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Demanding Accountability in Domestic Violence Courts

Johnna Pike

Newbury College - Brookline, johnna.pike@newbury.edu

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Pike, Johnna, "Demanding Accountability in Domestic Violence Courts" (2018). *Violence Against Women conference*. 5.

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TITLE: DEMANDING ACCOUNTABILITY IN DOMESTIC VIOLENCE COURTS

The aim of this paper is to explore whether specialized domestic violence courts are achieving their stated objective of abuser accountability. Domestic violence emerged from the private realm of family life into the public consciousness during the 1970s. Since then, there has been a largely successful movement to reframe domestic violence as a “real” social problem necessitating meaningful criminal justice intervention. Within the criminal justice system, victim and feminist groups have mostly prevailed in controlling the discourse around domestic violence as a gender-based offense. As a result, a criminal court model aimed at empowering victims and at holding abusers accountable has emerged. The efficacy of the domestic violence court model as currently implemented in achieving abuser accountability however has been questionable. Drawing from defendants’ semi-structured interviews, this paper considers the implications of reliance on this model for domestic violence victims. At its core, the court model is a process of stigmatization meant to morally shame abusers into relinquishing gendered beliefs supporting relationship violence. Abusers participating in this study however were found to invoke neutralization techniques to reinterpret their violent actions into a more socially acceptable story rather than accept responsibility. Yet, the responses of abusers suggest that this model does hold possibilities for better redressing this gender-based violence but proponents will likely have to reconsider both how victims view and how abusers are permitted to participate in the court process.