



Self-Defense and Battered Women Who Kill: A New Framework

Robbin S. Ogle, Susan Jacobs

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Details a new social interaction theory and teaches judges, attorneys, advocates, and academics how to apply it in a trial setting. Battering relationships often escalate to a point where the battered woman commits homicide. When such homicides occur, attention is usually focused on the final violent encounter; however, Ogle and Jacobs argue, while that act is the last homicidal encounter, it is not the only one. This important study argues that the battering relationship is properly understood as a long-term homicidal process that, if played out to the point that contrition dissipates, is very likely to result in the death of one of the parties. In that context, Ogle and Jacobs posit a social interaction perspective for understanding the situational, cultural, social, and structural forces that work toward maintaining the battering relationship and escalating it to a homicidal end. This book details this theory and explains how to apply it in a trial setting. Elements of self-defense law are problematic for battered women who kill their abusers. These include imminence, reasonableness of the victim's perception of danger, and reasonableness of the victim's choice of lethal violence and their proportionality. Social interaction theory argues that, once contrition dissipates, imminence is constant. The victim functions in an unending state of extreme tension and fear. This allows us to understand the victim's view of the violence as escalating beyond control, thereby increasing her reasonable perception of danger and lethality. After social resources, for whatever reason, fail to end the violence, it is then reasonable for the victim to conclude that she will have to act in her own defense in order to survive.

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