



## Sexual Assault

Asalto Sexual

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### ABSTRACT

**Introduction:** among the recognized forms of violence, gender violence related to sexual assault and rape is the least justifiable. For many, TV and Cinema, introduced in our homes, contribute to promote violent behaviors as a reflection that the narcissistic era has generated, with men capable of appealing to violence as a function of sexual pleasure and doing so through behaviors that deny human principles and women's rights consecrated by the history of our civilization.

**Objectives:** to demonstrate the influence of sexual assault and rape in the after-effects they generate and the possibilities of intersectoral preventive work with the victims with the active participation of all organizations and families.

**Methods:** logical-dialectical and historical, based on experiences and updated scientific information of recognized value and usefulness.

**Results:** based on scientific information on sexual assault, rape, harassment and other forms of sexual violence against women, consequences and interventions to prevent its consequences, it justifies the foresight of actions aimed at the protection of victims by forming commissions in charge of effective preventive actions, formulating recommendations on the composition and functions of municipal intersectoral work.

**Conclusions:** having demonstrated the importance of the prophylaxis of sexual assault and rape sequelae, it is proposed to form commissions with representation of municipal agencies and organizations that intervene in any case to ensure victims counseling, protection, support and security, proposing the actions that intersectoral work could develop to achieve the objectives that every victim deserves.

**Keywords:** Violence; Violence Against Women; Rape; Prevention.

## RESUMEN

**Introducción:** entre las formas de violencia reconocidas, la de género relacionada al asalto sexual y la violación es la menos justificable. Para muchos, la TV y el cine, introducidos en los hogares, contribuyen a promover conductas violentas como reflejo de esta era narcisista. Se han generado hombres capaces de apelar a la violencia en función del placer sexual y hacerlo mediante comportamientos que niegan principios humanos y derechos de la mujer.

**Objetivos:** demostrar las secuelas del asalto sexual y la violación en las secuelas que generan y posibilidades del trabajo intersectorial preventivo con las víctimas con participación activa de todas las organizaciones y familias.

**Métodos:** lógico-dialéctico e histórico, basado en experiencias e información científica actualizada de reconocido valor y utilidad.

**Resultados:** se justifica la previsión de acciones encaminadas a la protección de víctimas a través de comisiones encargadas de acciones preventivas efectivas, quienes formulan recomendaciones sobre composición y funciones del trabajo intersectorial municipal.

**Conclusiones:** se demostró la importancia de la profilaxis de secuelas del asalto sexual y la violación, se propone formar comisiones con representación de los organismos y organizaciones municipales que intervengan en todo caso para garantizar a las víctimas asesoría, protección, apoyo y seguridad, a través de las acciones que el trabajo intersectorial podría desarrollar para alcanzar los objetivos que merece toda víctima.

**Palabras Clave:** Violencia; Violencia Contra la Mujer; Violación; Prevención.

## INTRODUCTION

The history of mankind is linked to violence. It is impossible to write universal history without alluding to violence, whose maximum expression is the wars that have been the pulley of its development. The history of sexuality also has its starting point or origin in violence. <sup>(1)</sup> Primitive tribes, when they fought among themselves, considered women as their main booty and when they succeeded in saving them, their continuity, even if they lost the battle. Peter the First of Russia, "Peter the Great", who undoubtedly was and is still venerated today, obtained the German Katalina, a woman he loved, because she was once the spoils of war when they fought against the Swedes for access to the sea.

For the primitive man to get a woman was reduced to assaulting her and dragging her to his cave, <sup>(2)</sup> which facilitated the long feminine hair, a logical consequence of not having the means to cut it to taste as they do today. This is how simple historians have presented it to us, but it is well known that man needed women for his subsistence and reproduction as a species, and lacking a different previous instruction, he obtained it with the use of force, without her previous consent, but not only the necessary reproduction inspired his action, since the pleasure derived from sex constituted for both the immediate gratification in charge of reinforcing that instinctive behavior, today unjustifiable.

Sigmund Freud maintained that all human behavior has its origin directly or indirectly in the Eros - vital instinct - whose energy or libido is directed to maintain or reproduce life. The relationship of violence to sex has been implicit in this theory and in everyday practice: According to the F.B.I. (Federal Bureau of Investigation), 97,464 rapes were reported in the United States in 1995.<sup>(3)</sup> However, it is known that rape is reported in 4 or 5 out of every 10 cases. The rate was 72 out of every 100,000 women of all ages, but more frequent between 16 and 20 years of age, i.e., young women. In 1995 in Spain, 46% of the victims were under 18 years of age. This proves how widespread this problem is over time. Current reports state that one out of every four women has been raped at some point in her life, despite laws that punish rape and protect women.<sup>(4)</sup>

In recent years in our country only two articles deal with rape and sexual violence, not focused on the issue of assault, but on abuses and use of other forms of force, one coming from the Guacamayo Gulf Region, Granma, in the period 2015-2019<sup>(5)</sup> and another from 2015-2016 in Las Tunas, predominantly lewd abuses,<sup>(6)</sup> both with traditional descriptive medical-legal profile.

Two societies that by nature have strong sociocultural influence in our environment, infiltrated in our homes by the "Small Screen" today greatly linked to our information because before it we spend most of our available free time and its reflection is introduced in the ways of perceiving and thinking of many young people and not a few adults. In Spain, it is reported that children spend between 22 and 25 hours a week in front of the television.<sup>(7)</sup>

As early as 1988, a study of six television channels counted 848 fights, 670 murders and 419 shootings or explosions in one week, showing the powerful influence of these violent scenes on the psyche and behavior of citizens. This bombardment was accompanied by 22 sex scenes and 15 rapes,<sup>(7)</sup> exciting moments of series, soap operas and movies that are in no way alien to our programming, although to ease the conscience producers announce the ages for the audience, which is still a totally ineffective formalism. The Saturday movie is most appealing when it is advertised as carrying adult language, violence and sex, and we have all fallen into that temptation.

These could be in part the roots of the current trend towards violence, which unfortunately has become an everyday,<sup>(8)</sup> occurrence and has been considered a health problem by the WHO, including "rape", which Kaplan and Sadock have elevated to the category of "emergency".<sup>(3)</sup>

These considerations suggest that reports of sexual violence, especially sexual assault and rape,<sup>(1,2)</sup> are not destined to disappear, but rather to increase as victims overcome the prejudices that limit them from going to the authorities to report such acts and increase their confidence in the procedures to be followed following their complaint.

Sexual assault, differentiated from other similar circumstances by the surprise of the attack by a stranger,<sup>(9)</sup> constitutes for every woman a negative emotional experience, during which fear is an emotion comparable to that which can be provoked by a natural catastrophe. It is for her a personal catastrophe in which the selective risk to certain parts of her body cannot be overcome due to lack of previous experience and the bitter feeling of helplessness before the aggressor, as a rule physically stronger, violent and insatiable in his claim to sexual pleasure, who seems to be inhibited by nothing and before whom resistance increases the risk of injury and physical pain and passivity the doubt of others and selfblame.<sup>(3)</sup> This is a problem of women, since they represent statistically 81,8 % of the victims reported by forensic medicine services, which justifies for all purposes to be taken into account preferentially when dealing with the subject, since it is gender violence that motivates us and although within the sex itself there are cases the aberration that typifies them is of a much less human and more despicable nature, which we do not intend to address here.<sup>(9)</sup>

The victim of sexual assault faces an incomparable stress, as a consequence of which could be diverse social, physiological, psychological and spiritual sequels to which it is associated with increasing frequency,<sup>(3)</sup> frequently related to the subsequent presence of a Post-Traumatic Stress Disorder, Therefore, we have been motivated to present the problem that may arise from this situation and the possibilities of prophylactic management of its sequels as a current need, for which there are social alternatives that have not yet been sufficiently explored and whose possible results are not negligible, in spite of the efforts to legislate the necessary protection.<sup>(2)</sup>

## DEVELOPMENT

### 1.-Justification

Violence and sex are two social phenomena intimately linked to the history of mankind. We have already pointed out that it is impossible to write the history of mankind without mentioning violence, whose most genuine expression is the two world wars of the last century, unfortunately always justified in the name of morally defensible rights and social justice. That is why peace seeks a Leader, Jesus Christ for believers, the UN for politicians, within this UNESCO for intellectuals, but really the only valid example that promoted the doctrine of nonviolence was Gandhi, the Hindu "Mahatma" who proclaimed the need to "write a new history".<sup>(10)</sup>

As Rojas Donat points out,<sup>(11)</sup> since the beginnings of Christian civilization Jesus was required to define his position on women and sexuality, gathering expressions of his understanding and respect for the feminine condition that have served as a basis for the interpretation of the role of women in the social construction accompanying men, deserving the respect and recognition that as a companion corresponds to her, without this culture admitting to turn her into a source of pleasure or to violate her sexual rights, which when it occurs, constitutes a denial of the civilization we represent and the humanism that should characterize it at all times, including sexuality, which as a source of pleasure attracts everyone equally, although the way of accessing it distinguishes them.

How to separate gender violence from the social violence that on a global scale is being cultivated with the help of such developed media as TV, Cinema and social networks that the Internet facilitates by putting in the hands of its users the possibility of exhibiting Dantesque images that can circulate in moments without limits of censorship or control of users, including unfortunately all adolescents and young people in full formation of moral patterns of social conscience and spirituality.<sup>(4)</sup>

Although it is inevitable, this generic aspect of the phenomenon of violence is an unresolved problem that will accompany us for a long time in the future and although it is not expected that the current century can eradicate it due to the nuances that its modernity imposes on it, we hope that its eradication will not be delayed as much as it has already existed: Rape, a particular form of violence in pursuit of macho pleasure, constitutes the supreme expression of the imposition of gender, with the inevitable risks and sequels that are recognized:<sup>(3)</sup>

## Classification of risks

- A. Biological: Danger of infection with Human Immunodeficiency Virus (HIV), other sexually transmitted infections (STI), pregnancy, genital and extra-genital traumatic injuries, persistence of scars, deformities or pain as a consequence of the assault and the force imposed by the assailant.
- B. Social: Exposure to public commentary, the doubts of public judgment generated by the event itself on the resistance offered. Inevitable embarrassment by the involuntary disclosure of the intimacy jealously guarded before. Secondary victimization. Social tendency to make value judgments that tend to attribute some degree of responsibility to the victim, even when this judgment is not consciously made by those who make it.

Breakup of the couple, own and the partner's doubts about the effectiveness of the continuity of the relationship and inevitable embarrassment before family, neighbors, friends and work or study colleagues.

- C. Psychological: Guilt complex, shame before family, friends, co-workers and partners, Post Traumatic Stress Syndrome, sexual sequelae and chronification of emotional and dysfunctional symptoms frequent after being victimized.
- D. Spiritual: Diminished self-esteem, self-confidence and capacity to love. Complex or doubts about the love of the partner and understanding of the fact in the family and sociocultural environment. Fear of sin in case of religiosity. Loss of the love of the partner. Self-accusation, self-punishment and self-punitive limitations as a consequence of the facts. Suffering due to handicap and avoidance of contacts with religious and cultural circles where it is feared that the act will be known or criticized.

## 3. The violent act

The woman victim of sexual assault is subjected to an emotion never experienced before and only comparable to a real catastrophe. For her it constitutes a catastrophe and as such she perceives it even if the threat is in a certain sense selective to specific parts of her body. Fear, which is inevitable in such cases, does not allow for foresight or conscious action. Only escape in the most direct way possible can be expected as logical behavior. Prostration, inaction or indifference may be the inevitable immediate response when fear becomes insurmountable. It cannot be forgotten that the assailant threatens with fists, weapons or objects that may cause injury and usually some other damage to physical integrity results from the assault itself.<sup>(3)</sup>

Some reflections on this issue may help us to delve deeper into the phenomenon:

- A. Reasons: Why seek self-satisfaction and pleasure through violent imposition? There will never be sufficient justification, it will never have explanation or justification. Civilized women have the right to decide when, how, where and with whom to share their sexuality, whether for physiological satisfaction or for sentimental reasons: To deny this reality would take us back to the barbaric era.

No moderately educated man today can plead ignorance or justify not recognizing the absence of reasons to explain such conduct.

- B. Reproductive sex: Proper of animal species. Based only on their physiology. It lacks all human sense and was overcome by man since as far back as the conquest of fire that saved him as a species.

It is not in any way or at any time explicable by this way the sexual assault or rape, but it is never implicit in the spirit of the one who assaults to rape.

- C. **Morbidity:** Only to reach pleasure or in pursuit of this one the sexual act is looked for in the surprising assault to the victim woman and for some assailants the surprise, the resistance and the force exerted by this one contribute to increase their excitement and they seem to enjoy with this, in which there is no place to doubts of their generic morbidity. The assailant enjoys the opposition and resistance of the victim and as a rule has anticipated it. In every rape sadistic pleasure is present and in the assailants it is a rule, because he foresees it in advance as an expected response in function of his sexual impulse in some reports linked to paraphilias that are accompanied by sexual and personality disorder,<sup>(12,13)</sup> to the tendency to sexual offense as ways of seeking pathological satisfaction,<sup>(14)</sup> or to explain sexual aggressions,<sup>(15)</sup> related to rapes but in no way sufficient reason to justify them or explain them in a general sense.
- D. **The force:** The imposition by the physical force that beforehand is known to be superior to that of the victim woman can only respond to the exaggerated narcissism of the time we live in, that not without reason has been called the "Age of Narcissus",<sup>(16)</sup> to the hidden or badly dissimulated sadism, that justifies the necessary and sufficient erection,<sup>(3)</sup> impossible for a man educated in the respect to the right of others as a source of peace and human understanding. The simultaneity of desire and genital response during the use of force has an animal instinctive character and denigrates the formation and education received in whoever they are registered simultaneously.-We do not consider that a paraphilic impulse justifies it and when it mediates in the aggression, it is explained only by its pathological morbidity.-.
- E. **Injuries and ill-treatment:** They are an inevitable and preconceived result by the victimizer, who uses them to neutralize the victim's opposition, to annul his logical defense and to achieve his ends.- This is appealed to with foresight and to the extent that the victim resists due to the certainty of the superiority that assists him, from which he expects the desired result.- The assailant knows beforehand that to the extent that he imposes force on the victim's resistance, the moment approaches to achieve his morbid objectives associated with pleasure.<sup>(15)</sup>
- F. **The Victim:** The victim endures the suffering due to the impotence and impossibility of effective resistance, the uncontrollable fear of direct physical harm and the pain inflicted by the unexpected and violent attack: physical exhaustion, sense of failure and frustration usually accompany every effort to resist and diminish its effectiveness. It is not unusual for the woman victim of sexual assault after the failure of the resistance offered to be subject to such inhibition and prostration that she allows herself to be dragged to the consummation of the rape without further opposition, hoping with its end to put an end to the inevitable and unbearable suffering that results from the moment, a response that sometimes exacerbates the victimizer who in his morbidity takes it as a contribution of the victim. The paradox of this is that sometimes the effectiveness of the resistance is doubted by the appearance of this justified inhibition, doubt that becomes unconscious complicity with the victimizer and that in the authorities leads to the helplessness of the victim.

#### 4.-Current Situation.

When the television images, the cinema and the literature come to offer us to promote strong emotions stories and graphic representations of rapes<sup>(17)</sup> and machismo of all type<sup>(8)</sup> it does not seem probable that the objective historical judgment leads us to hope that this criminal phenomenon can be eradicated or tends to its spontaneous disappearance. -

Its tendency to increase in frequency and subtlety is evident in every step taken in the fight against it. Its multifactorial causes are not within the reach of any possible immediate or mediate prevention. The interest in the subject has led to attempts to differentiate particularities that occur according to the rapist's behavior, emphasizing the relationship between assault and rape,<sup>(18)</sup> establishing distinctions between harassment, abuse and aggression,<sup>(19)</sup> offering definitions of sexual aggression and other elements,<sup>(18)</sup> that are of interest for the understanding of the subject and facilitate the delimitation of the behaviors assumed by the aggressor, noting as a rule the lack of proposals to confront the phenomenon or limit its consequences on the victim.

It is not a question of thinking that the logic of its difficult or impossible eradication leads us to fold our arms. But let us reflect once again on the effectiveness of what to do:

A. Educate men: A utopia, because it is what has been done for centuries and the result is obvious. It is true that it is necessary to continue the effort, but not to expect from it the eradication of the phenomenon.

B. Educate women: Unjust, but plausible.

It is convenient to warn all nubile females of the danger of being sexually assaulted, to prepare them in self-defense and psychologically to prevent the assault, to face it and to fight against their assailant. This is something to which we must call more attention every day, although it will not end with the eradication of assaults and rapes, but it would put a greater obstacle to them. That preparation must include appealing to the paradoxical and unthinkable, including the use of weapons for protection, but the risk of ending up in the hands of the perpetrator casts doubt on their effectiveness. -

C. Humanizing the handling of the raped woman: A task within the reach of today's society due to its level of development. Effort whose result would constitute an important impact and could involve many who today intervene or are affected by the problem because of their performance or profession, such as policemen, jurists, leaders of political and mass organizations, to mention only those who in some way their social action is somehow related to the problem, but above all, given the current level of development, to foresee the limitation of the effects and sequels of the assault and rape, supporting especially the victim's family, which as it is recognized is the basic cell of society, taken as a reference at different times.<sup>(20)</sup>

D. Prevention of after-effects: This is not the ideal link to cut in the social epidemiological chain of the phenomenon addressed, but it is the closest to well-organized social action and by means of which the consequences can be limited to their minimum expression, since the causes, for the moment, are beyond our control.

Avoiding at all costs the aftermath of a sexual assault is possible, probable and within the reach of the institutions and social organizations we have today. - There is a lack of foresight and coordination of actions that help to make it feasible, for which workshops<sup>(19,21)</sup> and social activities can be planned with the participation of the family, the community, formal and informal leaders, and this is precisely our proposal after the preceding analysis.

Strategy to be followed.

We conceive a series of possible actions that could lead to create new conditions to face the prevention of sequels derived from violence and sexual assaults, contributing to develop a culture on the need for effective prevention of the consequences recognized by all scholars of the problem, and also to build a norm for this prophylactic behavior in the social environment, as an expression of the shared will to eradicate this manifestation of gender violence to the

detriment of the physically weaker and spiritually stronger by victimizers in which physical strength tips the balance in their favor without the spiritual support needed to eradicate this unjustified behavior. -

- We list below the main ideas contained in this strategy, which according to the social development achieved is within the reach of all our communities, and can serve as a standard for a better approach and management of the complex situations that sexual violence generates at any time and place where it may occur. -

1. To create an intersectoral commission in charge of promoting counseling, attention and integral support to any victim of rape or sexual assault, made up of representatives of all the agencies and organizations that in one way or another may be involved or interested in the issue.
2. Provide for a fundamental feminist composition in the representations of the agencies and organizations that are integrated.
3. To create the mechanisms that guarantee the operative functioning of this commission through agreements and conventions with all the sectors involved in the handling of the issues that derive from the phenomenon of rape or sexual assault.
4. To propose work norms that guarantee the operation that is recognized as necessary for these purposes.
5. To promote the social activism of people interested in the subject with capacity and training related to these problems.
6. To incorporate social, trade union and mass organizations to the preventive, educational and prophylactic work in the fight against rape and especially its aftermath.
7. To disseminate women's rights, the scope and advice that this commission is proposed to be entrusted with.

### **Composition of the Commission**

The following is the possible composition, with a municipal intersectoral character, that this commission can assume for its better organization and operation with the possibility of foreseeing multiple functions, but always directed to the indicated purposes. To promote the prevention of the possible consequences of any sexual assault, whether or not the rape has been committed and regardless of the legal course of events.

Each one of the representations could then elaborate for its members the pertinent instructions, derived from its objectives and specific aims.

1. Representation of the Federation of Cuban Women (FMC) preferably in charge of its presidency.
2. Social Workers of the Health Areas.
3. Social workers from the prevention bodies.
4. Representation of the Direction of the Committees for the Defense of the Revolution (CDR).

5. Representation of the Municipal Committee of the Central de Trabajadores de Cuba (CTC).
6. Representation of Collective Law Firms and the Union of Jurists.
7. Representation of the Community Mental Health Team of the Municipality.
8. Representative of the Municipal Commission of Prevention.
9. Representative of the Municipal Prosecutor's Office.
10. Representation of the police investigation and instruction bodies.

### **Functions proposed for this commission.**

1. To agree with the National Revolutionary Police (PNR) to be notified as soon as a victim of rape or sexual assault is brought before them.
2. To guarantee the respect and the rights to moral integrity of every raped woman.- 3.
3. To ensure the permanent presence of a social worker representing the commission in every appearance of the victim throughout the legal process, both in the preliminary investigation and during the plenary.
4. To guarantee the most absolute privacy in the case of medical and laboratory examinations that the situation may require, both for legal and prophylactic reasons.
5. To accompany and represent the victim in all the actions that she/he must participate in during the legal process that is generated.
6. To provide the necessary support to face the unavoidable stress derived from the situation experienced, including specialized professional counseling.
7. To promote the mobilization of the effective support of the couple, the family and the primary support group represented by the people closest to the victim.
8. Stimulate the normalization of the couple's relationships, if they exist, to safeguard their established sentimental ties.
9. Promote understanding and support from the family environment and those closest to the victim.
10. To ensure the frank and unreserved support of the work or study group.
11. To guarantee the necessary legal advice in all proceedings that the legal process requires. -
12. To represent the victim during the whole process of instruction and the plenary if necessary.
13. To avoid any attempt to approach or manipulate the victim's relatives and interested parties.
14. To obtain and enforce a court order to stay away from the victimizer or any interested representative from the beginning of the process and as an accessory sanction in the event of a sentence.
15. To guarantee the reparation of all damages that the perpetrator's actions may have caused.

- 16.-To demand compensation for all the expenses and costs that the legal process causes.
17. To obtain legal advice and representation during the pre-trial and plenary proceedings.
18. To promote dissemination and educational campaigns in the press and social media, reinforcing positive experiences.
19. To coordinate with the Education System the enlightening and educational work of professors and teachers to all female children related to the same, previous preparation for it of their representatives.
20. To make commitments of action with all the related institutions and organisms to define their representatives and their training.

There are known experiences<sup>(15)</sup> that allow us to affirm that the harmonic and systematic functioning of this commission would give a seal of integrality to the attention of every victim of sexual assault or rape, guaranteeing her a timely counseling and the best options for a prophylaxis of future sequels, frequent and little recognized at present, health, educational, social and political institutions of the community must commit themselves as an inseparable part of the struggle for gender equality and against all manifestations of violence marked by this condition, as a fair response to the human rights of every woman in the human family today.

## CONCLUSIONS

Given the current limitations to prevent sexual violence, regardless of its causes and circumstances that facilitate it, society cannot view with indifference the results that can be derived from it and it is an imperative of the times to organize, anticipate and regulate the necessary interventions. to avoid the consequences that, already recognized, inspire solidarity and social commitment with the victims in order to avoid them the added value that they must face after an act of this nature, for which in the absence of possible forecast we must close ranks on the limitation and eradication of its avoidable consequences, moral commitment of all towards the victimized woman.

### Conflict of interests

There is no conflict of interest.

### Contribution of the authors

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