https://www.crimejusticejournal.com/ *International Journal for Crime, Justice and Social Democracy*
Volume **15** (3) 2026 https://doi.org/10.5204/ijcjsd.3907

Aggravated Homicide or Self-Defense? A Sociological Analysis of the Changing Punishment of Women who Harm or Kill Their Partners in Argentina

Martina Lassalle
University of Buenos Aires; National Scientific and Technical Research Council of Argentina, Argentina

Abstract

This article sociologically examines the evolving punishment of women who harm or kill their intimate partners in the context of gender violence in Argentina. Through an analysis of paradigmatic cases and interviews with judicial operators in the Buenos Aires Metropolitan Area, the article shows that actions which once resulted in harsh penalties or life sentences are increasingly being decriminalized and redefined as acts of self-defense. The argument is that this juridical redefinition is neither the result of a better legal interpretation or enforcement, nor a result of judicial paternalism influencing court decisions. Rather, I suggest that this shift should be understood as the expression of a broader collective transformation associated with the spread of counter-patriarchal social values, ultimately demonstrating that judicial practices are always embedded within a network of relationships that extend beyond institutional boundaries.

Keywords: Women; gender-based violence; self-defense; homicide; decriminalization.

Introduction

This article seeks to sociologically analyze a shifting trend in the punishment of women who harm or kill their intimate partners in the context of gender violence. In particular, the article demonstrates that these actions, once considered highly criminal by the Argentinean penal system and consequently subject to severe punishment, are increasingly being decriminalized and redefined as acts of self-defense. This marks a significant shift in judicial practices as women who kill often faced harsh penalties due to the gravity traditionally attributed to these crimes. This also meant a sharp contrast with the treatment given to men who killed their female partners, often receiving far more lenient sentences due to the mitigating factors frequently invoked by judicial authorities (Rodríguez & Chejter, 2018).[1]

The main argument of this article is that the decriminalization of assaults or homicides committed by women against their male partners should not be explained by a more adequate interpretation and enforcement of the law. That is to say, the idea that legislation was previously misunderstood and, consequently, the law was incorrectly enforced—a position often echoed by judicial operators, who tend to view current reinterpretations as corrections to past errors. At the same, I argue that it should not be understood as the reinforcement of a paternalistic attitude of judicial operators toward these women —an explanation frequently given in global northern countries in cases of violence against children (Daly, 1989a; Fridel 2019; Pierce, 2023). In

Except where otherwise noted, content in this journal is licensed under a Creative Commons Attribution 4.0 International Licence. As an open access journal, articles are free to use with proper attribution. ISSN: 2202-8005 (Online)

© The Author/s 2026

my perspective, this process reveals how the judicial field expresses a broader transformation in the constellation of hegemonic meanings and values of certain contemporary global-southern societies (i.e., Argentina, Chile, Mexico, Colombia). This cultural transformation is linked to the decline of the patriarchal norms that predominantly organized the heterosexual couple for centuries and were deeply embedded in legal codes and judicial practices. These norms made it unimaginable that a woman could harm or kill her male partner without facing the maximum penalties prescribed by the penal code. My argument is that judicial sentences regarding these types of crimes were considerably influenced and transformed by the social propagation of these new significations that oppose the traditional conceptions that long hegemonized the social field. In our view, it is therefore possible to speak of a (re)assemblage of the criminal justice system with other extrajudicial agents —especially the feminist movement, certain media stakeholders, specific political parties, and civil society organizations. Within this assemblage, new legal categories have emerged —femicide being the paradigmatic case— while, at the same time, the decriminalization of certain murders committed by women has become more frequent. Both movements have been crucial for consolidating new rules in the "social game of violence" and, in consequence, important changes in the definition of which actions and omissions are considered crimes and to what extent (Tonkonoff, 2019). At the same time, given the symbolic efficacy of law (Bourdieu, 1987), I argue that this shift within the legal field is crucial in the struggle to render these new significations hegemonic. As Bourdieu has asserted, the juridical field consecrates what is uttered and "such utterance carries its object to that fully attained higher existence which characterizes constituted institutions" (p. 839). In other words, legal penalization has a fundamental symbolic efficacy in socially communicating that, within the heterosexual couple, the woman's life is just as sacred and inviolable as the man's, and that the true criminal is that who perpetrates gender violence.

The analysis presented in this article builds upon and engages with previous research on the punishment of women who kill their children in Argentina, which discusses the hypothesis of judicial paternalism in such cases, highlighting in contrast a highly punitive, non-paternalistic and patriarchal attitude towards these women (see Lassalle, 2023). Based on the analysis of paradigmatic cases and interviews conducted with judicial operators in the Buenos Aires Metropolitan Area, I argue that this traditional, non-paternalistic patriarchal orientation coexists with an emerging counter-patriarchal orientation observed in the punishment of women who harm their partners in contexts of gender violence. This orientation results in a reduction of punitiveness toward these women and, in extreme cases, in the decriminalization of certain murders. Furthermore, the article suggests that this emerging orientation in penal practices has, as a counterpart, the social denaturalization and contestation of violence against women. In particular, that perpetrated by men within heterosexual relationships; the revaluation of women's lives within the couple and, more broadly, a reconfiguration of the value structure of the nuclear family, at least in one of its fundamental axes.

Methodology and Data

The analysis presented in this article is based on qualitative methods. The primary and secondary data examined were collected and systematized as part of a broader research project on the differential punishment of homicide in Argentina, carried out between 2018 and 2019.[2] In order to characterize the female population convicted of homicide, this article also presents some quantitative data from the National Statistical System on the Execution of Sentences of Argentina (SNEEP, for its acronym in Spanish), which was also collected for the aforementioned study.[3]

The qualitative analyses are based on court rulings, including sentencing decisions for different types of homicides committed by men and women, issued by the Appeal Chamber of the Province of Buenos Aires and the Oral Criminal Courts of Capital Federal (which is part of the National Criminal Justice System). The sample is non-probabilistic and includes 40 sentences involving crimes against children, intimate partner violence, homicides committed during robberies, those resulting from interpersonal conflicts, and cases of self-defense, all accessed online.[4] Given its objectives, this article focuses on cases of intimate partner violence and analyzes two paradigmatic cases from this corpus: a serious assault, first classified as an attempted homicide, and a case of homicide. Both cases reveal similar arguments and reasoning structures that support the decriminalization of intimate partner violence committed by women who suffer gender violence. The cases were selected for their representativeness and also because they condense various elements that are scattered throughout the other sentences from the corpus, allowing for the examination of relevant dimensions of this research. It is worth mentioning Durkheim's methodological premise in his analysis of Totemism:

> It is neither necessary nor always useful to stack experiments one upon the other. It is far more important to have well-done experiments that are truly significant. A solitary fact can shed light on a law, while a multitude of vague and imprecise observations can lead only to confusion. (Durkheim, 1995, p. 92)

In addition, the analysis of court rulings is complemented with interviews conducted with court judges, prosecutors and defense attorneys from six different judicial departments of the Buenos Aires Metropolitan Area (AMBA, for its acronym in Spanish)

in 2018 and 2019. For this study, 25 in-person, open-ended interviews were conducted (around 60-minutes per participant) by the author of this article. Each interviewee was interviewed only once. All interviews were recorded digitally and transcribed. With the support of ATLAS.ti software, transcripts were later coded and analyzed based on the research questions and the relevant literature available.

Although our sample aims to include women and men in similar proportions, the majority of the judicial operators interviewed were men (18 out of 25), reflecting the traditional masculinization of penal courts. This masculinization was more evident among judges and prosecutors, and less among public defenders (three out of four of the public defenders interviewed were women).[5] In addition, interviewees were, on average, 50-years old. Given the spatial focus of the research, all judicial operators were based in the Buenos Aires Metropolitan Area. Nineteen worked within the criminal justice system of the Province of Buenos Aires, and six within the National Criminal Justice System, which has jurisdiction over homicide cases in the Autonomous City of Buenos Aires.[6]

Ethical Considerations

All secondary sources analyzed are public, including court rulings. Since some of these rulings were published online by judicial institutions without anonymization (for instance, sentences from the Oral Courts of Capital Federal), a careful process was undertaken to remove all personal information. As a result, the court rulings included in the research corpus were fully anonymized to safeguard the identities of all the individuals involved in the criminal proceeding (offenders, private lawyers, prosecutors, defenders and judges). The only specific information retained was the case number and the court issuing the sentence, as this information is publicly available and essential for judicial accountability.

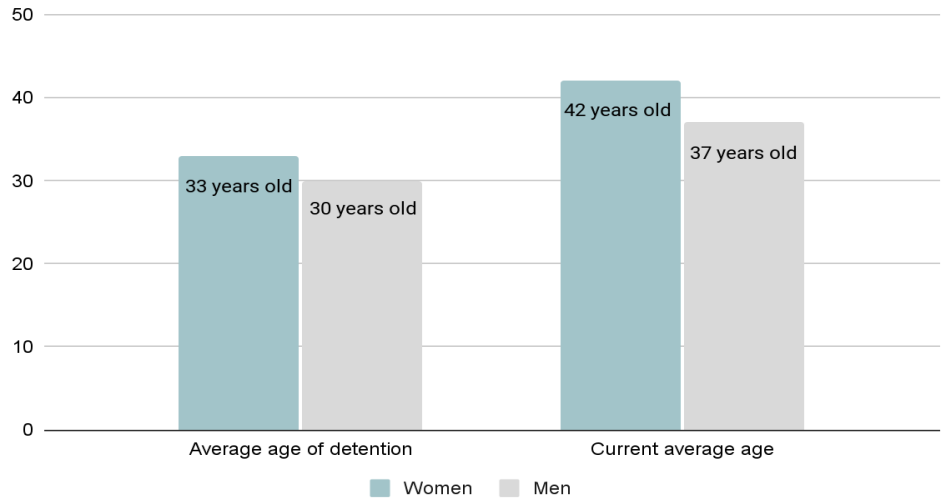
Oral and written informed consent were provided to the interviewees. Before each interview, the nature of the conversation and the overall purpose of the research project were explained. All participants agreed to have their interviews recorded and were assured that the recordings would not be publicly available. Only the interviewer (the author) has access to the securely stored recordings. Additionally, interviewees' names and specific work locations were de-identified in the transcripts to ensure anonymity.

A Non-Paternalistic, Patriarchal Orientation

In Argentina, women make up only 4% of the prison population and, regarding homicides, this percentage is similar. As shown below, the female and male populations convicted of intentional homicide in Buenos Aires present some significant differences. First, the average age of women is slightly higher than that of men, and the same can be said regarding the age at which they were detained (Figure 1). Additionally, although recidivist offenders are a minority in both cases, this proportion is much lower among women (9%). On the other hand, among people convicted of homicide, a lower proportion of women than men lack formal education, but a significantly higher percentage of the former were unemployed when detained (Figure 2).

Figure 1

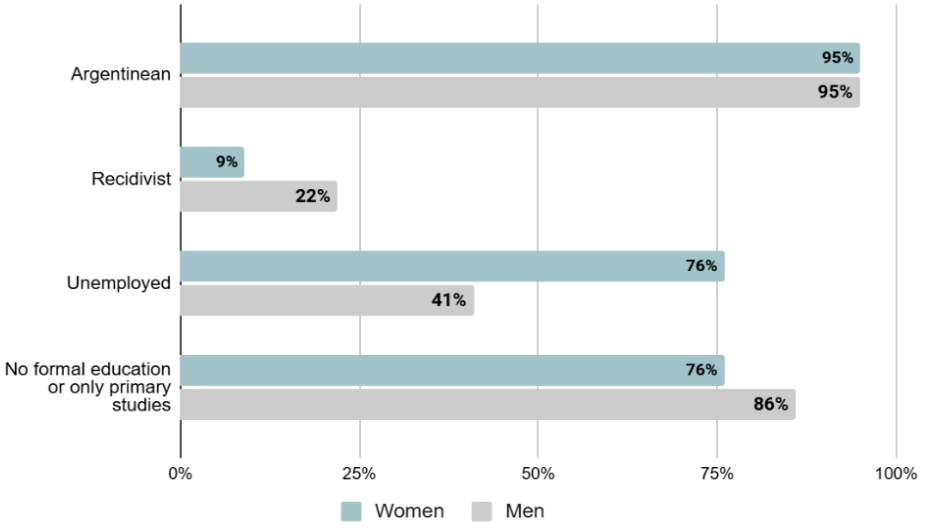
Average Age of Women and Men Convicted of Intentional Homicide in the Province of Buenos Aires and the City of Buenos Aires (2023)



Source: Author's elaboration based on data of the National Statistical System on the Execution of Sentences of Argentina.

Figure 2

Characterization of the Female and Male Population Convicted of Intentional Homicide in the Province of Buenos Aires and the City of Buenos Aires (2023)



Source: Author's elaboration based on data of the National Statistical System on the Execution of Sentences of Argentina.

As pointed out in previous works (see Lassalle, 2021), although women convicted of homicide are a minority, they receive harsher punishments than men convicted of the same crime. In the Buenos Aires Metropolitan Area, being a woman increases the length of sentences by three years, and they are three times more likely to receive life sentences than men (Lassalle, 2020).[7] The aforementioned may be surprising in countries from the Global North, where numerous studies show that judicial systems often exhibit a paternalistic or chivalrous attitude toward women who commit homicides—see, for instance, the pioneering

research by Daly (1989b), Smart (1992), Steffensmeier et al. (1998), and Carlen (2002), as well as more recent works such as those by Kutikoff (2017), Fridel (2019), Phillippe (2020), Holmes et al. (2020), and Pierce (2023).[8] However, in Latin America, this is a common operating pattern. Although the number of studies on sentencing practices is comparatively much smaller, some works on Brazil, Mexico, and Argentina (Azaola, 1999; Lassalle, 2024; Núñez Cetina 2015; Ribeiro 2010; Rodríguez & Chejter 2014;) have shown a highly punitive trend towards women who kill.[9] Thus, as with other concepts used to describe the logics of global northern criminal justice systems, the hypothesis of *judicial paternalism or chivalry* —which views women as less dangerous, culpable and threatening, and as needing protection— cannot be universally applied to judicial practices in the Latin American region.[10]

Arguably, this greater punitiveness could be explained by saying that women commit more serious murders than men and they generally involve the murder of children or male partners (Caimari, 2004; Kalinsky & Cañete, 2010). However, what is often presented as the entire explanation for the observed gender disparities remains incomplete, as it omits to examine the social meanings and values at play in these deaths, which, in our perspective, permeate court decisions. Ultimately, they fail to explain why such deaths are so serious for the penal system. In a previous work (Lassalle, 2023), I analyzed the highly punitive responses of the criminal justice system of Buenos Aires towards women who kill their children, suggesting that these cannot be read in terms of judicial paternalism.[11] Rather, I argued that if these murders are "naturally" extremely serious and consequently punished, it is because they represent the violation of a set of (patriarchal) cultural values and meanings that are deeply rooted in the judicial system. In particular, I argued that the practices of judges and prosecutors are oriented by what we may call, following Fernández (1993), the "Woman-Mother" myth. This myth serves as an organizer of an array of social imaginary significations about what it means to be a mother and, by extension, a woman. These significations, which operate unconsciously in subjects, make the essence of a woman being a mother and postulate that a mother and her child have a naturally tender and unbreakable bond, prescribing in turn that a mother knows and can do everything for her children.

Accordingly, as shown in this previous work, this social imaginary and its associated gender stereotypes strongly influence the ways in which the judicial system interprets and punishes murders committed by mothers against their children. This can be observed even in those judicial decisions that do not cause too much questioning, neither from common sense nor from a legal point of view. That is to say, in cases where the penal typification does not seem forced nor the punishments excessive in relation to the act (Lassalle, 2023). The penalization of women who kill their children mobilizes discourses and narratives that fundamentally revolve around their way of being a mother, thus reinforcing collective stereotypes and reaffirming the sacred values of individual life and motherhood. Or better yet, a patriarchal model of motherhood that is sustained in the "Woman-Mother" myth and the array of imaginary significations it entails.

Additionally, I have argued that the hegemony of the patriarchal model of motherhood in our societies in turn implies the exaltation of the figure of the mother to the detriment of the figure of the father in the relationship with children (Lassalle, 2023). Among the many possible forms of parent-child bonding, the patriarchal family configuration relegates the father to a secondary role in childcare and upbringing. This has significant implications in the penal field and, as I have shown, leads to differential penal treatment of mothers and fathers in cases of violence against children. A differential treatment that ultimately places absolute responsibility on the mother for anything that happens to her child while, conversely, exonerating the father (Lassalle, 2023, p. 20). This process of responsibility/exoneration, in turn, disregards all kinds of structural unequal relations of gender, class and power that also permeate family configurations.

In short, this previous work has shown that, while not paternalistic and highly punitive, the punishment of women who kill their children has a strong traditional patriarchal orientation in Buenos Aires. However, what happens in current penal practices when women kill their intimate partners? Can this highly punitive trend also be observed in these cases? This article will examine this problem by analyzing the punishment of women who are victims of gender-based violence and kill or harm their intimate partners.

A Counter-Patriarchal Orientation

As I have argued, judicial responses to murders committed by women against their children should not be seen as an expression of "judicial paternalism or chivalry". Instead, these highly punitive responses are better understood as a defense and reaffirmation of the value of patriarchal motherhood, condensed in the "Woman-Mother" myth. In the same vein, other studies in Argentina have indicated that this punitiveness is also present in the punishment of women who kill their intimate partners (for instance, Di Corletto, 2010, 2018; Hopp, 2012; Rodríguez & Chejter, 2014;;).[12] This trend was also highlighted by other recent studies in Latin American countries (Biassio, 2024; Villegas Díaz, 2010; Zerán, 2023). Unlike in cases of violence against children, studies produced in other regions have also identified a highly punitive approach toward women who kill their partners, even in contexts of gender-based violence (see Edwards & Koshan, 2023; Goodmark, 2021; Smith et al., 2024; Tarrant

et al., 2024; Villa & Nash, 2023). However, this research indicates that judicial responses to women who kill their male partners, when there is evidence of gender-based violence, are evolving in ways that reduce punitiveness.

In the following sections, the article analyzes two paradigmatic cases and interviews conducted with judicial operators from the Buenos Aires Metropolitan Area that enable us to examine these signs of transformation in judicial practices. Far from being isolated or exceptional, these cases are part of the body of jurisprudence that, due to the nature of the legal field, serve as a fundamental reference for judges. According to the hypothesis proposed, this change is associated with a reconfiguration in power dynamics and in the structure of ideological values within the judicial system, mirroring broader social trends.

Homicide, Self-Defense, and Decriminalization

The first of these cases involves a 27-year-old woman who stabbed her partner with a kitchen knife. In the early hours of January 1st, 2016, they were at their home in a Buenos Aires neighborhood, drinking and eating with a friend. After several arguments during the night, the woman stood up from her chair to start cooking, and when her partner approached her from behind, she suddenly turned around and stabbed him, causing severe injuries. The man was taken to hospital undergoing emergency surgery. He eventually recovered, although he committed suicide days after the incident. This case was initially classified as attempted homicide but was quickly redefined by the prosecutor upon learning that the woman was a victim of gender-based violence. As a result, he reclassified the charge and reached a plea bargain with the defense, ultimately charging her with aggravated assault on the grounds of excessive self-defense. On May 9th, 2016, the Oral Criminal Court No. 6 of Capital Federal sentenced her to two years and 10 months of suspended prison sentence, so she was not imprisoned and remained free.[13] After an appeal, the woman was finally acquitted.

The arguments expressed in the court ruling concentrate around two fundamental issues that were discussed and agreed upon by the prosecutor and the defense, and later endorsed by the court judges. The first issue concerns the classification of the case and the appropriateness of the use of the figure of self-defense. The second one, the imposition of a suspended sentence. On the first issue, the central argument of the court was that the woman was a victim of gender-based violence and that her action was defensive—although considered excessive. Then, to suspend the custodial sentence, the prosecution and the court considered the "good impression" the woman made during the hearings, her pregnancy and her "difficult living conditions." Thus, these arguments contributed to framing the accused woman as a victim, rather than as a criminal.

Another case can show this last point, perhaps more radically. On December 9th, 2014, the Criminal Court No. 6 of Lomas de Zamora acquitted a woman who shot her husband in his head while he was sleeping, considering that she had acted in self-defense. After an appeal, on July 5th, 2016, the sentence was upheld by the Sixth Chamber of the Criminal Court of Appeals of the province of Buenos Aires.[14] The court ruling detailed that the woman had suffered gender-based violence for a long time and that, the night of the incident, the man had sexually harassed her and threatened to shoot her and their baby. According to the woman's own confession, that was the reason why, when her partner fell asleep, she took the firearm that was on the bedside table and shot him.

This case shows a current important discussion among jurists; a discussion related to the problem of the "immediacy of an unlawful aggression" (which is one of the legal requirements of self-defense) in cases of gender-based violence. Judges of the first instance court and at the appeal level argued that, although the woman was not being assaulted at that very moment, it was appropriate to use the figure of self-defense because "conceiving the immediacy (of the aggression) purely in temporal terms and understanding it as present time would imply denying the woman any chance of successfully defending herself in this type of confrontation".[15] That is why, according to the court, the woman had the right to defend herself from a situation of violence understood as continuous, permanent, and not as a set of isolated events. Furthermore, in the appellate ruling, the judges reiterated various arguments derived from jurisprudence, international treaties such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) of the United Nations, and doctrinal analyses, primarily to support their decision. According to one of the judges:

> It is necessary to consider the requirement of the immediacy of the unlawful aggression and its meaning from a gender perspective because to require immediacy to be conceived purely in temporal terms and understood as present time would imply denying the woman any chance of successfully defending herself in this type of confrontation. In this sense, domestic gender-based violence should not be understood as composed of isolated events but as a continuous, incessant aggression because there are permanent attacks on certain legal rights such as freedom, security, and physical and psychological integrity.[16]

But what makes this murder not punishable? Why doesn't this death carry the degree of penal rejection it would have had a decade ago? Why are the women in the two previous cases not criminals in this judicial system? As explicitly stated in each of

these rulings, it is the term "gender-based violence" that is influencing penal decisions and ultimately seems to play a key role in defining these two acts as non-criminal. On the one hand, this shows that no behavior is inherently criminal, not even intentionally killing an individual, as both Durkheim (1960) and Tarde (2019) have underlined in their pioneering works on crime and punishment. Likewise, it shows that no behavior is inherently a legitimate self-defense act. Instead, it is within the conflictive field of penalization that these definitions are produced —definitions that are strictly political if by politics we understand the struggle to define the hegemonic meanings and values of a social group. These cases show that, in current judicial practices, there are constant disputes over the definition of what constitutes a crime (and what does not), as well as over the type and degree of punishment to be applied to the effectively punished transgressors.

On the other hand, these two paradigmatic cases also suggest that the criminal justice system of Buenos Aires is at a pivotal moment, as the punishment of women who harm their partners is beginning to follow a different trend than that observed in previous scholarly research. Murders that in other socio-historical moments would have been truly heinous and unacceptable, that would have been punished with the harshest sentences, are now conceived differently. It is worth noting that these new penal interpretations and resolutions are increasingly less isolated or exceptional and are beginning to feed into the body of jurisprudence in Buenos Aires.[17]

How to explain this changing trend in penal practices and the inflection produced by the signifier "gender-based violence" in the understanding of these deaths? This incipient transformation could be naturally linked to certain legal paternalism, as identified in other regions of the world. However, our argument is oriented by the hypothesis of the "penal assemblage" (Tonkonoff, 2019). That is, from the sociological viewpoint that understands, and allows us to show, that the practices of the criminal justice system and its agents are always inscribed within a network of relations that exceed institutional limits. In this perspective, the reduction in punitiveness observed in these cases must then be related to the way the judicial system has recently (re)assembled with other extrajudicial agents. In particular, with the feminist movement, mass media, certain political parties, and civil society organizations. What links these heterogeneous agents —articulated in a way that we might well call counter-patriarchal— is precisely the propagation of counter-patriarchal social significations about women. These social significations, which come into conflict with the traditional conceptions that have long hegemonized the social field in general, begin to influence the practices of this criminal justice system and constitute a key element in explaining the emerging trend of decriminalization of these murders.

Counter-Patriarchal Orientations in the Judicial System

The spread of non-patriarchal beliefs and desires should undoubtedly be read in line with the rise of the feminist movement as a key actor in the public sphere. Since the late 20th century, Latin American countries have witnessed the rapid growth and expansion of feminist NGOs advocating for progressive, gender-oriented policy agendas and fostering connections between women's movements and broader civil society across different countries (Álvarez, 1999). In Argentina in particular, the massive 2015 demonstration of 'Ni una Menos' (Not One Less) movement marked a turning point.[18] Sparked by the femicide of a 14-year-old pregnant adolescent, the protest crystallized and condensed many years of struggle by the women's movement in the country. As different studies have argued (Barrancos, 2010; Di Marco, 2010), the women's movement is heterogeneous and has a long history of struggle and claims, which have contributed to give significant social visibility to various dimensions of the 'gender issue', transforming it into a fundamental public concern. Over the last two decades, though not without internal disputes, the movement has significantly expanded its presence in the public sphere. Demonstrations on International Working Women's Day (March 8) have grown increasingly massive, with strong slogans against gender violence and women labor precariousness. There have also been major protests condemning femicides that gained public visibility, as well as mobilizations in support of abortion legalization. The National Campaign for the Right to Legal, Safe and Free Abortion was launched in 2005 and, after 2007, bills on the voluntary interruption of pregnancy were regularly presented to the National Congress.

The "gender issue" also became a cross-cutting theme in both media and political agendas (Fernández Hasan, 2016). In particular, the problem of gender violence became increasingly present in mass media and in the discourses of certain majoritarian political parties. Although this process was not without its share of disputes and heterogenous political uses, it led to violence against women being removed from the "private" or "domestic" sphere and reframed as a public issue (Luengo, 2017; Martínez, 2012;). In fact, there was a significant shift in how this specific type of violence was defined and conceptualized: the notion of "domestic violence" began to be replaced by the broader category of "gender violence". While this problem acquired centrality, other topics, such as the salary gap between men and women, the small presence of women in hierarchical positions (the so-called vertical segregation) and the feminization of caretaking tasks, have also been central points of feminist struggles for the last 25 years (see, for instance, Bulloni, 2022; Guerriera, 2024).

As a result of the increase of political demands and pressure by the feminist movement, important institutional transformations were produced. Some key examples are the decree that gave the possibility of retirement to housewives in 2005, the Integral Sexual Education Law (ESI, for its acronyms in Spanish) passed in 2006, and the enactment of the Law for the Integral Protection to Prevent, Punish and Eradicate Violence against Women (Law No. 26.485) in 2009. Specifically in the penal realm, this process has materialized in important milestones such as the inclusion of "femicide" as a specific aggravating factor (paragraph 11) in Article 80 of the Penal Code in 2012 and the legalization of abortion in 2020. The mandatory training on gender violence for public employees established by Micaela Law (Law no. 27.499), implemented in 2019, and the various guidelines developed to direct judicial decision-making in this direction should also be read as part of this process. Equally significant are the creation of the National Registry of Femicides by the Supreme Court and the initial 2015 rulings that used "femicide" as an aggravating factor in murder cases. All these changes —as well as the one analyzed in this paper (namely, the decriminalization of certain homicides committed by women) cannot be understood without the increasing presence of the feminist movement within the public sphere, the expansion of its political demands and the resulting broader social transformation it produced in terms of the spread of a non-patriarchal social imaginary.

The incorporation of the term 'femicide' into the legal field —meaning that criminal justice can now recognize the murders of women based on gender as femicides— has had important consequences for criminal practice itself. From that point on, murders that would have been legally constructed as simple homicides can now be defined as aggravated homicides and thus receive the maximum penalties. While it is always necessary to analyze how the law is enforced, these changes at the level of the penal code hold fundamental symbolic importance in the struggle to propagate and make non-patriarchal social beliefs and desires hegemonic. Below, a fragment of an interview with a prosecutor clearly illustrates this symbolic importance. Here, the prosecutor discusses a case where a woman was murdered by her male partner:

> Before the trial, there is a hearing called a preliminary hearing. There, the defense, the judge, and I discuss the evidence: I want this evidence, I want this witness, why I want them, this one yes, this one no... Agreements are reached: are we going to discuss this? Are we going to discuss whether it was a marriage? [...] Since it was an evidentiary agreement, we entered the trial with the qualification of the first paragraph, proven: that they were married. We could have taken it easy in that sense; that is, we did not need much more effort. It was necessary to prove that he killed her and that he knew what he was doing, on which we had also reached an agreement. So we entered with the authorship proven. Anyone would say: you entered with the trial won. Where was our challenge? We were two prosecutors from the Gender-Based Violence Unit to prove article 80(11)[19]. Our work focused on that, on proving that there was gender violence. Our entire challenge was related to that. And we had a lot of evidence to do it. And the people, the jury, supported that decision. Because when they convicted him, they convicted him based on paragraph 1 and paragraph 11. [Excerpt from an interview with a prosecutor from the province of Buenos Aires]

However, the transformations emerging in this judicial system's practices are not limited to cases of violence against women. What I seek to argue here is that they have also extended to other types of cases where a woman (who is a victim of gender violence) kills or seriously injures her male partner, as demonstrated in the previous cases. This can also be identified in the narratives of judicial operators when asked about cases like those previously analyzed. The extracts of the interviews presented below illustrate this point clearly:

> When the Attorney General arrived in 2016, he went department by department, outlining three guidelines. Before, there was no clear criminal policy, no clear direction. The Deputy Attorney General was a civil law expert. It was a disaster. So, drug offenses, armed robbery, and gender crimes in general. In the latter, there was significant progress. I can tell you that we have made much progress. And you also see it in how judges rule in these cases. In drugs, I don't know if we can say there is more criminalization or more people growing marijuana plants, but in gender-related crimes, I can tell you that before this change there were many cases, but they were not investigated, nor were cases built. [Excerpt of an interview with a public defender from the province of Buenos Aires]

> A case where a woman kills her partner who harassed and abused her cannot be considered an aggravated homicide. It is not an aggravated homicide, even if the woman is not under attack at that moment. That would be looking at the case without a gender perspective, and it is something in which there has been significant progress in the province. [Excerpt from an interview with a court judge from the province of Buenos Aires]

> You always have to look at the case. It's a matter of evidence. If it is proven that there were signs of gender violence, you have to see, but at least the sentence should be more lenient if that woman defends herself and injures her partner. That's what actually happens. [Excerpt from an interview with a court judge from Capital Federal]

> It is also true that the whole view of gender violence is newer. This possibility of considering the entire life story of the accused person and her history of violence, which is being introduced to mitigate the sentence or to define the case as self-

> defense when she defends herself, is new, although we have always considered it here. [Excerpt from an interview with a court judge from the province of Buenos Aires]

Therefore, it is not the hypothesis of judicial paternalism or chivalry that can explain this incipient transformation of judicial practices concerning these types of murders committed by women. Rather, I argue that an assemblage was formed between the judicial system and various extrajudicial and very heterogeneous agents, including the feminist movement, the media, certain political parties, and civil society organizations. An assemblage resulting from current relations of force that can be primarily defined by its strategic function: the collective contestation of patriarchal values that have long dominated the social field and, along with it, the diffusion of an array of non-patriarchal meanings around women. The dissemination of a social imaginary that challenges the structural subordination of women and seeks true gender equality has also permeated certain articulations of the judicial system. One of the many dimensions encompassed by this general premise is the denaturalization and criminalization of violence against women, particularly that perpetrated by men within the heteropatriarchal couple. The goal is to make it unspeakable —indeed unthinkable— for a man to harm his female partner out of jealousy, honor, or a sudden burst of passion without facing criminal penalties (actually, three arguments historically used by judicial systems in Argentina and other Latin American countries to mitigate the sentences of men who killed their female partners). Thus, new horizons of meaning are opened, challenging the traditional and hegemonic supremacy of the husband over his wife, and, ultimately, the belief that the latter's life is less valuable.

This array of non-hegemonic beliefs around women introduces a rupture in a state of affairs that was effectively normalized and largely unquestioned. As Laclau (1993, p. 39) argues, dislocations threaten identities, but they are also the ground or foundation upon which new ones are constructed. That is why Stavrakakis (2007, p. 107) emphasizes the dual nature of all dislocation, as it implies the failure and subversion of a particular system of representation while simultaneously creating the need to articulate new social constructions. For this reason, this social process (that includes practices of criminalization) also involves a dimension that we might call “positive” or “propositive”, which refers to the reaffirmation of new values and the definition of new non-patriarchal horizons of meaning. In other words, what is observed alongside the process of dismantling certain social meanings is a process of instituting new coordinates of understanding and valuation that leads to an emerging trend of decriminalization of certain homicides that, a few decades ago, were severely punished.

Beyond any doctrinal debates on the matter, the practices of this criminal justice system express the “juridical translation” of a particular state of the relations of force that makes it socially conceivable that a woman who suffers gender-based violence and kills her intimate partner while he sleeps is not considered a criminal. In another interview, where a prosecutor was asked about the use of the figure of self-defense in cases of gender-based violence, she said:

> It is an aspect that one must manage when dealing with cases of this kind, and it must be managed with a gender perspective. And this is something that has been in vogue for about 10 years, or less, in our judicial system. Now we are all waking up to a paradigm shift. [Excerpt of an interview with a prosecutor]

This “paradigm shift” explicitly mentioned by the prosecutor is nothing else but the expression of a transformation in the constellation of hegemonic values in contemporary societies. This is reflected in doctrinal and jurisprudential discussions within the legal field, which translate these broader collective changes into legal terms, while also developing the arguments that justify judicial practices. Therefore, these justifications cannot explain changes in forms of punishment. What makes it possible and conceivable that a woman who suffers gender-based violence and kills her partner is not considered a criminal is not a better understanding of the legal concept of self-defense, arguments often given by judicial actors. Beyond any legal argumentation —which is primarily the way legal discourse translates and justifies its ideology using its own technical tools— what is at work here is this penal assemblage that extends beyond the legal field. By assembling with other significant social actors, the judicial system participates in the collective contestation against gender-based violence, the re-valorization of women’s lives, and, along with that, the creation of new criminal stereotypes. In other words, the social process that leads to the decriminalization of this type of action also represents an attempt to communicate socially that, within the heteropatriarchal couple, the woman's life is just as sacred and inviolable as the man’s, and that the true criminal is the femicide perpetrator.

In this regard, the role of legal sanctions is fundamental given the deeply exemplary nature of criminal punishment and its significant symbolic and performative power. As Garland (1990, 1991) has argued, building on developments from different traditions (i.e., classical sociology, Foucault’s and Elias’s approaches), punishment is not merely an instrument of crime control but rather a distinctive and complex social institution. Penal measures are “never fully and rationally adapted to a single organizational objective of an instrumental kind” (Garland, 1991, p. 117), nor are they a “stock problem for moral philosophy” (p. 119). Instead, they condense a complex web of power dynamics, class relations and interests, and cultural meanings, and serve important social and political functions that extend beyond the population specifically targeted by penal institutions. One

of the fundamental dimensions of punishment —long examined by scholars in the sociology of punishment (Garland, 2002; Hallsworth, 2000; Pratt & Miao, 2017)— is its role in expressing and reaffirming collective values and meanings, as well as in strengthening social bonds.[20] This symbolic function is thus associated with the production of cohesion among a specific group, the organization of its main social relations and the definition of an "us" in opposition to an alterity (in this context, the position of alterity, once associated with women who harmed their partners, has come to be increasingly associated with men who commit gender-based violence). As it was suggested, this is a fundamentally political function, since defining which actions will be punished, and how, is always a matter of struggle, shaped by interests, power and class relations and hegemonic worldviews.

Therefore, the effect of "officialization" of law, the public recognition of normality, "makes it possible to speak about, think about, and admit conduct which has previously been tabooed" (Bourdieu, 1986, p. 846). From this perspective, the judicial shift is therefore crucial to reinforce and communicate socially that what ceases to be taboo and becomes sayable, thinkable, and admissible is the idea that a woman who is a victim of gender-based violence can defend herself against her partner's aggression, even when her action results in his death. In this new cognitive framework, this action is no longer seen as an aggravated assault or homicide but as an act of self-defense. The described judicial shift thus plays a key role in reinforcing this broader cultural transformation and in reaffirming as hegemonic the anti-patriarchal values and meanings associated with it.

Conclusions

Throughout this article, I have argued that, in the Buenos Aires Metropolitan Area, there exists a transformation in the way the judicial system punishes women who are victims of gender-based violence and seriously injure or kill their partners. Particularly, I identified a reduction in the severity of punishments imposed on these women, with the most significant shift being the use of the legal figure of self-defense. This marks a juridical redefinition of certain acts that once led to harsh penalties or life sentences for these women but are now increasingly recognized as legitimate acts of self-defense.

In this context, I suggested that punitive trends toward women who kill follow two predominant, sometimes opposing, orientations that coexist, highlighting the judicial system's heterogeneity. On the one hand, as I have argued in previous works, there is a traditional, non-paternalistic patriarchal orientation when punishing the murder of children, tied to the defense of a patriarchal model of motherhood. This is expressed through strong punitive measures against women and a differential penal treatment of mothers and fathers. On the other hand, as it was shown in this article, there is an emerging counter-patriarchal orientation expressed in the punishment of women who harm or kill their intimate partners in contexts of gender-based violence. These punitive practices reveal a reconfiguration in the way in which the judicial system defends (and legitimizes) the hegemonic value of the family, pivotal in modern penal systems. As it was suggested, this reconfiguration concerns one of the central axes of the traditional family: the couple's relationship.

In addition, this article argues that this change in penal practices, which is still incipient, is not the result of a better interpretation of the law (as some judicial actors would claim), nor is it due to judicial paternalism. Instead, it is an expression of a broader cultural transformation associated with the spread of counter-patriarchal values and meanings that challenge the traditional conceptions that have long dominated the social field. This ultimately shows that the practices of judicial systems are always embedded within a network of relationships that extend beyond institutional boundaries, making it essential to study how this social system translates or expresses broader social trends. This is particularly important given the symbolic efficacy of the law —that is, given the law's "magical" ability to reinforce or, more accurately, naturalize and socially legitimize the social trends it expresses. The universalization effect of the law, "is one of the mechanisms, and no doubt one of the most powerful, producing symbolic domination (or, if one prefers to call it that, the imposition of legitimacy in a social order" (Bourdieu, 1987, p. 846). Hence, the symbolic power of judicially defining certain actions as acts of legitimate self-defense rather than as aggravated assaults or homicides, or as femicides rather than as ordinary homicides.

In the context of the widespread rise of far-right movements, not only in Argentina but globally, future inquiries will be needed to examine the evolution of punitive practices against women. Specifically, future scholarly research should explore whether these counter-patriarchal currents (i) consolidate as hegemonic in these penal practices, and expand to reshape how mothers and fathers are punished for violence against their children; (ii) persist alongside other patriarchal social significations (such as the Woman-Mother myth) that currently predominate in the penalization of the murder of children; or (iii) become marginalized, allowing traditional positions to regain dominance in the judicial field.

Acknowledgements
This research was funded by the University of Buenos Aires through a UBACyT PhD Fellowship. I would like to thank Sergio Tonkonoff for his guidance throughout the research process. I am also grateful to the reviewers of the paper, whose insightful comments were invaluable in improving the initial version.

Correspondence: Dr. Martina Lassalle, Lecturer and Postdoctoral Researcher, University of Buenos Aires & National Scientific and Technical Research Council of Argentina, Argentina. lassallemartina@gmail.com

[1] In recent years, this pattern has also undergone significant transformations, as many of these murders are now being redefined as femicides —a relatively new legal concept— resulting in harsher sentencing for these men.
[2] Employing a mixed-methods approach, this research triangulates different data sources to identify and examine both the macro dimensions and general trends of sentencing practices, as well as the underlying social meanings and values orienting them. The complete study can be found in Lassalle (2024).
[3] The datasets can be accessed via: https://datos.gob.ar/dataset/justicia-sistema-nacional-estadisticas-sobre-ejecucion-pena---sneep
[4] This corpus was compiled for the broader research project on the differential punishment of homicide in Argentina previously mentioned. Of the 40 court rulings included in the corpus, 13 involve women accused in two types of homicide or attempted homicide cases: six involving their children and seven involving their male partners. Although the sample is non-probabilistic, this number is significant given that homicides committed by women account for only around 5% of all such cases nationwide. Court rulings from the Oral Criminal Courts of Capital Federal were accessed via https://www.cij.gov.ar/seleccionar-opcion.html, while those from the Appeal Chamber of the Province of Buenos Aires were obtained from: https://www.scba.gov.ar/fallos.asp.
[5] In Argentina, 67% of criminal judges are men, while only 33% are women (National System of Judicial Statistics, 2022). Prosecutor positions are also more male-dominated compared to public defender positions (Women's Office - Supreme Court, 2023). These proportions align with the sample analyzed for this study.
[6] It is important to note that the Autonomous City of Buenos Aires also has its own local criminal justice system, which is responsible for investigating and prosecuting minor offenses. Since this research focuses on homicide sentencing, the local judiciary of the City of Buenos Aires was not included in the analysis.
[7] These results resemble national trends, primarily because of the statistical weight of the Buenos Aires penitentiary system.
[8] Many of these studies have shown that other variables, such as the social class and race of the prosecuted woman, as well as the type of crime at stake, also influence sentencing practices. See the works of Steffensmeier et al. (2017) and Holland & Prohaska (2018).
[9] For a detailed review of this literature, see Lassalle (2024).
[10] The scientific and political importance of avoiding the generalization of theories and analytical hypotheses based on experiences and perspectives from the Global North has been already highlighted by many scholars. See, for instance, the project of "Southern Criminology" (Carrington et al., 2018).
[11] Other studies, such as Lina Carrera et al.'s (2020), show similar responses regarding women accused of performing abortions before the enactment of the Voluntary Termination of Pregnancy Law.
[12] Studies on sentencing in general —and on the sentencing of women in particular— remain scarce. This gap can be attributed, at least in part, to the opacity and lack of transparency of Argentina's judicial institutions, as well as to the limited production and restricted accessibility of data regarding their functioning. There are, however, some historiographic studies in Argentina that have identified an opposite trend at the beginning of the 20th century. See, for instance, Castells (2018) and Calandria (2020).
[13] Ruling of the Oral Criminal Court No. 6 of Capital Federal. Case No. 14/2016 (Internal No. 5019), issued on 05/09/2016.
[14] Ruling of the Sixth Chamber of the Criminal Court of Appeals of Lomas de Zamora. Case No. 69.965, issued on 05/07/2016.
[15] Excerpt from the ruling of the Sixth Chamber of the Criminal Court of Appeals of Lomas de Zamora. Case No. 69.965, issued on 05/07/2016. Own translation.
[16] Excerpt from the ruling of the Sixth Chamber of the Criminal Court of Appeals of Lomas de Zamora. Case No. 69.965, issued on 05/07/2016. Own translation.
[17] There are many other rulings similarly oriented. For instance, the ruling of the Oral Criminal Court No. 1 of La Plata (Case No. 3787/5745, issued on 6/10/2018) and the ruling of the Oral Criminal Court No. 4 of San Martin (Case No. 4558/9614, issued on 20/04/2029).
[18] Though there are debates among feminist scholars and activists where 2015 can be read as the opening a fourth feminist in Argentina, there is agreement that this year is a key turning point within the Argentinean feminist movement which has also consolidated as an international reference (see, for instance, Lenguita, 2021; Natalucci & Rey, 2018; Rodríguez, 2015).
[19] In the Argentinean Penal Code, paragraph 11 of article 80 refers to femicide.
[20] The concepts of populist punitiveness (Bottoms, 1995) and "penal populism" (Pratt, 2007), which many scholars have used to describe penal dynamics over the past 30 years, are closely tied to the symbolic or expressive functions of punishment. In particular, the mobilization of public opinion around penal issues —a key feature of this trend— has brought the symbolic dimension of punishment back to the forefront of academic debate in criminology. See, for instance, Pratt and Miao (2019), Garland (2021) and Hogg (2021).

References

Álvarez, S. (1999). Advocating feminism: The Latin American feminist NGO "boom". *International Feminist Journal of Politics*, *1*(2), 181-209. https://doi.org/10.1080/146167499359880

Azaola, E. (1999). Violencia en México. Hombres y mujeres sentenciados por homicidio en el estado de Hidalgo. *Revista Mexicana de Sociología, 61*(1), 95-122. https://doi.org/10.22201/iis.01882503p.1999.1.60578

Barrancos, D. (2010). *Mujeres en la sociedad argentina. Una historia de cinco siglos*. Sudamericana.

Biassio, V. V. (2024). Homicídio Do Tirano Doméstico: Mulheres Que Matam Seus Abusadores Em Situação de Não Enfrentamento. Uma Leitura Com Perspectiva de Gênero. *Anatomia Do Crime*, *19*, 269-296.

Bottoms, A. E. (1995). The philosophy and politics of punishment and sentencing. In C. Clarkson, C. & Morgan, M. (Eds.), *The politics of sentencing reform* (pp. 17-50). Clarendon.

Bourdieu, P. (1987). The force of law: Toward a sociology of the juridical field. *The Hastings Law Journal*, *38*, 814-853.

Bulloni, M., Justo von Lurzer, C., Liska, M., & Mauro, K. (2022). Mujeres en las artes del espectáculo: Condiciones laborales, demandas de derechos y activismos de género (Argentina, 2015-2020). *Descentrada. Revista interdisciplinaria de feminismos y género*, *6*(1), e161.

Caimari, L. (2004). *Apenas un delincuente. Crimen, castigo y cultura en la Argentina, 1880-1955.* Siglo XXI.

Calandria, M. S. (2020). Delincuencia femenina, violencia y castigo: ladronas, asesinas e infanticidas. PBA, Argentina, 1904-1921. *Anuario Colombiano de Historia Social y de la Cultura*, *48*(1), 327-356. https://doi.org/10.15446/achsc.v48n1.91553

Carlen, P. (2002). Introduction: Women and punishment. In P. Carlen (Ed.), *Women and punishment: The struggle for justice*. Routledge.

Carrington, K., Hogg, R., Scott, J., Sozzo, M. (Eds.) (2018). *The Palgrave handbook of criminology and the Global South*. Palgrave Macmillan.

Castells, F. C. (2018). Mujeres y delitos violentos: experiencias y prácticas en la justicia de paz bonaerense (Mercedes, 1903-1921). *Revista Pilquen*, *21*(2), 69-82.

Daly, K. (1989a). Rethinking judicial paternalism: Gender, work-family relations, and sentencing. *Gender & Society, 3*(1), 9-36. https://doi.org/10.1177/089124389003001002

Daly, K. (1989b), Neither conflict nor labelling nor paternalism will suffice: Race, ethnicity, gender, and family in criminal court decisions. *Crime and Delinquency*, *35*, 136-168. https://doi.org/10.1177/0011128789035001007

Di Corleto, J. (2010). Los crímenes de las mujeres en el positivismo: El caso de Carmen Guillot. *Revista Jurídica* (Universidad de Palermo)*, 11*, 19-30.

Di Corleto, J. (2018). *Malas madres. Aborto e infanticidio en perspectiva histórica*. Didot.

Di Marco, G. (2010). El poder de lo colectivo. Los discursos de derechos y la transformación de las identidades feministas en la Argentina post-crisis. *Iberoamericana*, *10*(40), 199–204. https://doi.org/10.18441/ibam.10.2010.40.199-204

Durkheim, É. (1960). *The division of labour in society.* The Free Press of Glencoe.

Durkheim, É. (1995). *The elementary forms of the religious life*. (K. E. Fields, Trans.) The Free Press. (Original work published 1915).

Edwards, S., & Koshan, J. (2023). Women who kill abusive men: The limitations of loss of control, provocation and self-defence in England and Wales and Canada. *The Journal of Criminal Law*, *87*(2), 75-96. https://doi.org/10.1177/00220183231165719

Fernández, A. M. (1993). *Madres en más, mujeres en menos: los mitos sociales de la maternidad. La mujer de la ilusión. Pactos y contratos entre hombres y mujeres.* Paidós.

Fernández Hasan, V. (2016) El ingreso de la agenda feminista a la agenda de los medios. *La Trama de la Comunicación*, *20*(2), 127-143.

Fridel, E. (2019). Leniency for lethal ladies: Using the actor-partner interdependence model to examine gender-based sentencing disparities. *Homicide Studies, 23*(4), 319-343. https://doi.org/10.1177/1088767919867420

Garland, D. (1990). *Punishment and society*. Oxford University Press.

Garland, D. (1991) Sociological perspectives on punishment. *Crime and Justice: A Review of Research*, *14*, 115-166. https://doi.org/10.1086/449185

Garland, D. (2002). *The culture of control: Crime and social order in contemporary society*. Oxford Academic.

Garland, D. (2021). What's wrong with penal populism? Politics, the public, and criminological expertise. *Asian Journal of Criminology*, *16*(3), 257–277. https://doi.org/10.1007/s11417-021-09354-3

Goodmark, L. (2021). Gender-based violence, law reform, and the criminalization of survivors of violence. *International Journal for Crime, Justice and Social Democracy*, *10*(4), 13-25. https://doi.org/10.5204/ijcjsd.1994

Guerriera, L., Carmody, F., Kiefer, R., Ahumada, N. & Genolet, A. (2024). Los cuidados en la agenda feminista argentina: Un estudio de las producciones feministas realizadas por la academia y el activismo argentino en los últimos años (2013-2018). *Ciencia, Docencia y Tecnologia: Suplemento*, *14*(16), 216-244.

Hallsworth, S. (2000). Rethinking the punitive turn: Economies of excess and the criminology of the other. *Punishment & Society*, *2*(2), 145-160. https://doi.org/10.1177/14624740022227926
Hogg, R. (2021). Rethinking populism and its threats and possibilities. *Archives of Criminology*, *24*, 15-38. https://doi.org/10.7420/AK2021.22.
Holland, M., & Prohaska, A. (2018). Gender effects across place: A multilevel investigation of gender, race/ethnicity, and region in sentencing. *Race and Justice*, *11*(1), 91-112. https://doi.org/10.1177/215336871876749
Holmes, B., Feldmeyer, B., & Kulig, T. C. (2020). Sentencing departures and focal concerns: The joint effect of race and gender on departures in United States district courts, 2014-2016. *Journal of Crime and Justice*, *43*(5), 598–622. https://doi.org/10.1080/0735648X.2020.1730933
Hopp, C. (2012). Legítima defensa de las mujeres: de víctimas a victimarias. *Jurisprudencia de la Corte Suprema de Justicia de la Nación, 13*, 1-13.
Kalinsky, B., & Cañete, O. (2010). *Madres frágiles. Un viaje al infanticidio*. Biblos.
Kutikoff, A. (2017). *Gender disparity: A view of Florida's correction system*. [Master's Dissertation, Florida Atlantic University]. https://fau.digital.flvc.org/islandora/object/fau%3A38764?page=6
Laclau, E. (1993). *Nuevas reflexiones sobre la revolución de nuestro tiempo*. Nueva Visión.
Lassalle, M. (2020). Differential penalization of murder. A sociological examination of the Argentinean case. *Revista Espacio Abierto*, *3*(29), 184-200.
Lassalle, M. (2021). ¿Cómo se castiga cuando las mujeres matan? Un estudio sobre el sistema penal argentino. *Revista InterNaciones*, *9*(20), 37-60. https://doi.org/10.32870/in.vi20.7163
Lassalle, M. (2023). Valores patriarcales y justicia penal. Sobre el castigo diferencial del asesinato contra los hijos e hijas. *Revista Perfiles Latinoamericanos*, *31*(61), 1-24. https://doi.org/10.18504/pl3161-004-2023
Lassalle, M. (2024). *Matar no es siempre el mismo crimen. Un estudio sobre el castigo diferencial del asesinato en Argentina.* Fondo de Cultura Económica.
Lina Carrera, M., Saralegui Ferrante, N., & Orrego-Hoyos, G. (2020). *Dicen que tuve un bebé: Siete historias en las que el sistema judicial encarcela mujeres y a casi nadie le importa.* Siglo XXI.
Lenguita, P. (2021). Rebelión de las pibas: trazos de una memoria feminista en Argentina. *La ventana: Revista de Estudios de Género*, *6*(54), 48-73.
Luengo, M. (2017). Gender violence: The media, civil society, and the struggle for human rights in Argentina. *Media, Culture & Society*, *40*(3), 397-414. https://doi.org/10.1177/0163443717713259
Martínez, S. (2012). Violencia de Género como Objeto de Políticas Públicas en Argentina y en Misiones. *Sociedade em Debate*, *14*(2), 71-92.
Natalucci, A. L. & Rey, J. (2018). ¿Una nueva oleada feminista? Agendas de género, repertorios de acción y colectivos de mujeres (Argentina, 2015-2018). *Estudios Políticos y Estratégicos*, 6(2), 14-34.
National System of Judicial Statistics [SNEJ] (2022). *Executive report*. Argentine Ministry of Justice.
Núñez Cetina, S. (2015). Entre la emoción y el honor: Crimen pasional, género y justicia en la Ciudad de México, 1929-1971. *Estudios de historia moderna y contemporánea*, *50*, 28-44.
Phillippe, A. (2020). Gender disparities in sentencing. *Economica, 87*(348), 1037-1077. https://doi.org/10.1111/ecca.12333
Pierce, M. (2023). Gender disparities in sentencing: A theoretical approach. In B. Russell & C. Torres (Eds.), *Perceptions of Female Offenders - Vol. 2* (123-135). Springer.
Pratt, J. (2007). *Penal populism*. Routledge.
Pratt, J., & Miao, M. (2017). Penal populism: The end of reason. *Nova Criminis*, *9*(13), 71–105.
Pratt, J., & Miao, M. (2019). Risk, Populism and Criminal Law. *New Criminal Law Review*, 22(4), 391–433. https://doi.org/10.1525/nclr.2019.22.4.391
Ribeiro, L. (2010). A produção decisória do sistema de justiça criminal para o crime de homicídio: Análise dos dados do estado de São Paulo entre 1991 e 1998. *Dados: Revista de Ciências Sociais, 53*(1), 159-193. https://doi.org/10.1590/S0011-52582010000100006
Rodríguez, P. (2015). *#NiUnaMenos*. Planeta.
Rodríguez, M., & Chejter, S. (2014). *Homicidios conyugales y de otras parejas: la decisión judicial y el sexismo.* Editores del Puerto.
Smart, C. (1992). The woman of legal discourse. *Social and Legal Studies, 1*(1), 29-44. https://doi.org/10.1177/096466399200100103
Smith, R., Tolmie, J., Wepa, D., & Wilson, D. (2024). Advancing socially just intimate partner violence expert testimony for victim-survivors charged with homicide: Critiquing the old bones of knowledge. *International Journal for Crime, Justice and Social Democracy*, *13*(4), 76-95. https://doi.org/10.5204/ijcjsd.3749.
Stavrakakis, Y. (2007). *Lacan y lo político*. Prometeo.
Steffensmeier, D., Ulmer, J., & Kramer, J. (1998). The interaction of race, gender, and age in criminal sentencing: the punishment cost of being young, black, and male. *Criminology, 36*(4), 763-798. https://doi.org/10.1111/j.1745-9125.1998.tb01265.x

Steffensmeier D., Painter-Davis N., & Ulmer J. (2017). Intersectionality of race, ethnicity, gender, and age on criminal punishment. *Sociological Perspectives, 60*(4), 810–833. https://doi.org/10.1177/0731121416679371

Tarde, G. (2019). ¿Qué es el crimen? In É. Durkheim, T. Gabriel, F. Tönnies, K. Marx, G. Simmel, G. Mead, G. Sorel, *Crimen, Castigo y Sociedad* (96-117). Pluriverso Ediciones.

Tarrant, S., McGlade, H., & Bahemia, C. (2024). Promoting Aboriginal women's human rights – understanding when not to prosecute Aboriginal women. *International Journal for Crime, Justice and Social Democracy, 13*(4), 28-43. https://doi.org/10.5204/ijcjsd.3529

Tonkonoff, S. (2019). *La oscuridad y los espejos. Ensayos sobre la cuestión criminal*. Pluriverso Ediciones.

Villa, R., & Nash, C. (2023). Australia's divergent legal responses to women who kill their abusive partners. *Violence Against Women*, *30*(9), 2275-2301. https://doi.org/10.1177/10778012231156154

Villegas Díaz, M. (2010). Homicidio de la pareja en violencia intrafamiliar. Mujeres homicidas y exención de responsabilidad penal. *Revista de Derecho*, *21*(2), 149-174. https://doi.org/10.4067/S0718-09502010000200008

Zerán, A. T. (2023). *As homicidas*. Fósforo.