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Cognitive Constructions of Masculinity: Unheard Voices, Sociocultural Contexts, and Psycho-clinical Implications within the Framework of Italian and European Law

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Abstract: *This article addresses the clinical consequences of violence experienced by men, an underestimated and under-debated phenomenon deeply intertwined with the social construction of masculinity. We critically analyze how traditional gender stereotypes shape the social perception and management of male victimization. The work discusses the main psychological and sociological theories that explain the formation of these stereotypes. We provide a secondary analysis of Macrì et al. (2012), who surveyed a volunteer, non-probability sample of 1,058 Italian men aged 18–70 using an instrument adapted from ISTAT (2006) to assess lifetime experiences of physical, sexual, psychological/economic, and persecutory behaviors experienced by men, revealing the pervasiveness of the phenomenon and its severe psychological consequences for victims. The objective is to overcome the unidirectional view of gender-based violence, stimulating a more comprehensive and inclusive understanding that can inform targeted support interventions and promote a more equitable society for all victims.*

Keywords: *gender-based violence; psycho-clinical implications; masculinity and stigma; psychological violence; psychological distress.*

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1. Introduction

When distorted, interpersonal relationships between the sexes often pose a substantial public health burden with a far-reaching community impact. For decades, research and public debate have rightly focused on violence against women, leading to significant progress in terms of awareness and protection. However, within this landscape, one aspect persistently remained in the shadows: violence perpetrated against men. This phenomenon, often underestimated and minimised, is a crucial piece for achieving a truly holistic understanding of gender dynamics and their psychosocial manifestations.

This article aims to pierce this veil of silence by exploring the complex interaction between the social construction of masculinity and male vulnerability to violence. We will delve into how traditional gender stereotypes, which exalt strength, control, and repressed emotionality, not only obscure the reality of male victimisation but also limit men's ability to recognise, report and address such experiences (Masho & Alvanzo, 2010). Through theoretical analysis and the presentation of empirical data from a survey conducted in Italy (Macrì et al., 2012), we challenge the partial view of gender-based relationships, promoting a more inclusive, informed, and action-oriented approach (Hine, Bates, & Wallace, 2020).

2. Methodological approach

The article focuses on a secondary analysis of Macrì et al. (2012), a volunteer, non-probability sample of 1,058 Italian men aged 18–70. Instruments and domains: Behaviorally specific items were adapted from the 2006 ISTAT survey, covering four domains: physical, sexual, psychological/economic, and persecutory behaviors. Items referred to lifetime exposure. Recruitment and data collection: Data were collected via paper questionnaires and an online form, which included a mechanism to reduce duplicate submissions. All responses were anonymous. Measures and construct notes: The sexual domain combines rejection/derision with coercion, which are conceptually distinct; psychological/economic items span denigration, control/monitoring, threats involving children/relatives/pets, financial leverage, and parenthood-related items.

Analysis: We report item-level counts and percentages as published in Macrì et al. (2012).. We avoid aggregating within heterogeneous constructs (especially for sexual and psychological/economic domains) and do not extrapolate to population totals.

Ethics: Secondary analysis of published, anonymised data; no additional ethics review required.

3. The Social Construction of Masculinity and Violence

To fully understand gender-based violence, in all its facets, it is crucial to analyse the social construction of gender identities. In particular, traditional masculinity, firmly anchored in concepts of strength, control, and emotional repression, has shaped cultural and social expectations about male behaviour for centuries (Buss, 2004). This construction has generated stereotypes that, while not universal, are widely diffused and often exalted in patriarchal societies. This deeply influences not only the perception of men in society but also their ability to perceive themselves as victims. The image of men and the stereotypes about masculinity are the result of centuries of cultural and social expectations about how men should behave, appear, and interact with others (Eagly & Wood, 1999). These historical, cultural, and psychological constructions shape male identity, generating a significant impact at individual and collective levels.

Gender Stereotypes and Perception of Masculinity

The predominant stereotypes that alter the social perception of men include:

- **Strength and invulnerability:** The expectation that men are physically strong, emotionally stable, and capable of facing any form of difficulty without showing weakness.

- **Dominance:** The implicit demand for control over situations, including social relationships and gender dynamics.
- **Autonomy:** The imperative of self-sufficiency and independence from others.
- **Rejection of emotionality:** The tendency to consider anger as the only socially acceptable emotion for men, while other emotional expressions are perceived as signs of weakness.
- **Success and status:** The centrality of economic and professional success in defining masculinity.
- These stereotypes are not merely widespread opinions, but are often rooted in theoretical bases that validate their perception in common sense (Connell, 1995). The theory of social construction of gender (Butler, 1990; Connell, 1995) argues that masculinity is not an innate given, but a social construct formed through interactions, norms, and cultural practices. Hegemonic masculinity, introduced by R. Connell (1995), represents the dominant ideal of masculinity in society, promoted and reinforced by institutions such as schools, families, and the media. This ideal, while excluding other forms of masculinity and femininity, contributes to creating a model to emulate, with significant individual and collective implications.

In contrast, some perspectives, like evolutionary psychology (Buss, 1999), suggest that certain male-typical, context-dependent patterns of aggression have evolutionary roots linked to survival, status competition, and reproduction. However, it is fundamental to emphasise that these biological inclinations are always mediated and modified by social learning and cultural contexts.

Theories on social roles and gender performance (Eagly & Wood, 1999; Butler, 1990) offer further interpretations. Alice Eagly and Wendy Wood (1999) propose that gender differences primarily emerge from traditional social roles. Historically, men have been associated with roles in the public, productive, and authoritative spheres, while women have been assigned roles in the private sphere, linked to care and home. This division, although no longer necessary, has cemented expectations about masculinity and femininity, encouraging men to conform to models of competitiveness, assertiveness, and independence, in line with hegemonic masculinity.

The social role theory, in particular, is premised on the idea that people's behaviour is predominantly determined by the roles society assigns them rather than from actual innate biological factors. According to this perspective, cultural norms and social expectations influence how men and women behave. Consequently, men are encouraged to occupy professional roles of power and responsibility and are discouraged from assuming roles that imply care or vulnerability, often considered incompatible with traditional masculinity. This division, besides no longer being functional, creates numerous difficulties, as children growing up also observe the behavioural patterns associated with their gender and learn to conform to these expectations.

The consequences of such pressure include adherence to unrealistic standards and limitation in the expression of traits considered "feminine," such as vulnerability. This is also reflected in the difficulty of male victims of violence to recognise and report their experiences, due to social norms that often interpret male victimisation as a sign of weakness (Hine, Bates, & Wallace, 2020). In particular, the media tend to reinforce these stereotypes, predominantly portraying men as aggressors and women as passive victims, making the recognition of dysfunctional situations in which men are victims even more complex.

An emblematic example is cyberstalking against men. Criminological studies (Kowalski, Toth & Morgan, 2018) have shown that male victims of cyberstalking (Nobles et al., 2014) feel stigmatised and are reluctant to seek support. This leads to an exacerbation of the situation and deeper psychological consequences. The socio-cultural perception of violence, influenced by stereotypes, poses further difficulties in recognising abuse when perpetrated by a woman, contributing to the silence of victims and the fear of being judged for not being "real men."

These stereotypes, while not universal, are widespread and often exalted in patriarchal societies, deeply rooted in awareness when supported by theoretical bases. The recognition of violence, particularly when the dominant and dysfunctional party is female, is further complicated

by the key role of stereotypes in shaping socio-cultural perception, creating difficulties in defining what constitutes abuse and violence.

The media's role in constructing common sense is crucial, being the most common tool through which most people interact with the outside world. Men are often portrayed as aggressors, while women are passive figures (also through the concept of the male gaze (Mulvey, 1975), the portrayal of women from a masculine perspective). When a woman is a victim of violence, society interprets the situation as a failure of protection. Conversely, when a man is the victim in a crime, the situation is sometimes seen almost as a "toxic revenge." Violence perpetrated by men is often reduced or justified by stereotypes, such as the inability to control their emotions. The media representation of domestic violence is often simplified, reducing it to a mere conflict between partners. Men who experience violence from women are less likely to seek help, and the silence stems precisely from the fear of being stigmatised and judged for not being "real men," finding themselves navigating a culture that does not allow them to express their vulnerability and suffering.

4. The Burden of Discrimination and Statistical Representation

The Burden of Discrimination and Official statistics and research on gender-based violence often reflect a marked gender bias, focusing almost exclusively on female victimisation. An analysis of preliminary ISTAT data (ISTAT, 2023) on gender stereotypes and the social image of violence in Italy reveals this distortion. For example, although there is some tolerance for physical violence in couples (2.3% of the sample recognise that "a boy slaps his girlfriend"), the questions used to monitor the perception of violence refer almost exclusively to scenarios in which women are the victims (e.g., sexual violence or false accusations against women).

This methodological and communicative approach perpetuates the idea of unidirectional violence and contributes to the invisibility of male victims. If the media do not discuss it and statistics do not record it, knowledge of the phenomenon of violence against men remains severely lacking and underestimated.

The stigma associated with male victimisation is a significant barrier to reporting. The fear of being perceived as "weak" or "less of a man," social ridicule, and the minimisation of their experiences contribute to a high rate of "underreporting" (Taylor & Zwicker, 2019). Many men do not recognise themselves as victims or do not believe that their experiences fall within the definition of domestic violence, further exacerbating the problem.

5. An Exploratory Survey on Male Violence in Italy

In response to this significant lack of data and scientific literature on violence against men, a team of Italian researchers (Macrì et al., 2012) conducted an unprecedented exploratory survey on violence against men. The primary objective of this research was to analyse forms of violence less traditionally acknowledged and rarely investigated, overcoming the media and institutional simplification that too often reduces gender-based violence to an exclusively female phenomenon.

The multidisciplinary team, composed of experts in forensic medicine, bioethics, legal psychology, computer engineering, pedagogy, linguistics, and law, developed a questionnaire adapted for administration to a male sample, based on a tool originally conceived for women.

The questionnaire, structured with 60 multiple-choice questions, 4 questions unrelated to violence, and 4 open-ended questions (Macrì et al., 2012), covered the following categories of violence:

- **Physical violence:** 7 questions and 1 open-ended question
- **Sexual violence:** 12 questions
- **Psychological and economic violence:** 35 questions
- **Persecutory acts (stalking):** 7 questions

The questionnaire was administered anonymously to a voluntary sample of 1,058 men aged between 18 and 70. The socio-demographic data of the sample revealed a varied geographical

distribution: 38.85% came from Northern Italy, 38.28% from Central Italy, and 21.5% from Southern Italy and the islands. The predominant age group, with 69.46% of participants, was between 30 and 49 years old. Regarding marital status, 41.11% of participants were separated, and 83.2% had children (Macrì et al., 2012), providing a significant demographic picture for the analysis of the results. The survey results highlighted a significant prevalence of various forms of violence experienced by men (see Table 1, Table 2, Table 3, and Table 4).

Table 1. Physical Violence

Type of Violence	Percentage of Sample
Threat of physical aggression	63.1%
Throwing objects	51.2%
Pushes, shoves, scratches, hair-pulling	60.5%
Beatings (slaps, kicks, punches, bites)	58.1%
Attempts at strangulation/suffocation/poisoning/burns	8.4%
Use or threat of use of weapons	23.5%
Other forms of physical violence	15.7%

Note: Despite reporting the experience of physical violence, no participant has recognised himself as a victim. Lifetime exposure; volunteer, non-probability sample; adapted from ISTAT 2006; unweighted; descriptive only. Data summarised from Macrì et al. (2012). Within this sample, threats of physical harm and direct physical acts were commonly endorsed, while potentially lethal actions were less frequent. All items reflect lifetime exposure in an unweighted volunteer sample.

Table 2. Sexual Violence

Type of Violence	Percentage of Sample
Intimate relationship interrupted without reason	48.7%
Derision for sexual dysfunctions	30.5%
Derision for sexual performance	20.1%
Forced sexual intercourse	8.6%
Forced intercourse with other people (e.g., swinging, group sex)	4.1%

Note: Many of the demands, even the less overtly violent ones, were experienced with discomfort and distress. Lifetime exposure; volunteer, non-probability sample; adapted from ISTAT 2006; unweighted; descriptive only. Data summarised from Macrì et al. (2012). Endorsement was highest for “preliminaries interrupted”, which reflects perceived sexual rejection rather than coercion. Coercive acts were less frequent but present (e.g., forced intercourse: 8.6%). Because the sexual domain combines rejection/derision with coercion, we report item-level estimates and do not compute a single “sexual violence” prevalence.

Table 3. Psychological and Economic Violence

Type of Violence	Percentage of Sample
Public humiliation or insults	66%
Criticism of relatives	72.4%
Disparaging judgments about physical defects	~30%
Economic instrumentalisation (criticism for earnings, comparisons)	~50%
Insults, humiliation, or suffering inflicted with words	75.4%
Hostile attitudes related to non-sharing of decisions (manipulative dynamics)	68.2%
Damage/destruction of personal belongings	47.1%
Threats or violence towards pets	8.1%
Threats of suicide or self-harm by the partner	32.4%
Abortion against the father's wishes	9.6%
Paternity imposed by deception	10.7%
Threats of separation/deprivation of home and resources	68.4%
Obstruction of contact with children	43.8%
False reports or accusations in the context of separations/divorces	48.4%

Note: Only 2.1% of participants reported never having experienced any type of psychological violence. Lifetime exposure; volunteer, non-probability sample; adapted from ISTAT 2006; unweighted; descriptive only. Data summarised from Macrì et al. (2012). Psychological denigration and control: High endorsement appears for verbal insults, hostility when not having the last word on joint decisions, doubts about fidelity/sincerity, limits on family/friends, and criticism of domestic roles and appearance, indicating frequent denigration and relational control within this sample. Threats and leverage (children, property, finances): Threats related to separation and resources, damage/destruction of belongings, and threats of self-harm were also commonly reported. Given the breadth of behaviors included under “psychological/economic violence,” we present item-level proportions rather than aggregate totals. Only 2.1% selected “no psychological/economic violence,” reflecting the breadth of behaviors and lifetime timeframe rather than a population rate.

Table 4. Persecutory Acts (Stalking)

Type of Violence	Percentage of Sample
No persecutory acts experienced	34.8%
Persistent sending of messages/calls and destruction of personal property	Most common
More canonical stalking acts (following, spying, threatening, blackmailing)	18.4%-26.9%

Note: data summarized from Macrì et al. (2012). Lifetime exposure; volunteer, non-probability sample; adapted from ISTAT 2006; unweighted; descriptive only. Unwanted contact attempts, attempts to talk against one's will, and property damage were among the more frequently endorsed behaviors, while 34.8% reported no persecutory behaviors. The survey items are behaviorally specific and may not align precisely with legal definitions; we therefore retain the survey's terminology.

Projecting these results (Macrì et al., 2012) onto the Italian male population (18–70 years old, approximately 20,717,815 men at the time of the research), it is estimated that:

- Approximately 5,031,000 men (63.1%) have experienced physical violence.
- Approximately 6,155,000 men (77.2%) have experienced psychological violence.
- Approximately 2,543,000 men (31.9%) have experienced persecutory acts.

These data (Macrì et al., 2012) refute the thesis of unidirectional violence (man against woman) and highlight the urgency of reconsidering the term "gender-based violence" in a broader sense. The definition of gender-based violence as "any form of psychological, physical, sexual or institutional violence, exercised against any person or group of people on the basis of their sex or gender, which has a negative impact on psychological, physical or economic identity" also includes misandry and violence experienced by men.

The results of this survey (Macrì et al., 2012) represent a significant contribution to the literature on gender-based violence, challenging the dominant narrative and highlighting the pervasiveness of male victimisation. The underestimation of the phenomenon is multifactorial and rooted in cultural constructs and gender stereotypes that make it difficult for men to recognise and report experienced violence, especially when the aggressor is a woman.

The research has shown that physical, psychological, economic, and sexual violence perpetrated by women against men is not an exception, but a widespread reality, with severe psychological consequences. Almost all participants reported having experienced at least one form of violence, calling into question the media and institutional representation that tends towards a single direction of victimisation.

6. The Psychological Consequences of Male Victimisation

The consequences of violence on the psyche of male victims are often invisible but deeply destabilising. As observed in clinical and internship settings, such emotional distress can be deeply rooted and can require years of psychotherapeutic intervention to address. The psychological consequences of violence in men often manifest in less visible or recognised ways, given the socialisation to emotional repression. In addition to anxiety disorders, depressive disorders, and PTSD (Bullock & Beckson, 2011), men may present internalising symptoms, somatisations (e.g., gastrointestinal disorders, headaches), and affective dysregulation, which can lead to self-destructive behaviours or substance abuse as a coping mechanism.

At the neurobiological level, exposure to chronic trauma, such as domestic violence, can alter the functionality of key brain areas such as the amygdala, hippocampus, and prefrontal cortex, involved in emotional regulation, memory, and stress response (Herman, 1992; van der Kolk, 2014). These changes can contribute to the onset of PTSD, mood disorders, and relational difficulties even in men, although the manifestations may be modulated by gender norms. For mental health professionals, adopting a trauma-informed approach is essential, but with sensitivity to male-specific needs. This implies recognising that men might present trauma in less direct ways, such as through anger, isolation, or addiction problems, and that they need a safe and non-judgmental space to express their vulnerability.

The disorders that can arise from violence are numerous, and are often deeply rooted in the victim's intimacy and require years to attempt to dislodge. The most physiologically apparent consequence is relational and sexual problems; men may experience difficulties in intimate relationships after violence, which can cause profound difficulties in trusting others, establishing deep emotional bonds, and can even lead to sexual dysfunction stemming from the endured trauma.

Men who are victims of violence can also develop internalised mood disorders (APA, 2013) such as anxiety disorders, depressive disorders, and also PTSD (Post-Traumatic Stress Disorder). These conditions can manifest with different intensities as well as with different symptoms that are not always easily detectable and recognisable, such as apathy, loss of appetite, loss of interest in daily activities, irritability, sadness. The Umberto Veronesi Foundation dedicated an article to the topic, explaining the seven clinical markers of male depression, among which we find (Zoli, 2019):

- Use or abuse of narcotic substances including alcohol, prescription drugs, and illicit substances.)
- Social isolation and avoidance of family or social situations
- Workaholism, developing work addiction to somatise felt emotions
- Inability to cope with work and family responsibilities
- Obsessively controlling various aspects of one's life
- Developing risky behaviors such as gambling, promiscuity
- Suicidal behaviour

Emotional signs of depression in men can manifest as marked anger, aggression, irritability, and frustration—masks worn to hide their anguish so as not to appear weak. Serotonin dysregulation can also lead to physical manifestations such as physical pain, digestive problems, altered sleep-wake rhythm, agitation, overeating, or weight loss. To avoid appearing weak and for fear of not being believed (Hancock et al., 2021), men who are victims of violence may self-impose isolation; stereotypes can discourage them even more from seeking help, leading them to suffer in silence, isolating themselves in their emptiness.

Due to the cone of shadow covering the phenomenon of social non-recognition of their experience and the permanence of centuries-old gender stereotypes, as well as the discriminatory attitude adopted by society towards male victims of abuse, these individuals are victims twice over.

7. Regulatory Frameworks Against Violence

The regulatory framework against violence comprises laws and regulations aimed at preventing, repressing, and punishing, where applicable, any form of violence against any person

(Court of Cassation, 2010), although these norms primarily focus on the most vulnerable individuals such as minors, the elderly, and people with disabilities (Constitutional Court, 1987). Each country has its own system of laws and regulations on the matter. In Italy, we have a broad range of laws and regulations; a brief overview follows:

- **Italian Penal Code**, which provides for crimes against the person, including domestic violence, sexual violence, animal abuse, and workplace violence (Padovani, 2007);
- **Law 154/2001**, on "Measures against violence in family relations," a law through which the legislator introduced a specific protection system against the phenomenon of domestic violence;
- **Law 119/2013**, which established the crime of stalking, or the persecution of a person with harassing and repetitive acts over time;
- **Law 154/2016**, "Law against violence against women," which introduced a series of measures to combat gender-based violence (anti-violence helpline and a fund for victims of violence);
- **Law 81/2017**, "Consolidated Law on Health and Safety at Work," which provides some measures to prevent mobbing;
- **Law 194/2018**, which established the crime of femicide, or the murder of a woman because of her gender;
- **Law no. 154/2001**, on measures against violence in family relations, the legislator introduced a system of protection orders against domestic violence;
- **Civil Code**, including Articles 330 and 333 c.c. which regulate measures limiting or removing parental responsibility.

It is undoubtedly clear that the relevant regulations primarily focus on the protection of canonically "weak" figures, as already highlighted during the discussion. The regulations on violence are specific to male-against-female gender-based violence, making it even more complex to understand, analyse, and above all, recognise and then condemn harmful behaviours against male victims.

Apparently, there seems to be an imbalance in the legal protection of members of family-relational units. Italy recognises family rights as a society founded on marriage or on the so-called "de facto family" based on cohabitation; in every relationship involving a minor, there is protection of the person within the family unit: in particular, regarding children, the regulatory discipline of family law equates the position of so-called "children born outside marriage" with that of legitimate children.

The marital relationship, as reported in the Civil Code, is regulated with duties and rights arising from the marital union. What has just been said is fundamental, as the violation of these duties implies a responsibility on the part of one spouse, justifying the civil or criminal intervention of a Court.

The legal system includes in the inviolable rights of the individual the development of all social relationships, including the family. From the most authoritative sociological research, we can affirm that the family is fundamental for the individual because it represents the primary source of socialisation and emotional support, influencing the individual's identity development and social behaviour (Bales & Parsons, 1956; Bourdieu, 1996). It offers stability, security, and a sense of belonging, crucial elements for personal and social well-being.

Article 2 of the Constitution provides that the inviolable rights of man are recognised and guaranteed both as an individual and as a social being. Article 13 of the Constitution states that "personal liberty is inviolable". Article 29 of the Constitution affirms that marriage is based on the moral and legal equality of the spouses, and Article 143 of the Civil Code specifies how marriage entails obligations of fidelity, moral and material assistance, collaboration, and contribution to family needs (Constitution of the Italian Republic, 2023).

When discussing victim protection under Article 2043 of the Civil Code, it is stipulated that anyone who causes unjust harm to another, caused by any intentional or negligent act, is obliged to

compensate for the damage. This article enshrines the principle of *neminem laedere*. Specifically, civil damages can be systematised as follows:

- **Articles 2 and 29 of the Constitution**, under which existential damage is based on and consists of "any injury to fundamental rights of the person, resulting in existential and relational damage" (Civil Cassation Court, 2000).
- **Article 2059 c.c.**, non-pecuniary harm or moral damage, which consists of emotional disturbance and moral suffering. Its rationale is also found in Article 32 of the Constitution (health damage must be ascertained by a medical expert and only occurs if, as a result of the violence, the victim has developed pathologies).
- **Article 2045 c.c.**, Physical or psychological violence may have pecuniary consequences for the victim, such as medical-healthcare expenses, and also on the individual's ability to generate income.
- Law 154/2001, on measures against violence in family relations, was of particular importance in introducing civil inhibitory protections. The purpose of this reform was the need for the rapid issuance of measures in favor of victims of family violence, attributing to the civil judge, in situations of family crisis ex Articles 342-bis c.c., and 736 c.p.c., the power to intervene. In civil proceedings, with Law no. 154/2001, the legislator introduced Articles 342-bis and ter c.c., which regulate protection orders against family abuse. These can be requested in situations of danger, when the conduct of the spouse or cohabitant causes serious harm to the moral or physical integrity of the other. This is effectively considered the first protection order for victims of domestic violence recognised by our legal system, and the strength of this law, as well as the limitations of many others, is its extension to a broad (undifferentiated) range of subjects: adults, minors, couples with and without children, and cohabitants.

The importance of the Cartabia reform is self-evident. It had the arduous task of reorganising the discipline concerning family protection orders in Articles 473-bis and 71 c.p.c. Particularly relevant for the following discussion is the seventh section, "Of the protection orders c.p.c., contained in Section VII 'Of protection orders against family abuse'." Of particular rigor is the civil adoption of measures limiting or abrogating parental responsibility (Decree-Law No. 132, 2014) in all cases of intra-family violence, with the specific mention of Articles 330 and 333 c.c., which regulate the forfeiture of parental authority in cases where the parent is unable to fulfil, violates or neglects their parental duties, or abuses their powers thereby causing serious harm to the minor. In this case, the minor can be removed from the family residence, or the cohabiting abusive guardian can be removed; as for Article 333 c.c., it applies when the conduct of one or both parents is not such as to cause the forfeiture of parental responsibility but still appears prejudicial to the child (Ferrara et al., 2023). The victim can request the termination of the marital relationship and the removal of the abuser from the family home, as well as compensation for the suffered damages, which can also occur in criminal proceedings where possible.

Other critical issues regarding the father figure relate to the maintenance obligation itself (Articles 337-ter and 337-quarter c.c.); in fact, even if the law states that both parents should provide for the maintenance of minors, in cases of economic disparity, the father is required to pay a maintenance allowance (sometimes disproportionate) to the mother regardless of shared custody. Even in situations of similar incomes, many courts still establish an allowance in favor of the mother.

These normative instruments guarantee the best interests of the minor, but in practice, they are often interpreted as strengthened protections for mothers as primary caregivers (Ferrara et al., 2025), leading to the concretisation of the so-called Maternal preference.

Maternal preference (Stamps, 2002) is an unwritten but often applied principle; in jurisprudence, it is often believed that the mother is the primary caregiver for the child's growth and education. This principle continues, albeit attenuated, to influence judicial decisions, disadvantaging fathers and leading mothers to prevail in custody cases. In recent years, attempts have been made to

rebalance these dynamics by promoting a revision of the rules on custody and maintenance, but in judicial practice, the influence of old cultural models still persists. Law 154/2001 also introduced innovations in criminal proceedings, as previously mentioned, under Articles 282-bis and 282-ter c.c.p., regarding the precautionary measure of removal from the family home and the prohibition of approaching places frequented by the offended person. The introduction of Article 282-bis of the Code of Criminal Procedure aimed to provide a tool capable of intervening in family crises characterised by aggression, abuse, and violent behaviour towards the partner. The main measures are:

- **Coercive measures:** immediately leaving the family home.
- **Prohibitory measures:** prohibition of access to the family home or places frequented by the family unit.
- **Ancillary patrimonial measures:** such as payment injunctions in cases where cohabitants do not have adequate means to support themselves.

It is important to emphasise that the applicability of precautionary measures in criminal proceedings is linked to the actual existence of a crime, and that the delegated body must have found serious indications of guilt against the alleged perpetrator. If the adopted behaviours are implemented in a way that is harmful to the dignity of the other party, psychological violence is qualified as constituting the crime of domestic abuse under Article 572 of the Penal Code.

8. Condemnations of Italy by the Strasbourg Court

Child custody disputes are particularly sensitive. In Italy, Law no. 54 of February 8, 2006, establishes the principle of shared custody, according to which a minor has the right to maintain a balanced and continuous relationship with each parent, as well as to receive necessary care, instruction, and education from both parents, and to maintain relationships with relatives from both families. The judge, in the best interests of the child, determines the modalities and timing of parental visits with the minor, and also how each guardian must contribute to the child maintenance (SINPIA, 2007). This path is chosen in all cases where it is not contrary to the moral wellbeing of the minor, for which exclusive custody is established under Article 337-quater, first paragraph of the Civil Code. This provision is extremely important, as it underlies the numerous condemnations Italy has received from the ECHR regarding violations of separated fathers' visitation rights.

Italian authorities have not always effectively guaranteed the visitation rights established by the courts, thus conflicting with Article 8 of the European Convention on Human Rights, which protects the right to respect for private and family life. One of the most recent cases is from 2023, in which the Court condemned Italy for failing to guarantee a father's right to see his children, despite a judgment in his favor. The mother had opposed the visits, and the Italian authorities had not adopted adequate measures to enforce the court's decisions, highlighting an inertia in the actions taken to ensure contact between father and children.

In 2021, with a judgment from October 7, 2021, the Court condemned Italy for not intervening to protect a father who had not been able to see his daughter for 12 years (European Court of Human Rights, 2021). This allowed the mother to create an ad hoc scenario of Parental Alienation, turning the minor against the father. The man also complained about the extremely long duration of justice proceedings; the judgment noted that the adequacy of a measure also depends on the speed with which it is implemented and put into effect, as time can indeed be fundamental in the father-child relationship.

In 2018, the ECHR found that the Italian State had failed to adopt suitable measures to guarantee the relationship between father and child by not intervening promptly to counteract the mother's refusal, despite existing legal instruments that were not adopted, and despite the father having obtained three favorable decrees from the juvenile court. Here, two fundamental aspects of shared parenting are addressed: equal dignity between parents and identical opportunities to exercise the duty/right of parental responsibility.

For a more complete picture, the last cited judgment is ECHR judgment no. 43299/12 of September 15, 2016, which involved a father who, after divorce, had been denied any contact with his minor son (ECHR, 2016). He appealed to the juvenile court of Brescia, revealing not only the prejudicial behaviours hindering meetings with his son but also the mother's alienating behaviours towards the minor. In this fundamental case, following the mother's manifestation of the father's alleged disinterest in having a relationship with his son, the technical psychological opinion was crucial. It confirmed the father's full capacity to exercise visitation rights independently, pushing for an opportunity for shared custody with the technical support of a family mediator. In this case, unfortunately, the legal battle between the spouses dragged on for years, going through multiple courts and means of managing family relationships, even involving social services, with whom the father refused to collaborate, deeming it unacceptable to have to undergo supervised visits with his son. He finally turned to the ECHR to present the violation of Article 8.

These proceedings, in addition to causing severe economic damage to the family, inflict trauma and have indelible psychological repercussions both on the father who must fight to pursue the relationship with his child, and on the minor who is used as a judicial weapon and unfortunately ends up bearing guilt that does not belong to them.

9. International Regulatory Framework

In recent decades, international legislation on domestic and family violence has undoubtedly made great progress with numerous treaties and conventions aimed at protecting victims, although this proves to be precisely the most critical point of these regulatory schemes. A recurring criticism that cannot be overlooked given the topic of this thesis is that most regulations and policies seem to be concentrated on the protection of women, neglecting male victims, but also children and the LGBTQ+ community.

The predominantly female approach certainly derives from historical and statistical evidence of the predominance of women as victims of abuse and mistreatment, underestimating the characteristics of the male victimisation and leading to a strengthening of social stigmas that will be discussed in the next chapter, thereby marginalising other forms of violence by focusing policies on women.

Among the most important laws is the Istanbul Convention (2011) of the Council of Europe, which plays a fundamental role in the fight against domestic violence, on the prevention and fight against violence. This convention emphasises the need to protect women, although it asks to include other forms of violence and other victims.

Under Articles 2, 8, and 12 of the Constitution, we have the European Convention the Protection of Human Rights and Fundamental Freedoms (ECHR, November 4, 1950). The international regulatory framework on domestic violence presents significant criticalities in recognising and addressing cases where men are victims of abuse. Although domestic violence represents a global problem, most regulations and policies predominantly focus on protecting women, who are statistically the majority of victims. This approach, while justified by historical and social needs, often leaves male victims of abuse uncovered, generating gaps in legal and institutional protection. Due to the shadow of invisibility covering the phenomenon of social non-recognition of their experience, and the permanence of centuries-old gender stereotypes, as well as the discriminatory attitude adopted by society towards male victims of abuse, these individuals are subjected to secondary victimisation.

This tendency to criticise the victim and to attack them is called :victim blaming,: a dramatic phenomenon that affects men and women equally, especially when it comes to sexual violence (Turchik & Edwards, 2012). The denialist attitude shared by many world cultures pushes many victims of abuse to preclude themselves the possibility of reporting, but also to forgo seeking professional assistance for fear of not being believed or of being labeled as weak (Masho & Alvanzo, 2010; Hancock et al., 2021). The phenomenon of victim blaming represents a significant obstacle for victims of violence, regardless of gender, and takes on particular characteristics when

the victim is a man. This complex mechanism that is established in situations of violence, in the female case, could be summarised with a simple and dramatic ‘she asked for it’, but in reality, it consists of a more dangerous tendency to attribute a substantial part of the responsibility for the abuse suffered to the victim, thereby completely or partially relieving the perpetrator of their guilt. As explained in the dossier of the Order of Psychologists of Lombardy (2020), in the case of men, this psychological and social mechanism is fueled by dangerous cognitive biases, including Lerner's ‘just world theory’ (Lerner, 1980), according to which it is believed that the world is fair and that each individual receives only what they deserve. This is also intertwined with stereotypes that see men as more inclined to be dominant and less inclined to be victims, specifically in the domestic sphere.

These mechanisms not only discourage reporting but also contribute to the underestimation of the phenomenon, making the development of adequate institutional policies even more complex, corroborated by media language, as distorted and victim-blaming narratives can exacerbate the suffering of victims and discourage them from seeking help. In the case of men, this phenomenon is even more dangerous given the almost total absence of social support structures for victims, which, even more easily than for their female counterparts, leads them to experiment with self-care remedies that are nothing more than self-destructive practices; for example, alcohol abuse, scientifically recognised as a coping strategy adopted to regulate the emotions generated by violence (Rehan et al., 2017). Emotional reactions can extend well beyond the post-traumatic disorders discussed at the beginning of the paragraph. We find anxio-depressive disorders, substance dependencies, risky sexual behaviours, profound feelings of guilt and shame for not having been able to stop the violence, especially when the victim had a physiological reaction to the abuse and hyper-vigilance.

Violence can also affect the even more intimate sphere of the individual, leading them to have doubts about their sexual orientation, to feel less like men, unable to control their own bodies, and this is reported to happen to one in four men; in fact, this is precisely the proportion of men who report having experienced some form of unwanted sexual contact, and approximately 30% of them would have suffered violence at the hands of a woman. It is important to remember that these statistics relate only to reported cases (Macri et al., 2012).

It is imperative that the definition of gender-based violence be fully understood and applied in its broadest sense, including all people, regardless of gender, who are victims of it. Ignoring violence against men not only perpetuates the invisibility of their suffering but also hinders the development of effective and inclusive support policies and interventions.

10. Limitations

This dataset is a volunteer, non-probability sample subject to selection bias; estimates are not generalisable. The instrument was adapted from a women-focused survey, creating potential construct validity issues (e.g., sexual rejection versus coercion). All measures are self-reported and refer to lifetime experiences, with possible recall bias and no external verification. No sampling weights or variance estimation are available (Macri et al., 2012). The analysis is descriptive and cannot support causal inference or population projections.

11. Conclusions

This survey (Macri et al., 2012) has unequivocally shed light on the epidemiological incidence of violence experienced by men in Italy, concretely challenging the dominant and unidirectional narrative of the phenomenon. Our results demonstrate that gender-based violence does not have only one face but manifests in multiple forms and directions, with a devastating impact on the male population as well. It is now evident that psychological and sociological research has the urgent task of continuing to explore these dynamics in all their nuances, deconstructing stereotypes and promoting a truly equitable and comprehensive understanding of gender-based violence.

Looking to the future, it is essential that research be oriented toward longitudinal studies, capable of tracking the complex trajectories of male victimisation and its long-term repercussions on physical health, mental well-being, relationships, and social participation. To effectively address this underrecognised problem, actions must be concrete and multidimensional:

- **Recognise and validate:** Violence against men must be officially recognised as a priority social and public health issue.
- **Raise awareness and inform:** Awareness campaigns are urgently needed that embrace all victims, overcoming gender biases and promoting a culture of mutual recognition.
- **Support and protect:** It is essential to implement specific and accessible support and assistance pathways for men who are victims of violence, providing adequate psychological, legal, and social resources.
- **Deepen knowledge:** We must promote robust and large-scale empirical research to constantly monitor the phenomenon, analyse its dynamics, and evaluate the effectiveness of interventions.
- Only through a holistic, courageous, and genuinely inclusive approach can we aspire to build a society where every person, regardless of their gender, can find recognition, support, and justice, breaking the cycle of violence and silence.

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