

ANALYSIS OF THE REALITY OF DOMESTIC VIOLENCE AGAINST MEN IN ECUADOR

ANÁLISIS DE LA REALIDAD DE LA VIOLENCIA DOMÉSTICA HACIA EL HOMBRE EN EL ECUADOR

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ABSTRACT

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Violence in all its forms impacts the physical, mental, and emotional well-being of those who suffer it. The fight against gender-based violence has historically been led by women due to the countless abuses they have endured both within and outside their homes. However, another reality is now becoming visible: gender-based violence perpetrated by women against men. This violence has a significant impact on the victim in all areas of their life, violating the very essence of fundamental human rights and highlighting the need for a clear and precise legal framework. This research analyzes each of these aspects to identify the current state of research and legal proposals for addressing this issue in Ecuador. To this end, a qualitative, exploratory, and descriptive study was conducted using a documentary method and employing a systematic literature review as its primary technique. Reaching the conclusion that there is a need to generate more specific and decisive legal regulations, in accordance with the legal principles derived from the equality of human rights and gender equality.

RESUMEN

Palabras clave:

violencia, violencia de género,
violencia hacia el hombre,
derechos humanos, marco legal
Ecuador

La violencia en todas sus manifestaciones impacta la integridad física, mental y emocional en las personas que la sufren, la lucha en contra de la violencia de género ha sido emprendida históricamente por las mujeres, debido a los innumerables abusos que han recibido en sus propios hogares y fuera de ellos, sin embargo, ya comienza a visibilizarse otra realidad existente, la violencia de género ejercida de la mujer hacia el hombre, que acarrea consigo una importante afectación en la víctima en todas sus áreas de desenvolvimiento, violentando la esencia de la existencia de los Derechos Humanos fundamentales, así como la necesidad de un marco legal claro y preciso al respecto. La presente investigación analiza cada uno de estos aspectos con el objetivo de identificar el estado actual de las investigaciones y propuestas legales para su abordaje en el Ecuador. Para ello se llevó a cabo una investigación cualitativa, de alcance exploratorio y descriptivo, de método documental en la cual se

emplea como técnica la revisión sistemática de bibliografía. Llegando a la conclusión de que existe la necesidad de generar una normativa legal más específica y determinante, de acuerdo a los principios jurídicos que derivan de la igualdad de los derechos humanos y la igualdad de género.

Introduction

Violence is a behavioral manifestation caused by a large number of factors, which can occur in various forms and contexts, and is currently one of the social problems that has generated most controversy and concern in Ecuador and arguably in much of Latin America, from domestic violence to major clashes of criminal gangs, it is a reality that is observed at different levels and social strata (Eneth-Vidal, et al., 2021).

In recent times, domestic violence and gender violence have become more and more visible, since it is a problem that unfortunately affects a large number of families. Men's violence against women has been an issue that has received great attention thanks to the human rights movements and the historical struggles of the feminist movement, which has allowed legislation to be passed and serious sanctions to be imposed on aggressors, despite the fact that it is a social issue that still requires attention and much remains to be done to eradicate it (Jaramillo-Bolívar and Canaval-Erazo, 2020).

However, there is also another side of the coin, violence by women against men, which is perhaps less frequent or less reported, but also violates fundamental human rights, in the case of Ecuador, reporting these cases can be associated with social stigma, in the case of Ecuador, reporting these cases can be associated with a social stigma, which is why there is little accurate information on the subject and little professional advice for victims. This research analyzes the current situation of this problem in the country as well as its link to the legal aspects and administration of justice involved, especially with regard to human rights legislation.

Previous research has already addressed its study in different contexts and from different perspectives. Trujano-Ruiz (2020), conducts a research entitled *El silencio también es violencia de género. Hablemos de los hombres violentados por sus mujeres*, which describes the growing violence that exists in society, its multiple expressions, including gender violence. It analyzes the cases in which gender violence is exercised by women in the couple, the types of violence they exercise, including physical, psychological, emotional, economic and sexual violence, highlighting that it is a more common phenomenon than may come to public light and that its manifestations can range from attitudes of humiliation to murder. Describes how the phenomenon of social perception can influence your approach.

Araujo-Cuauro (2021), presents a research article entitled *La realidad silenciosa de la violencia contra el hombre, ¿es también violencia de género? Estudio desde la perspectiva jurídico legal en Venezuela*. In which he addresses the way in which violence against men is characterized, and discusses whether it is possible for it to be considered gender-based violence. The existence of a legal vacuum that regulates this type of aggression is highlighted, which is why many of the cases that occur are not reported.

Gonzales-Ruiz (2022), presents a research entitled, *Hombres víctimas de violencia de pareja: una revisión sistemática*, in which, through documentary analysis they manage to identify the lack of visibility of this social problem and the existing insufficiencies in the processes of legal and health care, to provide adequate help to the victims, highlighting the importance of disseminating information that allows understanding its causes and consequences, as well as the appropriate intervention from an interdisciplinary vision.

Ayol-Gusñay, and Mosquera-Endara (2022). Male and Silent Violence in Ecuador, describe the way in which the manifestation of this problem is characterized in the country, its high rates, highlighting the predominance of psychological violence, pointing out that part of the elements that emerge as aggravating the problem is its invisibility due

to the social stigma attached to it, the lack of recognition of its existence and the way in which some feminist groups try to downplay its importance.

Hansen (2024) specifically investigates the *characteristics of male victims of family violence*, analyzing both psychological and socio-demographic aspects of men who are assaulted within their own families, including both physical and psychological violence. The study is based on the methodology of systematic literature review and concludes that factors such as dependence, low self-esteem, substance use, beliefs, habits and customs are some of the elements that directly influence the conditions that allow violence to continue to be perpetuated.

Thus, it can be seen that this is a social problem with multiple implications, which with the passage of time has begun to be analyzed in greater depth in relation to its causes and consequences, the environments in which it manifests itself and the way in which it affects the family and society in general, so that prevention measures are required that include the creation of a specific legal framework in this area, as well as adequate education and training to the population.

Method

Research Design

For the study of the analyzed problem, a qualitative research design was implemented, in which the characteristics of the manifestation of the studied phenomenon are analyzed,

Qualitative approaches are a kind of exploration plan (emergent understanding) and are appropriate when the researcher is interested in the meaning of human experiences and values, the internal and individual point of view of people and the natural environment in which the studied phenomenon occurs, as well as when we seek a close perspective of the participants (Hernández-Sampieri et al., 2014, p. 364).

The qualitative method is characterized by being flexible, adapting to different contexts of research and study, its purpose is to reconstruct reality as observed by the actors of a previously defined social system, providing a fresh, natural and complete view of the phenomena, it does not follow a rigorous sequence and can develop questions and hypotheses before, during or after data collection. It will be a field research design, taking into consideration that the data will be obtained directly from the source where the research process is focused (Hernández-Sampieri and Mendoza, 2020).

This is a non-experimental research that will have a descriptive and exploratory scope, since it is intended to present the main characteristics of the phenomenon studied, the existing theories and laws on the subject, as well as the situations and contexts in which it occurs. Cross-sectional since it will be conducted once to collect data directly related to a given period of time (Arias and Covinos, 2021).

Method and Technique

The methodology of documentary research is used, which "is, in a general sense, the study of understanding and interpretation, and in a particular sense, the task of interpreting texts" (Palmer, 1969, cited by Quintana and Hermida, 2019, p. 75), as well as the technique of systematic literature review, which fulfills the purpose of informing, disseminating, generating new knowledge, generating new ideas and research

approaches on the topic addressed, facilitating access to the results provided by previous research (Pardal-Refoyo and Pardal-Peláez, 2020).

To carry out the research, the articles that were most closely related to the research objective were selected and, taking into account the inclusion and exclusion criteria, the final selection was made of the works that made the greatest contribution to the topic addressed and were indexed in reliable scientific publication registries, such as the Scielo, PubMed, Dialnet, Scopus and Google Scholar databases.

When the information search process began, 30 articles related to the research topic were identified, from which those that met the methodological criteria, relevance and relationship with the specific research topic were selected, implementing the prism methodology. This is a method that allows structuring a series of steps so that the systematic literature review can be carried out in an organized and objective manner (Ciapponi, 2021).

Inclusion and Exclusion Criteria

In order to carry out the research, the articles that were most closely related to the research objective were selected and the final selection was made of the works that made the greatest contribution to the topic addressed, were written in the last 15 years and were indexed in reliable scientific publication registries. Excluding those that were outside this time period.

Results

Domestic Violence in Ecuador

Regarding the figures for domestic violence in Ecuador, it was found that in 2021, 103,516 emergencies of this type were reported. Of this total, 55% corresponds to psychological aggression, 31% to domestic violence, 13% to physical violence and 0.1% to sexual violence" This information is provided by the 911 security service.

This is of great importance since, "violence is considered a form of exercise of power that facilitates domination, oppression or supremacy to the one who exercises it and a position of subjugation or subjection of the one who suffers it" (Mayor-Walton and Salazar-Pérez, 2019, p. 97). Domestic violence can have a variety of manifestations in addition to physical and sexual, emotional and economic abuse or subjugation are also considered aspects that make up domestic violence (Castillo-Martínez and Ruiz-Castillo, 2021). Thus, it can be said that, this,

In all its manifestations, it becomes a public health problem that involves all countries and, although it does not properly constitute a disease in the traditional sense of its understanding, where the biological etiological element plays as a rule a fundamental role; in a social sense it is a health problem and an important psychosocial risk factor, due to the magnitude of the damage, disability and death it causes, with multiple and diversified consequences at the social, psychological and biological levels (Mayor-Walton and Salazar-Perez, 2019, p. 97).

And its consequences can have repercussions both for individuals and for society in general. Violent attitudes can have a great physical, psychological and emotional impact on the victims, "violence within the family nucleus is one of the greatest problems facing countries worldwide; domestic violence is any action or omission exercised against one or more members of the same family nucleus" (Rodríguez-Nieto and Alarcón-Vélez, 2022, p. 933).

Violence by Women Against Men

Violence can have multiple manifestations; in cases of gender violence against women, physical violence is unfortunately frequent; in the case of violence against men, physical violence is also present along with other types of gender violence; psychological violence is presented as a silent and sometimes not very evident manifestation, which undermines the self-esteem and psychological stability of the person who suffers it.

Although it is a fact that violence against women is evidently higher than violence against men, some of the male victims face another problem when it comes to denouncing structural problems in society, where in general and especially in Latin America, it is validated that men are macho, strong, dominant and do not express their feelings, do not show any kind of weakness and emotionality.

In some way, this requirement of the standard, or the environment's appreciation of what a man should be, influences the social perception he has of himself, and of the way he should act in the case of being a victim of violence, with which he must not only deal directly with the problem, but also with the social stigma it brings with it. This often makes it much more difficult to seek help.

It has been observed that male victims of family violence may experience psychological and emotional consequences similar to those of women, such as depression, anxiety and post-traumatic stress disorder. In addition, some studies, such as that of Pérez et al. (2020), have found that men who are victims of family violence may have higher rates of chronic diseases and health risk behaviors, such as substance use and smoking (Hansen, 2024, p. 3).

In many cases it is the officials themselves who assume a posture of judgment, humiliation or mockery towards those who come to file a complaint, revictimizing the assaulted person. The use of labels and epithets generates even more insecurity in men who have been previously affected psychologically and emotionally, which is why it is imperative to provide information and education to those who deal with them directly and with the population in general, to raise awareness of this reality, as has been done precisely with the defense of women's rights.

Violence Against Men Is Gender-Based Violence

Violence is a globalized phenomenon that throughout the history of human beings and across the geography of the globe has been characterized as a situation that breaks personal boundaries, which can be manifested by damage to physical, psychological, economic, political, among others. Gender-based violence can be conceived as an action totally against human rights and a manifestation of social inequality, since it generates differences and a significant social impact both for individuals and for the families that suffer it (Pinargote-Zamora, 2022).

In view of the fact that the issue of gender violence, of which men can also become victims and suffer significant physical and emotional damage, and that it is an issue that, due to the characteristics of Ecuadorian culture and the macho ideology that still prevails in society, tends to be hidden or made invisible, it is considered important to address it in order to explore both its possible implications and the legal and constitutional mechanisms that allow adequate attention to the victims and the protection of their human and citizens' rights.

In cases of intimate partner violence where the man is the victim, the media often treats the issue as if it were a crime, but without mentioning the terms domestic violence or partner abuse or gender-based violence. There is a tendency to close

cases immediately and permanently as if they never happened. There are some cases of men killed and abused by their partners or ex-partners; however, they have not received attention by the media (Toldos, 2013, cited by Aguilera, et. al., 2015, p. 15).

This is evidence that there is an important social prejudice related to this type of aggression, largely linked to cultural elements that have remained in force for long periods of time,

Even men, victims of violence by their partners, are not aware that they have a problem, since socioculturally women only use violence to defend themselves against men. Today's society does not accommodate the existence of the battered man as there is no vision of the battered man in domestic violence. It is strange to think that there could be men who are victims of abuse by their partners (Toldos, 2013, cited by Aguilera, et. al., 2015, p. 15).

Domestic violence is an issue that has been increasingly debated in recent years, it is a situation that has been present constantly, and over time, however, to eradicate this problem is no easy task, in it converge different social, cultural, educational, economic factors. With the declaration of human rights, a series of transformations began at a global level that allowed countries' legislations to change in order to provide better defense and greater protection to their citizens (Aprile, 2020).

In recent times, feminist movements have made visible the serious situation of violence against women; however, gender violence is also exercised in some cases against men. It is less frequent and much less reported, but it also exists. Recent news events involving celebrities in the entertainment industry have brought the issue to the forefront, which has generated a multitude of opinions and points of view on the subject.

Women's violence against men in couples is a poorly researched topic; there are hardly any studies on this phenomenon. Although sociocultural factors are those that influence the occurrence of violence, it is the legislation that protects the rights equally of all people; however, there is criminal difference in crimes and penalties are imputed according to gender, although the law should protect people regardless of gender, to avoid perpetual positive discrimination (Aguilera, et. al., 2015, p. 14).

In this way it can be said that the violence exercised by women towards men can also be considered as gender violence, since it is carried out by a representative member of one gender towards a member of another gender, and it is necessary to take into consideration that both enjoy universal human rights that are inalienable and that are part of agreements of great importance worldwide, of the National Constitution of the Republic and of the entire legal framework in force in the country.

Analysis from a Human Rights Perspective

Fundamental human rights have become increasingly important in the course of various historical events of different kinds. The Universal Declaration of Human Rights, promulgated on December 10, 1948, after the atrocities of World War II and the commitment of the international community to never again allow the kind of atrocities that took place.

It served as the basis for annexing to the Charter of the United Nations a document that became the main foundation for guaranteeing the rights of all people everywhere and at all times, emphasizing the supreme value of the human person, the inalienable right to live free from deprivation and oppression and to fully develop one's personality.

The Universal Declaration of Human Rights of the United Nations Organization in its article 7 contemplates: "All are equal before the law and are entitled, without distinction, to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination" (United Nations, 1948-2021).

Subsequently, in 1966, the International Covenant on Economic, Social and Cultural Rights was signed, establishing the self-determination of peoples, the pursuit of their economic, social and cultural development, the availability of resources and the right not to be deprived of their means of subsistence. It recognizes the rights of citizens without discrimination of race, color, language, sex, religion, opinion, origin, economic status or social condition.

It establishes the right to work under equitable and satisfactory conditions, to social security, family life, continuous improvement of living conditions and the highest attainable standard of physical and mental health. In addition, a large number of agreements and conventions of this kind have been signed with the aim of protecting the lives of all human beings on the planet.

Among the conventional instruments is Article 3 of the International Covenant on Civil and Political Rights, which states that "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant. Article 2.1. of the same Covenant establishes the principle of non-discrimination on the basis of sex, which also contributes to reinforcing the mandate of equality between men and women (Carbonell, 2007, p. 32).

This underlies the importance of mutual respect and equality of conditions for academic and work activities, as well as for personal integrity, physical, mental and emotional health. However, upon reviewing the research publications on this topic, it is evident that there are multiple investigations and statistical data on cases of women who have been victims of gender violence, however, although it is understood that violence against men is a lesser known phenomenon, it is also considered necessary to study it in the context of human rights, the existing legal framework and as a social problem

Legal Context of this Issue in Ecuador

The principle of equality before the law is contemplated in the National Constitution, as well as in the country's legal framework,

Equality within the philosophical thought of modernity has been linked to the broader concept of justice. This is what explains why the most important theoretical formulation of justice in the twentieth century, the famous Theory of Justice by John Rawls, affirms as the two great principles of justice issues that are immediately related to equality.

For Rawls, the two principles from which we should begin to build a just society (starting from what Rawls himself calls "the original position") are the following: First principle: each person must have a right equal to the most extensive scheme of basic freedoms that is compatible with a similar scheme of freedoms for others. Second principle: social and economic inequalities shall be shaped in such a way that: a) they are reasonably expected to be advantageous for all, b) they are linked to jobs and positions affordable for all.⁴ As can be seen, the link established by Rawls between justice and equality is unequivocal (Carbonell, 2007, p. 15).

In this way, it can be seen how equality is the foundation of any legal principle that pursues justice. Legal values and democratic principles must be applicable to all citizens, under the principle of the rule of law that sustains collective plurality.

These principles should not be lost sight of under any circumstances because they are the ones that allow for justice and social coexistence in conditions from which the welfare of all citizens, families, children and members of society in general can prevail.

Thus, the importance of attention to victims regardless of their gender is contemplated and emphasized. This shows the relevance of considering the legal underpinnings at both the national and international levels.

Causes of the Manifestation of These Problems

There are factors related to contemporary lifestyles that contribute to the accumulation of stress, pressures and emotional tension that result in higher levels of violence and aggressive reactions from people. The accelerated pace of modern life has caused people to neglect activities that serve for recreation and leisure, the emotional life of human beings is increasingly reduced to a smaller environment despite the existence of greater connectivity and forms of distance communication.

Human contact and face-to-face communication have been progressively displaced by communication through digital media, in which violent scenes are constantly rebroadcast, in the same way, social media messages also contribute to the transmission of content that devalues human beings and

Thus, today more than ever, human beings are constantly exposed to this type of content and its influence may become greater than it has ever been if the necessary measures are not taken.

Discussion and Conclusions

Violence expressed through attitudes, behaviors, verbal expressions and even thoughts, usually appears when they have the tendency to be aggressive. These are factors that seem to be more and more frequent at the present time, this can be evidenced in social interactions and interpersonal relationships, the characteristics of communication and the development of people in public places, places of study and work.

Part of this reality is also constituted by the increase in crime rates at the national level and by regions, the great mobilization and communicational impact that gender violence has generated in recent years and a general feeling of insecurity, so it is of great importance to identify the causes that originate it, the flaws in the system that have not allowed its effective and timely solution, as well as the measures that can contribute to prevent and mitigate these terrible current conditions (Carrión-Mena, 2022).

This is a reality that affects a large number of families in the country, and to reflect on the possibilities of finding alternatives that allow its approach and intervention (Castro-Arellano, 2024). As well as the need to promote greater awareness and sensitize the population to this problem, so that members of society in all countries of the world can become aware of its implications and that the real victims of violence can receive adequate support, defense and protection, regardless of the gender to which they belong.

Gender-based violence is one of the worst human rights abuses and therefore one of the most common and widespread public health and social problems in today's society, due to its negative impact on health, morbidity and mortality that affects a great many people and does not distinguish between women and men. Therefore, it is considered today as one of the most extreme manifestations of social inequality (Araujo, 2021, p. 60).

However, in the case of women's violence against men, there is procedural inequality since the legislation was intended to protect women from abuses committed by other men, a situation that has been widely discussed in forums and the media, which has generated greater concern on the part of the authorities, civil society, legislative bodies and the organs of administration of justice. Something that has not happened in the opposite case, in which the victims are male, the problem is made invisible by family, friends, the victim himself and even by public agencies (Araujo-Cuauro, 2020, p. 61).

It is important to reflect on each of the aspects described, in order to assess the influence of the dimensions analyzed in the thinking, behavior and attitudes of human beings today, where the disconnection, the crisis of values, the excess of references, information and entertainment media has generated abrupt changes in the way of doing things in the different areas of human development.

At present there are really no legal restrictions to the application of the principles contemplated in the jurisprudence on this subject, however, in the social sphere there are many prejudices that are manifested in the family, in the community environment, in society in general and even frequently by the officials in charge of receiving and processing the relevant complaints. This makes it very difficult for citizens to have confidence in the legal system and in the application of the corresponding procedures so that their cases are attended to with the necessary importance and speed.

Most of the problems caused by gender violence (except for cases related to crime and unforeseen situations) are a consequence of not having been able to detect and prevent it in time, which is why informing and educating the population is of fundamental importance for its early detection and prevention. Once the importance of the issue and the seriousness of the circumstances involved are understood, sharing the information and helping to prevent it is a contribution we can all make from our own sphere of influence.

Therefore, one of the lines of action that must be undertaken is to educate the population, raising awareness and educating them about the importance of appropriate intervention in this area. It is of fundamental importance to take into account that violence is a behavior that can occur in either gender, that the aggressors have in common the lack of empathy towards the victims, and that the victims also share certain traits of submission to the aggressions

Social and psychological support to the victims is of fundamental importance, as well as legal attention, in order to provide help not only to the individual but also to the entire family group, in order to protect their integrity and the defense of their fundamental human rights. From the educational and community sphere, important contributions can be made to address the issue. Awareness-raising is a personal process that can be shared with family members and friends in the closest environment, to then expand the possibilities of reaching the community, regional, national and international levels.

Social networks and other means of expression can be important allies, many potential or actual victims could benefit from recognizing the patterns of aggression, their behaviors, attitudes and manifestations, as well as the help centers that may exist closer to our locality.

Promote reflections, highlight the importance of cultivating values that allow each human being to find himself/herself and develop not only an individual identity but also one that allows the identification of all human beings in terms of the common welfare and the condition of being a person, which is often distorted through much of the information transmitted by the media and social networks.

Some steps have been taken in this direction, especially the importance of international conventions that guide legislation on human rights, which have brought with them legal frameworks that favor protection against different forms of discrimination and violence, as well as transformations in educational processes oriented under the principles of social inclusion, respect for diversity and the culture of peace. It is of fundamental importance to take into consideration that in order to avoid violence it is first necessary to become aware of its causes, consequences and implications, and this is currently the task of all those who yearn for a world in which harmonious and peaceful coexistence is possible.

In order to continue deepening our knowledge of this reality, we recommend analyzing the research that has addressed the problem both in Ecuador and in other countries. As well as the review of official documents, which present statistical data with information on real cases, complaints, sentences, which allow us to have a closer approach to the reality addressed.

At present, it is of fundamental importance to make this issue known, to contribute to its visibility and to present alternative solutions that may facilitate its treatment as a social problem that, due to cultural stigmas, has remained hidden for a long time, so that the victims may have more alternatives for personal, social, psychological, emotional and legal support.

At this point in the 21st century, there is a need for greater social awareness of the importance of respect for fundamental human rights, highlighting values such as respect, non-discrimination, solidarity, help, cooperation, empathy and the rejection of violence in all its forms, regardless of the forms in which it manifests itself and who are the main people affected by these conditions. The actions that can be taken to achieve this are of great importance and transcendence to achieve the changes and transformations that are required at different levels of society.

Another suggestion to help address the problem in the community context observed would be to create a counseling program for cases of male domestic violence that would include the development of written material to provide relevant legal advice to victims, as well as an index of state institutions, associations and foundations that can provide advice to victims, in addition to providing a helpline, a website that provides information and serves as a link between users and organizations that can help them. Educational intervention can be of great help in informing both the victims of this situation and the community in general.

The project would be based on three lines or lines of action: primary attention to victims through a helpline and a web page to provide advice and receive complaints. The development of a legal advice manual to be shared with institutions that provide support to victims of domestic abuse and the education of the population through talks, workshops and conferences that can contribute to generate greater awareness and transformation of the ways of thinking that have predominated around these issues.

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