

Review

A feminist inquiry into intimate partner violence law, policy, policing, and possible prejudices in Alaska

Carmen M. Cusack

Nova Southeastern University. E-mail: CC1948@Nova.edu.

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Intimate partner violence (IPV) correlates to patriarchal attitudes and disproportionately affects women. Previously, feminists fought IPV by using the criminal justice system. Now, feminists are examining the criminological data, and questioning whether the criminal justice system treats IPV with patriarchal attitudes and paternalistic policies that further diminish the power of women while continuing to favor masculine gender roles. The State of Alaska's treatment of IPV serves as a prime example of how patriarchal attitudes, at best, lend to paternalistic justice even though the state judiciary and the ninth circuit routinely and actively strive to implement social justice. In order to thwart IPV, feminists, law makers, and the State of Alaska must retool attitudes and policies. This article discussed data which demonstrates that patriarchal thinking and attitudes can contribute to IPV and examines how patriarchal perspectives can underlie and shape IPV law and policy. It considers why it would be better to preemptively redefine society instead of continuing to respond to IPV using patriarchal norms. If patriarchal perspectives cannot be preempted, then the criminal justice system should respond to IPV with feminist solutions. It also discusses the alternative, feminist solutions for dealing with IPV in the criminal justice system and concluded on the argument and calling for action.

Key words: Patriarchy, Alaska, criminal justice, feminism, intimate partner violence.

INTRODUCTION

Intimate partner violence (IPV) correlates to patriarchal attitudes and disproportionately affects women. Previously, feminists fought IPV by using the criminal justice system. Now, feminists are examining the criminological data, and questioning whether the criminal justice system treats IPV with patriarchal attitudes and paternalistic policies that further diminish the power of women while continuing to favor masculine gender roles. The State of Alaska's treatment of IPV serves as a prime example of how patriarchal attitudes, at best, lend to paternalistic justice even though the state judiciary and the ninth circuit routinely and actively strive to implement social justice. In order to thwart IPV, feminists, law makers, and the State of Alaska must retool attitudes and policies.

PATRIARCHAL THINKING OR ATTITUDES CAN CONTRIBUTE TO INTIMATE PARTNER VIOLENCE (IPV)

Patriarchal thinking or patriarchal attitudes can contribute

to IPV. Patriarchy encourages sexual aggression, violence, and sex scripts (Peeks, 2006). Feminist theory explains that sexual aggression results from control and power issues, and that sexual violence benefits the aggressor by sowing a constant state of fear in the aggressed (Peeks, 2006). Masculinity describes the gender role that men assume, which justifies sexual aggression and violence towards women and each other (Peeks, 2006). Men aggress in response to women's gender role, which calls for submission and passivity (Peeks, 2006). Normative roles pit the lusty, aggressive, competitive, calloused man against the unassertive, docile, passive woman (Peeks, 2006).

Peeks' study found that male groups, like fraternities fostered sexual aggression and that rape was a normative behavior on college campuses in America (2006). Peeks' work reaffirmed the presence of eleven masculine sex scripts: 1) Acceptance of Interpersonal Violence; 2) Adversarial Sexual Beliefs; 3) Attitudes Toward Women; 4) Dominance/Power Over Women; 5) Hostile Masculinity; 6) Hostility Toward Women; 7) Hypermasculinity; 8) Masculine Instrumental Personality

Traits; 9) Rape Myth Acceptance; 10) Sex Role Conservatism; and 11) Sex Role Stereotyping (2006, p. 16). Patriarchal attitudes also correlate with low self-esteem, low socio-sexual agency, and low help-seeking among women (Ryan and Kanjorski, 1998).

Help-seeking occurs mostly if a weapon is involved, there was a high degree of force, or the woman sustained a serious injury (Mahoney, 1999). The more intimate the relationship the less likely help will be sought, and the less likely partners are to perceive the assaults as crimes (Mahoney, 1999). Raped wives, for example, are often brushed-off and belittled by police, clergy, and others (Mahoney, 1999). That response reinforces the message that women should learn to live with abusive husbands (Mahoney, 1999). Any measure short of full recognition that patriarchy oppresses women and leads to domestic violence (DV) is simply another bolster to patriarchy.

PREEMPTING: THE LAW AS A MECHANISM OF PATRIARCHY

If we look at the law as a mechanism of patriarchy, then it is not surprising that institutional control, institutional aims, and institutional remedies enforce patriarchy (Hessick, 2007). Not all states mechanize patriarchy similarly. On the one hand, some scholars will argue that patriarchy thrives best in states where law enforcement has little interest in or authority to control domestic violence (Klein and Orloff, 1993). But on the other hand, patriarchal mechanisms that reinforce low sexual agency, keep women in a perpetual state of fear, and reinforce sex scripts about male strength and female fragility reinforce patriarchy (Grier, 2007). A good example of this second argument is demonstrated by the IPV problem in the State of Alaska (Cranstoun et al., 2009).

Alaskan DV is some of the highest in the nation (National Coalition Against Domestic Violence, 2011). In Alaska, rape, an extreme form of IPV, occurs 2.5 times more frequently than the national average (National Coalition Against Domestic Violence, 2011). Even though 90% of Alaskans would vote to increase funding for IPV victim service programs, over 90% would support increased penalties for DV and sexual assault perpetrators (National Coalition Against Domestic Violence, 2011). In other words, Alaskans believe that victims need service programs, for example, psychological, social, and economic recovery services, and equally believe that perpetrators need to be penalized and disciplined (National Coalition Against Domestic Violence, 2011).

It is difficult to argue that victims do not need more resources, but it is easy to argue that victims do need to make better choices before they get into isolating relationships (Eitzen et al., 2009). Criminological scientists and feminist scholars would argue that victimization is better avoided than remedied (Gruber, 2007; Peeks,

2006). Women who best avoid victimization exhibit sexual agency, rational decision making, and economic independence (Grier, 2007). It could be more beneficial for society to train women to be strong and independent than to expect a program to save women from their abusers (Gruber, 2007). With a change in socialization, women could preemptively direct their own lives away from situations that would increase vulnerability to abuse (Anderson and Struckman-Johnson, 1998).

Alaskan women suffer a greater wage inequity than the national average (Grass, 2011). This might show that patriarchal attitudes are prevalent in public life as much as private (Grass, 2011). It also might show that Alaskans are willing to vote to spend money on programs for women who self-declare themselves to be victims of men, but Alaskans have not found a way to give women 1) legally required economic equity 2) give women the opportunity for economic independence that they need in order to avoid or leave a violent partnership, and 3) give women the benefit of social mechanizations (Grass, 2011).

The problem with voting to increase penalties is that tough penalties have not helped curb DV in Alaska (Clark, 2010; Rivera et al 2009). For example, mandatory arrest for misdemeanor IPV has only had two negative effects, while failing to positively control crime (Clark, 2010; FBI, 2011). First, police have been given more control (Clark, 2010; Gruber, 2007). Untrained beat cops, as the emblem of patriarchy, are not experts in any field (Department of Public Safety, 2011; Rabe-Hemp, 2008). They are enforcers. By requiring enforcers to arrest people, some decision-making may be removed from the less specialized, trained, or educated members of the criminal justice system, which is arguably a good thing (Clark, 2010). But, overall it further empowers the branch of the criminal justice system that has been most consistently linked to the enforcement of patriarchal attitudes, including sexism with the public and between themselves, racism, classism, ageism, and even speciesism (Dowty, 2010; Ford, 2005; Gruber, 2007; Hunt, 1991).

Another problem with responding to IPV, rather than preempting patriarchy, is that once the system responds to IPV, the system can define DV using patriarchal concepts. Criminological or feminist theorists define intimate partnerships broadly, and criminal statutes vary from state to state on the definition of "intimate relationship" (Cranstoun, 2009). Delaware and Massachusetts require partners to have substantially dated (Cranstoun, 2009). Maine, like Massachusetts specifies the level of sexual intimacy required to trigger the statute (Cranstoun, 2009). In Maine, past or present dating is the only requirement and past or present sexual partnering is not (Cranstoun, 2009). Hawaii's statute describes intimate partners as people who do or have cohabited and do or have had a dating relationship (Cranstoun, 2009).

For an altercation to qualify as IPV, Massachusetts, New York, Pennsylvania, and Texas require people to have or have been in a substantive dating relationship where the length of time since the dissolution of the relationship will be considered one factor (Cranstoun, 2009). Rhode Island requires that persons involved dated within the previous six months or lived together within three years (Cranstoun, 2009). Maryland requires that intimate partners lived together for at least 90 days within one year of filing for a protective order (Cranstoun, 2009). Even though California, Colorado, and Georgia include roommates or housemates in their DV statutes, Illinois includes adults who require personal assistance of protection, and West Virginia protects persons, e.g. children, who witness or report DV and experience aggression because of it, no statute is more inclusive than Alaska's (Cranstoun, 2009).

In Alaska, the DV statute, which could broadly encompass many if not all IPV crimes, includes the following "household members":

(A) adults or minors who are current or former spouses; (B) adults or minors who live together or who have lived together [includes roommates and live-in caregivers]; (C) adults or minors who are dating or who have dated; (D) adults or minors who are engaged in or who have engaged in a sexual relationship; (E) adults or minors who are related to each other up to the fourth degree of consanguinity, whether of the whole or half blood or by adoption, computed under the rules of civil law; (F) adults or minors who are related or formerly related by marriage; (G) persons who have a child of the relationship; and (H) minor children of a person in a relationship that is described in (A) — (G) of this paragraph (9 AS 18.66.990(3).10 AS 18.66.990(5); *Leu v. State*, 2011; *Bingaman v. State*, 2003; *Carpentino v. State*, 2002).

This statute defines DV to include almost all living relatives and any two people who have ever dated (*Leu v. State*, 2011). There is no time or place limit on this statute (*Leu v. State*, 2011). Alaska only reinforces patriarchy by permanently and publicly cementing all romantic or sexual relationships for life as "domestic" (Burgess, 2007).

In rural towns of a few dozen, a few hundred, or a few thousand people, lives are intertwined (Pruitt, 2008a; Pruitt, 2008b). For example, the State of Alaska has fewer people than City of Miami, and the capital of Alaska, Juneau (its 3rd largest city) has fewer people than the number of students who attend the local commuter-university in Miami (U.S. Census Bureau, 2010). Juneau, like many towns and cities in Alaska, is isolated (U.S. Census Bureau, 2010). Juneau is restricted to a water channel that is surrounded by mountains; there are no roads in or out and the only transit out of Juneau is by plane or ferry, both of which are costly and time consuming (U.S. Census Bureau, 2010). Nearby cities remote villages accessible by private boat (U.S. Census

Bureau, 2010). In these environments, people who have lived for many generations inevitably all become sewn into the DV statute (National Coalition Against Domestic Violence, 2011; Robinson, 2009). The broad statute, affecting people of the fourth degree of consanguinity, including step siblings, children by adoption, and any people who have ever dated or been intimate, can drag almost anyone into prison on a mandatory arrest for a minor shoving match (AS § 25.23).

These types of laws not only expose people's private lives unnecessarily, but they make past relationships inescapable (AS § 25.23; Hessick, 2007). People are afraid to have their pasts drug-up especially in a context that will stigmatize them (Hessick, 2007). Labeling can have a serious effect in close communities, which may discourage reporting. Yet, abusers are obviously not deterred by these statutes since crime has not decreased (McDonough, 2010).¹

Women in small villages could especially benefit from preemptively empowering strategies. In small cities, towns, or villages, protection orders require extraordinary lengths to achieve compliance (Pruitt, 2008a). Many villages resolve to ignore serious crimes of IPV and sexual abuse or handle matters privately among the people.² These protective orders do little more than give a woman bragging rights and the power to threaten an abusive man; and they give police the authority to swoop in after the violence is over and temporarily take custody of children while volunteers, lawyers, and judges scrimmage (Gruber, 2007; *Hernandez v. Ashcroft*, 2003; *U.S. v. Morrison*, 2000; Walker, 2009). Feminists fought to make protection orders available, but following the partial failure of VAWA (*Hernandez v. Ashcroft*, 2003) and the fact that research that has shown that court-ordered protection can often be ineffective, especially in remote place or small towns, many feminists are now looking to other methods for ending the social cycle of abuse in order to leave women satisfied by the system (Gruber, 2007; Kohn, 2008; Kohn, 2010).

¹ The T.V. show, *Parks and Recreation*, comically characterizes the experience of living in a small town.

Leslie Knope: How did you meet Tammy 1 [Ron's first wife]

Ron: technically I've known her since I was born. She was a candy striper at the hospital. She helped delivery me. I grew up in a very small town, 600 people. Everybody knew everybody else. We first took up together when I was 15. It was a little scandalous, but, everyone feared her, so they kept their mouths shut.

April: I don't even know her, but she's my hero.

Ron: Oh, she's no hero, April. She's a hellacious nightmare. She did, however, teach me everything I know--Sunday school, sex. She was my math teacher in middle school, and my babysitter. And she taught driver's ed."

Parks and Recreation, Season 2. "Ron & Tammy's" Episode 2.

² This information was discussed in my Sociology of Deviant Behavior course at the University of Alaska Southeast. A student, whose family has lived on the North Slope for many generations, told the class about several incidents, some of which could be confirmed by online news articles. She said that serious IPV and sex crimes are easily brushed aside, and are rarely dealt with using the criminal justice system. Her village and her identity have been intentionally withheld in order to protect her privacy and standing within her community. Discussions about these events are strongly discouraged by her community.

One recent study found that approximately 400 of 700 women experienced recurrent violence even though they had protective orders (Kohn, 2010). It is for this reason that victim dissatisfaction is so low (Kohn, 2010). Of 200 abused women surveyed, 38% percent of women reported being satisfied with the civil and criminal justice systems' treatment of their situation (Kohn, 2010). Over 50% reported being dissatisfied in some way (Kohn, 2010).

It is no wonder that some victims are traumatized by the system (Kohn, 2010). The system is created by those who have patriarchal attitudes (Gruber, 2007). Research has repeatedly uncovered deep dissatisfaction with how judges and personnel treat victims in a condescending, impersonal, dismissive, intimidating, or humiliating way (Kohn, 2010). This could lead to further trauma and dissociative reactions (Walker, 2009). Women who exercise agency against the patriarchal system by choosing the taboo and staying in the abusive relationship are especially degraded by the process and the personnel (Walker, 2009).

Research has shown that victims engage in a cost benefit analysis of losing personal power to the system, versus the extent that the system can assist them in evading abuse (Kohn, 2010). Many victims refuse to engage the system because they are doubtful that it will offer any aid and will only infuriate the aggressor while disempowering the victim (Kohn, 2010). Victims find that an attempt to enforce their rights makes them feel disempowered, and making the judgment call to involve the system will lead to the elimination of their agency in the matter (Kohn, 2010). The system subtly and overtly propagates patriarchal outcomes (Walker, 2009). Research shows that only women who feel in control will report overall satisfaction with the system (Walker, 2009).

Another scenario of subtle, yet overt, paternalism is the exemption to family mediation requirements that some states offer in cases of DV (Landrum, 2011). In some cases, women may independently choose to avoid their abusers, but in other cases those involved encourage women to cower away their abusers by opting out of mediation (O'Connor, 1999). Alaska is one of those states that reinforces the belief mechanisms of patriarchy whereby cycles of fear and disenfranchisement are bolstered (Alaska Stat. §§25.20.080 (f) and (g), 25.24.060 (f) and (g), and 25.24.140 (f) and (g), 2012).. Alaskan society essentially enforces a belief that women who have been abused should fear the men who abused them so much that they avoid confronting them, mediating with them, or even being in a guarded room with them (Alaska Stat. §§25.20.080 (f) and (g), 25.24.060 (f) and (g), and 25.24.140 (f) and (g), 2012). This is totally contrary to the latest trends in Victim Offender Mediation Programs throughout 45 states where victims confront their abusers and narrate the abuse that they suffered (Grinthal, 2011).

Sometimes the patriarchal attitudes are so deep that the discussion of how to remedy abuse does not even arise when the question of how to report abuse is still dismally

plagued by patriarchal perspectives. In Alaska, nearly three in every 100,000 women are murdered by single-offense male murderers (National Coalition Against Domestic Violence, 2011). This is the highest per capita rate of men murdering women in the nation (National Coalition Against Domestic Violence, 2011; Violence Policy Center, 1999). But, some years, many Alaskan municipalities, like Juneau, fail to report any murders or only report a low number of murders even though all of their other crime statistics are basically on par with the rest of the nation (City Rating, 2012; Stolpe, 2011). These same municipalities report some of the highest figures for suicide in the nation (Juneau Empire, 2009; Marquis, 2008). The numbers do not attest to the same reality since: 1) male suicide is approximately four to six times higher than female suicide in the U.S.; 2) Alaskan male suicide is several times higher than U.S. suicides; 3) suicide deaths outnumber homicide by almost 2:3 in Alaska, which far exceeds the national average; and 4) female suicide is proportionately lower in Alaska than the rest of the U.S (Alaska Suicide Facts and Statistics, 2011; Barber, 2011; Center for Disease Control, 2007; Center for Disease Control, 2011; Gallanos, 2009; Health and Social Services, 2011; Juneau Suicide Prevention, 2011; Keim, 2004; National Institute of Mental Health, 2011; New York Times, 1991; Statewide Suicide Prevention Council, 2011; Suicide.org, 2011; Thackery, 2011; World Health Organization, 2011). How can the murder of women by an intimate partner be the highest in the nation in Alaska, and yet, there be no murders in many of the Alaskan municipalities; and how can lethal male violence be so rampant and female suicide be lower than the national average, yet all mortal violence against females in some municipalities is attributed to female suicide, but not male intimate partner violence (Alaska Suicide Facts and Statistics, 2011; Center for Disease Control, 2007; Health & Social Services, 2011; Thackery, 2011; Barber, 2011; Center for Disease Control, 2011; New York Times, 1991; Keim, 2004; Gallanos, 2009; Suicide.org, 2011; National Institute of Mental Health, 2011; Health and Social Services, 2011; World Health Organization, 2011)? Why is it that people in Juneau commonly discuss the use of crab pots to eliminate human corpses from discovery Juneau, but there are no reported murders—is this merely a local myth or is there possibly some truth here that includes the disposal of lovers and rivals?³ Are men in this city so much less willing to kill their partners than other Alaskan cities, or is this city so much less

³ On several occasions during 2012 while I prepared this paper, I conversed with University of Alaska Southeast employees and commuter students about why there are no reported murders in Juneau, AK. These people flatly claimed that the most popular way to dispose of human corpse is by using crab pots on fishing vessels, and then dumping the bones far at sea. They also discussed depositing the bodies into abandoned mine shafts where the police will not search and animals will feast on the remains. They said that these methods are covered up by reporting that an individual simply moved out of town or went to work in another part of the state.

patriarchal than their sister cities (City Rating, 2009a; City Rating, 2009b)? Or, could it be that patriarchal systems have patriarchal interests,⁴ patriarchal members, and patriarchal viewpoints that unintentionally cause justice members to observe facts and make reports from a patriarchal point-of-view (Page, 2010; Pepper, 2010; Schuller et al., 2010; National Rifle Association, 2010; Smith, 2005)? Could it be that when a woman's dead body is found with a gunshot wound, police may observe a suicide, when in fact, her current or past partner shot and killed her (Walker, 2009)?⁵ When a woman goes missing, do the police simply assume that she was behaving irrationally and left town? The answer is that it is possible because of such extreme patriarchal indoctrination throughout the state, and it is worrisome (Walker, 2009).

RESPONDING: FEMINIST SOLUTIONS

If the system must respond rather than preempt, then restorative justice may very well empower women more than a system that will take the power out of her control once the mechanisms are put into motion (Hessick, 2007). Alternative, restorative justice methods will empower women if the methods are designed conscientiously to empower women (Gruber, 2007; Kohn, 2010). Unfortunately, the legal system, which is a mechanism of patriarchy, has designed and manages those alternative forms of restorative justice (Gruber, 2007; Kohn, 2010).

If alternative forms of justice were designed by feminist attitudes, rather than by patriarchal attitudes, then men may also apologize to women and be forced to reconcile their own patriarchal socialization with more progressive expectations (Gruber, 2007; Kohn, 2010). Instead of allowing abusers to slink away into psychoeducational classes, which are known to fail, men should be required to monetarily compensate victims for abuse (Tilgham, 2004). If they cannot afford to compensate victims, then they should be forced to work in prison or in society until their wages have been sufficiently garnisheed. Rather than giving the man the subtle suggestion that his strength is so great that his woman fears him, or that he

is so powerful that the system should work to tame him, a feminist approach would be less likely to glorify his anger and more likely to resocialize him, by forcing him to repay his debt to the victim (Shaipro, 2012).

"Managing anger classes" as a solution to IPV is akin to "managing intimidation classes," "managing insults classes," or "managing your money" classes insofar as they address how men can reapportion a useful resource for control and subjugation (Maxwell et al., 2010). "[P]sycho-educational"..."[programs] teach batterers why they batter and why they need to have control, but do not focus on any behaviors to change the battering" (Shapiro, 2012). The feminist approach to restorative justice would note that anger is a tool of the patriarchal man (Shaipro, 2012). Feminists would disrupt the catch-22 of glorifying a man's anger by treating him like he needs to manage this overpowering emotion—anger (Shaipro, 2012). Abusive men should be required to take classes that dismantle their patriarchal attitudes, cause them to experience humility, and help them rebuild their ideologies, rather than take classes that subtly glorify, pacify, or rechannel their violent personalities and patriarchal attitudes (Boakye, 2009; Boer and Mashamba, 2007). Abusive men should also be required to submit to substance testing since the vast majority of violence correlates with alcohol and substance abuse (Monahan et al., 2001).

If jurisdictions continue to rely on psychoeducational programs, then they should be modified to include the aforementioned suggestions. To treat batterers more effectively than with mere psychoeducational programs, offenders could be divided into two categories, which roughly equate with Misdemeanor and Felony abuse (Tilgham, 2004). The first category is for those who are repeatedly abusive psychologically and physically, but do not physically injure their partners (Tilgham, 2004). The second category is for those who batter their partners and cause them physical injury (Walker, 1999). The two groups, "abusers" and "violent abusers", each pose different risks, and therefore, must receive distinct but overlapping treatment plans (Conroy and Murrie, 2007, p. 136).

To alter the behavior of abusers and violent abusers, a three-prong program should be implemented. Each prong would serve to break-down the offender's habits and sense of control, and to convince the abuser that he is not a supreme force (Georgia Department of Corrections, 2012). Part one would include compulsory substance abuse and dietary treatment (Werbach, 1995). Part two would require the most stringent physical fitness program that can be accomplished by the abuser (Georgia Department of Corrections, 2012). Part three would include obligatory and extensive community service, education, and skill building (Texarkana Arkansas District Probation, 2012). The prongs would require extra servility and exertion from abusers who injure their partners. Abusers often manifest their misogynistic tendencies when they lose control (Walker, 1999). Control is lost,

⁴ In Alaska, no permit is required to carry a gun, which may be brandished in public. Alaska also has the highest gun per capita rate in the nation.

⁵ Jeremiah J. Cunnington, M.A. (Anthropology), Conversation at University of Alaska Southeast, Aug. 2, 2012. Cunnington stated that since he was 10 years-old, he has known of various local methods for disposing of bodies in Juneau, AK. *Id.* He referred to this as "informal local knowledge." *Id.* Some of the methods included placing bodies in crab traps and disposing of bodies in abandoned mines. *Id.* He classified some of the body disposal methods as traditional ecological knowledge. *Id.* He claimed that Juneau, AK knew these methods and passed them on. *Id.* He raised this information about body disposal in response to my assertion that Juneau, AK has violent and serious crime rates that equal to national average, except in murder. *Id.* Juneau, AK murder statistics are incredibly low. *Id.* He explained that people in Juneau do not get murdered, they "move to Seattle." *Id.* He said that Seattle is "a big place" where people can easily disappear. *Id.*

inhibitions lowered, and rational processes diminished when abusers use substances (Monahan et. al., 2001). Substances abuse is a problem in most violent relationships (MacArthurs, 2001). The first prong would be to detox and stabilize victims and abusers (MacArthurs, 2001). Abusers should be required to submit to random substance testing up to four times per year, and remain sober for a minimum of two years (Monahan et al., 2001). The elimination of substances that literally poison the nervous system, i.e. perceptions, emotions, reactions, and self-control, should accompany mandatory dietary regulation (Werbach, 1995). Particular foods may cause violence in some people due to allergic reactions, over stimulation of biological processes, or due to anxiety or depression that also results from an imbalanced diet or malnourishment (Werbach, 1995). Vitamin and food intake should be regulated like substance abuse, and nutritionists should teach abusers how to prepare and maintain the foods that work best for their physical, mental, and emotional needs, for up to two years (Werbach, 1995). The abuser should be ordered by the court to prepare greater than 50% of the meals at home for the family and/or the victim, as well as undertake greater than 50% of chores for up to two years (Texarkana Arkansas District Probation, 2012; Tilgham, 2004; Werbach, 1995). Chores should be listed in a domestic action plan for the court before the probationary time begins to run (Texarkana Arkansas District Probation, 2012).

In prong two, physical labor or exercise would be required of abusers for up to two years (Georgia Department of Corrections, 2012; Tilgham, 2004). Aggression is lowered by exercise and cleansing (Tilgham, 2004). Like a judge in Houston who ordered a misdemeanor abuser to take yoga classes for spiritual cleansing, this prong is interested in physiologically cleansing the abuser (Tilgham, 2004; Walker, 1999). For several hours each week abusers will be pushed to perform a variety of physical regiments curtailed to his/her disabilities or needs (Tilgham, 2004). Victims may voluntarily exercise also (Tilgham, 2004). The physical regiment could be developed and completed through enrollment in university fitness classes, through community-based, supervised fitness at the YMCA, or other court-approved locations (Georgia Department of Corrections, 2012; Tilgham, 2004). Prolonging the new regimen beyond a six month threshold will correlate with decreased chances for relapse (Monahan et al., 2001).

In the third prong, abusers would be required to submit to supervised community service that provides them with a skill and opportunity to receive respect for their accomplishments (Texarkana Arkansas District Probation, 2012). A goal should be established at the beginning, for example, become a professional caregiver to animals (Texarkana Arkansas District Probation, 2012). Then abusers should engage in community service in their field, e.g. clean dog excrement or walk

shelter animals (Texarkana Arkansas District Probation, 2012). This service would be calculated at a minimum wage rate (Texarkana Arkansas District Probation, 2012). The money accrued would be directly deposited into community-based (if possible) or state-run training/educational classes that help the abuser to achieve the original goal (Texarkana Arkansas District Probation, 2012). Even highly educated or sophisticated abusers can benefit from probation that requires them to “increase marketable job skills through training and experience” that centers around intellectual goals, giving to the less fortunate, society, or benefiting the environment (Texarkana Arkansas District Probation, 2012). Victims may voluntarily participate in community service and education (Tilgham, 2004). Victims and abusers who are repeating violent patterns from their own childhoods are no doubt plagued by low self-esteem (Bryant, 2012). They may crave positive feedback, direction, and self-worth, and may desire to achieve a sense of power (Johns, 2012). Community service that enhances positive self-perception could help healing (Bryant, 2012).

The violent abusers would be treated with the same three-prong approach, but they would be required to exercise vigorously to the fullest extent of their capabilities at a prison or outpatient facility in order to generate electricity in prison grids (Duerson, 2012; Tilgham, 2004). They would be paid minimum wage for their time (Duerson, 2012). The money would accrue to pay their spouses’ family lawyer retainer fees, their spouses’ self-defense classes, their spouses’ therapy, and a retainer for their spouses’ moving expenses and alimony (Walker, 1999). Depending on the risk assessment, a specific amount to be earned will be matched through a risk assessment instrument, individually assessed by a clinician, and ordered by the court (Walker, 1999). In addition to the performance of community-based hard labor, violent abusers would be required to labor at home, e.g. clean and cook for the duration of their probation (Tilgham, 2004). Violent abusers’ names should be listed on a violent abuser registry for the duration of their rehabilitation (Cusack, 2013). These registries should appear electronically in police “hot spot” data bases, bars, sporting events, convenience stores, grocery stores, and wherever else substances are sold in order to prohibit sale of intoxicants to abusers for two years (Lerner-Wren, 2009; Monahan, 1998). Violent abusers should also be taxed 5% of their salaries by the government to pay for administrative and healthcare costs associated with their violence, like 911 calls, Medicaid, clinical assessments, court costs/ registry maintenance, etc. (Walker, 1999). Breaking down and rebuilding the abusers and violent abusers could give them a better opportunity to change their cycles of abuse (Walker, 1999). Abusers and violent abuser’s minds and bodies can be transformed through proper diet, the elimination of substance use, and physical fitness. Their

attitudes about their place in society and the home, and their self-perceptions, can be positively and radically redefined through community service, service to family, and skill-building.

CONCLUSION

Some feminists would support any means of dismantling the patriarchal system (Gruber, 2007; Kohn, 2010). Other feminists would in fact argue for alternative justice (Bingham, 2005). But, almost any feminist would argue for a system that does not propagate cycles of female powerlessness through ingrained patriarchal attitudes. It is somewhat questionable whether feminists are reading into the numbers or whether the system really does skew the response for IPV against women because the system is built on patriarchal thinking (BISC-MI, 2012; National Coalition Against Domestic Violence, 2011). If the system really is skewed, then the foci of IPV intervention and justice should not solely be on response to DV, it should also be on empowering women by dismantling patriarchy and forcing abusers to earn their rehabilitation (Bingham, 2005).

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