Mater Dolorosa: Negotiating Support in NSW Youth Justice Conferencing

Michele Zappavigna · J. R. Martin

Abstract   At the heart of Youth Justice Conferencing, a form of restorative justice aimed at addressing youth crime, is the notion that young persons who have committed an offence should be 'reintegrated' into their communities (Braithwaite in Crime, shame and reintegration. Cambridge University Press, Cambridge, 1989). This paper focuses on the role of parents as support persons, in particular the 'crying mum', an identity often leveraged by the Convenor when prompting the young person to express remorse to the circle. We explore an *Avouchment* genre that we have observed whereby support persons vouch for the character of the young person. Our analysis considers the ways in which values are composed (as ideational categories are coupled with evaluative interpersonal ones) and unfold in discourse as invitations for participants to align. In Knight's (2010) terms, when shared, couplings of ideation and evaluation engender bonds through which participants may commune.

Keywords   Youth Justice Conferencing · Support persons · Systemic functional linguistics · Discourse analysis

1 Introduction

Convenor   So YP, how do you feel about the fact that, you know, mum is still getting upset about this? How does that make you feel?

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YP   (shrugs and squirms)
Convenor   Do you feel ok about the fact that mum gets upset?
YP   (shakes head)
Convenor   No. How does it make you feel?
YP   Pretty sad
Convenor   Sad. Not good to see mum upset is it

The transcribed[1] exchange above represents a frequent pattern in Youth Justice Conferencing—a Convenor asking a young offender to consider how they feel about upsetting their mother. Youth Justice Conferences (YJC) are meetings of young offenders (referred to as the 'Young Person', YP hereon), support persons, community members, and Youth Liaison Officers in the presence of a victim, mediated by a Convenor. The aim is to come to an agreement about how the YP may make reparation for their offence. The Convenor above is drawing on a very old rhetorical strategy for engendering repentant affect, invoked since at least the middle ages in western cultures. Consider the following lines from the *Stabat Mater Dolorosa* (The Sorrowful Mother stood), a thirteenth century hymn[2] about the suffering of the Virgin Mary during Christ's crucifixion:

Quis est homo qui non fleret, matrem Christi si videret in tanto supplicio?	Who is the man who would not weep if he were to see the Mother of Christ in such suffering?
Quis non posset contristari Christi Matrem contemplari dolentem cum Filio?	Who cannot be saddened when the Mother of Christ can be observed in pain with her son?

Here, we are asked to share in Mary's pain as a way of connecting with a set of religious meanings about Christ's crucifixion and human spiritual redemption. In youth justice conferences the YP is asked to connect with their own mother's pain as a means of achieving a more secular renewal via 'reintegrative shaming' [2]. We will return to the pairing of suffering and motherhood originating in Marian devotional texts after a brief introduction of the role of support persons in conferencing. Central to the latter is Braithwaite's ideas about reintegration, in the presence of their "community of concern" [2, p. 85], of the young person both into that community and into a broader putative community of ethical citizens.

2 Support People in NSW Youth Justice Conferencing

Youth Justice Conferencing is inspired by the philosophy of restorative as opposed to retributive justice; the latter sees crime as a "violation of people and relationships… It creates obligations to make things right [and] involves the

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[1] The transcription technique used in this paper reflected our interest in the discourse semantic stratum (for general justification of this kind of approach see [11, 13, 19], Elsewhere we have undertaken transcription that considered the phonological level or multimodal phenomena such as gesture and posture (e.g. [26]).

[2] The extract below is from the Liturgia Horarum.

victim, the offender and the community in a search for solutions which promote repair, reconciliation, and reassurance" [27, p. 181]. Trimboli [24] notes that both victims and young persons are generally satisfied with the outcomes of conferences, and there is in addition some evidence that they more positively affect recidivism than court appearances [5, 21]. The NSW Young Offender's Act (1997) (YOA) establishes a scaled response to offences by adolescents, beginning with a warning (delivered by police at the site of the offence), then a caution (involving a formal meeting at a police station) and moving on at the discretion of the police or magistrate to a youth justice conference—all as an alternative to going to court before a magistrate. Section 47 of the YOA 1997 specifies, alongside other types of participants, the following persons as entitled to attend a conference, presumably in the role of support people: "(c) a person responsible for the child, (d) members of the child's family or extended family, (e) an adult chosen by the child, (f) an Australian legal practitioner advising the child". In addition the act explicitly allows "j) a support person or persons for any victim".

The general structure of the conferences we have studied and observed is presented as a macrogenre, that is, an unfolding configuration of elemental genres, where an elemental genre is defined as a "staged, goal-oriented social processes through which social subjects in a given culture live their lives" [9, p. 13]. Conferences begin with a Mandate, which institutionalizes the conference as a legal proceeding. This is followed by Testimony, through which the offence is recounted. In the ensuing Rejoinder, support persons and police officers evaluate the impact of the offence. This may be followed by a Caution,[3] in which the Youth Liaison Officer looks forward and comments on the choices open to the YP as far as reintegration into the community is concerned. This is followed by the Outcome Plan, where agreement on reparation through community service is reached, and then by Reintegration, through which legal proceedings are brought to a close and participants have an opportunity to mingle as members of the community.

This paper will focus on the Avouchment genre, forming part of the Rejoinder in the conference. At this point in the conference the support person (most often the YP's mother in our dataset), vouches for the YP's character at the same time as detailing the impact the offence has had on them as a parent/carer. It is at this point in the conference that the YP's carer frequently breaks down crying, a moment used by the Convenor as emotional leverage for eliciting self-evaluation from the YP.

3 Support Persons and the 'Community of Concern'

According to Braithwaite [2, p. 100] a YP's reparation should take place within the context of a "community of concern" comprised of members who are socially invested

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[3] This Caution is not part of the design outlined in the NSW Young Offender's Act, but has apparently emerged as a result of police Youth Liaison Officers' regular attendance at conferences; we have called it Caution because we suspect it in fact involves moving the discourse of a formal legal caution (in the scaled 'warning, caution, conference, court' responses to an offence proposed in the Act) to the conference.

Fig. 1 Individuation from the perspectives of allocation and affiliation
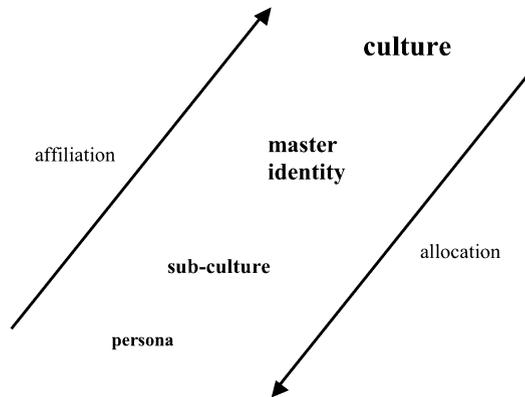
in each other. The aim is to provide conditions for 'reintegrative shaming' through critique of the YP's behavior rather than of their moral identity, and with the YP expressing shame and remorse regarding their offending behavior. Braithwaite argues that "the fundamental societal conditions conducive to cultural processes of reintegrative shaming are communitarianism and interdependency" [2, p. 84], as opposed to the stigmatizing processes of retributive justice. Support person involvement in conferences draws on the interpersonal bonds involved in such communal interdependency. The pain carers have experienced due to the offence is typically leveraged to invoke an emotional reaction in the YP. In enabling such emotional leverage the support persons make two important contributions to conferencing: the voice of victims' supporters "structures shaming into the process?"; and the presence of offenders' supporters "structures reintegration into the process" [4, p. 226].

The majority of support persons for the YPs in our sample are parents, most often mothers. Some studies have questioned the naturalization of parents as support persons without consideration of the often troubled dynamic of parent–child interaction [1, 7, 22]. Parents may feel that they are judged as responsible for their child's behavior [7, 22] and "often engage in apologising, neutralising, dominating, and punitive discourses, which seriously impinge upon the support they provide, and which also inevitably impact upon the dynamics of the process" [7, p. 83]. It is perhaps unsurprising that some parents feel judged in conferencing given that Braithwaite's model closely ties reintegrative shaming to support persons, arguing that "a shamed family or company will often transmit the shame to the individual offender in a manner which is reintegrative as possible" [2, p. 83]. Even where judgement is not explicitly targeted at these parties it is often invoked when issues such as academic performance and alcohol abuse are discussed [22, p. 333].

4 Mater Dolorosa: Mothers as Support Persons in NSW YJC

The Virgin Mary is represented throughout history in terms of text and images about suffering and sorrow: she is variously depicted as Our Lady of Sorrows (Beata

Maria Virgo Perdolens), Mother of Sorrows (Mater Dolorosa), Our Lady of the Seven Sorrows (Nostra Signora dei sette Dolori) etc. Devout followers believe tears emitted by statues of Mary to hold supernatural healing power. Alongside the obvious religious iconisation of the Mater Dolorosa that infused Western thought and flowered during the fourteenth century [23], Mary has been iconized as the archetypal anguished mother and since this period "has never ceased to fill the Marian visions of all those, men and women (or frequently male child, female child) who suffer the anguish of some maternal frustration" [25]. In western culture the *Mater Dolorosa* has been associated with identity practices that link mothering to suffering to such an extent that "it seems almost impossible to conceive of motherhood—of a "real mother"—in terms other than the painful ones registered by Mary: to imagine a carefree mother or guilt-free mother seems a Pollyannaish denial of the true grit of experience" [3].

Such preoccupation with the suffering mother is echoed in the dominant patterns of evaluative language seen in the conferences that we have analysed. Consider for example the following concordance lines from our sample (NEGATIVE AFFECT shown in bold, where affect is defined as language concerned with registering positive and negative emotions [18, p. 42]):

And she [mother] got **upset**?
Was she [mother] **crying**?
She **cry**?
How do you <u>feel</u> about the fact that, you know, mum is still getting **upset** about this?
Not good to <u>see</u> mum **upset** is it?
Mums don't like **getting upset**, trust me.
When our kids do something wrong, it really **hurts** us deep down, here.
He [YP] gets to <u>see</u> how **upset** it makes you [mother] still.
Do you <u>feel</u> OK about the fact that mum gets **upset**?
And she's [mother] got a lot of **sadness** in her life at the moment but she still here to support you.
And what about- did you <u>see</u> mum **upset**? Was mum **upset**?
Do you <u>feel</u> **bad** about letting mum down?

As we can see, there is a clear collocation, or 'coupling' of NEGATIVE AFFECT and 'mother' as experiencing unhappiness (an emoter) in this discourse; and her emotion is positioned to invoke empathetic emotion on the part of other conference participants. This coupling may be seen as a product of the 'restorative' rhetorical pressure of the unfolding macrogenre. Just as the devout are thought to find the path to salvation by bearing witness to Mary's suffering, the YP is positioned as a potential reintegratable citizen by bearing witness to their mother's pain. Thus the concordance lines above show a proliferation of mental processes (clauses about conscious sensing, shown underlined) with the YP as a sensor and the mother's affect as the phenomenon. For example the Convenor in Mobile Phone YJC explicitly associates the YP witnessing his mother's negative affect with the reintegrative function of the conference:

Convenor	this is a good thing for YP, to come here and do this, alright, rather than going before the magistrate at court
Mother	mm
Convenor	Because he gets to talk about it, you get to hear about it, you get to—**he gets to <u>see</u> how upset it makes you still**. Yeah? And, we then get to move on, alright? Draw the line in the sand, ok?

The probing strategy used by Convenors in the Commissioned Recount (the genre in which the YP 'tells the story' of the offence[4]) to elicit self-evaluation and expressions of remorse from the YP also draws on this rhetoric of invoking the mother's pain. Probing questions asking how the YP feels about his mother's pain where usually targeted at a YP who has given a 'small target' recount [15], that is, a very limited account of the offence with minimal experiential detail and often no evaluative language. They typically occur in the Extension stage of the Commissioned Recount with the Convenor initiating all of the knowledge exchanges and the YP responding a word of a phrase at a time. The questions are typically highly directive in terms of an expected response and arguably closer to statements of the negative impact that the offence has had on the mother's emotions than real demands for information.[5] For example consider the following exchange from Mobile Phone YJC where the Convenor probes the YP about his mother's emotional response upon hearing about the crime:

Convenor	Did she get **upset**? What happened—tell me what happened when mum found out what you did? [pause—approx. 4 s] == She **cry**?
YP	() got … lecture
Convenor	You got a lecture. Do you think you deserved the lecture?

The Convenor clearly controls the interaction and we can hardly imagine circumstances where the YP might reply that his mother was quite happy about the offence. A similarly directive pattern can be seen in Shopping Trolley YJC with the Convenor prompting the YP to express his feelings about waking his mother so that she could retrieve him from the police station:

Convenor	Do you—did you feel anything about, having to get mum out at four o'clock in the morning. Did you feel **bad** about that?
YP	Yeah
Convenor	You did. And what about, um, did you see mum **upset**? Was mum **upset**?
YP	She was **angry**
Convenor	Yeah

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[4] This genre was labelled a Commissioned Recount because the events typically have to be "extracted" from a less than forthcoming adolescent by the convenor. It has the following structure (parentheses in the notation signal an optional element of structure): Orientation ^ Record of events ^ (Re-Orientation) ^ (Extension) ^ Interpretation ^ Ramifications.

[5] This kind of initiating move is referred to in exchange structure theory [10, 17] as Dk1, with 'D' for delay since the move which actualises authority is in effect delayed while the person questioned offers a response. This kind of initiation is familiar to most of us from quiz shows and classroom interaction where the person asking the question in fact knows the answer.

YP   ==Yeah
Convenor   How'd that make you feel?

This pattern[6] continues in the same conference when the Convenor later suggests the YP consider the negative affect engendered by disappointing his mother:

Convenor   So, you got to set an example for them then, YP. Like mum obviously tries to do for you. OK. And not let her down. Do you **feel bad** about letting mum down?
YP   Yeah
Convenor   Yeah? Cause she's pretty good to you isn't she
YP   Yeah

The function of these emotional probes thus seems to be to re-align the YP into his family unit by considering the damage being done to his kin. The appropriate attitudinal response to the probes is intended to guide the YP toward taking on the morally reformed, emotionally expressive persona that the macrogenre of conferencing demands.

This pattern of invoking the Mother figure to ignite shame in the YP was also seen in a conference in which Muslim identity was an important issue. While the religious meanings were different to the mariological meanings discussed earlier, there was a similar rhetorical patterning in terms of the emotional probing applied to the YP. In this conference, Affray YJC (convened as the result of an affray offence) a Muslim Ethnic Community Liaison Officer (ECLO) intervenes to extend the Convenor's interpretation of the YP's recount of the offence, apparently out of frustration with his reading of its integrative effectiveness to that point in the conference. He begins by focusing attention on the YP's mother's headscarf (hijab), which in Australia is a highly visible and politicised symbol of membership in the Muslim community:

ECLO   Listen, I want to take, with your permission, I wanna take a different angle. OK? Mate, what's your mum wearing on her head?
YP   Scarf
ELCO   Yeah. OK

He then focuses on the mother having to attend the conference, in the presence of three uniformed police officers. The ECLO then explicitly makes the point that the young person is creating a bad impression for the Muslim community; his behaviour doesn't just affect himself, but his family and his ethnic group as well. Later on this point is reinforced, with the ECLO registering his extreme disgust and embarrassment about the negative stereotyping that is being reinforced:

ECLO   Number two, man, when I see someone of my own background bringing their mum in wearing a hijab, OK, honestly man inside I feel sick. You understand?

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[6] Elsewhere we have argued that this kind of regulative discourse in conferencing projects a recontextualised field of social integration intended to re-align the YP with the values of his or her family, ethnic group and community and to diminish the relatively malign influence of peers [16].

YP   Yes

Empathy toward the mother's pain is again equated with achieving the reintegrative aim of the macrogenre. The ECLO, who has asked the YP to move chairs so that he is sitting facing his mother in the circle, calls on the YP to look at his visibly upset mother as if sharing in her pain is a path to enlightenment:

ECLO   **Look at your mum,** man. Give- honestly we can sit around and none of-
       none of- none of us say a word. **Look at your mum.** If you **look at your
       mum,** man, you understand exactly what every—every—the message is
       we're trying to tell you is, if you're, you know, this smart, man, when you
       look at your mum you'll understand without us talking what we're trying
       to say to you

Again, bearing witness to the mother's pain is presented as necessary to transforming the YP into the kind of social subject that can be reintegrated by taking part in the macrogenre.

5 Coupling and Identity

This kind of 'mother in pain' discourse influences the kinds of identities that mothers can take up as support persons in conferencing. In order to explore identity in this paper we will consider how users of language share attitude and ideation couplings, in Knight's 2010 terms, to form bonds, and how these bonds then cluster as belongings of different orders (including relatively 'local' familial, collegial, professional and leisure/recreational affiliations and more 'general' fellowships reflecting 'master identities' including social class, gender, generation, ethnicity, and dis/ability) [8, 14, 26, 28]. It is difficult to find neutral terms which privilege neither a top-down nor a bottom-up perspective. We have adopted the term individuation for this hierarchy here, keeping in mind that it is concerned with both how semiotic resources are distributed among users of language (allocation) and how these resources are deployed to commune (affiliation) [12]. An outline of this user-oriented hierarchy is presented as Fig. 1.

From this point on we will focus on the bottom end of this hierarchy, studying the bonding processes that enact personae during the Avouchment stage of the conferencing macrogenre, the point at which the support persons vouch for the YP's character. A very common coupling in the Avouchment genre is [ideation: YP/ evaluation: positive judgement][7] used by the support person to assert the moral propriety of the young person in spite of the offence:

…he's a good kid. [ideation: YP/ evaluation: judgement: positive propriety (good)]

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[7] We will use this square bracket notation to indicate couplings throughout this paper.

Following Knight (2010) we treat social bonds as shared couplings of ideation and attitude that are negotiated in discourse. The section which follows explores these bonds in relation to the kinds of identities that mothers can perform in conferencing.

6 The Crying Mother in the Avouchment genre

The anguished support person is an important rhetorical figure in YJCs and there are numerous instances of support persons expressing distress in the conferences in our sample (examples detailed in Table 1). The most frequent locus of support person tears in conferencing is in the Avouchment genre where the support person vouches for the YP as a 'good kid', though more prosodic crying throughout conferences was also evident (e.g. background sniffling during the Commissioned Recount). During this genre it is also common for parental support persons to apologise on behalf of the YP, perhaps enacting the kind of feelings of being themselves judged as to blame for the offending behaviour in their child, suggested by Hoyle and Noguera [6].

The following text is an extract from the Avouchment genre in 'School Library YJC', a conference involving two young offenders who have roughed up a student in a school library. The Support Person in this text is the sister of the YP who has taken on a parenting role in his life due to circumstances that are not directly revealed during the conference. The sister both apologises on behalf of the YP during her avouchment and breaks down in tears, leaving the circle to compose herself. This is the second time that this participant has cried during the conference, the first being in defence of the YP following the Youth Liaison Officer's assertion earlier in the conference that the YP was a 'fluffed up rooster' (for an investigation of the bonds negotiated at this stage of the conference see (Martin et al. forthcoming).

Convenor	OK, well SP, you obviously had something to say before and it's really hard for you to listen to what—what YP's done
Support person	[nodding]
Convenor	and you are here to support him. = If you can just tell us

Table 1 Examples of support persons crying in YJCs

YJC	Description
School library	YP's sister (who has acted as his primary parent) cries as she speaks "on behalf" of the YP, asserting that he is a "good kid" despite accusations by the YLO that he has behaved as a "fluffed-up rooster"
Mobile phone	The YP's mother dabs tears from her eyes throughout the proceedings
School library	A friend of the Victim's mother cries when describing the impact that the offence had on the Victim's younger siblings
Battery	The YP's stepfather cries when reference is made to the impact that the offence has had on the mother's emotional state

Support person	=God!
Convenor	[laughs]
Convenor	how it's affected you and tell us a bit about him and -
Support person	He's a really sweet kid. And I know that you can't see that
Support person	but he wears his heart on his sleeve
…	

Support person	and I understand in his head why he did what he did. I don't condone his actions at all and I'm really sorry to everyone for what he did to everyone
Support person	But I just want you guys to see that he's a good kid. And he didn't mean to hurt anyone
Support person	And he was just standing up for someone that he really cares about

From the perspective of bonding, the Avouchment in School Library YJC begins with the Convenor presenting a Comfort bond apparently intended to encourage the SP to speak. This bond is construed in discourse via the coupling [ideation: SP/evaluation: appreciation: reaction] as she says "it's really hard for you to listen to what YP's done". The support person responds with a protolinguistic outburst of under-specified affect and the exclamation, "God!". The next move is made by the support person as she proposes a 'Good Kid' bond via coupling of the YP and positive PROPRIETY (invoked via APPRECIATION). The proposal is supported in the body language via the supine hands suggesting openness in terms of engagement [6] as she 'proffers' the bond.

As this genre unfolds it can be seen to be enacting two unfolding prosodies of affiliation construed as two prosodies of coupling. On the one hand we have prosody of 'good kid' bonds seen in unfolding couplings of [ideation: YP/ evaluation: positive judgement] and relying both on inscribed and invoked (via appreciation and affect) judgement. For instance this prosody includes couplings such as: "He's a really sweet kid. [ideation: YP/ evaluation: invoked positive judgement (via appreciation)]". On the other hand we have a prosody of nurture bonds, for example: "He's like my baby. [ideation: YP/ Evaluation: invoked positive affect]". Closely related to the nurture bond is a general 'mother in pain' bond construed via [ideation: mother/evaluation: negative affect] and supported by paralanguage such as crying. This bond is an important part of the Mater Dolorosa role into mothers are positioned by rhetoric governing the macrogenre.

The configuration of bonds introduced above can be read as enacting a 'interceding mum' persona who apologises on behalf of her child. However, a polarized persona, much less common in our corpus, was also possible: an 'exasperated mum' who wants the authorities to deal with the child's behaviour. For example during the the Avouchment in a conference convened as the result of a YP stealing a blind woman's purse, the mother states:

I said "It's disgusting". I said "I want him charged". I said "He's not learning any other way" and I said "That poor lady", you know, I was actually disgusted.

This Avouchment involves two very different coupling dispositions: [ideation: YP/ evaluation: negative judgment] and [ideation: mother/ evaluation: negative affect

(anger/disgust)]. These construe two types of bonds which we will refer to as the 'bad kid' bond and 'tough love' bond. The Avouchment here negatively judges the YP and construes the mother as experiencing disgust and anger very different to the sadness enacted in the previous text.

In order to model the personae performed in the Avouchment we have adapted the topological display of identities developed by Maton in his Legitimation Code Theory for the intersection of epistemic and social relations in intellectual and educational fields [20]. This gives us a tool for mapping the coupling of axiology with ideation as conferences unfold. We can also use this topological perspective to present their most significant bonding tendencies (via coupling tendencies) (Fig. 2, potential bonds suggested in spheres). The topology shown in Fig. 2 employs two axes. The vertical axis models the mother as capable of her YP's behavior or absolving herself of responsibility for it; the horizontal axis considers whether the mother praises or condemns the YP's conduct. The semiotic space thus created allows us to contrast four possible identities: the 'interceding mum', idealized by the macro-genre, who apologises on behalf of the YP, mitigates blame and cries during the Avouchment; the 'exasperated mum' who negatively judges the YP's behavior and wants him dealt with by authorities; the 'frustrated mum' who attempts to engender change in the YP despite condemning his behavior; and the 'alienated mum' who does not have a close relationship with the YP despite her positive appraisal of his character. This identity topology positions Mater Dolorosa as the kind of ideal mum naturalized by the conferencing macro-genre, in relation to both its initial design and ongoing evolution in practice.

Why then do mothers often cry during the Avouchment genre in conferencing? On the one hand it may be that they are reacting to the liminal collapse of a nuture-bond that has been put at risk in the conference (their baby is just not their baby
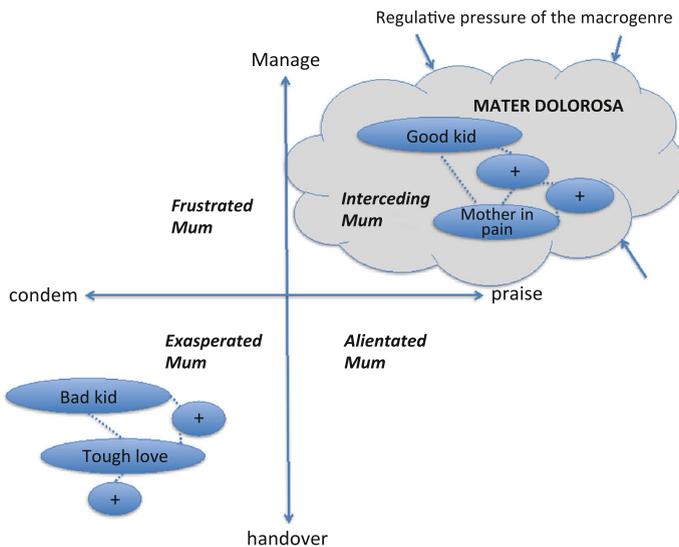

Fig. 2 Modelling personae topologically in terms of bonding tendency

anymore). But in addition we argue that they are adopting the subject position toward which the genre has been pushing them—that of the suffering Madonna. This enables the highly regulative discourse of the macro-genre to establish a moral order in which the YP considers, empathises with and is ultimately redeemed through the pain suffered by their mother. The ceremonial power of the macro-genre can thus be attributed in part to the secularisation of a Catholic narrative of intercessive redemption—one which we have watched working its reintegrative 'magic' across subcultures (be they Christian or Muslim, Australian born, migrant or indigenous, male or female, working class or middle class) in the conferences we have observed.

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