

## FACIAL EMOTION EXPRESSION AND THE “CASA PIA” PROCESS

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The book is a consequence of the doctoral thesis of the Portuguese Criminologist Ana Coelho-Moreira, under the supervision of Prof. Dr. Armindo Freitas de Magalhães, defended at the Fernando Pessoa University, Porto, Portugal. The book has 324 pages and shows the reader the controversial legal process Casa Pia, involving underprivileged children and the contribution of the area of facial expression in the forensic context.

According to the bibliographic review, the case had great repercussion, culminating with changes in the methodologies and conceptions of the State for the protection of disadvantaged children, including amendments in the penal code itself. “Guilt” was the emotion studied, as it is an instrument of criminal law for the application of a sanction. The author has developed matrices of analysis for the measurement of the guilt and the influence that it exerts in the adaptation of the individuals to the society and to the circumstances experienced. The study expresses the intention of a future use of the analysis of facial expressions of emotion in law, reinforcing, in this case, the application of the principle of guilt and its legal-penal and ethical dimensions.

Thus, it is demonstrated that facial expression does not only indicate the emotional state, but involves the neuropsychophysiological process that precedes and originates it. This process, according to the author, is complex in nature, as it relates to the proper functioning of the hypothalamus, prefrontal cortex and limbic system, as well as to the individual experience of stimuli that are registered as emotions, based on past and current experiences.

It should be noted that emotion and its expression on the face has always been an exciting topic, studied by several theories. Among them, the author emphasized the naturalistic theory of Ekman who developed the most important instrument of measurement of facial expressions of emotion, validated scientifically. Thus, in 2002, Ekman and colleagues defined the seven basic emotions: joy, aversion, anger, fear, contempt, surprise and sadness, accepted by the scientific community.

It is also worth noting that the case Casa Pia has shaken the Portuguese society, as it has brought to the public the practice of sexual abuses of institutionalized children, who should be protected, with the role of the State being questioned. The names of several Portuguese public figures were involved: politicians, doctors, educators, among others.

It was emphasized that guilt, as discreet emotion, presents a manifestation on the face, distinct and unique, that differentiates it from the seven basic and universal expressions and, in this way, allows allying science and law, with the purpose of ascertaining the truth and defending the citizens.

The first chapter of the book is dedicated in defining guilt, from three perspectives: biopsychophysiological, penal-legal and psycho-sociological. It also describes facial expression of guilt as a multifactorial and self-conscious emotion, to be contextualized according to social and situational variables not to be confused with the emotions of contempt or shame. It is also emphasized that the interpretation or analysis of guilt cannot be abstracted from its interpersonal characteristic, in order not to distort its expression and demonstration.

The second chapter deals with facial expression of emotion involving biological genesis; its regulation; about the basic emotions; the different theoretical approaches that explain them; the

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neurological processes of emotional recognition, including perception and identification, and, lastly, the moderating variables such as gender, age and socio-cultural framework.

The recognition of facial expression of the emotion of guilt is described in the third chapter and contains the analysis of facial expression in forensic context in enquiries/ interrogations, besides the advantages and disadvantages of image capture and, finally, the application of instruments with scientific relevance for the analysis of facial expression of emotion and their results, demonstrating that the Facial Acting Coding System (FACS) and METT and SETT platforms are the most effective.

In the following chapter the author described the methodological process of her research centered on a case study in which the documentary analysis of historical records about the judicial process (direct testimonies, books, news and press conferences); videos of interviews of those involved, that were selected and analyzed in the photography format, with indication of the muscle units of action (UA); the partial transcription of the discourse of the image capture in order to contextualize the selected photograph and the application of the FACS, were used. A matrix video was also used for data comparison purposes, considering also the margin of error and external interferences.

The last chapter of the book, which includes the conclusion, showed that the emotion of guilt is defined and clear within the legal-penal context, which does not occur in the same way from a biopsychosocial perspective, in which guilt is related to an emotional discomfort that results from a set of variables inherent to the individual experience, beliefs and environment in which the individual is inserted. As for emotion, despite theoretical differences, its performance in the neurological, behavioral, social and psychological development is crucial for individuals.

Facial expression of emotion, whether in the identification, perception or in the recognition, is also subject to variables such as social, cultural, gender and age contexts. In both affirmation and denial, the presence of UA 1 was the most detected muscular action (this unit of action represents the contraction of the frontal ventral portion of the occipitofrontal muscle, producing horizontal wrinkles in the center of the forehead and raising the lower part of the eyebrow), with increased diversity of participation of UA in denial. Another result obtained and discussed relates to the symmetry of facial expression of emotion, which presented high values in affirmation of guilt, but were still higher in denial.

In this way, the author supported the evidence of a specific matrix of UA in guilt: the one (already mentioned previously), two (contraction of the external part of the occipitofrontal muscle, causing the outer portion of the eyebrows to rise), five (contraction of the levator muscle of the upper eyelid, causing opening of the eyes when raising the upper eyelid) and 64 (position of the eyes downwards), that is, all displayed on the upper face.

The study showed the importance, relevance and pertinence in establishing interaction between research and judicial agents and their institutions.

## References

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