 13-year-olds, three Chinese 16-year-olds and one Indian 16-year-old. The same problems were encountered at *Orchid*, where two students who had originally agreed to participate did not turn up for the interviews. One of them was a Malay 13-year-old boy from the NT stream, while the other was a 16-year-old Chinese boy from the NT stream.

2.2 Profile of Staff Interviewed

A month after my first meeting with the DMs, I was introduced briefly by the principals as a 'RP Researcher' to the teachers in both schools during one of their contact time (i.e. weekly staff meetings) and that the teachers were to render their help as far as possible. In the canvassing for interviews with teachers, while *Bluebell*'s DM jested that the most efficient way was for him to set up interviews with pre-arranged timeslots on my behalf, in a bantering tone, I replied that I would have to decline his offer given the voluntary nature of the interviews and I also let on that I would not be divulging the interviews' transcripts and names of teachers or students interviewed. Instead, it was better for me to approach the teachers on my own whenever I bumped into them along the corridors or in the staff lounge. When I approached teachers to request for an interview, I made it clear to them that firstly, I am merely a PhD student who is in no way attached or sponsored by any governmental organisations, nor am I a scholar from the Ministry of Education. I also impressed upon them that they have the right to decline or pull out from the study at any time, despite the principals' earlier direction to help me as much as possible. Should they decide not to participate in the study, I would also not inform the schools of their decisions either. Lastly, while the schools might come know that I have interviewed certain individuals as people would have seen us talking at length on school grounds, the schools would not be able to pinpoint "who said what exactly" for voice-recordings of the interviews, interview transcripts with corresponding names would not be revealed to the schools or in the thesis, although bits of the interviews might be presented verbatim in the thesis itself. Subject information sheet and consent form (similar to the ones handed to the students) were also handed to the teachers right before the start of the interviews.

As teachers are exceedingly busy people, the interviews, which lasted between 1.5 hours to 3 hours, took place on school grounds (except for two which took place at the teachers' homes) at a time of their convenience. Unsurprisingly, the teachers were more approachable when we met and chatted casually along the corridors, as compared to when I approached teachers in the staff room or lounge, where teachers might be more wary as I clearly did not belong in the staff room given that I did not have a desk in the staff room. In fact, outside the staff room, there were occasions whereby, whether out of mere curiosity or kindness, the teachers were the ones who approached me for a quick chat, and it was at that point where the favour of the interviews came up and phone numbers were exchanged without any fuss or hesitation. Of the 78 teachers and three operating managers (OMs) who I have met, all the OMs and 76 of them were more than happy to help out with the interviews. One female Chinese teacher from *Bluebell* turned me down because she was "too busy", while another female Chinese teacher from *Orchid* pulled out from participation because she was in the midst of changing her jobs. Due to time constraint, I ended up only interviewing 30 of the 76 teachers who had agreed to help, and the three OMs. The teachers interviewed fall into two main categories. (1) The first group consisted of teachers who were charged with the responsibility of advocating RJ—teachers who are part of the disciplinary committee (Discom) or who are Heads of Departments (HOD).[120] (2) And secondly, ordinary teachers, who were on the receiving end of the instructions to utilise RJ as much as possible.

	Bluebell Secondary		*Orchid Secondary*	
Table 5. Racial Breakdown of Full-Time Teachers at *Bluebell Secondary School and Orchid Secondary School*				
	Actual Figures	Racial Breakdown in Terms of %	Actual Figures	Racial Breakdown in Terms of %
Chinese	56	73%	49 (68%)	68%
Malay	06	8%	19 (26.3%)	27%
Indian	12	16%	03 (4%)	4%
Others	03	3%	01 (1.3%)	1%
Total	77	100%	72 (100%)	100%

To facilitate discussion in this section, the figures in the above table only take into account *full-time* teachers (HODs, Discom and normal teachers). It excludes *part-time* teachers, counsellors, principals, OMs and other staff (e.g. receptionist, cleaners, etc).

---

[120] See Appendix G for an interview guide for teachers.

Table 6. Racial and Gender Breakdown of Full-Time Teachers Interviewed at *Bluebell Secondary*

Head of Department (HOD)	Chinese		Malay		Indian		Others		Total	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	3	2							3	2
Non-HOD	4	6			1				5	6
Total	7	8			1				8	8

Table 7. Racial and Gender Breakdown of Full-Time Teachers Interviewed at *Orchid Secondary*

Head of Department (HOD)	Chinese		Malay		Indian		Others		Total	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	2	1	1						3	1
Non-HOD	4	5		1					4	6
Total	6	6	1	1					7	7

From Tables 6 and Table 7, one limitation of this study is evident. The racial composition of the teachers interviewed did not reflect that of the two schools. At *Orchid*, for instance, while full-time Chinese teachers only constituted 68% (see Table 5) of the entire full-time teaching staff, the number of Chinese teachers interviewed at *Orchid* (12) made up 85.7% of the 14 teachers interviewed; all but two teachers interviewed at *Orchid* were Chinese. This is an unfortunate limitation that could have been prevented given that I had the contact details of nine other non-Chinese teachers from *Orchid* who had also agreed to participate in the study. The gender composition however, was more balanced for both schools as half of the teachers interviewed belonged to either sexes.

I wanted to interview teachers—both HODs and ordinary teachers because they are the main practitioners, whether reluctantly or enthusiastically, of RJ in schools. Within their classrooms, teachers hold great discretion in the running day-to-day activities, and I wanted to know when and how teachers chose to employ RJ (if they had at all), whether in disciplining students or in improving classroom relationships, how they define a successful RJ 'outcome' or 'process', how they made sense of RJ's relationship with punishment and the use of caning and lastly, how they perceived the schools' implementation process of RJ. For instance, did the HODs practise what they preach? Or were there occasions when they behaved in a "un-RJ-like" manner (however they come to define it)[121] in the process of implementation of RJ in school? And can RJ be utilised by anyone, or does it depend on each individual teacher's temperament and classroom management style?

---

[121] We will discuss the data in-depth throughout the next few chapters. But as a quick example; one of the complaints that teachers from *Bluebell* deemed as "un-RJ-like" was that they had to show that they had utilised a minimum number of RP tools every term, whether via the submission of RP forms or a write-up following classroom conferences or circles.

Three operation managers (OMs) were also interviewed—two Chinese male OMs from *Bluebell*, and one Malay male OM from *Orchid*. All three were former police officers from the Singapore Police Force. As the name suggests, while OMs are tasked with the estate management of the schools, they are also part of the disciplinary committee given their previous work experiences.[122] They spend at least 50% of their time in schools dealing with disciplinary matters, if not, probably even more. As OMs are part of the disciplinary committee and I often see them in the DMs' offices, it was relatively easy to approach them for an interview. I wanted to interview them because unlike teachers, they were employed precisely because of their previous policing experiences and I had wanted to know whether they differed from other teachers in terms of their ideological beliefs and practices. A Chinese, female principal from *Orchid* was also interviewed—at the time of the interview, she was in her 6th year at *Orchid* as a principal. As she was the leader of the school itself, she was able to provide insights from a different perspective.[123]

Four RJ trainers were also interviewed. I contacted David Vinegrad via email upon learning that he was the trainer for both the schools. He is an Australian RJ advocate whose works we have seen in Chapter One. I had also managed to speak to two local Chinese trainers—one of them was a male pastor who runs a community care service centre whose clients include families, at-risk youths and schools trying to adopt RP. The other was a female RJ practitioner working for *Beyond Social Services*—a local organisation that works with families, schools, at-risk youths and youth prisoners. The last trainer—Allan McRae is from New Zealand and the female RJ practitioner from *Beyond Social Services* introduced him to me. Both schools have utilised the services of Vinegrad and the female RJ trainer from *Beyond Social Services*.[124]

3. OBSERVATIONS

In social research, triangulation through the use of more than one data collection technique can help to improve the data collected. Triangulation means "using different types of measures, data collection techniques, in order to examine the same variable. It is a special use of multiple indicators." (Neuman, 1997:151). An example of triangulation in measuring a teacher's ideology with regards to discipline for instance, is to have someone interview the teacher, have the teacher complete a multiple-choice test relating to discipline, interview others about the teacher's behaviour, and have five observers watching that teacher's behaviour for many days. The essential idea is that measurement

---

[122] The questions that I asked OMs were generally similar to those ask of teachers. See Appendix G.
[123] See Appendix H for an interview guide for *Orchid*'s principal.
[124] See Appendix I for an interview guide for trainers.

improves when diverse indicators are used; for highly diverse methods imply greater validity than if a single method had been used. Rather than relying only on participants' statements from the interviews, "external consistency can be achieved by verifying or cross-checking observations with other sources of data" (Neuman, 1997:368). For instance, a teacher might say in his or her interview that caning should be done only after a student has gone through RP. One can cross-check this by interviewing his students if this is indeed the case, or one could observe the teacher for a few days.

On top of conducting interviews with teachers, students, principal and trainers, I had also observed:

1. One classroom conference[125];
2. Three circles time;
3. RJ training sessions for current and new teachers;
4. A day's worth of classes conducted by ten teachers on a separate day following the teachers' consent after our interviews;
5. 'Patrolling rounds' around the school conducted by the 'Discipline Committee'.

Where possible, observation notes were made during the event itself, if not, immediately after the event. I depended entirely on the goodwill of 76 teachers whom I have approached and exchanged contacts to contact me in advance to let me know if they were going to hold a class conference or circles. While I was only able to sit-in to observe one classroom conference, this does not mean that only one classroom conference took place during the time of my fieldwork. Sometimes these conferences were held at very short notice and I was not on school grounds and as such I could not sit-in to observe. However, post-conference interviews with students who had attended such conferences were conducted.

Of the 30 teachers interviewed, 10 of them were also willing to let me follow them around for a day. This, along with the patrolling visits were especially interesting for one could see how teachers interacted differently with each other (for example, disciplinary committee teachers as opposed to ordinary teachers who had called them for help), or how teachers interacted differently with students from different streams and ages (for example, certain teachers were more inclined to cane 'notorious' students before doing RP with them while others were less inclined to cane older students). I was initially concerned that teachers might put on their 'best behaviour' in my presence, but my fears were mostly unfounded. I saw various practices (which we will discuss in Chapters Four and Five) that might have been detrimental to the practice of RP (e.g.

calling students 'names'), in part perhaps because the teachers saw no issues with it, or because the class dynamics were such that the teachers simply had no time or room to put forth a favourable impression, if they had intended to that is. I also recognised that observing someone for half a day (as teaching time usually begin around 8am and end around 2pm) is not sufficient to make any claims.

D. CHALLENGES ENCOUNTERED

1. CONSENT FORMS—FOR WHOSE BENEFITS?

Last by not least, this chapter will finish with a discussion of some of the main challenges and limitations encountered in the course of fieldwork. The first on the agenda concerns the use of informed consent forms. Introduced as a means to protect the participants, in particularly the students who are minors, I found the use, the very presence of the consent forms themselves acted as a hindrance to establishing trust and communication for its very formal characteristic highlighted our different identities—me as an outsider, the researcher, 'making' the teacher, or student put their names and signatures to a document. Lykes' (1989, 178; cited in Fine, *et al*. 2003: 177) expressions reflected my thoughts:

> The informed consent form which I introduced as a mechanism for "protecting the subjects"…[it] was instead a barrier and forced me to confront the chasm between the needs of demands of research conducted within the boundaries of the university and the systems of trust and mistrust and of sharing and withholding that were already a part of this collaboration.

Indeed, is the use of informed consent forms aimed at protecting the interviewees, or aimed at buffering myself from potential criticisms from the University's Ethics Committee or from the academic community? For instance, before the start of the interview (and voice-recording), when I offered the subject information sheet and the consent form to *Orchid*'s principal, she said that there was "no need" for these paper procedures and suggested that we get on with the interview instead. Similarly, the two OMs of *Bluebell*, although they declined to sign the consent forms and to the voice-recording of the interviews, they were utmost frank and helpful in their interviews. One of them point-blankly remarked that "*You can ask me anything, anytime, and I'll tell you the truth, but [I] don't want [to deal with] all these forms lah[126].*" (Tom, *Bluebell*, Chinese, OM). If I had insisted that the three of them signed the consent forms before we

---

[126] The word 'lah' is a common 'Singlish' slang in Singapore. It has no meaning in itself, but it is often used at the end of sentences. Depending on the context and tone, it can be used in an attempt to persuade the listener, or to express the speaker's irritation, disinterest, among many others. See http://en.wikipedia.org/wiki/Singlish for a quick guide on 'Singlish' and local slang.

began the interview, I have no doubt that I would be doing so more as to protect myself than them, and in so doing, whatever trust that had existed between us would have diminished tremendously and I doubt if the interviews could have gone on.

The students presented an additional set of issues with regards to the use of consent forms. While most adults might have viewed the forms as a formality and thereby giving the information sheet a cursory look before signing the consent forms, the students, who were so used to receiving information sheets and consent forms in schools, considered them to be a "troublesome" obligation. In fact, I have had students who offered or attempted to sign the consent forms on the spot the moment they received the forms, right after I had mentioned that they were to get their parents to read and sign the relevant forms and bring the forms on the day of the interview! And when I stopped them from doing so, the following response was common. "*Huh, why so troublesome one*[127]*? I always sign my own consent forms, and [even] the teachers also never care.*" (Abbie, *Orchid*, Chinese, 17-year-old, NA).

Unsurprisingly, the collection of consent forms was a great challenge. Of the 149 interviewed, I was only able to collect 137 consent forms, even though I had rang the students the day before the interview to remind them of the need to get the forms signed and to bring it along with them. I was unprepared for the amount of following-up that I had to do in dealing with this group of participants. Even among the 137 consent forms received, 20 of them were collected retrospectively. This issue bugged me tremendously, and I wondered if I could have handled it differently—for example, I could have postponed the interviews altogether, or not 'allow' students to participate in the interviews if had failed to bring their consent forms. While recruitment has often been cited as "the most challenging aspect of research with adolescents" (Moolchan & Mermelstein, 2002, cited in Bassett *et al*., 2008:121), I had fewer problems with recruitment per se, than with getting students to turn up for the interviews. And in the event that they did turn up with the necessary signed documents in hand, it is no exaggeration to say that I had come to consider that as a great bonus given the daily disappearing acts the students had pulled on me. However, it *is* the students' prerogative to withdraw from the interviews at any time, and I am embarrassed to admit, that their inability to keep to appointments should not be used to excuse my personal failure in adhering to the necessary, ethical and administrative procedures. Indeed, one's research

---

[127] The word 'one' here does not refer to its numerical value and its meaning is perhaps a little similar to the English usage of 'Eh'. Again, it is used as a slang in Singapore, and the phrase "Why so troublesome *one*?" means "Eh? Does it have to be *that* troublesome?!" For further explanations on the use of Singlish or local slang, see http://en.wikipedia.org/wiki/Singlish for a quick guide.

agenda and schedule should not be prioritised above the necessary ethical procedures, which were there in the very first place to protect the minors.

While frustration felt from the various follow-ups in reminding students to bring the forms, whether prospectively or retrospectively, or the rescheduling of appointments with students who had either pulled a disappearing act, might indeed have contributed to the incomplete collection of consent forms, there were two other factors at play. I was concerned that if I had not allowed students to participate in the interviews when the necessary documents were not present, the group dynamics during the interview might be adversely affected, or the students present at the interviews might be less forthcoming if their buddies were not present; given how when I rang to remind them of the interview, students had often asked me if their friends would be turning up as well. More importantly, I was concerned that the students might come to pigeonhole me as being 'teacher-like' for being big on formalities if I had insisted that the interviews were to be rescheduled until they bring the signed forms along, and this would have contradicted the 'student-researcher' role that I was trying to play. Even without the consent forms, the power lines between the students and I were already demarcated between that of an adult and a minor. The emphasis on formalities would have inadvertently demarcated the lines even further, and possibly established me, the interviewer, as even more powerful and authoritarian in the eyes of the teenagers (Bassett *et al.*, 2008:122). Such an impression would be undesirable for "the importance of a strong, positive rapport is intensified when the research endeavour involves a sensitive topic or a stigmatized population" (Tewksbury & Gagne, 1997:128). As the reader might recall, a bulk of the students approached were deemed by their peers or teachers to be 'troublemakers' within their schools. I wanted to ensure as much as possible, that I could begin the interviews on a positive note. The importance of rapport was felt even more keenly when I had students who would play truant on certain days, and yet they would meet me on those same days just to hand me the signed consent forms, even if they were handed in retrospectively.

Teenagers are a unique group of participants—they are not legally recognised as 'adults', but neither can they be considered as 'children'. However, such concepts of 'adolescence' or 'youth' bring with it the problematic idea that a "presocial self that will emerge under the *right* conditions" (Wyn & White, 1997:12; cited in Duncan *et al.*, 2009:1692), and perhaps calling them 'young people' instead of 'children' might be more appropriate (*ibid.*). Throughout the various points of the fieldwork, whether at the start where I approached the students, or at the opening remarks during the interviews, or whenever I sensed that they felt uncomfortable in sharing certain information, as much as possible, I had emphasised to students of their rights to turn down, to withdraw, or to not

answer the questions if they did not want to. I might be myopic, or perhaps this might even come across as arrogant, but I did not think that these students had felt pressured into accepting the interviews for there were students who had no qualms in turning me flat down at the start for they had considered these interviews as "too troublesome". That being said, this does not change or excuse my lack of tenacity in the collection of the consent forms, although I also wonder, given that all but three interviews with the students were done on school premises, could the school authorities have acted as the 'responsible adults or guardians' (Neuman, 2004:55) and mitigate to a certain degree, the incomplete collection of the consent forms? One is unable to change past deeds, but if I could re-do this project again with the benefit of hindsight as to how I had worked with these young participants under the pressure of Time, I would probably have narrowed my scope or sample a lot further.

2. SLIPPING IN AND OUT OF THE DIFFERENT SELVES AND IDENTITIES

The elusive management of one's many selves and identities was possibly the biggest challenge in the fieldwork process. I found myself slipping in and out of various identities and sometimes the boundaries between these identities were blurred (See Duncan *et al.*, 2009:1694). I was a student; a researcher; a friend, a female; an adult; a counsellor, a law-abiding civilian; a RJ 'expert' or advocate[128]. Some of these identities (e.g. a RJ 'expert', a counsellor) were imposed on me by the interviewees despite my disagreements, while I took on the other identities upon myself, sometimes consciously, or unconsciously, depending on the context. The negotiation of one's hyphened-identities (Wagle & Cantaffa, 2008) in various contexts and with various interviewees is unavoidable and essential, for different presentations of selves are needed to gain entry and establish rapport and earn trust in the field (Tewksbury & Gagne, 1997).

The imposition of identities by the participants in my project had no doubt made it more challenging to negotiate my hyphened-identities. Some of the participants, for instance, saw me as their allies. It was almost ironic and somewhat unimaginable that participants in seemingly opposite positions (e.g. teachers versus the students who were being disciplined) had both saw me as their allies. For instance, teachers from both schools had thanked me when I tagged along to observe them for the day, even if I had not done anything in particular to help them. They were not being sycophantic, but rather

---

[128] Emily (Chinese, *Orchid*) had remarked—"*Since you are doing a project on RP, you must also be RP-like, must uphold certain things…Just ask, who are the problem you have affected [if you were to publish our school's name], just throw back this question.*" The idea that one must be an advocate if one were doing a study in such a field is specious.

they had indeed considered me as an ally of sorts, at least for that particular occasion. On another occasion, following one of the patrols around the school, one of the teachers (Mark, *Bluebell*, Chinese, Discom) thanked me for tagging along and said that *"Your presence helped…It adds to the number."* What was interesting was that during that particular patrol, these teachers had visited the 'notorious classes' in a bit to 'scare' the students, and I had witnessed a deal of yelling and name-callings on that occasion. And yet my presence was taken to have contributed to the teachers' solidarity in numbers.

At the other end, I also had students who had conceived me as their allies of sorts. For instance, on one occasion, I happened to be sitting at one of the desks sorting out some papers in the DM's office while the DM (Leo, *Bluebell,* Chinese, DM) was chastising a student at the other corner. The outcome of that session was that the student was to be caned in front of his class. As the DM. informed the student of the verdict, the student pointed to me and said, *"Can she come along and watch me get caned?"* (Viswas, *Bluebell*, Indian, 16-year-old, NA) I was rather surprised, for firstly, I had never spoken to this student before[129] and secondly, I could not imagined anyone, on his own accord, wanting a stranger to be present to witness one's embarrassing and possibly, most vulnerable moment. A little taken aback, Leo (*Bluebell*, Chinese, DM) turned to look at me before asking the student, *"Why do you ask that?"* The student's answer was telling—*"She's a reporter or researcher, or something like that right? She's going write about all these right?"* He had no doubt, considered me as someone capable of addressing his grievances through the might of the pen, whether or not I had or had not the intention to do so.

Just as there are teachers and students who had conveniently considered me as their allies, there were also teachers, regardless of their seniority or responsibilities (whether they were HODs or part of the Discipline Committee/Discom), who obviously considered me as an outsider and viewed me with a certain degree of suspicion and unease.

> *Sometimes…things are quite ok. So sometimes there's nothing much* [for me to deal with in terms of disciplining the students]*…you can follow me, but you must be prepared, sometimes I lose my temper!...Now to dig those [RP] forms[130]…what if I can't find them?*　　　　　　　　　　　　　　　　　　(Azura, *Orchid*, Malay, Discom)

---

[129] I did however, ended up interviewing him on a different day following the incident.

[130] RP forms are usually handed out to students who have committed minor offences. The teachers were to keep a copy of these forms each time they had utilised RP in their dealings with the students. Depending on whose perspectives, these forms were to also serve as a form of evidence that teachers *had indeed* attempted to use RP.

To be honest, I don't keep the [RP] forms. Am I the only one? This year I don't use the form, maybe I should. (Hamid, *Orchid*, Malay, HOD)

Researcher[131]: 'MSG'? What's that?
Amy (*Orchid*, Chinese, Discom): MSG*, mean subject grade…It's just like the A1, A2 system, whereby you add up all the mean subjects, so the lower the score the better…Actually towards the end of the year, they'll normally ask [the weaker] students to drop [their weaker subjects] right?*
Researcher: Is it?
Amy: *Oh no!!* [Regretting the provision of information]

Yi-Zheng (*Orchid*, Chinese): They *are [in] the last NT class, so [there are] around 26-28 students [altogether], but less than half would turn up.*
Researcher: Would you all report [to the school] when the students play truant?
Yi-Zheng: *Nope. But actually maybe in the future…*
Researcher: Did the H.OD report?
Yi-Zheng: *No there's no attendance taking. Oh shit I said something I shouldn't have again! Bao dou bao dou* ['tattletale']!*[132]*

Unlike the above participants who could clearly identified me either as an ally or an outsider, there were those who were unable to pigeon hole me accordingly, and at best considered my identity ambiguous.

Researcher: So what do you think about what the DM said to you?
Noah (*Bluebell*, Chinese, 15-year-old, Express): My *dreams are shattered, and I feel very demoralised* [Dramatic tone].
Researcher: Huh, what does that mean?
Noah: *That means I'm in great turmoil* [laughs]
Researcher: Really?
Noah: *Really really.*
Researcher: Why are you giving me these funny answers?
Noah: [laughs] *What funny answers…The thing is, will you show the teachers? Will they know?*
Researcher: No I'm not going to '*bao dou*' [rat on] you.
…//…
Noah: *School don't allow piercing, if they see they'll send you there* [the DM's office]. *Ok, first time they'll call your parents. Then* [they will] *make sure hole is closed. Can you see my piercing?*
Researcher: Yup!
Noah: *How many do I have?*
Researcher: Four?
Noah: *No! Six. Wait, erase that, later they* [will] *hear*! [Started fiddling with the recorder.] *Will they hear this? Say wrongly, I have no piercing!!*

Noah (*Bluebell*, Chinese, 16-year-old, Express) had asked me six times throughout the interview, if I would show the transcript with his name to his teachers, or *bao dou* [i.e. rat

---

[131] Hereafter, all quotes from interviewees would be italicised for easier reference.
[132] 'Bao dou' is an expression in Hokkien, a Chinese dialect. It means that you are ratting on someone. Literally, the expression means 'to cover knife', but metaphorically, it means that you hid the knife and attacked someone without his or her knowledge.

on] him. And yet at the same time, during the interview itself, he had also shown me video clips or shared with me accounts that would definitely have gotten him into trouble with the school (or even the law) if the relevant authorities had come to know about it. Likewise, while I was walking towards the train station with a student (Samuel, *Bluebell*, Chinese, 16-year-old, NA) after our interview, he took out a cigarette, paused for a moment and asked:

> Samuel: *I'm going to smoke. What do you think of that?*
> Researcher: What's there to think about?
> Samuel: *Do you mind me smoking?*
> Researcher: Well, I don't like the smell, but I don't think that's what you are asking.
> Samuel: *Are you going to report to the police? 'Cos this is underage smoking.*[133]
> Researcher: Nope.
> Samuel: *Are you tied to the government?*
> Researcher: No.
> [Samuel started to light up his cigarette]

Samuel (*Bluebell*, Chinese, 16-year-old, NA) had in fact, asked me not just once, but thrice if I was tied to *any* government agencies, even though I had emphasized from the start that I was not. Here, one might question if I should have resumed the role of an ordinary citizen, given that the interview was already over and it might be deemed morally (or even legally) problematic for me to ignore a teenager who was about to break the law right in front of me. When the two identities—civilian versus researcher, clash with each other, the latter has to take priority for

> it is the immediate, morally unquestionable, and compelling good end of keeping one's promise to one's subjects… [A civilian, an adult might not ignore the deviance of the subjects], but morally competent fieldworkers do. (Klockars, 1979:275; cited in Sullivan, 2001:339)

It is inevitable that the participants were suspicious of my role—I was after all, an outsider. As a field researcher, I was not the only one doing the investigatory and observation work, but members of the field were studying me as well. Despite my reminders that I was a student doing research work and that I was not tied to the government, one must understand that most individuals are unfamiliar with field researchers and they might fail to distinguish between sociologists, counsellors, expert, etc. In such circumstances, I had to "normalize social research—that is, help members redefine social research from something unknown and threatening to something normal and predictable" (Neuman, 1997:359). I could do so by presenting my biography, but

---

[133] In Singapore, one needs to be 18 before one can purchase or smoke cigarettes, even though one is legally an adult only at the age of 21.

clearly my background as a student was insufficient. By accepting the participants'
deviance (e.g. Samuel's smoking) and temporarily suspended my judgment in the field
(Tewksbury & Gagne, 1997:142), rapport and trust could be built. Despite my multiple
identities, my role as a researcher must take the main stage. Blowing the whistle on them
would not only betray their trust in me, but also relegate me to being associated with
'teachers' and 'authority figures', thereby heightening the already existing power
imbalance between the student-interviewee and me as the adult-researcher (Kvale &
Brinkmann, 2009:146). Besides, it is always more strategic to "play up similarities of
status and worldview and downplay differences" (Tewksbury & Gagne, 1997:142).

It was also difficult to negotiate between the different selves because I vacillated
between sympathising between the teachers and the students—essentially, I tended to
sympathise with whichever party that had seemed incapacitated or distressed in that
particular context, whether due to a limited control of power to begin with, or due to an
effective exercise of power. For instance, as the reader might recall, there was a student
(Viswas, *Bluebell*, Indian, 16-year-old, NA) who asked if I could come along to watch
him get caned by the DM Up to the point when I was heading for his classroom with him
and the DM, I still felt that I could maintain my neutrality in spite of the student's
perception of me as his ally. However, after witnessing him being caned in front of his
classmates, I found myself unable to face the DM momentarily and I was unable to chat
with him as usual while we were walking back to the office. Likewise, when I went on
rounds with the Discom and I saw students or classes being scolded, even if I had
cognitively registered the fact these students must have done something 'wrong' to
'deserve' the visits by the Discom, just seeing their faces as they were being scolded and
by merely being there, I could feel the atmosphere tinkling on my skin, and I felt like I
was being disciplined along with the students as well. It was as if I had gone back in time
and I was back in school as a student, for memories of my earlier educational years and
experiences had resurfaced and nudged my identity as a researcher aside momentarily.

On the other hand, I had also, on many occasions, sympathised with the teachers.
I felt sorry for the teachers when I saw their helpless or indifferent faces when students
were rowdy, or when the students were blatantly ignoring or making disparaging remarks
in front of the teachers, or during our interviews. Interviewing teenagers who were
quibbling with one another during the interviews, or who were running around fiddling
with my tape-recorder or with whatever objects within view (e.g. books lined on the
shelves, sweets, sugar, drinks), had also led me to slip into a disciplinarian, teacher-like
roles at times. I had to *consciously* remind myself to pause before responding, and I
reminded the teenagers politely to settle down for whatever multiple roles that I had, I

was first and foremost, a researcher in that context. So long as I was in the presence of any individual from the schools or if I was on (or even near) the school premises, there was no 'backstage' for me to step into to relax and drop my front (Goffman, 1959:70). While this particular aspect of fieldwork was stressful, it had helped me to appreciate better the participants' experiences and concerns and more importantly, it threw up more questions for my research. This research focuses on how the adaptation, definitions and practices of RP are affected by the school contexts. The vicarious reliving of negative secondary school experiences from witnessing students being caned for instance, led me to question how students should be disciplined and if indeed 'constraining standards' (Braithwaite, 2002) such as that of 'respect for human rights' and 'respectful listening' ought to have been upheld at *all* times. However, having been forced to play the role of a 'adult' on other occasions, I also question if *anyone* could practise RP at *all* times or is this limited by one's temperament, if not by the context?

I will round off this chapter with a quick rundown of three other limitations faced in the course of the fieldwork. The first issue is my inability to speak the Malay language (since I am a Singaporean Chinese), for if I had been able to speak Malay, it might have helped to build better rapport with my Malay student-participants. While English is Singapore's administrative language and it is the medium of instruction in schools[134], I found myself at a disadvantage and felt that I had to work harder to gain the trust of Malay student-participants, especially when they began to speak in Malay among themselves during interviews, as if in a bit to prevent me from understanding their discussions. Interestingly, the Chinese and Indian students did not speak in Mandarin or Tamil among themselves though.

Secondly, there is the issue of subjectivity, which is a frequent criticism of qualitative research interviews. There might be a possibility of interviewer bias as the "appearance, tone of voice, question wording, and so forth of the interviewer may affect the respondent" (Neuman, 1997:253). I do not deny this issue of bias, which is tied to that of subjectivity. However, it is difficult, if not impossible for one to read another's utterances without relinquishing prior knowledge of the latter's background and appearance. I argue that objectivity is over-valued, although central in some sociological perspectives. However, I cannot privilege 'objectivity' for statements *are* value-loaded and values *are* contingent upon one's beliefs, education, and background—all of which

---

[134] There are four official languages in Singapore—English, Chinese, Malay and Tamil. English is the medium of instruction in schools, and depending on their races, students take their respective mother language as a second language. For e.g., most Singaporean-Chinese would take English as their first language in school, while Chinese would be their second language. A Singaporean-Malay on the other hand, would have taken English as their first language, and Malay as their second language.

could hardly be said to be free of 'subjective' flavouring. I am in no way proclaiming that this thesis seeks to be objective, although given that each interview had sought to understand each participant's case, thoughts and interpretations, I wonder what is problematic with this 'subjectivity' in this case; and if it *is* problematic, how can it be eradicated wholly or whether its total eradication is even desirable. Subjectivity, is less troubling an issue, than the (re)interpretation of the participants' answers.

There is no clear and concise formula to the (re)interpretation of the data. Firstly, when the participant provided an account, he/she was doing the first level of interpretive work as certain information was selected to be presented. As the interview proceeded, certain pieces were highlighted either by myself, or by the interviewee, and this selection was subjected to our interests. Lastly, in the writing up and presentation of data, I am doing another level of interpretive work—I am attempting to (re)interpret what they have chosen to present. This no doubt brings us to issues of reliability of the data, which is contingent upon the credibility of the interviewees and my interpretation of the interviews. My interpretation of their utterances could very well be myopic in some ways or other. However, it is my hope that my myopia, if any, is assuaged by the fact that my interpretation of the data is neither random nor 'off the wall', but is grounded in the larger context and literature.

In conclusion, the shift of the empirical site in studying the use of RJ from the Subordinate Courts to that of schools should not make this study less worthwhile given the fact the main objective of this study is to examine RJ's purported characteristic of adaptability across contexts (Braithwaite, 1996; Davey, 2007). The methodology used and challenges faced were also discussed, and we shall see more data from the participants' accounts from the next chapter onwards, where we will critique the use of RJ as a disciplinary tool in the two schools.

CHAPTER 4

RESTORATIVE PRACTICE AS A DISCIPLINARY TOOL

This school is a bit too strict. Everything also must "Yes Sir, Mam", must stamp our leg, be at attention, at ease, like soldiers like that, during assembly, [it's] like talking to prisoners like that.   (Noah, *Bluebell*, Chinese, 15-year-old)

A. SINGAPORE EDUCATION SYSTEM AND THE RP 'TOOLS' INTRODUCED

This chapter examines how Restorative Justice, or rather, Restorative Practice ('RP'[135], as it is commonly called by the participants) is understood and practised in two secondary schools in Singapore. Particular attention is paid to the challenges faced by the schools in the implementation of RP. The data presented shows that while teachers on the whole are aware of the ideal "restorative language" such as the need for empathy, open-ended question, and non-judgmental words (Kane *et al*, 2007:59), they struggle with such ideals in practice. Similarly, while some teachers spoke of RP as a way of life, RP as *one* specific disciplinary tool was the dominant discourse. Older disciplinary techniques (e.g. caning and the writing of lines) and the emphasis on rationality and choice also prevailed along with the use of RP, and participants justified these practices via the thesis of cultural relativism—that because they are Singaporeans and 'Asians', it is all right if their way of life and by extension, their practice of RP are different from the 'Westerners'.

Five types of RP tools were introduced in both schools—(1) RP scripts/chats; (2) small group conferences; (3) circle time; (4) class conferences; (5) Family Group/Community Conferences. While a selected number of teachers who belonged to the discipline committee (more commonly referred to as 'Discom') or who were selected as RP advocates were trained up to the 4th and some to the 5th tool, the general population of teachers were trained up to the 3rd level, in a bid not to stress the teachers with an overload of new tools and information. Let us first look at the first tool—the RP script, for it is the most common among the five tools to be used by teachers not only because teachers are more likely to address individual student misbehaviours than in groups, but also because it is one tool that both schools attempted to institutionalized through formal procedures.

The RP script consists of five to seven questions. (1) What did you do? (2) What were you thinking about when you did that? (3) Did you do the right/wrong thing? / What have you thought of since? (4) Who has been harmed or affected? (5) How are they

---

[135] These two terms would be used interchangeably throughout this thesis.

affected? (6) What needs to happen to make things right? (7) How can we prevent it from happening again? What should happen if you do it again?

Teachers were given 'RP forms'[136] that consisted the above questions, and they could be used in various settings—getting students to work on the questions on their own the moment the misbehaviour occurred (and the teacher may or may not go through the questions with the students personally after that); ignore the misbehaviour in class but use the form to go through the questions *with* the students after class; or when students were sent out of class to the DM (Discipline Master) or to the Time-Out-Room, they might be given this form to work on. If the teacher does not have any RP form at hand at that time, the students could also answer the questions on a piece of foolscap paper.[137]

To aid faster memorizing of the RP script, teachers were also given a 8cm by 8cm pocket-sized script for them to carry around at all times, and for Chinese Language teachers who may not be as proficient in the English language, the script was also translated into Mandarin. RP forms collected from the students are to be kept by the teachers, and at *Bluebell Secondary*, the teachers were even required to submit a minimum of five RP forms a term (of three months), although this practice was later abolished. At *Orchid Secondary*, while no such official requirement was made, the Head of Department (HOD) can, in practice, ask to see his teachers' collection of RP forms at any time although none of the teachers from *Orchid Secondary* interviewed had been asked by their HODs for their RP forms at the time of the fieldwork.

Moving on, let us now briefly look at the remaining RP tools mentioned earlier. Small group conferences are mini conferences held by teachers when harmful events (e.g. bullying) or conflicts (e.g. fights) involving two or more students occurred. A Community Group Conference is similar to a small group conference, except that parents or significant others and members from the community who were affected by the incident, also participate in the conferences. Circle Time and Class Conferences on the other hand, involve the entire class. Class Conferences are rare in occurrence, and they are "held when the entire class is being affected by hostility or conflict causing learning to be impeded and relationships were damaged." (*Bluebell Secondary School,* Pamphlet Introducing RP). In such conferences, a facilitator, the affected teachers and students will discuss the issues, explore the harm and come up with a solution(s). Circle Time on the other hand, may be deemed as a 'pro-active' measure and may take place even without any conflicts occurring. Games and various activities may take place during Circle Time

---

[136] See Appendix J & K for samples of the RP form.
[137] See Appendix L for a sample of the RP script answered on a foolscap paper.

to provide an opportunity for teachers and students to come together to learn more about each other through sharing of experiences (See Blood, 2007; Thorsborne & Vinegard, 2004). One common feature across the Circle Times, class conferences and community group conferences is that participants *must* take turn to speak (for e.g., the rule may be that only the person holding an object—the 'talking piece', could talk). Teachers had a free hand in the frequency, the manner and purposes for which they conduct Circle Time. One particular teacher from *Orchid Secondary* was rather innovative for she even prepared pre-printed empty cards with the words "sorry" and "thank you" in advance, so that students could choose to write anonymously to whomever they wish during Circle Time. [138]

A warning before we proceed into the main discussion is needed. While participants interviewed in this study had participated in all the five types of processes, due to time constraint, greater attention was paid to the RP script, the Class Conferences and Circle Times. There may have been more teachers who had used Circle Time proactively, or who had engaged such practices as part of their pedagogy and not merely restrict the use of RP process to the disciplining of the students, but such cases would fall outside my scope of study—this is not a thesis examining the use of RJ in pedagogy. This thesis also provides no answer for many of the issues that are prevalent in the RJ discourse(s). It is hoped instead, that the questions and issues brought up could open up space for further discussions, especially with regards to what ought to be the non-negotiables during the adaptation process of RJ across institutional contexts and countries; for the rhetoric of cultural relativism via 'Asian values' pertaining to 'authority', 'discipline' and 'face' as raised by many participants throughout the entire thesis to justify their practices seems like an excuse that is impenetrable given RJ's purported universality.

B. WHAT IS RESTORATIVE PRACTICE?

The RJ literature is bogged down by its varied definitions of RJ. It remains unclear if RJ is defined as (1) a process; (2) a set of values; (3) an outcome; (4) an alternative form of punishment; (5) an alternative *to* punishment. As Young & Hoyle (2003:200) have pointed out, the term 'RJ' as yet has no settled meaning and there is unlikely ever to be a single accepted conception of RJ (Johnstone & Van Ness, 2007:9) given its "internally complex and open concept." This study does not presume any fixed definition of RJ, but instead attention is paid to how participants understood RJ.

---

[138] See Appendix M for samples of such cards exchanged during Circle Time.

1. GOALS OF RP—RELATIONSHIP BUILDING, OR DISCIPLINARY?

On the whole, while the teachers interviewed recognized that relationship building is one of the main goals in of RP, the goal of correcting the student is even more important.

RP's just an approach that sees discipline as a way of restoring relationship.
(Zheng-Ren[139], *Bluebell*, Chinese, HOD)

We might not have started at the right footing, in the sense that they [the Ministry of Education] *were talking about using RP only strictly as a disciplinary approach. But RP culture, is bigger, it is one where "no one is left behind"…//…The restorative classroom, will definitely have self-discipline…they are focused,* [there is] *good rapport, good team spirit, and because of all this, the end result should be, they should be doing well academically…//… What we want is to see discipline records to go down, the sense of belonging, rapport with teachers, to go up.*
(Leo, *Bluebell,* Chinese, Discipline Master/ DM)

So long as they can remember the incident and don't do it again, the aim of RP has been achieved…In a way, erm, you see, it's relationship building in the sense, erm, you can see it as a by-product [of doing RP]. <u>*I have not done RP because I want to build relationship. I do RP, frankly, usually it's because of the circumstances* [i.e. the student misbehaviour] *that I do RP, and out of that RP, I build a good relationship.*</u>   (Mr. Zheng, *Orchid,* Chinese, HOD; *Emphasis Mine*)

It is clear that while improving relationship between members of the school is valued, this goal is subjugated to the goal of instilling self-discipline in the students. The primary reason for *doing* RP is not because of relationship building per se, but to correct the child's misbehaviour, and if the relationship between the teacher and the child were to improve in the process, it would be an additional bonus. Zheng-*ren*'s statements were even more telling—getting the child to correct his misbehaviour, would help to improve the relationships between the teacher and the student!

2. RP AS DEFINED BY ITS PROCESS—ASKING THE RP QUESTIONS

When asked to elaborate on what RP constitutes of, participants appeared to see RP as a specific *process* of asking the questions in the RP script. This process definition is unsurprising, for the conception of RJ as a specific process in the RJ literature reviewed was also popular. Marshall (1999:8; emphasis mine) defines RJ as "a process whereby parties with a specific stake in a specific offence resolve *collectively* how to deal with the aftermath of an offence an its implication for the future." This process definition is also reflected in the *UN Basic Principles On The Use of Restorative Justice Programmes* (2000). However, this 'collective' element is not emphasized in the

---

[139] Names of all participants have been changed.

teachers' utterances, and instead emphasis is given to the structure (i.e. the RP script) used in the process.

The goal is to have the kid repent and know what they have done wrong. The process is the six questions. The outcomes, [is to] *see an improvement in their behaviour. To me, I'd have to go through the six questions to consider myself as having done RP.*   (Michael, *Bluebell*, Chinese)

I'd consider it as RP when I ask those typical questions—who have you affected, what were you thinking, etc.   (Emily, *Orchid*, Chinese)

En-Hui (*Orchid,* Chinese, HOD): *I used to see RP as just the five questions. A lot of forms to fill…And I didn't see myself as having done RP because I didn't write it down. But no, they said that "As long as there is some relationship, we have corrected their behaviour, they have reflected and apologized, there is some exchange of erm, words, feelings, that's RP." …//…*
Researcher: A lot of our discussion so far has been on RP with the kids. What about with your boss, or among the teachers?
En-Hui: I have never seen RP chat in this <u>kind of structure</u>, because there's no reflection, no carrying out of agreed punishment, so I have not seen RP in a management level yet. (emphasis mine)

The RP script is deemed as a reflective device and by *doing* RP *repetitively* through the script, it is hoped that students would eventually be able to rationalise, internalise, and self-actualise the desired behaviour on their own.

You want to help the person attain some kind of <u>meta-cognitive structure</u> for himself…<u>RP's supposed to help the boy attain some kind of meta-cognitive control on his feelings because when you talk to him, you hope that he'll internalize that kind of talk into his own talk, he talks to himself</u>…But some students might not need it. I'm a good, well-behaving person, not necessarily because someone had talked to me. I had people telling me and influencing me by their actions, so for me, that was how I got disciplined. But for RP, the talking, is it really going to work? The constant talking and talking?
                                                  (Zhen-Ren, *Bluebell,* Chinese, HOD; emphasis mine)

You have to sort of keep questioning him, do a Socratic thing with him, until he tells you why it's correct…We are trying to reach a stage where they internalize the process in themselves and they don't even commit the first round, that we don't even have to talk to them.   (Naomi, *Orchid,* Chinese, Discom[140])

RP is more like putting thoughts in them, ask them to think through…It's good for those who are not used to doing self-reflection.
                                                  (Sophie, *Bluebell*, Chinese, Discom)

Ultimately, the student is to undertake responsibility for his own disciplinary process. This is rooted in the premise that the student *is* a rational human being, who is capable of reasoning and hence desires to change and works to become a 'better' and 'disciplined'

---

[140] This refers to teachers who are part of the Discipline Committee (Discom).

student, if not, at least to avoid external disciplinary processes such as punishment or caning. Indeed, there is no more efficient form of control, than to be able to create an individual who instinctively does what is required of him (Foucault, 1977; Garland, 1990). Through the repetitive talk that takes place not only between the teacher and the student, but more so within the child himself, he is to "repeat the same action [i.e. the thinking as the script prescribes] over and over" until he attains the desired behaviour—he then becomes normalized (Tadros, 2010:163). This technology of the self (Foucault, 1977), this self-talk, the internal *doing* of RP following numerous RP chats with his teachers, is to help him to *perform* the desired behaviour, even if he were not to believe in it. The child is normalized when the *doing*, the *performing* of the 'disciplined' child ceases, and instead he internalizes it and the disciplined child comes into *being*.

This emphasis on reasoning and reflection is also not new. Not only is it a part of the post-Enlightenment discourses on Reason and Rationality, it reflects Singapore's *Thinking Schools, Learning Nation* vision since 1997. This vision aims to "develop creative thinking skills, a lifelong passion for learning and nationalistic commitment in the young" whereby reflective practices were institutionalized to nurture students and teachers to become "reflective thinkers and problem-solvers [in order to] keep Singapore vibrant and successful (Tan, 2008:227). RJ then, is not free from older discourses or practices—but rather, a fusion of various ideals and discourses, which we will examine later.

3. RP AS A SOFT APPROACH AKIN TO COUNSELLING

Before one is able to *become* the 'better child', the student must first and foremost, be *aware* of the behaviours and values that are greeted with delight and those with disapprobation. This awareness entails the division of one's human experience into the self and other—the 'me' and the 'not-me', the individual and the society. The child must be aware of the behaviours and actions that are desired as part of him, and those, which are not. The self then, is the objective of desire, which is wished and chosen into *being* (Martin, Gutman & Hutton, 1988:113). Such awareness may be lacking in the student, and as such, teachers perceived RP as a soft approach much akin to counselling, where the behaviour or incident in question would be broken down into bits and analysed in a pastoral manner to highlight to the child the tipping point where different choices could have been made.

> *RP takes a softer approach in disciplining, in reasoning, in helping them reflect and see where they have gone wrong and learn from it. It's a very noble approach. Perhaps too idealistic. There's a lot of counselling involved…The ultimate goal is to let them realize where they have gone wrong…what is the critical moment they shouldn't have done something…Helping the boys to be able to recognize the*

trigger point is very important…So to bring the boy through the entire situation that resulted in the boiling point, if I can teach them where is that boiling point, how to delay, defuse it, it will also work. (Ming-Jie, *Bluebell*, Chinese, Discom)

The whole RP process for them is to sit down and think exactly at each point what has been done…what exactly happened at that point when you have done it, to be deconstructive with them. (Naomi, *Orchid*, Chinese, Discom)

With the situation analysed and the tipping point identified, it then becomes pertinent that the student recognizes that he needs to make the right choice.

You can do something, you can't just blame your circumstances, those are merely excuses. We all have a choice. (Tom, *Bluebell,* Chinese, OM[141])

You can educate all you want, but ultimately, the choice is theirs.
(Thomas, *Orchid*, Chinese, Discom)

This rhetoric of choice is pronounced by most of the teachers, with the exception of one.

Approaches in educational institutions in Singapore, tend to follow, tend to be very Anglo-Saxon basis [sic]*…It follows the cognitive way, and* [it is] *always talking about choice theory, and you have to be, you think that you can affect the person's thoughts by doing such and such. I think it's more mysterious than that, that the way you think is more mysterious. I guess the word would be 'positivistic',* [the] *science way of looking at things you know, I don't think it works all the time…I think there are more mysterious forces at work inside that are not so easy to untangle, and sometimes the symbolic things around a person work more powerfully than the cognitive structure you try to give that person…//…But I'll still emphasise on rationality, because it's the next best thing! What else can you use?*
(Zheng-Ren, *Bluebell*, Chinese, HOD)

Zheng-Ren's candid statements are illuminating. While he was the only teacher who shared his reservations on the emphasis of choice, he had no other options to work from. The RP script and meta-cognitive rationalizing structure that it wishes to instill in the student, is an extension of the Classical discourse of Reason and Rationality whose trademarks, if not remnants, are still blatant in most criminal justice systems in the world.

As an outgrowth of the Enlightenment, rationalism has led to an over-emphasis on reason while the space for emotions has diminished tremendously, if not nearly eliminated. The disappearing spaces for emotions did not occur only in the criminal justice arena, but across various contexts. For instance, in the social public arena, not only were 'excessive' emotions like anger condemned by the 18th century, modern society came to suppress all emotions (Scheff, 1992). Elias (1978, 1982, 1983; cited in

---

[141] 'OM', as mentioned in the earlier chapter, is short for 'Operation Managers'. OMs are not only responsible for the daily management of the school estate, but they also help the DM (Discipline Master) and the Discom (Discipline Committee) with the disciplining of the students. Most OMs in Singapore tend to be former policemen or army officers, who became OMs following their retirement from their respective forces.

ibid.) noted the changes in manners—things that had been previously allowed to be discussed openly came to be either hinted subtly or were left unsaid altogether. In the discourse of rationalism, emotions as an element of human behaviour had to be removed. As for the context of school, there exists a consensus that education should promote rationality as well (Siegel, 2009).

Using RJ to promote the older practice of rationality is strange, for was RJ not propagated as an alternative, '(re)emotionalising' discourse (Karstedt, 2007) against the increasing emphasis of rationality? This (re)emotionalizing discourse that speaks of values such as 'love', 'compassion', 'forgiveness' and so on (Braithwaite & Strang, 2001:1-2), is silent in the utterances of rationality and choice.

4. RP AS A CHANCE TO COMMUNICATE AND 'EMPOWER' THE STUDENT

Recognising the importance of re-integrative shaming (Braithwaite, 1989) in the use of RP, the teachers also saw RP as a chance to communicate to students that the act and not the actor is frowned upon.

> *It's like, it's the action, it's not 'you' that I'm angry with, it's the action that makes me angry. But after you are punished, you are still my student, I still want to take you back.*   (Li-Wen, *Bluebell,* Chinese, HOD)

> *You must also get him to understand that you are not angry with him, but his behaviour. It's not because you are you, that's why I'm catching you to do RP with you. You are not pointing fingers at him and saying he's a bad boy, that sort of thing, no, you must get them to understand that, this is a chance for you to change, we are not blaming you, we are saying something is wrong with your behaviour and <u>together</u> we can fix that.*   (Jessica, *Bluebell*, Chinese, emphasis mine)

> *Once I behave normal ah, she also quite like* [sic] *me as a student. Then once I behave not that well ah[142], then she just, you know, encourage me lah, "Actually you are a good person,* [but please ensure that you] *do not get influenced by bad things."*   (Kei-An, *Orchid*, Chinese, 16-year-old, NT)

While teachers understood the importance of 'hating the act and not the person', it is a pity that Jessica's utterance of 'collective' resolution is not as widespread amongst the teachers. Her utterance reminded one of Marshall's (1998:8) process definition as mentioned earlier—where stakeholders address the issues *collectively*, and its rare utterance by the teachers reflect the dominant view that it is still the student who has to exercise the 'choice' to change before the issues could be resolved.

The participants understood that in theory, throughout the RP process, it is also essential to utilise that chance to *sincerely* understand each other (or in particular, the

---

[142] The words 'ah', and 'lah' in this student's statements, are a form of Singaporean expression (Singlish) and do not mean anything in themselves. See http://en.wikipedia.org/wiki/Singlish for further explanations.

student) better. The following accounts reflected teachers' awareness of the need for 'respectful listening', 'non-domination', and 'empowerment'—principles that Braithwaite (2002b) considered as a non-negotiable, an essential in *all* circumstances.[143]

> *You give him a chance, and try and understand him, not just understand the problems in terms of "What is your situation, why you just come late?"* (sic)*, but you understand him as a whole, wholesome person.*
> (Ishrat, *Bluebell*, Indian, 16-year-old, Prefect, Express)

> *The point of it is for the students to express their opinions, so in other words, I talk, the teachers listen. But if the teacher says she wants your opinion, but if you say what you truly think, and she just scream at you again, that's not RP.*
> (Suffian, *Bluebell*, Malay, 14-year-old, Express)

> *In the process of getting to know this student, at least I'm more compassionate, at least I know why he can't even sit down because there's no discipline at home, and why he's got so much anger—he's always hungry, he needs to smoke, how* [is he] *to sit down?*
> (En-Hui, *Orchid*, Chinese, HOD)

> *Maybe it's the talking out loud of their feelings that work. Erm, getting them to hear from one another, how they actually felt when this thing is done to them.*
> (Leo, *Bluebell*, Chinese, DM)

The RP process then, allows room for the student and teacher to engage in a ritual of confession (Foucault, 1979; cited in McHoul & Grace, 1993:80), whereby "the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console, and reconcile." The student then, is responsible (and in the process, empowered) for being able to offer solutions following his confession.

> *We asked them a series of questions, and they reflect what they have done to see where they have gone wrong...They have to come up with a list of solutions to make the other party who has been harmed* [feel better]*, and at the end of the day, the rapport between the two persons must improve.*   (Leo, *Bluebell*, Chinese, DM)

> *It's like counseling, except that in counselling we'll also tell them the solutions. But in RP, no, they have to come up with the solutions and they carry it out.*
> (Emily, *Orchid*, Chinese)

> *Try and let them lead the conversation; let them say what they have to say. We just get them to talk, and as they are talking, it's* [sic] *when they realize what they are doing...The solutions must come from them, if we are the one coming out with it, it's just like another scolding,* [another] *lecturing session.*
> (Hamid, *Orchid*, Malay, HOD)

Getting the student to come up with the 'solutions' then, holds the student accountable by making him take ownership of the issue in question. This process serves two purposes. First, it teaches the student the necessary skills essential to resolve conflicts and identify

---

[143] See Table 1.

solutions—skills that are needed for democracy and civil participation (Thorsborne & Vinegard, 2004; Morrison, 2001) for the ideal citizen not only needs to "recognise the likely consequences of proposed policies…they need to develop a capacity for identifying the predicaments of their fellow citizens and for *responding sympathetically to those predicaments.*" (Kitcher, 2009:303; emphasis mine). Secondly, rather than having the teacher stealing the opportunity (Christie, 1977) by lecturing at the student and acting on his behalf, the student is empowered to speak in his own voice and the issue can be resolved in his own terms (Braithwaite, 1996).

This empowerment principle that Braithwaite (1996) spoke of, is a double-edged sword, for the empowerment process itself, can be a mode of control as well. RJ's 'empowerment' discourse has an unquestioned status in the RJ ethos in a large part because RJ is informed by popular therapeutic discourses such as self-help and new age discourses (Richards, 2011: 94). One cannot teach the student accountability and prepare him for civic duties, without getting him to come on his own accord.

> *Action* and *agency* on the part of the offenders are…posited as desirable outcomes in restorative justice fora…The focus is on what offenders need to *do* in order to 'put things right' rather than what might be done *to* the offender…One cannot be 'empowered'…unless they *act*; one cannot be passively 'empowered' or have 'empowered' bestowed upon them. To be 'empowered' is to *act.*
> (Richards, 2001: 97; emphasis original)

The participants themselves might even welcome this 'empowerment' opportunity, without recognising the irony that this process itself can further tighten the control on them, or making them more

> governable in the Foucauldian sense; that is, the direction of the possible fields of action of individuals or groups…via 'empowerment', the actions of 'empowered' subjects are increasingly amenable to direction; their conduct more amenable to being conducted…their involvement in restorative practices opens up the possibility of increased responsibilisation, among other potentially negative consequences (Richards, 2001: 98).

The 'empowerment' discourse then, stealthily extends the ways in which a subject can be governed for the subject himself might even be striving for his empowerment right!

How do most students perceive this chance for communication and exchange of the minds though? Unfortunately, many students felt that the RP process was a "waste of time" and doubted the sincerity of the teachers.

> *It's like a waste of time. I'd prefer if they just cane me instead of asking questions, because they are going to cane me anyway. It's just caning, just let them cane. It's not a big deal. Even if I reason* [with them]*, the stroke would just be lighter, but you'd still get caned.* (Rahim, *Bluebell*, Malay, 14-year-old, Express)

Peter: *RP waste time, waste money. Why can't they just get to the point and just punish?*
Jude: *Yah. It all depends on the student whether he wants to change or not wah. They are just doing their cycle.* (*Bluebell*, Chinese, 15-year-olds, NT)

Just get it over with lah. Sometimes you talk, then it gets worse.
(Josh, *Bluebell*, Chinese, 16-year-old, Express)

If it's just normal teachers, I don't even wana let them know what I'm thinking!
(Sean, *Bluebell*, Chinese, 16-year-old, Express)

Jun-Kai: *You say anything, also wrong.*
Finlay: *Say nothing also wrong.*
Jun-Kai: *So we don't say anything lah, just get punishment lah.*
(*Orchid*, Chinese, 17-year-olds, NA)

Chances for communication were generally not reciprocated for not only did the students doubt the teachers' sincerity for they deemed the teachers to be doing RP out of their obligations (i.e. while teachers could articulate the principle of 'respectful listening' as seen earlier, in practice this might not be felt by the students). Students were also uninterested in improving relationship with teachers whom they were not close to.

C. RP DOESN'T 'WORK' FOR ALL

Many of the teachers appeared disappointed over the thought that RP does not 'work' for the 'hardcore' students, while others recognised that it is precisely with these 'hardcore' students that RP ought to be used. The more 'disciplined' and obedient students (who are usually from the academically stronger classes) might not even required such extra effort because a mere warning or stern look might have suffice.

They don't ask such questions in class. Just give warning.
(Dylan, *Bluebell*, Chinese, 13-year-old, Top Express class)

I've heard of the RP questions before…They are quite ridiculous. Mm, to me, I'd feel a bit weird. Erm, if the student is being scolded, he would already know. Haven't heard teachers asking such questions though.
(Corey, *Bluebell*, Chinese, 16-year-old, Express)

However, one must not think that these better-behaving students might have adjusted their behaviours accordingly not necessarily because they feel guilty about affecting others, but because they were willing to play by the boundaries as set to avoid further trouble.

1. RP DOESN'T WORK FOR THE 'HARDCORE'

Many teachers, and even students felt that one should not bother using RP with the 'hardcore' students.

Maybe it'll work for some lah, but for those hardcore ones, no!

(Billy*, Bluebell*, Chinese, 14-year-old, Express)

70% of the students don't really need the RP. 25% need you to do a bit more RP, and there's that 5% who is beyond RP. The hardcore ones ah, those people ah, they are like the people in the prison, who needs the police kind of stick there.

(Isabel, *Bluebell*, Chinese, HOD)

RP may work for those who really go and think through, it may not work for the hardcore ones, where they already have a fixed mind, maybe because of their background or what they've experienced before. Or rather, I may say that some people don't take just one time to change through a RP session, it may take a number of sessions to 'wake up'…We can't save every single child. We save who [sic] *can be saved. We can't save every single one of them…I'm fighting a battle every day.*

(Hannah, *Orchid*, Chinese)

It was surprising to hear the label 'hardcore' in the school context, especially considering that we were talking about teenagers—who unlike adults, should have more room to change, and that schools are supposed to be more forgiving compared to institutions in the criminal justice arena. Isabel's statements in particular, took me aback for it makes one wonder the extent to which teachers understand the workings of labelling theory (Becker, 1973). When questioned about the dangers of the label, one of the teachers even defended that:

> Edward (*Bluebell*, Chinese): *It's an open secret! They are indeed the hardcore, why do I need to hide about it? When we label them, I'm not saying we are already discriminating them you know. When we label someone, we just call them hardcore, it's not discriminating them, it's just labelling them…It's just a term to call them.*
> Researcher: So you don't see the stigma in that?
> Edward: *Nope.*

Unfortunately, contrary to what Edward believes, discrimination does occur, for teachers may choose not to use RP precisely because the child has been a known 'hardcore'.

> *Depending on whether this boy is a regular or it's his first time, I'll change the approach. Those who don't see me, the* 乖乖 ['guai guai'; a Chinese phrase meaning the 'goody ones'] *type, I'll use RP straight away. It's just like I'm a teacher talking to him. No need to be the discipline master talking to him. Those that I have seen many times, which we have spoken to about all this, then no point I say the same thing again. I'll use the harder approach first.*
>
> (Leo, *Bluebell*, Chinese, DM)

> *I do RP when I know the student can comply with us. Those stubborn, erm, so-called hardcore cases, difficult to break them down…In the morning, I'm a different person. When teachers refer to me the same person* [who's been coming to me again and again]*, the hardcore, I'm not doing RP.*
>
> (Hassan, *Orchid*, Malay, OM)

The hardcore ones, normally the teachers cannot handle them themselves, so they pass to me. I'll see if I can do any RP, if it doesn't work, and this guy already has a record, I'll straight away send to DM. The hardcore ones, nothing will work!

(Azura, *Orchid*, Malay, Discom)

From the above utterances, it is clear that the goals of building relationship or empowering the students are ultimately subjugated to the goal of reducing recidivism rate. Whether a student re-offends or not, is unfortunately taken as the best indicator as to whether 'RP works'.

Students' accounts also contain many instances where they felt targeted because of their previous negative reputations.

Teachers pick on us. We try to change, but no teachers' support to help us change…We were sent to the DM for clapping our hands too long during the prize-giving ceremony. When we were in the DM's office, other teachers [who were not present when we were caught and who did not know what happened] *straight away say, "Suspend them lah! So many times already!"*

(Huslan, *Orchid*, Malay, 15-year-old, NT)

They say that I cannot make it in life. Then got one teacher, I think it's [meant as] *a joke,* [but he said something] *like "You'll go far in life, but don't know which prison only…The bad stuffs we do, they have a mind of an elephant, they'll never forget it.*

(Noah, *Bluebell,* Chinese, 15-year-old, Express)

I felt so targeted by the teachers, that I'd hide in the toilet during morning assembly, if not, I'll sure get picked out. New teachers who I don't even know, would also know my name. I think during meetings they must have always talked about me…We are targeted you know, we can't afford to make the smallest mistake.

(Farid, *Orchid*, Malay, 16-year-old, Express)

The process of normalization is also an ironic one for it does not produce conformity, but individuality (Foucault, 1977a; cited in McHoul & Grace, 1993:71-73). The behaviours of the hardcore student, are made all the more prominent than the good student and therefore the 'hardcore' students are easily identified and remembered. Harrison (*Bluebell*, Chinese, Prefect Master)'s statements are telling:

Those [students] *that are doing well, I just leave them alone. That's inconsistent, I'm not giving them the attention maybe they also want, and I'm not giving it to them. And this is one thing, I feel bad about them whenever I see a good boy, I don't even talk to them, I don't even know what's going on with their lives. I just know that they are good in their work, that's all. Very inconsistent. I only spend time with the people who make a lot of noise, shift them to the front, the front seats are the bad people, the good ones, usually they sit behind. So the bad ones would get more attention.*

In facing these challenging 'hardcore' students, the rhetoric that "nothing works" and "we can't save everyone" resurfaces.[144] Most offenders have a deficit in their moral conscience, and as such most punishment (and lest to say RP chat alone) is unable to produce the moral attachment needed to internalize the desirable conduct in every student. At best, punishment can only act as a policing device (Garland, 1990:74). Be that as it may be, one should refrain from seeing students (or anyone for the matter), as "hopeless", one is never able to predict if anyone will reform or not, and to regard him as beyond redemption is to give up respecting him and hope for him as a rational, moral agent (Duff, 1986; cited in Primoratz, 1993:63; Hampton, 1995:135). One punishes the student not only because one is attempting to change and police the student's misbehaviour, but also because it is owed to the student as a human being. Besides, one has no choice but to respect the student's autonomy for repentance and beliefs cannot be forced to change.

Unfortunately, given their overwhelming workload, it is unsurprising that only one teacher showed outward sympathy towards the labelling of these 'hardcore' students.

> *As far as I'm concerned, kids don't have the mental capacity to be evil, so whatever they are doing now, it's not that they have thought about it to hurt everybody, but it's more of the spur of the moment…this is a student that may need the gentle touch.* (Hamid, *Orchid*, Malay, HOD)

2. USING RP STRATEGICALLY

While the teachers above believed that it is pointless to use RP with the 'hardcore' students, there were also teachers and students who believe that RP should be used all the more with difficult students—be it the 'hardcore' students or upper secondary level students (15 to 17 years of age), for the usual practices of screaming or punishment would not result in obeisance. However, a good prior knowledge of the student in question is essential to decide whether one should utilise RP or not.

> *I'm usually more tough on the lower secondary if they can handle it well, so that by the time they get to upper sec', I'd still have authority over them. The easy way to do discipline is when we are tough and firm, and they listen to you. Especially with students you don't know well, it's more convenient, you just need to stare at them. Fear works…if I know that a student can take me harsher with him, I would, because that element of threat, it works faster. Whereas those other type, you must do RP with him, build a relationship with him, be chummy with him before I can be hard on him without having to fear repercussions.* (Harrison, *Bluebell*, Chinese, Prefect Master)

---

[144] See Rousmaniere (1994) for example, on accounts of how challenged female teachers felt back even in the 1920s.

When you see the naughty ones, you should be more friendly [sic]. *When you deal with the* 乖 ['guai'; well-behaving] *ones, you be firm.*

(Kie-Ran, *Bluebell*, Chinese, Prefect[145])

You must know the boy well. Some students I definitely won't scream at them. Some I might even whack them 'cos I know they can take it. (Ms. Ran, *Bluebell*, Chinese)

Not only is prior knowledge of the student essential in deciding whether or not to utilise RP, but a pre-existing (and ideally good) relationship with the student in question is also perceived to be an important factor in making RP 'work'; hence the existence or absence of such a relationship would affect one's choice to use RP in the first place.

RP only works if you have already formed a personal relationship with that person, and you can't do that with so many people…It's more for upper sec' 'cos you'd already have a relationship with the person…RP takes time, you need a relationship, an understanding, and a bond. So you can't do RP on a massive scale with everyone.   (Han-Ren, *Bluebell*, Chinese,16-year-old, Prefect)

I won't ask RP questions on those whom I'm not teaching because it'd be hypocritical, because I can't help them.   (Isabel, *Bluebell*, Chinese, HOD)

For RP to work, there must be a certain relationship—whether between classmates or with the teacher. If their relationship is very bad to begin with, it's very hard for us to do RP. If the student does not know the teacher well, like the Sec' Ones, it's hard to do RP with them too. It can still work, but it's hard….So I think for RP to work, the basic condition is, the offender must have a certain relationship with the victim, or with society. I have students who I know won't work because they are very much a loner, ok, [they] *have no, no belonging to the school or whatsoever…They are just withdrawn and self-centred…There's no relationship in his eyes, to be repaired in the first place.*   (Thomas, *Orchid*, Chinese, Discom)

You need a relationship, or you need to see the students more often to be able to use RP…When you interact with him very often, and when the teacher does RP with him, that would be kind of complementing the rapport the teacher has with him. But for teachers like me who don't get to see the students often, other disciplinary methods are more useful.   (Courtney*, Bluebell*, Chinese)

While the teachers above believe that it is more efficient to be sterner with the well-behaving ones, there were others who believed that RP should be default option for students they are not familiar with, or with minor offences.

If I know this student well enough, I'd use the authoritative way. If it's the first offence, or a student I have never met before, then RP…I need to know my students well enough to know who needs the hard or soft approach.
                    (Lara, *Orchid*, Chinese, Discom)

---

[145] Please note that all prefects interviewed from *Bluebell Secondary* had belonged to the Express stream, as more than 90% of prefects were from the Express stream to begin with.

I'm more patient with kids I don't know, or I don't have a relationship with because I don't want them to be scared or defensive.

(Thomas, *Orchid*, Chinese, Discom)

The thicker the corpus of knowledge one has of the student, the easier it is then, to control the student for one would know which buttons to push (Foucault, 1980; cited in Garland, 1990: 138). However, the above utterances still relegate RP to being the 'soft approach' for it would seem like an overkill to use a 'hard approach' with unfamiliar students (and by this 'label' of an 'unfamiliar student', it would have meant that such students would not have been frequent offenders to begin with given their lack of notoriety). And for those 'hardcore students' with whom one is familiar with, RP is all the more essential because a 'hard approach' would not have worked and persuasion via RP is deemed to be more strategically sound.

3. RP IS NOT FOR MINOR OR VICTIMLESS OFFENCES

As the reader is aware by now, the ways and situations in which one decide whether or not to use RP is varied given the heterogeneity of the teacher and student population. The feasibility of RP is also perceived to be dependent on the types of offences in question. While teachers like Lara above preferred to use RP for first-time or minor offenders, most participants perceived RP to be useful for serious offences, and should not be used for minor offences or in offences where no victim is involved.

If you are late, they'd ask you "What are you thinking?" Doh!! What's there to think?! Waste time!　　　　　　　　(Deepak, *Bluebell*, Indian, 17-year-old, NA)

RP's more for things like fighting and stuffs, but little stuffs, forget it! [There's] *No need to talk so much just because you didn't bring books right? I'd just write lame answers lor.*　　　　　　　　(Bhupen, *Bluebell*, Indian, 17-year-old, NA)

RP should be more for serious stuffs. Minor offences forget it, we'd still commit it anyway.　　　　　　　　(Yusri, *Orchid*, Malay,15-year-old, NA)

If it's a trivial matter, just cane lah! Like no bring textbook, why do RP?!? Not everything can be reflected you know.　　　　(Mine-Jie, *Bluebell*, Chinese, Discom)

RP is not for victimless acts like late coming. Why are we still doing RP for late coming?!　　　　　　　　(En-Hui, *Orchid*, Chinese, HOD)

Here lies an interesting paradox—Does the institutionalisation of RP equate the using of RP in every single context possible? But if RP is used on every single occasion possible, would it not lose its significance and be relegated as 'just another initiative'?

The value of RP is going to be diminished if you do RP for even the smallest thing, which really doesn't need RP. The boys would be like "Any offence I do also have to go through this RP session, what's the significance of it?"

(Harvey, *Bluebell*, Indian)

115

Secondly, in the context of schools, as most offences tend to be minor offences than major ones involving clear victims, the extent to which offenders' empathy can be induced to affect future offending positively may also be limited; as the case in the renowned Australian RISE project (Sherman, Strang & Woods, 2000) had also demonstrated.[146]

> *In the criminal justice context, there's usually a clear victim right? That's where it's a whole lot more helpful. Same goes for conducting conferences for bully cases here. But that's also why it's not as successful* [in using RP for most offences in schools] *because most of the cases we are dealing with, there are no victims, no significant others.*   (Naomi, *Orchid*, Chinese, Discom)

4. RP 'WORKS' BETTER WITH MORE INTELLIGENT STUDENTS?

Given that RP was conceptualised as a reflective device, it was unsurprising that many participants (including those from the less academically-able classes) believed that RP would work better on 'smarter' students or on more mature students.

> *If you are giving such questions to those upper level of studies type of students* [sic]*, RP might help. But to those at the lower end, caning is better.*
> (Bhupen, *Bluebell*, Indian, 17-year-old, NA)

> *For the NT, even for the NT Upper Sec, they cannot see beyond what's going to happen in the next 10 minutes so to speak. So sometimes it's a bit difficult to get through to them why we are doing it. It just doesn't sink it. It's a waste of time, unless it's with the academically better classes.*   (Harvey, *Bluebell*, Indian)

> *Express students usually will be more mature, so you don't have to say too much, they'll catch on what you mean, what you are trying to say. The Normal* [stream] *students, you'll have to be a bit more patient because they don't really see it from your anger, maybe it's their maturity, but they don't see it from your point of view…NT kids also have problems expressing themselves.*
> (Mr. Zheng, *Orchid*, Chinese HOD)

> *I don't need to do RP so much for the Express kids because they don't re-offend as much. They are more articulate too.*   (Courtney, *Bluebell*, Chinese)

> *Can we do RP in neighbourhood schools[147] like ours? Better schools with smarter students, they'd have less obstacles right? Their students can follow easily, their IQ, or the level of erm, receive* [sic] *is high you know, they know how to behave* [to begin with even without RP].   (Hassan, *Orchid*, Malay, OM)

Evidently, there is no clear manual directing the contexts and circumstances in which RP ought to be used. Even if there were to be such a manual, given the varied perceptions held by the teachers, there will never be *the* way to do RP. It may also be prudent for schools to emphasise on the preventive quality that RP can offer, rather than viewing it

---

[146] In this experiment, it was found that the recidivism rate for drunk driving did not improve following conferencing, and it was argued that the absence of victims might be an important factor.
[147] 'Neighbourhood schools' are schools that are unlike elite and famous secondary schools.

as another rehabilitative or disciplinary tool. More importantly, the above utterances reflect the participants' (and the State's) elitist mindset (as introduced in Chapter Two), and this has important repercussions for the practice of RP. If academically weaker students are deemed as 'lesser' candidates in the participation of RJ processes (be it in the form of the RP script as discussed here, or in the form of circle time which we will see in Chapter Six), RP as a rehabilitative, disciplinary tool is doomed to disappoint its users. The emphasis on 'collective resolution' is absent once again, for after all, how can a less intelligent student be deem as an equal to the teachers or a brighter student in their abilities to 'offer solutions'? The elitism rhetoric is a dangerous impediment to the practice of RJ, for it could only speak of 'empowerment' as a given 'right' to those who 'are capable of being empowered'.

D. ADVANTAGES OF USING RP

1. RP FORM IS HELPFUL?

A minority of students commented that it was easier to write down their thoughts using the RP form than if they had spoken to the teacher face-to-face.

> *RP form is effective…it's timesaving, and some people also won't feel comfortable sharing with the teacher also, this one you can just write it out.*
> (Billy, *Bluebell*, Chinese, 14-year-old, Express)

> *Writing down itself helps me to reflect. Because when we write, when we wait, we realize, it makes me realize that "this is me, this is who I am", so when the teacher read our whole paper, they'd understand us better too.*
> (Patricia, *Orchid*, Chinese, 15-year-old, NA)

The students above belonged to a minority group, for many felt that the form itself was a mere routine and that it was too depersonalised; teachers who addressed the students face-to-face were seemed as more sincere. Addressing the student face-to-face also allows the teachers to read the body language of the students accordingly.

> *Forms no use lah. Mr. X would just talk to me directly…They should just get rid of this form, if not, they should make sure that the teacher is around when the student writes. If not, we'd just write nonsense.*
> (Noah, *Bluebell*, Chinese, 15-year-old, Express)

> *Very often I don't get them to write it down, especially for the NT, they don't like to write it down.*
> (En-Hui, *Orchid*, Chinese, HOD)

Addressing the students face-to-face instead of merely leaving the student to fill in the form serves another purpose. A number of students had found certain questions in the RP form difficult, and had the teachers conducted the session face-to-face with students, they would have been able to aid in the reflective process better.

Question 6 and 7 are a bit difficult.
<div align="right">(Harry, *Bluebell*, Chinese, 13-year-old, Express)</div>

Kei-An (Chinese): *Some questions are hard to answer, like "What were you thinking about?"*
Jamal (Malay): *Yeah, and "What will happen again?" I understand the questions, but I don't know how to answer.*   (*Orchid*, 16-year-olds, NT)

The RP form also served as a time-out device and it prevented the matter from escalating further.

It makes you cool down, and think of what you have done, and how people are affected...and it helps to prevent things from blowing up in case the teacher and the student argue further...Even if I don't mean what I say, just write it down so that it'll make her happy lah.   (Alfie, *Bluebell*, Malay, Express)

It helps to calm me down, and allows me to talk.   (Viswas, *Bluebell*, Indian, NA)

2. RP SCRIPT IS COMFORTING

Interestingly, many teachers found the RP script comforting for its systematic structure helps to remind them of the need to address the students' misbehaviours.

Actually RP's what we have always been doing, but the structure, the set mode, helps us to remember that there's RP, so [that] we remember that we have...to make a deliberate attempt to repair relationship.
<div align="right">(Derrick, *Bluebell*, Chinese, HOD)</div>

It's something we normally do [even before RP was introduced to us], but we don't actually use it erm, how should I say it, actually doing it consciously, but more like when we feel like doing it? But now that there's a structure, teachers have some guiding questions, it's more explicit.   (Azura, *Orchid*, Malay, Discom)

With the questions, we become very conscious. Last time, the most [teachers would do] is, teachers will scold scold scold, "Don't do it again!" Just like that. We weren't very conscious about wanting them to reflect. But the procedures help us to be very conscious of the need to get the student to reflect.
<div align="right">(Mr. Zheng, *Orchid*, Chinese, HOD)</div>

However, there were others who felt restricted by the this same structure that was spoken so well of.

RP script was too structured for me. It's too plastic!
<div align="right">(Naomi, *Orchid,* Chinese, Discom)</div>

RP should be spontaneous. When I connect with someone, it's not through some bloody form or questions. Why must I ask these questions? I have more RP moments when I'm not using this structured processes! But I guess since we are institutionalizing RP, to make it all uniform, we have to ask these questions? But this only makes things predictable, and students will be able to beat the system.
<div align="right">(Ming-Jie, *Bluebell,* Chinese, Discom)</div>

The RP form is crap; it's just an answer sheet, like doing English Comprehension exercises. The way we do RP here is too standard, it's wrong. It should be more natural! I think it should come down to how each of us wana do RP, and not how the paper tells us to!   (Taylor, *Bluebell*, Chinese, 16-year-old, Prefect)

That being said, many teachers do appreciate the structure of the RP script for externalising the problem and thereby allowing them to address the misbehaviour and not the student per se.

The form is there to guide us to, how we are going to help this student to reflect…Especially if the person who got hurt is us, it gives us back our focus. It externalises the issue. You know, sometimes, when we are angry, we don't think, [and we] *just want to lash out at the student. But this structure teaches us to go back to the focus…Now I have a non-stressful way to deal with problem kids. Because the questions we have to use, I mean, if we were not given the questions to start off, it might be difficult to start because the most natural thing we would do is "Why did you do it?" and not "What happened?" And this is the best thing about the questions, it takes you to focus on the problem and not on the person.*
                                                        (Hamid, *Orchid*, Malay, HOD)

The calming effect that the RP script brings to the user is not only limited to Hamid, but to quite a number of teachers. Interestingly, only teachers from *Orchid Secondary* spoke about this calming effect.

I think personally I have benefitted the most, erm, by actually not feeling frustrated for sometimes I take responsibility for the students' action to quite a bit, last time. Now I'm not devoid of them totally, but it allows me to be more rational in dealing with the kids. I must admit that there were times that I was so angry, that I tended to be quite persona, and, erm, probably in that process, probably a little unfair, on hindsight. [laughs]   (Joshua, *Orchid*, Chinese, DM)

With the RP form, I can memorise the questions easily, it's more structured…Sometimes we teachers are angry, really scold, but with RP, it constrains us, erm, it acts as a tool to calm down, to help me control, what my speech is, and think about what I want to do first.   (Emily, *Orchid*, Chinese)

This process of forcing the actors to calm down and rationalise the process is important, for any attempts to de-escalate the conflict must first begin with unwinding the spiral of destructive, negative feelings. It is not possible to resolve the issue if one is unable to think rationally and come together to address the problem collectively (Cragg, 1992: 178-179).

E. GAPS IN PRACTICE—CHALLENGES AND PROBLEMS

1. DOING THE RP FORM WITHOUT THE TEACHER

In this section, we examine the challenges faced by teachers, and how certain practices ran contrary even to commonsensical standards, thereby adversely affecting the RP processes and outcomes. As mentioned earlier, the RP form could serve as a time-out

device—particularly when it is not practical for the teacher to address the student right in the middle of the class. While there were accounts of teachers who took the time to go through the form with the student after class, a greater proportion of students said that most teachers did not go through the forms with them.

> *I wrote, "Nobody was affected", but the teacher didn't go through the form with me. Some more* [sic] *the form says "Go through RP with teacher."*
> (Ke-En, *Orchid*, Chinese, 14-year-old, NA)

> *Teachers don't go through the form usually,* [you] *just do it on your own and then hand it in. Why should I waste my time doing it properly? Just give some slipshod answers lah…Even an apology letter would have meant a lot more!*
> (Eknath, *Bluebell*, Indian, 17-year-old, NA)

> *Teacher gave me the form, but I threw it away and she forgot all about it and didn't ask it from me either.* (Mason, *Bluebell*, Chinese, 14-year-old, NA)

2. TEACHERS' CUSTOMARY PERFORMANCE

In cases where teachers did go through the forms with the students, many perceived the teachers as being merely performative; that they were just going through the processes.

> *Teachers would ask these questions, but it's so routinal* [sic]!
> (Taylor, *Bluebell*, Chinese, 16-year-old, Prefect)

> *Only the DM would keep asking such questions. But it's* 白问 ['bai wen'; Chinese phrase that means "pointless to ask"]! *They are just asking for the sake of asking only.* (Matthew, *Bluebell,* Chinese, 16-year-old, NT)

Students deemed most teachers as being performative for a number of reasons. In the first place, the very process of having to do RP, if not the script itself, already presumes that the problem lies with the students. Even though teachers earlier had noted how the script externalises the problem by asking "What" questions instead of "Why questions, the fact is, the students are the ones who have to answer these questions, even if the problem was with the teachers. *Bluebell Secondary* OMs' statements are illuminating:

> *I don't believe in the script, the forms. I just use reverse psychology instead. Instead of asking "What happened?", I'd ask them "What did the teachers do to you?"* (Tom, *Bluebell*, Chinese, OM)

> *I just wish teachers would ask "How can I help you?" more.*
> (Joel, *Bluebell,* Chinese, OM)

What was even more interesting is the fact that both Tom and Joel had not received RP training, and while they are part of the school staff, they are also cognisant of the fact that sometimes teachers, and not the students, may be the source of the conflict.

A second reason why students deemed teachers to be insincere and robotic during the RP process is because there were teachers who had even dictate what ought to be written in the RP forms. These teachers had wanted the 'politically correct', 'standard answers' and the RP process is merely utilised to affirm the status quo and current norms.

> *It's like Oral exams, where the teacher sits there, then one pupil sit there, and the rest of us sit at the back, waiting for our turn? One RP, 10, 15 minutes…It's like a common conversation, just that it's friendlier, and I think it's a super waste of time because it was not done after school. So she was talking to me and I'd just go "Yes, yes, sorry 'Mam, yes I agree, I won't do it again" for ten minutes, and after that she'd just let us go lor. Just give all the stereotype answers lah, and get outa there as fast as possible.* (Kie-En, *Bluebell*, Chinese, 16-year-old, Prefect)

> *Question 3, I keep quiet ah, don't know how to answer. Then he asked me to write down, whatever he said, I just write down.*
> (Jamal, *Orchid*, Malay, 16-year-old, NT)

> *I had to redo mine! I thought the DM would be reading it, so I wrote as I thought, and said that I didn't think anyone was affected just because I was late…And the OM made me re-do it because my answers are not acceptable! He said he wanted 'serious answers'…you know, just give them what they want lah. I was serious* [i.e. sincere] *in my original answer, but since he's not satisfied, just re-write and give them what they want them. How can they not be satisfied with our answers?! I was writing the truth, and now you want me to lie?*
> (Akma, *Orchid*, Malay, 17-year-old, NA)

RP as practiced in this manner then, is far from the communicative ideal that was espoused earlier in the chapter, for what the teachers wanted in these exchanges, was an articulation of the correct social norms that these students had failed to perform.

Students might also have engaged in this ritual of articulating the desired social norms even without promptings from the teachers.

> *"Who's affected?" This question is so lame, so ok lor, you wana be lame, I'll go along and be lame with you. "My father, my mom, my brother, my grandmother." …//…This question—"Have you done the right or wrong thing?" Can I write "If you think we are right, you give us this form for what?" Aiyah, just entertain them lah.* (Jennifer, *Orchid*, Chinese, 17-year-old, NA)

> Ke-Jie: *Just give him the answer he wants, if not he'll just go on talking. I don't' think they really bother to know what happened, they'll still go on to the rules, so just quick quick* [sic] *give him what he wants so that he won't talk to you anymore, so* [that we] *can hurry up go* [off]*, if not they'll nag a lot.*
> Matthew: *The more you reason, the more they'll ask you!*
> Anthony: *Like you say one sentence, they'll give you ten sentences!*
> Matthew: *Yeah, so if he asks you question, you keep quiet, it's the best, then he'll let you go already. That's the best way of getting rid of teachers.*
> (*Bluebell,* Chinese, 16-year-olds, NT)

Clearly, there is a real danger that the above practices may render RP processes to become "fast-food RJ process" (Choi & Gilbert, 2010: 223) should bureaucratic organisations continue to operate in a "passionless, routinized, matter-of-fact kind of way." (Weber, 1991; cited in Garland, 1990:183)

Teachers also perceive students' 'standard answers' differently.

Standard answers is bad! I feel that you have to feel it, that the offender needs feel or show some kind of remorse. (Naomi, *Orchid*, Chinese, Discom)

Many teachers would say, "They give you the standard model answers wah, you think they really think meh? Do you think they really think teachers are affected? They don't care about you right?" Teachers are still skeptical about this. But for me, let's say, if they can say that the teacher is affected, whether in the student's mind, whether it's real or they just giving you the standard answer, [so long as] *they can open their mouths and say "Teachers are affected", if ten teachers do that, ten times, or 100 times the student says that, it'll sink into his head that someone is being affected, so don't bother about whether it's sincere or not, that's not important. At least I force it out of his mouth, that he knows it. It's just a matter of time. When he's more mature, he'll* know *that the teachers are affected.*
(Mr. Zheng, *Orchid*, Chinese, HOD; emphasis original)

The latter has no qualms with the insincerity of the 'standard answer' that a student has offered, and takes a rather realistic view of RP—rather than viewing it as a reformatory tool per se, it was enough for him to use the RP process to affirm the status quo. Teachers like Naomi on the other hand, are bound to feel disappointed if they were to take RP as a moralising device.

3. WHO OWNS THE PROBLEM?

The next impediment to the use of RP is the lack of ownership among a number of teachers. While this issue exists in both schools, it appears more disconcerting in *Bluebell Secondary*. Firstly, parties other than the teachers were loaded with the responsibility of disciplining the student population. In *Bluebell Secondary* in particular, disciplinary responsibilities were pushed to the prefects and class chairmen[148] especially.

In reflection class [similar to detention class]*, usually the teachers are not there, so we just fill in the RP form, then the prefects would make us write "I'm sorry" 1000 times.* (Noah, *Bluebell*, Chinese, 15-year-old, Express)

Prefects are seen as people who do policing work, and that's against my belief and I don't like that image of prefects, and yet we need these people because we use them…But why can't the teachers be the policemen?
(Harrison, *Bluebell*, Chinese, Prefect Master)

Teachers won't come for reflection class [detention class]*, and it's all left to the prefects…When the class is noisy, teachers would go "Prefects, you take care!"*

---

[148] Similar to a class monitor.

and during morning assembly, at least half of the teachers don't come down to settle their classes. They only come to take attendance. Maybe the teachers should take a more active role in discipline because discipline does affect our reputation 'cos I think our school is not really known for being orderly and discipline, and a lot of the blame comes down to the prefects or the chairmen.

(Han-Ren, *Bluebell*, Chinese, 16-year-old, Prefect)

The next group of people who faced the same problems as the prefects were teachers who are officially responsible for the disciplining of the student population—such as teachers of the Discom (Discipline Committee), the OMs, or the Year Heads[149]. These teachers shared how other teachers might abuse the referral system and sent the students off to them.

They'd [other teachers] *leave notes on my table, and I'd have to solve it for them.*

(Amy, *Orchid*, Chinese, Discom)

There's a tendency for people to take the easy way out. Teachers used to send the entire class of people down to the Time-Out-Room when it first started!

(Sophie, *Bluebell*, Discom)

The feelings of displeasure were mutual—there were also teachers who felt frustrated at the Discom.

Initially there was no buy-in from the teachers because many of them felt that the discipline management was just pushing the disciplinary job to them.

(Leo, *Bluebell*, Chinese, DM)

I'm more concerned about the times when the DM don't [sic] *punish! Because sometimes when they go to the Time-Out-Room, I don't know what is happening inside there. Sometimes my boys tell me they are wasting their time, waiting for their turn to be counselled, then sometimes no chance to be counselled, and they go to the canteen, do CWO* [corrective work order; picking up litter, etc], *to me, it's like, I don't know what's happening lor.* (Ms. Ran, *Bluebell*, Chinese)

This issue of teachers delegating problems to each other is not limited to Singapore nor the two schools—Morrison, Blood, & Thorsborne (2005) and Shaw (2007) have also documented similar problems in the adaptation of RP in Australian schools.

The Discom teachers were sandwiched and torn between the upper management and the ordinary teachers. On occasions, in the process of fulfilling the demands of both sides, injustices were even meted out to the students (for e.g., caning the student to close the case).

---

[149] In *Orchid Secondary,* from Secondary One to Secondary Four level, there is a Year Head and an Assistant Year Head, who act as mini-principals for each respective level. If one were a Year Head for the Secondary Ones this year, he/she would also be teaching Secondary One classes this year. Next year, he/she would graduate along with the classes to become the Year Head for the Secondary Twos. As mini-principals, all matters, whether academic or disciplinary, would come under his/her purview. Should teachers of that level find it impossible to tackle certain students, they would refer the students to the Year Head before it goes to the DM.

Sometimes, teachers would refer to me students whom I know wouldn't re-offend again, I'd prefer not to cane them, but I have to because the student is referred to me. (Harrison, *Bluebell*, Chinese, Prefect Master)

A stroke of cane can be a conclusion to help answer to the referring teacher. Sometimes, I feel like I'm just a cane-dispensing machine! I'm a complain officer! In the name of helping the teachers, the management wants us to give names of teachers who are abusing the system, or whom we observe during our patrols, to be having problems controlling the class. I can't do that…Sometimes during patrol, even the HOD would purposely avoiding going to rowdy classes, because if we were to walk past, we'd be made to control the class. "Can you come and help us scold this boy 'cos he never bring his form?" That's so ridiculous! If you turf it to us, it undermines your own authority, and shows that you can't control the class, don't they know that? But we still have to put on a united front as teachers. (Ming-Jie, *Bluebell*, Chinese, Discom)

The false united front that Ming-Jie spoke of, did not escape the eyes of the students in part because some Discom teachers themselves did not attempt to hide the performance, and in part because the students themselves observed the different styles employed by the Discom teachers in front of respective audiences.

He would tell me to tell the teacher that I've already been punished. Sometimes he would just touch our hands with the cane and laughed, "Was the caning hard?" (Rahim, *Bluebell*, Malay, 14-year-old, Express)

OMs must put on a performance wah. They must pretend to be fierce in front of other teachers. (Nazri, *Orchid*, Malay, 14-year-old, NT)

If the DM don't [sic] *do anything, then people will think he's siding with us.* (Huslan, *Orchid*, Malay, 15-year-old, NT)

If I got sent to the Time-Out-Room and he's there, he'd just tap us, "Is it painful?" But if he were to walk past us when we are sent out of class [and hence in full view of the referring teacher]*, he'd cane very hard.* (Sean, *Bluebell*, Chinese, 16-year-old, Express)

It is unfortunate that in the struggle to meet the numerous expectations from different sides, the students often ended up being the sacrificial pawns when they receive disproportionate punishment to their misbehaviour. While no student has complained against the injustice of being used by the teachers—whether because the students had given up protesting, or because they did not think that caning is a big deal as many students have commented earlier in the chapter, the lack of discussion on the problematic moral integrity of such performances, especially coming from teachers, is rather disturbing.

4. OF A DIFFERENT PARADIGM, BUT TASKED TO BE THE HARBINGERS

A number of participants noted the inherent paradox in getting teachers to practise and advocate RP.

It's very difficult if we wana use RP, because people are not used to it, because every batch is mixed you know, throughout every year right, the board of prefect has a range of ages, some of whom have been through a culture of scolding themselves, and then you suddenly want to introduce a good thing, like talking in a nice way right? Then one of the batches would be unable to function with it and trail off the path lah. (Han-Ren, *Bluebell*, Chinese, 16-year-old, Prefect)

Often, the biggest irony of any educational system is that, because we are always caught in change, we are always shifting in paradigms. You are asking people who belonged to one paradigm to be the generators of change to the other paradigm, so you are putting twice the burden on these people because they haven't even change to this paradigm and you are asking them to generate the change! (Zhen-Ren*, Bluebell*, Chinese, HOD)

Furthermore, as discussed earlier, while some teachers might have taken comfort in the systematic structure that the RP script provided, this script can only be, at best, a scaffold and the teachers would still have fall back on their own communicative skills. This brings up to a fundamental question—Can anyone do RP? Can communication skills be taught, or is it a large part of it intrinsic in one's personality? Many teachers articulated this doubt and argued that it might not be fair to expect every teacher to be able to *do* RP.

What can we do to help these teachers? Nothing! How you want [sic] *to teach the person to adapt to the situation? You have to be a talker, you have to have certain personality to carry it out. You have to be yourself and yet be effective. You can't expect all teachers, or every single human being to be like that. To the teachers who don't know how to respond, who goes "What do I say next?" You can't give an answer, you can't. You can only hope that the person can adapt at htat moment, that as an adult you have already formed those faculties that allow you to change and adapt.* (Zhen-Ren*, Bluebell*, Chinese, HOD)

But it's not fair to require, to get everyone to do it because it may not be their style. They may not have the necessary training for the last 20 years, and in their dealing with peole, that's not how they were being treated either, so why would they say "Why should I even treat people in this nice way? Why are you asking me to talk this way now when nobody has talked to me in this way over the last 20 years?" (Harrison, *Bluebell,* Chinese, Prefect Master)

Personally, I don't think all teachers are suited to do RP. Some teachers are better at it, some teachers try, I think it's one's character. In using RP, you need a certain amount of patience, and if by character this teacher doesn't have it, it can be tough. As you practise more and more, you may become better, but not as an instinct. You need certain charisma and patience. (Mr. Zheng, *Orchid*, Chinese, HOD)

The inhibited Asian culture was also offered as a stumbling bloc not only to the communicative processes that RP may require, but also to the building of relationships between members of the school community.

Because Singapore is an Asian society, you cannot take RP from Australia or any of those European countries and just throw it into the Singapore context, it's going

to be very difficult. Our people, erm, they still, are, still not as opened or as articulate as kids or people from other countries, so some of them may see talking as shaming. (Thomas, *Orchid*, Chinese, Discom)

The Western countries, their mindsets are very open. Kids can be vocal, kids can choose because their parents are open-minded. But in Singapore, it's more like Chinese Asian mindset, it's closed. When you have a close mindset, it's very difficult for you to open up and listen and try to adopt an open mindset. When you talk in-depth, you'll see that many Asian people shut up because they are afraid of being hurt, they are not willing to step out and grow. And we are also afraid of failure, and if you are afraid of failure, then you'll not be able to make RP work. (Sophie, *Bluebell*, Chinese, Discom)

Many teachers, in class, they just teach, and outside [of school]*, it's like we are strangers, like they don't even know us.* (Hafiz, *Orchid*, Malay, 17-year-old, NA)

Here, the unwillingness to bare oneself—be it one's thoughts, feelings or personal lives, is offered as a negative 'Asian character' that impedes the potential of RP to build relationships. This was a surprising admission given that most of the other occasions (as we have seen in Chapter Two earlier and later in Chapter Five and Six) where the rhetoric of 'Asian culture' comes up, they were usually used in defense against criticisms instead.

5. THERE'S NO TIME!

There was an overload of accounts pertaining to the lack of time and resources foreboding RP as doomed to be marginalised until help in this area is received.

RP is good, actually it's better than scolding, but only if you have the time and if you are willing to go through with it…The teacher's pay is also determined by how well the students performed. By concentrating on those who are already strong, the teacher can ensure at least half the class get A1s. "Half my class got distinction"— It actually sounds very nice. But if you say the other end, and just focus your attention on the weaker ones who'd be just stuck at a B3 anyway, in the end "My class distinction only 10%", wouldn't teachers lose out? [if they were to spend additional time on building relationship?]
(Han-Ren, *Bluebell*, Chinese, 16-year-old, Prefect)

If you do RP on the spot in class, you are not going to have time to finish teaching your lesson. If you do it after school, it's going to eat into your lesson plan and your marking time. (Zhen-Ren, *Bluebell*, Chinese, HOD)

Before I went into teaching, I always think, try and help every student. But I went in, you realize that you just don't have the energy to help, so you just have to concentrate more on those who wana listen to you. Those who are disruptive, who don't give you respect, go hard on them lor. You don't care about whether or not they are paying attention, you will just be happy if they don't disrupt your class!
(Yi-Zheng, *Orchid*, Chinese)

The lack of time and resources had also led to many instances where teachers failed to follow-up on the agreements that had arose out of the RP processes (be it the RP form, class conferences or circles).

> *Teacher told us to do something about it, we said that we did it, and that was it.*
> (Max, *Bluebell*, Chinese, 13-year-old, NA)

> *The class contract? She referred to it for the first three weeks, and then she stopped caring.* (Mastura, *Orchid*, Malay, 17-year-old, NA)

> *I skipped cross-country run, and so I was supposed to be punished with CWO* [corrective work order; picking up of litter, etc]. *But I didn't turn up, and nothing happened anyway.* (Sean, *Bluebell*, Chinese, 16-year-old, Express)

> *Sometimes teachers can't maintain consistency. Like if someone* [were to] *litter, he's supposed to be punished right? But teacher didn't execute the punishment 'cos she's in the middle of teaching mah. It's just faster to pick it up and throw it away for him.* (Danielle, *Orchid*, Chinese, 17-year-old, NA)

> *You have to be consistent and catch them every time, but I'm overwhelmed, and you wouldn't be thinking about using RP when you are drowning.*
> (Jessica, *Bluebell*, Chinese)

The lack of resources is a perennial issue that bugs schools across the world. And yet why are we unable to address it adequately? Because the permitted discourse address the issue as "the responsibility of the teacher alone" rather than viewing classroom discipline as caused in part by "oversized classes, inadequate working conditions, and insufficient support and guidance for teachers." (Rousmaninere, 1994:68)

6. RP MAKES US LOSE OUR AUTHORITY

One of the loudest objections that many teachers (and even prefects) have pertaining to the implementation of RP, is that this 'soft approach' threatens, if not, erodes their 'authority'. Perceiving RP as a 'soft approach', it is little wonder that many resisted the implementation of RP, for most of us are used to the popular discourses of 'authority' and 'discipline' that have us believe that harsher approaches are required to fulfill the expressive function of punishment (See Hudson, 1998); some teachers even misinterpret 'authoritarianism' for 'authoritativeness'. In the early days of implementation,

> *We thought RP meant "being nice to the kid, no scolding, being soft with the kids, they can get away with murder, etc." There was a lot of resistance because when we presented RP in that manner, or rather, when teachers perceived it in that manner, they were up in arms! They were so unhappy you know, 'cos they said we were going soft. In fact, during that initial period, there was a dip in the discipline.*
> (Mrs. Pang, *Orchid*, Chinese, Then-Principal)

The above protest is neither new nor limited to the two schools in Singapore. McCluskey, Lloyd, Kane, Riddell, Stead & Weedon (2008:413), in their study on the use of RP in 18 Scottish schools, have also documented how "teachers are afraid we are stealing their strength." RP cannot be implemented effectively without addressing the "taken for granted" structures and systems of discipline and control in schools." (ibid.)

Unfortunately, there were only a few participants who did not think that RP would erode their authority.

> *Just because we know how to use RP doesn't make us lose authority. It depends on how you see it. Maybe the students, because they have always known prefects to be loud to control, so they might feel that when we talk to them nicely…they might take us for granted and try and climb over our head, like instead of coming to an agreement, they keep talking over you, bargain with you. But it depends on how you manage it.* (Taylor, *Bluebell*, Chinese, 16-year-old, Prefect)

> *RP is quite a powerful tool, it's not a sign of weakness that we are not using aggressiveness to deal with the problem, although traditionally, people would think that if you are not aggressive, you are weak.* (Hamid, *Orchid*, Malay, HOD)

> *Even if RP is seen as the 'soft approach', what's wrong with it? If it works better, it works better wah.* (Thomas, *Orchid*, Chinese, Discom)

Most teachers on the other hand, continued to see RP as a soft approach, and even argued that Discom teachers should not have to practise RP. Unlike ordinary teachers could afford to wear different hats and personas, many felt that Discom teachers ought to be allowed to maintain the traditional stern image, to play a different role altogether from ordinary teachers.

> *RP is a soft approach…If I have to do RP, and also 'Discipline' at the same time, it's like wearing two hats at the same time. Wait if I wana do 'discipline' on them, they think they can makan* [Malay word for 'eat'] *me, wait they don't respect me how? Especially since I tend to do more disciplining, 'cos by the time students are referred to me, their teachers would have already done RP with them. Should have clear segregation better, those* [cases] *in which RP can't handle, then give me* [and I can 'discipline' them via the traditional and punitive methods]. *Now I worry about whether this student think they can step over my head or not? Are they scared of me? This should be an office that students don't wana come in you know. I don't want room for negotiation, or for them to think that they can talk their way out when they are with me.* (Hassan, *Orchid,* Malay, OM)

> *A lot of us associate the DM with the cane, with punishment, with very harsh kind of relationship. That's not the philosophy of RP—it is warm, loving, trusting, open, and people are willing to share.* (En-Hui, *Orchid*, Chinese, HOD)

> *I think it's fine that the OMs portray something more like, erm, an ex-policeman image, because you need an image like that in school to lend authority.*
> (Leo, *Bluebell*, Chinese, DM)

It is made known to the student population of both schools that the OMs were previously policemen. In *Orchid Secondary*, both the DM and the OM were also part of the Voluntary Special Constabulary (VSC)—these are part-time volunteer police officers that also hold full-time jobs.[150] In the discipline room at *Orchid Secondary*, the DM's and the OM's policeman uniforms were also hung visibly in sight for any visitors to see, presumably with deterrence in mind.

The image of the school as one that nurtures the child lovingly must be cast aside. Schools are also places where conflicts of interests occur, since "the traditional and pedagogic status of teacher provides conditions for bringing power into play" (Marshall, 1996: 136). The status and authority attached to the role of a teacher as known now, is not a given across history; teachers in medieval schools for instance, did not even have the authority and power to punish or discipline students (Aries, 1962; cited in *ibid*.)

Looking at the teachers' utterances earlier, many of them have a limited view of 'authority', or even misconceived *authoritarian* as *authoritative*. It may be useful to consider four different types of 'authority' (Gordon, 1989:13-27). The first type, Authority E, is that which is based on one's expertise or knowledge. For example, a teacher may be an authority on Singapore history. The second type, Authority J, is based one's position or job title, thereby defining one's responsibilities and job scope. A teacher then, is given the authority to administer tests to students, or to get them to queue up. For the teacher to effectively play his role, his job descriptions must also be assented by those whom he meets in the course of his work—his exercise of his 'authority' is legitimate only if there is consent by those on whom his authority is exercised upon. The third type, Authority C, is one based on informal contracts and agreements. And lastly, Authority P is "derived from one person having power over another", whereby one is able to use "power to control, dominate, coerce…make others do what they don't want to do" (Gordon, 1989:16). This is perhaps the type of authority that OM *Hassan* and many others had in mind when they spoke of their fears of losing 'authority' or 'respect'. To base one's ability to exercise authority through coercion, strength or power, is to believe in authoritarianism, rather than authoritativeness—which is to exercise one's authority with persuasion, knowledge, reason and emotions (Rosemont, 2006:1). In the RJ parlance, Watchel (1999)'s famous social control window explains the authoritarian type of control as works done *to* another, and is high in stigma and control, but low in support

---

[150] In 1997, to counter juvenile delinquency, Singapore introduced the VSC scheme whereby selected teachers (mainly DM, OMs, or teachers belonging to the Discom) were appointed to be VSCs. They would undergo 2-week police training, wear police uniforms and exercise certain police powers, including the powers of arrest (Sidambaram, undated).

and encouragement. Authoritative type of control on the other hand, can be restorative when one works together *with* another, providing a high level of support and maintaining a high level of control at the same time.

Teachers might need to rethink their conceptions of 'authority', 'respect', 'power', and 'discipline', regardless of whether RJ is in the picture or not. Indeed, the practice of RJ must require a rethink of these four concepts, for one who only understand the language of coercion can hardly be a true supporter of the RJ principles of democracy, compassion, among many others (See Braithwaite & Strang, 2001 for examples). Even if the school does not implement RP, it might be prudent to consider expanding one's repertoire of skills by working on one's Authority E and J. The word 'power', refers to "the ability to act or to produce an effect" (Merriam-Webster Online) and coercion, strength and might, is merely *one* way among others, in which one can get someone else to do something.

There is also a difference between 'power' and 'authority'.

> "Power" basically denotes ways in which an individual subjects others to his will by means of physical coercion…or by psychological coercion…or by use of less dire forms of sanction and rewards…or by personal influences. Authority on the other hand, involves the appeal to an impersonal normative order or value system which regulates behaviour basically because of acceptance of it on the part of those who comply (Peters, 1966:238; cited in Marshall, 1996:132).

One then, cannot lose 'authority' if he did not have it in the first place; meaning, if the student did not recognise and accept the OM's or the Discom teacher's use of power, their legitimacy is questioned and it cannot be said that the teacher has authority over that student in question. 'Authority' then, does not merely exist along with the job title of a DM or a Discom teacher—it has to be earned.

That being said, I am not without sympathy for the Discom teachers, DM and the OM, for I have no envy for their roles. As *Taylor* the prefect and *Hassan* the OM mentioned earlier, they often have to deal with students 'bargaining' with them when they are friendly, open or democratic—characteristics that reflect RP values. However, following the bargaining process that the teacher and the errant student might have been engaging in, if the student does not accede to the teacher's 'persuasion', then the teacher might felt forced to step up and take on a more authoritative (or sometimes even authoritarian) stance, thereby allowing the student to judge that the teacher is "like all others", and that he was not "authentic" in his *doing* of RP, nor was he really trying to be democratic (Shu, 2010: 110).

Discom teachers also played the stern policeman-image in part because unlike most teachers, not only were they more likely to handle unfamiliar students, they often had to handle big crowds of students at any given time.

You can't conduct RP on a mass scale. [Raises his voice deliberately and spoke in a loud, perky manner] *"SO EVERYBODY! YOU KNOW WHAT YOU ARE DOING WRONG?" It doesn't work that way!*

(Han-Ren*, Bluebell*, Chinese,16-year-old, Prefect)

I also want to retain this image, that they'll remember "It's that teacher, he's a bit fierce, don't mess with him." I want them to have this image about me, for those who don't know me well. For students who know me, if they think I can be a good friend, that's fine with me too. It's really just about convenience, 'cos fear works. If I have to go into the assembly hall now, and I have to address a group of students, I'll be a bit more stern, because I need to get the control of everybody. If it's just one class, or a few students, then the atmosphere's different. My preference is for non-hostility, but in a big crowd, you don't have the trust of everybody, so the easy way, is to be firm, because then the atmosphere is more tense, and then everybody will tend to follow you see. Same if it's three classes of people I don't know, I've got to give them that image. If it's just a few students, I can be a bit loose and casual. It's like a persona you put on, depending on the context.

(Harrison, *Bluebell*, Chinese, Prefect Master)

Indeed, one has to remember that when

we are dealing with a crowd…what we are faced [with, is] not…a class community, but with a mass, there is only one thing for us to do; to establish and maintain discipline as the precondition of every mass institution (Spiel, 1962:31).

And to maintain control a large crowd of students in the shortest time possible, the role of a Discom teacher must be well played.

In performing the role the individual must see to it that the impressions of him that are conveyed in the situation are compatible with role-appropriate personal qualities effectively imputed to him…These personal qualities, effectively imputed and effectively claimed, combine with a position's title, when there is one, to provide a basis of *self-image* for the incumbent and a basis for the image that his role others will have of him.

(Goffman, 1961; Reprinted in Lemert & Branaman, 1997:35)

He would have to perform the characteristics that are associated with a Discom teacher—he is supposed to be fierce and scary—to get the students to recognise his role and respond accordingly.

Ordinary teachers yearn for this persona as well, for being able to play this role well would mean an easier hand at classroom management.

Those teachers that we can easily take advantage of, we don't really give a shit. Like even if they asked us to get out, we can still [ignore their orders]*, like* [continue to] *slack in class,* [and] *don't really give a shit* [about] *what the teacher say. Then there are some teachers that are really quite demanding, they'd really call the DM, or they'll punish you, so we'd really obey this kind of thing* [sic] *lah.*

(Bhupen, *Bluebell*, Indian, 17-year-old, NA)

Wen-Yi (*Bluebell*, Chinese): *I don't know what the Discom do* [sic] *to seriously instill that kind of fear. If only we all can learn their tricks ah, we'd all have an easier time in classroom management. It's not necessarily shouting or what, but they have this air about them that'd make the students really scared. It's a presence of sorts. I wonder why I can't be like those teachers, because it'd really make your life easier, in terms of teaching wise, it'd really be easier to teach if you have a quieter class.*

Researcher: Yes, but the students might not like you though.

Wen-Yi: *But at least learning takes place. Classroom management is a big thing, whichever school you go to.*

The prefects of *Bluebell Secondary* who took over much of the teachers' disciplinary duties, also resisted against the changes that they perceived RP had brought about.

Ewan (Chinese): *They wanted to change our name, from 'prefects' to 'student leader'.*

Han-Ren (Chinese): *Doh! We didn't like it because it's not nice, we'd lose our authority, and currently faced with the situation where teachers, morning assembly, we are expected to do everything, if we lose more authority, we can't do anything…Then we are not allowed to scold the students, but to bring the student to the teacher for him to be handled in a different way!? So we'd become just like ushers? Some 'councillor' like every other school, who would 'book' people and tell every other teacher that that fellow is not behaving? Wow.* [sarcastically] *How effective. We prefects are traditional, we have always been scolding people, that's always been working for us, that's how we have been keeping our discipline despite our school being what it is. It could have been worse. If we use this modernised* [RP] *way, our discipline would get worse right? People are getting softer, but the students aren't you know!*

Ewan: *I find it quite ironic that they want us to do something but make us less authorized to do so, and as a result, less effective in doing it.*

Dinesh (Indian): *Everyone's getting softer, becoming nicer, must use RP on people, must be nice to them, but students are getting louder, more daring, because they know that "Prefects are not supposed to do that!" and they can even complain against us! It's like being policemen without the*

Han-Ren [interrupting]: *batons*

Dinesh: *and cuffs.* (*Bluebell*, Prefects, 16-year-olds)

In response to these voices, Harrison (*Bluebell,* Chinese, Prefect Master) lamented that:

It's really tough. The prefects have a very strong system, a culture that I'm trying to change and it's not easy. A culture whereby they hold on to certain traditions which they refuse to let go, and this culture separates them from the rest [of the student population]*, it's something I'm trying to stop, I don't want them to be a class above the rest, you don't differentiate it like this yourself, you show it, you prove it you see. I wana teach them about servant-leaders, but I don't think it's working well…I was even very fierce towards them, I want them to see, "Is this how you want to treat others? Then I'll treat you the same way." It didn't felt good for them, and that was what I wanted them to experience for themselves. But it was not very pleasant, and in fact, they even by-passed me and went straight to the VP* [Vice-Principal] *on certain occasions.*

It is easy to see why Harrison wanted to adopt the concept of 'servant leadership'. As an advocate of RP, Harrison understood that authority and respect must be earned to be legitimate, for they do not come along merely with the title of a 'prefect' or a 'Discom teacher'. As a servant-leader, the desire to serve must come before the aspiration to lead (Greenleaf, 1977: 8-17). This concept must be hard to digest for the prefects, who have limited time and resources and yet they had to answer to (contesting) demands from all sides—ordinary teachers, Prefect Master, parents, prefect-seniors. While advocates like Braithwaite (1996) argue that RJ can be adapted and employed according to different cultures and settings, there might exist essential pre-conditions before a school is ready to embark on it. A school that faces an overload of disciplinary problems might not be in the best of shape to utilise RP.

> *If a school has a lot of discipline cases, erm, depending on which stage you are in, then I think the hard approach is necessary, works better. Because RP takes time. Erm, it'll take too long before a message is sent, so certain things you need to take the hard approach first…like cane all the way, everybody cane, principal walk around with the cane, anything see, anything can, so that everybody gets the message and toe the line.* (Leo, *Bluebell*, Chinese, DM)

> *When I first took up the job* [as the DM]*, it was very challenging because it contradicted my persona. I had to be very firm, and the kids were terrified of me. Basically it's like ruling with an iron first, you know, the typical image of a DM…At that point in time, the school was very challenging, compared to now. The tone was definitely different. It has got no room to allow for a more amicable style. All right, the only, erm, 'acceptable' persona, was to be fierce with the kids, and really instill some fear in them so that they conform and follow the rules.* (Joshua, *Orchid*, Chinese, DM)

The adoption of RP then, requires a certain level of stability in the system that allows one the space to experiment and try (and fail). Given its reputation as a 'soft approach' and that the processes are time-consuming—a resource terribly limited in a Singapore Incorporated (see Chapter Two) whose priority is efficiency and pragmatism, it is not surprising to see RP being sidelined by purportedly more efficient but harsher methods.

7. RP & CHANGING TIMES—FROM RESPECT OWED TO RESPECT EARNED?

Last but not least, RP and its related values of 'democracy' and 'non-dominated speech' (see Braithwaite & Strang, 2001) come up against the traditional view that respect and authority, or even deference, are owed to those who are more senior in age and title. This is a major theme that we will re-examine in the next two chapters.

The idea that one should be more deferential to someone older adversely affects the creation of a levelled-playing field for students and teachers to communicate and participate equally. Many teachers, especially the older ones, and a minority of students still continue to hold this view.

Harry: Actually *we should respect the teachers wah.*
James: Yeah*, they are the elders wah.*   (*Bluebell*, Chinese, 13-year-olds, Express)

Yusri: *Should respect her because she's older than us*
Bashir: *Yeah, she's more experienced, she's an adult, she's a teacher, she knows many things more than us…But most of our classmates won't think this way lah.*
(*Orchid,* Malays, 15-year-olds, NA)

Today, this Sec[ondary] *4 boy walked past me, and I taught him before. "Morning." He didn't say "Good morning Sir" but at least he greeted me…But in my heart,* [I'm wondering] *"What's so difficult to say the Sir?"*
(Edward, *Bluebell*, Chinese; emphasis original)

I have students came up to me, refusing to sign the [class] *agreement because they said "The teachers don't respect me, why should I respect them?" The thing is, I'll tell them, "The teachers have lived so much longer than you, in the first place, they deserve your respect before they respect you, I mean, based on age! You want us to speak respectfully to you, you have to speak respectfully to us first because we are the authority here!*   (Naomi, *Orchid*, Chinese; emphasis original)

Aiyoh[151], why they [the students] *call you "Julia", so* 没大没小 ['mei da mei xiao'; A Chinese phrase literally meaning, "no big no small".[152] It means that one does not show respect to one's elders.]   (Emily, *Orchid*, Chinese)

Older teachers in particular, presented a stronger resistance to any threats eroding the above view.

Can we actually survive as a school based on RP alone? Ok, because what we saw on videos during training, you see teachers and principals walking around, [saying] *"Hi",* [they were] *holding each other by the shoulders, alamak!* [A Malay word, its meaning is similar to "Oh my goodness!"]
(Azura, *Orchid*, Malay, Discom)

From the Australian film, it's like, the rapport with the students seem to be good you know…I really do not know how we'll adapt with this. But if it works really, it'll be [like] *friends and friends* [type of relationship between the teachers and students]*? Maybe it takes a certain sense of maturity…the Western countries, they are more open…whether it can work or not in our country, actually maybe not so.* (Laughs) *Our Asian society is still very much authoritative* [sic] *in nature—we*

---

[151] A local parlance that means "Good gracious!" or "Oh dear!"
[152] As some readers may recall, this phrase was also mentioned in Chapter Two when we addressed the limited space for civil participation in Singapore. More specifically, this same phrase (although used in its Hokkien dialect version) was uttered by a statesman to remind Singaporeans to know their proper place in society before engaging in politics.

want our children to listen. "We have eaten more rice than you have eaten salt"[153], that kind of thing.   (Lara, *Orchid*, Chinese, Discom)

Statements from Emily, Lara and Azura echoed former Prime Minister Goh's (1994; cited in Rajah, 2011:963) sentiments:

Many American children call their fathers by their first names, and treat them with casual familiarity. We must not unthinkingly drift into attitudes and manners which undermine the traditional politeness and deference Asian children have for their parents and elders.

The defense of cultural relativism is present both in the teachers' and the politician's utterances. RP values of a 'levelled-playing field' to enable 'collective resolution' and even the physical touch between teachers and students as a signifier of a good (or improved) relationships could all be interpreted as a 'Westerner's way' of doing things, and as such, the unsaid point that Azura and Laura were making is that "It's ok if our style of doing RP or what we achieved with it is different from what the Westerners have done for we are Singaporeans, we are Asians, and what matters is what worked *for us*."

In the 1990s, the Singapore State began to promote Confucianism as a way of distinguishing Singapore's 'Asian-ness' from the Western states, in a bid not only to justify any departures from the Western states, but also to protect Singapore from adverse influences of the West. The message to its citizens was that one should learn and adapt from the West that which is good for the economical advancement of the country (e.g. the technological know-how, the languages, etc) but to leave out that which would cause the downfall of the country as observable in the Western states (e.g. sexual promiscuity, accessibility to drugs, etc). This 'Asian' discourse is repeated throughout the last two decades (*The Straits Times*, 13 Sept 1995; 9 Dec 2006), highlighting Singaporean values of utilitarianism above individualism and Society and community above the Self.[154] Mr. Lee Kuan-Yew proclaimed that, "Whether in periods of golden prosperity or in the depth of disorder, Asia has never valued the individual over society. The society has always been more important." [155] (Quoted in Langlois, 2001:22)

Indeed, the Confucian Self is never a free, autonomous individual but is one that is seen relationally:

---

[153] This phrase is derived from a Chinese idiom, "我吃过的*盐比你吃过的*米多"—*literally meaning "I have eaten more salt than you have eaten rice". The speaker is implying that (due to age differences), s/he has way more experiences than the listener, and as such the listener is better off taking the advice of the speaker.*

[154] This concept of an 'East-West' divide is problematic as the two are not homogenous blocs.

[155] It is problematic to conceive 'individual liberty' and 'utilitarianism' in dichotomous terms.

> I am a son, husband, father, grandfather, teacher, student, friend, colleague, neighbour and more. I live, rather than "play" these roles…In order to <u>be</u> friend, neighobour, or lover, for example, I <u>must have</u> a friend, neighbour, or lover. Other persons are not merely accidental or incidental to my goal or fully developing as a human being, they are essential to it.　　　(Rosemont, 2006:10; emphasis original)

The Asian value of subordinating one's interests to the larger group's interests is not merely for the sake of promoting communal solidarity, but more so, it is

> the partner to economic prosperity and social order constituted by disciplined, hierarchical, intact families…[For] without…hierarchical deference to authority, Singapore's economic prosperity and social order would necessarily, predictably, descend into the morass of US and British social decay (Rajah, 2011: 963-964).

The promotion of Confucianism to justify Singapore's unique-ness is an ironic one, given that Singapore even had to invite American experts to design Confucianism courses in schools (Englehart, 2000:555); it speaks volume of just how 'indigenous' Confucianism is to Singapore. Even in its curriculum of civics and moral education, pragmatism, rather than moral or Asian values, was the prized value of the day (Tan & Chew, 2004:599).

What was silenced in its promotion of Confucianism, is the teaching that deference to one's elder does not equate blind obedience (Tao, 2006).

> An official had to be loyal. But this did not imply that he should follow every directive. On the contrary, he was obliged to criticize an order and even to disobey it, if he considered it inhuman and harmful to the state and the people…The son of heaven…should listen attentively to, and take seriously, warnings, i.e., admonitions and criticisms (Gregor, 1990:40)

That being said, the Confucian concept of civil society does not operate as a 'counter structure' but as an 'alternative structure—its role is not to 'confront' but to 'complement' the government (Tan, 2003:203-207).

7.1. IT'S ALL IN THE EYES OF THE BEHOLDER

Coming back to the school context, many of the students, belonging to a different generation from the teachers (and from the statesmen), do not concur with idea that respect is owed to the seniors. Instead, they argued that not only should the divide between 'teachers' and 'students' be done away with (i.e. an anti-thesis to Confucianism), 'respect' is owed to *one another* as equal human beings.

> Researcher: What does it mean to you, to say that a teacher respect you? What would he be doing?
> Rahim: *Just treat you like a person and not a student or something.*
> Suffian: *Yeah, like just treat you normally like a human. If it's like a student, it's always about school rules.*

Rahim: *Instead of screaming "Keep quiet", maybe they can just say "Don't talk now, talk later." Just be friendly.*　　　(*Bluebell*, Malays, 14-year-olds, Express)

Tyler: *I see how teachers treat us first*
Nathan: *If the teacher treats us like 'kena sai' [slang for 'like crap'], you think we'll still respect the teachers meh?*
Robert: *We give them what they deserve lah. Like whatever we get from them, we return. They should treat us not like teacher to students, but like friends.*
　　　　　　　　　　　　　　　(*Bluebell,* Chinese, 16-year-olds, NA)

Hafiz (Malay): *We wana be like friends-to-friends…they look down on us.*
Anna (Chinese): *Like mother, father.*
Finlay (Chinese): *No lah, not say look down on us, but every time they talk to you, not talking like friend-to-friend like that.*　　　(*Orchid*, 17-year-olds, NA)

Most teachers will think that "I'm the teacher, I'm higher than you, so you are the younger one, you should respect us." Young and old, I think we have to respect each other equally.　　　(Akma, *Orchid*, Malay, 17-year-old, NA)

Teachers and students not only differed in their opinions towards respect due to one another on the basis of age, but also in their interpretations of social cues.

There's this guy, you talk to him, his eyes wouldn't meet you and he'd present a really irritated face. He wouldn't challenge you, he won't [sic] be so stupid in class to commit major offences, but he'd just ignore you. It's this type of people that angers me even more because they totally disrespect you.
　　　　　　　　　　　　　　　(Yi-Zheng, *Orchid*, Chinese)

Wei-Han: *When the teacher is scolding me, I wouldn't look at him in the eyes. They'd say "Look at my eyes!" So I would, but the moment I look at his eyes, I'd laugh and he'd scold me…but I'd feel weird if you keep looking at each other's eyes.*
Alice: *I feel that if someone's scolding you, and you look at the person in his eyes, it means that you are challenging the person.*
　　　　　　　　　　　　　(*Orchid*, Chinese, 17-year-olds, Express)

A few teachers held different sentiments from Yi-Zheng and showed an understanding of students' differing mannerisms.

Sometimes, when they talk to you, you can say they are rude, but it depends on the context. It's not that they are rude to you, but that they don't know how to speak properly. Let's say you ask them to hand in your work, he wants to tell you that he didn't do it, but he says, "I didn't do it ah!" You can say it's rude, that's the way they express themselves…He didn't mean to offend you, but it's their tone. So we should teach them not to speak in that manner…So you must know your students well, because some boys just talk like that. It's their mannerism that's wrong, that should be corrected, rather than say that they are rude to you.
　　　　　　　　　　　　　　　(Ms. Ran, *Bluebell*, Chinese)

Normal Tech kids find it very difficult to express themselves, so much so that they sometimes appear to be very defiant but actually they are not you know! They are

just trying to explain what actually happened and sometimes the teacher gets very offended and thinks they are very defiant.

(Joshua, *Orchid*, Chinese, DM; emphasis original)

Unfortunately, the very social structure of the school and the power relations between the teacher and the student leave students at the mercy of individual teacher's subjective interpretations of their (mis)behaviours. In cases where the students' 'defiance' ended ugly, it was the students who had to be corrected, even if the teachers played a major role in the conflict.

Sec 3 camp, we were playing with the torchlight when everyone was practising their cheers, then we were caught by him, and he made us squat down and put our hands behind our heads, in front of the whole of the Sec 3…Then later when everyone went for night walk, he was still punishing me, saying "This one, Boys' Home lah!" Then he scolded a lot of bad words [i.e. vulgarities] *to me, like 'chee bye'*[156] [a vulgarity]*, etc…Then he kept scolding, I also scolded back…Then after 5 minutes, suddenly quiet, then he asked "What was your thinking after this incident?"* [sic] *Then I shout ah, "Waste my time!" Then he said "What you said?" I said "I said, 'you idiot!'" Then he slapped me! But I ducked a bit, then I wana punch him, but I think he's a teacher, he can do anything to me. Then I just walked off ah…I told another teacher about it, and she said "A teacher wouldn't do that to a student." Like deny lah…In the end, I was suspended for 2-3 weeks.*

(Ewan, *Orchid*, Chinese, 16-year-old, NA)

D, this student was talking, then the teacher asked her to get out of class. But D didn't want to, then J, another student, said to D, "Just get out of class lah, then she'll stop nagging." Then the teacher went crazy, and asked J to get out of class too, and the whole class went "Just helping the teacher to get D out, also got wrong?" Then the teacher went nuts, and threw a chair and it hit my friend Z, and I asked her "Why you throw the chair? You throw the chair you don't know how to apologise is it?" Then she "I wasn't throwing, I was putting down the chair, but the chair fell off." The whole class could see that she threw the chair, but she die die denied it. Then we argued and argued, and I took my bag and left with Z…The next day, we had to go to a conference with all the high-ranked people [i.e. Principal, Vice-Principal, DM, and the said teacher] *the principal said "Do you know why you are here?", then we "No, don't know", then she "You are wrong to scold your teacher, blab blab blab," then I said "No we are not in the wrong, she threw chair at us, she was unreasonable, why do we still need to apologise?" Then in the end, they concluded that we were in the wrong, and they said "I think you should apologise", and then we kept quiet, then they said "I think you better apologise." So we apologized, if not the conference will drag longer, or maybe will get expel! But she didn't apologise to us.*

(Abbie, *Orchid*, Chinese, 17-year-old, NA)

While teachers in the above incidents might argue that RP would not have worked where there is no acknowledgment of wrong by the 'offender' in the first place—an essential prerequisite in RJ processes, what happens when teachers are also the

---

[156] In the Chinese-Hokkien dialect, this word is a vulgarity—it literally means 'vagina'.

'offenders'? RP as utilised in the schools do not address such scenarios for it is often presumed that the students are the ones who have misbehaved or who need to be disciplined.

There is a need to rethink the power structure between teachers and students, if one were serious about the implementation of RP. The power struggles witnessed above are not peculiar to the Singapore context. Elsewhere, it has also been established that students are more likely to be suspended for defiance or non-compliance than for acts of violence (Bouhours, 2006; Scottish Executive, 2005a; cited in McCluskey, Lloyd, Stead, Kane, Riddell & Weedon (2008:204). If such power structures are left untouched, can RP be the harbinger of any changes to the power structures? The current structure does make it difficult for students to participate or resolve issues on an equal footing with the teachers. Or is this not an issue for the discourse of RP, so long as students' misbehaviours are corrected (or if relationships are repaired)? If that is so, RP is doomed to be left at the margins if its ultimate value is assessed only in disciplinary terms.

F. CONCLUSION: RP AS *ONE DISCIPLINARY TOOL*

In this chapter, we have seen how RP was introduced and institutionalized in the two schools, particularly through the use of RP script and forms. Reservations and challenges encountered by the teachers and even from the students themselves were also presented. We will end off this chapter by revisiting what RP entails.

The numerous adaptations of RJ programs across the world has resulted in varied versions and definitions of RP, and as such, it is difficult to establish exactly what RJ was supposed to be, or if its outcomes were indeed due to RJ practices themselves. "The success or failure of RJ, what we might call 'restorativeness', became hard to gauge because definitions and principles varied extensively." (Bolitho, 2012:62) Do the gaps between that which is practiced in reality and the 'ideal' principles matter, given that RJ was supposed to be adapted to each specific context, or does it not matter so long as the outcomes are restorative? Can the 'ideals' ever be attained? What if the RP as practised meet the needs of the practitioners but are far from restorative? This question will be addressed in greater details in the next chapter where we examined certain features of RP as practised that goes contrary to commonly held principles.

In the two schools examined, a number of teachers were pessimistic that the ideal RP can never be realised if it were introduced into an existing system or school.

It's just a tool. There's no right or wrong way of using, success or failure. But what we do may not be what RP wants to come through. If we follow the ideals, but it doesn't solve the problem, it doesn't work, then it's neither here nor there. You can't really have a true idealistic [sic]*, unless you set up a new school, a new*

system, and then you implement RP. But if you want to do it in an existing school, with an existing culture, then no. No way. (Sophie, *Bluebell*, Chinese, Discom)

In order to reach '5' [out of '5', the 'ideal'], you must have constant factors, but things don't remain unchanged. You see, staff, students are changing, every 4 years, new batches [come in], so to reach '5', it's a very very ideal situation, so to be even able to reach '4', it's already very ideal. Unless you freeze all factors, don't let the students graduate, just freeze it, keep them for 6-8 years, maybe you can achieve it….And parents, they've got to help. But how long would parents wana spend with us? (Emily, *Orchid*, Chinese)

The 'true' or 'ideal' RP then, does not exist but is at best, merely an ideal to work towards. It is then more practical to conceive RP as merely *one* of the many disciplinary tools available to address students' misbehaviours. For most interviewees, what counts instead, is what works—i.e., being able to address students' disciplinary issues effectively and to keep the class in control so that learning takes place. The method used does not matter as much as the outcomes do.

Han-Ren (Chinese): *You know obviously right [sic], that Mr. X doesn't do RP right? Even if he does, he uses it in a shouting manner...and he does things that nobody would think is allowed, like refusing to teach you, ignore you, shout at you, and make fun of you in class. But he'll do it in order to keep the whole class quiet and teach properly, and he does it, it's good. At first people disliked him, but later we adapted to him and most of us are getting A1 because of him. The end justifies the means.*
Dinesh (Indian): *Yes, he's very effective in his lessons.*
Ewan (Chinese): *You can use whatever methods you want, but of course must be ethical lah. Same product, but different route…* (*Bluebell*, 16-year-olds, Prefects)

It's not an 'instead of'…it's an 'add-on'. (Allan McRae, RJ Trainer)

You cannot say RP is <u>the</u> *solution; it is only one of the solutions. You* <u>must have</u> *other tools to deal with people who do not respond to RP.*
(Toby, *Orchid*, Chinese; emphasis original)

There's this particular teacher who just has this wonderful gift of not being able to control any class at all, she's just fantastic, and she does use RP [sarcastically]
(Taylor, *Bluebell*, Chinese, 16-year-old, Prefect)

The above statements affirm findings elsewhere—that RP is more likely to be offered as "another tool in the tool box" (McClueskey *et al.* 2008:412) and that teachers appreciate the "permission to access both traditional [such as suspensions] and restorative responses" (Calhoun & Daniels, 2008:40). However, one teacher in particular departed from the majority and lamented that the obsession of efficiency could only led to the marginalisation of RP.

There are people who don't even need to do the RP style, who are not RP in nature, and still can get it under control, or get the respect of the student…They

won't get the student rebelling openly, or purposely disrupting things or make life difficult for them. That's fine. But there's this inconsistency. What do we want? Do we want a family kind of thing where students come, they feel loved, welcomed? Or they'll come and respect you just out of fear and get things done out of fear? This is a very large school, everybody must be doing the same thing, but I don't think we can ever reach the ideal where all the whole school feels this way.

<div align="right">(Harrison, Bluebell, Chinese, Discom)</div>

Unfortunately, Harrison's voice stood alone against the majority, who favoured efficacy over the process. Two RJ trainers interviewed also warned against being caught up by the definition of RP, and one of them even suggested instead that focusing on achieving a restorative outcome instead is more important.

Often, people struggle around with theory, the terminology, the different abbreviations and the meaning of the words…Once you put a label on it, it comes with different interpretations. The definition of RJ is still being worked out! Different people have different perspectives of it. Some may think that being restorative is putting things right with the victim, others would think it's about restoring the offender. <div align="right">(Allan McRae, RJ Trainer)</div>

If we were to define our understanding of RP, as repairing harm and restoring relationships, ok, and the whole process is acknowledgement of harm done, taking ownership and responsibility of the acts that is done and to make things right, then you need not even use those traditional RP scripts, and you can still achieve a restorative result. I do RP in a SF [Solution Focused] *way. SF has elements of RJ because they recognise that the client is the expert, and the client give their own solutions, so there's ownership. In SF, we start by listening and asking questions, rather than giving answers…We can use SF skills to achieve RP outcomes…So can we define RP as a desired outcomes? That other ways of intervention, as long as it achieves these outcomes, is an RP work in process? SF can be used to achieve RP.* <div align="right">(Louis, Chinese, Local RP trainer)</div>

However, these 'restorative outcomes' that are spoken of, what exactly do they entail of? As McRae has pointed out above, being 'restorative' also means different things to different people. Unfortunately, while the resulting ambiguity in RJ's discourse requires clarity, this quagmire might never be resolved so long as one is unable to address whose definitions and aims ought to be prioritised. Huang (2011) in her interviews with court facilitators in Taiwan has found that RJ principles such as acknowledging wrongdoing and accountability were intentionally sidelined in order to realise the goal of restoring relationships. Given the numerous and potentially contesting definitions, aims and outcomes in the RJ discourse, perhaps the definitions and restorative outcomes that ought to matter the most are those that the participants have decided for themselves—assuming that the different groups of stakeholders did *come together* to work it out for themselves what ought to be the most important outcomes, for no one but the stakeholders themselves are in the position to decide what 'works' or not.

And rather than simply labelling an outcome (and process) as either 'restorative' or not, viewing it within a spectrum of restorativeness might be more helpful. For instance, an outcome that addresses both the needs of the victim and the offender is undeniably more restorative than one that only address the needs of one party.

Unfortunately, given that RP is used primarily as a disciplinary tool in the two schools examined, even if teachers acknowledged the importance of using RP to restore and build relationships, the ultimate prized outcome is the correction of students' misbehaviour, with the re-offending rate as a way of measuring of whether RP has 'worked' or not.

> *If you have used RP correctly, reflection will follow, and actions agreed by the offender must be carried out…The follow-up is even more important; the next time you meet the student again, if she does not act up again, or if you know he's going to act up and you give him a look and he understands that* [look of reminder you are giving him]*, there's some connection heart-to-heart, then I guess you have done your part, then RP has completed.* (En-Hui, *Orchid*, Chinese, HOD)

> *If he continues to make the mistake, you have to continue, continue with the RP process, it's not complete yet, that means you have not changed him…And relationship wise also no change* [sic]*, could be worsen. If after explanation, the person still stick to what he thinks is right, that means he has not reflected yet.*
> (Toby, *Orchid*, Chinese)

Li-Wen (*Bluebell,* Chinese, HOD): *As long as the boy doesn't*
Derrick (*Bluebell*, Chinese, HOD): [interjecting] *Make mistake*
Li-Wen: *Repeat the same offence, RP's considered successful.*
Derrick: *Ok lah, if the boy don't* [sic] *commit the same offence, yah, there's some success to it. But RP's talking about how the boy becomes more responsible right? It should be, the effect should filter to other*
Li-Wen: [interrupting] *Yah*
Derrick: *Other things they are doing right? Not just one, so before you*
Li-Wen: *Commit*
Derrick: *Anything, you should have already thought through, and not commit other offences too.*

The student then, just as other adults and children too, is always in the process of 'becoming' (Hengst, 2003:107; cited in *Saunders & Goddard,* 2010:203), and desistance and the rehabilitation process will never have an end-point, nor could it be ever proven completely that RP has worked. To view RP as essentially a corrective device is unfortunate for one is doomed to meet with disappointments—RP is not and cannot be a panacea; the medical analogy is not absent in the participants' statements.

> *If we are doing all these things from hard approaches to soft approaches, and kids are not responding, then we need to look at something differently already. Otherwise, we are still doing the same thing and not resolving it, and yet we are still doing it? You are not well, you are taking this medicine, it's not working, you are still taking it, it doesn't make sense lah you know. Even if they gave me*

something that's not RP, I'd still take it, I'd go for it. To me, whether it works or not, it's how much you want it to work.

(Mrs. Pang, *Orchid,* Chinese, Then-Principal)

In contrast to Mrs. Pang, Zhen-Ren (*Bluebell,* Chinese, HOD), warned us against seeing RP as a panacea.

To say that RP can be adapted in all settings, it's like they are using the metaphor of a cure, the antidote. So RP goes into the system, adapts through the system, integrates itself with the system and works well and becomes beneficial to the system, that's what's implied right? But it's also possible to see it as a virus, a parasite too?

While I would not go as far as Zhen-Ren in viewing RP as a possible virus or parasite, it is no doubt that RP can be potentially 'abused' or used in ways that merely perpetuate status quo without bringing about any 'restorative' outcomes or changes. However, that is not the main reason in which I would warn against viewing RP as a panacea. My reason is more simple—there are simply too many factors at play that could explain why one desist or not, be it the result of having gone through a reflection; the fear or punishment, or being touched by the teacher who has conducted the RP process with the student among other reasons. To rely and hope that RP *alone* is sufficient *in all circumstances,* or that it will 'work' *every single time* for *everyone*, is bound to disappoint.

Researcher: From the scale of 1-5, how useful has RP been for you?
Sophie (*Bluebell,* Chinese, Discom): *Three? It's not possible to reach a five, because that means when you do RP, the kids will follow you, they'll do it for you* [i.e. change and correct their misbehaviour]*, but that one, only the nerd type of students would do it. When I say nerd, it's those who will not make mistake one lor, maybe out of the blue, they might make one mistake, but usually they won't, so RP would work for them.*

Malik: *Nothing will help! It's ourselves!*
Fanzi: *If it's a light thing* [i.e. non-serious offence]*, we'll do it again, we <u>will</u>. But if it's a heavy thing like police case, we won't because we are not so stupid to every time go into the station. It's not because of RP that we won't do it again* (emphasis original).   (*Bluebell,* Indians, 15-year-olds, NT)

Unfortunately, the expectation that RP ought to be a 'cure-all' is strong among teachers. This might explain why many felt disappointed with the inability of RP to address the 'hardcore' students in particular, and it is not surprising to find teachers who felt that they would be more willing to use RP if it has been shown to work even with the most difficult students (McCluskey *et al*. 2008:414).

I'm ok with the soft approach, only if it works! The NT students, I haven't had the chance to teach them, but I really wonder how teachers teaching them can teach them, <u>how teachable can they make them</u>, I really wonder. I have done relief

teaching, and they are really the ones who can't even sit down [still, lest to say] *not to talk. And you scold them, no use...They'll say a lot of things but listen to your instructions.*   (Hannah, *Orchid*, Chinese; emphasis mine)

Out of 10 tries, if you can get 1 or 2 successes, you'll be very happy because most of them, you'd get very frustrated!   (Toby, *Orchid*, Chinese)

The student's re-offending rate was not merely used to measure if RP has been successful or not, but it was also taken as an indicator by the teachers if relationships between students and them have improved or not.

Even if students do something wrong, because your relationship with them is good, they'll correct it themselves.   (Mr. Zheng, *Orchid*, Chinese, HOD)

If the child signs a letter of undertaking, we are assuming that he knows that this is his last chance, [it's] *sort of pushing him into a corner to change, and that's where he'd hopefully do a repairing of relationships himself, <u>to behave in a certain way so that he can mend the relationship with the people that he has affected around him.</u>*   (Naomi, *Orchid*, Chinese, Discom; emphasis mine)

The student not re-offending, it is like a proxy indicator. The fact the child doesn't offend again, ok, this is how I see it, the child cares enough for the teacher, by not re-offending, he's not upsetting the teacher anymore...If I see my student don't [sic] *re-offend again, I'm very pleased, "Wow, this child is very good, listening to me, respecting me, takes that RP session very seriously, has learnt* [his lesson]*, and now I feel that my attitude towards the child is even better." And because my attitude towards the child is better, the child would "Eh, the teacher doesn't bug me anymore because I have ...", so it's a positive reinforcement, and that's how relationships grow.*   (Mrs. Pang*, Orchid*, Chinese, Then-Principal)

While teachers recognised that one of the most important goals of RP is to restore (and build) relationship, it is assumed that the onus is on the student to do the necessary corrective work in order to mend (and sustain) the relationship! While this expectation may seem unreasonable at first glance, one has to keep in mind that "conflict cannot be stabilized, de-escalated, or resolved if the offending behaviour is not brought under control...A first step in conflict resolution, therefore, is halting the conflict." (Cragg, 1992:184)

However, it is unrealistic to expect a single session of RP to induce changes in *all* students, for "you can't expect to change students in their 4 or 5 years with us, given that their behaviours had taken so many years to develop to begin with!" (Joshua, *Orchid*, Chinese, DM). As the student is always in the process of 'becoming', to sustain his desistance, a few teachers noted that RP is not merely a specific tool, but an overarching philosophy that emphasizes on continued efforts and care, and that the process of doing RP is just as important as the outcomes (Braithwaite & Strang, 2001).

The focus is to restore the relationship between two parties. But it's not an immediate step, it could be long term, let's say he refuses to apologise, he continues his old way by still arguing back. I know I have done my part in trying to RP him, but he may not respond positively back. But if he doesn't respond positively, I don't think RP has failed, it's just that there's still another continual session that you'll have to follow up. (Edward, *Bluebell*, Chinese)

Those hardcore students, even if they don't commit offence, I also talk to them. That's also RP. (Hassan, *Orchid*, Malay, OM)

When my teachers say that they are doing RP when they go through the whole reflection questions, that's actually the RP tool itself that they are talking about. But they are adopting the RP philosophy throughout the day. When they speak to the kids, they they, I see a lot of patience in them, the way they ask questions after questions after questions, even [though] *sometimes the answer is so silly ah, even I* [would have thought] *"AIYOH!!!"* [local slang for "Goodness!!!"] *Who are you trying to kid?!" But my teachers can still sit through the whole thing with them, just to get the child to answer to the point where he says "Yeah actually I was so silly." The RP value of care, the teachers have it in them you know.*
(Mrs. Pang, *Orchid*, Chinese, Then-Principal)

RP is a tool to build relationships; to correct what has been done not so well, the process creates an opportunity for you patch up the relationship. But how do we measure it? We can't just measure the outcome, but also the process.
(En-Hui, *Orchid*, Chinese, HOD)

Unfortunately, teachers who saw RP beyond a disciplinary tool measurable by students' re-offending outcome were few in numbers. Despite the numerous definitions of RP, one must remember that it is not the specific model that makes a response restorative or not, but more so its "adherence to the principles and values of RJ" (Choi, Bazemore, Gilbert, 2012:39), and that "any measurement of 'restorativeness' must tap into both what happens during the process and what is 'achieved' afterwards" (Bolitho, 2012:63-64). The process *and* the outcome are equally important (Braithwaite & Strang, 2001) and in fact, in instances where outcomes were given a greater priority, it has been found that the experience is less "transformative" and restorative for everyone involved (Choi *et al.* 2012:39). Contrary to what Han-Ren (*Bluebell*, Chinese, 16-year-old, Prefect) proclaimed earlier in the chapter, the end does not in itself justify the means—it is not only important that re-offending rate goes down, but how teachers managed to persuade students to change their behaviours, is equally important.

In conclusion, this chapter introduces the reader to the main RP process as popularly conceived and understood by the teachers—i.e. the RP script. Through an examination of the participants' perceptions of what RP entailed and the ensuing challenges faced, it is clear that RP is relegated to being a supplementary tool in the teachers' disciplinary repertoire. The challenges faced by the teachers—lack of time and

resources; worries over the loss of authority, etc, were also discussed. In the next chapter, we will examine the relationship between RP and punishment.

CHAPTER 5

RESTORATIVE PRACTICE AND PUNISHMENT

A. INTRODUCTION: A RECAP OF THEMES

In the previous chapter, we have seen how RP is merely one of the many disciplinary tools available to the teachers in addressing the students' misbehaviours and that RP is often used as another way of arriving at the same old disciplinary mechanisms. This chapter flows from the previous chapter by examining the theme of punishment—a close bedfellow to the theme of discipline. In this chapter, we will see that many participants' conception of RP as a 'soft' disciplinary tool makes it hard for them to reconcile with the role 'punishment' has to play in the schools. While many teachers do not consider the actions undertaken by students following an RP process as a 'punishment' on the basis that the students had chosen it themselves, teachers also held the view that that RP as practised in the two schools depart from the "pure" RP in its use of certain disciplinary actions—particularly the use of caning, a "consequence" many students tended to 'choose'. In *Bluebell Secondary School*, caning is often done in full view of one's classmates, and on more rare occasions, in front of the entire school. Teachers presumed that "pure" RP exists in other countries (e.g. Australia, New Zealand), for the RP trainers that had trained both schools were from Australia and these trainers had questioned the schools' retaining of corporal punishment. While acknowledging that their schools were not practising the purported "pure" version of RP, most teachers championed cultural relativism to justify the departure from the illusive "pure" version by looking to the Singapore State's retaining of caning in its criminal justice system, arguing, "*This is Asia, caning still works.*" (Thomas, *Orchid*, Chinese, Discom[157]). Again, what counts, is what 'works'.

B. IS RP AND PUNISHMENT MUTUALLY EXCLUSIVE?

Teachers were conflicted with regards to whether RP and punishment were mutually exclusive, and many questioned if the Discom ought to be practising or even be placed in-charge of propagating RP.

> *One thing we could have done better is to have a separate team of people. I don't know if it's right, but we should not see RP and discipline together. It's a separate thing. You first do RP first* [sic]*, then you do discipline. Then you do RP again. It can all be done by the same person, but you must do it in parts, you cannot lump it together and say it's done, sometimes you can, but, ok, maybe we need a separate team, a RP team, and a discipline team. The RP team will not do the caning all this*

---

[157] 'Discom' is short for 'Discipline Committee', as it is commonly known in schools in Singapore.

type of thing, that's no problem, but the discipline team must know how to do RP as well, after you have done the caning all this thing, you have to do RP. Maybe we should be more specific in the roles. I don't think I'd wana do the caning.

(Harrison, *Bluebell*, Chinese, Discom)

I think the school is quite clear to say that discipline comes first, RP is not discipline, RP is RP. When you are doing RP with students, of course it can seem as if you are disciplining him <u>in the way you talk</u>. The questions I asked are strictly by the RP method—what do you think you have done wrong, that kind of stuff, but it may not feel as if I'm RP-ing him. I could be RP-ing him but also disciplining him at the same time, but I don't think it's possible to do discipline and RP at the same time. <u>If a student skips</u> [classes]<u>, the discipline is caning, you cannot cane in a RP style</u>. <u>But if a student erm, plays a prank on his classmate, then when you do RP with him, you are at the same time disciplining him because you'd be quite clear as to your expectations</u> [of him]<u>,</u> and it'd come across when you are questioning him, when you go through the questions with him.

(Courtney, *Bluebell,* Chinese*; emphasis mine*)

If we were [able] *to do it* [implement RP from the start] *again, I don't know, it should not be under discipline. It should not be under the DM I feel. If I'm in his role, I'd feel very torn. I need to cane you, I need to do RP, how!? It should be under pupil welfare, or a completely different committee to sell this idea.*

(En-Hui, *Orchid*, Chinese, HOD)

Let us focus on Courtney's explanations for a moment. Her statements reflect the struggle that most teachers have in making sense of what punishment and discipline (and of course, RP) ought to be about. On one hand, while she recognised that 'discipline' is not merely about punishment, for she could be engaging a student in a RP process (via the questions), and that process in itself is also a disciplinary process in so far as her expectations of the student's need to correct his misbehaviour is clearly put forth, she still hold a strong association between 'discipline' and 'punishment' for "one cannot cane in a RP style." Harrison also shared her sentiments when he explained the need to break down the disciplinary process into parts—RP *and* punishment, and that the RP process is momentarily 'suspended' while punishment takes place.

Many teachers and students also spoke of the need to engage the misbehaving student in a non-threatening, or 'softer' tone when one is using RP, and as such, some teachers felt that those who are particularly engaged in disciplinary roles (e.g. Discom teachers, form teachers) might not be in the best position to utilise RP for they would need to even work harder to dispel any preconceived image the student might have of them when they attempt to talk to the child.

RP must be done as a person-to-person, not as an elder to a younger person, that would, erm, then they won't open themselves up.

(En-Hui, *Orchid*, Chinese, HOD)

When I choose teachers for the core RP team in the Discom, it has to be somebody supporting the RP approach, because if they don't, and they use the, the, erm, punitive approach towards discipline, then they are not my choice. I don't need them to shout. (Leo, *Bluebell*, Chinese, DM[158])

It is not necessarily [true] *that the Discom member is the best person to conduct RP. There are some students that can't stand me, and I can't stand them! RP is not going to work in such cases! RP has to be a non-aggressive, totally non-aggressive environment, and I might be the one dealing out the punishment to you, and perhaps that might not make me the right person to do RP with you.* (Ming-Jie, *Bluebell*, Chinese, Discom)

If you want him to open up, you cannot be shouting at him or her. Then they'll be withdrawn or defensive. My tone usually will be, I'd have, erm, it won't be an angry tone, it's more of, "Let's sit down and talk about it", that kind of tone, so I will not be scolding. (Thomas, *Orchid*, Chinese, Discom)

We learn, as prefects, that you need this "4Fs"—Friendly, firm, flexible, and fair. RP is more to the friendly side. I'd talk to them nicely, and it does work. I won't say it works all the time, and you'd have to do a lot of persuasive work. But blasting, is a trump card, it only works once. (Taylor, *Bluebell*, Chinese, 16-year-old, Prefect, Express[159])

These teachers, and even teenagers like Taylor, understand in principle, that shouting orders cannot maintain discipline (Spiel, 1962:34) and that an aggressive communication style that tries to "force another to believe in something or behave in a certain way" (Keyton & Frey, 2002:106) is not going to get the student to open up—an essential starting point in any conversation, lest to say for RP. Their beliefs also reflected Braithwaite's (2002b) 'constraining standards', which consisted of 'respectful listening' and 'non-domination' as essential, non-negotiable principles in the doing of RJ. For starters, "the tone of voice is a very reliable gauge for human relationships. It indicates open or [other] underlying attitudes." (Dreikurs & Grey, 1968:77) More importantly, one's communication style includes non-verbal signals—it is the way in which one verbally and paraverbally interacts to signal how literal meaning should be taken, interpreted, filtered or understood (Norton, 1978:99; cited in Keyton & Frey, 2002:106). It is difficult for teachers who are not used to, or who do not even believe in such communicative (or disciplinary) style to *perform* RP.

The second issue concerns the role and its associated stereotypes that Discom teachers have. In most instances, Discom teachers are often tasked to handle disciplinary issues that other teachers have referred to them. Such cases are usually referred to the

---

[158] 'DM' is short for 'Discipline Master', as one is commonly known in schools in Singapore.
[159] Note that all the prefects from *Bluebell* interviewed were all from Express Stream. During the fieldwork period, there was only one prefect at *Bluebell* who was not from the Express Stream.

Discom either by a sheer escalation process—the teachers were unable to resolve the issues with the students and hence the students were referred to a 'higher authority', or the offences in question were serious ones and hence needed immediate attention from the 'higher authorities'. While a broad guideline pertaining to the referral system is set in place in both schools, one has to realise that short of a major offence, it is always the teacher's *subjective* discretion to decide when to refer the case to the Discom. In cases where teachers felt that the misbehaviour was an personal affront to their authority, as we have seen in the previous chapter, the Discom teacher then, is stuck in a difficult situation—caught in between the power struggle between the referring teacher and the student, should s/he close ranks and protect these teachers' 'authority', and risked being seen as just like another teacher? Or should s/he, or rather, *can s/he* engage the student in a fair and unbiased manner, given any prejudiced image that the student might have of him/her to begin with? It is this dilemma that explains why many teachers felt that RP should not have been utilised and advocated by the Discom. Ironically, there were also teachers who believed that it is precisely the 'tough' image that students might have of Discom teachers that would allow the Discom to utilise RP more efficiently and get the desired results (i.e. to stop the students' misbehaviour).

> *Some teachers believe that they cannot do a good job of either disciplining or carrying out RP because they are not influential enough, influential meaning in authority, in power. Because kids are more afraid of people in power. That's their perception. They feel that the DM is able to do RP because he's the DM. And because here I'm talking as a more senior teacher…Mmm…I really don't know. Maybe younger teachers have a harder time because they feel that they are no person in authority* [sic] *and therefore it won't work?*
>
> (Azura, *Orchid*, Malay, Discom)

Just as there were teachers who believed that discipline and punishment are incompatible with RP, there were as many teachers who argued that they are not mutually exclusive for firstly, discipline is not only limited to punishment and scolding, and secondly, punishment *can* be done in a RP manner, contrary to what teachers in the earlier group believed. The traditional approaches can co-exist with the 'softer', counselling-like RP approach.

> *It's like, RP is the carrot, discipline's the stick. Ok, not exactly an apt comparison, but it's like there's a soft and there's a hard approach? If used effectively, then discipline will be part of RP, it can be part of the consequences. It's not "Either RP or you go for the cane", it's actually integrated.* (Jessica, *Bluebell*, Chinese)
>
> *Even before the OM and the DM cane, they'll still do RP, "Do you understand why I need to cane you?" "Yes." These two gentlemen would use RP even when they want to punish.* (Azura, *Orchid*, Chinese, Discom)

Discipline means to correct their wrong, make sure their conduct is ok. So [with] *counselling* [which is similar to RP in her opinion]*, essentially you are also trying to improve their discipline. It doesn't mean that discipline always mean punishment, or that they must have committed an offence before you discipline them. The DM is very skilful, he can speak until the student cool down and admit his wrong, and although he's the DM, he's more like a counsellor, he seldom punish, most of the time he does counselling.* (Ms. Ran*, Bluebell*, Chinese)

Even in an extreme case where he's going to be expelled, you still can do RP. If this is the last life skills that I'm going to teach him because of his actions, then so be it, but at least now [with RP] *we ensure that he knows the repercussion of his action, that this is a lesson he must not forget. Even at this point we are not giving up. Because we are even trying to help him even at the last point where he is going to exit the school. In my old school, where we have to let students go, they don't counsel them before they leave, they just go.* (Hamid, *Orchid*, Chinese, HOD)

Actually RP is a disciplinary tool lah[160], the way I see it. What does disciplining mean? Must you be scolding? <u>*It doesn't mean you must be scolding that means you are disciplining you know*</u>*…Disciplining's actually a way of teaching, essentially teaching something from right, from wrong,* <u>*RP's just one way of disciplining.*</u>
(Thomas, *Orchid*, Chinese, Discom; emphasis original)

Indeed, Gordon (1989:3-5) reminds us not to forget that the word 'discipline' is both a verb (i.e. to teach; train; punish; control; tame) and a noun (i.e. to achieve a state of order). Often, it is the verb that is controversial rather than the noun. RP and punishment then, are both potential means to achieve discipline as a noun. The teachers above also reminded us that discipline, as a verb is not merely reduced to that of controlling the student via punishments and scolding, but more importantly via teaching. And if teaching were the main priority, then one's tone can even be harsh, for it is not as important as the content delivered or the outcome achieved.

Derrick (*Bluebell*, Chinese, HOD): *I don't make it sound like counselling. I'll make them stay back after school, scold them, and explain why I'm scolding them. Because at the moment* [in class itself] *I didn't have a chance to explain why I'm scolding them. I just want to "Shut up! Don't upset me! I'm having a class! You better get started, settle down!" that kind of thing. When I have more time after school, I'll still scold them for coming late, but I explain how their actions have affected me, affected the class, and why I'm so upset because I have a syllabus to complete. My tone is still very harsh, ok maybe not that harsh, but still, I'm trying to tell you that*
Li-Wen (*Bluebell*, Chinese, HOD): [interjecting] *I'm angry*
Derrick: *Agreed. I'm angry because of certain reasons, not because I'm* [suffering from] *PMS[161] or what, or because I didn't get enough sleep. Generally speaking, when I* [have a] 黑脸 ['hei lian', literally meaning 'black face' in Chinese, indicating a displeased mood]*, I still keep a* 黑脸*. But when I* 变白脸 ['bian bai

---

[160] The word 'lah' is a slang in Singapore that has no meaning in itself. Its meaning depends on the tone in which the word is used, and in this case, it is used authoritatively to emphasise what the speaker is saying.
[161] 'PMS' stands for 'Premenstrual Syndrome' here.

151

lian'; literally meaning 'to change into a white face', indicating a calmer, happier mood] *like what I was talking about earlier, I'd still keep a* 黑脸 ['black face'] *you see? It's only when I'm happy then for sure I* 白脸 ['white face'] *right? But I maintain a* 黑脸 ['black face'] *because you still have to be serious when they did wrong, you have to send across a message, not to say angry, but that you are very serious, very affected by what they did you know? It's because you are concerned for them, that's why you RP with them.*

If your tone is too soft, they'll swallow you up! (Mrs. Han, *Bluebell*, Chinese)

I can bring them through the rationalisation and thinking process in a very harsh tone because I am so frustrated 'cos every time the same thing [keeps happening]…*but we are still human beings, we are not angels. There are times when I tell the kids that I feel like giving them a tight slap across the face…So if I have to scream at you just to get my point across at that point in time, but if at the end of the day our relationship is still fine, that's ok. We are not working towards the vision of getting rid of punishment. It will never happen.*

(Mrs. Pang, *Orchid*, Chinese, Then-Principal)

If you are very sincere in scolding them, they will not rebel, but if you scold them for the sake of scolding them, students are very emotional people, they will feel it, and once they know that you scold them for the sake of scolding, illogical, they will rebel against you. (Mr. Zheng, *Orchid*, Chinese, HOD)

Rather than the tone then, it is more important to ensure that the student is aware that the teacher cares about their relationship. However, there were also teachers who were unsure as to whether one's tone matter or not in the *doing* of RP.

I don't know if what I did was RP or not. I asked a group of boys to stay back after school, there was bullying going on and I had to arrest this issue before it become a whole class problem. So I asked "How do you think he [the victim] *feel, how would you feel if you were the one?"* [In a reprimanding tone] *Then I asked them for consequences, what happens, the RP questions, then they cried lah. After the session, I did feel that I was intimidating them! So I don't know if that was RP or not, but what I know is that I must make the bullying stop! As a classroom teacher, I find that sometimes ah, RP, erm, it doesn't mean that we must sayang sayang* [A Malay word to mean 'affection' and 'love'] *them right?*

(Lara, *Orchid*, Chinese, Discom)

While teachers were clear on the point that the relationship aspect is just as important as addressing the students' misbehaviour, they were not willing to let go of the option to punish, for punishment is also an "essential symbol of power and teacher strength" (McCluskey *et al*., 2011:115; cited in Morrison & Vaandering, 2012:148), as epitomised by Mrs. Han's statements earlier.

Data gathered from interviews with the students do indicate indeed that teachers and prefects did not refrain from using a harsh or even confrontational tone.

Deepak (Indian): *Prefects are like, when you are walking up the stairs, they'd go "WALK IN ONE ROW! WALK IN ONE ROW!" Doh! Usually we don't listen. If*

you tell us nicely, confirm we'd do it…//…There was this incident in class ah, a wallet was stolen. The OM came to class and said "Just return to me, even if [the] *money is steal* [sic]*, just give the wallet to me first. The money* [you] *can pay by instalments later. On the day itself, the wallet is given back. If* [it had been] *some other teacher, they'd probably have gone "You better give it back to me."*
Eknath (Indian): *"Or you'll all get it from me", give that threat right? Trust me, no one would give it back. It's the way you talk to the students ah. Sometimes I feel that teachers are not trained that well, they are just trained academically, not trained*
Deepak [interrupting]: *to communicate*
Eknath: *Yah, to communicate with their students.*   (*Bluebell, 17-year-olds,* NA)

They won't even go "What were you thinking?" They'll [say] *"WHAT YOU DOING?!"* [Irritated tone]   (John, *Bluebell*, Chinese, 13-year-old, NT)

Hafiz (Malay): *Teachers should talk to us nicely; ask the reasons first, in a polite manner. They ask like* [they] *wana investigate us like police officer, how* [is it possible for us] *to be very open* [with them]*?*
Finlay (Chinese): *Teachers need a key*
Hafiz: *To open our hearts*   [*Orchid,* 17-year-olds, NA)

Harriet: *I wore hair extensions to school* [which was not allowed]*, but I tied it up, and when she caught me, the very first thing she did was to pull it down already*
Ella: [mimicking the teacher's tone] "Ahh! What is this?!!?"
Harriet: *Yah, then she kept going "What is this, what is this, what is this?" "Ok ok fine, I* [will get it] *cut!" What is that man,* [scolding me] *right in front of the flagpole* [in front of everyone]*?*
Grace: *Yah, she* [Harriet] *was sitting right in front* [of the entire school assembly]*, a lot of students saw it*
Ella: *She should have give warning*
Harriet: *Or pull me to the side* [in private] *and say lah!*
Grace: *There's this other teacher too, once me and my friend got caught for our skirt* [being too short]*, and then that teacher spotted us, there were a lot of people there you know, then she went "Girl! Why* [is] *your skirt like that* [short]*?"* [In a showy and authoritarian manner] *Then I* [was] *stun* [sic]*, just stood there and let her talk lor, 'cos* [students] *must be polite mah, then my hand phone dropped and she also say me* [i.e. nitpicking]*, then I say her back* [i.e. retort].
Ella: What you said?
Grace: *"My handphone drop, I'm picking it up only wah. If I don't pick it up, wouldn't it be stolen by others?" Then she "Ok, you <u>may</u> pick it up." Then later she say* [sic] *that when I was picking it up, I was acting cute. Then I was like "The Discom teachers also never catch us even though they just walked past us, why should you? You aren't even the DM." Then she* [replied that] *"Any teacher got the <u>rights</u>."*   (*Orchid*, Chinese, 16-year-olds, NA; emphasis mine)

The last extract is particularly interesting for the choice of the word 'rights' in itself (instead of say, the word 'responsibility') depicts a power struggle between the teacher and the student. While Grace acknowledged the socio-cultural expectations of her as a 'junior' (in Confucian terms of age and rank) by keeping quiet when someone higher in 'authority', 'rank' and 'age' is chastising her—"I stood there and let her talk because

students are supposed to be polite"—she was no doormat either. Not only were the opening lines confrontational, but unnecessary personal attacks were also made to emphasize the teacher's given 'authority' when the teacher said that the student was "acting cute" when picking up her mobile phone. Clearly, the teachers in question were not attempting to leave as much communication as opened as possible, given how they opened their lines with demands instead.[162]

The varied views towards the type of tone required in a RP process and the place punishment has in RP bring us back to the point in the earlier chapter—that ultimately, RP is only *one* specific disciplinary tool, and as such, it is not surprising that one moves in and out of the various approaches.

> *Sometimes, it's like we play the game—the good cop and the bad cop...just that towards the same student, maybe have to play both roles, and switch from the RP hat to the blackface hat in one setting.* (Hassan, *Orchid*, Malay, OM)

> *RP is the soft approach, it's about giving the child chance after chance after chance. The onus is on the child to discover what went wrong, and try to come up with the solution himself. When we implement the harsh approach, it's we do it to you, to help you realise something has gone wrong. Then again, if you still don't' realise, let's go back and try the soft approach again and see whether if I sit you through another process of self-reflection, do you get what we are trying to tell you? When we punish, when we do the harsh approach, RP is being suspended.*
> (Naomi, *Orchid*, Chinese, Discom; emphasis original)

While punishment is not mutually exclusive with RP, in so far that a school that adopts RP does not need to get rid of existing punitive sanctions, many teachers do however, conceive RP as a 'softer approach' distinct from punishment and traditional methods.

C. SHOULD WE DO RP FIRST, OR PUNISH FIRST?

The participants were asked if they tended to *do* RP with the offending student first before punishment (if it did come into the picture), or vice versa. For a number of reasons, the majority of teachers especially, preferred to punish before engaging in a RP process. In *Bluebell Secondary School*, there was even a rule that if one was to be sent out of class, he would be caned on his palm by Discom teachers who pass by during their patrols, and no questions are necessary! Throughout the entire school day, at an hourly interval, teams of two consisting of a Discom teacher and a HOD[163] would rotate in shifts and patrol around the school in their free time. However, whether one got caned or not depended largely on one's luck if the team happened to come by or not, and if the team

---

[162] See Goffman (1981:18) for an elaboration on the rituals of communication. A demanding opening line hardly open up channels for communication.
[163] 'HOD' is short for 'Head Of Department', as academic heads are commonly known in schools in Singapore.

that came by practise the "No-Questions-Asked-Rule". Let us take a look at why many prefer to punish before utilising RP first.

> Han-Ren: *RP cannot precede hard methods, first you have to use shouting method, only when you have established a closer relationship, and they know you are a strict person, then you can show a friendlier side. You have to let him know that you cannot be messed with, even when you are using the RP method, so that he'll know that he must abide by the rules and not walk over me. It's just like the government, when you litter, you pay a $500 fine, not 5 cents!*
> Ewan: *Just whack them harder the first time. Usually, we don't see repeat offenders a lot.*   (*Bluebell*, Chinese, 16-year-olds, Prefects)

> *If they are late for CCA* [co-curricular activities][164] *and I want to make sure they are not late again—my main problem is punctuality, then what I do is, because if we do RP, they'd kind of given a chance right, 'cos it's just talk talk talk, so they might forget it, so how to reinforce? I'd make those who are late, to do a 'rabbit' exercise, skip skip skip, year 1, year 2 in rows, so the person who's late, would skip like a rabbit, and go from students to students in rows to tell their friends what time they are supposed to report next week. So far I have not had repeat offenders.*
>   (Emily, *Orchid* Chinese)

> *You would have to look at his body language, his posture, to decide whether to be harsh first or soft first. Generally, you must be harsh first, so that you can condition him to be soft enough later, to be willing to talk. But sometimes you can also do it the other way around.*   (Joel, *Bluebell*, Chinese, OM; emphasis mine)

> *You have to let them have the taste of the traditional methods first, then only can they differentiate and understand, and appreciate what RP is.*
>   (Harvey, *Bluebell,* Chinese)

> *I'll do RP first if I know the student can comply with us. Those hardcore cases, those stubborn ones, don't want to listen to us, erm, in denial, these ones* [are] *difficult to break them down.*   (Hassan, *Orchid*, Malay, OM)

The assumption then, is that putting the student through hardship first, would enable him to be more thankful to the teacher who is in the authority to grant him a lesser punishment and therefore 'conditioning' the student to be more receptive to RP later on. The fear (of pain) is the unspoken ingredient to pile on the pressure on the student to 'break' him. A (harsher) punishment meted out for the very first offence is more likely to deter future offences than a mere warning, as the prefects and Emily reminded us. Furthermore, should the order be reversed, the student might not understand the gravity of the situation.

Punishing students before listening to their side of the story is contrary to RJ principle of engaging *with* the offender rather than *doing things* to him (Watchel, 1999), and it is no different from what was traditionally available before RP was introduced.

---

[164] In Singapore, students have to join a club or society after instructional hours in Secondary schools.

This preference, while contrary to the above said principle, does not necessarily make it bad in itself—for it does serve its efficacy purpose, although its morality is questionable. It does reflect certain assumptions and priorities (e.g. reducing re-offending vs. relationship building) that these participants held.

> *Do we want a family kind of style where they are happy to come and they have a good relationship with you? Or they'll come and they'll respect you just out of fear and get things done out of fear?* (Harrison, *Bluebell*, Chinese, Discom)

Unfortunately, Harrison's voice belongs to the small minority.

Putting punishment before RP serves a second function—to prevent offenders from manipulating the system.

> Alfie: *Just go to the conference, give them a good impression, so that the punishment wouldn't be so harsh.*
> Joe: *It's just like we tell the OM that we are sorry for whatever, but we are not really sorry, just pretending lah.* (*Bluebell*, Chinese, 14-year-olds, Express)

> *When something goes wrong, there's always a consequence, and the consequences must always remain the same.* (Isabel, *Bluebell*, Chinese, HOD)

In the criminal justice arena, Cavadino & Dignan (1997) have suggested imposing an upper limit in restorative conferences to ensure that offenders are not disproportionately punished, as well as a lower limit to ensure that public sentiments towards the offence is still taken into the account in the face of an over-generous victim. This suggestion may be just as applicable in the school arena if fear of offenders manipulating the system is a stumbling point to teachers putting RP before punishment, although this reason is not as strong a reason as the first one.

A minority of teachers believed that while it is always better to *do* RP before punishing the student, the sequence in itself is not as important as the process of doing RP itself—what matters more is that the teacher speak to the student, whether before or after the punishment.

> *We should do RP first, make sure the student knows what he's gotten into, and what's the consequences, make sure that he's ready to receive it, then he gets his punishment. We restore him first by telling him what's to come, prepare them for it, and then after you punish, you still have to follow up to ensure that things move on from here. You have to meet his emotional needs first, and sometimes, you might even have to change the punishment on the spot depending on how the student is reacting emotionally. You must make sure that the receiver is ok with the punishment emotionally. If I just ignore his emotional needs, like if the student is crying and fearful, I don't know what's on his mind you see. So whenever you give a punishment, there's a need to make sure that doubts are taken away, you sit and talk to him, and make sure he's ok.* (Harrison, *Bluebell*, Chinese, Discom)

I do RP before I punish someone. I'd ask them first, "Am I justified to punish you?" Then the person will always say "Yes." And erm, I'll say, "Why?" Because you don't wana give him the answer. Then he'll say, "Oh, I shouldn't have been doing that." "Why?" "Because de de de de..." So the punishment I'm going to give you, is it fair?" Normally they are decent enough to say it's fair. It's RP spirit taking possession of the discipline I guess? And after the caning, you still need to check with the person again, "Any complaints?" "Don't have? Ok, done." You cannot just whack and go off, that one is the worst lah, you'll end up with mute people [if you do that]! (Zhen-Ren*, Bluebell*, Chinese, HOD)

Thankfully, while such statements were commonly heard in the course of my interviews with the teachers, interviews with students do reflect that teachers do tend to speak to the students before punishing them; although one has to keep in mind that 'speaking' does not necessarily equate a restorative process in itself.

Most teachers do hear both sides of the stories and not come to their own conclusion. (Noah, *Bluebell*, Chinese, 15-year-old, Express)

Zen (Chinese): *We seldom get sent out of class ah, only a few times.*
Helfi (Malay): *Yah, but if sent out, teachers usually would say "Knock when you are ready to come in." But I lazy to go in and study, so seldom knock ah.*
(*Orchid*, 15-year-old, NA)

D. CRITIQUING THE USE OF THE RP FORM

1. USING THE RP SCRIPT TO DECIDE THE PUNISHMENT OF FUTURE OFFENCES?

As the reader may recall from the previous two chapters, both schools began adopting RP at the same time and received training from the same trainer. However, while both schools also received the same RP script from the trainer, *Orchid Secondary School* adapted the script and differed from the given script and from *Bluebell Secondary School* in a small but significant way.[165] Essentially, the RP script as used by the two schools consists of five to seven questions. (1) What did you do? (2) What were you thinking about when you did that? (3) Did you do the right/wrong thing? / What have you thought of since? (4) Who has been harmed or affected? (5) How are they affected? (6) What needs to happen to make things right? (7) How can we prevent it from happening again? **What should happen if you do it again?** The second part of question 7 highlighted in bold was additionally added in by *Orchid Secondary School*, thereby departing from the original script and from *Bluebell Secondary School*. However, while the question does not exist in *Bluebell*'s RP form officially, it does not mean that

---

[165] Refer to Appendices J and K for *Bluebell*'s and *Orchid*'s RP forms respectively.

students were not asked this question. For the purposes of our analysis however, this section will focus on *Orchid Secondary School*'s adaptation and use of the RP form.

Originally, the script was to end with asking the student to come up with ways in which he can restore or 'fix things'. *Orchid Secondary School* goes a step further and uses the RP form to address future offending and seeks to extract a sense of commitment and responsibility from the student by getting him to come up with the consequences should he re-offend again.

> *From a RP perspective ah, ok, I'd say what stands out is really at the last part, of course, assuming that the child answers the other questions truthfully. So you'll bring the child to the last part, which is about taking responsibility <u>and</u> having a commitment, and making the commitment—what will happen if the same thing should happen again right, coming from the child, it is powerful you know. I'll just quote you one example. I was dealing with the kids for late-coming, and then I recognise this boy, he definitely has re-offended before. So I was busy searching for his* [previous] *form, and he disappeared! Didn't know where he went. So I asked* [the rest of the students] *"Where did he go?" "Running at the field." Because he remembered this commitment, that if he comes late again, he's going to run five rounds around the field. Then he <u>automatically</u>* [did it without me showing him the form or even addressing him]! *See that's how powerful it is, that is what I wana show to the teachers. It is about taking responsibility, which is what we want! They can make that mistake, fine, but they honour that, and that is what we wana instil, not so much why he re-offended again or what. But the Ministry will ask lah, "How many of such cases in numbers do you have?"*
>
> <div align="right">(Joshua, Orchid, Chinese, DM; emphasis original)</div>

> *"What will happen to you?" This is a commitment we want them to make, a promise, and if they were to fail, they must fulfil the commitment. The last bit is actually marrying the punitive measures and RP. After reflecting, with all the "Who's affected?" and "What can you do to prevent this from happening again?", you don't get to say "I've reflected already" and just walk away you see. No. There must be consequences involved. <u>For this commitment thing, actually it makes things easier for us. Say if you decide to make the same mistake the next time, I don't have to think about what are the punishment and all that for you.</u> "So this is what you have said before, and then you just do whatever you have said you'd do."*
>
> <div align="right">(Thomas, Orchid, Chinese, Discom; emphasis mine)</div>

The forward-looking nature of the last question functions primarily as a 'contract' or 'warning' in its presumption that the prospect of being punished or having to carry out one's 'commitment' should have a greater deterrent effect on students to not re-offend, than as opposed to having the student refrain from re-offending merely because s/he had 'reflected'. Not every student has the linguistic or cognitive ability to 'reflect' even if one is handheld through the reasoning process via the RP script.

> *In the earlier version of the script, the wording used, when we followed very strictly to the questions, we find that students don't understand what we want. Even the first few sessions where even the lecturers from Australia came down to*

*demonstrate ah, they find that our students don't understand the question. Like
"How do you fix things?" A lot of people don't understand by what you mean "fix
things" you see? Especially the NT students.[166] So we changed it to "How do we
make things right?"* (Toby, Chinese, *Orchid*)

Kei-An (Chinese): *Some questions [are] hard to answer*
Janal (Indian): *Yeah*
Researcher: Which ones are hard to answer?
Kei-An: *"What were you thinking about?"*
Janal: *The last one, "What will happen again…"*
Researcher: Did you understand the questions?
Janal: *Yes*
Kei-An: *Yeah, but just don't know how to answer.* (*Orchid*, 16-year-olds, NT)

Researcher: What do you think of the questions?
Harry: *The last two questions are difficult.*
James: *Yeah, don't know how to answer.* (*Bluebell*, Chinese, 13-year-olds, Express)

Putting the linguistic reasons for changing the script aside, practicality and the unspoken theme of deterrence is clearer, although in different degrees of intention depending on whom you speak to. While Mr. Zheng and Joshua both spoke of how the last question helps to teach and instil in the student a sense of responsibility and commitment, Mr. Zheng's focus on deterrence and desire to reduce (if not eradicate) re-offending is apparent. Joshua's statement that the focus is not so much on whether the student repeats his mistake again but more so the student's commitment in honouring his words is one that resonates quietly against the ultimate aim a lower, quantifiable recidivism rate.

While Joshua proclaimed that this last question epitomises RP in essence by instilling responsibility in students, such a question in itself speaks a language of distrust and labelling for it assumes that the student *will* re-offend again. It is questionable if a RP process is even required in the very first place, to draw up contracts for future offences.

*Some teachers are using this as erm, like a contract to not misbehave in the future.
I think that that's not in the spirit of RP. Because if you are going to tell the
student, that "I'm going to punish you if you do it again", I mean, you don't need
to use a RP tool to do that.* (Hamid, *Orchid*, Malay, HOD)

Hamid's voice belongs to the minority who acknowledges that the adapted RP script is a hybrid of RJ values of 'commitment and responsibilities to make things right' and the classical values of 'deterrence' and 'retribution'.

---

[166] As the reader may recall from Chapter Four, students in Singapore schools are streamed into various streams, and the NT (Normal Technical) stream is the weakest one academically speaking. See Appendix A for a flowchart of Singapore's Educational system.

2. RP FORM AS EVIDENCE

The contractual feature serves two important purposes that help to make the teachers' job easier, as Thomas's earlier statements have already indicated to us. The first of which is that the RP form itself serves as a form of evidence of the contract that the teacher and the student had entered into. Each RP form collected adds on to the dossier of each individual (Foucault, 1977)—it provides the teacher with the necessary information of the offending student to enable disciplinary actions.

The form, teachers will file it in, at least it's something they can refer to, something that they can remind the students "This is what you have written", if not, it's very difficult to hold you by what you said because there is no evidence. But writing is different. Once you file in your subject file, I can always remind you even 9 months later. (Mr. Zheng, *Orchid*, Chinese, HOD)

The form, like make me scared ah, if sometimes the teacher checks. It's effective, cos erm, my teacher can keep tab forever.
(Shazrin, *Orchid*, Malay, 14-year-old, NT)

The first thing they'll do is to see the last part, then they'll know what to do [with us when we re-offend]. (Abbie, *Orchid*, Chinese, 17-year-old, NA)

Tegan: *They'll keep it in your file*
Zoe: *Yeah*
Tegan: *Then after that*
Zoe: *If you do it again*
Tegan: *Then come out this file*
Zoe*: DING!*
Tegan: *Then evidence—you do this, then you have to do this punishment.*
(*Orchid*, Chinese, 17-year-olds, NA)

More importantly, these forms serve as useful evidence for teachers to justify any escalation of actions taken to parents as well as to the Ministry of Education.

The next time it happens again, it is easier, there is already something in black and white that they have written. Like previously, we were so fed up with dealing with students' haircut, and we'd cut their hairs, and we get complaints from parents…This RP thing, once it's in black and white, it got lesser.
(Lara, *Orchid*, Chinese, Discom)

It's not easy for us to expel any students. Because the Ministry goes by this "Everybody gets an education, everybody stays in school", all right, nobody drops out, not unless the Ministry can help it. They drop out normally, if parents have given the permission, but Ministry doesn't allow expulsion. I mean it's not [a] *written* [rule] *lah, but we have a hard time if we want to expel students. <u>Really</u> hard time. We have [to have] built a case, where we have all kind of information why this child is really bad, and why we cannot contain him anymore. We have done this, we must have all our paper work you know, evidence that the teachers have done this and that, up to the stage DM, what has the DM done, etc, police report, whatever whatever whatever, all compiled, it's a lot of paperwork, and then, only*

the superintendent will take the case. Superintendent agrees to it, and then will pass it to the Ministry. It's so difficult! Very difficult!

(Azura, *Orchid*, Malay, Discom; emphasis original)

RP form is like a 黄牌! ['huang pai'; literally 'yellow badge'.[167]]

(Danielle, *Orchid*, Chinese, 15-year-old, NA)

In an increasingly consumeristic society, where students (and parents) behaved more and more like clients, it is unsurprising that the RP forms also served as a defence tool. A mother and her son even made the national headlines when she lodged a police report against her son's teacher as the latter had trimmed the boy's hair just before his oral examination without getting the mother's consent (*The Straits Times*, 23 Aug 2012). A similar act done two decades back would not have lead to such a hoo-ha given the then common belief that teachers' authority are akin to that of your parents'.[168]

The use of contracts and agreements as a mode of social control is not new, and the expanding forms of 'contractual governance' (Crawford, 2003) beyond the fields of criminal justice such as that in schools, homes and so on, came about at a time where penal practices and the remit of the State's power in many countries were increasingly questioned against the backdrop of the rise of consumerism. Using contracts as a mode of social control, responsibilities of policing and control are shared and it is no longer the sole responsibility of the State, the parent, or the school to curb deviant behaviour. Its language, as did the RP script, is laced heavily with the idea of rationality and choice. Just as one chooses and consents to various economical agreements in the everyday life, the RP contract places responsibility on the students to comply with their own, *voluntary* agreements. And "the more people believe that they have choice in, and ownership of, an agreement, the more they are likely to adhere to its logic", thereby encouraging people to 'self-regulate' (Crawford, 2003:489). This is particularly essential in dealing with teenagers who might end up in power struggles with the adults by opposing them regardless of the content and options the adults offered. Packaging the options in such a way that the teenagers are not merely following the adults' will but that they are able to make their own decision, tiresome power struggles can be avoided (Dreikurs & Grey, 1968:170-185). Besides, even though "contracts assume a 'sense of choice'…[it] does

---

[167] This is a reference to ancient times in China, where one's rank in the imperial rank is identifiable by the badge one carried and the colour 'yellow' was prohibited for it was the colour of the Emperor. A 'yellow badge' in this sense then, means that the holder literally has the power to do anything he wishes so long as he has the yeellow badge.

[168] There is a Chinese proverb that captures this belief: 一日为师，终身为父 'yi ri wei shi, zhongshen wei fu'. It literally means "Even if the person has only taught you for a day, you should treat him like your father for the rest of your life."

not require that the choice be real, only that we act as if it is." (Crawford, 2003:489). As we will see very soon, students were not always given the 'choice' as to what the consequence ought to be should they re-offend.

Contracts are necessarily forward-looking as damage control is an essential economic sense. The last question on the RP script: "How can we prevent it from happening again? **What should happen if you do it again?"** marries both retributivism and reductionism to "provoke *active* rather than merely passive responsibility" (Crawford, 2003:490; emphasis original). The first few questions[169] that asked the student to account for why he committed the act involves only passive responsibility for he is *made to address* an act that had already occurred, while the last two questions that encourages the student to take active responsibility by "taking responsibility for something that needs to be done to deal with or address a problem"—he needs to do something to 'fix things' for the past offence as well as to offer solutions to prevent the recurrence of such incidents. And in the event that he failed to honour his words, it not only means that he has failed himself by breaking his promise, but in failing to honour his promises to the other party, it justifies the teachers' punitive responses (Crawford, 2003:503-504). Different regulatory techniques do co-exist at the same time and they even have to depend on each other for their individual methods to work; for RP to work, it has to be backed up by other modes of responses as well.

3. GIVING STUDENTS THE 'CHOICE' OF 'PUNISHMENT

Following above discussion, for the RP script to 'work' then, students must believe that they have a 'choice' when answering the questions then. The irony of course, is that this 'choice' is one that is *allowed* and *given by* the teachers, and while teachers understood the importance of giving students the choice of what ought to be done to make things better as well as the consequence that he should take on should he repeat the offence, more often than not, the teachers overrode the students' choices.

> *I'd get them to choose because it's all about ownership I guess, because they came up with it right, it's not assigned to them by me. But sometimes they have no idea what they want to do, so I'll have to suggest* [a few options] *and they have to pick. But even so, I'd try and get them to customise it and it must hurt them in a way, because it's very easy to just stay back and sweep the floor for some, but for those who have never clean, never touch dirty stuffs, it'll hurt them. I will not make it easy for them. There must be an element of sacrifice on their part, rather than hurt, that they must go out of the way to do something. But I must also be there with them for them to do it, when they are doing it, and I'm present, then we can*

---

[169] To recap, the RP questions are: (1) What did you do? (2) What were you thinking about when you did that? (3) Did you do the right/wrong thing? / What have you thought of since? (4) Who has been harmed or affected? (5) How are they affected? (6) What needs to happen to make things right? (7) How can we prevent it from happening again? What should happen if you do it again?

continue to talk, so that they won't see it as "Oh, you are just leaving me in a lurch." That I'm also here with them, and in a way, I'm also punished as well, and in the process of sharing that time, hopefully I'll build the relationship with the student. (En-Hui, *Orchid*, Chinese, HOD; Emphasis mine)

It depends on how well you know the child. "If caning helps you to not do it again, I'll put caning down." I'll always come back to "What will it take to make you stop re-offending." It's very straightforward. But if you put down caning for the sake of putting it down, just so that I will accept it [and let you go for the time being], *then no, I'm not going to allow that. Ultimately, for me, the whole RP process must address the root of the problem. "Why do you think you are sitting down here and writing this for me? Is caning going to help you repeat this offence again?"* (Naomi, *Orchid*, Chinese, Discom; Emphasis mine)

The last question is to make them be responsible for their actions again if they commit the same mistake. If they run out of idea [as to what to suggest]*, I'll tell them lah, "Pick rubbish!", because this is what they don't like! If they don't like it, high chance is that they won't repeat it again...Even if he didn't suggest it, it's still RP so long as it has sank into his head, that he'd need to do this thing, and he does it automatically when he make that mistake, then that's good.* (Mr. Zheng, *Orchid*, Chinese, HOD; Emphasis mine)

I wrote down "Detention for 5 hours", but the teacher asked, "How will that contribute to the school?" So ended up I go pick up litter. (Harriet, *Orchid*, Chinese, 16-year-old, NA)

I wrote, "Sweep the classroom" but she asked me to change and write "Stay back after school for two hours" instead. (Ke-En, *Orchid,* Chinese, 14-year-old, NA)

There is a need to ascertain clearly what exactly is the purpose of the getting the students to suggest the consequence or punishment should he re-offend again. Is getting the student to own the problem an end in itself, as Joshua spoke of earlier with his example on the child running around the tracks automatically, or is this sense of ownership only one out of various means in making the child stop offending? Naomi and Mr. Zheng clearly focused more on the latter, and they vetoed students' suggestions depending on whether the student's suggestion is strong enough a deterrent to stop his offending behaviour. En-Hui on the other hand, emphasized not only on exacting the retributive element of sacrifice and pain from the student, but more so, on the need to show solidarity and build a relationship with the student by being with the student when he is punished.

Secondly, there is a lack of consistency among teachers as to what sort of consequence or punishment ought to be accepted, thereby reflecting a lack of consensus on the understanding of how and what elements of RP is supposed to work. The contrasting treatment of Harriet versus Ke-En is illuminating, for not every teacher cares

if the student's suggestion contains any restorative element or not. Nor do all care if the suggestion reflects a sense of responsibility or not, as evident from the account below.

> Amy (*Orchid,* Chinese, Discom): *This girl, she was late for 9 times, and I even called up the mother, so the mother actually promise me lah, that she'll wake her daughter on time. And if she were to be late again, we'd have to suspend her. The girl wrote things like, "Ask my friends to wake me up, give me a morning call."*
> Researcher: Were you ok with her suggestion?
> Amy: *I'm ok lah, so long as you don't expect a teacher to give you morning calls to wake you up on time, that your friends are the ones doing all this, I'm fine with it.*
> Researcher: And what happened?
> Amy: *It obviously didn't work lor, that's why she's 9 times late.*

It is astonishing that the student's suggestion was even accepted in the very first place, given that not only was her suggestion absent of any sense of ownership of the problem, the foresight that the likelihood of a phone call being able to wake her up on time while the student's live-in mother has failed to do so is low was clearly not absent. One could not help but wonder if the teacher in question really cared if the student could learn to be responsible or not.

3.1 How Did The Students Make Their 'Choices'?

Students were inclined to offer suggestions that teachers are likely to accept to begin with. If the reader may recall, as discussed in Chapter Four, despite many teachers' laments that students often gave (insincere) 'standard answers' during the RP process, both teachers and students were actually engaged in this ritual of extracting and providing the politically correct answers, for the RP form is used to maintain the status quo. It is unsurprising too then, that many students' suggestions to future offences were often those that both parties were already familiar with to begin with. Besides, an offering of the familiar consequences on the part of the student without the teacher demanding or suggesting them might signal to the teacher an admission of wrongdoing and as such it might even guarantee the student's 'freedom' (from the teacher's tirade or nagging) earlier.

> Ke-Jie: *Just anyhow write how many strokes if you repeat the offence lor. If you write, "I'll do 100 push-ups", they'll say "This is too easy for you." I wrote that before, they said it's too easy. Anyway, even if you do the same thing again, they'd have forgotten* [about what you wrote] *already. It's* 白问 ['bai wen'; meaning that questions asked are pointless]
> Matthew: *Yeah, maybe they just ask to follow the rules, like ask for the sake of asking.*   (*Bluebell*, Chinese, 16-year-olds, NT)

> *It's a waste of time, this RP, no point one. They just need you to admit your wrong, so write this form as proof, so that last time you said what* [you would do if you re-

offend], *now you* [shall] *do what* [you promised previously], *so now she'll ask you do to it. Just write 20 push-ups lah, because she always ask us to do push-ups one.*
<div align="right">(Aimee, Orchid, Chinese, 15-year-old, Express)</div>

Abbie: *Because they definitely wanted a satisfied* [sic] *answer, so I wrote "Suspension, in-house suspension, expulsion."*
Jennifer: *Yeah, because if you write things like "Clean the canteen", they'd say, "This one got use meh?"* [i.e. Is there any point in this suggestion?"]
Abbie: *Yeah, so just write suspension lor, because that's what they do when people usually break school rules wah.*   (*Orchid*, Chinese, 17-year-olds, NA)

Many students also believed that harsher punishments such as caning are the 'best' suggestion that would appease and be accepted by the teachers because of the punitive (and repentant) meanings involved.

Finlay: *Whatever punishment you write, it'll still end up as caning one.*
Jun-Kai: *Yeah, the teachers look so delighted when we wrote 'caning' you know!*
<div align="right">(Orchid, Chinese, 17-year-olds, NA)</div>

Obviously, teachers would be more satisfied if we write punishments that they are used to, like if they see something that will torture us you know.
<div align="right">(Mira, Orchid, Malay, 17-year-old, NA)</div>

Other than our form teacher, the rest of the teachers are always hoping for the DMs to walk past [our class during their patrols] *to cane us.*
<div align="right">(Joe, Bluebell, Chinese,14-year-old, Prefect, Express)</div>

If I put [down] *'caning', teacher sure believe* [that I'm sincere] *wah. Just write fast, I want to go for P.E.* [physical education] *that time.*
<div align="right">(Nazri, Orchid, Malay, 14-year-old, NT)</div>

Not only did students believed that the teachers prefer caning over all other options, but many students themselves actually preferred caning too because it is the fastest way to end the matter.

I'd rather be caned! Caning only takes 5 minutes, but if you talk to the teachers, they can drag from 2pm till 4 you know!
<div align="right">(Noah, Bluebell, Chinese, 15-year-old, Express)</div>

I don't mind caning, 'cos it's the most effective way to resolve things.
<div align="right">(Samuel, Bluebell, Chinese, 16-year-old, NA)</div>

I wrote 'caning' because that's what they usually give us. Caning's better, just whack, zoom, then we can go!   (Bashir, *Orchid*, Malay, 15-year-old, NA)

Caning's easy! Just cane, finish, and we can go. Don't even need to stay back [for detention] *that kind, that kind we don't want!*
<div align="right">(Huslan, Orchid, Malay, 15-year-old, NT)</div>

While it may seem odd to the reader that a child would rather receive corporal punishment, considering the amount of physical pain and shame that it might bring to him, one must not forget that the more frequent a punishment is used, it becomes more ineffective for any stigma attached to it will be gone precisely because it is so common. Other issues pertaining to corporal punishment will be discussed in greater depth later on in this chapter.

For the students, as efficiency is the word of the day, they were hardly putting much thought into what ought to happen should they re-offend again. The priority was to end the session with the teacher; it is hard to expect someone who could barely seen beyond that 10 minutes with the teacher, to seriously consider what ought to happen to him/her in some far hypothetical future. As such, many students simply wrote whatever came to their mind or things they did not mind doing just so that they could end the RP session with the teacher as soon as possible.

Just faster anyhow choose lah, then faster can go away lah.
(Peter, *Bluebell*, Chinese, 15-year-old, NA)

Just quickly anyhow fill up the form, I just wanted to go back to class.
(Rachel, *Orchid*, Chinese, 16-year-old, NA)

Just anyhow write whatever comes to mind, 'cos sometimes they do this during recess or after school. Stay back just to talk to teacher, I think that one is also a punishment 'cos waste my time!   (Ewan, *Orchid*, Chinese, 16-year-old, NA)

Just write something, but must choose something that isn't really a punishment.
(Zen, *Orchid*, Chinese, 15-year-old, NA)

Nobody would mean it when they write such things! They'll ask for my opinion, usually they'll give you the little choice, the small choice. You write your own punishment, one more stroke, or stay back in school till 6pm, whatever, just choose something that you don't mind doing lah.
(Farid, *Orchid*, Malay, 16-year-old, Express)

Interestingly, there were also students who gave serious thoughts and purposely chose consequences that they considered as punishments so as to deter themselves from repeating the same offence, although the numbers of such students were unsurprisingly few.

I wrote 'caning', 'cos if it's more serious, then you won't do it again.
(Jun-Kai, *Orchid*, Chinese, 17-year-old, NA)

I said, "Sit outside [the classroom] *alone* [and] *do my work", 'cos like, can give myself a warning like that, and not copy my friend's work again.*
(Kei-An, *Orchid*, Chinese, 16-year-old, NT)

166

The RP script in itself then, cannot induce the kind of reflection that it aspired to do so because the questions themselves are meaningless unless time and effort had been taken by both the teachers and the students to *doing* RP.

3.2 Should The Punishment Be Related To The Offence?

Feeling perturbed by the inconsistencies in the ways in which teachers have dealt with the students' answers, I asked the teachers if they required the suggested consequence to have any relation to the act; after all, given that the restorativeness of the process is also measured by the outcome, wouldn't it make more sense to relate the subsequent consequences to the offence, if one of the main aims of RP is to 'fix things' indeed? While the teachers were divided on this issue, there were more teachers who felt that it was all right even if there was no link between the suggested consequence and the act *so long as the offending behaviour is addressed* or if the child honour his words and took responsibility should he re-offend again.

> *It doesn't matter if what they offered to do has nothing to do with the wrongdoing, because it's more for them to understand, erm, why they need to do something to change, to repair the relationship and trust we have in them which was broken when they offended. Sometimes they really have no idea what to offer either, and they'd say "Anything you want." For me, I'd usually suggest that they stay back to do their work, or stay back and help me. Like you get them to do something right, they'll see that you are trusting them also, like why do boys like to do duties for teachers? They think that you trust them? It's something that they can do and try and help you.* (Courtney, Chinese, *Bluebell*)

> *So long as the student is you know, abide by the school rules, if it* [the consequences offered] *matters to them, if it works, whatever, whatever kind of actions, or if they are embarrassed by it and if they see me and they are careful about not repeating it, then it's fine, it doesn't matter* [if there is a relation between the consequence and the wrongdoing or not]. (Lara, *Orchid*, Chinese, Discom)

> *To me, the original intent is just to make sure that they are responsible for their own things, and they live up to their promises. That's the way I see RP. So long as you can achieve that, it doesn't matter if there's no connection between the act and the wrongdoing. I wouldn't want to prescribe such a rule to the teachers either.* (Mr. Zheng, *Orchid*, Chinese, HOD)

In contrast, other teachers argued that not only should the offending behaviour be address, there should be a connection between the act and the consequence.

> *I know that the standard for late coming is to get them to do stay back after school and clean the school or something. But I'll tweak it and make them come earlier instead. "If you are late, then what needs to happen so that you will learn not to be late anymore?" There's no point for them to stay back to clean the school, that's not what I want. I want them not to be late again. So I'll also wake up earlier to come to school earlier to do it with you.* (Naomi, *Orchid*, Chinese, Discom)

For me, <u>I'll always link it back to what they have done wrong, that makes sense.</u> Like if you are late, then you should report to school earlier at 7am instead for the next one week, rather than making them stay back after school. Or if you never bring your tie, you'll bring it for the next one week. It cannot be, "If I never bring my book, I'll go run around the field for 5 rounds." That doesn't make sense at all. <u>But we cannot have too many guidelines for the teachers too</u>, because RP's more about relationship, so to some teachers, "Ok, never bring textbook, clean the classroom for me." And in the process of cleaning the classroom, the teachers may be there and in spending time together they will build the relationship you know. <u>As a whole school approach, it just means teachers must believe in it. How they do it, it doesn't matter to me so long as their starting point is to help the student to reflect, to restore the relationship, then that's ok</u>.

(Thomas, *Orchid*, Chinese, Discom; Emphasis mine)

What was interesting was that teachers from both sides were not puzzled by the lack of theoretical coherence in explaining if such contracts would work or not if the offered consequence is unrelated to the offence. In fact, they were even thankful that they were given the discretion to decide what type of consequences to accept or not, rather than being bounded by certain directions from the school.

E. IT'S A 'CONSEQUENCE', NOT A 'PUNISHMENT'?

One thing that stood out in the interviews with the teachers, was how many teachers argued that the proposed actions that students wrote in the RP form should they re-offend were not 'punishments' but 'consequences', for the students were the ones who suggested them.

I don't think the term 'punishment' should go with RP. When the child signs an undertaking, it's not a 'punishment', it's the child's own commitment to what he has chosen to do. Of course we can see it as a punishment, but it should not be that, it should not be something negative, it's supposed to be something positive. The suggestion of it being a punishment is negative. It <u>should be</u> positive lah, should be. Ideally.   (Azura, *Orchid*, Malay, Discom; Emphasis original)

It's not a punishment, just that they must 'punish' themselves. That's what's good about the last question. You offer your own punishment, and you take it up yourself. If I had said "Now you must be caned." That's me 'offering', that's a punishment. But when you offer, then you carry out what you promised.

(Emily, *Orchid,* Chinese)

If they are not mature enough, they might see it more as a punishment, even though we keep telling them "This is not a punishment, it's just a consequence of your action." They don't see it that way though. A punishment, to me, is something to, erm, if I have not told you before and put this on you to do it, that's a punishment. <u>But if I have already told you, that this is the consequence, that if you do this, you'll get this, it's not a punishment because you already know the outcome first already.</u> It's not a punishment, to me, it's like "You asked for it!" because you already know the consequences.

(Mr. Zheng, *Orchid*, Chinese, HOD; Emphasis mine)

168

The punishment, more often than not, doesn't come from us, it comes from the child, because the child would have to say how they are going to right the wrong, for example, "I have littered, I will offer to clean the school." But that to me is 'consequences'; I won't say 'punishment'. Because it comes from the child you see. A 'punishment' is something that's painful, punitive, something that inflicts pain, that no one wants to do. But to some teachers and children, alright, they could see the consequence is a form of punishment?

(Mrs. Pang, *Orchid*, Chinese, Then-Principal)

Indeed, there were a few teachers who indicated that the consequences that students offered might be considered as 'punishments', but that one should not consider punishments and RP as mutually exclusive.

The punishment is just one of the consequences. The consequence is that if he continues with the behaviour, he'll be punished. The consequence leads to the punishment. But erm, consequence is not just about punishment, but also that the relationship is affected, so he must realise this, and something must be done, which eventually leads to punishment. If I have done RP, <u>you know the consequences</u>, and you still continue that way, then punishment has to come in.

(Edward, *Bluebell,* Chinese; Emphasis mine)

Punishment process is part of RP itself. The caning is part of RP. Caning is not all of it. We still talk to him—why he shouldn't be doing this, who has been hurt, what else he needs to do besides being caned to make it up—it's still all there.

(Leo, *Bluebell*, Chinese, DM)

The last part of the RP questions, actually it is a punishment.

(Lara, *Orchid*, Chinese, Discom)

To most of the teachers then, the supposed voluntary nature of the act *and* prior knowledge of the required actions are what set 'consequences' apart from 'punishments'. However, these criteria in themselves are hardly sufficient in distinguishing 'punishments' from 'consequences'. Just because one is aware of the stated 'consequences', does not in itself make it not a 'punishment'? Putting aside the criminal setting, 'punishment' is commonly defined as consisting of the following elements (Hart, 1968:5; Feinberg, 1970:11; Cited in Dolinko, 2011:404-405):

(i) *It must involve pain or other consequences normally considered unpleasant.*
(ii) *It must be for an offence against legal rules.*
(iii) *It must be of an actual or supposed offender for his offense.*
(iv) *It must be intentionally administered by human beings other than the offender.*
(v) *It must be imposed and administered by an authority constituted by a legal system against which the offense is committed…//…*
(vi) *It must express society's disapproval, resentment, condemnation, or reprobation of the offender's offense.*

The voluntary nature of the act goes against the above fourth element—that because it was the child who 'chose' the act, it *cannot* be considered a 'punishment'.

Walgrave (2002) and Duff (2002) offer an interesting dimension to the discourse of punishment in RJ by suggesting that RJ can be conceived as a form of punishment. Walgrave (2002:194) disagrees with the voluntary element in the *2000 UN Basic Principles on the use of RJ*, and argues for RJ as "an option on doing justice which is primarily oriented towards restoring harm that has been caused by a crime" and "coercions may be considered so long as it primarily serve restoration" (Walgrave, 2002:194).

Likewise, Duff (2002) offers a refreshing view by suggesting that while offenders should suffer retribution and punishment for their crimes, the essential purpose of such punishments should be to achieve restoration—"restoration through retribution." Here he departs from both advocates and critics of RJ who have claimed that RJ must choose between the punishment and restoration paradigms; suggesting instead "restoration is not only compatible with retribution and punishment; but *requires* it [i.e. punishment]." (Reproduced in Johnstone, 2003:382). Like Walgrave, Duff (Reproduced in Johnstone, 2003:387) believes that coercion is necessary. For instance, he believes that the offender should be made to apologise to his victim even if he is insincere, for the apology communicates to the offender and victim society's recognition of the wrong the offender did. As such, the outcome and the fulfilment of the sixth element are more important than the voluntary nature of an act undertaken by the student—it does not matter even if he were 'forced' to undertake the 'punishment'.

The first requirement of 'pain' or an unpleasant consequence was also enunciated by teachers like En-Hui (*Orchid*, Chinese, HOD) earlier, who argued, "*There must be an element of sacrifice on their part…that they must go out of the way to do something.*" This element of 'pain' or hardship is required in fulfilling the sixth element of 'punishment'—hardship is used not only to express the condemnation and disapproval of the punisher and victims, a "willingness to endure pain and suffering is also an expression of repentance" and remorse (Duff, 1986:233ff; cited in Cragg, 1992:214). A consequence without hardship is merely a penalty, and not a punishment (Garvey, 2011:496).[170] However, what is it about 'pain' exactly that makes it presumably able to communicate repentance more convincingly? Does it? What if the student undertakes an act that brings about benefits to the victim or to the school, but the act is not 'painful' from the student's perspective? Should each act undertaken in each RP session then, be dependent on whether the student (or the teacher) considered it to be painful enough to be a 'punishment' or a 'consequence'? And whose definition of 'pain' should count?

---

[170] See Garvey (2011:495-496) on how a parking fine is merely a penalty and not a punishment.

Consider the act of caning, which at first glance would be considered (overly) harsh by most bystanders, but it meant nothing much to the students themselves. It is also impossible to tell if the student had learnt his lesson because of the pain element, or if it was because he felt remorse. Suffering can only communicate the wrongdoing and not the remorse (Cragg, 1992:215). Given that one would never be able to tell for sure if the act is able to elicit remorse from an offender or not, it might be more prudent to focus on whether the act is able to help the offender in not repeating his mistake or not or if the act is able to bring about restoration to the community or victims in question.

The teachers also argued that the word 'punishment' should not be used because it conjures a negative image and since 'punishments' were not their intentions, one should not consider the resulting action as 'punishment'. That "as long as the burden an actor bears is imposed without any expression of condemnation, then whatever else is being done to him, he is not being punished." (Gravey, 2011:512) While RJ requires condemnation to be *expressed* for catharsis purposes before a meeting of minds between the participants could happen, any subsequent agreement should not be constitute as a punishment because it was not intended as an expression of resentment, assuming that both parties were able to empathise with each other following their exchanges. This line of argument makes the definition of 'punishment' dependent on how *each* RJ process plays out, for it is impossible to ascertain how *each* 'punisher' or victim would respond in the RJ conference for instance. Furthermore, even if subsequent burden is not called 'punishment', practically speaking, the mandatory nature of the agreements is "structurally identical to textbook definitions of punishment." (Dzur, 2003:7) However, rather than being bogged down by definition issues surrounding 'punishment', it is more useful to remember that it is not the use of 'punishment' in itself that differentiates RJ from retributive justice but how it is used (Daly, 2000; Duff, 2002).

> Punishment is more retributive if it is an end in itself; the offender's suffering and degradation are primary, and it is unilaterally imposed. Punishment can be restorative if it is a mere means; a means to offender rehabilitation and reintegration, and ideally on a bilateral understanding.
> (Wenzel, Okimoto & Cameron, 2012:41)

As such, the experience of the 'punished' and the symbolic meaning students assigned to the act are just as, if not, more important (Wright, 2003; cited in McCluskey *et al*. 2008:203) than the punisher's intentions. "It's the offender himself, who will distinguish between 'punishments' and 'consequences'" (A. McRae, RJ Trainer; Personal communication, 14 Sept 2007) and as such, how he perceived the process and

the subsequent burden would also affect the deterrent value or other messages sent, as well as his relationship with the teacher.

> *RP is not a punishment. There's no punishment wah. You won't get hurt. [With] Punishment, you'll get hurt. But if you give stupid answers, then confirm got punishment lah. RP is just a way to, like give some time to make you cool down.*
> (Viswas, *Bluebell*, Indian, 16-year-old, NA)

> *RP is not a punishment; it's just a consent form for your next caning!*
> (Norman, *Bluebell*, Mala, 14-year-old, NA)

> *RP is just a second chance, but the last question is a punishment, 'cos if I do again, I get that lah.*
> (Shazrin, *Orchid*, Malay, 14-year-old, NT)

Most students interviewed perceived the RP process as a second chance and not as a 'punishment', given that their undertaking would not come into effect until they re-offend again, they did perceive the undertaking that would be exacted from them were taken as 'punishments' should they re-offend again.

F. THE USE OF CANING—DEPARTURES FROM THE 'PURE' RP

Let us now move to the last section of this chapter, and examine the use of caning in the schools. While a minority of teachers believed that caning (and punishment) is not mutually exclusive with the use of RP, many teachers seem to believe in the existence of a 'pure' RP that does not include the use of caning, given that caning is not only the most punitive expression (short of an expulsion) of condemnation that the school can communicate to the student, and this punishment is also the least restorative method in undoing any harm caused or in repairing relationships.

> *Pure RP, wouldn't have caning, just purely RP. The ideal is everybody would know what is RP, that its philosophy is to build relationship, that teachers are willing to drop things off, drop marking, everything, to build relationship, to make sure the students know them and they know the students.* (En-Hui, *Orchid*, Chinese, HOD)

> *To be a RP school, you really have to forget about caning. If you start caning, your RP cannot work! It's very difficult to restore the relationship after you cane him.*
> (Toby, *Orchid,* Chinese)

> *For the Australians, it's pure RP where they say there'll be no punishment at all, because for them, there's no caning in their laws too. They* [the trainers from Australia] *always ask this question, "How would punishment repair the damage? It may not, it's just a punishment. To repair the damage, they must make it up. By caning them, there's no making up…One must do something to make it up, to repair the damage." But I always tell my teachers, "Each time you cane, you are drawing out from your emotional bank account with them. They have enough, so*

they don't' get angry with me because I deposited before. Do you have enough? If not, even if you just scold them, and not cane them, they might hate you."

<div align="right">(Leo, Bluebell, Chinese, DM)</div>

For Toby, it is precisely because caning is the most expressive form of condemnation that one can use *on* the student that makes it impossible for the relationship to remain cordial. The stroke signifies the caner's exasperation—that this is the last possible act that the teacher can do to exact a change from the student. That stroke of cane marks both the 'hope' (for the student to change) *and* the disappointment (that the student had caused the teacher to feel). And depending on how the caner navigates between these two conflicting emotions, the value of that stroke changes. Leo argues that the meaning of the stroke lies in the nature of the pre-existing relationship that the student and teacher has—that so long as the latter is able to affirm and expressed his/her belief in the student to change (and not merely caning out of sheer frustration and disappointment), then that stroke of cane is justified and *can* co-exist with RP. Even if one departs from the 'pure' RP, it is not an issue because caning serves various functions.

> *We are a school, full stop. A school that does real teaching, and our students come to us without proper social machinery. An RP school would be a school with the kind of value* [that RP speaks of]*, that has the RP structure in place and adheres to it, that's the bureaucratic part, then you call yourself an RP school. But I don't care if you are an RP school or not. It is more important to understand the primal importance of the ability to form relationships that's important.*

<div align="right">(Zhen-Ren, Bluebell, Chinese, HOD)</div>

> *I don't think RP and caning are mutually exclusive. You can RP him then cane him. You heard about the case where the kid took a* [compromising] *picture of the lady-teacher? You RP him, let him know why, what he's done wrong, you still have to cane him. You <u>have to</u>.*

<div align="right">(Michael, Bluebell; Chinese, emphasis original)</div>

> *Sometimes after caning, they still say "Thank you", or "Sorry Sir" you know! And when they see me again in the canteen, they'll still say "Hi", so you know it's ok between us.*

<div align="right">(Hassan, Orchid, Malay, OM)</div>

And here we see again the rhetoric of cultural relativism being used to justify its practice of RP. The combination of corporal punishment with reasoning is not unfamiliar in Singapore, for the majority of its population[171] is familiar with the authoritative style of Chinese parenting style of 管 ('guan'; Chao, 1994; cited in Sim & Ong, 2005:86), which involves both "the use of reason as well as power" to attain parental objectives"

---

[171] As the reader may recall from Chapter Two, over 70% of the population in Singapore is of Chinese descent.

(Baumrind, 1968:261; cited in *ibid.*). Even in American, Asian-American parents on the whole, have also been found to be more authoritarian and hold more favourable views of corporal punishment than non-Hispanic White parents (Wang & Phinney, 1998; Hong & Hong, 1991; Jambunathan, Burts & pierce, 2000; cited in Lau, Takeuchi & Algeria, 2006:1262).

Likewise, in Singapore, physical punishment has been found to be generally acceptable among its citizens (Elliott, Thomas, Chan & Chow, 2000; cited in *ibid.*), and a 1997 study (*Straits Times*, December 17 1997) found that 244 or 85.6% of the 285 teachers surveyed approved of the use of caning in schools. The adverse impact from caning *can* be buffered by 'caring messages' (Lansford *et al.* 2004:802; cited in Saunders & Goddard, 2010:142).

However, while teachers generally did talk to students before caning them, many students reported that teachers did not attempt to better their relationships after scolding or caning them. More interestingly, most students did not expect the teachers to do so and that it was sufficient for them those teachers treat them as per normal following their punishment.

> *They said "No questions* [are needed to be] *asked* [before caning]*", but usually they'd ask lah…I don't think any teacher would take an effort to improve a relationship with any particular student. What's the use of improving relationship with one student when you can improve relationship with a student who already has a better relationship with you?* (Finlay, *Bluebell*, Chinese, 13-year-old, NA)

> *I don't like it, I hope they can do something* [after punishing us]*, don't just leave it like it's not their problem like that. But usually teachers don't do anything specifically after scolding, just leave things be lor.*
> (Min-Zheng, *Bluebell*, Chinese, 15-year-old, NT)

> *I have never seen teachers purposely do something to make the relationship better after punishing us. I hope they do it, but if they have no way of doing that, that's ok too.* (Owen, *Orchid*, Chinese, 13-year-old, NT)

> *We don't expect teachers to purposely do something to better the relationship after punishing, just let things be lah.* (Grace, *Orchid,* Chinese, 16-year-old, NA)

> *I prefer* [that] *they just act as normal* [as if nothing had happened]*, because that's as good as you can get. If they wana try and improve, it's ok, but I wouldn't expect that.* (Bhupen, *Bluebell*, Indian, 17-year-old, NA)

It is unclear if the students' utterances indicate that they are disinterested in having a better relationship with the teachers, or that they believe that the current relationship and distance is 'good' enough.

1. WHY IS CANING RETAINED?

Let us now examine the justifications for the (continued) use of caning in schools. I will first present the reasons in full before analysing them later. The most common reason given is that the pain and shame from being caned would deter students from re-offending, especially students who might not be mature enough for RP to 'work'.

> *I know that caning is extreme…it is a punishment. It's a way of making the kids remember. Because caning hurts, not that I want to hurt the child, but they'll remember more. They'll remember, because that's the most extreme case, that's the ultimate thing that can happen to him. So yeah, it adds some fear to them, and it does help to keep them in line, although it has to be use sparingly.*
>
> (Azura, *Orchid*, Malay, Discom)

> *If you ask the kids to come up with solutions to solve, to do whatever, to mend their own problems, only a minority of them can. The majority will still have to be caned. They'll just say, "I'll not do it again."* (Sophie, *Bluebell*, Chinese, Discom)

> 杀一儆百 ['sha yi jing bai'; A Chinese idiom that literally means, "Kill one to warn a hundred."] *So that they'll know where the seriousness is, and stop it from spreading to others.* (Ms. Ran, *Bluebell,* Chinese)

> *We were late for her class, which was right after recess. So we were sent out of the class, and then Discom walked past and we got caned. It was effective; none of us dare to be late for her class again.* (Norman, *Bluebell*, Malay,14-year-old, NT)

> *Once you say, "Ok let's not cane!"—That's a very sweeping and powerful statement, that means you can never cane, no matter what happens. But some offences you should cane. <u>This is the Asian context, the cane still works in some cases</u>. While the pain is only momentarily, there's that sense of shame with caning. When you are being caned, it's not so simple as "I was caned, it was painful." In your mind, your memories, it'll play on, it's very impactful* [sic] *for a lot of kids. So we do not want to cane so often to lose that impact, but we cannot say that we should stop caning altogether. No.*
>
> (Thomas, *Orchid*, Chinese, Discom; Emphasis original)

> *Kids simply can't be reasoned with! They can't! I mean, think back, in our youths, we, erm, there's no logic. We wana do it, it's fun! If we hurt someone in the process, we feel sad, but it was fun!! In some countries, it's an offence to slap your child. I mean, COME MON!!! Seriously! COME MON! They say it's wrong for the parent to take a hand to their kid?! What stopped me from not poteng-ing* [Malay word for 'playing truant'] *school is the memory of me kena* [Malay word that means 'having' or 'being'] *whacked!* (Michael, *Bluebell,* Chinese)

Even if caning does not 'work' to curb re-offending, it is always better to have more options than not, especially in a climate where teachers have limited time and resources. Furthermore, it is more prudent to maintain existing practices especially during transitional phases where schools introduce and implement new elements (e.g. RP) into its system.

Even if it's not effective, caning should not be done away with. Those who got public caning didn't even look sorry. With caning, discipline is still bad. Wouldn't it get worse if we get rid of caning?

(Callum, *Bluebell*, Chinese, 15-year-old, Express)

The school discipline structure endorses violence and supports violence. And in a way, some parents do too, whether by shouting at them, whacking at them, you are only proving to him that might makes right. Which is not right, and RP <u>is</u> the way to go, but it's really hard. It's utopian you know! <u>Those students who resist RP, are precisely the ones whom we'd need to do more RP with, and caning's not the best way, but it's the fastest.</u> It's contradictory, but you don't have enough manpower to forge close relationship with 40 boys. Unfortunately, it's not the best way of doing things, but erm, as things go right now, it's the fastest. It's not theoretically sound, but there's no solution to it.

(Zhen-Ren, *Bluebell*, Chinese, HOD; Emphasis original)

I think what the school has done right, is that they implemented RP step-by-step, I mean, although we use RP, we have not given the right to use the cane, which I think is important in this transition phase. If you were to totally throw the cane out and those students who have yet to be educated on RP, they'll start to think that the school is no longer strong enough to discipline them.

(Hamid, *Orchid*, Malay, HOD)

We have to take one step at a time. While we are moving towards RP, we cannot change overnight. We have to have our corporal punishment along the way, until such a time we do not need anymore, then we can be a very ideal RP school. I...I...I think, we have no choice!! We cannot work on RP totally, we are not ready! There is nothing else that we can do to the kids you know! I'm not saying that teachers should hit the kids, but caning is the last resort, very last resort for us, even before we can expel the kids. Right now, it's very difficult to expel anyone. We need at least something! Caning, if it helps ah, no matter how small, it helps at least to rein in those ill-disciplined kids. At least if they get caned, for a short while after, we are able to keep them under control. (Azura, *Orchid*, Malay, Discom)

Unfortunately, caning is also retained in order to prevent teachers' morale from dropping further, even if the teachers understood that its use at times might very well be unethical or unfair, or even be contrary to the promotion of relationships in schools.

Sometimes, I cane just to get things out of my way, and [sigh] *if I don't do anything about it, then there'll be this problem of other teachers going "Huh, I sent them down to you and you never do anything to them? Don't talk to them! Just cane them!" Sometimes, I feel like I'm just a cane-dispensing machine. <u>In a way, the stroke of cane given can be a conclusion</u>. I'm not going to spend 10 minutes talking about the merits and demerits of bringing your book. To put it crudely, I got much better things to do.* (Ming-Jie, *Bluebell*, Chinese, Discom)

When RP fails right, we cane, also in order to close the case, to say that punishment has been given. We have to cane him, we just can't let him go, there must be closure for the school, for the victim, for the boy.

(Thomas, *Orchid*, Chinese, Discom)

There was a period of time when one of our principals believed in developmental, pastoral care; don't believe in using the cane, just talk to them nicely, [that if you] *see them as cultured students, you'll impart so-called cultured kind of practice with them. But the students at that time also know* [about the principal's preferences, and hence carried an attitude that said]*, "What can you do? What can the school do?" Then over the years, more and more students were rude,* [and had a] *don't-care-kind of attitude. And we teachers felt "Alamak!* [A Malay expression equivalent to "Goodness!"] *We are fighting a losing battle. Really losing." It was a real struggle.*   (Lara, *Orchid*, Chinese, Discom)

One interesting and unexpected finding was that the option of caning as a punishment not only served to protect the teachers' morale as seen above, but more importantly, many students who had been previously been caned saw the provision of caning as a means to protect their interests for it prevents their cases from being escalated to the State level.

Should keep public caning in school too. If don't have that right, then if the police were to be in-charge of those cases, then those students who did something wrong would have to go to Boys' Homes.[172] (Cameron, *Bluebell*, Chinese, 14-year-old, NT)

Mm, public caning, I think we should have it, 'cos those who did the wrong things, not so bad things in school, who doesn't deserve to go police station or what, just let schools handle it lah. If you go to the police, then they'd think that even the schools don't wana help him, that's why they send him to the police.
                    (Nagesh*, Bluebell*, Indian, 15-year-old, NA)

Caning it like the best way to escape. 'Cos when you go to the outside world, the punishment will be severe, like going inside prison and all if you do bad things. Here, it's just caning, it's not so painful.
                    (Viswas, *Bluebell*, Indian, 16-year-old, NA)

2. CRITIQUING THE JUSTIFICATIONS FOR THE USE OF CANING

Let us now examine the above justifications in greater detail. The adverse effects of corporal punishment are well known, and I will not go through them but mention a few of them here in passing, for it is not the focus of this thesis. A meta-analysis of studies on corporal punishment (Gershoff, 2002a; cited in Saunders & Goddard, 2010:145) concludes that it costs at least ten undesirable outcomes (e.g. decreased moral internationalisation, decreased child and adult mental health, increased adult aggression, etc) to gain that one positive outcome—immediate compliance. Interestingly, none of the teachers interviewed mentioned anything pertaining to the adverse effects of caning.

---

[172] Boys' Homes are the equivalent of borstals.

2.1 ADVANCED NOTICE DOES NOT EQUATE CONSENT

The use of caning as a deterrent is blatant in the teachers' statements. What is more appalling is their argument that because advance warning has been given, whether through the use of the RP as a contract or through verbal warnings, the teachers are justified in exacting the promised 'consequence' to be fulfilled in order to 'fix things'. The proposed 'consequences' should also contain an element of 'pain' or hardship usually, before the teachers accepted them. There are two issues are at stake. Firstly, as mentioned earlier, the labels aside, the subsequent 'consequences' often do take the form of textbook definitions of 'punishment', for the teachers are unable to explain "exactly how and why suffering something unpleasant…should count as a payment for an offence", and they missed the point that "atonement is something voluntarily undertaken, punishment something exacted" (Cottingham, 1979:238). More importantly, just because one is warned in advance of the consequence that is to come does not in itself suffice as a justification for that form of consequence. The knowledge of the potential outcome *is not* consent to liability (Nino, 1995:103).

2.2 THE INHERENT PARADOX OF DETERRENCE AND PROPORTIONALITY

There is also an inherent paradox between using caning as a deterrent and proportionality rule. In the Singapore, whether in penal or educational institutions, only males may be caned. Most of the boys who had the experience of being caned in schools usually receive strikes on their palms, except a few boys who were caned publically on their buttocks in front of the entire school for serious offences (e.g. taking 'up skirt pictures' of teachers[173]). While a harsh punishment of this level might be deemed justifiable by some for such an offence, one wonders if the same could be said for a stroke or more on the palm for being late for class or not bringing one's books. An adherence to the proportionality rule would require the teachers not to over-punish the students—and arguably, being caned for not bringing one's books or being late is overkill. However, a lesser punishment would not be able to deter students from making similar mistakes. There lays the inherent paradox—To guide students to the 'right' path, the 'punisher' has to be unjust by applying harsher punishments to deter the actor (Goldman, 1995:37).

2.3 DISRESPECTING THE STUDENT BY USING HIM AS A MEANS

More importantly, the moral education theory of punishment posits that it is morally wrong and disrespectful to treat one as a means to an end (Hart, 1968; cited in

---

[173] During the course of fieldwork, there were boys who were caned publically in front of the entire school for taking compromising pictures of their female teachers with their hand phones.

Cragg, 1992:55; Morris, 1981; cited in Dolinko, 2011:418; Kant, 1996; cited in Dolinko, 2011:410)—the student should be punished for his own sake and not to use him to deter other students. While the education of the other students might be very well be achieved through the individual student's punishment even if it was unintended, one must ensure that this positive externality is not achieved at the expense of the said student (Hampton, 1995:110). In short, "there is nothing wrong with treating another person as a means *in some respects* (or to some extent) provided she is *also* treated as an end in herself." (Dolinko, 1995:410-411). Accounts such as Ming-Jie's (*Bluebell*, Chinese, Discom) earlier confession that students had been caned in order to close a case or appease other teachers are contrary to the above ideal. Not only are these caning immoral and irresponsible when students are caned for the sake of appeasing other teachers, the significance of 'caning' as a deterrent is also reduced significantly because these teachers had caned these students in spite of the knowledge that most of these students themselves had chosen the 'easier' way out to be caned in order to be let off faster. The teachers were enabling the students to be less accountable, which was ironic given that they had used the RP form as a contract to instil accountability and responsibility.

2.4 The Social Construction Of The *Child* Justifies The Use Of 'Torture'?

Quite a number of teachers had also justified the use of caning because the subject is a child—an immature being that is, at times, incapable of reasoning and hence pain is a faster and more effective method in teaching the child. Corporal punishment has been deemed as 'torture' contravenes international treaties such as *The United Nations Convention on The Rights Of The Child (UNCRC)* and the *United Nations Convention Against Torture And Other Cruel, Inhuman Or Degrading Treatment or Punishment*. While Singapore is a signatory to the former treaty, the word 'discipline' is used as a euphemism even though the same act on an adult in Singapore could have been deemed as assault. The rhetoric of 'childhood' allows such statements to be made by *creating* the child as a subject that is *different* from the adults. 'Childhood' is not a universal notion[174] but one that is historically contingent—it has a beginning and it evolved. There was no distinct world of 'childhood' in the 17th century, and the 'child' of the 17th century was treated as a young adult and he was expected to do as much as he could to help shoulder the burdens of his elders (Kett, 1971; Stansell, 1982; cited in Henslin, 1992:218). This idea of childhood is not to be confused with affection for children—it only corresponds to an awareness of the particular nature of childhood that distinguishes the child from the

---

[174] For instance, in a South Sea Island tribe, the Arapesh, there was no distinction between the social status of children and adults, and there was also no superiority in age or sex. This tribe also did not use punishment (Mead, 1949; cited in Dreikurs & Grey 1968:67)

adult (Aries, 1962:128). The emergence of the Child(hood) began in the late Middle Ages, with influences from the Church[175] and moralists of the Protestant Reformation (Aries, 1962; Munice, 1999). What emerged was a modern concept of childhood where a child required moral and educational training before entering adulthood, and the 'ideal child' is one who is "dependent, submissive to authority, obedient, modest, hardworking and chaste" (Munice, 1999:51). As the *child* is constructed against the *adult*, society imposes distinctions between the behaviour of the two. "The modern view of childhood is an extended stage before and below adulthood" (Archard, 1993:31), and as such the child is always locked in opposition to the adult, and is spoken as 'becoming'; a work-in-progress evident by the type of 'growth' metaphors that are used to denote what is yet to be and that which is also presupposed.

> Childhood is spoken about as: a 'becoming'…as laying down the foundations; as shaping the individual; taking on; growing up; preparation; inadequacy; inexperience; immaturity and so on…[This is in contrast to the] adult world [which] is not only assumed to be complete, recognisable and in stasis, but also, and perhaps most significantly, desirable (Jenks, 1996:9).

But by treating the child as *the* child, one should not be surprised to see the emergence of *the child*, even though his social and ontological purpose is not to stay as a child. It is ironic that while self-determination is a desirable ideal (to become the *adult*), the child has to be restrained to reach that eventual autonomy (Marshall, 1996:83). This is where the monologue against the child begins—he becomes subjugated under societal impositions and any deviation from the required and the expected can even be 'corrected' even through violence.

The use of physical pain and degradation in creating the ideal child is also inherently paradoxical—it seeks to create the rational being while treating the child as one who is only capable of understanding pain but not reason, just as animals are unable to. While fear is a powerful deterrent, one "who can be kept good or moral through fear of personal suffering only, is a pitiful creature" (Scott, 1950:42). The use of caning is an impediment in the RJ process for putting the offender through physical pain is more likely to make him focus on his own suffering than empathising with the victim or reflecting upon the harm that his actions might have caused, which are necessary before one can even speak of restoration. Furthermore, how does one hold another accountable when he is intellectual and cognitive faculties are far from optimal when he is reeling from physical pain? Rather than deterring the child with pain, we want him/her to reflect

---

[175] Children were even conceived as being 'evil' and sinful by nature (Gordon, 1989:206- 213).

and refrain from re-offending not because that act is forbidden, but because it is morally wrong. "If we aimed to prevent wrongdoing only by deterring its commission, we would be treating human beings in the same way that we treat dogs." (Hegel, 1952:246; cited in Hampton, 1995:115). To respect the child as a "ends in themselves, as choosing beings capable of autonomous moral decision-making" would require us to refrain from acts such as corporal punishment or torture, for anything that "damage or destroy an individual's capacities for rational thoughts" (Falls, 1987:35; See also Hampton, 1984:157) are simply not educative techniques, which is ironic given the educational setting we are dealing with. Torture appeals to the offender's 'animal-nature' (Murphy, 1978; cited in Falls, 1987:47) and not his rational, human nature, for one is simply unable to engage his intellectual faculties during the process. Moral education theory of punishment then, dictates that to hold one responsible, one must "demand and allow response as a moral agent" who is capable of rational thought (*ibid*.). The aim is make the child "autonomous", not "automatons", for "the goal is not repentance at all costs" but one that is "freely arrived at [through reflection of the wrongdoing] and not merely a disposition towards conformity with the norms" (Morris, 1981:268-269).

2.5 Shame And Deterrence

Both teachers *and* students used shame unreservedly not only to deter the offending student from repeating his/her mistake, but also in academic matters.

My friend got caned publically for the 'up skirt thing'[176]. So I teased him, "Why you do that ah, she's so ugly, why you do this thing?" Something like that. He just said, "Shut up lah!" In a way, I'm trying to coax him "Don't do it again". Like try and embarrass him so that he won't do it again. I think it worked quite well, because he was quite irritated. (Andrew, *Bluebell*, Chinese, 15-year-old, Express)

Cameron: *I don't think other people will know how shameful it is when you kena* [Malay word for 'to be afflicted with'] *public caning, in front of everyone, you stand down there, kena your public cane, the shamefulness. After the caning, people would come up to me, disturb me, call me 'upskirter'.*
Jordan: *But it's good that we got caned, because we know we deserved it lah. After caning, we felt a bit relaxed, our conscience is clear.*
 (*Bluebell*, Chinese, 14-year-olds who were caned publically on their buttocks, NT)

Sometimes, if they are behaving really badly, I'd, erm, "You are stupid is it? Inside your brain, is not brain, but shit is it?" This kind of very harsh words. You humiliate them in the hope that they'd get better. (Yi-Zheng, *Orchid*, Chinese)

Wei-Han: *Oh, there was this teacher, I forgot to bring my work, and so we were made to stand. And if we want to sit, we'd have to give ourselves a slap!*
Aimee: *And it must be loud enough* [for all to hear—i.e. it must be painful]

---

[176] His friend was caned publically in front of the school for taking compromising pictures of a female teacher.

Alice: *But I think it's fair, 'cos the exercise was already overdue by two weeks, so give ourselves a slap to remind ourselves that we ought to have finish it earlier in the future lor*
Wei-Han: *It was actually quite fun, we were like, "Hey I'll help you! I'll slap you!" The atmosphere wasn't tense at all.*
Aimee: *I don't think it's fair. Forget to bring our work and we need to slap ourselves?!* (*Orchid*, Chinese, 15-year-olds, Express)

Mastura (Malay): *If we were late for her class, you'd have to sit on the floor* [while the rest of the class sit on their chairs], *and everybody's looking at us you know! And she'd threaten us, I don't like it. She'd say, "If you fail your test again, I'll put your names and marks, paste it outside the classroom and let everyone see you fail like that." Then in class, after she hands out the test paper, she'll go through them in class, and*
Rachel (Chinese): *She'll ask each person, to write the correct answer on the board, if you get it wrong, you have to remain standing*
Mastura: *Then she'd say, "How come wrong again? How many times must I teach you?"*
Rachel: *Like make you so embarrassed like that.* (*Orchid*, 16-year-olds, NA)

He doesn't really call you a 'failure' out rightly, but if he asks you questions, and you cannot really answer, then he says, erm, he'll just laugh. Then every time he reads out our test marks, if I do very badly, he'll keep on repeating the mark. Like he'll show the mark on the projection screen, and usually he'd move along down the list right? Then when it comes to my name, he'd open and close, open and close [to tease or even taunt]. (Josh, *Bluebell*, Chinese, 16-year-old, Express)

Yi-Zheng's utterances reaffirmed what other teachers spoke off earlier—that even when they punish or cane the student, they have 'good intentions' and as such, their 'caning' of the child should not be deemed as 'abusive'.

What stood out in the above extracts was Jordan's statement that there is catharsis from being publically caned. Caning then, not only address any vindictive feelings the victims or the larger community might feel (as we shall see very soon at the end of this chapter), but it also allows the offender to vindicate himself from his guilt precisely because caning was 'violent'. In allowing himself to be 'caned' (instead of playing truant on the day of the public caning or changing schools for instance), he is demonstrating his acknowledgment of wrongdoing and desire to change simultaneously—making him worthy of having his conscience 'cleared' as he so articulated.

While the above utterances reflected numerous examples of shame being used negatively (although with 'good intentions'), the data shows that shame was also used alongside re-integrative rituals. In these rituals, the messages that one should separate (hating) the act from the actor, and that the student has the potential for change were emphasized not only to the student in question but also to his classmates.

Connor: *He didn't just pick him out, but he was also asking us how we can help him* [from re-offending again]
Alex: *Yeah, like how we shouldn't treat him like an outcast,* [and that] *it's just this one incident* [i.e. that the student slipped up]

(*Bluebell*, Chinese, 14-year-olds, Express)

Aaron: *When the Discom came in, they called us "Donkeys!" but at the end they also said, "I'm sure you all can change, I know you can do it."*
Ethan: *Yeah, but* [I] *don't know if he's sincere or not. He said like he meant it, but he looked fierce. But he also asked us to say good and bad things about those students picked out.*
Aaron: *Yeah, then I think the other teacher also said, "Those people who are up there are good people, they just need to change."*

(*Bluebell*, Chinese, 13-year-olds, Express)

Zedrin: *Sometimes during circle time, she would pick a student out, and she'd ask the class, "Is this friend a good friend or not?"*
Hasha: *Yeah, that's scary! She shouldn't have asked us such questions, it'd get us into trouble* [if we said the wrong things and offend our classmates, we'd be deemed as traitors]. *But it's quite fun to hear.*
Lyana: *But it's good she asked such question, because it gives an impression of ourselves of what we are doing, what people think of us.*
Adilah: *Yeah, initially I felt embarrassed when I was picked out, 'cos I don't know what they think of me, then most of them say "I'm a good role model" and I felt happy and proud, because I didn't know I could be such a good role model to my friends.*

(*Orchid*, Malays, 13-year-olds, Express)

The two latter groups' statements remind us that it is not the questions themselves or the RJ process in itself that makes it restorative or not, for a RJ process like "conferences…[can] take a wide variety of shapes, and unless they are used carefully, [they] can be used to provide audience for public retribution almost as easily as their intended goal of promoting mutual dialogue, understanding and restoration." (Drewery, 2004:336) Much of it depends not only on how the teacher facilitates and addresses the students, but more so on the dynamics of relationship between the teacher and students. An authoritarian teacher who emphasises on the Confucian rhetoric of 'rank' and 'subject' is hardly going to have students comfortable to speak up. But a teacher who is more open on the other hand, would be able to get away even with using insults in banter. For instance, a statement that at first glance, is considered racist, spiteful and in all manners contrary to RJ, can even be deemed as a joke and helped in enhancing relationship between a teacher and a student, so long as the pre-existing relationship between the student and the teacher was good to begin with.

Declan (*Bluebell*, Chinese, 13-year-old, NA): *He swears a lot, and he's the type who'd say things like, "You fat bugger! You bloody fool! You want me to spit saliva at your face?"*
Billy (*Bluebell*, Other, 14-year-old, Express): *Yeah, but he's good, many of us like him. He'd even call me "Eh, Congo!" which is funny.*

183

Researcher: You weren't offended when he called you that?

Billy: *No, 'cos I see him often, he has saved me a lot, he's a friend. But if it's a stranger, then "Fuck you lah! I don't even know know you, why are you being racist?"*

Alfie (*Bluebell,* Chinese, 14-year-old, Express, Prefect): *Yeah, he was just joking with us, he called me a "China man" too*

Billy: *He calls me a lot of names, 'Congo', 'Punja', which means 'long' in Malay.*

2.6 Caning & Catharsis—The Importance Of Expressing Retributive Emotions

I will end this chapter by examining a community group conference that took in *Bluebell Secondary School*. Through this case study, I shall argue that RJ can only be an additional, complementary tool instead of changing any social control system completely. There will never be a 'pure' and universal schema of RJ, for the ways in which retributive emotions can be expressed and purged, varies from individuals to individuals, lest to say between different states. Retributive emotions, which are so intuitive to many of us, sit at the core of many punishments, regardless of any additional well-intentional aims there may be. And whether or not an institution or state should decide to do away with punishments such as caning—even if these punishments are contrary to certain RJ principles as examined earlier, only the institution or state in question (can and) should decide, for they are the ones who would have to live with the consequences of their decisions.

Soon after *Bluebell Secondary School* adopted RP, a community group conference was called for. Two students, Samuel (Chinese, 16-year-old, NA) and his classmate, Ekanath (Indian, 16-year-old, NA) had agreed to *"fight things out"*[177] because the former had made racist remark by saying *"All Indians are smelly."* Ekanath retorted with some racist comments about Chinese, and in the course of the fight, Ekanath had to be hospitalised while Samuel was suspended for the duration in which Ekanath the 'victim' was away from school. A conference facilitated by a personnel from the Ministry was held, and it was attended by the Vice-principal, the DM, an OM[178], the 'victim' accompanied by his parents and brother and the 'offender' accompanied by his father. Other than the suspension Samuel received while Ekanath was hospitalised— *"They say I can go back to school only after he recovers. He don't [sic] go back, I also cannot go back"* (Samuel, Chinese, *Bluebell*, 16-year-old), Samuel (or rather his family)

---

[177] To the boys, it doesn't matter if one wins or loses. "Winner or loser, this whole racist thing is to be settled after the fight end." (Samuel, Chinese, *Bluebell*, 16-year-old, NA). The fight is not a means to decide who is more superior, but it can be deemed as an end in itself. The loser does not even need to do the winner's bidding, or apologise if he were to lose.

[178] Just to rehash, 'OM' stands for 'Operation Manager'—one who is in-charge of both estate matters as well as discipline.

only needed to pay for the victim's hospitalisation bills. On one hand, one could say that the conference was fairly restorative, in so far that victim's parents initial anger turned to forgiveness and even showed concern for the offender by saying, "*Since you are a young boy, let's give you another chance. Let's not report this to the police.*" The conference ended amiably with both sides partaking in some light bites and chats after the conference ended.

While one could say that the conference ended pretty successfully, for the 'offender' had apologised, and one could even say there was a certain degree of a meeting of the minds between the victims' parents and the offender. Relationships between the two boys were restored, and while the two differed in the ways in which they viewed the extent of 'restoration' and the depth of their relationship, both boys indicated that they were at least civil with one another with the occasional greetings and the 'victim' even rendered help to the 'offender' in academic areas. However, the reason behind the suspension was curious, for its 'just deserts' and retributive nuances were blatantly clear. The message that was sent to the 'offender' was that he should not have the right to attend school while the 'victim' was missing out on school. Wouldn't it have been more restorative a response had the school required the 'offender' to write down and give the 'victim' the notes and homework given in classes that the 'victim' had missed instead, if the aim was truly to hold the 'offender' in a restorative and accountable way? Did this option even occur to the school or was it inconceivable (because retribution had ruled the day or because of the sheer lack of creativity)?

Secondly, the absence of harsh punishment following from this conference resulted in a costly backlash. Any enmity, if it had existed, was resolved with Samuel's apology and via monetary restitution (for the hospital bills). Samuel was not even caned on his palm, which was surprising (not to mention inconsistent and ironic) given how caning is so ubiquitous in *Bluebell Secondary School* that they could be meted out for offences as minor (but terribly disruptive) offences such as punctuality or not bringing of one's textbooks. However, in the eyes of Ekanath's friends (and to the Indian community), the outcome of the conference was a joke, for the 'offender' had gotten away without even a stroke on his palm while the 'victim' had to be hospitalised. Ekanath's friends (and cousins who were not at the conference), wanting to seek justice for him even though the 'victim' himself had forgiven the 'offender', waited to ambush Samuel after school hours because they wanted him to "taste the same fate as Ekanath did" (Samuel, Chinese, *Bluebell*, 16-year-old, NA).

The lesson to take away from this case study is that it is equally important to (be seen to) address the feelings of the larger community (who might not have participated in

185

the RJ process itself), just as it is important to address the feelings of the participants of the RJ process itself. Samuel's restitution (through the payment of the hospital bills) could only addressed the physical harm that Ekanath suffered, but the absence of punishment did not address the wrong that Ekanath (and the bigger Indian community) suffered.

> Punishment is intended to convey censure or condemnation of the offender's wrongful action…Punishment has both a material dimension and an expressive one… The expressive dimension of punishment broadcasts a true moral message to counteract and annual the false moral message broadcast through the offender's wrongful conduct. Punishment therefore humbles the wrongdoer and vindicates the victim. Without punishment the wrong the victim suffered would go unrepaired, and the victim would remain less than fully restored. Consequently, the victim's full restoration, far from being incompatible with punishment and retribution, actually ends up requiring it (Garvey, 2003:308).

The message that Samuel has conveyed to Ekanath (and the Indian community) in his excess violence during the fight is—"I'm better than you because you are Indian and if you don't agree, I can beat it into you until you get it because your rights are below mine." This message of insult and contempt is what constitutes the 'wrong' that Samuel has done to Ekanath, and restitution cannot address this "expressive or moral injury" (*ibid*.)

The meanings and weight assigned to use of corporal punishment *is* context-dependent. While its ubiquitous nature may reduce its significance as a 'harsh' punishment, evident by the numerous numbers of students who considered caning as the easy way out compared to other punishments, its same ubiquitous nature also makes it exceptionally significant in cases like this—if one is caned even for an offence such as lateness, how can one get away with no punishment after making racist remarks and causing injuries grave enough for the 'victim' to be hospitalised?

In the previous chapter, I have mentioned how with the growth of Enlightenment and the eventual emphasis on rationality, modern societies came to suppress emotions from the 18th century onwards, and spaces for expression of emotions were limited to the private sphere (Scheff, 1992). Even though "passion…is the soul of punishment" and "vengeance is the primary motivation" (Durkheim, 1895:86; cited in Garland, 1990:31), modern societies had to officially suppress such emotions and instead replaced them with more "reflective, utilitarian concerns." (Garland, 1990:31). However, just because the spaces for such emotions have disappeared publically do not mean that these emotions have disappeared in themselves. Research has shown that retribution continues to be people's most intuitive response to intentional wrongdoing (Carlsmith, 2006; Carlsmith, Darley & Robinson, 2002; Carlsmith & Robinson, 2000; cited in Gromet, 2009:43).

"People *want* to inflict punitive measures on the offender in proportion to the severity of the crime." (*ibid*.) "It is not the harmful act that evokes anger and retributive desires, but the interpersonal *message* that is conveyed in the harmful act. It is a message of disrespect." (Miller, 2001; emphasis original; cited in Gollwitzer, 2009:141). The boys who sought justice for Ekanath were by no means against the use of violence for they believed in settling the issue via fights themselves. But by not punishing the 'offender' *visibly for all to see*, following the offender's racist remarks and for causing the victim's physical injuries (even if the victim had agreed to the fight himself!), the implicit message was that the school was an accomplice for they did not out rightly deny the (verbal and physical) injuries suffered by Ekanath *and* the Indian community.

In *The Division of Labor in Society* (1984:38-39), Durkheim defined the collective consciousness as the "totality of beliefs and sentiments common to average members of a society [which] forms a determinate system with a life of its own" (quoted in Trevino, 2008:236). Crimes are acts that go against this 'collective consciousness', and as such, the primary function of punishment must protect and reaffirm the social solidarity. While Durkheim (1984; cited in Anleu, 2010:15-16) argued that less developed, mechanical societies tended to be more punitive and repressive in their punishments as opposed to the use of restitutive sanctions in developed, organic societies, Spitzer (1975, cited in Saarsteiner, 2009:16) and more recent studies (Carlsmith, 2006; Carlsmith, Darley & Robinson, 2002; Carlsmith & Robinson, 2000; cited in Gromet, 2009:43) have established that this is not necessary the case. Death penalty for instance, still exists in the States and Singapore.

The above case study should not only be read in the context of the school, where the fight had broken out, but it should also be read within the larger socio-historical context of Singapore. Multiracialism and the equality of races have been upheld as one of the most important pillars of Singapore society ever since Singapore became independent. This is in part due to its experience when it was part of Malaysia[179] before its expulsion because Singapore had called for the equality of all races as opposed to Malaysia's racial ideology that favoured the Malays. The early years following Singapore's sudden independence had also witnessed racial riots, and as such, racial equality, racial harmony (if not, at least 'tolerance' and 'sensitivity') had became commonplace concepts in the everyday life of Singaporeans from young.

Samuel's (Chinese, *Bluebell*, 16-year-old, NA) utterance and actions not only affronted Ekanath (Indian, *Bluebell*, 16-year-old, NA) and his Indian friends because

---

[179] See Chapter Two.

they are Indians, but also because they are Singaporeans who *are* also the second smallest racial group in Singapore. Multiracialism and the equality of race then, is even more important a concept to them. Samuel's utterance of "*All Indians are smelly*" is a criminal act under the *Sedition Act* 1964 (s 3), for it "promote feelings of ill-will and hostility between different races or classes of population of Singapore". Such acts have the 'religious criminality' that Durkheim (cited in Anleu, 2010:18) spoke of, for they

> are directed against collective things, for example, offences against public authority and its representatives, mores, traditions or religion…[they] are more odious because they offend a divine power exterior and superior to humanity.

The moral affront that such criminal act constitutes then, is much more severe and calls for more violent repression. Public caning is not unlike public execution in olden times, for its histrionic elements allow the entire school to participate in the denunciation of the act (Foucault, 1977; Garland, 1990:68). Punishment is a language that requires hard treatment in order for it to be articulated (Primoratz, 1989:187) And caning, for better or worse, is taken to be the utmost symbol of hard treatment that is required to express condemnation. "A pure restorative approach [then,] is not universally feasible" (Gromet, 2009:47) because any absence of retributive outcomes will never be accepted by all for major offences. Even if participants of the RJ process were to accept non-retributive outcomes for a serious offence, as seen in the above case example, the wider community might not do so. If one aims for a 'pure' RJ that focuses entirely on restoration without allowing for punishments that are capable of addressing the retributive emotions, RJ will always be relegated to be at the margins. There may be some wisdom afterall, in the teachers' earlier statements that one cannot throw away existing tools when embarking on a new venture. While restoration and retribution are not incompatible, any forced attempts at making one choose one over the other would result in retribution winning the day for people mistakenly believe that the most retributive sanctions would be able to achieve more goals (than the most restorative sanction) at any given time (Gromet, 2009:48).

If 'pure' RJ is not feasible, how should one reconcile with the notion of a RP school retaining caning as a punishment then? This is a question that has bugged a sizeable number of teachers as we have seen earlier. Caning, is not only contrary to 'pure RP' for these teachers, but it is also contrary to the 'constraining standards' that Braithwaite (2002b) has spoken of, for its 'torturous' and 'degrading' elements go against international norms pertaining to human rights. And yet caning looks to stay in the two schools for the time being. Here, it might be useful to address the issues pertaining to caning in the context of the use of imprisonment alongside RJ in the

criminal justice system.[180] Caning students and imprisoning individuals are certainly not restorative *in themselves*, but it does not render the use of RJ *alongside* such sanctions useless. Evidence from empirical research in the UK (Shapland *et al*. 2008) has found that those offenders who went through RJ in addition to court processing committed significantly fewer offences in the subsequent two years as compared to offenders in the control group. The Campbell Review of all rigorous studies of RJ in criminal justice has also found that on average, RJ not only "cause a modest but highly cost-effective reduction in repeat offending (Strang *et al*., 2013:2), but "victims' satisfaction with their handling of their cases is [also] consistently higher" (*ibid*.:5) as compared to those who only went through normal court processing. Rather than assessing the schools' use of RP and caning in absolute terms—that they are either doing RJ or not, Van Ness (2003) argues that it might be more useful to see it in terms of a *spectrum* of restorativeness. At least the two schools are using caning *alongside* RJ, rather than caning alone, for after all, "even badly managed restorative justice programs are most unlikely to make re-offending worse" (Braithwaite, 2002:61; cited in Shapland *et al*., 2008:16).

G. CONCLUSION

In this chapter, we have seen how participants struggled with their understanding of punishments and the *doing* of RP, for many had questioned if the two can co-exist. Inconsistencies with regards to their execution of punishment were also noted, and these reflect their fears of inability to control the students in light of limited time and resources. A rethinking of what 'punishment' entails might be in order to help participants to *do* RP with greater ease. Lastly, this chapter concludes via a case example that a 'pure' universal RJ will never exist, for it cannot exist in vacuum without addressing the retributive or punitive emotions that many of us continue to hold on to, even if they are suppressed.

---

[180] Thanks to Professor Heather Strang for pointing this out during my viva.

A. INTRODUCTION

Having looked at the use of Restorative Practice (RP) as a disciplinary tool in the last two chapters, this penultimate chapter seeks to examine what contextual factors affect the participants' ability and willingness to engage in the very RP processes that aimed to create a participatory society. How does one teach or *make* those who are unused or unwilling to participate in a process that is supposed to address their unfamiliarity or unwillingness to begin with? Why and how could they be unwilling to participate in processes that are supposed to be beneficial to them for after all, how can anyone not wished to be heard? This discussion is placed within the broader socio-political context of Singapore, and it builds upon the previous chapters, especially Chapter Two—where we saw how the newly independent Singapore curbed the spaces available for civic participation and dissonant voices were silenced via various legal mechanisms. This chapter should also be read against the backdrop of Chapters Two and Four's discussions on authority and Confucianism, where we saw how the teachers' and students' conflicting attitudes towards authority hindered the *doing* of RP. Unlike in America, where a distrust of those in power may be the norm, the Confucian rhetoric as used by the Singapore state calls for deference and respect to those in power. The State rules its citizens in a paternalistic fashion to the extent that its rulers (Lee, 2000:211) did not take offence but beamed in pride when Singapore was called a "nanny state".

To recap, the formal introduction of Restorative Justice into Singapore's criminal justice arena in the 1990s, and its later entry into Singapore schools in the 2000s must be read with reference to the change in the political climate from the 1990s. Succeeding Lee Kuan-Yew (LKY[181]) as the new prime minister in 1990, Goh Chok-Tong's[182] era saw various attempts (e.g. creation of the Feedback Unit, Speakers' Corner[183]) by the State to open up spaces for civic participation in the face of its citizens' political apathy, no doubt, in part brought about by the State itself during LKY regime. The introduction of RP then, could even be interpreted as an extension of the State's attempts to further civic participation, for RP teaches its citizens "how to live in civil society [by teaching them how to]…listen, to accommodate the perspectives of others in setting their own goals"

---

[181] As per earlier chapters, his name would appear as 'LKY' throughout the thesis, as he is commonly known in Singapore.
[182] Names are written in the Chinese order—'Goh' is the surname, while 'Chok-Tong' is the first name.
[183] See Chapter Two for more details.

(Braithwaite, 2001:246). These are skills that are increasingly important in the today's new information economy. Furthermore, RP empowers communities by allowing them to speak in their own voices and to resolve and process conflicts directly (Braithwaite, 1996), thereby disallowing the State to play its role as the 'nanny', or as a thief, in Christie's view (1997).[184]

However the use of RP and the heightened citizen participation in recent years— especially following the watershed 2011 election[185]—exist alongside with the continuing use of punitive legal measures (just as we have seen in Chapter Two). For instance, 171 bus-drivers from China went on strike to protest against unfair wages and poor living conditions, breaking Singapore's strike-free status since 1986 (*AFP News*, 2 Dec 2012).[186] Four of these bus-drivers were charged for instigating the strike and they were later sentenced to a jail term of up to seven weeks (*AFP News*, 22 Mar 2013). An opposition politician, who had worked closely with migrant workers, was also sued by the acting Minister for Manpower for defamation when he critiqued the State's actions on his Facebook account.[187] While the State's response to this incident is unsurprising (albeit not unjustifiable), given its obsession with maintaining a social order necessary for economic sustenance and growth, it is regretful for its responses might even be deemed too hard-handed and lacking in a restorative spirit.

This chapter draws primarily on interviews with 86 students who had participated in either class conferences or circles. While teachers who had either held or participated in such processes were also interviewed, greater emphasis was paid to the students' utterances for it was imperative to examine the extent to which these individuals who were limited by their subservient student-status and age, could engage in a process that

---

[184] Christie sees conflicts as a valuable property—for instance, it allows communities the chance to clarify and reinforce the norms which they live by and the participation in such deliberative processes enhances self-determinism.

[185] This is the first election since Singapore's independence that saw the largest number of seats being contested, and more significantly, the ruling party (People's Action Party) saw its lowest wining margins.

[186] A total of 171 drivers launched the strike by refusing to report for work and staying in their dormitories, with the number falling to 88 on the second day. Four drivers were subsequently charged for inciting the strike.

[187] The opposition politician in question—Dr Vincent Wijeysingha from the Singapore Democratic Party, used to be the Executive Director of an NGO group (Transit Workers Count Too). Beyond research and advocacy work, this group also assists foreign workers who might have been unfairly treated by their employers. Dr Wijeysingha wrote an article on his facebook account, alleging that the drivers had no legitimate avenues to seek redress and that the State had not been truthful to the public with regards to events leading up to the labour dispute. His critique of the government's treatment of the strike was met with a swift rebut from the acting Minister of Manpower, Tan Chuan-Jin, who sued him for defamation and demanded $20k in damages. This amount was later reduced to $5k, taking into regard the defendant's financial difficulties, and Dr Wijeysingha was to withdraw all allegations and apologise unreservedly (*Today,* 14 March 2013).

aimed to teach civic participation—i.e. Were they mere passive recipients or were they able to actively participate in the restorative processes?

We will see that the use of RP does not necessarily enable participation and engagement for the pressing goal of class control is given the utmost priority. Its use is also dependent on the class dynamics and existing relationships with the teachers. The school differs from the criminal justice arena, in that its members have to meet one another on a daily basis, and ironically, it is this close proximity that hinders students from speaking up in large group settings such as class conferences or circles. We will also see that the use of class conferences or circles as a frequent check-in device (rather than as a response to address offences or issues in classes) to build relationships saw more positive feedback from students whose classes had already enjoyed a positive relationship with the teachers to begin with. The latter group tended to be teachers who do not use the (previously discussed) 'Asian' or 'Confucian' rhetoric that emphasizes on the subjugated position of the (younger) student to the (older) teacher. This 'Asian' and/or 'Confucian' rhetoric that the State has used as a thesis of cultural relativism (i.e. to judge Singapore by its own standard) to justify its tight rein on its citizens *has* adverse effects on the participants' abilities and unwillingness to engage in RP processes.

B. CLASS CONFERENCES AND CIRCLES

The two schools employ a range of restorative processes (*Orchid* and *Bluebell* Secondary Schools' Training Guides)—the utilization of each process reflects the aims and types of transgressions the teacher wishes to address, and as one move up the spectrum, the number of participants and the formality of the process increase. At the lowest end of the spectrum, we have the affective questions in the form of the RP script[188] that we saw in Chapter Four, where individual students are addressed for minor transgressions (e.g. talking in class, punctuality, etc). Next on the scale, are mini impromptu conferences facilitated by teachers with a small group of students that usually do not require much time to plan. These usually take place when a harmful event (e.g. bullying) has taken place, and the incident is not serious enough to involve the parents. In instances where the harm is serious (e.g. bullying or fights with severe injuries), a family or community group conference is called, where parents, family members of the students who were 'victimized' or who had 'offended' would come together under an external

---

[188] To recap, all teachers in both schools were trained to use the RP script to address students' misbehaviours. The RP script falls on the most informal spectrum of the range of restorative processes, and more often than not, teachers tend to use this script to deal with minor transgressions. The RP script consists of a number of questions—(1) What did you do? (2) What were you thinking when you did that? What have you thought about since it happened? (4) Did you do the right thing or the wrong thing? (5) Who has been made to feel sad/angry/bad by your behaviour? How are they affected? (6) How can you prevent it from happening again? And what should happen if you do it again?

facilitator, or a teacher who has been specially trained (usually the discipline master) to conduct such conferences. Such conferences are very rare, in part because incidents that saw such level of harm rarely happen on school grounds itself, and also because this type of conferences require careful planning and a lot of time—a resource that is in great deficit in teachers' daily lives. The last two processes—class conferences and circles, include the participation of the entire class. A teacher can facilitate a class conference (or ask members of the disciplinary committee for help to facilitate it if one was not trained in it) when the whole class is being affected by hostility or conflict that prevents learning from taking place (e.g. the entire class bullying a student), or where relationships are greatly strained or damaged (e.g. racial conflict). In all types of conferences, whether the mini conference or the class conferences, the students are to discuss the issues or harm, and to come up with suggestions to resolve the matter. Circles are similar to class conferences insofar that the entire class is involved in both processes, and that participants (teachers and students alike) are often seated in a circle and an object is used as a 'talking piece' to allow students to take turns to speak up as the object is passed around the circle. However, circles differ from class conferences in that they are usually held frequently (e.g. on a weekly basis) and they are not held because students' transgressions have taken place, as the case may be so in instances of class conferences. Instead, it is a preventive, pro-social process that enables a class to come together to interact, speak, listen, and to share any concerns. Relationship building via games or journal sharing is the aim.[189]

While the students interviewed would have at least participated in one or two of the above processes, this chapter focuses primarily on data pertaining to processes that involved a larger group of participants—i.e. circles and class conferences. This is not only because Chapter Four has already addressed the use of the ubiquitous RP script—which sits at the informal end of the spectrum of RP, but more importantly, an examination of the extent and type of participation that students are *allowed* and *willing* to engage in, especially in public and in the face of their wider class community, would provide us with an insight as to how successful RP can inculcate problem-solving skills and participation. While schools might very well be in a better place to be the harbingers of an ideological shift, one must remember to place these two schools in the wider historical and political context of Singapore.

---

[189] See Appendix M for a sample of cards exchanged among students during circle time. A teacher from *Orchid Secondary School* for instance, pre-printed cards that say "Thank you" and "Sorry", and passed them around during circle time. Students were free to write their thoughts anonymously before giving these cards to the teacher, who would later hand them out to the intended recipients.

C. A CASE FOR COMPULSORY PARTICIPATION

Contrary to the voluntary participation espoused by the *United Nations Basic Principles on the use of RJ in Criminal Matters* (2000), participation in class conferences or circles is not optional. At first glance, it might seem odd that a non-criminal setting would adopt a more hard-lined approach where voluntary participation is concerned. More importantly, it seems ironic that one should attempt to inculcate participation via such an authoritative stance. On the other hand, its very status as an educational institution in itself might explain this paradox to a certain extent; after all, one could hardly say that students are given the autonomy to decide the content of their academic materials nor are they given the choice to decide whether to attend school or not, just as how voting is compulsory for eligible Singapore citizens (Singapore Statutes, s.43 of *Parliamentary Elections Act*). It is also pertinent to remember that the participants in this context are teenagers, most of who would rather spend their time and energy elsewhere than at a class conference or circle.

Keeping the last point in mind, teachers deliberately chose not to inform students in advance when they decide to hold class conferences or circles, for fear that students might deliberately skipped classes to avoid participation. What was interesting was that students themselves recognize the importance of keeping the dates a secret for similar reasons, and they conferred with both the need for attendance and participation to be made compulsory—i.e. students must speak up during class conferences or circles.

I didn't tell the students when the class conference was going to take place. I purposely made it impromptu, because I was scared that no one would turn up.
(Joshua, *Bluebell*, Chinese, DM[190])

Everyone is part of the class, so it's ok that the DM made it compulsory to speak. They must say something. (Miranda, *Orchid*, Chinese, 15-year-old, NA)

Researcher: Would you have recommended your friends from other classes to participate in class conferences, having gone through one yourself?
Yusri & Bashir: [In sync] *No.*
Bashir: *It's very boring. Maybe we'd recommend it, to let others experience it*
Yusri: *To see what it's like, and you get to know about friends and teachers' feelings lah.*
Bashir: *But if given a choice, I wouldn't want to go to such conferences again*
Yusri: *If they didn't keep the dates a secret, people would have cabut!* ['Cabut' is a Malay word for 'flee' or in this context, to 'play truant'] *And if they just do this conference like not official* [i.e. informally]*, and just* [discuss the matters like we do during] *normal homeroom, it wouldn't have made any difference.*

---

[190] As the reader might recall from the earlier chapters, 'DM' is the abbreviation for 'Discipline Master'. They are commonly known as 'DM' in Singapore schools.

Bashir: *Yah, must sit down, proper conference, must be official.*

(*Orchid*, 15-year-olds, Malays, NA[191])

If the conference [is] *not compulsory, I wouldn't have gone. Too lazy. That's why it should be compulsory. If not, only ¼ of the class would go. And everyone must be made to talk too. If not we'd just say 'pass'.*

(Tom, *Orchid*, Chinese, 15-year-old, NA)

Researcher: Did everyone talk during the circle?
Aimee: *Yeah.*
Wei-Han: [We] *had to. If you pass, she'll repeat the circle anyway, so everyone has to speak.*
Researcher: Do you think everyone should have been made to speak?
Alice, Wei-han: [In sync] *Yeah.*
Wei-han: *Sometimes, people are just shy.*
Alice: *Yeah, so if the teacher makes us talk, then we'd have no choice but to speak, even if we are pai-seh* ['Pai-seh' is a local slang for 'embarrassed'].

(15-year-olds, *Orchid*, Chinese, Express)

Participation had to be enforced. It should be. I think my co-form [the teacher-facilitator] *even set the rule, like "I want at least ten words from you", or something like that. Otherwise, they'll just say, "Don't know", or "Same* [view] *as him"? I think should set this rule, if not they'll just give monosyllabic answers.*

(Jessica, *Bluebell*, Chinese)

Indeed, on occasions where I sat in a circle time or a class conference, it was observed that students did have a tendency to say "Pass" or "Same". When this happened, the teacher-facilitators would allow them to 'pass' on the condition that they would have to share their views when the 'talking piece' comes around the second time.

Enforced participation might very well be necessary to cushion the students' apathy. There were even students who did not see the point of having the entire class come together, and they were quick to relinquish their decision-making rights to others.

Erm, I wouldn't have attended such conferences if I had a choice. Waste my time. I don't know, I'm just not interested. I do hope that something will come out of it, but just let others, the class committee or whatever settle it.

(Josh, *Bluebell*, Chinese,16-year-old, Express)

It's so boring. Teachers should just select some students to attend instead.

(Ewan, *Orchid*, Chinese, 16-year-old, NA)

Maybe the class committee should have come up with the solutions, or what can be done, rather than getting the whole class involved.

(Jake, *Orchid,* Chinese, 14-year-old, NA)

---

[191] To recap, 'NA' refers to the 'Normal Academic Stream'—where weaker students would spend five years in a Secondary School before taking to their GCE 'Ordinary' Level Examinations, as opposed to students from the Express Stream who would have taken four years.

While the above students were no doubt, genuinely disinterested in such activities, student-leaders who were actively involved in student governance complained that their schools were not truly interested in engaging them and that such processes were merely a farce. Without any doubts, they would have shared their accounts with their friends and classmates, thereby also indirectly contributing to students' apathy in general.

> Ishrat (Indian): *Student governance? That's just for show! Those propaganda,* [it's] *just to give us a sense of belonging, but it's artificial.*
> Taylor (Chinese): *Mm, actually, I think we do get to have a say in stuffs, it's just that maybe it's not a lot lah. I'd agree that sometimes, like what he* [Ishrat] *said, it's like Singapore government. They say and say, but they'll still do.*
> (*Bluebell*, 16-year-olds, Prefects, Express)

> Dinesh (Indian): *We are student leaders right? School claims that one of the main thing is student governance, and they place a lot of emphasis on student leadership, but being in that position, we have so many situations where we can't do this, we can't do that, and they tell us about student governance,* [that] *we have the rights to make decision, we are involved in planning and all that. But when it comes to the real thing right, when we decide to do something right, a lot of teachers say "No you can't do this." ...//...*<u>*Our opinions are not being heard, it's like our government—they asked us to give opinion, feedback, and then the decision is already made.*</u>
> Researcher: Who do you think should have the final say?
> Dinesh: *All of us should get to decide because we are students. We must have a say in the decision.*
> Ewan (Chinese): *To add on, I think the prefect master, in our work, should have the final say in the decision, but he should consult everyone's decision, and you can't say "Ok, all your opinions* [please]*",* [and when] *everyone disagree* (sic)*,* [he says] *"Oh, but I make the final decision…" that sort of thing. If the majority of us says* (sic)*"No", he can't say "Yes",* [just] *because that's what he wanted. It'd be fairer, to consider what the people under you wanted directly, because it'd affect them directly, more so than it would on him.*
> Han-Ren (Chinese): *I'd half disagree because if every time he gets the final say, it can depend on his whims or whether he wana do it. I'd agree on the fact that he should sometimes have the final say because we are still students, we are still young, we can't really look that far ahead and think of all possibilities. But if at the same time, if a lot of us are voicing out, he should take the hint and follow what we said. It's because, if we do what he says* [each time] *right, it's basically like* [interrupted]
> Dinesh: *We are not leaders.*
> Han-Ren: *Just student* [interrupted]
> Dinesh: *Student-followers.*
> (*Bluebell*, 16-year-olds, Prefects, Express; emphasis mine)

> *We won't feedback* [voluntarily] *to the school, 'cos they'd just reason* [it] *out anyway.*
> (Charlie, *Bluebell*, Chinese, 13-year-old, NT)

The students who not the only ones who were apathetic. Teachers were also willing to leave the decision-making process to others.

It is not up to us to decide if we agree with caning or not, so long as we are in this field. If Singapore law is prepared to do away with caning, then I think schools should change. It is not our ideology about what life should be.
(Leo, *Bluebell*, Chinese, DM)

We don't wana stand out and [provide] *feedback, it's better to go with the flow. If you stand out, people might think we are just trying to impress others. They might not see your actions as positive.* (Yi-Zheng, *Orchid*, Chinese)

I don't think I'm in the right place [to comment]*, I don't know. I think if the principal decides on the direction, I don't think there's a need to survey the teachers and see how they perceive it.* (Courtney, *Bluebell*, Chinese)

RP and democracy? Accountability? That's so American! Their rhetoric is always there. It's always there. We Singaporeans are so obvious. We are complainers, we are very primal in our needs. We need rest, we need food, we need money. We are easy! The Americans have all their rhetoric in front of them!
(Zhen-Ren, *Bluebell*, Chinese, HOD)

Herein lies the limitation of RP's ability to inculcate civic responsibilities. Even with enforced participation, it does not guarantee any real conscious deliberation on the part of the students. Not every student, teacher or citizen, is interested in exercising their right to participate in collective decision-making processes even if the outcomes of these processes were to have any direct influence in their lives. However, while enforced participation is unlikely to rid these students of their apathy, I submit that the formality of the class conferences and the requirement for compulsory attendance would minimally expose these students to others' opinions, which are necessary to cushion any further isolation, or egocentric behaviours of these individuals, particularly in a country where its citizens, as the reader may recall from our discussions in Chapter Two, are renowned for being bystanders who are unwilling to get their hands dirty.[192]

In two separate cases where a class conferences was held to address the bullying of an individual student by nearly the entire class for instance, while the two 'victims' did not necessarily make new friends following the class conferences, at least the bullying stopped or decreased tremendously.

Things got better [after the conference]. *Erm, less bullying. I wish there were, erm,* [that people would] *be friends with me, get along with me, but ...they still like to act 'dao'* [slang that means 'proud', but in this context, it refers to one who 'ignores' another] *in front of me. Some of them still bully me, but not always...I*

---

[192] A 1998 survey (Ooi Giok-Ling, Tan Ern-Ser & Gillian Koh, 1998; cited in Ho, 2003:366) conducted by the Institute of Policy Studies found that only 24% of the people surveyed would like to serve in grassroots organizations. 37% were neutral and about 30% indicated that they would like to participate. Former Nominated Member of Parliament Walter Woon bemoaned (1991; quoted in Ho, 2003:Footnote 85) that "Singapore [has become] a society of coffee-shop complainers—people who would bitch in private about matters but do not do anything publicly."

want friends to talk to me or what, but I still don't have any friends in class. I wish they'd be friends with me, become friendlier. They know that somebody [has no friends], *then they* [could have made the effort to] *be friendly lah, but they never change, turn to* [being friendly], *but just less bully only…//…They apologized in the conference, I also did, but I half believe half don't* [in their sincerity]*, but when I say* [sic] *'sorry', I also half don't mean it.*

(Miranda, *Orchid*, Chinese, 15-year-old, NA)

That guy was very mean, he'd start going "Look at that black guy", racial jokes lah, and he started calling me nicknames in class, then the rest of the class caught on, this high herd mentality, and they started calling me erm, you know how there's always some guy they'd make fun of in class? In Secondary Two, I happened to be that guy…//…The atmosphere of the class conference was pretty tense, and I was close to erm, I was feeling quite violent at that time, as in, right in front of that guy who caused your whole Secondary Two life to be a shit hole. I really wanted to do something to him, take the chair and whack him, but it's not right in front of the teacher, so I kept my emotions in check…The teacher asked them [the ringleaders] *to say 'Sorry', they had to, but obviously they didn't mean it lah, you could tell it from their tone of voice, they were grudgingly saying it. They should have apologized out of their free will. The next day, they were continuing with their thing against me anyway, so it defeats* [sic] *the whole purpose. But after the class conference, the next day, some of the guys* [the other classmates] *came up to me and started apologizing lah. I'd say this really helped to some extent, but it didn't eliminate the whole problem.* (Bhupen, *Bluebell*, Indian, 17-year-old, NA)

In both cases, the class conferences did not illicit greater empathy from the 'bullies', even after hearing from the victims' themselves. Miranda articulated the ideal outcome—that as a fellow classmate, especially after hearing how she felt when she was bullied or ignored by the majority of the class, the 'decent' thing to do as a human being is to offer a lending hand after hearing her distress. However, human relationships and emotions are far too complex and one should not expect a single class conference to have the capacity to change existing group dynamics dramatically. The RP processes here than, are less about inculcating deliberation and participation than to affirm social norms and order—i.e. 'no bullying'; 'no violence'; 'suppress your emotions in public' as Bhupen clearly recognized that he needed to during the conference. The extent of one's ability to 'participate' should also be measured by the extent to which one feels comfortable to advocate one's stand and feelings. Or to put in Braithwaite's (2002b) 'constraining standards' teriminology, one should examine the extent to which participants felt 'empowered' or 'non-dominated'. The two victims were not able to articulate their disappointment at the bullies' insincere apologies at the conference itself, for they were expected to accept their apologies at such formal conferences because social harmony is the ideal—'Consensus, instead of contention' is after all, one of Singapore's five official values (*White Paper, Shared Values*, 1991). And besides, as the conference was held for their benefit, so what more should they want? A refusal of their apologies might not only

lead to a higher risk of being ostracized or resentment from the bullies (as well as their classmates for dragging the issue and 'wasting' everyone's time), but it would also have put the teacher who is trying to help (by proposing and facilitating the conference) in a difficult spot. The incidence of bullying had stopped or decreased not because their classmates felt for them, but more so because the formality of the process reaffirmed the social norms and their teachers' expectations of them—that ganging up on an individual or bullying is simply not acceptable. While this message might have gotten through to the entire class, it did not change how they felt towards the detested 'victim'.

Reece (Chinese): *They* [the school] *should just take Miranda out of class! But the DM said, "How would you feel if all of said that during the conference, if you were in her shoes?"*
Alina (Malay): *Actually DM asked us all to be friends with her.*
Siti (Malay): *But she's the one who started it!*
Alina: *DM asked us to apologize to her, so we were forced to say 'Sorry'.*
Siti: *Fake sorry lah. She also said, but we know Miranda's 'Sorry', she also no mean it, we can see from her face.*
Researcher: Why did you apologize if you didn't mean it?
Nadira (Malay): *Just say for the sake of saying it.*
Alina: *Actually we also pity her.*
Siti: *Yeah, like she's lonely most of the time, and if someone's talking to her, it's only XXX who would talk to her.* [The girls burst into laughter.]

(*Orchid*, 15-year-olds, NA)

Helfi: *I wish they had transferred Miranda to another class!*
Bashir: *Yeah!!!*
Helfi: *The DM, like, he shouldn't say that the small group* [the 'ringleaders' are] *always* [in] *the wrong, he also must know why we* [as a class] *do like that.*
Bashir: *Why every time must blame this group when Miranda is also at fault? 'Cos he see Miranda's small, and we are more than her* [in terms of numbers]*, so they* [the teachers] *think that they* [the 'bullies'] *actually pick on Miranda, but Miranda actually try to do the same.*
Researcher: If so many of you would like to get Miranda out of the class, why didn't you say that during the conference?
Bashir: *We wouldn't wana say it.*
Helfi: *It's not good, pity* [interrupted]
Bashir: *She'll feel like, she won't like it* [if we were to say that to her]. *Ok, actually we pity her lah, imagine if I'm the one in trouble, and everyone is against me, sad sad, and then* [interrupted]
Helfi: *However bad it is, we also don't want to hurt other people's feelings.*
Researcher: What's the difference between doing all those things the class did in bullying her, as opposed to saying it out loud during the conference that you all want her out? In both cases, she'd feel hurt anyway.
Bashir: *'Cos fighting [in class], is just using bad words. The other is, a moment of truth like that, like sit down [in a proper conference], you talk what you don't like, then she'll know we are serious about this. When we are fighting [in class], maybe she won't take it like so serious, like "I want you out of class."*
Researcher: So what you are saying is, that in the class conference, if all of you were to say "We don't want Miranda in class", then it'd hurt her more because

she'll know for sure, whereas in your daily bullying or fights, maybe she'll just think "They are just joking"?
Bashir: *Yes yes!*
Researcher: Even though you do mean it when you said that you want her out?
Both: *Yeah.*
Researcher: And yet you still care about her feelings?
Bashir: *Yeah.*
Helfi: *Yeah, what if we were in her shoes, how would we feel?*
Bashir: *Must think about others.*
Research: But that sympathy is not enough to not want her out of class?
Both: [laughed] *Yeah.*   (*Orchid*, Malays, 15-year-olds, NA)

The boys' explanations above were striking in particular. Even the girls from the preceding extract articulated a certain degree of sympathy for Miranda, the bullied 'victim', even though they were the ones who ganged up and fought with her. There exists a cognitive dissonance—while the students were able to sympathize with the 'victim' if they would just assess the situation objectively and imagine themselves in her shoes, this sympathy is at best, intellectual or cognitive in essence but not affective in nature, for their actions and preference for Miranda to be taken out of their class even after the conference betrayed the depth of their sympathy. While the boys' unwillingness to utter the statement "We want you out!" might be a result of their (however limited) sympathy for her, it is also possible that such utterances are held in check because of the symbolic status of the class conference. The formal status of the class conferences provides a space and opportunity for rituals of acknowledgments of wrongdoings and apologies to be made on both sides. The sincerity of apologies and offers or reparations in these two cases for instance, was less significant than the actual articulation itself. The students apologized not so much because they truly felt sorry but because they knew it was expected of them to do so in such a formal setting. Likewise, on the part of the 'victims', it was the proper etiquette to 'accept' the apologies offered and to keep their own emotions in check, as Bhupen had confessed earlier. Despite the fact that class conferences might allow relationships to be rebuild, as we saw from Bhupen's case where some of his classmates had come forward to apologize on their own accord the day after the conference, there is also the danger that RP processes such as this could very well become relegated as a means to close the case, just as how we saw in Chapter Five, where teachers "cane, also in order to close the case, to say that punishment has been given" (Thomas, *Orchid*, Chinese, Discom). The point to note then, is the need for follow-up after the class conferences, which was unfortunately lacking.

I think she [the form-teacher] *handled it like an amateur. Maybe because RP was just introduced then, when I was* [in] *Secondary 2. She obviously doesn't have any experience in it right? She didn't follow-up really, to make sure that this thing*

[bullying] *doesn't really happen* [again]. *She didn't really come up to me* [after the conference], *and ask me for my opinion, "Is the class really doing better?"*

<div align="right">(Bhupen, Bluebell, Indian, 17-year-old, NA)</div>

1. STUDENTS' UNWILLINGNESS TO SPEAK UP

1.1 Does Speaking Up Make One A Tattletale?

Next, let us now look at the extent to which students felt comfortable in participating in class conferences or circles. Compulsory participation is a double-edged sword, and students differed in how they viewed compulsory participation.

Rachel (Chinese): *If it's optional, then people won't talk.*
Mastura (Malay): *Yeah, all will just "pass, pass".*
Rachel: *Later next time they'll bully you, "Why must you say out the thing?"*
Mastura: *Yeah, they'll "Why you so busybody and say* [those things that reflected badly on us]?"
Researcher: You mean to say, if participation, speaking is optional, then if people chose to talk, then those who were doing the bullying, would see it as a betrayal?
Rachel: *Ah, yes yes!*
Mastura: *So if teacher make us all talk, then it's not my fault that I said it out.*

<div align="right">(Orchid, 16-year-olds, NA)</div>

Kamal: *If speaking wasn't compulsory, I think many would have said, "pass".*
Mira: *Yeah, to be fair* [to those who spoke up too].
Irina: *Everybody would say their* [sic] *part.*
Akma: *But then again, she made it compulsory, erm, but if you are not comfortable enough to answer, it's like, it feels like we are being forced to answer, so we'll naturally say something nice.*

<div align="right">(Orchid, Malays, 17-year-olds, NA)</div>

While Mastura and Rachel felt that enforced participation can act as a shield (although its actual effect may be questionable) against classmates who might confront or bully them should their statements be unfavourable towards them, Akma's concerns were very real, for many students uttered similar doubts with regards to the value and honesty of the statements uttered by their classmates in class conferences or circles. In fact, many students believed that statements made in full view of the entire class could not be trusted. Herein lies the second limitation inherent in such RP processes. On one hand, one can say that an RP process that saw a higher number of stakeholders coming together to resolve and deliberate issues collectively is more restorative (in so far as the process, and not the outcome, is concerned) than one where most of the community's members are absent. At the very least, the more participants there are, the lower the chances of silencing the minority voices further, for presumably, there would be a higher the chances are of having diverse opinions heard. And yet on the other hand, the data suggests a converse relationship between the number of participants present and the

willingness of students speaking honestly. It is ironic that the very factor (i.e. having more stakeholders coming together) that might be essential to teaching students how to deliberate and work together to resolve issues, is the very impediment to its success.

> Kei-An (Chinese): *I don't like circle time. It's so troublesome. It's so embarrassing to stand in front of the whole class.*
> Jamal (Malay): *'Cos not used to speak in front of, in front of many people.*
> (*Orchid*, 16-year-olds, NT[193])

> Yusri (Malay): *I think only 20% of us could speak freely. Most would just go "pass".*
> Patricia (Chinese): *Maybe only 50% spoke the truth.* (*Orchid*, 15-year-olds, NA)

> Researcher: Anyone missing from the conference? Whom you felt should have been there?
> Declan: The Bangladeshi workers [who got whacked by the water bombs we threw]. But I'd very embarrassed if they were to come. I don't even know who they are, it's very hard to communicate. (*Bluebell,* Chinese, 13-year-old, NA)

In short, students were very conscious of how their classmates would perceive them, and sadly, not only did this shared anxiety not make them more sympathetic towards one another, it made doubt each other's statements. To assuage students' anxiety, smaller group conferences were proposed in place of class conferences and circles.

> *There are too many students in a class. And I think within the class, there must be, we must break up their friends because I think, I have a strong sensing that they don't* [sic] *be so honest in front of their friends, scared if they tell the truth, then their friends don't want to friend them anymore that kind of thing you know, like their friends would judge them or something.* (Naomi, *Orchid*, Chinese, Discom)

> *Once you call them to form a circle, they have no tables, no bags with them, basically* [they are] *not protected. So they'll feel weird…They are not open enough. They speak very softly. You may be amazed—this person, was he so soft? In a circle, they are just like a mouse. In a circle, they feel so unprotected, everyone's looking at you when you are speaking, so they'll be like uptight…The class size is so big, and the trainer suggested forming two circles instead. But I don't think that'd work because one circle is supposed to unite the whole class!*
> (Hannah, *Orchid*, Chinese*; emphasis mine*)

Hannah's statements are especially illuminating—How does one balance between the goals of uniting a class and creating the environment necessary for honest sharing during a conference itself? Can RP be used to teach civic participation when its participants do not feel comfortable in large group settings? Would the students eventually get used to speaking their minds in front of their peers, or would the group dynamics and their fear

---

[193] To recap, 'NT' refers to 'Normal Technical Stream'. Students from this stream are less academically inclined, and as such, they do not take the GCE 'O' levels. Instead, their secondary education last for four years, following which most of them would go to technical or vocational schools instead. See also Chapter Four.

of being judged turn these restorative processes into mere farce? Earlier, Naomi had explained that students were afraid of how their 'friends' would judge them. I argue instead that 'classmates' would have been more appropriate a term, for students were not afraid of how their close friends would judge them, but they were more afraid of how they would be judged by a large group of 'classmates' and 'acquaintances'. In fact, students lamented that teachers should have addressed them in their smaller intimate groups.

> Helfi: *Sir should have talked to us like face-to-face, not in a group.*
> Bashir: *Maybe just two or three* [persons].
> Helfi: *If I talk with Sir alone, then no one else will hear what I talk about. But in a big group, if I speak up, later got people say that I got a bad mouth like that.*
> Bashir: *Bao dou gia!* [Slang for 'squealer', 'tattletale']
> Helfi: *Then people won't wana talk with us anymore.*
> <div align="right">(<i>Orchid</i>, Malays, 15-year-olds, NA)</div>

> Hafiz (Malay): *There's too many people around!*
> Anna (Chinese): *Very pai-seh* [Slang for 'embarrassed']. *I can talk to Ma'am face-to-face lah, but got other people there.*
> Hafiz: *Yeah, face-to-face is ok, but in a group, we are not so open.*
> <div align="right">(<i>Orchid</i>, 17-year-olds, NA)</div>

While many students echoed their preference for a smaller group conference, it was interesting to note that students also emphasized the importance of having the class conference retain its formal status, which seems contradictory to their preference for smaller group conferences. Students even went so far as to suggest that their school principles ought to have been present at the class conferences.

> Alina: *The principal should have been there, as the head of the school, she needs to know what's happening.*
> Siti: *It's being unfair* [sic] *that she doesn't know anything.*
> <div align="right">(<i>Orchid</i>, Malays, 15-year-olds, NA)</div>

> Helfi: *Other* [subject] *teachers should have been there too, and the principal, should see our class, should witness this! We want our class to be more monitored!*
> Bashir: *Some students might think that if the P* [principal] *is there, then surely the P will make decision like expel them if they make the same thing* [offence] *again, suspension, etc.*
> Helfi: *If the P is* [sic] *there, then it'd be more serious, they'd take it more seriously.*
> <div align="right">(<i>Orchid</i>, Malays, 15-year-olds, NA)</div>

While it might seem contradictory that students prefer smaller group conferences and yet they emphasized on the need to retain the formal status of class conferences, it might simply be the case that they were limited by the tensions between the ideal and the reality. Ideally, the formality of class conferences would demand the students to take the process more seriously. The desire to use the principal's attendance to scare fellow

students into order (whether during or after the conference) is also evident. The issues presented at the conferences would not be resolved unless there was a meeting of the minds—students must first be able to articulate their thoughts and feelings. However, the very formality of the class conference, reflected by the compulsory attendance and enforced participation, had also made it more difficult to speak up. The students preferred a smaller group conference not merely because they were anxious of how their classmates would perceive them, but that they did not want to be perceived as 'bao dou gias' (i.e. 'squealers'), either because they did earnestly did not want to get their peers into trouble, or because they did not want to be whacked for being squealers.

> Ekram: *Actually, it's actually the class's fault. They made so much noise, that's why the teacher lost his temper and banged the table. It's not the teacher's fault.*
> Researcher: Did you mention this in during the conference?
> Ekram: *No, if say, then it's like you sabo*[tage] *your classmates.*
> <div align="right">(Bluebell, Malay, 13-year-old, Express)</div>

> *You know, our class, whoever sabo*[tage] *each other, the whole class will hate the person, beat the person up.* (George, *Bluebell*, Chinese, 14-year-old, NA)

> *We won't tell the truth, 'cos it's like we 'bao dou', like we 'bastard' our 'brother'.*
> <div align="right">(Badan, Orchid, Indian, 14-year-old, NT)</div>

> Ella: *Don't dare to speak.*
> Grace: *You know, those guys, they can do anything. They are not afraid. They have guts. If you speak, you are afraid, and you know they are the ah-bengs* [slang for 'gangsters'] *type, so you have to think twice before you speak.*
> Ella: *Yeah, will offend them.*
> Grace: *Wait you say* [the truth or what you feel, which might incriminate them] *ah, you won't die during conference, but outside they find you, you die.*
> *...//...*
> Ella: *But then again, if the position's reversed, and if someone said something about me, even if what the other person said was true, I'd feel also betrayed.*
> <div align="right">(Orchid, Chinese, 16-year-olds, NA)</div>

> *There's this 'packed mentality'. They think it's a betrayal of friendship if they spill the beans, it's almost tribal!* (Jessica, *Bluebell*, Chinese)

Clearly, the power of the group dynamics and peer relationships are not negligible. While RP processes such as these do provide the opportunities for relationships to be rebuild and/or to address the harm—as was the case of the earlier two class conferences in addressing bullying, the dynamics of existing relationships within the class have a profound influence in affecting how the very RP process itself, might play out.

1.2 The Fear Of Not Knowing How Others Might React

Students were reluctant to speak up also because they were not sure how their classmates would respond. Despite teachers' reminders at the start of each circles and

conferences to be respectful, there were still students who made cynical remarks in response to their classmates' statements. Unsurprisingly, students who had been snubbed by their classmates were not enthusiastic with circles or class conferences.

Lyana: *The other time, during circle time, we were sharing about what we were stressed with…and when Nasir shared that his mom's cat died, everyone thought that it was a ridiculous excuse, but he really loved that cat, that's why he cried.*
Nasir: *Yeah, really, I really loved that cat. I don't voice out much in front of a lot of people usually, I don't, because I always think, later they'll be thinking that I want them to feel sympathy for me, all this and that. But I was really stressed then, to see my mother cried…But when I look*[ed] *at their expressions,* [they seemed to be thinking] *"This is ridiculous, he wants us to feel sympathy for him", so I felt, from the look of their faces, I know they are saying inside their head…And from that time onwards, I never say anything personal* [during circles or conferences]*, other than when I'm talking* [on a one-to-one basis] *to someone.*
Lyana: *Actually they are not supposed to give any experience because it's one's personal feelings, my class almost laughed* [out loud].
Adilah: *Miss had already set the rule, that* [when] *one-person talk, others must listen. It's a policy, so that the person wouldn't feel bad.*

<div align="right">(Orchid, Malays, 13-year-olds, Express)</div>

Isabelle (*Orchid,* Chinese, 16-year-old, NA): *Sometimes, during circle time, it's like this, that when you feel like telling the truth, you are actually distracted by the comments people around you might give after you said your stuff, like "I feel this way and this", and people go, "Ah, as if you really feel like this?!" Then you'll get distracted…So sometimes, if I don't feel comfortable with the topic, then I'll just say "Don't know", because even if I tell my story, they also won't appreciate it. We are more afraid of people judging what we say you know, that would affect us.*
Yuzmin (*Orchid,* Indian, 16-year-old, NT): *You are right!*
Isabelle: *For example, say we talk about boy-girl relationship. Everybody will be in a circle, and the teacher asks a girl, "Do you have a boyfriend?" Then the girl wouldn't know to say 'Yes' or not, because the guys are surrounding her you know, the classmates right, she'll be* [interrupted]
Yuzmin: *Shy*
Isabelle: *And maybe she'll be honest and say "Yeah I have a boyfriend", and then she might be asked "Why do you have a boyfriend?" and some guy would go "Oh she wants to have a boyfriend because she wants to do sex."*

Danielle (*Orchid,* Chinese, 15-year-old, NA): *At the start of the year, the teacher put the tables aside and just leave* [sic] *the chairs, then we take the chairs and made a circle and sit. We all go one round, say our name, hobbies, interests, then the teacher will also introduced herself so that we can know her better, she can know us better, everybody can know each other better.*
Alicia (*Orchid,* Chinese, 16-year-old, NA): *Then we would suggest the rules and consequences…//…*
Danielle: *Like you make one mistake, you'll get a fine. Warning first, then fine.*
Researcher: Where does the money go?
Both: *Class fund.*
Alicia: *I'm the class treasurer, so I'd have to collect the fines too. I've been the treasurer so many times, collect until scared ah! Then some of them kept saying, "You got keep your own money or not? 'Cher* [Teacher]*, don't want don't want* [her as the treasurer]*, call* [appoint] *other people!" They say I'll keep the money for myself.*

It was unsurprising that students would not feel comfortable in speaking up. Even if one had not actually suffered at firsthand, witnessing their fellow classmates or friends being snubbed would be enough a deterrent to discourage them from sharing their thoughts and feelings. It is ironic and indeed a pity that the very process that aimed to bring about the meeting of minds and the expression of different voices led to the very silencing and mockery of Nasir, whose display of tears were simply met with disdain.

As discussed earlier, the dynamics of the existing relationships between the classmates themselves (and with their teachers) have a profound effect on whether relationships in the class could be further enhanced or hurt. For instance, the same question posed to the class during circle time, could affirm individuals and relationships for some, but they could induce negative effects for others.

> Zedrin: *Sometimes she'd pick a student out, and then she'd ask us, "Is this friend good or not?"*
> Hasha: *She shouldn't have asked us this question.*
> <div align="right">(Orchid, Malays, 13-year-olds, Express)</div>

> Nasir: *She'll ask, "Is this person a good person? A good example?"*
> Adilah: *Role model. Both good and naughty students would be picked.*
> Researcher: Have you ever been picked out?
> Nasir: *Adilah has!*
> Adilah: *Yeah, it was embarrassing, and I don't know what they'd think of me.*
> Researcher: What did they say then?
> Adilah: *Most of them said I'm a good role model.*
> Researcher: How did you feel after hearing your friends talk about you?
> Adilah: *Happy and proud, I didn't know I could be such a good role model.*
> Lyana: *But she has also picked XXX before too, to make sure that they learn from the hard ways, embarrass, once, like, she'd ask, "Is XXX a good example?" And the class would laugh and go "No!"* (Orchid, Malays, 13-year-olds, Express)

> *It really depends on who's the teacher facilitating the circle, before I decide whether to share or not. Sometimes the teacher would give us small notes* [that say] *"Thank You", "Sorry!", and you can give it to whoever you wana apologize to in class, so that you can just settle it. She purposely print a whole thick stack of such notes, gave to the class, you can take as many as you want, and after you write, teacher will collect, but she won't read, and she'd get students to distribute to the respective students, whoever the notes are meant for, then you'd get to keep them. I received a lot of them, and I was really really touched!*[194]
> <div align="right">(Alice, Orchid, Chinese, 17-year-old, Express)</div>

Whether the circle becomes an affirming ritual or a shaming one, depends not only on the class dynamics, but also on how the teacher in question facilitated the session. We are no strangers to stigmatizing rituals, but re-integrative rituals (Braithwaite, 1989) are still

---

[194] See Appendix M for a sample of some of these notes.

rather unfamiliar to most. Circles "would not aspire to treat isolated individuals targeted because of their problems (and thereby stigmatizing them as individuals). They would seek to help *young people develop* in the context of their communities of care" (Braithwaite, 2001:244-245). The big question then, is whether classes are able to step up and fulfill this role as a 'community of care'.

1.3 The Lack Of Trust—Things Don't Stay Within The Circles

The data suggests that a deal of work awaits before one can answer the above question positively. On top of the concerns the students have listed out earlier, the lack of a community of trust is another major reason why students are reluctant to speak up during circles and class conferences.

> Zedrin: *I like people telling and talking about themselves, but I don't like talking about me* [sic] *to other people.*
> Hasha: *Yeah.*
> Zedrin: *I don't want people to know about me. Even though they know, what will be happening* [sic]*? There'll be more worse* [sic] *things happening. They'll be talking* [and gossiping] *about us. We talk about our own personal* [stuffs] *to someone in circle time, then the someone start to spread the rumours, then all other people, other classes also know….Even the teacher, she spoke about her Sec 3 class* [to us]*, I'm scared to tell her something too. It must be happening in the Sec 3 class too, that she's showing my work to them, or talking about us to them too.*
> <div align="right">(Orchid, Malays, 13-year-olds, Express)</div>

> Rachel (Chinese): *Teachers would compare our class to* [sic] *other classes.*
> Mastura (Malay): *Yeah.*
> Rachel: *And they'd say bad things about the other class to us, that's so bad* [of the teachers]!   (*Orchid*, 16-year-olds, NA)

> Anna (Chinese): *We wrote about this teacher, on paper, and our teacher passed those paper to that teacher for him to read, and we got write about* [how we felt that he was] *pervetic* [sic] *and all that too!*
> Hafiz (Malay): *And because it's from our class, he'd know* [recognize] *our handwriting* [and as such he'd know who said what about him].
> <div align="right">(Orchid, 17-year-olds, NA)</div>

> *We were in the library, hanging out at the station, and then the teacher call* [sic] *us, "Your name is Farid right?" It was a new teacher. I don't know who that was. I think during teachers' meetings, they always talk about me.*
> <div align="right">(Farid, Orchid, Malay, 16-year-old, Express)</div>

Not only did the students believe that their fellow classmates would not be able to keep what was shared within the circles to themselves, they also had doubts of the teachers' ability to do so, judging from the lack of professionalism some teachers had displayed. But should one consider teachers' sharing of what happened in their class circles with fellow teachers as unprofessional? On the surface, one might indeed consider such sharing to be a breach of trust. On the other hand, the sharing of what had happened in

one's class on a day-to-day basis not only builds camaraderie between colleagues, but more importantly, the sharing might bring about the necessary catharsis for some teachers. Furthermore, the various subject teachers might share similar concerns with regards to the same class, and it is not unthinkable that teachers do discuss their concerns with one another. The difficulty then, lies in the extent to which one can both establish a safe environment for the students while supporting the teachers as well.

1.4 Succumbing To Peer Pressure, Or An Affirmation Of The Norms?

There was a gap between the teachers' as opposed to the students' perceptions of the latter's attitudes and answers given during the circles or class conferences. Teachers felt that the chorus of similar statements and suggestions made by the students reflected either a lack of seriousness on the part of the students, or that they succumbed to peer pressure in their parroting of each other's statements.

> *The conference was not successful, because erm, the students, I felt, was* [sic] *not taking it seriously. Their peers were around, and they didn't want to appear too politically correct in front of their friends? So they gave very similar answers, they just copied each other? I didn't think it come from them. For it to be really successful, it must really hit them somewhere, and it must come from their hearts even if it's a duplicated answer somewhere along the line. I'm sure in a very big setting like 40+ students* [in a class conference]*, there'd be duplicated answers, but it has to come from them you see. I felt* [that] *it didn't—they just sort of lifted answers off each other. If we could hear them repenting, which is like the ideal, I think we wouldn't have gone that way, but at least they should know that there's some real issues and something needs to be done you know. I don't know, from the nonchalant looks, the body language, the way they were giggling, laughing at each other, giving the eye at each other, they were just not there. My sense is that each time they sit down in a circle, they just want to get it over and done with, they model each other's answers, so, tsk, they are not very, not very accustomed to confrontation, they see it as a confrontation I think.*
>
> (Naomi, *Orchid*, Chinese, Discom)

Reading Naomi's statements in light of the discomfort students have expressed at speaking up, her interpretation of the students' answers and attitudes is not surprising. After all, students themselves also doubted the sincerity of their fellow classmates. Helfi and Bashir (*Orchid*, Malays, 15-year-olds, NA), who were present at the class conference that Naomi had commented on, agreed with Naomi that his classmates were merely copying each other's answers.

> Yusri: *They just follow each other.*
> Bashir: *Yeah, just follow each other, they don't do what they wana say, speak for themselves, just follow* [interrupted]
> Yusri: *What others said.*
> Researcher: What made you think that they were copying each other's answers?
> Bashir: *If they had taken the mike, and think first, that'd be different.*
> Yusri: *But they just take the mike, straightaway and then they say* [their opinions].

Bashir: *Yeah, we said* [our answers] *before them, so they'll know. Like we had different* [answers from them initially], *but when it comes to them, they'll choose which one* [answer to give], *but mostly* [they'll copy] *the ones sitting nearest to them.*

Indeed, there were students who acknowledged that they did not give much thought to the questions posed during circles or class conferences, and that they were merely copying their peers' answers.

Researcher: At the end of the class conference, I recall you all had to offer suggestions as to you think should happened if the class doesn't change its way, do you remember what you suggested?
Tom: *Oh, I said 'suspension'.*
Researcher: Why? That's rather drastic a step, no?
Tom: *Just say for fun, if not, they wouldn't end the conference and we cannot go home also.*
Researcher: And in the post-conference circle, your teachers asked the class to write three good things about the conference right? What did you write about?
Tom: *I'd have just copied my friend's answers. I don't care one, I won't think so much. I don't really care what happens in school.*

<div align="right">(Orchid, Chinese, 15-year-old, NA)</div>

Jun-Han: *We made the rule that if never bring book, must pay $1. Then the teacher gave us a choice, either $1 or sweep the classroom.*
Researcher: And which one did you vote for?
Jun-Han: *Pay $1. My friends voted also, so I follow them.* [I] *Did not really care actually, just raise hand lor.*   (Orchid, Chinese, 13-year-old, Express)

The type of suggestions that some students offered also reflected the lack of thought given.

Researcher: What did she ask during the circle?
Jun-Kai (Chinese): *What we thought of her, her coursework. What could be improved. And what's your punishment for not bringing homework? Stand at the parade square?*
Finlay (Chinese): *Then some students gave stupid, funny answers, lame ones.*
Researcher: Such as?
Anna (Chinese): "*Stand at the parade square. Sit outside the corridor.*"
Finlay: *Like in primary school!*
Anna: *Got one* [suggestion], *even what, "Throw water bomb* [at them]" *ah, "Scotch-tape! What, if, erm, people talk in class, scotch-tape their mouths." Very stupid and lame!*
Researcher: So everyone had to give suggestions?
Hafiz (Malay): *Yeah, and then got voting, the highest vote then that's the set one.*

<div align="right">(Orchid, 17-year-olds, NA)</div>

It was rather surprising, not to mention, disheartening to hear that 17-year-olds would display such immaturity. After all, these are individuals, who are a year away from being called up to bear arms to defend their country.

On the other hand, there were also students who felt that an utterance of a similar answer does not necessarily indicate that the student in question was merely jesting around or copying his friends' answers. They felt that the teachers should not be so quick to judge them negatively. While some students might indeed have merely copied others' answers without giving much thought, others might have offered similar answers because they concurred with what was being said.

> Researcher: I had the impression that everyone was giving the same answers, like when they were asked, "Who else was affected" –"Parents."
> Siti: *That's because they agreed. They agreed with that answer.*
> Alina: *Yeah.*
> Researcher: So you all said the same thing because you were agreeing?
> Alina: *Yeah, but our teacher thought that we copying each other's answers*
> Researcher: Did you all feel that your classmates were copying each other's answers?
> Both: *No!*
> Resarcher: Did you explain to your teachers then, that you weren't copying?
> Alina: *We all also no use one, they won't believe! I can see, actually the teachers think negatively* [of us], *talk like this class naughty, if not naughty, very noisy.*
> Siti: *They look down on us.*
> Alina: *It's like there's no positive thinking for our class.*
> Siti: *Like at the conference right, they'll just think negatively.*
> Alina: *Yeah. They don't know what we are going to say* [interrupted]
> Siti: *What they said it's not true.*
> Alina: *Even before we say it, they'll always shoot.*
> Researcher: You mean they assume they know what you are going to say already?
> Both: *Ah yes!*
> Alina: [In fact] *they don't know like, erm, they* [think] *they 'know' our thoughts before they want to say. They should listen to us first before they just shoot at our points.*   (*Orchid*, Malays, 15-year-olds, NA)

This is perhaps one of the biggest challenge that RP (or any one doing corrective or disciplinary work) faces—How does one keep an open mind and not be cynical and assume the worst or label the students? To enable students to share openly in circles and conferences, or simply, to communicate with anyone for the matter, a non-judgmental stance is pertinent, for one who feels judged negatively is hardly likely to share his innermost thoughts and feelings. That being said, even as an outsider who observed the class conference that Naomi was addressing, I shared her perception that the students were copying each other's answers. Of course, that (mis)perception may very well be a result of me slipping into the 'adult' role rather than maintaining my 'researcher' role (See Chapter Three). If the doing of RP requires one to think the best of humans—that people have the potential to work together and to change—then perhaps realists, or worse still, cynics and pessimists, would have great difficulties in the doing of RP.

> *The mindset shift, that's the most challenging one. The mindset that there is nothing new under the sun, everything will go back to normal again. Especially for*

older teachers, those with 30, 40 years of experience….Some long time teachers, they can become very cynical—"We have tried everything under the sun." So there's the danger, the stagnation, among those who think that they have seen it all.   (Louis, Chinese, Local RP trainer)

I think, for us, it's already there. We've been so negative for the longest time, it's just there. It's very difficult for us to, unless they show in their behaviour, because we have specific expectations of how they'd look if they, I'd like to use the word 'repent', and there are certain behavioural traits we'd like to see in them assuming that they have learnt something.   (Naomi, *Orchid*, Chinese, Discom)

We need to share more of these little sparks and talk about it, I guess we do [share]*, but it's so easy to, teachers just fall into talking about the bad things, the not successful ones, and not, "Eh, I talk to this person and he turned around!" We don't talk about that. We complain and complain again, it's still the nature of the talking in the staff room.*   (En-Hui, *Orchid*, Chinese, HOD)

Indeed, it all comes down to a matter of perception. Adults might very well have grown too used to their old ways—to complain, to be critical, to judge and chastise the teenagers are the norms given their position. As a realist, I sympathize with Naomi, given the great stress and time constrain that teachers have to work under. And yet at the same time, the faith and positive attitude that En-Hui and Louis held are greatly attractive, if not enviable.

D. WHO SHOULD FACILITATE CLASS CONFERENCES?

In light of the fact that teachers might have pre-conceptions of them, some students argued that their teachers should not be the facilitators of the class conferences. Instead, an outsider (e.g. someone who does not work for the school), or someone with whom the students do not meet frequently is preferred, for students also believed that teachers will close rank and therefore they cannot be trusted to keep the information shared within the class conference as secret. They were especially concerned with the need to protect their identity and content of their answers.

Siti: *If we don't see you in school everyday, if the students don't know you, then they'll be open and say the truth.*
Researcher: Are you saying that because I'm an outsider, that's why you could tell me truthfully what you think?
Alina: *It's not that you are an outsider, but more so because you are not 'close'. If we see you everyday, you are so close* [interrupted]
Siti: *Then you also cannot be trusted.*   (*Orchid*, Malays, 15-year-olds, NA)

Ewan: *I prefer outsider, 'cos sometimes, let's say it's the VP* [vice-principal]*, he knows this case, and every time* [he] *take a look a this class, got problem or not, so every time* [he] *aim at the class* [sic]. [i.e. School staff would judge you or the class based on their knowledge of your past records.]
Researcher: So you wouldn't have wanted your form teacher to host?

Ewan: *Can say like that. Like, if they wanted to host, can host on normal days, like in class. But if she does it during homeroom, no 'kick', it wouldn't have made much difference* [as compared to a formal class conference].

(*Orchid*, Chinese, 16-year-old, NA)

Researcher: Would you have been more comfortable speaking up if the person facilitating wasn't a teacher?
All Three: *Of course!*
Jun-Kai (Chinese): *It's better with an outsider, not from our school, then she'd not tell the teacher what we are saying.*
Nafiz (Malay): *And even if she* [the outsider] *say, also not directly, just indirectly. It's different from you say to the actual person, we less 'pai seh'* [slang for 'embarrassed'] mah.
Anna (Chinese): *I prefer outsider, if teacher, I'll be very 'pai-seh'.*
Jun-Kai: *'cos teacher-teacher is more close.*
Anna: *Yeah, later they sabo*[tage] *us.* [i.e. fear of backlash from the teachers]

(*Orchid*, 17-year-olds, NA)

Mira: *A stranger is better, so she* [their teacher] *wouldn't know who said what.*
Kamal: *Yeah.* (*Orchid,* Malays, 17-year-olds, NA)

There are three main concerns articulated here. Firstly, we are back to the issue of 'trust', as discussed earlier. More interestingly, there is a fear of backlash from the teachers who might not have been spoken of fondly during the class conferences, hence their obsession with the need to protect their identities. Lastly, students are also not used to addressing (and criticizing) others, especially an older authority in person. Before we discuss the last two issues, let us first look some opposing views from students who preferred someone they know to facilitate the conference.

Researcher: *Who should host the conference?*
Both: Mr. Louis
Researcher: *Why?*
Helfi: *'cos he's our DM* [Discipline Master].
Bashir: *Yeah.*
Helfi: *'coz he usually manage us, if he hosts, then it's good. If outsiders, we don't know* [interrupted]
Bashir: *Scared ah.*
Helfi: [We] *Don't know them, then why* [would we] *wana talk* [to them]*?*

(*Orchid*, Malays, 15-year-olds, NA)

Mastura (Malay): *The VP* [vice-principal] *hosted our class conference, she's very good.*
Rachel (Chinese): *If other teachers, or counselor* [hosted instead], *they* [students] *can bully them you know, 'cos they are not scared of teachers.*
Mastura: *Yeah.*
Rachel: *But VP they respect. But she's not here anymore. So maybe the DM?*
Mastura: *Yeah. And he's close and friendly, he'll listen to everyone. Outsiders won't know the students very well.*
Researcher: Why is it important that the host should know the students well?

Mastura: *He's the DM, he knows about their character, so when we tell the problems* [interrupted]
Rachel: *He can solve the problems*
Mastura: <u>*He's got the authority, and he gives chances. Outsiders won't know their character and how they are right, so* [since it's the] *first time* [the the outsider-facilitator meet the students], don't know whether they'll believe or not.</u>
Researcher: Are you saying that the facilitator should take into account what the students used to be?
Both: *Ah yeah.* (*Orchid*, 16-year-olds, NA; emphasis mine)

DM would be good. If it's a counselor, then people won't take it seriously. DM fierce mah. (Tom, *Orchid*, Chinese, 15-year-old, NA)

As seen above, the students were divided as to who should facilitate the class conferences. It was interesting to note that the same reason was used to justify both why students prefer outsiders as facilitators or not. The previous group of students preferred outsiders believed that teachers would not be fair for they would have pre-conceptions of the students and would judge them based on their past conduct. This group of students however, argued that it is precisely because of teachers have such prior knowledge that makes them fitting of the role, presumably because such knowledge might help the facilitator to assess the sincerity of the students and the feasibility of their suggestions. One might question if the more well behaving students were the ones who preferred the DM or teachers to be facilitators. However that was not the case as there were monitors in the first group who had preferred outsiders as facilitators, there were also students who had previously suspended in the second group who preferred the DM as facilitators. A student's prior conduct has little relation to whether he prefers an outsider as a facilitator or not.

The preference for the DM to be the facilitator has also got to do with the earlier utterances that the class conference needs to retain its formal status. The students did not merely prefer school staff per se, but the people they had suggested—the DM, the vice-principal, were people who were not only well-known in school, but most importantly, they possessed the authority to discipline. Rather than seeing the class conference as an opportunity for students to come together to share and resolve issues in class that was hindering their learning, some students might have seen the conference as a disciplinary session instead, even though it was observed at the very start of the class conference that the DM had repeatedly declared that "No one would be punished, I don't need any names."

They say no punishment. But the DM is there. They say 'Sorry', 'cos no choice wah. If you don't apologize, you can't go home.
(Tom, *Orchid*, Chinese, 15-year-old, NA)

Patricia: *It was a discipline* [sic] *session.* [The facilitator was] *Strict!* [We were] *Forced to be talk right* [sic].
Researcher: *Did you feel that you could say whatever you want?*
Patricia: *Yeah. Most of us were comfortable, relaxed.*

(*Orchid*, Chinese, 15-year-old, NA)

It is important to note that just because the students deemed the class conference as a disciplinary session does not mean that they think that the class conference should not be conducted as such.

The perception of the conference as a disciplinary session could also be explained by the fact that some teachers tended to lecture at the students instead of allowing room for real engagement with the students.

Researcher: How did she start the conference?
Jake: *"I heard about the incident a few days ago."* Then she *"I don't wana point out who's the culprit."*
Researcher: How was her tone like?
George: *Threatening?*
Jake: *Disappointed. But* [whatever she said] *just go in and come out* [of my ears].
Researcher: How long was the conference?
George: *40 minutes, of non-stop nagging.*
Jake: *More than that, around 90 minutes!*
George: *Ok ok, she nagged about the incident non-stop. She lectured about how we should have felt sorry for them* [a group of Bangladeshi workers some of the boys threw a water-bomb at in jest] *'cos they have very little money and all that. We just stared at her with empty eyes.*
Jake: *Everyone was in a sleepy mood.*
George: *None of us dare to open our mouths 'cos we know we are in the wrong mah.* (*Bluebell*, Chinese, 13-year-olds, NA)

Tim: *If it's a conference, we'll get a lecture.*
Researcher: Did she tell you in advance that there's gona be a class conference?
Finlay: *She'll start talking about results first, then after that, about what we do, why we are always late.*
Tim: *Then* [she] *talk* [sic] *to us like low voice first, then later start screaming.*
Finlay: *Yeah, then sometimes, she'll pull people out also, tell them what they do wrong, then tell the class too.*
Researcher: Do you get to speak in these conferences?
Finlay: *No much, she speak* [sic] *everything.*
Tim: *Yeah. She likes to ask a lot of questions.*
Declan: *Like "Do you agree…?" Those type* [sic] *of questions.*
Researcher: Agree with what?
Declan: *With what she said.*
Finlay: *If you don't say 'yes', you'll die!*
Declan: *Or if you say something* [contrary to the expected answer]*, she'll say a lot of things! Then she'll ask even more questions!*
Tim: *You fire one* [statement]*, she'll fire eight* [in return!]

(*Bluebell,* Chinese, 13-year-olds, NA)

The above extracts remind one of the ritual plays that we have seen in the Chapter Five, where students had to provide the 'correct' answers when they were made to write on the RP form, failing which they might even be made to re-do the forms until their answers and suggestions (which ought to have come from their own will) were satisfactory. Rather than seeing the students as equal participants in the RP process, there is a real danger of teachers slipping into the teacher-mode and lecture *at* them.

E. THE FEAR OF GETTING BACKLISTED BY TEACHERS

Earlier, we have seen how students were reluctant to speak up because they were anxious of how their classmates would respond. But students were also concerned with how teachers would react as well, which in part explains why some students had preferred outsiders to facilitator the class conferences unlike teachers who might close rank. Students are not comfortable articulating any negative comments against their teachers in person; for fear that teachers would take offence at such criticisms and therefore blacklisted them.

> Researcher: If the other subject teachers were there besides your form teacher [who facilitated the conference], would you have spoken up?
> Kieran: *No no! Unless the teacher is good. Because for us, there is no 'in-between' teachers. It's either good or bad.* <u>*You don't wana get into the bad books of people,*</u> *as in, you know, teachers aren't supposed to be discriminant* [sic] *of students right,* <u>*but you never know, you badmouth your teacher, then in the end, she marks your*</u> <u>*grade lower?*</u> *This type, is very personal one, so it's best not to say this kind of things in front of teachers.* <u>*She's still human right, although she has her own*</u> <u>*principles, cannot be biased against any student, but you just never know.*</u>
> Lucas: *And it might hurt her or something too.*
> <div align="right">(Bluebell, Chinese, 15-year-olds, Express; emphasis mine)</div>

> Researcher: How was the atmosphere like?
> Hafiz (Malay): *Very weird.*
> Finlay (Chinese): *All quiet.*
> Jun-Kai (Chinese): *Don't wana offend her.*
> Researcher: Could you speak freely?
> Hafiz: *No, too many people. If it's about her, I can say to her face-to-face, but got other people there.*
> Jun-Kai: *Yeah, in a group, not so open. Don't wana 'malu'* [Malay word for 'embarrass'] *her in front of people.*
> …//…
> Hafiz: *If got principal* [there]*, we sure don't talk one.*
> Anna (Chinese): *Yeah.*
> Hafiz: *Don't wana sabo*[tage] *her in front of her friends, teachers either. Certainly not the HOD* [Head of Department]*, wait she 'kena'* [slang for 'to encounter or to have to do something'] *sack!*
> Jun-Kai: *If teachers there, they might tell other teachers too.*
> Hafiz: *Then next time we see that teacher* [that we complained about during the conference]*, very 'pai seh'* [slang for 'embarrassed'] *too.*
> Anna: <u>*I scared later he take revenge.*</u>
> Jun-Kai: <u>*It'll affect the, yeah, take revenge.*</u>

Hafiz: *Wait next time he's our teacher, then he don't* [sic] *teach us, how?*
Jun-Kai: *Like* [purposely] *never teach* [us] *properly* [because we had badmouthed him] *how?*
Researcher: What makes you think they would do that?
Jun-Kai: *It's normal* [for a] *human* [being to feel vindictive].
Anna: *I think most teachers would be like that.*
Jun-Kai: *I would also prefer to talk in our own group of friends, not such big groups. 'Cos our friends all know what we think of teacher.*
Hafiz: *Then next time they* [those friends who might have a different view of the teacher in question] *might be biased with us how?*
…//…
Researcher: What did your classmates say about your teacher?
Jun-Kai: *"Very irritating". Straightaway, they said that. She just smile smile, but I know she not happy not happy like that* [sic]. *Then she just said "Ok ok."*
Anna: [She was] just take it. [i.e. bearing with it]
                                        (*Orchid*, 17-year-olds, NA; emphasis mine)

Akma: *Some said that she was a pain, then she just nod* [sic] *her head.*
Irina: *Just smiled at some negative comments.*
Kamal: *But it was hard to tell how she's taking it.*
Irina: *She was calm.*
Akma: *'cos we won't know what's she's feeling inside.*
Mira: *She may be smiling, but 'dui-ing'* [slang for 'being played out', 'embarrassed'] *inside.*
Irina: *Somehow* [the] *tension is there, like, scared to say, I don't offend her.*
Akma: *Yeah, she might take offence. But she was ok I guess. Most teachers wouldn't have took it the way she did.*   (*Orchid*, Malays, 17-year-olds, NA)

Researcher: Do you feel that you can speak as truthfully if your other subject teachers were there too?
Both: *No!*
Andrew: *I don't think so, 'cos it's like all eyes* [are] *on you.*
Callum: *You'll be insulting the teacher.*
Andrew: *It takes a lot of courage for one person to start to talk, and then against 5 teachers? They are all together, they are in a group, they are all teaching you, then you might not get the education, she might be biased against you. And you might be hurting her, she'll feel very embarrassed.*
Andrew: *Then the other teachers might also not have good ideas about you.*
Callum: *Yeah. Like they'll think, "Wow, this student criticize this other teacher until like that, better not do something."*
                                        (*Bluebell*, Chinese, 15-year-olds, Express; emphasis mine)

While the students' reluctance to speak up against their teachers in person might be due to a genuine desire to not hurt their teachers' feelings, the fear of backlash appear to be a much greater reason. It was interesting to note that students were reluctant to speak up even if the teacher in question were not present, but so long as other teachers (other than the teacher-facilitator) were there, they were not comfortable in sharing any negative comments about the teacher in question. As some of the students above have hinted, it is

considered bad manners to tarnish or speak ill of another—especially against an elder or an authority—in public.

1. THE ISSUE OF 'FACE'

This brings us to the issue of 'face', which is an important concept in Chinese-dominated Singapore.[195] It is not my intention here to engage in an anthropological discussion pertaining to this concept, for that is not the main focus of this study; not to mention the fact that it is a difficult concept to explain, for 'face' "is an intangible set of attitudes and values." (Jarvie & Agassi, 1987:402). However, some explanation is necessary to understand the students' statements above.

There are two Chinese words to describe 'face'—*lien* 脸 and *mien* 面. Hu explains the former as a "social *and* an internalized sanction connected with having a good moral character [and] the latter…is much more social, one involving reputation and having done well in life." (*ibid*.) While most individuals, regardless of where they are from, would be reluctant to admit their mistakes, Hu argues that there is a difference between the Western concept of 'face' and the Asian—that in the West, status, and not 'face' is gained. For example, living in an upscale residential district, having famous people as friends can boost one's social assets. "In the East these are matters of face, which is status plus, something else, like dignity. In the West this would constitute matters of status alone, hardly of dignity." (*ibid.)* On the surface, one might see 'losing face' (being disgraced) to mean similar things across the two continents, in actual fact, 'face' is *lost* in the West while it is *gained* in the East. This concept is evident in the different nuances between the English and Chinese language as well. For instance, while an English speaker might use the phrase, 'save face'—thereby emphasizing the retaining of 'face' and not 'losing it', a Chinese speaker would use the phrase 'giving face' instead. A Chinese speaker is less likely to say "my face is saved", but instead "s/he gave me face" 他给我面子 ('*ta gei wo mian zi*'), thereby indicating a gain.

In the Chinese culture, it is also considered bad manners to correct another person (particularly elders) in public, as the Chinese believe that "there is no room for mistakes; or at least, for mistakes made public…To care for your own face must also involve care for others' face." (Jarvie & Agassi, 1987: 403; 407). This would explain why Andrew and Callum were concerned that other teachers would think badly of them for criticizing a teacher who might not even be present at the conference. The underlying message is that one who does not care about another's 'face' does not care about his own, for he has no qualms being judged negatively for speaking ill of another in public. A dignified and

---

[195] 75% of Singapore's citizens are racially Chinese.

cultured individual would not do that. Having 'face' might be even more important than resolving issues in most social settings, perhaps except for those that include financial transactions (Jarvie & Agassi, 1987:412).

This concept of 'face' is a stumbling block here for it stifles room for criticisms and communication (Jarvie & Agassi, 1987). Communication requires a certain level of informality in that speakers who know each other well enough to be able to ignore each other's social *persona* would no doubt find it easier to communicate with each other. As the reader may recall from discussions in our earlier chapter[196], the social status of a teacher versus a student tends to be clearly demarcated in Singapore schools. To address a teacher or one, who is senior in age or position by their first names, is deemed as rude. This expectation clashes with many teenagers', who spoke of preferring to have teachers who can behave 'like friends', and not like 'teachers'.

> Hafiz (Malay): *Got difference between 'talk' and 'communicate' you know. Some teachers you can be frank, you can talk like friends, some you must talk like teacher-students.*
> Anna (Chinese): *75% of teachers cannot communicate!*
> Hafiz: *They are not friendly at all!*　　　　　　　(*Orchid*, 17-year-olds, NA)

A student who speaks informally to a teacher in front of other teachers then, would not only cause himself to lose 'face' for being disrespectful to teachers in general, but he might also cause the teacher in question, to 'lose face' for allowing such indiscretion.

However, rather than focusing on the commonplace use of 'face', one should take a closer look at the often (conveniently) neglected concept *li* 礼 in*stead*. On the matter of criticism, these concepts stand in stark contrast to each other. While both concepts frown upon the public broadcast of an elder's mistake, *li* 礼 argues or even demands that:

> In grave matters, we must bring their attention to their faults… *Li advises also that* true friends must criticize each other and so help each other to progress in the cultivation of virtue…Face requires one to hide one's errors, and the admission of an error is an ordeal. *Li* [on the other hand] demands self-criticism on a regular basis…*Li* is honourable and face [is] not….[For] face is purely external; whereas *li* is at least partly internal. *Li* which does not issue from true feelings is not real *li* but only motions of *li*…*Li* is a combination of the proper external motions and the proper internal emotions. When internal emotions of kindness, respect, humility, etc are disciplined by and manifested through appropriate rituals or in accordance with etiquette, we have *li*.　　　　　(Ng, 1987:424-426; emphasis mine)

---

[196] See Chapter Four, Part 7 of Section E, on "RP & Changing Times—From Respect Owed To Respect Earned?"

A teacher or statesman who has *li* and is truly a Confucian gentleman then, would not have used the rhetoric of Asian-ness, or of Confucianism and 'face' to demand respect. Nor would he have taken offence at his students' criticisms.

F. THE CONCEPT OF CITIZENSHIP IN SINGAPORE

RP processes such as circles and class conferences, create chances for people to hone a whole range of skills (e.g. group discussion skills, critical thinking skills, problem-solving skills, decision-making skills, leadership) necessary for the betterment of society by allowing the joint deliberation of problems by its citizens (Kitcher, 2009:305). At the same time however, to meet the demands of capitalism, the state and the schools also run like rationally organized enterprises. While the aforementioned skills and the critical thinking are all important educational ideals, schools also function as a factory (Weber, 1980a; cited in Schroaeder, 1992:116) to mould the students into becoming the desirable citizens (e.g. the skillful but obedient workers) necessary for the functioning of the larger society (Kitcher, 2009:308). Furthermore, as capitalism also emphasizes on efficiency, its citizens are 'dehumanized' by the iron cage of bureaucracy for emotions and independent deliberation by workers are unnecessary. Instead, the ability to "carry out the demands of an organization as strictly and efficiently as possible on the basis of specialized knowledge" is prized (Schroaeder, 1992:117)—as reflected by how we saw earlier, teachers found it unnecessary to question the directions of the schools. Much of the decision-making processes, are best left to the bureaucratic elites for efficacy purposes.

1. THE SINGAPORE STATE'S CONCEPTION OF CITIZENSHIP

In contrast to the "liberal individual tradition of citizenship that emphasizes status and individual rights, where rights are safeguarded by constitutional limits on government power" (Kymlicka, 2002; cited in Sim & Print, 2009:385), the Singapore State constructs citizenship as one of self-sacrifice and one's individual rights and needs should be subjugated to the greater needs of the nation (Hill & Lian, 1995; *ibid*.) The Singapore meta-narrative, as delivered by the statesmen through the teaching of *National Education*—a Social Studies module taught in Primary and Secondary schools—speaks of how "an independent Singapore was able to overcome all odds to become a peaceful and prosperous nation highly regarded by the international community" (Sim & Print, 2009:385) because its citizens in the early years had understood their civic duty well— one that required self-sacrifice and service on their part. Communitarian and nationalism, and not individual rights, are the roots of the citizenship constructed in Singapore. Citizenship then, "is seen in service to the nation. The State's narrative emphasizes responsibilities and duties, loyalty and patriotism, submission of individual interests to

the common good, and contributions citizens can make to the country." (Sim, 2011:751) In fact, back in 1979, a government paper (*Report On The Ministry Of Education 1978*; cited in Gopinathan, 1980:180) even dismissed any efforts to teach the features of the Constitution. Likewise, in the *Civics And Moral Education* classes, while students were taught Singapore's 'shared values'[197] (see footnote), there were no questions on "whether these values [that] were considered to be shared were also morally right and true" (Tan & Chew, 2004:599). If these values were chosen not by virtue of their moral consensus— given the absence of such discussion—then they "must have been chosen by criteria of utility and expediency in accordance with Singapore's oft-expressed political pragmatism." (Tan & Chew, 2004:599) Whichever ideologies or values chosen, they must be enable its citizens to "achieve happiness, prosperity and progress for our nation" (Singapore Pledge).[198] In short, the values that are prized are values that must not only be pragmatic, but they must contribute to the economic progress of the nation.

'Civic participation' as constructed by the State then,

> Diverts attention from "politicking" and the political to emphasize the "civic" behaviour and conduct of citizens in the public domain (Koh, 1998; cited in Sim, 2012:205). Notably, "civic" is positioned as being "cultured" and "civilized", so that citizens avoid real political activities such as political lobbying, participating in non-violent protest march or rally, and other protest activities (Torney-Purta *et al*. 2001; Kenndy, 2007; cited in *ibid*.)

Participating in such protests rather than deliberating over the issues and coming up with solutions reflect a lack of culture or *Li* 礼, for such protests might be the ingratitude of those who "bite the hand that feeds you…Such a relationship is singular and unequal, like subjects who owe personal loyalties to the sovereign. Consequently, *citizens are active agents to the extent that they play their role as grateful subjects*." (Sim, 2012:206; emphasis mine). Civic participation then, is trivialized and limited to the maintenance of the status quo, for to the state, "participation is the practicing of consensual politics, the mobilization of support for administrative and policy reforms, and in providing feedback so that it can fine-tune policy initiatives." (Ho, 2000; cited in Sim, 2011:758).

---

[197] The 1991 *White Paper on Singapore's Shared Values* (See Chiew, 1990) consist of five statements. This came out from the desire to unify and maintain Singapore's Asian-ness against the onslaught of globalization and Westernization. In brief, the five statements are: (1) Nation before community and society above self; (2) Family as the basic unit of society; (3) Community support and respect for the individual; (4) Consensus, not conflict; (5) Racial And Religious Harmony.

[198] Since independence, all students (except for those in tertiary education) have to sing the national anthem and to say the national pledge before the national flag daily. The Singapore Pledge reads—"We, the citizens of Singapore, pledge to one united people, regardless of race, language or religion, to build a democratic society, based on justice and equality, so as to achieve happiness, prosperity and progress for our nation."

The Singapore state also justifies its paternalism by arguing "its citizens favour the right to a better life over political ideology" (Chua, 1995; cited in Ho *et al*, 2011:267). So long as the state is able to respond to the citizens' material needs (than to its spiritual wants), its paternalism and hegemony is justified (Bellows, 1983:73). Indeed, while Singapore "laws relating to commerce and the economy [are] on par with the liberal West, law[s] relating to civil and political rights is repressive" (Rajah, 2011:946). Furthermore, this paternalism that the state spoke of is tied to its ideologies on elitism, meritocracy and Confucianism, for the *brightest* elites *should* shoulder the responsibility of guiding the nation forward. Like a *parent*/teacher who makes decisions on behalf and in the interests of his *child*/student, political leadership in Singapore is conceived in the same manner where its leaders make decisions for its subjects. However, this masks authoritarianism (Rodan, 2004; cited in Sim, 2012:207) and "with elite governance, the government has defined 'politics' by politicizing it as entirely the technical problem of economic growth and management, and the constant improvement of material life for Singaporeans" (Chua, 1995; cited in *ibid*.) Just as how much freedom the *child* or the *student* is *allowed* in families or in class participation largely depends on the respective authority figure, "the extent to which citizens can influence policy-making depends on the extent to which the elite allows it to happen. The basic ground rules are set by the elites and the citizenry is merely passively reacting to these regulations." (Ho, 2003; cited in *ibid*.) In response to such criticisms, the state resorts to its rhetoric of Confucianism and Singapore's supposed 'Asian-ness', a form of orientalism—"auto-orientalism" (Engelhart, 2000:559) and claims that its citizens are satisfied with its soft-authoritarianism for their sense of "civic" culture is different from the *West*.

This playing of the good East versus the decadent West is prevalent in Singapore politics, especially when the state wishes to remind its citizens of the need for deference to authority—which they deemed as necessary for social order and economic prosperity. For instance, the then Prime Minister Goh used the infamous Michael Fay incident, where an American teenager (Fay) was caned (together with Shiu Chio-Ho[199]—his Hongkonger friend) for vandalism in Singapore in 1996, as a cautionary tale between the East and the West. He contrasted the attitudes of Fay's parents and Shiu's parents. While the former went outraged and sought catharsis by going on TV talk shows and blamed Singapore's draconian laws, Shiu's parents were depicted as the typical Asians who were ashamed by their child's act and avoided publicity.

---

[199] Names are given in the Chinese order here—'Shiu' being the surname, and 'Chi-Ho' being the first name.

Michael Fay, back in America, got drunk and when his father protested, he tackled the father and wrestled him to the ground. I cannot imagine a Chinese son, or any other Asian son, physically tackling his father. <u>But that may happen when sons call their fathers by their first names and treat them as equals</u>…In Confucian society, a child who goes wrong knows he has brought shame upon the whole family. In America, he may win instant stardom…//…[This is because] In America, indulgent upbringing of children has brought sorry consequences. If you slap your child for unruly behaviour you risk going to jail…British justice also seems to have gone liberal and soft…The American and British peoples are fed up with rising crime rates and want to get tough on crime. (Goh, 1994; cited in Rajah, 2011:963-4; emphasis mine).

There are two statements in Goh's speech. Firstly, state violence is justified for the greater good (i.e. the maintenance of social order), whether in the family or in society. Secondly, the citizen is to the state as the child/student is to the father/teacher. Without deference to authority, Singapore's economic prosperity and social order would be lost as exemplified by the Americans and the British. In the quest for economic prosperity, while westernization is essential, Goh's speech reminds his citizens that:

We will take from you only what we need, we will not accept anything which goes against the basic precepts of Chinese civilization, like loyalty to family and country, politeness, preservation of 'face', the traditional (Confucian) values. The west can give us techniques and proficiency; our Chinese identity will remain the same (Jarvie & Agassi, 1987:417). [200]

2. EDUCATIONAL REFORMS TO ENCOURAGE CRITICAL THINKING IMPEDED

While the State emphasized on the need for deference on the political landscape, it seeks to promote critical thinking and creative thinking skills on its educational front. To keep Singapore vibrant and successful in the future, in 1997, the Singapore State introduced its vision of creating *Thinking Schools,* [and a] *Learning Nation*, thereby beginning a series of educational reforms to emphasize critical and creative thinking skills (Tan, 2008; Curdt-Christiansen & Silver, 2012). However, these attempts are limited "for the larger sociocultural context requires individuals to be conforming and submissive to authority" (Tan, 2006; cited in Curdt-Christiansen & Silver, 2012:145). Just as *Li* 礼 would require one to obey certain rules when addressing elders in public, teachers also enjoyed an elevated status in schools for they still enjoy "unquestionable authority" (Sripathy, 2007; cited in Curdt-Christiansen & Silver, 2012:143). Ironically, the attempts to foster critical and creative thinking clashed with the wider "cultural script

---

[200] While Jarvie & Agassi (1987:417) explained this attitude towards westernization as one that was expounded by the Chinese revoluntary Dr. Sun Yat-Sen, their depictions could not have explained the utterances by Singapore statesmen any better!

of 'face', hierarchy, respect, discipline and risk taking", thereby making it difficult for students to see themselves as "equal partners who could actively participate" in the very pedagogical practices that had sought to teach them critical thinking in the first place. Analysis of classroom discourse continued to show short oral responses from students, little encouragement of independent thinking, limited peer collaboration and creative or problem solving skills (Curdt-Christiansen & Silver, 2011; cited in Curdt-Christiansen & Silver, 2012:156). This is unsurprising for

> there is a tension between educational reforms which emphasize self-regulation and society values which emphasize obedience to authority; there is a cultural clash between a syllabus which espouses learner-centredness and social norms which emphasize hierarchy (Koh, 2004; Tan 2006; Sripathy, 2007; cited in Curdt-Christiansen & Silver, 2012:156)

Unfortunately, among the 33 school personnel interviewed, only one teacher articulated the need to reassess certain pre-existing practices that might contradict RP practices.

> *I think it's time we change school rules, and that certain rules should be amended and taken out. Like the use of handphones. I don't think it's very fair if the teacher stops the lesson halfway when the phone* rings*, I'm sure you can answer the phone later. Unless someone is dying at home, then fine. But they* [the students] *need to see the same fairness, the students and kids. Some schools do not allow the teachers to dye their hair, they are quite strict there. But for us, no. and the students are more willing to challenge that, and I think it's fair* [that they do]*. Because you are asking them to be creative thinkers, then they should be doing it, the questioning. We should* [also] *be ready to give them an answer. It's not like it'll affect your brain when you dye your hair right? "How does it affect them?" I have asked the P* [i.e. principal]*, and she said, "I'm not prepared to let go, because we don't know what to expect. We do not know what to expect. Do we want to be the first school featured in the papers, where our students come to school in this fashion? Are we ready to 'let go'* [i.e loosen rules and control] *and despite this,* [would] *we still have* [the academic] *results* [to show]?*

(En-Hui, *Orchid*, Chinese, HOD)

The potential of RP to teach citizenship or even the simpler aim of engaging its participants during its processes then, needs to be read within the larger context of Singapore's political and social climate.

G. CONCLUSION

This penultimate chapter has come a full circle by discussing the use of RP within the wider socio-political context of Singapore. While the data and discussion presented in this chapter might give one the impression that Singaporeans are politically apathetic or obeisant to authority—whether to the teachers or to its political leaders, I wish to remind the reader that Singapore's early history depicted a contrasting picture altogether. Civil societies *had* been active since 1867 (Gillis, 2005), and had by 1920, they had developed into a rapidly expanding sphere that catered for various interests. Even the civil servants

had been active participants when the Attorney-General Chambers for instance, critiqued the State's introduction of mandatory corporal punishment for the crime of vandalism. Chastised by Singapore's Founding Father Mr. Lee Kuan-Yew (Lee, 1966; quoted in Raha, 2011:958) "for arriving at decisions according to legal principles rather than Singapore realities", the judiciary unfortunately became "obedient to Parliament's command, reading into legislative text the subtext it had been instructed to see." (*ibid*.) I am reminding the reader of Singapore's history, not so much to highlight the destruction that its ruling party might have caused. But I am recapitulating it here, because it reminds us of a Singapore that one might be unfamiliar with, and in so doing, it allows us to hope for a different political landscape to come. Perhaps this change might not be too far away, looking at the volume of its citizens' calls in the last 2012 election.

While I look forward to a more politically active citizenry to come or to what RP may potentially bring about, I end this chapter, with a warning that one must read such participation within the social or political context in which they are to take place. The State's paternalism and its argument that civic participation requires a certain level of maturity from its citizens might not be totally untrue, especially when we see students (or citizens) offering ridiculous suggestions. For instance, a class conference was called at *Bluebell Secondary School* because a group of then 13-year-old boys[201] had threw a water-bomb in jest at a group of Bangladeshi workers who were working in front of the school premises. During the conference, students were asked what ought to be done to make things right. However, many of their suggestions indicated a lack of seriousness on their part, and their lack of remorse and maturity were also glaringly blatant.

> Jake: *She* [the form teacher] *said, "Have a suggestion* [in place] *that plan for them* [the class] *to apologize."*
> Researcher: And what suggestions did the class came up with?
> Jake: *Buy food,* [and] *drinks; work for them; whole class go* [sic] *down there and say 'sorry'; invite them to our school* [interrupted]
> George: *Bring them to the other schools and let them see all* [the young girls] *they want.*
> Jake: *No lah, they only see black chicks* [since they are Bangladeshi].
> Research: So what did you guys decided in the end?
> Jake: *She asked the class committee to stay back after the conference, but she didn't stay back with us to think together....*[We] *wrote them a card in the end.*
> George: *You think they understand English?*
> …//…
> Researcher: So did you all give the card personally to the workers?
> Jake: *Not me, but Miss did.*

---

[201] The boys were 13 when the incident happened. I interviewed them a year after the incident and conference were held.

George: *Yeah, I think Miss gave them, then 'kena'* [slang for 'to encounter or to have to do something'] *raped then come back.*

(*Bluebell,* Chinese, 14-year-olds, NA; emphasis mine)

Researcher: What was the atmosphere like?
Finlay: A lot of laughter, 'cos people wrote jokes, like "give roses", "give him [the worker who was directly hit by the water-bomb] a kiss", a lot of things ah.
Researcher: How did your teacher respond to those suggestions?
Finlay: *She didn't do anything, just stood there, "Do you agree?" Then some of us said "No" 'cos some* [suggestions listed included things like] *"Kisses", you can't say "Yes" right? 'Cos she'll ask us to do one of those things in the end.*
Researcher: So she went down the list one-by-one and you all decide through a "Yes/No" vote to decide?
Finlay: *Yeah.*

(*Bluebell*, Chinese, 14-year-old, NA)

Reading the above extracts, and in particular George's statements, might persuade one to reconsider the merit in the State's argument for paternalistic techniques as not all opinions are 'equal' in value.[202] However, it is precisely because such utterances exist, that there is value in people coming together—assuming that other participants, who saw the absurdity in such statements are willing and able to speak up, that is. By 'other participants', I refer to the other student-participants more so than the teacher-participant(s). This is because should the latter be the one who speak up against such statements, there is a danger, as we have seen earlier in the chapter, of the teacher-participant(s) slipping into the teacher-mode and thereby turning the class conference into another lecture. If however, the other student-participants were to speak up instead, students like George might come to know that his statements were inappropriate even among the eyes of his peers (as opposed to 'those adults'). Unfortunately, as discussed earlier in the chapter, teenagers are unlikely to speak up amidst a large group, particularly when they have a different opinion from their peers. They would not want others to think that they were trying to 'act cool' or trying to get into their teachers' good books by giving politically correct answers that differ from their peers.

More importantly, it was disconcerting those students like George continued to hold racist stereotypes of foreign workers even after the conference.

---

[202] As the reader may recall, in Chapter Two, I had quoted Mr. Lee Kuan-Yew, who had said that:
When people say, "Oh, ask the people!", it's childish rubbish. We are leaders. We know the consequences…*They say people can think for themselves? Do you honestly believe that the chap who can't pass Primary six knows the consequences of his choice* when he answers a question viscerally, on language, culture and religion? But we knew the consequences…If I were in authority in Singapore indefinitely without having to ask those who are governed whether they like what is being done, then I have not the slightest doubt that I could govern much more effectively in their own interests (quoted in Han *et al*., 1998:134, 367).

They were still saying things like "You see Bangla[deshi], very dirty!" I was a bit shocked at how racist they were, [especially since] *they also have Indian classmates, then how* [do] *they deal with them*? (Jessica, *Bluebell*, Chinese)

George: *He should have threw the water-bomb further, or throw at the Indian temple* [near the school]. *Put some beef sauce inside* [the water-bomb], *better still.*
Jake: Hahah! (*Bluebell*, Chinese, 14-year-olds, NA)

While the teacher should be credited for making them come to terms with the absurdity of their suggestions by reminding them in a rational and methodical way that they would have to carry out the suggestion(s), it was unfortunate that this conference was unable to address the seeds of racism and bigotry that students like George had. While one could explain George's statements as an attempt to 'act cool' in front of his friend during the interview, keeping in mind too that these students here are from a boys' school, more could have been done to address such sentiments. The class conference was called for mainly because they had thrown a water-bomb at a group of individuals who are marginalized on so many levels; they suffer so much discrimination because of their financial abilities, their nationalities and race. The class conference was not called for because they were misbehaving for playing with water-bombs—they had also thrown water-bombs at one another. The racial undertones that had aggravated the harm were not addressed adequately, evident from the type of suggestions like George's—no one spoke up to question his perpetuation of the dominant stereotypes of foreign workers as being un-educated and 'sex-crazed'. Had a community group conference been called instead, such stereotypes might have had the *chance* to be addressed, had the Bangladeshi workers themselves been present too. That being said, I am not suggesting that we should 'prostitute' (Ashworth, 2000:186) these Bangladeshi workers (or victims in any situations) for the benefit of (educating) the students.

This case example serves to remind us that participation is not an end in itself. Perhaps I am a product of my country's social engineering, but I concur with the teachers' sentiments that the outcomes matter more than the means at times. It is any one's guess as to whether or not a different outcome might have been achieved should the Bangladeshi workers had been present at the class conference. But I think that certain conditions have to be present even before these workers could be invited. Just as how conferences between victims and offenders are not recommended to take place without an acknowledgment of wrongdoing on the part of the latter (Ministry of Justice, New Zealand, 2003), the students in the above case example would have to first admit their wrongdoing. Allowing the class conference to continue and offer reparations without addressing the harm is merely doing RP for its own sake. I see no value in the inculcation

of civic participation as the only aim in itself. Instead, one should place more value in seeing an acknowledgement of harm by the students than seeing students going through an RP process per se. Likewise, I would rather have a smaller minority of citizens who are truly politically active, than an enforced civic participation on the masses. The enlargement of this minority should be left to their own in carving out the necessary spaces for its own growth, than a politically maneuvered creation top-down. With or without RP to aid the inculcation of civic participation, it is my hope that this minority would grow in time, albeit at a slower but comfortable pace.

CHAPTER 7

CONCLUSION: RP REVISITED

In the course of writing this thesis, there were times when I felt like a 'traitor to my country for being so negative and I questioned if my critique of the use of RP (Restorative Practices) in Singapore is limited by this negativity. Perhaps the feeling of 'betrayal' is a result of the over-successful socialization of a Singaporean who is overly exposed to the State's rhetoric of Confucian notions of 'ranks' and 'authority'. After all, I am merely a subject who should know my place better than to question the higher-ups. And yet this socialized Singaporean-self co-exists with the cynical-self and the positive-self (amongst others). If I were truly persuaded by the State's rhetoric of Confucianism and 'Asian values', would I have been so suspicious of Singapore's *doing* of RP? Indeed, the data might be riddled with evidence of problematic practices precisely because I had been out looking for them. And yet this research had also begun because I was drawn to the utopian-like ideal that RJ (restorative justice) might potentially offer—"What a *civilised* process! People could *collectively* sit down to deliberate and address various issues (including the aftermaths of crime)?!"—this was my first impression of RJ.

But RJ means "all things to all people" (McCold, 2002:358; cited in Clamp & Doak, 2012:345) and since we are still "unsure of the precise meaning of RJ within a criminal justice context, then a great deal of caution is certainly required in exporting the concept…" (Clamp & Doak, 2012:345). What are the non-negotiables in the importing of RP? Are there any? In Braithwaite's priority list of values, the concept of 'non-domination' (2002:248) stood first on the list, and he argued, "A program is not restorative if it fails to be active in preventing domination." The data as presented throughout this thesis reflects that the two schools still have a long way to go in ensuring that participants are able to speak in their own voices.

This thesis examines the extent to which cultural relativism is compatible with RJ and I submit that without clarifying what RJ means or what standards or non-negotiables ought to be, its exportation into different contexts and countries may lead to outcomes that RJ advocates and/or trainers did not envisioned (e.g. RP script being used to affirm caning). Cultural relativism, defined as "the practice of judging a culture by its own standards" (Macionis & Plummer, 2012:158) is commonly used by Singapore Statesmen via the rhetoric of 'Confucianism' and 'Asian values' to defend its 'draconian' rule or more so, to defend any differences or criticisms from the 'Western' counterparts in particular. Inherent in the cultural relativism thesis that Singapore broadcasts is the

message that "We are Asians, we have different values from the 'West', so do not judge us by your standards, but let us judge for ourselves what 'works' for *us*." But the State's display of paternalistic authority as supported by its rhetoric on 'Asian values' and 'Confucianism' is a stumbling block to the prized RJ value of 'non-domination' (Braithwaite, 2002a:248) for the same rhetoric is being echoed in schools—"They are just *children*, reasoning doesn't work", "This is an Asian society, caning still works". Many younger participants do end up being silenced on many occasions during the RP processes, if not they threw up their hands in apathy. This is unfortunate for the very introduction of RJ into Singapore or RP in schools, might have been well intended in the first place. One could argue that the introduction of RP is timely for many of its values (Braithwaite, 2002a; Braithwaite & Strang, 2001; Kane *et al*, 2007)—such as 'non-domination' 'accountability', 'respectful listening'—not only resonate with the demands of the changing electorate that has grown increasing vocal and politically aware (and demanding) in recent years[203], but it is also consistent with the State's educational reforms to emphasize critical and creative thinking skills (Tan, 2008; Curdt-Christiansen & Silver, 2012) given that RP processes require students to deliberate and offer solutions to address the issues raised. The State then, is not unaware of the resistance or disagreement to its professions of paternalistic authoritarianism from the ground or from the younger generations who have different views of 'respect' and 'authority'.

That being said, we still see the cultural relativism thesis articulated by the teacher-participants in this research, although it is an incoherent one. On one hand, the participants' belief that there is a 'pure RP' seems to acknowledge that the thesis of cultural relativism does not hold. 'Pure RP' to many teachers appeared to be one without punishment, if not, at least to be one without corporal punishment. It is 'pure' not only because the trainers who *introduced* RP to the schools do not approve of 'caning', but more so because RP was officially introduced to the participants by trainers from *elsewhere*. The *origin* of RP to the participants then, reside in a foreign world. One cannot then, calls upon the thesis of cultural relativism to justify its own practice when it acknowledges a 'pure' version of 'RP'—for a proponent of cultural relativism here would not have used the term 'pure' to begin with for this word signifies 'perfection', 'genuine', 'uncontaminated' (OED). Proponents of the cultural relativism thesis (such as the Singaporean statesmen) would not have deemed their practices to be inferior.

---

[203] The ruling party (the People's Action Party or P.A.P as it commonly known in Singapore) has been losing votes despite maintaining a majority in Parliament.

On the other hand, there were also participants who argued that RP did not originate from the Westerners, but that RP has always been practised in Singapore.

> *RJ, it's like last time, we also have kampongs* [and communities too].
>
> <div align="right">(Mary, Chinese, Local RJ trainer)</div>

> *RP to me is basically repairing relationships. But we have always been doing it, without knowing* [that] *the proper term is 'RP'. Just that some 'ang-moh'* [derogative term for 'Westerners'; it literally means 'red-haired'] *came up with the name for it…I remember during hands-on sessions, we are quite sceptical because the trainers came from Australia. Their class size, curriculum may be different. And what about our Singapore context? …//…Public caning should still be done. We have to talk about society, the good for society, you know, not like the American, the Westernised ways, we are Asians, we believe in society and community first.*
>
> <div align="right">(Derrick, *Bluebell*, Chinese, HOD)</div>

To these participants then, there is no 'pure RP' and more importantly, the nationalistic sentiments are clear. Cultural relativism is used here to justify the schools' departure from the trainers' suggestions because "We are Asians". Derrick's reference to the belief in "society and community first" echoes the State's discourse of Asian values and Confucianism and this is can be read as a reaction to Eurocentricism. Inherent in Derrick's statement is the message that because "Singaporeans have always been practising RP, we do not *need* a Westerner to train and tell us what RP *ought* to be for we are as much an equal a RP practitioner as the Australian trainers are." The emphasis on the 'Asian values' and 'Confucianism' are ways in which this former British colony tries to construct and affirm its national (and regional) identity by juxtaposing itself against the 'West'. Just as how the imperialists have essentialised its subjects as homongenous uncivilised beings, Derrick here is also echoing the State's essentialising of the current 'Western' world as the 'decadent' bloc.

> Basic to the Confucian revival is an effort to propagate a disembodied Confucianism, without historical or social context, that reproduces the essentializing procedures of Orientalism, this time by the "Orientals" themselves.
>
> <div align="right">(Dirlik, 1995:231)</div>

Derrick and the Singapore State are as guilty in offering simplistic justifications for any differences ("We are Asians and therefore we must believe in community and society") as did the imperialists. The irony is not lost here, for by positing 'Asian values' as a "rejection of Western history: of an experience of industrialization that led to social evil, moral weakness and rampant individualism" (Harper, 1997:509) in a bit to distance itself from the West, Singapore's 'Asian' identity is *forever* constructed in relation to the 'West'—for to be 'Asian', is to be 'not Western'.

The 'Asian values' rhetoric and its accompanying statements on 'authority' continue throughout the thesis and it has affects how RP is practised. While both schools' adopt RP in their outlook in that both schools articulate the inherent positive value of using RP to build relationship, it is quite another in practice. The indoctrination of 'Asian values' is so successful that some participants were sceptical of it at the start merely because the trainers were Australians. Even if the schools had adopted RP with the aims of reducing reoffending rates or to improve relationships, these goals are unfortunately inhibited by the 'Asian values' that Singapore is proud of. The calls for deference to ranks and authority (e.g. paying respect to those above/older than you), the appropriate distance and formality between ranks (e.g. first names are inappropriate as one should observe proper decorum between teachers and students), all these rob RP of the chance to realise the very goals of building relationship and commitment to the values of 'non-domination'. The very rhetoric of deference to ranks and authority in itself already speaks the contrary language of domination.

When students give out 'politically answers' to the RP script (as we have seen in Chapter Four), while one can interpret these acts positively (as some teachers did) to indicate that the students understood the existing norms, one can also take them to be indicative of the students' apathy and disinterest (as many teachers did). It is not only the existing norms that are affirmed, but the teachers' authority are also affirmed via the use of the RP forms and the process of going through the questions with the students—for ultimately it is the teacher in question who decides if the answers given are acceptable or not. When a 'politically correct' answer was offered, teachers were disappointed not only because it is proof that the student was not remorseful, but arguably, it is also because 'politically correct' answers are ways in which students can resist the teachers' exercise of power and authority (Foucault, 1980n; cited in Lacombe, 1996:342)—the students can show off that they are aware of the desirable answer in their articulation of it and assert their apathy at the same time in response to teachers who were merely going through the routine of doing RP.

The emphasis on 'rank' and 'authority' also pushes participants to immoral acts. We saw in Chapter Five how Discom (Discipline committee) teachers lapse in their moral standing at times when they chose to cane students not only because they wanted to close the case, but more so because of the need to show solidarity by closing ranks with fellow teachers. This performance is not lost on the students, many of whom understood the masks that teachers have to wear. More problematic, is the thesis of cultural relativism via the articulation of 'Asian values' again in the justification of caning.

Derrick's earlier justification for public caning because "We are Asians" simplifies the issue to "So long as we Asians and/or Singaporeans support caning, it should still be done even if RP advocates like the Australian trainers disagree with us." Even if one is able to prove indeed that the majority of Singaporeans support the cane, one must not forget the voices of the minority too. More importantly, the bigger issue is—What does caning bring to the practice of RP? As discussed in Chapter Five, caning not only contravenes international laws[204] (and the 'constraining standards' that Braithwaite 2002b had spoken of[205]), but it also contradicts the emphasis on rationality that the schools try and instil in the students via the RP script, for one's ability to think is limited and subsumed under pain when caned. Rather than appealing to 'Asian values' to justify its use, it might have been more persuasive if participants had been able to explain how the retaining of the cane is coherent or supports their interpretation of what RP meant. If the ultimate aim in using RP is to reduce re-offending and they are able to show *how caning supports RP in doing so*, they should offer any evidence of such nature, than to appeal to the 'Asian values' rhetoric.

While RP advocates might have differ in their understanding of the relationship between RP and punishment, cultural relativist supporters might excuse the use of 'torture'. I am torn with regards to caning's compatibility with the RP. While I sympathise with the criticisms against caning (especially having grown up in an Asian family who has practised it myself), the violent nature of the act that has brought on criticisms is the very same reason why it is able to address vengeful feelings that victims may have. For the better or worse, participants see it as the ultimate expression of censure (Garvey, 2003:309-310), as seen from the example of the case conference discussed in Chapter Five. RP cannot promise 'restoration' without addressing retributive intentions, for restitution (e.g. the offender's payment of the victim's hospitalisation bills in the said conference) can only addresses the 'harm' the victim has suffered but it does not censure the 'wrong' on the part of the offender. The language of censure is essential not only for the victim, but it also brings about catharsis and atonement for (some) offenders—"my conscience is now cleared" (Jordan, *Bluebell*, Chinese, 14-year-old, NT). The non-negotiable for me then, is to look at the extent to which the values of 'non-dominance' and 'empowerment' (Braithwaite, 2002b) are present during the deliberation process. *If caning does not exceed the upper limit* (Cavadino & Dignan, 1997) *allowed*

---

[204] Corporal punishment has been deemed as 'torture' contravenes international treaties such as *The United Nations Convention on The Rights Of The Child (UNCRC)* and the *United Nations Convention Against Torture And Other Cruel, Inhuman Or Degrading Treatment or Punishment*. Singapore is a signatory only to the former treaty.
[205] See Chapter One.

for that offence, then caning should be permitted if that is the collective agreement that came out from the conference, for participants must be empowered to disagree or even be hateful.

> If a victim rejects an apology, choosing to hate, the ideal is that the conference empowers the victim to do so. <u>Empowerment takes precedence over</u> forgiveness. Citizen empowerment…should be a higher-order value of Restorative Justice than, for example, non-punitiveness. Genuine empowerment means that punitiveness of punitive people is not ruled out of order. RJ allows punitive outcomes <u>so long as they do not exceed upper constraints imposed by the law nor abuse fundamental human rights.</u>   (Braithwaite, 2002a:249; emphasis mine)

The problem then, lies with the label of caning as 'torture' for it is deemed as an abuse of fundamental human rights. The Singapore State and many teachers do use the rhetoric of cultural relativism here to criticise the stand that caning is against fundamental human rights by appealing to the Eurocentric nature of such international laws. Unfortunately I have no answers to this dilemma for I sympathise with all the different views pertaining to caning and caning is unfortunately, recognised and permitted under Singapore laws.

The repercussions of the 'Asian values' rhetoric of 'authority' and 'rank' on the students' ability and willingness to participate in circle times and class conferences are also evident. Joshua (*Orchid*, Chinese, DM) for instance, had opened the class conference by emphasising that "*this is a no-blame conference. We are not here to find out who is responsible and punish that person responsible. No one will get into trouble or be punished.*" But just because the value of 'non-judgmentality' (Braithwaite, 2002a; Braithwaite & Strang, 2001) is articulated does not mean that students believe in the them. "*They say no punishment. But the DM is there…If you don't apologise, you can't go home.*" (Tom, *Orchid*, Chinese, 15-year-old, NA). One cannot blame Tom for his cynicism, for after all, the typical image of a DM is that of the ultimate disciplinarian (even though Joshua is far from being one). It is not merely what the DM or the teachers actually do or say, but also what they *can*, as opposed to what the students are allowed to.

The fear of being seen as a tattletale (by classmates) or being blacklisted (by teachers) exists precisely because not all participants are equal. The teachers are on a different plane of 'authority' even if everyone sits in a circle, for teachers are judged not only by what was being said in circles and class conferences, but also by how they behaved or said outside of these processes. Dictating students to rewrite the 'politically correct' answers on the RP form/script, or declaring that 'Discom teachers can cane students without questions asked so long as they are sent out of class' (as is the policy at *Bluebell* at the time of fieldwork), all these have repercussions on how students posit

themselves in relation to teachers. Teachers do not suddenly become the 'equal' participant to the students just because of the physical sitting arrangement in a circle. This distance between the students and the teachers then, makes it difficult for them to participate willingly, lest to say to articulate their feelings openly. One might argue that the more stakeholders there are in the RP process, the more restorative that process is. However, such a claim only

> speaks to the procedural definition of RJ which is problematic in that it does not mention what outcomes the process should achieve…we cannot state RJ is said to have taken place if the outcome of that agreement violates human rights and departs from restorative principles (Clamp & Doak, 2012:344).

When the students are unable to articulate their dissatisfaction with their teachers or with outcomes from the class conferences, then we cannot say that participants have been 'empowered' for their voices have been subjugated to the dominant ones. One cannot assess the RP processes as 'restorative' merely because *everyone* was *made* to participate in it. We have seen how victims who have suffered bullying chose to accept apologies in class conferences because they needed to suppress their emotions and do what was socially expected of them. We have also seen students who came out of class conferences continuing to hold racist views towards foreign workers. Again I am torn here because while I appreciate that students need to be as equal a participant as teachers are to encourage discussions, but there may be value after all in having a certain degree of authority figure facilitating RP processes. Participants (both students and teachers alike) have to be reminded when they are disrespectful or when they are drowning out others' voices—whether via passive-aggressive tactics or through outright snubbing at participants' sharing during conferences. As humans, both teachers and students do refrain from speaking up in order to manage one's public image when they worry about potential rejection and how others judge them (Hayes, Scheufele & Huge, 2006:278). But what happens when participants are unabashed in their offering of inane suggestions (e.g. the suggestion to bring the Bangladeshi construction workers to tour the school compound so that their eyes get a treat to the pretty girls), as the students did in the previous chapter? Such suggestions affirmed Singapore statesman Lee Kuan-Yew's justification for control because not every man is equal in his/her opinion.

> When people say, "Oh, ask the people!", it's childish rubbish. We are leaders. We know the consequences…*They say people can think for themselves? Do you honestly believe that the chap who can't pass Primary six knows the consequences of his choice* when he answers a question viscerally, on language, culture and religion? But we knew the consequences…If I were in authority in Singapore indefinitely without having to ask those who are governed whether they like what is being done, then I have not the slightest doubt that I could govern much more effectively in their own interests (Lee, quoted in Han *et al*., 1998:134, 367).

Indeed, "the right to freedom of speech has little real substance if, from lack of education, you have nothing to say that is worth saying." (Marshall, 1950; reprinted in Manza & Sauder, 2009:151). In these instances, who should be tasked to speak up? As teenagers are less likely to speak up against their friends due to peer pressure, the onus then, is on the facilitator to remind the students *gently* of the need to take the process seriously. The tricky part though, is to be able to do so without slipping into the 'teacher mode'.

One may disagree with the above suggestion of putting the onus in the teachers' hand as it reaffirms passive citizenship (Turner, 1990:189)—that the students and citizens are only *allowed* to articulate what the those in authority defines as 'sensible'. Just as how the Singapore State carved out spaces for citizens to be heard so long as certain rules are followed (e.g. The Feedback Unit or the Speakers' Corner that is so deserted), the class conferences and circles are also processes that the schools have deemed legitimate for students to participate in. RP as an attempt to teach ground-up, active citizenship via a top-down method may sound contradictory, but the social pressure that teenagers face make them unlikely protestors against their friends. We just have to keep practising until we get better at speaking up and be friends with the awkward moments that circles and conferences sometimes have.

In conclusion, the exportation and adaptation of RJ not only requires one to clarify what RJ means, but more so, to be aware of what and whose standards we ought to use to assess RJ, and what the non-negotiables are. We have seen how participants use the thesis of cultural relativism through the rhetoric of 'Asian values' and Confucianism to justify their authority and their adaptation of RP to include practices that not only go contrary to RJ principles (e.g. 'non-domination', 'respectful listening'), but also go contrary to international human rights (e.g. the use of corporal punishment). The rhetoric of 'Asian values' and Confucian ideas pertaining to 'authority' is dubious, for

> 'Confucianism' (like all other 'isms') is not a monolithic and homogenous ideology and movement; it compromises different and competing schools of thoughts, each with its origin, evolution, proponents, key teachers and impacts…*We need to distinguish between political Confucianism and philosophical Confucianism. The former refers to the attempts of various groups to politicize Confucian ethical values in the service of other, nonethical purposes, while the latter refers to the Confucian intent to infuse politics with morality through personal cultivation of the self…Philosophical Confucianism, where the moral cultivation of individuals is salutary for society as a whole is contrasted with political Confucianism, where the self is subjugated by the state.*
> (Tan, 2012: 455, 459-460; emphasis mine)

The political Confucianism that is employed by the State argues that criticism of the authority "can only be the business of those who are expert…only the'*chun-tzu*' ['君子' literally means 'the Lord's son', but it carries the nuance of the 'gentleman', the 'righteous person'] is qualified to engage in such criticism." (O'Dwyer, 2003:55). Such a perception of relations between the 'ruler' and the 'subject' also spills over to the school context, where we have seen how some teachers believed that RP "works better" with the more intelligent students who are more articulate. But such a construct of relations is problematic for the practice of RP, for it relegates the students to the passive position of merely reiterating social norms, or resist through their performance of offering 'politically correct' answers in a deadpan manner.

> The self, originally conceived of as a dynamic centre of expanding relatedness, is expected to adjust to its relationships and to the world. *Instead of actively developing through creative tension and experiential learning, the self is taught to value submissiveness. The harmonisation of relationships, instead of being the result of reciprocity and mutual stimulation, degenerates into the passive acceptance of authority.* Relationships become internally hierarchical, even arbitrary. *The self, far from growing in reverence, retreats in self-deprecation without dignity, communal participation no longer means the extension and deepening of one's humanity.* Instead, it requires one to become a passive member of a large group and to sacrifice oneself to the politicised ideology.
>   (Tu, 1985:4; quoted in Tan, 2012:460; emphasis mine)

The aim of using RP to restore and/or build positive relationships for the creation of a harmonious (and ordered) society needed for economic survival is done on the premise that the students *obey* rather than through deliberation and discussions. For if the student obeys and desist from re-offending, the relationship between the student and the teacher would be improved—the onus of building positive relationships or making RP 'work' then, still ultimately rests with the student. I end this thesis with a plea to rethink the costs of political Confucianism and how its construction of authority and relations can affect the way we relate to each other, for without doing so, the importation of RP is open to misuse to meet the existing disciplinary mechanisms, as this thesis has shown.
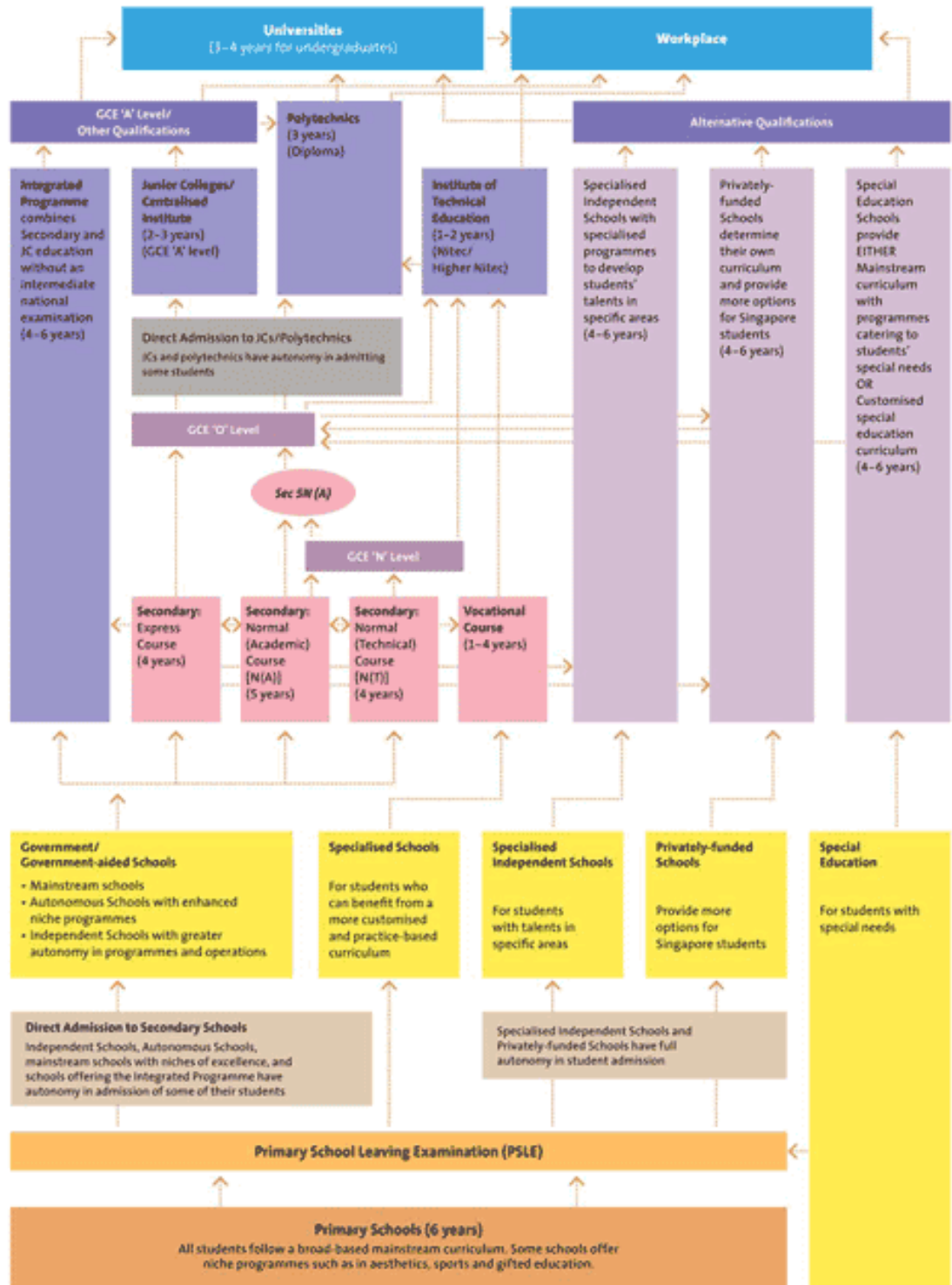
<p style="text-align:center">THE END</p>

Source: *Singapore Ministry of Education*
Retrieved from *http://www.moe.gov.sg/education/files/images/edu-landscape.jpg*

SUBJECT INFORMATION SHEET

Faculty of Law
4-12 Little Tichfield Street
London, W1W 7UW

Title of Research Study: *Restorative Practice in Schools, Singapore.*
Julia Wong   +65 9711 7211
Julia.wong@st-hughs.oxon.org   +44 7794461265

You are invited to take part in a research study. Before you decide, it is important for you to understand why the research is being done and what it will involve. Please read the following information carefully and discuss it with others if you wish. Do feel free to contact the researcher at the above email address or contact number(s) if you require more information or clarification.

Thank you for reading this.

Purpose of the study

This study focuses on the use of Restorative Justice, specifically the use of conferences (e.g. family group conferences, circle conferences, etc). In such conferences, a facilitator runs a meeting with the offending individual and his/her supporters (the victim may or may not be present) to address the conflict or the aftermath of the offence. The researcher hopes to learn more about such practices from the participants' experiences.

Who is organising and funding the research?

The researcher is a Singaporean PhD Law student at the University of Westminster in London, and her studies are fully funded by the University. She is not employed or tied to any government, or non-governmental organisations in Singapore.

Why am I chosen?

You are chosen because within the last 2 years:

  (1) You have been invited to attend a restorative conference
  (2) You have participated in a restorative conference
  (3) You were invited to attend a restorative conference but you declined to participate
  (4) Your work utilises restorative practices (whether as a teacher, a facilitator, trainer, etc).

Do I have to take part?

It is entirely up to you to decide whether or not to take part. If you do decide to take part, you will be given this information sheet to keep and you will be asked to sign a consent form. If you decide to take part, you are still free to withdraw from the study at any time without any penalty or the need to give any reasons.

What will happen to me if I take part?

Your contact details will be released to the researcher for her to get in touch with you to conduct a face-to-face interview. With your consent, the interview will be tape-recorded to facilitate the

interview. If you are below 18 years of age, parental consent is also required for you to participate in the study.

(1) If the conference has not taken place, a pre-conference interview will be conducted at your convenience to understand your expectations, concerns, etc, of the conference. The researcher will then sit in to observe and voice-record the conference (if all participants of the conference give their consent). The study will conclude with a post-conference interview that will take place within 3 months from the conference.

(2) If the conference has already taken place, the interview will focus on your experience of the conference itself.

(3) For those of you who are engaged in the criminal justice field, the interview will focus on your experience of your respective roles.

What are the possible disadvantages and risks of taking part?

For some of you, as the interviews will touch on sensitive matters such as your experience of the conflict or crime, the after-effects of the incident, the experience of the conferences, etc, you may experience some discomfort during the interview particularly when recounting your thoughts and feelings of the incident.

What are the possible benefits of taking part?

You will not receive any direct benefit from taking part in this study. It will not, in any way, affect how your institution's (be it schools, or Courts) handle your particular case. The information that is collected during this study will allow a better understanding of how restorative practices work, and how it affects your perceptions of disciplinary or conflict resolution processes on the whole.

While the researcher hopes that the information gathered in this study can help to inform organisations in ways of improving future practices, the discretion remains solely with the respective organisations how they intend to use the information gathered for future practices.

How will my identity be protected if I take part in the study?

While the thesis will quote from the interviews, your name will not be mentioned in the thesis or released to your organisation unless you give consent. Also, any identifying characteristics of your case and of you will be left out to protect your identity.

What will happen to the results of the research study?

The results will be written and submitted to the University as a PhD thesis. It may also be published in academic journals. A copy of the thesis, or an executive summary of the thesis may be deposited with your organisation, but you will not be identified in the thesis as names will be changed (unless you are comfortable with being quoted by your names). You can also request to view the transcript of your interview at any time of the research.

Contact for further information

Please feel free to contact the researcher anytime, or her supervisors, Dr Oliver Phillips (O.Phillips01@wmin.ac.uk) and Ms Maggie Sumner (sumnerm@wmin.ac.uk).

Thank you for taking time to consider participating in the study.

CONSENT FORM

UNIVERSITY OF WESTMINSTER

Faculty of Law
4-12 Little Tichfield Street
London, W1W 7UW

CONSENT FORM

Title of Project: *Restorative Practice in Schools, Singapore*   **Name of Researcher:** Julia Wong

*Parental consent is required for participants under the age of 18.

1. I confirm that I have read and understood the information sheet for the above study. **YES/ NO**

2. I understand that my participation is entirely voluntary and I am free to withdraw from the study or the interview at *any* time, without giving any reasons, without my legal rights being affected.

YES/NO

3. I consent to the voice-recording of the interview(s) / circle time/ conference on the understanding that I can contact the researcher at any time of the study to view the transcripts.

YES/NO

4. I consent to the researcher contacting me in the future to invite me to participate in any follow-up or related study to the above project.   **YES/NO**

5. I am comfortable with my name appearing in the thesis when quoted.   **YES/NO**

_____   _____   _____
Name of participant & Date of Birth   Contact Numbers   Date & Signature

_____   _____   _____
Name of parent/guardian giving consent   Contact Numbers   Date & Signature

(If the above participant is under 18 at the time of interview)

_____Julia Wong_____   9711 7211 / Julia.wong@st-hughs.oxon.org

Name of Researcher   Contact Details

INTERVIEW GUIDE FOR STUDENTS WHO HAVE PARTICIPATED IN GROUP/FAMILY/CLASS CONFERENCES

BACKGROUND OF STUDENT

   1. Could you tell me a little about yourself? For e.g., your family background, age, etc?

BACKGROUND OF THE CASE

1. What happened? When did it happen? Why? Who were involved? Could you establish a timeline for me?
2. How did you feel towards the other party, and the teachers or adults involved at that time?
3. When the case was reported to the teachers, what did you think was going to happen?

PREPARATION BEFORE THE CONFERENCE

1. How long did it take from the time of incident to the conference?
2. Before attending the conference, what did you think the conference was going to be like? What did you think was its purpose?
3. What were you told about the conference? Who told you what? Were you told how it was going to be conducted, and who's going to be there?
4. Was the attendance optional? What would happen if you didn't attend?
5. What were the possible outcomes of the conference?
6. Did you have any discussions with your parents?
7. How did you prepare yourself for the conference?
8. Was there anything you wanted to say at the conference? To the other party, or to your parents, etc?
9. Was there any information you wished you had known about the conference but you weren't informed of?

CONFERENCE ITSELF

1. Describe what happened at the conference, from the beginning to its end.
2. Who were there? Where was it held? How long was it?
3. Was there any one whom you would have liked to be there but wasn't present? Were the right people there?
4. What do you think of the conference?
5. Was the process fair? (Rank from the scale of 1-5, 5 being the fairest)
6. Was everyone respectful? Was everyone respected? (1-5)
7. How did you feel at the conference?
8. Were you able to talk freely? Could everyone speak freely?
9. What did you think of what others had said at the conference?
10. (Re-integrative shaming)—Did you feel that others could differentiate between you/the offender as a person and your/their act? Like how we may dislike smoking but not the smoker for instance?
11. What was the outcome? Did you feel that your input was taken seriously into the outcome/plan? Did the plan work?

12. Was everyone's views incorporated into the plan?

POST CONFERENCE

1. What did the conference mean to you?
2. Any changes you noticed about yourself after the conference? What about others?
3. How's the relationship between you and [include other party's name] before and after the conference?
4. How's the relationship between you and the class/teachers/family?
5. Would you wish to participate in such conferences should something similar happened again?
6. Is this conference something you would have recommended to your friends?

PERCEPTION OF SCHOOL AND TEACHERS

1. If I was your younger cousin and I'm looking to apply to this school, what would you have told me about the school?
2. What is it about the school that you like and dislike? What's the school environment/culture like?
3. Which teachers do you like and dislike? Why?
4. Which classes do you like and dislike? Why?

PERCEPTION OF RP

1. Have you heard of RP?
2. Could you tell me what it is? Or give me examples or occasions in which it was used.
3. What do you think of it?
4. Lastly, is there anything about the school, anything at all, that I might have missed out, or anything else you wish to talk about?

INTERVIEW GUIDE FOR STUDENTS WITH DISCIPLINARY ISSUES

BACKGROUND OF STUDENT

   1. Could you tell me a little about yourself? For e.g., your family background, age, etc?

THE WAY THE CASE WAS HANDLED

1. There is a Time-Out Room (TOR)/DM's office. Do you know what that place is for? Can you tell me more about it?
2. Have you ever been sent to the DM/Discom teachers/sent out of class/sent to the TOR? Why were you sent out?
3. How did you feel about the way you were treated? Or the way the case was handled?
4. What did the teacher say to you or do before sending you out of class / sending you to the DM or to the TOR?
5. Did you know what was going to happen to you when you were sent out?
6. Before the DM came to talk to you, what did you think was going to happen to you?
7. Could you speak freely with the DM/Discom teachers when they addressed you?
8. Were you [and whoever else was involved] held responsible during the teachers' address? How so?
9. Was the process fair?
10. Was the plan/outcome fair? Did you think the plan was going to work? Why?
11. [For cases with other 'offenders', or with known 'victims'] What do you think about ['offender'/'victim']? Any changes in your relationship with him/her? Any further problems?
12. What would you have done if you were the teacher that day when the incident happened?
13. Did the school or anyone teach you what to do in when such incidents happen, or if they were to happen again?
14. Think about the way the DM/Discom teachers handled your case. Do you think the way in which they have handled the case, can also be used for other students/cases?
15. What did you tell your parents? What did you think your parents were going to say/think when they hear about what happened at school?
16. When you returned back to class, did your friends ask you what happened with the DM? What did you tell them?
17. Who has been supportive?
18. Is there anything that you feel that the teachers could have done differently that might have helped you?
19. Before you were sent out of the class/sent to the DM/to the TOR, what was your perception of the DM/TOR? Has it changed?
20. Have you been caned before, or have you seen students being caned in school before? What was it like?
21. Do you know any friend who has been caned (publically) before? What do you think of him before/after caning?

PERCEPTIONS OF RP

1. Do you know what is RP? What have you heard about it?
2. Have you fill in any RP forms before? [Show student the form] What do you think of the RP form?
3. Is there any difference between RP and the way DM/teachers dealt with you that day?
4. What's good about RP?
5. What's bad about RP?
6. [For Upper Secondary Students] Before RP was introduced, what did the teachers used to do? For instance, when you were in Secondary 1, how did teachers treat you or other students? Was there any difference in the way teachers handle students then and now?
7. If we were to think of RP as a way of doing things, whereby people who were all involved in a case come together and do something about it, do you think this can work? Can it work in your school & Singapore? Why, why not?

PERCEPTION OF SCHOOL/CLASS/TEACHERS

1. Is this a school you'd recommend to others? Why?
2. What is your class like? What do you like/dislike about it?
3. What are your teachers like? Who do you like/dislike, and why?
4. Have you ever gotten into a conflict with a teacher? If so, what happened?
5. What would your ideal school be like?
6. What would your ideal teacher be like?
7. Lastly, is there anything about the school, anything at all, that I might have missed out, or anything else you wish to talk about?

INTERVIEW GUIDE FOR STUDENTS (REGISTRATION NUMBER)

INTRODUCTION

   1. Could you tell me your name(s), class, family background, clubs?

PERCEPTION OF SCHOOL

   1. Do you like this school? Was this school your first choice? Do you enjoying coming to school?
   2. What do your relatives or friends say when you tell them that you are going to this school?
   3. What would you tell a younger cousin about your school?

RELATIONSHIP WITH CLASS/TEACHERS

   1. Does your class get along with your teachers?
   2. Which subjects do you like/dislike? Why?
   3. Which teachers do you like/dislike? Why?
   4. Are you able to approach teachers if you have a problem?
   5. When you have a problem, who do discuss with?
   6. Who are the students who usually get into trouble in your class? Why do they get into trouble?
   7. Who are the model students in your class?
   8. Do you like the homeroom system? Why?
   9. [For *Orchid* students] How is the school assembly divided into upper and lower secondary?
   10. Is there any difference in the way teachers treat Express/NA/NT students?

PERCEPTION OF RP & PUNISHMENT

   1. Have you heard of RP? Can you tell me about it?
   2. Have you filled in an RP form before? [Show them the form] What is this form for?
   3. What do you think of the questions on the form?
   4. Have you or your classmate ever been late, or forget to bring books, or do homework? What did your teachers say to them or do in such instances?
   5. What do you think of the way in which the teacher talk to or handle the student at that time? Was he/she fair? Respectful?
   6. Do you think the student deserved the punishment, if he/she was punished?
   7. When teachers punish you or your classmates, do they make you feel like you are like a bad person?
   8. When teachers address you (or your classmates), did they make a difference between the act and the person? (e.g. One can dislike smoking but not hate a smoker)
   9. Did the teachers, even after punishment, bring up past incidents that you or your classmates were previously punished for?
   10. Did that punishment help to stop you/classmates from repeating the mistake?
   11. Tell me about a time you think teacher punished fairly.

12. Tell me about a time you think teacher punished a student unfairly. What's the difference?

PERCEPTION ON CANING

1. What's the most common punishment here?
2. Do you consider the RP form a punishment?
3. Have you been caned in school before? Or have you seen it? What happened? Do you think the student deserved it? Why?
4. What do you think of the student who was punished?
5. Should we retain caning in school?

CIRCLE TIME/ CLASS CONFERENCE

1. Have your class used circle time / class conference time before? At the start of the year for instance?
2. What did you all do during circle time / class conference?
3. Who were there?
4. Who facilitated?
5. Is there anyone missing from the circle/conference whom you think should have attended?
6. What do you think of circle time/class conference? What do you like/dislike about it?
7. Could you speak freely?
8. Could everyone else speak freely?
9. What were the outcomes? Did it 'work'?
10. Would you recommend circle time/class conference to friends from other classes?
11. Lastly, is there anything about the school, anything at all, that I might have missed out, or anything else you wish to talk about?

INTERVIEW GUIDE FOR TEACHERS

BACKGROUND

1. Could you tell me your background? [Age, subjects taught, how long have you been teaching?]
2. Why did you join teaching?

IMPLEMENTATION OF RP

1. How did the school come to do RP?
2. [For HOD/Discom Teachers/OM] How did you end up in the committee? How do you feel about being tasked with disciplinary responsibilities?
3. What is your role in school?
4. What differences in roles do HOD/DM/Discom/OM play?
5. What kind of support did you receive? What kind of support did you provide?
6. On hindsight, what were some of the things you wished you had been told about RP before it was implemented?
7. What have you learnt through the implementation process?
8. Were teachers' opinions sought during the implementation process?
9. What were some of the things the school has done right in the implementation of RP? What were some of the mistakes made?
10. [For HOD/Discom Teachers] What did you find easy, and hard in driving RP? Describe the implementation process from the time you were tasked to do so. How did you drive the project? How did you get started?
11. What was easy and hard in doing RP?
12. [For HOD/Discom Teachers] What was distinctive about the school that you had to take note of in the implementation process?
13. Was the school ready for RP at that time?
14. [For HOD/Discom Teachers] Was there anything distinctive about Singapore context that you had to take note of when you implemented RP?
15. [For HOD/Discom Teachers] Which countries did you visit to learn more about RP? What did you learn and see?
16. How were the teachers prepared for the implementation of RP?
17. What type of RP training did you receive? From Who? What did you learn?
18. [For HOD/Discom Teachers] How are the Discom and RP team chosen?
19. How is it like working with the OMs and Discom? Any difference in styles?

DISCIPLINARY SYSTEM

1. What's the disciplinary framework like?
2. Is there a procedure where cases get referred upwards?
3. What do you think of the RP forms?
4. How is RP form different from what schools used to do in the past—reflection classes?
5. What powers do prefects have?
6. What sort of monitoring system is there pertaining to the RP forms?

PERCEPTION OF RP

1. Different people perceive and explain RP differently. How would you describe or explain RP to a layman? Any changes in the way you have come to see RP?
2. How does RP work? What are its goals?
3. How would you know if RP is successful or not?
4. Vinegrad has spoken about RP as being a 'culture'. What do you think he meant by that?
5. How do you know if RP has become a culture in your school?
6. What would a RP school or classroom look like? And where is the school now, from the scale of 1-5? What else would it take for you or the school to get to 5?
7. How do you tell if students are sincere when you do RP with them?
8. Before RP was introduced, how were cases handled?
9. How did you handle students before RP was introduced?
10. How is RP similar and different from what you learnt from the teachers' trainee school with regards to pupil management?
11. Is RP for everyone?
12. Is RP used to address conflicts between students, or conflicts between students and teachers more?
13. Do you agree with the statement—"Some students are just beyond RP." Why?
14. Do you use RP all the time? How often do you use RP? How do you decide when to use RP? Why?
15. Can you give me an example of a time when RP went well, and another example where it didn't?
16. Do you use RP more with certain age group, or certain stream of students? If so, why?

CANING AND PUNISHMENT

1. What do the words 'discipline' and 'punishment' mean to you?
2. What's the main form of punishment here?
3. Must discipline come with punishment?
4. Is RP a punishment? How is RP related to punishment?
5. When you are punishing a student, are you still doing RP?
6. What's the purpose of asking students to choose their 'consequences'?
7. What's the difference between 'consequence' and 'punishment'?
8. Is it important to tie the 'consequence' or 'punishment' back to the offence? I saw many students wrote 'I'll write lines' on their RP forms.
9. [To *Bluebell* teachers] Do Discom members always patrol with a cane? When did this system start? Why?
10. Do you think caning should be retained, even though the school has embarked on RP? Why?
11. [HOD/Discom Teachers] What is it like for you when you have to cane a student?
12. Do you cane your own children, if you have any?
13. How is caning and RP related?
14. Isn't caning the easier way out for some students? Since they are used to it and caning doesn't take much time/effort?

RP AMONG THE STAFF

1. How's the working environment here?
2. Do your bosses practise RP with you too? Give examples.
3. [HOD] Do you *do* RP with your subordinates?

4. [HOD] How do schools 'discipline' teachers? For example, what happens if teachers themselves are late, or if they are under-performing?

<u>INFLUENCE OF RP ON PERSONAL LIFE</u>

1. How has RP changed your life?
2. Have you ever shared with your non-teachers-friends or family what RP is? What do you tell them? How did they respond?
3. How do you resolve conflicts and issues at home?

<u>*FOR THOSE WHO HAD ATTENDED CIRCLES/CONFERENCES BEFORE</u>

1. When was it held? Why was it held? How often are these conducted?
2. What was the atmosphere like?
3. Were participants able to speak freely? How could you tell?
4. How were the students like during the circle/conference?
5. What do you think of the participants?
6. Were apologies made? Was it sincere? How could you tell?
7. Is there anything relating to the school or RP that I might have missed out? Or is there anything else that you wish to ask or tell me?

BACKGROUND

1. How long have you been in this industry?
2. How long have you been a principal?
3. What were your initial expectations of this role?
4. What was the school like when you first came in?
5. Describe your typical day at work.

EXPECTATIONS OF TEACHERS AND STUDENTS

1. What do you expect from your teachers? What are the must-dos/deliverables?
2. What qualities should teachers have?
3. How are teachers assessed at work?
4. How do you assess a teacher where RP is concern?
5. What do you expect from your students?
6. Have your expectations changed over the years?

IMPLEMENTATION ISSUES

1. What was the school like when you decided to embark on RP?
2. What characteristics of school made it easy to implement RP?
3. What characteristics of school made it difficult to implement RP?
4. On hindsight, do you think there any kind of conditions that must first exist before a school implement RP?
5. Why did you decide to use RP?
6. Was there any particular offence(s) that you had wanted to address?
7. What was your first impression of RP? Has it changed?
8. How big of a role did you play in shaping the adaptation of RP in your school?
9. Did the school made any mistakes along the way?
10. Was there anything you wished you had known or have done earlier from the start?
11. How has RP affected the school?
12. Why did RP take the form it has now?
13. What have you encouraged your teachers to do more of, and to refrain from?
14. Do you think anyone can practise RP? Wouldn't teachers' personality or their EQ and moods affect their practice?

RP AND DISCIPLINE

1. How would you explain what RP is to a layman?
2. What are its main goals? What is its ultimate goal?
3. If the ultimate goal is to build relationship, why do you think that teachers say that RP is easier, or better for Express stream students?
4. How is RP different from what the school has done in the past?
5. What are the 'must-dos' in the practice of RP?
6. What are the 'must-not-dos' in the practice of RP?
7. What does a RP moment look like?
8. When are you doing RP?

9. What does 'discipline' mean for you?
10. What's the relationship between RP and 'discipline'?
11. What is your direction where discipline is concern?
12. Why is the DM in-charge of advocating RP, and not the HOD in charge of Pupil Welfare?
13. Can you give me an example of an occasion where RP went well?
14. Can you give me an example of an occasion where RP didn't go well?
15. What sort of cases gets referred to you?
16. How do you handle criminal cases?

RP AND PUNISHMENT

1. How would you define 'punishment'?
2. What's the relation between RP and Punishment?
3. Must discipline come with punishment?
4. Is RP a punishment?
5. When you are punishing a student, are you still doing RP?
6. What's the purpose of asking students to choose their 'consequences'?
7. What's the difference between 'consequence' and 'punishment'?
8. Is it important to tie the 'consequence' or 'punishment' back to the offence? I saw many students wrote 'I'll write lines' on their RP forms.
9. How does RP work to reach its goal?
10. How does punishment 'restore'? What is it restoring?
11. Can one do RP in a harsh tone? Or can one do RP with scolding?
12. What does suspension/expulsion/caning relate to RP?
13. I heard that it is really difficult to expel students these days. Is it true? What is the Ministry's stand on caning and expulsions?
14. What's the relationship between caning and RP?
15. Should we ever give up the cane?
16. What's the purpose in retaining the cane?
17. Why is caning carried out in private?

RP WITH STAFF

1. How many percent of your staff are relating with students in the manner you would like them to be?
2. How many percent of your HODs are walking the talk?
3. Do you do RP with your staff?
4. What happens when your staff commits a disciplinary blunder? Any examples?

VISION OF A RP SCHOOL

1. What does a RP school look like?
2. Where is the school now? What else needs to happen to realise your vision?
3. What are the obstacles to realising your vision?
4. What is a 'whole school approach'?
5. How does one have a 'whole school' approach and yet teachers are given the discretion on how and when to do RP?
6. How has demands or directions from the Ministry helped or impeded the realisation of your ideal of a RP school?
7. Does the Ministry itself walk the talk too? Do they behave in a way that suggests that it practises RP too?

BACKGROUND

1. What is your background? What sort of job experience and training do you have?

QUESTIONS FOR VINEGRAD IN PARTICULAR

1. How did you get rope in to conduct RP training in the two Singapore schools?
2. Why do you think they decided to embark on an RP journey?
3. What impression did you have of Singapore and of the Education Ministry when you were first approached to conduct training? Has this impression changed?
4. From your contact with the Ministry, how do you perceive their understanding and enthusiasm towards RP?

QUESTIONS ON RJ/RP

1. What got you started on RJ?
2. How would you explain what RJ is to a layman?
3. How does RJ work?
4. What are the aims of RP? What is the most important goal?
5. How should we measure success?
6. Before RJ, how did you use to help teachers/students/clients?
7. What are the non-negotiables in the adaptation process?
8. What are the must-dos or the core characteristic of RP?
9. What must one refrain from doing or saying when practicing RP?
10. What is the relationship between RP and Punishment?
11. What do you think of the retaining of caning in Singapore schools?
12. What type of cases can RP address?
13. Some schools utilise a RP script. It appears that some teachers have been merely handing the RP form to the students for them to fill in, or some teachers found it difficult to interact with the students using the script as "politically-correct" answers were given. What advice would you give schools in such cases?

RP TRAINING

1. Describe a typical training session. Is there a 'typical' training session?
2. What were you expected to deliver during trainings?
3. How would you customise the training packages accordingly to the clients' needs?
4. [For Vinegrad] How is the training for the two schools different?
5. [For Vinegrad] What do you notice about the environment between these two schools that might have shaped the way in which RP was implemented?
6. What issues were raised during the training?
7. What went well during the training?
8. What do you need to know about the organisation in order to prepare for your training?
9. What should schools take note of in their implementation processes?
10. Is there anything characteristic of schools in particular that makes the RP process in schools different from RP as practised in other contexts?
11. When clients approach you for RP training, what did they want out of it?

12. Can anyone be trained to do RP?
13. Are the schools ready for RP? How do you know when one is ready?
14. [To local trainers] Is there anything characteristic about Singapore in general that have influenced the way one might do RP differently here?

INFLUENCE OF RP ON PERSONAL LIFE

1. How have you changed in your work before and after your exposure to RJ?
2. How have you changed personally?
3. Is there any question that I ought to have asked but I have missed out?

SAMPLE OF *BLUEBELL SECONDARY'S* RP FORM

1	**WHAT HAPPENED?** The teacher accused me of talking two times when I didn't during a literature common test. I told her I didn't talk at all. & She asked me to shut up. I said it was my mouth. She asked me to get out. I pushed my table hardly and left the class. I asked her to "watch out".
2	**WHAT WERE YOU THINKING AT THE TIME?** I was th trying to find things to say so that she will know that I am not afraid of her.
3	**WHAT HAVE YOU THOUGHT OF SINCE?** Why am I the one picked when the people around me look more obvious talking. in
4	**WHO HAS BEEN HARMED OR AFFECTED?** Most of the class and the teacher.
5	**HOW WERE THEY AFFECTED?** The might have been interrupped while doing their test.
6	**WHAT NEEDS TO HAPPEN TO REPAIR THE HARM OR MAKE THINGS RIGHT?** An apology is needed.
7	**HOW CAN WE PREVENT IT FROM HAPPENING AGAIN?** Ignore the teacher when she wrong you nextime.

Conducted by:_____

SAMPLE OF *ORCHID SECONDARY*'S RP FORM

Self-Reflection & Plan

Name: _____ ( ) Class: _____

Date: _____

1. What did you do?

_____

_____

2. What were you thinking about when you did that?

_____

_____

3. What have you thought about since it happened?

_____

_____

_____

4. Did you do the right thing or the wrong thing?

_____

5. Who has been made to feel sad / angry / bad by your behaviour? How are they affected?

_____

_____

_____

_____

_____

256

6. How can you prevent it from happening again? And what should happen if you do it again?

_____

_____

_____

_____

_____

I understand that I have not been exemplary in my conduct and have reflected on my misdeed. I would rather fix things up as mentioned in (6) than to be dealt with differently by the school. I promise to carry out the actions mentioned in (6) and not repeat the same misdeed again. I promise to be a more responsible and disciplined ▮▮▮▮ and not affect people by doing the wrong things.

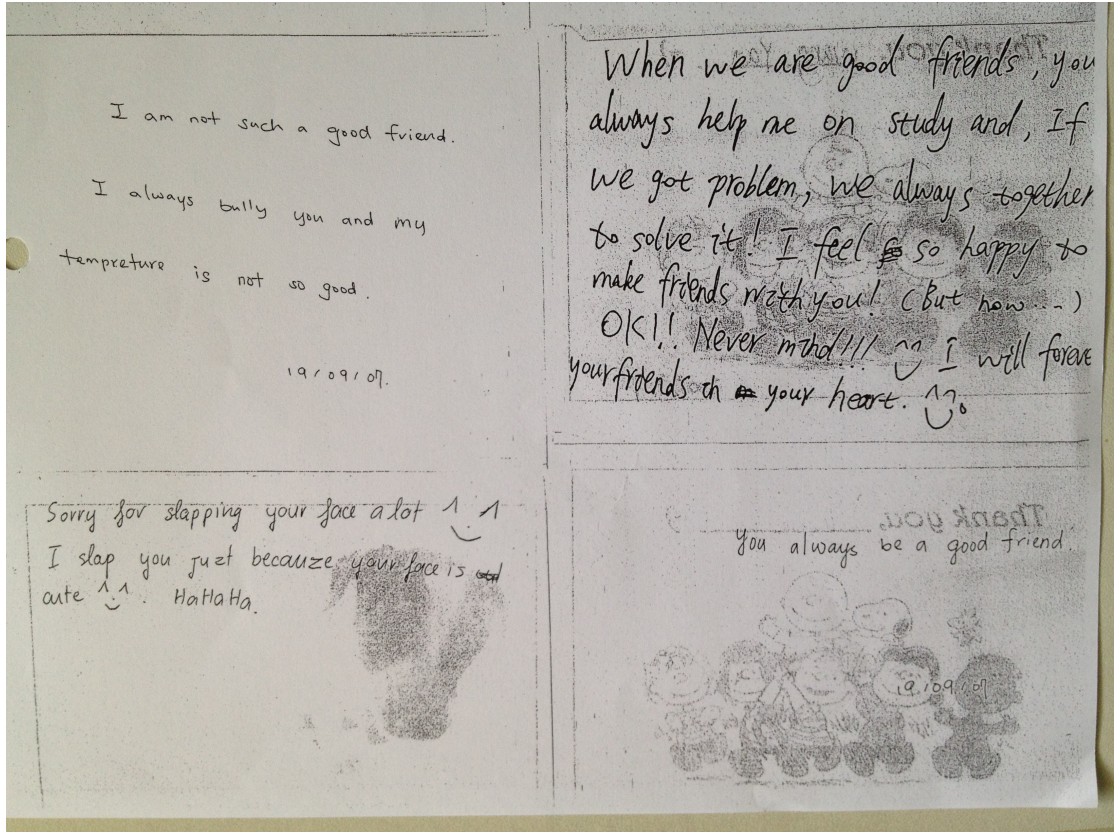Student's Signature _____   Date:_____

Remarks / Comments

_____

_____

_____

_____

Handled by: _____

APPENDIX L

RP SCRIPT ON A FOOLSCAP PAPER

When I was in English class I have make noise and make joke. When I am doing joke I don't even care what the teacher is teaching and I don't feel any concescent it like fun make the class laugh. But the teacher has warn me alot of time even thought I am irratating. I think I have done it wrong. I promise next lesson I will not irratating the teacher and don't make joke in class. I should have some manners when the teacher is teaching.

If I break the school rule I should just get 1 canned the stroke or swap the floor.

I will wear yellow vat and picked my litter after school for 3hrs 1 plastic bag full.

This will applig to all class situation

258

SAMPLE OF CARDS EXCHANGED DURING CIRCLE TIME

I am not such a good friend.

I always bully you and my temprature is not so good.

19/09/07.

When we are good friends, you always help me on study and, If we got problem, we always together to solve it! I feel so happy to make friends with you! (But now...) OK!! Never mind!!! I will foreve your friends in your heart.

Sorry for slapping your face a lot ^.^ I slap you just because your face is so cute ^.^. HaHaHa.

Thank you.

You always be a good friend.

259

BIBLIOGRAPHY

AFP News. (2 Dec 2012). "Singapore To Deport Chinese Bus Drivers in Strike." Byline by Bhavan Jaipragas. http://sg.news.yahoo.com/singapore-deport-chinese-bus-drivers-strike-135807638.html (Accessed 23 March 2013).

_____. (22 March 2013). "Chinese Workers Jailed For High-rise Demo in Singapore." http://sg.news.yahoo.com/chinese-workers-jailed-high-rise-demo-singapore-160821009.html (Accessed 23 March 2013).

Anleu, S.L.R. (2010). *Law & Social Change* (2nd ed.) London, Los Angeles: Sage Publications.

Archard, D. (1993). *Children: Rights And Childhood.* London: Routledge.

Aries, P. (1962). *Centuries Of Childhood.* London: Cape.

Ashworth, A. (2000). "Victims' Rights, Defendants' rights And Criminal Procedure." In Crawford, A. & Goodey, J. (eds.) *Integrating A Victim Perspective Within Criminal Justice.* Aldershot: Ashgate Dartmouth.

Australian Institute of Criminology. *Reintegrative Shaming Experiments (RISE).* http://www.aic.gov.au/criminal_justice_system/rjustice/rise.html (Accessed 7 Jan 2014).

Austin, T.W. (1989). *"Crime and Control."* In Kernial Singh Sandhu, Paul Wheatley (eds.) *Management of Success: the Moulding of Modern Singapore.* Singapore: Institute of South East Asian Studies.

Baillie, J. (2009) *Power, Authority and Restorative Practices.* Restorative Practices, Restorative Justice Online E-Forum. 2 April 2009. http://www.iirp.org/pdf/power&authority.pdf

Barr, M.D. (2000). *Lee Kuan Yew: The beliefs behind the man.* Nordic Institute of Asian Studies Monograph Series, No. 85. UK: Biddles Ltd. Guildford & King's Lynn.

Bassett, R., Beagen, B.L., Ristovski-Slijepcevic, S., Chapman, G.W. (2008). "Tough Teens: The Methodological Challenges of Interviewing Teenagers as Research Participants." In *Journal of Adolescent Research.* Vol. 23:119.

Bazemore, G., & O'Brien, S. (2002) "The Quest for a Restorative Model of Rehabilitation: Theory-for-Practice and Practice-for-Theory" in Walgrave, L. (ed.) *Restorative Justice and the Law.* (Cullompton, Willan).

BBC. (4 Jan 2012). "Top Singapore Ministers Face Pay Cuts Of Up To 51%." http://www.bbc.co.uk/news/world-asia-16404935 (Accessed 10 Jan 2012).

Beck, U. (1992) *Risk Society: Towards a New Modernity.* London: Sage.

Becker, H.S. (1973). *Outsiders: Studies In The Sociology Of Deviance.* New York: Free Press.

Bell, D.A. (2006) *Beyond Liberal Democracy: Political thinking for an East Asian Context.* Oxford: Princeton Uni Press.

Bellows, T.J. (1983). "Big Fish, Small Pond." *The Wilson Quarterly.* Vol. 7(5):66-82.

Blood, P. (2007). *Circles and Relational Teaching Framework—Restorative Practices: Working Relationally In The Classroom.* Australia: Circle Speak.

Bolitho, J.J. (2012). "Restorative Justice: The Ideals And Realities of Conferencing For Young People." *Critical Criminology.* Vol. 20:61-78.

Boulton, J., & Mirsky, L. (2006) "Restorative Practices as a Tool for Organisational Change: The Bessels Leigh School." *International Institute for Restorative Practices, E-Forum.* 23rd February 2006. http://fp.enter.net/restorativepractices/besselsleigh.pdf (Accessed 4 Dec 2007)

Braithwaite, J. (2006). "Narrative And 'Compulsory Compassion'. Compulsory Compassion: A Critique of Restorative Justice by Annalise Acorn." *Law & Social Inquiry.* Vol. 31(2): 425-446.

_____. (2002a). "Does Restorative Justice Work?" in Braithwaite, J. *Restorative Justice and Responsive Regulation*, Chapter 3. (Oxford:OUP). Reproduced in Johnstone, J. (Ed.) (2003). *A Restorative Justice Reader*. USA & Canada: Willan Publishing.

_____. (2002b). "Setting Standards for Restorative Justice." *British Journal of Criminology.* Vol. 42:563-577.

_____. (2001). "Youth Development Circles." *Oxford Review of Education.* Vol. 7(2):239-252.

_____. (17th Oct 1996). "Restorative Justice and A Better Future." at the Dorothy J. Killam Memorial Lecture, Dalhousie University. Accessed at *Restorative Justice Online*. http://iirp.org/library/braithwaite.html (Accessed 23 Jan 2007)

_____. (1989) *Crime, Shame and reintegration*. New York, Melbourne, Great Britain: Cambridge University Press.

Braithwaite, J. & Strang, H. (2000) "Connecting Philosophy and Practice" in *Restorative Justice: Philosophy to Practice*. Strang, H. & Braithwaite, J. (eds.) England: Dartmouth Publishing Company Limited.

_____. (2001). "Restorative Justice And Civil Society." In Strange, H., and Braithwaite, J. (eds.) *Restorative Justice And Civil Society*. Cambridge: Cambridge University Press.

Braithwaite, V. (2000). "Values and Restorative Justice in Schools." in Strang, H. & Braithwaite, J. (eds.), *Restorative Justice: Philosophy to Practice.* 2000. England: Dartmouth Publishing Company Limited.

Braithwaite, V., Ahmed, E., Morrison, B. and Reinhart, M. (2003). "Researching the prospects for restorative justice practice in schools: The 'Life at School Survey' 1996-9." in Walgrave, L. (ed.) *Repositioning Restorative Justice*. UK, USA, Canada: Willian Publishing.

Bryan, K. (October 17, 2007). "Rule of Law In Singapore: Independence of the Judiciary and the Legal Profession in Singapore." *Lawyers Rights Watch Canada*. NGO in Special Consultative Status with the Economic and Social Council of the United Nations. *http://www.lrwc.org/documents/LRWC.Rule.of.Law.in.Singapore.17.Oct.07.pdf* (Accessed 11 July 2010)

Calhoun, A. & Daniels, G. (2008). "Accountability In School Responses To Harmful Incidents." *Journal of School Violence*. Vol. 7(4):21-47.

Cameron, L. & Thorsborne, M. (2001) "Restorative Justice and School Discipline: Mutually Exclusive?" in Strang, H. & Braithwaite (eds.). *Restorative Justice and Civil Society*. UK: Cambridge University Press.

Cavadino, M. & Dignan, J. (1997). "Reparation, Retribution, and Rights" *International Review of Victimology*. Vol. 4:233-253. Reproduced in von Hirsch, A. & Ashworth, A. (eds.). (1998) *Principled Sentencing*. Oxford: Hart.

Chan, H.C (1978) "National Identity and Nation Building in Singapore" in Chen P.S.J. & Evers, H. (eds.) *Studies in ASEAN Sociology: Urban Society n Social Change*. Singapore: Chopman Enterprises.

Chan, M. & Yusoff, I. (2007) *Towards a Restorative School: A Singapore Perspective.* Paper presented at the 10th International Institute for Restorative Practices World Conference: "Improving Citizenship and Restoring Community". Budapest, Hungary. November 7-9, 2007.

Channel News Asia. (15 Oct 2012). "Amends to Misuse of Drugs Act to Benefit Cooperative Drug Traffickers." Byline by Ramesh, S. http://www.channelnewsasia.com/stories/singaporelocalnews/view/1231424/1/.html (Accessed 18 Oct 2012).

_____.(5 July 2009). "Singapore Won't Repeal Homosexual Sex Law." Byline by Hoe, Y.N. http://www.channelnewsasia.com/stories/singaporelocalnews/view/440540/1/.html (Accessed 11 July 2009)

_____. (5th Nov 2005). "Movement set up to address problem of school bullies."

_____. (10th Nov 2004). "Schools to Get Full-Time Counsellors to Help Improve Discipline: Tharman."

Chan, S.K. (2000). "Cultural Issues and Crime". *Singapore Academy of Law*. Vol. 12. Paper was presented at the Heads of Prosecution Agencies Prosecution, Fiji, 13-16 October 1999.

_____. (2006) "From Justice Model to Crime Control Model." *International Conference on Crime Justice under Stress: Transnational Perspectives.* New Delhi, India. 24 Nov 2006.

Chan, W.C. (2003). "Victim-Offender Mediation, Making Amends and Restorative Justice in Singapore" in Tatsuya Ota (ed.), *Victims and Criminal Justice: Asian Perspective.* Tokyo: Hogaku-Kenkyu-Kai. Keio University.

Chee, K.T. (2010) *Criminal Procedure Code 2010 Becomes Law*. http://www.lexology.com/library/detail.aspx?g=e1378b50-60d3-41cd-ad91-a3ca5fd580d5 (Accessed 11 July 2010).

Chiew, S.K. (1990) "Nation-building in Singapore: An historical perspective." In Jon S.T. Quah. (ed.) (1990) *In Search of Singapore's National Values*. Institute of Policy Studies, Times Academic Press.

Chkrabarty, D. (2000). Opening Keynote Address. "'Asia' and the Twentieth Century: What is 'Asian Modernity'?" in Kwok, Kian-Woon, Indira Arumugam, Karen Chia, Lee Chee Keng (eds.) *"We Asians" Between Past & Future. A Millenium Regional Conference*. Singapore. 21-23 Feb 2000.

Choi, J.J., Bazemore, G., Gilbert, M.J. (2012). "Review of Research On Victims' Experiences In Restorative Justice: Implications For Youth Justice." *Children And Youth Services Review*. Vol. 34:35-42.

Choi, J.J. & Gilbert, M.J. (2010). "'Joe Everyday, People Off The Street': A Qualitative Study On Mediators' Roles And Skills In Victim-Offender Mediation." *Contemporary Justice Review: Issues in Criminal, Social, And Restorative Justice*. Vol. 13(2): 207-227.

Christie, N. (1977). "Conflicts as Property." *The British Journal of Criminology*. Vol.17:1-15.

Chua, B.H. (2000) in Kwok, Kian-Woon, Indria Arumugam, Karen Chia, Lee Chee-keng (eds). "We Asians" Between Past & Future. *A Millennium Regional Conference*. 21-23 Feb 2000. Singapore.

_____. (2006). "Values and Development in Singapore" in Harrison, L.E. & Berger, P. (eds). *Developing Cultures: Case Studies*. New York, London: Routledge.

CIA *The World Factbook*. https://www.cia.gov/library/publications/the-world-factbook.

Clammer, J. (1985). *Singapore: Ideology, Society, Culture.* Singapore: Chopmen Publishers.

Commonwealth News release. *Commonwealth (Latimer House) Principles on the Three Branches of Government to be launched*, Communications And Public Affairs Division, Commonwealth Secretariat. www.thecommonwealth.org/press/31555/34582/37665/commonwealth__latimer_house_ _principles_on_the_thr.htm (Accessed on 12 July 2010)

Commonwealth (Latimer House) Principles on the Three Branches of Government: Commonwealth Principles on Accountability of and the Relationship between the Three Branches of Government www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7BACC9270A-E929-4AE0-AEF9- 4AAFEC68479C%7D_Latimer%20House%20Booklet%20130504.pdf (Accessed on 12 July 2010)

Cottingham, J. (1979). "Varieties of Retribution". *Philosophical Quarterly*. Vol. 29:238-246. Reprinted in Duff, A. (1993). (ed.) *Punishment*. UK, USA: Dartmouth Publishing Company.

Cragg, W. (1992). *The Practice of Punishment: Towards A Theory of Restorative Justice*. London, New York: Routledge.

Crawford, A. (2003). "'Contractual Governance' of Deviant Behaviour". *Journal of Law And Society*. Vol. 30(4):479-505.

Daly, K. (2000). "Revisiting The Relationship Between Retributive And Restorative Justice." In Strang, H. & Braithwaite, J. (eds.). *Restorative Justice: Philosophy To Practice*. Aldershot: Ashgate.

Danet, B., Hoffamn, K.B., Kermish, N.C. (1980). "Obstacles To The Study Of Lawyer-Client Interaction: The Biography Of A Failure" in *Law & Society Review*, Vol. 14(4): 905-922.

Davey, Les. 2007. *Restorative Practices in Workplaces.* Paper presented at the 10th International Institute for Restorative Practices World Conference. "Improving Citizenship and Restoring Community." Danubius Hotel Flamenco, Budapest, Hungary, 7-9 November 2007. http://www.iirp.org/article_detail.php?article_id=NTg4 (Accessed 29 Nov 2009.)

Dolinko, D. (2011). "Punishment." In Deigh, J. & Dolinko, D. (eds.). *The Oxford Handbook Of Philosophy Of Criminal Law*. Oxford, New York: Oxford University Press.

Drewery, W. (2004). "Conferencing In Schools: Punishment, Restorative Justice, And The Productive Importance Of The Process Of Conversation." *Journal of Community & Applied Social Psychology.* Vol. 14:332-344.

Drewery, W. & Winslade, J. (2003). "Developing Restorative Practices in Schools: Flavour of the Month or Saviour of the Sytem?" Paper presented to the AARE/NZARE Conference, Auckland, New Zealand. www.aare.edu.au/03pap/dre03675.pdf (Accessed 6 June 2013)

Dreikurs, R. and Grey, L. (1968). *A New Approach to Discipline: Logical Consequences.* New York: Hawthorn Books, Inc.

Duff, R.A. (2002) "Restorative Punishment and Punitive Restorative" in Walgrave, L. (Ed.). *Restorative Justice and the Law*. (Cullompton, Devon: Willan). Reproduced in Johnstone, J. (ed.). (2003) *A Restorative Justice Reader*. USA & Canada: Willan.

Duncan, R.E., Drew, S.E., Hodgson, J., Sawyer, S.M. (2009). "Is My Mom Going To Hear This? Methodological And Ethical Challenges in Qualitative Health Research With Young People." In *Social Science & Medicine*. Vol. 69: 1691-1699.

Durkheim, E. (1956) *Education and Sociology.* Glencoe: Free Press.

Dzura, A.W. (2003). "Restorative Justice And Civic Accountability For Punishment." *Polity.* Vol. 36(1):3-22.

Elder, D. & Fingerson, L. (2002). "Interviewing Children and Adolescents" in Gubrium, J.F. & Holstein, J.A (eds.). *Handbook of Interview Research: Context and Methods*. USA: Sage Publications.

Emerson, G. (2 Nov 2006). "But Does Restorative Justice Work?" Presented at the Trinity College Lunchtime Talks, Oxford. Organised by Oxfordshire Restorative Network.

Englehart, N.A. (2000). "Rights And Culture In The Asian Values Argument: The Rise And Fall Of Confucian in Ethics in Singapore." *Human Rights Quarterly*. Vol. 22(2):548-568.

Falls, M.M. (1987). "Retribution, Reciprocity, And Respect For Persons." *Law And Philosophy*. Vol. 6:25-51. Reprinted in Duff, A. (1993). (ed.). *Punishment*. England; USA: Dartmouth Publishing Company.

Feeley, M., Simon, J. (*1992)* "The New Penology: Notes on the Emerging Strategy of Corrections and Its Implications". *Criminology* Vol. 30:449–474.

Fernandez, W. (2004). *Thinking allowed? Politics, Fear and change in Singapore*. Singapore. SNP International.

Fine, M., Weis, L., Weseen, S., Wong, L. (2003) "For Whom? Qualitative Research, Representations, and Social Responsibilities." in Denzin, M.K. & Lincoln, Y.S. (eds.) *The Landscape of Qualitative Research: Theories and Issues*. USA: Sage Publications, Inc.

Forbes. (22nd Feb 2012). "The World's Richest Countries."
http://www.forbes.com/sites/bethgreenfield/2012/02/22/the-worlds-richest-countries/

Foucault, M. (1971) *Madness and Civilisation: A History of Insanity in the Age of Reason.* Tr. By Richard Howard. New York: Vintage.

_____. (1977) *Discipline and Punishment*. Tr. Alan Sheridan. USA: Vintage.

Ganapathy, N. (2002). "Crime and Deviance" in Tong, C.K, Lian, K.F. (eds.) *The Making of Singapore Sociology: Society and State.* Singapore: Times Media Pte Ltd.

_____. (2008) "Criminal Justice Policy: Social Order, Risk and the 'Governmental Project' in *Social Policy in Post-Industrial Singapore.* In Lian, K.F & Tong, C.K (eds.) Brill: Leiden, Boston 2008.

Garland, D. (1985). *Punishment n Welfare: A History of Penal Strategies.* England n USA: Gower Publishing Company Limited.

Garland, D. (1990). *Punishment And Modern Society: A Study In Social Theory*. Oxford: Oxford University Press.

Garvey, S.P. (2011). "Alternatives To Punishment." In Deigh, J. & Dolinko, D. (eds.). *The Oxford Handbook Of Philosophy Of Criminal Law.* Oxford, New York: Oxford University Press.

Gillis, E.K. (2005). *Singapore Civil Society & British Power*. Singapore: Talisman Publishing Ltd.

Goffman, E. (1956). *The Presentation of Self in Everyday Life.* University of Edinburgh. Social Sciences Research Centre. Monograph No. 2.

_____. (1981). *Forms Of Talk.* Philadelphia:University of Pennsylvania Press.

Goh C.T. (1986) *A Nation of Excellence.* Ministry of Communications And Information: Information Division. Lecture at the Alumni International Singapore on Dec 1, 1986.

Goldman, A.H. (1995). "The Paradox of Punishment." In A. John Simmons, Marshall Cohen, Joshua Cohen, Charles R. Beitz. (eds.). *Punishment: A Philosophy and Public Affairs Reader.* New Jersey: Princeton University Press.

Goold, B. (2003). "Restorative Cautioning, Theories of Reintegration, and the Influence of Japanese Notions of Shame.*" Hosei Riron The Journal of Law and Politics, Japan.* Vol. 36(2). http://users.ox.ac.uk/~corp0538/Restorative%20Cautioning%20Article%20for%20Hosei%20Riron.htm (Accessed 30th Jan 2007)

Gollwitzer, M. (2009). "Justice And Revenge". In Oswald, M.E., Bieneck, S., Hupfeld-Heinemann, J. (eds.). *Social Psychology Of Punishment.* Oxford: John Wiley & Sons Ltd.

Gordon, T. (1989). *Teaching Children Self-Discipline…At Home And At School: New Ways for Parents and Teachers to Build Self-control, And Self-esteem, and Self-Reliance.* USA: Times Books.

Greenleaf, R.K. (1977). *Servant Leadership: A Journey Into The Nature of Legitimate Power and Greatness.* USA: Paulist Press.

Gregor, P. (1990). *Aspects of Confucianism: A Study of the Relationship Between Nationality And Humaneness.* Frankfurt; New York : P. Lang.

Gromet, D.M. (2009). "Psychological Perspectives On The Place Of Restorative Justice In Criminal Justice Systems." In Oswald, M.E., Bieneck, S., Hupfeld-Heinemann, J. (eds.). *Social Psychology Of Punishment.* Oxford: John Wiley & Sons Ltd.

Hampton, J. (1995). "The Moral Education Theory Of Punishment." In A. John Simmons, Marshall Cohen, Joshua Cohen, Charles R. Beitz. (eds.). *Punishment: A Philosophy and Public Affairs Reader.* New Jersey: Princeton University Press.

Han, F.K., Fernandez, W. & Tan, S., (1998). *Lee Kuan Yew: the Man and His Ideas.* Singapore: Singapore Press Holdings: Times Editions

Han, S-J. (1999). (ed.). *Changing Values in Asia: Their Impact on Governance and Development.* Singapore: Institute of South East Asian Studies. Tokyo, New York: Japan Centre for International Exchange.

Henslin, J.M. (1992). "Centuries of Childhood." In Henslin, J.M. (ed.). *Marriage And Family In A Changing History.* (4th Ed.). New York: Free Press.

Hill, M. & Lian, K.F. (1995). *The Politics of Nation Building and Citizenship in Singapore.* London, USA, Canada: Routledge.

Ho K.L. (2003). (2nd ed.) *Shared Responsibilities, Unshared Power: the Politics of Policy-making in Singapore.* Singapore: Times Media Pte Ltd. Eastern Universities Press.

Ho, L-C., Sim, J. B-Y., Alviar-Martin, T. (2011). "Interrogating Differentiated Citizenship Education: Students' Perceptions of Democracy, Rights And Governance In Two Singapore Schools." *Education, Citizenship And Social Justice.* Vol 6(3):265-576.

Ho, W.M. (1989). "Values Premises Underlying The Transformation of Singapore." In Kernial Singh Sandhu, Paul Wheatley (Eds.) *Management of Success: the Moulding of Modern Singapore.* Singapore: Institute of South East Asian Studies.

Hor, M. (2000). "Singapore's Innovations to Due Process." Paper presented at the International society for the reform of criminal law's conference on human rights n the administration of criminal justice, Dec 2000, Johannesburg.

Hosoi, Y. & Nishimura, H. (1999). *The Role of apology in the Japanese Criminal Justice System*. Paper Presented At "The Restoration for Victims of Crime Conference", Melbourne, 1999 9-10 September.

Hoyle, C. (2002). *Securing Restorative Justice for the 'Non-Participating' Victim* In, Carolyn Hoyle and Richard Young, (eds.), *New Visions of Crime Victims*. Oxford: Hart Publishing.

Huang, H-S. (2011). *A Contradiction And An Alliance Among Restorative Justice Theories, Feminism And Confucianism: From Taiwan's Experience.* Paper Presented At "Asian Criminological Society 3rd Annual Conference", Taipei, Taiwan, 16-19 December.

Huang, H-S & Chang, L. Y-C. (2013). "Evaluating Restorative Justice Programs in Taiwan." *Asian Criminology*. Vol. 8:287-307.

Hudson, B. (1998). "Restorative Justice: the Challenge of Sexual and Racial Violence" in *Journal of Law and Society*, Vol. 25(2):237-56.

Jarvie, I.C. & Agassi, J. (1987). "A Study In Westernization." In Agassi, J. & Jarvie, I.C. (Eds). *Rationality: The Critical View*. Netherlands: Martinns Nijhoff Publishers.

Jenks, C. (1996). *Childhood.* Great Britain: Routledge.

Jenk, C. (2005) *Culture*. (2nd ed.). London & New York: Routledge.

Johnstone, G. (Ed). (2003) *A Restorative Justice Reader: Texts, Sources, Context*. USA & Canada: Willan Publishing.

Johnstone, J. & Van Ness (eds.), 2007. *Handbook of Restorative Justice*. USA & Canada: Willan Publishing.

Kane, J., Lloyd, G., Weedon, E. (2007) *Restorative Practices in Three Scottish Councils: Final Report of the Evaluation of the First Two Years of the Pilot Projects 2004-2006.* An Evaluation Funded by the Scottish Executive. www.scotland.gov/uk/resource/doc/196078/0052553.pdf (Accessed 4th Dec 2007)

Karp, D.R. & Breslin, B. (2001). "Restorative Justice in School Communities" in *Youth Society* 2001, Vol 3:249. SAGE Publications.

Karstedt, S. (2007). "Explorations Into The Sociology Of Criminal Justice And Punishment: Leaving The Modernist Project Behind." In *History of the Human Sciences.* Vol. 20(2):51-70.

Keyton, J. & Frey, L.R. (2002). "The State Of Traits: Predispositions And Group Communication." In Frey, L.R. (Ed.). *New Directions In Group Communication.* London: Sage Publications.

Kitcher, P. (2009). "Education, Democracy, And Capitalism." In Seigel, H. (ed.) *The Oxford Handbook of Education*. UK: Oxford University Press.

Koh, K.L, Clarkson, C.M.V. & Morgan, N.A (1989) *Criminal Law in Singapore & Malaysia: Text & Materials.* Singapore: Malayan Law Journal.

Koh, T. (1998). *The Quest for World Order*: *Perspectives of a Pragmatist Idealist.* Institute of Policy Studies. Times: Academic Press.

Langlois, A.J. (2001) *The Politics of Justice and Human Rights: Southeast Asia and Universalist Theory.* U.K.: Cambridge University Press.

Lau, A.S., Takeuchi, D.T. & Algeria, M. (2006). "Parent-To-Child Aggression Among Asian American Parents: Culture, Context, And Vulnerability." *Journal of Marriage And Family*. Vol. 68(5):1261-1275.

Lee, Kuan-Yew. (1998) *The Singapore Story: Memoirs of Lee Kuan Yew*. Times Editions Pte Ltd. Singapore: Singapore Press Holding.

_____. (2000). *From Third World to First: The Singapore Story 1965-2000. Memoirs of Lee Kuan Yew.* Singapore: Singapore Press Holdings & Marshall Cavendish Editions.

Lee, B.H. (1989). "The Bureaucracy." In Kernial Singh Sandhu & Paul Wheatley (eds.). *Management of success: The Moulding of Modern Singapore.* Singapore: Institute of South East Asian Studies.

Lee, J. & Teh, H.H. (2009) (eds.). *An Asian Perspective on Mediation.* Singapore Academy of Law. Monograph Series.

Lemert, C. & Branaman, A. (1997). *The Goffman Reader.* Cambridge: Blackwell Publishers.

Lian, K.F. (2008) "Is There A Social Policy in Singapore?" in Lian, K.F & Tong, C.K. (eds.) *Social Policy in Post-Industrial Singapore.* Boston: Brill:Leiden.

Lim, CT. (2004). "The Confucian Tradition And Its Future in Singapore: Historical, Cultural and Educational Perspectives." in Young, M.C. (ed.). *Asian Traditions and Modernization: Perspectives from Singapore*. Singapore Eastern Universities Press: Marshall Cavendish.

Mascini, P. & Houtman, D. (2006) "Rehabilitation and Repression: Reassessing their Ideological Embeddedness" in *British Journal of Criminology*. Vol 46:822-836.

Magnus, R., Lim Hui-Min, Mesenas, M.L., Thean, V. (eds). (2003) *Rebuilding Lives, Restoring Relationships: Juvenile Justice and Community.* Joint Publication by the Subordinate Courts & Ministry of Community Development and Sports. Singapore, London, New York, Beijing, Shanghai, Bangkok, Kuala Lumpur: Eastern Universities Press; Times Media Pte Ltd.

Marshall, J.D. (1996) *Michel Foucault: Personal Autonomy And Education.* Dordrecht ; Boston : Kluwer Academic Publishers.

Marshall, T.F. (1999) *Restorative Justice: an Overview.* Accessed at the *Home Office* website. http://www.homeoffice.gov.uk/rds/pdfs/occ-resjus.pdf (Accessed 23rd Jan 2007)

Martin, L.H., Gutman, H., & Hutton, P.H. (eds.) (1998). *Technologies of the Self.* Amhertst: University of Massachusetts Press.

Mathiesen, T. (2000). *Prison on Trial.* (2nd ed.). UK: Waterside Press.

Matteson, S.M. & Lincoln, Y.S. (2009). "Using Mutiple Interviewers in Qualitative Research Studies: The Influence of Ethic of Care Behaviors in Research Interview Settings." In *Qualitative Inquiry.* Vol. 15(4). Sage Publications.

Maxwell, G. & Morris, A. (2002). "The Role of Shame, Guilt & Remorse in Restorative Justice Processes for Young People" in Weithamp, E.G.M & Kerner, H.J (eds). *Restorative Justice: Theoretical Foundations.* Devon: Willan Publishing.

McCarthy, S. (2006). *The Political Theory of Tyranny in Singapore & Burma: Aristole n the Rhetoric of Benevolent Despotism.* Oxford, USA, Canada:Routledge.

McCluskey, G., Lloyd, G., Kane, J., Riddell, S., Stead, J., & Weebon, E. (2008). "Can Restorative Practices In Schools Make A Difference?" *Educational Review.* Vol. 60(4):405-417.

McCluskey, G., Lloyd, G., Stead, J., Kane, J., Riddell, S. & Weedon, E. (2008) "'I Was Dead Restorative Today': From Restorative Justice To Restorative Approaches In School." *Cambridge Journal of Education.* Vol. 38(2):199-216.

Ministry of Justice, New Zealand. (2003). *Summary of Submissions on Draft Principles of Best Practice For Restorative Justice Processes in the Criminal Court.* http://www.justice.govt.nz/publications/publications-archived/2003/summary-of-submissions-on-draft-principles-of-best-practice-for-restorative-justice-processes-in-the-criminal-court-october-2003/part-2-draft-principles-of-best-practice (Accessed 7 April 2012).

Mirsky, L. (2003). "Safersanerschools: Transforming School Culture with Restorative Practices." *International Institute for Restorative Practices, E-Forum.* 20 May, 2003. http://fp.enter.net/restorativepractices/ssspilots.pdf (Accessed 4 Dec 2007).

_____. (2002). *A Day at a CSF Buxmont School.* Restorative Practices E-Forum. 8Nov 2002. www.restorativepractices.org (Accessed 4 Dec 2007).

Merriam-Webster Online Dictionary. http://www.m-w.com

Mohamed Rizal Bin Salleh. (2009). The *'Thin(ning) blue line': Interrogating Cop-culture in the Singapore Police Force.* National University of Singapore, Department of Sociology. Academic Exercise.

Morrison, B. (2001). "The School System: Developing its Capacity in the Regulation of a Civil Society" in Strang, H. & Braithwaite, J. (eds.), *Restorative Justice and Civil Society.* UK: Cambridge University Press.

Morrison, B., Blood, P., & Thorsborne, M. (2005). "Practicing Restorative Justice in School Communities: The Challenge of Culture Change." *Public Organization Review: A Global Journal.* Vol. 5:335-357.

Morrison, B.E. & Vaandering, D. (2012) "Restorative Justice: Pedagogy, Praxis, And Discipline." *Journal of School Violence.* Vol. 11(2): 138-155.

Morris, H. (1981). "A Paternalistic Theory Of Punishment." *American Philosophical Quarterly.* Vol. 18(4):263-271. Reprinted in Duff, A. (1993). (ed.). *Punishment.* England; USA: Dartmouth Publishing Company.

Morris, A. & Maxwell, G. (1998) "Restorative Justice in New Zealand: Family Group Conferences as a Case Study" in *Western Criminology Review* 1(1). http://wcr.sonoma.edu/v1n1/morris.html. (Accessed 8 April 2011).

Munice, J. (1999). *Youth And Crime.* London:Sage.

Ng, C.C. (1997). *Understanding Singapore's Political History.* National University of Singapore. Department of Sociology. Academic Exercise.

Ng, M. (1987). "Is Face The Same As Li?" in Agassi, J. & Jarvie, I.C. (Eds). *Rationality: The Critical View.* Netherlands: Martinns Nijhoff Publishers.

Neuman, L.W. (1997). *Social Research Methods: Qualitative and Quantitative Approaches.* (3rd ed.). Boston: Allyn & Bacon.

_____. (2004). *Basics of Social Research: Qualitative and Quantitative Approaches.* USA: Pearson Education Inc.

New York Times. (June 21 1987). "Singapore Is Holding 12 in 'Marxist Conspiracy'. Byline by Barbara Crossette. http://www.nytimes.com/1987/06/21/world/singapore-is-holding-12-in-marxist-conspiracy.html (Accessed 9 Oct 2010).

Ng, T. (2003). "Changes in Political Participation of Citizens and Civil Society, Rebuilding Trust for Social Engagement." In Yap, M.T. (ed.). *Singapore Perspectives, 2003.* Singapore: Eastern University Press, Vine Graphic Pte Ltd.

Nino, C.S. (1995). "A Consensual Theory Of Punishment." In Simmons, A.J., Cohen, M., Cohen, J. & Beitz, C.R. (eds.). *Punishment: A Philosophy And Public Affairs Reader.* New Jersey: Princeton University Press.

Ozawa, J.P. (2002). "Transformative Justice: Psychological Services in the Criminal, Family, and Juvenile Justice Centres of the Subordinate Courts of Singapore." In *Applied Psychology: An International Review.* 51 (2): 218-235.

_____. (2003). "The Family and Juvenile Justice Centre." In *Rebuilding Lives, Restoring relationships: Juvenile Justice and the Community*. Magnus, R., Lim, H.M., Mesenas, M.L., Thean, V. (eds.) A Joint Publication by the Subordinate Courts & Ministry of Community Development and Sports. Singapore: Eastern Universities Press.

Parliamentary Elections Act. Chapter 218. Singapore Statutes Online.

Parsons, T. (1951) *The Social System.* London: Routledge & Kegan Paul.

Phang, A.B.L. (1990) *The Development of Singapore Law: Historical and Socio-legal Perspectives.* Singapore: Butterworths.

Philemon, R. (20 May 2009). "The Marxist Conspiracy—Not Forgetting the Evil Things That Have Already Been Done!" http://theonlinecitizen.com/2009/05/the-marxist-conspiracy-not-forgetting-the-evil-things-that-have-already-been-done/ (Accessed 11 July 2010).

Pranis, K. (2007) "Restorative Values" Republished in Johnstone, J. & Van Ness (eds.) . *Handbook of Restorative Justice*. USA & Canada: Willan Publishing.

Prichard, J. (2002) "Parent-Child Dynamics in Community Conferences-Some Questions for Reintegrative Shaming, Practice, and Restorative Justice". *Australian and New Zealand Journal of Criminology*. Vol. 35(3):330-346.

Primoratz, I. (1989). "Punishment As Language." *Philosophy*, Vol. 64:187-205. Republished in Duff, A. (1993). *Punishment.* England, USA: Darthmouth Publishing Company.

Quah, J.S.T. (1997). *Singapore's Model of Development: Is It Transferable?* National University of Singapore. Political Science Department, Working Papers No. 13.

Quah, S.T. & Quah, S. (1989) "The Limits of Government Intervention" in Sandhu K.S. & Wheatley, P (eds.) *Management of Success: the Moulding of Modern Singapore*. Institute of South East Asian Studies. Singapore. Chapter 5.

Quinn, M. (2002). *Qualitative Research Methods & Evaluation Methods*. (3rd ed.) USA: Sage Publications.

Rajah, J. (2011). "Punishing Bodies, Securing the Nation: How Rule Of Law Can Legitimate The Urban Authoritarian State." *Law & Social Inquiry*. Vol. 36(4):945-970.

Restorative Justice Online. Prison Fellowship International. Centre for Justice and Reconciliation. http://www.restorativejustice.org

Richards, K. (2011). "Restorative Justice And 'Empowerment': Producing And Governing Active Subjects Through 'Empowering' Practices." *Critical Criminology*. Vol 19:91-105.

Rigby, K. "Addressing Bullying in Schools: Theoretical Perspectives and their Implications." in *School Psychology International*. 2004. Vol. 25: 287-300.

Rousmaniere, K. (1994). "Losing Patience And Staying Professional: Women Teachers And The Problem of Classroom Discipline In New York City Schools In The 1920s." *History of Education Quarterly*. Vol. 34(1): 49-68.

Rosemont, H.J. (2006). "Two Loci of Authority: Autonomous Individuals And Related Person." In Hershock, P.T. & Ames, R.T. (eds.). *Confucian Cultures of Authority*. USA: State University of New York Press.

Rugge, T., Bonta, J., Wallace-Capretta, S. (2005). *Evaluation of the Collaborative Justice Project: A Restorative Justice Program for Serious Crime*. Ministry of Public Safety and Emergency. Canada.

Saarsteiner, N. (2009). "Questions of Punishment & Society: What Can Durkheimian Theories Contribute to the Debate?" in *Social & Political Review*. Vol. 14:13-21. Trinity College Dublin.

Scott, G.R. (1950). *The History Of Corporal Punishment: A Survey Of Flagellation In Its Historical, Anthropological And Sociological Aspects*. London: Torch Stream Books.

Sebastian. L.C. (1999) "Values and Governance Issues in the Foreign Policy of Singapore." In Han, S.J. (ed.) *Changing Values in Asia: Their Impact on Governance and Development*. Singapore: Singapore Institute of South East Asian Studies. Tokyo, New York: Japan Centre for International Exchange.

Seow, F. (2002) *'Marxist Conspiracy' Anniversary Remembered* http://www.singapore-window.org/sw02/020521fs.htm (Accessed 20 May 2011).

Scheff, T.J. (1992). "Rationality And Emotion: Homage to Nobert Elias." In Coleman, J.S. & Farara, T.J. (eds.). *Rational Choice Theory: Advocacy & Critique*. Newbury Park: Sage Publications

Schroeder, R. (1992). "The Iron Cage of Modern Rationalism". In *Max Weber And The Sociology Of Culture*. London; Newbury Park; New Delhi: Sage Publications.

Sedition Act 1964. Chapter 290. Singapore Statutes Online.

Seigel, H. (ed.) (2009). *The Oxford Handbook of Education*. UK: Oxford University Press.

Shanmugaratnam, T. (10 Nov 2004). Minister of Education. Opening Address At the *STU Win-Win Discipline Symposium*. *http://www.moe.gov.sg/media/speeches/2004/sp20041110.htm* (Accessed 24 October 2014).

Shapland, J., Atkinson, A., Atkinson, H., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G., Sorsby, A. (2006). "Situating Restorative Justice Within Criminal Justice." *Theoretical Criminology*. Vol. 10(4):505-532.

Shapland, J., Atikinson, A., Atkinson, H., Dignan, J., Edwards, L., Hibbert, J., Howes, M., Johnstone, J., Robinson, G., Sorsby, A. (2008). *Does Restorative Justice Affect Reconviction? The Fourth Report From the Evaluation of Three Schemes*. Ministry of Justice Research Series 10/08.

Shaw, G. (2007). "Restorative Practices in Australian Schools: Changing Relationships, Changing Culture." *Conflict Resolution Quarterly*. Vol. 25(1):127-135.

Sherman, L., Strang, H., Woods, D. (2000) *Recidivism Patterns in the Canberra Reintegrative Shaming Experiment (RISE)*. Centre for Restorative Justice, Research School of Social Sciences, Institute of Advanced Studies, Australian National University, Canberra. http://www.aic.gov.au/rjustice/rise/recidivism/report.pdf (Accessed 1 Feb 2007)

Sidambaram, S. (Undated). *The Role Of Police, Prosecution And The Judiciary In The Changing Society—The Singapore Approach.* Singapore: Subordinate Courts. *app.subcourts.gov.sg/Data/Files/File/.../RoleInChangingSociety.pdf (Accessed 1 August 2012).*

Siddique. S. (1989). "Singaporean Identity". In Kernial Singh Sandhu, Paul Wheatley (eds.) *Management of Success: the Moulding of Modern Singapore.* Singapore: Institute of South East Asian Studies.

Singapore Department of Statistics. (2010). *Census of Population: Geographic Distribution and Transport.* Statistical Release No. 3. http://www.singstat.gov.sg/publications/publications_and_papers/cop2010/census_2010_ release3/cop2010sr3.pdf (Accessed 24 Oct 2014).

_____. (Undated). *Times Series on Population.* http://www.singstat.gov.sg/stats/themes/people/hist/popn.html (Accessed 12 Oct 2012).

Shu, J. (2010). "Return Of The Ghost—To Discipline Or/And To Teach?" *Asia Pacific Journal of Education*. Vol. 30(1):105-120.

Sim, J. B-Y. (2012). "The Burden Of Responsibility: Elite Students' Understandings Of Civic Participation In Singapore." *Educational Review*. Vol. 42(2):195-210.

_____. (2011). "Social Studies And Citizenship For Participation In Singapore: How One State Seeks To Influence Its Citizens." *Oxford Review of Education*. Vol 37(6): 743-761.

Sim, J. B-Y & Print, M. (2009). "The State, Teachers And Citizenship Education In Singapore Schools." *British Journal Of Educational Studies*. Vol. 57(4):380-399.

Sim, T.N. & Ong, L.P. (2005). "Parent Physical Punishment And Child Aggression In A Singapore Chinese Preschool Sample." *Journal of Marriage And Family*. Vol. 67(1):85-99.

Singapore Education. http://www.singaporeedu.gov.sg/htm/stu/stu01.htm

Singapore Online Portal. http://www.sg

Singh, B. (1992). "A Small State's Quest for Security: Operationalizing Deterrence in Singapore's Strategic Thinking" in Ban Kah Choon, Anne Pakir, Tong Chee Kiong (eds.) *Imaging Singapore* Singapore: Times Academic Press.

Singlish. (n.d.). In *Wikipedia*. http://en.wikipedia.org/wiki/Singlish (Accessed 10 August, 2011).

Singapore Subordinate Courts. (Nov 1998). Research Bulletin Issue No. 16. "An Update of the Impact of Family Conferencing on Juvenile Offenders and their Families."

_____. (Feb 1996). Research Bulletin Issue No. 3. "Family Conferencing in the Juvenile Justice Process."

Stinchcomb, J., Bazemore, G., Riestenberg, N. (2006). "Beyond Zero Tolerance: Restoring Justice in Secondary Schools." in *Youth Violence and Juvenile Justice.* Vol(4):123-147.

Strang, H. (2001) "Justice for Victims of Young Offenders: the Centrality of Emotional Harm and Restoration" in Morris, A. & Maxwell, G. (eds.) *Restorative Justice for Juveniles: Conferencing, Mediation and Circles*. Oxford: Hart Publishing.

Strang, H. & Sherman, L. (2003) "Repairing the Harm: Victims and Restorative Justice" in *Utah Law Review* Vol. 1:15-42. University of Utah, S.J. Quinney College of Law.

Strang, H., Sherman, L.W., Mayo-Wilson, E., Woods, E., Ariel, B. (2013). *Restorative Justice Conferencing (RJC) Using Face-to-Face Meetings of Offenders And Victims: Effects on Offender Recidivism and Victim Satisfaction. A Systematic Review.* Campbell Systematic Reviews.

Tamney, J.B. (1996). *The Struggle Over Singapore's Soul: Western Modernisation and Asian Culture.* Berlin: Walter de Gruyter & Company.

Tan, C. (2008). "Improving Schools Through Reflection For Teachers: Lessons For Singapore." *School Effectiveness and School Improvement: An International Journal of Research, Policy and Practice.* Vol. 19(2):225-238.

Tan, T.W., & Chew, L.C. (2004). "Moral And Citizenship Education As Statecraft in Singapore: A Curriculum Critique." *Journal of Moral Education.* Vol. 33(4): 597-606.

Tao, J. (2006). "Intimate Authority: The Rule Of Ritual In Classical Confucian Political Discourse." In Hershock, P.T. & Ames, R.T. (eds.). *Confucian Cultures of Authority.* USA: State University of New York Press.

Tardos, V. (2010). "Between Governance And Discipline: The Law And Michel Foucault." In Golder, B. & Fitzpatrick, P. (eds.). *Foucault and Law*. Great Britain: TJ International Limited.

Tewksbury, R. & Gagne, P. (1997). "Assumed and Presumed Identifies: Problems of Self-presentation in Field Research." *Sociological Spectrum.* Vol. 17(2): 127-155.

The Straits Times (ST). (23 Aug 2012) "Teacher Cuts Pupil's Hair, Mum Files Police Report." Byline by J.M. Lau.

_____. (20 May 2010). "S'pore No. 1 in Competitiveness: Republic Edges Past Hong Kong and United States in 'Photo Finish'." Byline by Fiona Chan.

_____. (20 May 2010). "Access to Counsel: Minister Rejects Call for Changes." Byline by Selina Lum.

_____. (19 May 2010). "Balancing Act in Doling Out Justice."

_____. (10 Jan 2010). "Double-barrelled Race Option for Children." Byline by Kor, K.B.

_____. (28 Oct 2009). "Press Can Criticise, but Government Expects Right of Reply."

_____. (11 Dec 2007). "World Divided on Press Freedom, Poll Finds."

_____. (20 Oct 2007). "A Free Society Needs Rules to Thrive and Prosper."

_____. (9 Dec 2006) "Time for a Sunday Sermon on the 'Singapore Compact'." By Devan, Janadas.

_____. (6 Dec 2006). "Mandatory Sentences Serve As A Deterrent."

_____. (4 Nov 2006). "Temasek's Shin Corp Deal: Internal Rules Ensure Everything Above Board." By by Peh, S.H.

_____. (7 October 2006). "Asian Nations Must Find Own Political, Media Models: PM." By Peh, S.H.

_____. (17 Dec1997). "Letter—School Discipline—What Figures Show." By Tan, E.

_____. (25 Oct 1997). "Is Singapore's Legal System Getting A Bad Name." By Chua, M.H.

_____. (2 March 1997). "Sub-Courts Aim to Reach World Class in 21st Century." By Lim, L.H.

_____. (29 Sept 1996). "Boot Camp For Young Offenderes Worked-Survey."

_____. (6 Dec 1995) "Western Nations Should Not Force Values on Asia." By Kwan, W.K.

_____. (13 Sept 1995). "Singapore Must Develop Its Own Legal System".

_____. (13 June 1995) "SM-Attacks on S'pore a Serious Matter." By Tan, Sumiko.

_____. (15 Jan 1995) "Courts Rope In Social Workers in Juvenile Cases."

_____. (8 Jan 1995) "Focus on Juvenile Offenders."

Thio, L.A. (2004). "Rule of Law Within a Non-Liberal 'Communitarian' Democracy: The Singapore Experience" in Peerenboom, R. (ed.) *Asian Discourses of Rule of Law: Theories and Implementation of Rule of Law in Twelve Asian Countries, France, and the United States*. London, New York: Routledge.

Thorsborne, M. & Vinegard, D. (2004, reprinted with corrections) *Restorative Practices in Schools: Rethinking Behaviour Management.* Buderim, Australia.

Tin, E.K.S. (1999). *The Four Justice Models: Organised Creativity in Judicial Administration.*

Today. (14 March 2013). "Minister Receives $5000 In Damages For Defamation Case." http://www.todayonline.com/singapore/minister-receives-s5000-damages-defamation-case (Accessed 23 March 2013).

Tong C.K & Lian, K.F (eds.) (2002). *The Making of Singapore Sociology: Society & State.* Singapore: Times Media Pte Ltd.

Trevino, A.J. (2008). *The Sociology of Law: Classicism & Contemporary Perspectives*. New York: St Martin's Press.

Trocki, C.A. (2006) *Singapore: Wealth, Power & the Culture of Control*. London, New York: Routledge.

Turner, B.S. (1974a). *Weber and Islam*. London: Henley & Boston.

_____. (1974b). "Islam, Capitalism, and the Weber Thesis" in *British Journal of Sociology*. Vol. 25(2):230-243.

Umbreit, M. (1994). *Victims Meets Offender: The Impact of Restorative Justice and Mediation*. New York: Criminal Justice Press.

UN Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters (2000). http://www.un.org/documents/ecosoc/dec/2000/edec2000-inf2-add2.pdf (Accessed 12 June 2007).

United Nations Office of the High Commissioner for Human Rights. *Basic Principles on the Independence of the Judiciary*
http://hrli.alrc.net/pdf/UNBasicPrinciplesontheidependenceofthejudiciary.pdf
(Accessed 12 July 2010).

United Nations Convention on The Rights Of The Child (1989)
http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en (Accessed 12 June 2007).

United Nations Office of the High Commissioner for Human Rights, *International Covenant on Civil and Political Rights*. http://www2.ohchr.org/english/law/ccpr.htm (Accessed 12 July 2010).

United Nations Office of the High Commissioner for Human Rights, *The Universal Declaration of Human Rights*. http://www.un.org/Overview/rights.html
(Accessed 12 July 2010).

United Nations High Commissioner for Refugees. (2004). Minorities at Risk Project, *Chronology for Malays in Singapore*, http://www.unhcr.org/refworld/docid/469f38d91e.html (Accessed 14 July 2010).

United Nations Treaty Collection. United Nations Treat Collection. http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en (Accessed 12 July 2010).

University of Cambridge (10 March 1999). "Touch sentencing May Not Deter Criminals." http://www.admin.cam.ac.uk/news/press/dpp/1999031001 (Accessed 11 July 2010).

Vanfraechem, Inge. (2009). *Restorative Justice: In Search for Clarity*. Presentation given at the "European Forum for Restorative Justice". See also Report entitled "Restorative Justice-Restorative Practices: Are They the Same?" June 2009, Leuven.

Van Ness, D.W. (2003). "Creating Restorative Systems". Reproduced in Johnstone, J. (ed.). (2003) *A Restorative Justice Reader*. USA & Canada: Willan.

Velayutham, S. (2007). *Responding to Globalization: Nation, Culture and Identity in Singapore*. Singapore. Institute of South East Asian Studies. Singapore: ISEAS Publishing.

Von-Hirsch, A. (10 March 1999) *Tough Sentencing May Not Deter Criminals*. University of Cambridge. Press Release.

Von Hirsch, A. & Andrew, A. (eds.) (1998). *Principled Sentencing: Readings In Theory And Policy*. (2nd ed.) Oxford: Oxford University Press.

Wachtel, T. (2013). "What is Restorative Practice?" *International Institute for Restorative Practices*. http://www.iirp.edu/what-is-restorative-practices.php
(Accessed 18 Oct 2014).

_____. (1999). "Restorative Justice In Everyday Life: Beyond The Formal Ritual." Paper Presented At The *Reshaping Australian Institutions Conference: Restorative Justice And Civil Society*. The Australian National University, Canberra. February 16-18, 1999.

Wagle, T. & Cantaffa, D.T. (2008). "Working Our Hyphens: Exploring Identity Relations in Qualitative Research" in *Qualitative Inquiry*. Vol. 14 (1). Sage Publications.

Walgrave, L. (2002a) "Restorative Justice & The Law: Socio-Ethical & Juridical Foundations for a Systematic Approach" in Walgrave, L. (Ed.) *Restorative Justice and the Law*. Cullompton: Willan.

_____. (2002b) "Not Punishing Children, But Committing Them To Restore" in Weijers, I. & Duff, A. (eds.) *Punishing Juveniles*. (Oxford: Hart).

Wee, C.J.W-L. (2008) *The Asian Modern: Culture, Capitalist, Development, Singapore*. Hong Kong: Hong Kong University Press.

Wenzel, M., Okimoto, T.G., Cameron, K. (2012). "Do Retributive And Restorative Justice Processes Address Different Symbolic Concerns?" *Critical Criminology*. Vol. 20:25-44.

Wong, D.S.W. (2005). *Restorative Justice for Juveniles in Hong Kong: Reflections of a Practitioner*. Paper presented at 'Building a Global Alliance for Restorative Practices and Family Empowerment, Part 3', the IIRP's Sixth International Conference on Conferencing, Circles and other Restorative Practices, March 3-5, New South Wales, Australia.

_____. (2004). "School Bullying and Tackling Strategies in Hong Kong". *International Journal of Offender Therapy and Comparative Criminology*. Vol. 48(5): 537-533.

Wong, K.O. (2007) "Modalities of Criminal Case Management." Paper Presented at the Regional Judicial Symposium.

Wray, N., Markovic, M., Manderson, L. (2007). "'Researcher Saturation': The Impact of Data Triangulation and Intensive-Research Practices on the Researcher and Qualitative Research Process." *Qualitative Health Research*. Vol. 17(10):1392-1402.

Wright, M. (2003) "Is It Time to Question the Concept of Punishment?", in Walgrave, L. (ed.), *Repositioning Restorative Justice*. Cullompton: Willian Publishing.

Yao, S.C. (2007). *Singapore: the State & the Culture of Excess*. Oxford, NY: Routledge.

Yew, C.H. (1995). *The Prevalance of Harsh Punishment in Singapore: A Multi-Dimensional Sociological Approach.* National University of Singapore. Faculty of Law. Academic Exercise.

Yong, M.C. (2004). *Asian Traditions and Modernisations: Perspectives from Singapore.* Singapore: Eastern University Press. Marshall Cavendish.

Young, R. & Hoyle, C. (2003). "Restorative Justice and Punishment" in McConville, C. (ed). *The Use of Punishment*. Cullompton: Willan.

Youth Justice Board for England and Wales (2004) *National Evaluation of the Restorative Justice in Schools Programme*. http://www.youth-justice-board.gov.uk (Accessed 4th Dec 2007)

Young, S. (2007). "Solutions for Bullying in Primary Schools" in De Jong, P. & Kim Berg, I. (eds.) *Interviewing for Solutions* (3rd ed.). Pacific Grove, California: Brooks and Cole.

Zeitlin I.M. (1997) *Ideology n the development of Sociological theory.* (6th ed.). USA: Prentice-Hall, Inc.