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## Journal of Criminal Justice

Volume 9, Issue 5, 1981, Pages 389-395

# Of battered wives, self-defense and double standards of justice: A research note

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[https://doi.org/10.1016/0047-2352\(81\)90040-4](https://doi.org/10.1016/0047-2352(81)90040-4)

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### Abstract

In what appears to be an outgrowth of the feminist movement and concomitant revelations concerning spousal abuse in America, a new concept in criminal jurisprudence, popularly known as the battered wife syndrome defense, has arisen. Increasingly, abused women who kill their husbands are claiming that their acts were justified, not solely because of the exigency of the circumstance which directly led to the death, but because of sociological, psychological, and legal factors which operate effectively to deprive them of alternatives. This note discusses the validity of the new defense in light of existing law and posits that the claim rests upon a contorted legal foundation, that it could not stand but for an invidious gender-based discrimination violative of Fourteenth-Amendment guarantees, and that it promotes family violence.



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