

COUNTERING CONFUSION ABOUT THE DULUTH MODEL

Michael Paymar and Graham Barnes

Research Specialists with the Battered Women's Justice Project

Minneapolis, Minnesota

In recent years, the 'Duluth model' of working with men who batter their female partners has come under criticism, despite being the pre-eminent intervention model internationally. National Institute of Justice (NIJ) researchers (Jackson, Feder & Dugan, 2002) studied batterer treatment programs claiming to use the Duluth model in Broward County, Florida and Brooklyn, New York. They contend that batterer intervention programs do not change batterers' attitudes and may have only minor effects on behavior.

Other critics of the Duluth model (Dutton & Corvo, 2006) claim that the Duluth model should be abandoned – they decry feminist philosophies, claiming that women are equally as violent as men in both numbers and severity, that a reliance on mandatory arrest for assailants is counterproductive, that a coordinated community response (CCR) drains resources that should be used for marriage counseling and other treatment, that the Duluth curriculum shames men, and is not effective at stopping the violence. In this paper, the authors examine and respond to the NIJ research and criticism from Dutton and Corvo.

Given the difficulty of changing historically entrenched battering behavior, the authors explain why the Duluth model, in its true form, provides an effective, ethical framework to address battering given scarce resources. Resource-intensive mental health-based intervention models, and avoidance of criminal justice sanctions, raise serious ethical concerns about justice and safety for women and children. Safety and autonomy for victims, and redressing power imbalances always take priority with the Duluth model. Both authors have worked with the Domestic Abuse Intervention Project in Duluth, Minnesota.

Keywords: Domestic violence, criminal justice system, Duluth model, batterer treatment programs

Recently, the 'Duluth model' of working with men who batter has received serious criticism, despite being the pre-eminent model internationally. The authors respond to Dutton and Corvo (2006), and National Institute of Justice (NIJ) researchers Jackson, Feder and Dugan (2002). Dutton and Corvo claim women and men are equally violent; mandatory arrest is counterproductive; a coordinated community response (CCR) drains resources from treatment; and the Duluth curriculum is shaming and ineffective. The authors rebut misinformation and challenge the ethics of avoiding criminal justice sanctions and reliance on resource-intensive mental health models.

Jackson, Feder and Dugan, (2002) studied two batterer treatment programs claiming to use the Duluth model. They cite no change in batterers' attitudes and only minor behavioral effects. Their research was seriously compromised. Neither sites had a CCR infrastructure, a Duluth prerequisite. Changing historically entrenched battering behavior is difficult, the authors explain, but the Duluth model prioritizes victim safety and autonomy.

Problems With The National Institute Of Justice (NIJ) Research

In 2003, the National Institute of Justice released research suggesting that there was “no benefit from batterer counseling” and that the “Duluth model did not work” in a study in Broward County.

Despite such claims, NIJ researchers (Jackson, Feder, Forde, et al, 2003) admit to the limitations of their own study. Other researchers have roundly criticized their study as seriously flawed. Critics of the Duluth model have used this study to question the effectiveness of batterer intervention programs and specifically the curriculum *Creating a Process of Change for Men Who Batter* developed by the Duluth Domestic Abuse Intervention Project (DAIP). Their research focused on recidivism rates and behavioral changes of male offenders in Broward County, Florida and Brooklyn, New York that were ostensibly using the Duluth model. In the two sites, half of the men were ordered to counseling programs using the Duluth curriculum *Creating a Process of Change for Men Who Batter* and the other half went to a control group of supervised probation without counseling. The following are some of the reasons the NIJ study has been widely criticized.

1. In using the term “Duluth model” the NIJ report refers only to the “batterers’ treatment” component. The researchers didn’t indicate whether (or to what extent) the two sites were a part of a coordinated community response (CCR), a core element of the Duluth model. A key component of the Duluth model is swift consistent consequences (jail or return to the program) for noncompliance with conditions of probation, civil court orders or program violations, e.g., missing groups and further acts of violence. This did not occur consistently in the NIJ sites. Significantly at no stage did the NIJ study establish that the programs being studied were being

operated in accordance with Duluth-model practice. “Testing how faithful programs are to the models on which they are based requires process evaluations, which, to date, few evaluations have incorporated.” (Jackson, Feder, & Forde, 2003). Yet the researchers claim that the Duluth model batterer programs “had little or no effect” (Jackson, Feder, & Forde, 2003). Such conclusions are not only scientifically impossible to make but ethically questionable.

2. In the NIJ’s Brooklyn study, there was a major change in methodology during the research. Defense attorneys objected to some offenders being mandated to counseling while others were being placed on probation. Rather than discontinue the study, researchers offered an accelerated eight-week class as the program group compared to the Duluth curriculum of 26 weeks of classes. Such a major change in methodology seriously weakens the validity of the research project.

3. NIJ tests used to assess batterers’ change were of questionable validity. The researchers even admit the flaws by stating, “In both studies, response rates were low, many people dropped out of the program, and victims could not be found for subsequent interviews. The test used to measure batterers’ attitudes toward domestic violence and their likelihood to engage in future abuse was of questionable validity. In the Brooklyn site study, random assignment was overridden to a significant extent, which made it difficult to attribute effects exclusively to the program.” (Jackson, Feder, & Forde, 2003).

4. The NIJ research didn’t analyze different treatment programs or models. The researchers simply concluded that recidivism and offenders’ attitudes about women were basically similar for those offenders who went to counseling programs using the Duluth curriculum, versus those that were placed on probation.

5. The NIJ report conflicts with other more comprehensive studies. Most notably, the NIJ sponsored Broward County experiment clashes with much a more comprehensive study that included a seven-year multi-site evaluation. (Goldolf, 2003) In that study, Edward Gondolf concluded, “...*that well established batterer intervention programs with sufficient reinforcement*

from the courts do contribute to a substantial decline in re-assault” (Gondolf, 2002). Gondolf’s study was much more thoroughly designed and implemented than the NIJ study, with larger samples, four sites and a more informed attention to program design, implementation and the context of re-offense. It provides a benchmark by which other research can be considered.

6. In light of their study, NIJ researchers recommended a cognitive-behavioral approach for batterers’ intervention programs. NIJ researchers cite the Emerge and Amend programs as cognitive-behavioral alternatives equivalent to the Duluth curriculum. However, the basis of the Duluth curriculum is cognitive-behavioral. It is very similar to the programs offered at Emerge and Amend. One difference is that Duluth focuses less on psychological assessment, and more on how power relationships and entitlement are reflected in individuals, families, communities, and different cultures. These distinctions are not as significant as the similarities in the approaches and philosophy.

7. Other research on batterer intervention programs demonstrated much different results than the NIJ study. In Scotland, researchers (Dobash & Dobash, 1999) found that offenders ordered to counseling using the Duluth curriculum and with the threat of immediate consequences for failure to participate (the Duluth model), had a success rate of 73% as opposed to a 33% success rate for those offenders who were simply placed on probation. This study directly conflicts with those that claim no program effect. The researchers were able to document that the program using the Duluth model did in fact put into place the essential elements of the program before comparing it to the group using no educational intervention.

We agree with the NIJ researchers that changing offenders’ attitudes towards women is extremely difficult. We still live in a sexist society where women are devalued, where many men still believe they are entitled to be in control in an intimate relationship, and where men who batter believe they have the right to use violence. While it is a goal to change the attitudes of men who batter, the ultimate goal of the Duluth model has always been to ensure that victims are safer by having the state intervene in a meaningful way to stop the violence, and address the

power imbalance inherent in a relationship where one person has been systematically dominated and subjugated by another.

Duluth's experience is that many battered women want their partners to go to counseling. They want the violence to stop. They want their abusive husbands to change. While we can argue the relative success of all treatment programs, we believe that as a society we should offer men who batter an opportunity to change. If they don't change, we believe that the state has an obligation to increase sanctions to stop the violence.

What Do We Do With Offenders?

In 2002, Julia Babcock, Charles Green, and Chet Robie published, *Does Batterers' Treatment Work? A Meta-analytic Review of Domestic Violence Treatment* in the *Clinical Psychology Review* (Babcock, Green & Robie, 2002). Similar to the NIJ study, some practitioners in the field have been using this research to criticize the education model used in Duluth, cognitive-behavioral therapy and other treatment programs. Babcock, et al, examined the findings of 22 studies evaluating treatment efficacy. They essentially concluded that the Duluth approach, cognitive-behavioral therapy and other models have mixed results; hence the criminal justice system should consider alternative treatments.

We agree with these researchers that the criminal justice system should consider alternative treatments when offenders aren't amenable to treatment. In these cases, we believe that community service probation or jail might be more appropriate. We also believe that offenders with diagnosed mental health problems might benefit from different kinds of treatment, resources permitting. A major dilemma for the courts and human service providers is conducting a comprehensive assessment of offenders to determine which treatment approach would be most effective. This process can be very expensive, and benefits gained need to be balanced with using the resources for other options, for example, more resources to victims and non-offending family members. Similarly, the safety of victims must be considered if the court begins to order offenders to treatment programs using restorative justice and couples counseling when a batterer

is still exercising power and control over his partner. Finally, we have never supported state statutes (Dutton & Corvo, 2006) that mandate a particular treatment model, even though some states have adopted standards that dictate treatment approaches. We do advocate for state standards that require batterer intervention programs to keep victim safety central to their programming.

We also acknowledge that there is a difference between a person who has used some kind of physical force against their partner and what we would describe as a batterer. A person who batters is one who uses a pattern of intimidation, coercion and violence against a partner. It is unusual for men to be arrested for assault in cases where there has been no such history. Women call the police because they are afraid. Neighbors call because the violence is alarming. Children call because they are trying to help their mothers. While some therapists may encounter “walk-in” clients whose use of violence does not constitute a pattern of abuse, these are rarely the cases coming through the criminal justice system and when they are, there usually isn’t a conviction. This article and the Duluth model addresses a public response to battering, rather than isolated incidents of domestic violence.

Babcock et al, do state that we shouldn’t abandon traditional treatment programs if there is a strong coordinated community response, which is the centerpiece of the Duluth Model. In their research they state:

“Based on partner reports, treated batterers have a 40% chance of being successfully nonviolent, and without treatment, men have a 35% chance of maintaining nonviolence. Thus, the 5% increase in success rate is attributable to treatment. A 5% decrease in violence may appear insignificant: however, batterer treatment in all reported cases of domestic violence in the US would equate to approximately 42,000 women per year no longer being battered.” But none of the major, methodologically sound research studies that examine recidivism back up such a paltry claim of change.

“Policymakers should not accept the null hypothesis and dismiss the potentials for batterers’ intervention to have an impact on intimate partner abuse. Results showing a small effect of treatment on violence abstinence do not imply that we should abandon our current battering intervention programs. Similar small treatment effects are found in meta-analyses of abstinence abuse treatments when abstinence from alcohol is the outcome of interest. Yet, some people are able to dramatically transform their lives following substance abuse or battering interventions. Given what we know about the overall small effect size of batterers’ treatment, the energies of treatment providers, advocates, and researchers alike may best be directed at ways to improve batterers’ treatment. Because no one model or modality has demonstrated superiority over the others, it is premature for states to issue mandates limiting the range of treatment options for batterers.”

Nowhere in their research are there claims that other treatment methodologies work better than the Duluth approach. In fact they stated that programs using the Duluth curriculum performed slightly better than the alternatives studied in their research.

At the DAIP in Duluth, researchers (Shepard, 1992) tracked one hundred court-mandated offenders who were ordered to complete a 26-week education program in Duluth over a five-year period. They found that most of the participants used less violence and less frequently. Forty percent of the court-mandated offender’s recidivated at least once after five years. Extrapolating that number (adding those that didn’t get caught) we would conclude that about 60% of court-mandated offenders will use some violence again, but a much lower number will continue to batter their partners on an ongoing basis. This finding is consistent with the Babcock et al, research.

What The Duluth Model Is And What It Isn't

The Duluth model was designed in 1981 as a Coordinated Community Response (CCR) of law enforcement, the criminal and civil courts, and human service providers working together to make communities safer for victims. It was organized by the Domestic Abuse Intervention Project (DAIP), an independent entity that intervening agencies entrusted to oversee and guide the Duluth CCR (Pence, 1996).

The Duluth model is not a treatment program, but rather a Coordinated Community Response that holds offenders accountable for their behavior while ensuring that community institutions are responsible for protecting victims from ongoing violence.

The central premise of the Duluth model is to:

- Focus interventions on stopping an offender's use of violence, not fixing the relationship.
- Use the power of the state through arrest and prosecution to place controls on an offender's behavior.
- Monitor an offender's compliance with conditions of probation, protections orders and court-mandated counseling.
- Provide victims of abuse emergency housing, protections orders, information and advocacy to increase safety and autonomy.
- Monitor the community response by tracking cases to ensure intervening agencies conform to agreed-upon policies.
- Resolve problems by examining and documenting the manner in which practitioners are responding to cases that appear to be in conflict with policies and administrative procedures. In Duluth, this is the responsibility of the DAIP.
- Work through problems in interagency meetings coordinated by the DAIP.
- Work to shield children from violence by determining visitation conditions and by linking the safety of children to the safety of their mother.

In 1981, the Duluth Police Department adopted one of the first mandatory arrest policies in the country resulting in an exponential increase in offenders entering into the criminal justice system. The Court concluded that it was impractical to incarcerate “first-time” misdemeanor offenders, so they requested that the DAIP in concert with mental health agencies, design a program for these offenders. Both the Court and the DAIP wanted to implement a low-cost program that wouldn’t compete with limited funds that were being used to support battered women’s programs. The DAIP has adhered to this philosophy since its inception.

Critics of the Duluth model, (Dutton & Corvo, 2006) claim that “the Duluth model maintains an ineffective system where resources are diverted from other potential program responses, e.g. joint treatment of violence and chemical dependency or mutuality of partner violence.” They further state; “mandatory arrest policies are a product of the ideologically driven view that since domestic violence is always strategic, always intentional, always unidirectional and always with the objective of female domination by men that it must be contravened by the power of the state. Once one removes this ideological presumption, the rationale for mandatory arrest disappears.”

They further cite research done on mandatory arrest policies in Milwaukee (Sherman et al, 1992) and other cities that apparently demonstrated questionable results that mandatory arrest reduces recidivism. What they don’t tell us is that the cities that they measured had very poor prosecution rates. It is axiomatic, that arrest without prosecution, meaningful sentences, jail or counseling will usually be less effective because offenders get the message that the criminal justice system and society doesn’t take domestic violence seriously. And even if arrests alone don’t reduce recidivism to the level we would hope for, critics of pro-arrest policies would never argue that we stop arresting rapists or thieves who assault their victims even though arrests of these violent offenders don’t measurably reduce recidivism.

From a public policy perspective, essentially decriminalizing domestic violence by not arresting batterers (unless an assault was egregious) would condemn victims to either live with the violence or go back to the bad old days of requiring the victim to press charges against an abusive spouse. Proponents of doing away with pro-arrest policies that target the predominant

aggressor (a central core of the Duluth model) would reduce arrests. It would also increase the proportion of dual arrests which have not only been proven to be ineffective at stopping violence, but have the unfortunate consequence of causing victims to be more reluctant to call the police when further acts of violence occur.

Why Domestic Violence Happens And How To Stop It

Criticism of the Duluth curriculum *Creating a Process of Change for Men Who Batter* is frequently used to support arguments for adopting different treatment approaches. These may include psychotherapy for offenders who have experienced brain trauma, marriage counseling by those practitioners who believe that both parties share responsibility for the violence, restorative justice for those who believe that having victims confront their abuser is healing and those who argue that treatment is simply ineffective and should be discontinued in favor of community service or probation. The controversies and current divisions about “what works” is centered in myriad theories about why the battering occurs and how it can be stopped. Some of the causal explanations for domestic violence include:

1. Anger and poor impulse control trigger violent responses to relationship problems.
2. Violence is a manifestation of a dysfunctional relationship.
3. Violence is a learned behavior emanating from the offender’s family of origin.
4. Offenders have diagnosable psychological problems or personality disorders.
5. Men are socialized to accept violence as a means to resolve conflicts.
6. Culture steeped in sexism provides a blueprint for men to use violence to control their intimate partners.

Each one of these theories will result in different interventions and treatment approaches for practitioners charged with trying to stop the violence. Before adopting any new approach, practitioners should seriously assess how effectively a proposed intervention or treatment model enhances or diminishes the safety of victims.

For instance, some practitioners (Dutton & Corvo, 2006) state that recent evidence from the “best designed studies” (Ehrensaft, Moffitt, & Caspi, 2004; Moffitt, Caspi, Rutter, & Silva, 2001) indicates that intimate partner violence is committed by both genders with equal consequences. They use this research to buttress their argument that marriage counseling is an appropriate treatment response to end the violence. Even if surveys comparing gender rates of perpetration were accurate, proponents of the argument that women are as violent as men fail to account for the impact of the violence (Langhinrichsen-Rohling et al, 1995; Cascardi & Vivian, 1995), the severity of the violence (Hamberger & Guse, 2002) the level of fear experienced by the person being assaulted (Barnett & Thelen, 1995; Hamberger & Guse, 2002) or motivation for the violence.

In an emergency room study, gender differences among a cohort of injured patients (Phelan, Hamberger & Guse, 2005) found that men initiated violence in far greater numbers than women. One hundred percent of female respondents versus 39% of the male respondents reported being injured in a domestic violence incident. Thirty-six percent of women reported being intimidated by their partner’s size, while none of the men reported being intimidated by their partner’s size. Seventy-percent of women reported responded that they were very strongly afraid during partner-initiated violence, while only one man reported experiencing this degree of fear. The majority of men (85%) reported not being afraid at all when their female partners initiate violence. From experience, police officers and domestic violence advocates have long understood the contextual differences between the violence of men and women, yet proponents of the “women are as violent as men” agenda (Dutton & Corvo, 2006; Mills, 2003) and others continue to downplay the significance of gender differences in the ways that men and women use violence.

Opponents of a feminist analysis continue to argue their theory that women are as violent as men and that the level of mutual violence calls out for changing arrest and prosecution policies as well as advocating for marriage counseling to stop the violence. This may be an attractive theory to some in the mental health field and “men’s rights” activists. The problem is that practitioners who endorse couples counseling (while one person is still intimidating or using violence against another) ignore the very real risks of violent assaults following counseling sessions. Most

psychologists and therapists who have knowledge of domestic violence dynamics would concede that marriage counseling is ineffective if one party is a batterer and has power over the other. How can a victim be honest about what is happening in the relationship or talk about the violence when she fears physical retribution?

Stating that domestic violence is gender neutral is disingenuous and has serious public policy implications. How often do you read about a woman killing her husband and the couple's children because the man is trying to leave the relationship? How many men are raped by an abusive woman as an act designed to punish or retaliate? Yet, in city after city male batterers stalk and murder their partners. Men and women use violence in very different ways and therefore our response must be different.

While there are women who kill their male partners for reasons other than self-defense, the numbers pale in comparison to men who kill their female partners when they are trying to end an abusive relationship. The U.S. Department of Justice (DOJ, 2006) reported that the number of men murdered by an intimate dropped by 70% since 1976. They further report that one third of female murder victims were killed by an intimate, while 3% of male murder victims were killed by an intimate.

The Duluth Approach To Working With Men Who Batter

The Duluth curriculum *Creating a Process of Change for Men Who Batter* has been denigrated for being confrontational, humiliating and shaming to men. Others have criticized the theoretical underpinning of the model as having a feminist political ideology that all men want to dominate women.

Let us set the record straight. There is a reason that the curriculum *Creating a Process of Change for Men Who Batter* (Pence & Paymar, 2003) is the most widely used model in the country. It has also been adapted internationally and is being used by many different cultures. The success of this program, or any other program for men who batter, relies on effective advocacy for

victims, the cohesiveness of agencies in the criminal and civil justice systems in monitoring participants' progress in group, swift consequences for violating court orders, failing to comply with the program rules, and any further acts of violence. We believe it is also successful because the philosophy underlying the curriculum is clear and that the group process reduces collusion and provides a clear path for batterers to change if they decide that they want to change.

The Duluth curriculum is an educational approach. The philosophical core of the model is the belief that men who batter use physical and sexual violence and other abusive tactics to control their partners. Men who batter use violence to stop arguments, to stop their partners from doing something and to punish them for non-compliance.

The authors of the curriculum borrowed from the work of the late Brazilian educator Paulo Freire. Freire worked with impoverished illiterate people in South America and developed an education model (Freire, 1990) that relies on dialogue and critical thinking rather than traditional learning (banking of knowledge) where the teacher feeds the student information. We adapted these proven educational methods in our work with court-mandated offenders. We didn't want group participants to simply repeat back what they assumed counselors or facilitators wanted to hear, but rather we wanted men in the groups to genuinely struggle with their beliefs about men, women, relationships and entitlement.

A central assumption in the Duluth curriculum is that nature and culture are separate. Men are cultural beings who can change, because beliefs about male dominance and the use of violence to control are cultural, not innate. Facilitators engage men who batter in a dialogue about their beliefs. Through curriculum exercises, group participants are immersed in critical thinking and self-reflection. Some of the men in our groups begin to understand the impact that their violence has had on their partners, children and themselves.

A key teaching tool is the *control log* that helps group members analyze their abusive actions by recognizing that their behavior is intentional and inextricable tied to their beliefs. It further allows men in the groups to recognize that while in the short run their violence gets them what

they want, in the long run it is ultimately self-defeating. Like a prisoner of war, a victim of repeated assaults and humiliation will resist, sabotage and if possible escape or will acquiesce and adapt in order to survive. Either option produces a relationship devoid of intimacy and love. This is the point where men who batter must decide to try and maintain the status quo or take the necessary and often difficult steps to change. Group facilitators teach skills through role-playing and other exercises so that participants become aware that alternatives to violence exist. This is not a therapeutic-based curriculum and thus does not require facilitators to have extensive mental health qualifications. Some mental health practitioners (Ganley, 2006) have successfully incorporated therapy techniques to address personality disorders into the Duluth curriculum structure.

The following is a response to some of the other criticisms of Duluth curriculum model.

1. The Duluth Curriculum Is Shamed-Based

The Duluth curriculum does not use shame as a technique. Some critics mistakenly believe that because we have stated that it is important for facilitators and counselors to challenge sexist comments and an offender's justifications for his use of violence that we are setting up a confrontational dynamic that shames group members. The dialogical process used in the Duluth curriculum does challenge men who batter to think more critically and reflectively about their beliefs, but this is done in a very respectful manner. We recognize that facilitators and counselors can use any program models including Duluth's in shaming ways and our observation is that some do. Our training strongly discourages facilitators and counselors from using confrontation in a shaming way. Conversely, our training instills facilitation skills which encourage critical thinking. As already stated, Paulo Freire has heavily influenced our work. Freire's pedagogical approach uses the posing of questions in a way that fosters dialogue. (Freire, 1990; Freire & Faundez, 1989) While this may be challenging for group members, this process is neither shaming nor blaming. Facilitators and counselors using the Duluth curriculum are trained to be genuinely inquisitive about how and why a group member thinks the way he does. The deeper the dialogue travels, the greater the opportunity for a group member to recognize how his beliefs lead to self-defeating behavior, and what he can do to change that.

We have no doubt that some practitioners have inappropriately used the curriculum, but the criticism that the Duluth curriculum is confrontational and shame-based is simply false. Our experience is that when offenders increase their empathy, guilt may be a healthy by-product. We do not see this guilt as a basis for long-term positive change, but rather it is part of the change process.

2. The Duluth Curriculum Is A Gender-Based Paradigm That Frames Men’s Battering In Patriarchy With The Intent To Dominate Women

In grossly misrepresenting the Duluth curriculum, Donald Dutton and Kenneth Corvo (Dutton & Corvo, 2005) write, “according to the Duluth model, all [men] must be treated as patriarchal terrorists regardless of differences in how the violence developed.” They further state, “Essentially, the Duluth model views every man convicted as equivalent to the worst man convicted without gradations or nuance. They further state that “the primary goal of this model is to get male clients to acknowledge “male privilege” and how they have used “power and control” to dominate their wives.” Interestingly, Dutton and Corvo placed quotation marks over power and control and male privilege as if they don’t exist, but that is for a later discussion.

The underpinnings of the Duluth curriculum *do* come from an historical analysis. When Europeans came to this continent, they brought religion, laws, and economic systems which all influenced the institutionalization of women as the property of men through marriage. From the church to the state there was not only acceptance of male supremacy, but an expectation that husbands maintain the family order by controlling their wives, (Dobash & Dobash, 1983). Various indiscretions committed by wives were punishable offenses by husbands. This system of male dominance (like any structure where one group oppresses another) was perpetuated by a hierarchical composition that relied on: a) a belief in the primacy of men over women; b) institutional rules requiring the submission of women to men; c) the objectification of women which made violence acceptable and; d) the ability to use violence to punish with impunity.

The status quo of male domination remained fully intact until the early 20th century when state legislatures began to make wife beating unlawful. However, the practice of men using violence to control women didn't diminish. In the late 1960's, the Women's Movement began challenging the State to intervene in domestic violence cases and women and some men began to confront the concept of male supremacy in the home. In the 1970's, the Battered Women's Movement emerged as the voice of victims and advocates by challenging psychological theories about the causal factors for why the violence was occurring and the explanations for why victims often stayed in abusive relationships.

Some mental health practitioners are now repackaging old psychological theories to avoid the analysis that culture and socialization shape the way men who batter think and act in intimate relationships. Although there is much of value within mental health theories that can assist healing of victims and perpetrators alike, we do not see men's violence against women as an individual pathology, rather a socially reinforced sense of entitlement. We believe that these beliefs and attitudes that men who batter possess can be changed through an educational process.

Do all men who batter want to dominate women? This is a complicated question. Clearly, many men who batter believe that women should be submissive to men and there are others who share a variation of these sexist beliefs—"The man is the head of the household" or "You can't have two captains of one ship". However, there are other men who batter that don't believe that their wives or girlfriends should be subservient because of their gender, but they still batter. These men use violence to control their partners because they can and violence works. Violence ends arguments. Violence is punishment - it sends a powerful message of disapproval.

3. The Duluth Curriculum Doesn't Account For Women's Violence

As earlier stated, there is a growing movement of practitioners who maintain that women are as violent as men or that women share responsibility for the violence. These practitioners often insist that domestic violence is a relationship problem and that marriage counseling should be an option for couples.

The Duluth curriculum is designed for male perpetrators. In Duluth, a separate court-deferral program called Crossroads was designed (Asmus, 2004) for women who use illegal violence against the men who batter them. Most women arrested in Duluth have been able to document to the court a history of abuse against them by the person they have assaulted (past calls to 911 for help, protection orders, previous assaults etc.). Those women who use violence against a partner with no history of that partner abusing them are not eligible for the Crossroads diversion program, but face the same consequences of conviction, and a jail sentence or counseling in lieu of jail. The vast majority of women arrested in Duluth for domestic violence are being battered by the person they assaulted. Most, but not all, are retaliating against an abusive spouse or are using violence in self-defense. The notion that battered women share responsibility for the violence used against them because of provocative words or actions (Mills, 2003) is a dangerous form of collusion with men who batter. We do not accept that these women should complete a batterers program. We do agree that there are a small number of women who use violence resulting in police action against their partners without themselves being abused. This is not a social problem requiring institutional organizing in the way that men's violence against women does. For these women, a separate gender specific counseling program may be appropriate.

The notion that women are as violent as men or that most domestic violence cases are mutual assaults (Dutton & Corvo, 2006; Mills, 2003) simply distorts the reality that any law enforcement officer, emergency room nurse or doctor, or domestic violence advocate would validate by their experiences with victims. National statistics in 1998, (Rennison & Wechans, 2000) show that in 1998 women were nearly 3 out of 4 of the 1,830 murders attributable to intimate partners. In 1998, women experienced about 900,000 violent offenses by an intimate partner, and men 160,000. Even if there is some underreporting by men, to claim that men and women commit assaults in equal numbers and with equal severity is simply untrue and defies common sense. We acknowledge that women use aggression and violence in intimate relationships and not always in self-defense. But we also agree that relying on family conflict studies (Kimmel, 2002) that utilizes the Conflict Tactics Study (CTS) by simply counting acts of violence, but not taking into account of the circumstance under which these acts occurred, the size and strength of the people involved is deceptive. Using conflict studies, a push after a beating would get scored as a conflict tactic for each party.

4. The Duluth Model Is Not Culturally Appropriate For Marginalized Groups And It Relies Too Much On The Criminal Justice System

Duluth, Minnesota's population is over 90% white and the next largest cultural group (Native Americans) is less than 5% of the population. However, in developing the model, the DAIP partnered with Native Americans and individuals from other marginalized communities to assess what effect greater state intervention would have on marginalized groups. Like most communities, the criminal justice system most dramatically impacts low-income people and communities of color. The responsibility is then to work with law enforcement, the courts and victim advocates to ensure the unintended negative effects of state intervention are addressed by community monitoring. The DAIP is not a state agency, so is better able to highlight and take leadership on how a CCR is disproportionately affecting marginalized people. Over the last 20 years, Duluth has modeled the development of culturally specific programs and designed a tracking and monitoring role that identifies and advocates for those with least power within the community.

Over-reliance on the criminal justice system is a legitimate criticism in light of the reality that there are a disproportionate number of men of color being arrested for domestic violence in many jurisdictions. In fact the Duluth experience was the opposite prior to adopting the pro-arrest policy, when officers exercised total discretion on which offenders to arrest. Most arrested men in Duluth were Native American. The first year of the arrest policy saw arrest rates for whites rise from 11% to 81 % of the arrested offenders. Enforced arrest will result in a high number of men being arrested for crimes police previously discharged through practices like advising and separating. There are four questions regarding this issue that need to be addressed. Is there an over-reliance on the criminal justice system? What is the responsibility of the state to protect women of color who are battered? What are the alternatives to calling the police when a victim is being assaulted? How can men who batter be consistently held to account if we choose not to use the criminal justice system?

Adapting Paulo Freire's pedagogy, the Duluth curriculum's central focus is exploring and understanding power relationships and the effects of violence and controlling behavior on their partners. Dialogue about how more powerful people use beliefs of entitlement and tactics of control to dominate the less powerful is a very useful comparison for all men, and especially men from marginalized groups. Some men may legitimately claim they are less powerful in our society, but they cannot use that experience to justify their abuse of women and children. Program counselors and facilitators who are members of marginalized groups themselves have found the tools of the curriculum can both liberate and hold men accountable. Few other curriculums make use of the parallels between personal power relationships and wider socio-cultural power relationships.

We support alternative efforts by different cultures to confront violence against women in meaningful ways that will be accepted by men of color who batter. Community institutions like religious organizations and community groups can be intervening at many levels. Men of color can mentor boys to not view girls and women as objects to denigrate, model respectful relationships, and take leadership by speaking out against violence against women.

The Duluth model (swift consequences for batterers, interveners that don't collude, meaningful sanctions for offenders, consequences for further acts of violence, victim empowerment, counseling that focuses on stopping violence and changing beliefs and community-wide expectation of accountability) will do more to deter domestic violence in all our communities. There may be value in culturally specific groups for men who batter, however experimental evaluations of batterer programs (Gondolf, 2005) showed no difference in outcomes for the culturally-focused approach vs. more conventional approaches. More research and further dialogue on intervention and prevention strategies in communities of color should continue.

5. The Duluth Model Works Counter To Restorative Justice

The development of the DAIP came from a framework where women's safety and men's accountability were foundational to practice. However, the field of restorative justice did not

inform the DAIP's work. Also, we think that it's inappropriate to advocate for restorative practice when it puts women and men together for purposes of healing or restoration.

Generally, we do not advocate a 'restorative justice' response to domestic violence, because the risks of placing the victim of abuse in a setting where she may be re-abused by the restorative justice process are very high. 'Restorative justice' is an increasingly popular field, and the term includes a wide variety of interventions, many adapted from pre-colonial indigenous practices. However, many restorative justice models are strikingly similar to mediation and couples counseling, which have been shown to further endanger victims and are promoted by practitioners who are not grounded in an understanding of the unique power inequities that characterize domestic violence crimes. We do not advocate for practices that frame a batterer's change process around healing instead of a changing his beliefs about violence and entitlement.

In some respects the Duluth model is a restorative justice model in that it places victim safety at the center of institutional reform. As the DAIP developed practice, many of our interventions turned out to be restorative. However, group or couple meetings where victims confront their offenders (often a centerpiece of restorative justice) require huge resources to create a change of community and family culture that will not tolerate domestic violence, and in-depth resources to monitor and follow up individual restorative interventions. Although the Duluth model represents restorative justice in its broadest sense, it does not include victim-offender mediation and other similar 'face to face' interventions because they do not adequately ensure safety for victims. In their article *The Role of Restorative Justice in the Battered Women's Movement*, (Fredrick & Lizdas, 2003) Loretta Frederick and Kristine Lizdas examine how restorative justice practices can increase risk for battered women:

“Because of the power balance implications of battering, it is critical that all current restorative justice practices should include screening for and exclusion of cases involving domestic violence. Any process that places the battered woman in a negotiating relationship with her source of fear offers her a false promise of hope and might, therefore, place her in danger. To date, the restorative justice movement

has failed to adequately address these concerns.”

6. The Duluth DAIP Is Anti-Marriage

The Duluth DAIP never encourages victims to leave or divorce their partners. DAIP advocates do encourage women to consider their options, try to accurately describe the program that their partners will participate in, and provide a realistic assessment about his potential to stop battering. Many battered women desperately want to hear from us that their partners will change their behavior. With recidivism rates so high, we have long maintained that we’re ethically bound to share that information and help her assess whether her partner is actually changing. It is totally up to that woman to decide whether she wants to stay in an abusive relationship, give him more time to change, or get out of the marriage. Further, the DAIP does not see safety for battered women necessarily being enhanced by leaving the man who is battering her. In the short term, women may be safer to stay with her partner while she plans for her future safety.

The Duluth DAIP will recommend marriage counseling for some couples, but only after an offender has at least completed a 27-week program offered by the DAIP. We make these referrals, only when counselors, advocates, and court personnel are relatively sure that the violence has stopped, the victim is not being coerced or intimidated, and is not fearful of her partner.

7. The Duluth Curriculum Discounts Anger As A Causal Factor

The Duluth curriculum has been criticized (Dutton & Corvo, 2005) for claiming that anger doesn’t cause violence. We have never claimed that anger isn’t an emotion that often precedes violence or that some men who batter (as is often claimed) don’t have elevated levels of both anger and hostility (Wagner & Zegree, 1998). What we continue to emphasize is that teaching a batterer to control his anger will not stop the violence if the intent of the batterer is to control or dominate a partner.

Defenders of anger management programs believe that teaching batterers to recognize what triggers their anger will help reduce violent outbursts. We believe anger management skills have

limited utility in groups for men who batter. If a man who batterers stops his violence and truly relinquishes his domination and belief in entitlement over his partner, skill-building techniques like “time outs and cool downs” may help men with poor impulse control and aggression. However, teaching “time-out” and other anger management skills to men wanting to maintain the status quo will only give a batterer another tool to control and manipulate his partner. An angry batterer who takes a “time out” leaves his partner waiting on pins and needles for his return. His partner will rightly wonder whether he will be calm when he returns or have worked himself into a rage and violently attack her.

In the United Kingdom (The Guardian, 2006) the Home Office which has oversight over all probation offices has sent instructions to probation staff to discontinue using anger management groups for domestic violence offenders, because they are “inappropriate and ineffective and are means for perpetrators manipulate the courts”.

Dutton and Corvo (2005), cite the research of Neil Jacobson (1994) where physically aggressive couples were studied in a laboratory setting to buttress their argument about men’s anger. Jacobson’s study included groups of batterers he called “cobras and pit bulls.” The cobras had a history of antisocial behavior and their heart rates actually dropped when they were arguing with their wives, which would appear to debunk the anger causes violence theory. The other group he characterized as pit bulls, men insisting on total control in their marriages, had batterers as fathers, and usually confined their violence to their relationship. What Dutton and Corvo failed to mention was that Jacobson stated, “Psychotherapy doesn’t work with batterers. We should put our money elsewhere, into treatment programs to rebuild women’s live and into education programs to alert them to the signs of domestic violence.” This omission of Jacobson’s findings about anger and the conclusions he drew about psychotherapy for batterers is the antithesis of what Dutton and Corvo advocate.

7. The Duluth Curriculum Ignores Psychological Problems

Do we have the resources to implement comprehensive assessments to determine what treatment should be recommended for every batterer who enters the criminal justice system? Are these

assessment models accurate enough to justify their cost? Do we have the resources to provide individual psychotherapy for offenders with mental health problems? And should we?

Some court-ordered domestic abuse offenders do have psychological problems. In Duluth, the probation department, court, and DAIP attempt to flag those with serious mental health problems and refer them for psychological evaluations. Offenders with severe mental health issues, who have been sexually abused, are disruptive, or aren't able to participate in a group process are referred for treatment at mental health centers connected to the DAIP. Less than ten percent of the court-ordered men are screened out of the program because of mental illness.

Many people in our society could be diagnosed with personality disorders. Many people who commit crimes have personality disorders. Do we ignore the criminal behavior of a batterer by not arresting them because they have a personality disorder? In offender groups, do we not challenge the thinking of men who batter who are violent and controlling because they have an attachment disorder? Do we not ask men who experienced brain trauma as children to examine their beliefs about male entitlement? While not designed to deal with personality disorders, the Duluth curriculum is flexible enough for mental health practitioners to include therapeutic opportunities without colluding or compromising the principles of the Duluth model. Finally, there is no evidence that a Duluth-based curriculum has a negative impact on offenders who have attachment disorder, depression, chemical dependency problems, or are antisocial.

Conclusion And Questions To Consider

We believe anyone considering the most effective response to domestic violence offenders needs to critically examine research and choose approaches that address domestic violence as a social problem rather than an individual dysfunction. We do not believe in a "one size fits all" approach. We do believe that different offenders may benefit from different treatment before, during, and after attending 26-52 classes or groups (depending on the jurisdiction) using the Duluth curriculum.

From a public policy perspective we must ask the hard questions, be open to evaluation and critique, but not ignore the historical roots of violence against women as if something has magically happened in the last generation to make all domestic violence gender neutral.

Back in the 1970's, battered women's advocates were rightly concerned about how the mental health community would use psychological explanations to describe wife beating. They correctly worried that battered women would get psychologically labeled, that mental health practitioners would collude with offenders by treating their personality disorders rather than working to change beliefs and attitudes that men who batter have about women, men, and marriage. They were justified in being concerned that limited government and nonprofit resources currently being used for shelters and advocacy programs would be in competition with counseling programs for men who batter. They worried about the impact on families (especially low-income) who are required to pay fees (in some states, over \$1000) for counseling regardless of the model. And, they were alarmed that treatment providers would cease to be accountable to the criminal justice system, battered women's programs, and victims.

All stakeholders should be open to having a frank and ongoing dialogue about the future of batterer intervention programs and the ways law enforcement, the courts, and other community institutions intervene in domestic violence cases. Despite our differences, we believe common ground can be found in our work. But we remain unshakable in our belief that the safety of victims of violence should be the core principle that guides our work.

References

- Asmus, M., (2004) At a Crossroads: Developing a prosecution response to battered women who fight back. *Praxis International*.
- Babcock, J., Green, C., & Robie, C., (2002) Does batterer treatment work? A meta-analytic review of domestic violence. *Clinical Psychological Review*
- Barnett & Thelen, (1995) Domestic Violence Among Male and Female Patients Seeking Emergency Medical Services. *Springer Publishing Company*
- Cascardi, M., & Vivian, D. (1995) Context for specific episodes of marital violence: Gender and severity of violence differences. *Journal of Family Violence*
- Dobash, R.E. & Dobash, R., (1999) *Changing violent men*. Sage Publications
- Dobash, R.E. & Dobash, R., (1983) *Violence Against Wives*. *The Free Press*

Dutton, D. & Corvo, K., (2006) Transforming a flawed policy: A call to revive psychology and science in domestic violence research and practice. *Aggression and Violent Behavior*

Ehrensaft, M.K., Moffit, T.E & Caspi, A. (2004) Clinically abusive relationships in an unselected birth cohort: Men's and women's participation and developmental antecedents. *Journal of Abnormal Psychology*

Freire, P., (1990) Pedagogy of the oppressed. *Continuum Publishing Co.*

Freire, P., & Faundez, A., (1989) Learning to question *Continuum Publishing Co.*

Fredrick, L., & Lizdas, K., (2003) *The role of restorative justice in the battered women's movement* Battered Women's Justice Project

Ganley, Anne, (2006) Deconstructing Psychological Theories, *Audio-conference—Battered Women's Justice Project.*

Gondolf, E., (2002) Batterer intervention systems: Issues, outcomes and recommendations. *Sage Publications*

Gondolf, E., (2003) Questioning the Broward Experiment. Domestic Violence Report.

Gondolf, E., (2005) (need journal article)

Jackson, S., Feder, L., David, R.F., Davis, R.C., Maxwell, C.D., Bruce, G.T., (2003) Batterer intervention programs: Where do we go from here? *National Institute of Justice.*

Hamberger, L.K., & Guse, C.E. (2002). Men's and Women's Use of intimate partner violence in clinical samples. *Violence Against Women*

Kimmel, M.S. (2002) Gender symmetry in domestic violence: A substantive and methodological research review. *Violence Against Women*

Langhinrichsen-Rohling, et al (1995) Violent Marriages: Gender Differences in Levels of Current and Past Abuse, *Journal of Family Violence*

Mills, L. (2003) Insult to Injury: Rethinking Our Responses To Intimate Abuse. *Princeton University Press.*

Moffit, T.E., Caspi, A., Rutter, M., & Silva, P.A., (2001) Sex Differences In Antisocial Behavior. *Cambridge University Press*

Phelan, M.B., Hamberger, L.K., Guse, C.E., Edwards, S., Walczak, S., Zosel, A., (2005) Domestic Violence Among Male and Female Patients Seeking Emergency Medical Services. *Springer Publishing Co.*

Pence, E., (1996) Coordinated Community Response To Domestic Assault Cases: A Guide For Policy Development. *Minnesota Program Development Inc.*

Pence, E. and Paymar, M., (2003) Creating A Process Of Change For Men Who Batter. *Minnesota Program Development, Inc.*

Shepard, M., (1992) Predicting batterer recidivism five years after intervention. *Journal of Family Violence*

U.S. Department of Justice, (2006) *Homicide Trends in the U.S.,*