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HATE SPEECH IN DIGITAL CULTURE: ANALYSING PSYCHOLOGICAL TRAUMA AND GAPS REGARDING VICTIM-CENTRIC LEGAL PROTECTIONS FOR VULNERABLE COMMUNITIES

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ABSTRACT

Hate speech, as one of the cultural aspects of the online community, has turned into an omnipresent socio-legal issue, which inflicts considerable psychological damage and strengthens disparities in systems among the vulnerable categories of people. The author sees hate speech as a second-order victimization in this paper and assesses its impact on different groups of people, including rape victims, members of the LGBTQ community, religious minorities and caste-based communities. It is a socio-legal and interdisciplinary research, which is grounded in qualitative research of secondary sources, including judicial opinions, legislation acts, statistics of hate crimes of the National Crime Records Bureau, reports of India Hate Lab, Citizens for Justice and Peace (CJP) and literature. The evidence shows that being exposed to hate speech is traumatizing, anxiety-producing, leads to social withdrawal and lack of trust in how institutions should work and that digital platforms are destructive due to visibility, permanence and transmission speed. The second critical conclusion of the study is that the Indian legal framework has certain structural failures such as lack of proper statutory definition of hate speech, poor victim-oriented protection and poor compensation and support systems. Such loopholes make justice unattainable and retain the victims as marginalized. The paper notes that more regulation of the online space, legal change and the construction of victim-oriented systems of combating hate speech are needed to assist in combating the issue of hate speech efficiently and applying constitutional concepts of dignity, equity and justice.

KEYWORDS: Digital Culture, Hate Speech, Psychological Trauma, Secondary Victimization, Socio-Legal Analysis, Vulnerable Communities

1. INTRODUCTION

The hate speech has turned out to be one of the most burning issues of modern digital culture especially with the popularisation of social media and electronic communication technologies. What was previously a localized kind of association has had a new face of a globally scattered manner of expression that can reach out to thousands of individuals within few seconds. Besides aiding in the spread of harmful and discriminative stories, this turn has also helped to increase the psychological and social effects of the stories. As empirically shown, the exposure to internet hate speech has a very high correlation with the symptoms of post-traumatic stress disorder (PTSD) i.e. hate speech being offensive speech can be discussed as a form of psychological damage [1]. Still on the same note, there are also frequent reports of insecurity, fear and emotional weakness of the victims of hate speech over the internet, which affects the overall well-being of the victims negatively [2]. The increased interdependence of the online environment and mental health is the only fact that brings out the complexity of the connection between hate speech, fake news and mental health issues. Computational research studies conducted at large-scale have established that the exposure to hate-based contents within online ecosystems causes anxiety, emotional unsteadiness and overall health-related concern as it reinforces hateful discourses and breaks the social cohesion [3]. Hate speech in such regards cannot be felt in isolation, in reality, it exists in a larger nexus of cultural, technological and social relation in the way humans behave and perceive. This is particularly necessary as one speaks of the analysis of the vulnerable groups, which include rape survivors, LGBTQ+ individuals, religious minorities, caste-based and other marginalized groups, which are disproportionately targeted due to the identity-related characteristics.

Another more popularized concept of identity-based violence that has long-term psychological effects is hate speech, which is developing in the scholarly literature. It interferes with the sense of safety, belonging and pride of individuals and hence, it is a traumatic experience that has long lasting effects [4]. International studies also found that the experience of hate-based violence promotes emotional distress, withdrawal and lack of resilience of the personality psychologically in the victims [5]. These results suggest that the issue of hate speech should not be purely a communicative or legal issue but rather a large social and health problem which ought to be interdisciplinary.

The cultural aspect of hate speech is critical in perpetuating and making hate speech normal. Additionally, the discourses of hate speech will be more likely to be integrated into the existing social order, belief system and ideology [6]. To explain this, the culture of honour and patriarchal beliefs have never been omitted in the victim-blaming culture especially within the element of gender-related violence [7]. In the same tone, caste systems, group theories and identity-based prejudices have been propagating the discriminative discourses against the marginalized groups. It is the use of these cultural products that enables internalisation of the demeaning attitudes that reinforce the stigmatisation hence justifies the exclusion. The shattered assumptions theory also explains how exposure to these traumatic experiences leads to violations of the basic assumptions of the affected individuals on safety and justice and ends up in the psychological imbalance and mistrust in the social institutions [8]. In the digital world, hate speech is getting more complicated and it is often implicit, coded and contextual, thus being hard to identify and control. The crippling content, according to the implicit hate speech research, is often hidden within the hidden language structures and it cannot be easily calculated and defined using the traditional methodology [9]. The developed data-sets and the data-mining systems like the HateXplain confirm that the existing detection systems are not able to discern the contextual peculiarities and cultural diversity of hate speech [10]. Although it has been enhancing its natural language processing and machine learning, there are many challenges in the delivery of effective and generalizable detection of harmful contents in different socio-cultural contexts of the existing systems [11]. The remaining ones that can be observed in systematic reviews are that automated detecting procedures can in most cases not detect small forms of discrimination and implicit bias that restricts their application in practice [12].

The other hate speech spreading processes in the digital culture are the algorithmic amplification, anonymity and spread of extremist narratives. Such types of relations make prejudice normalized and create destructive ideologies both in the virtual world and in real life. Despite the fact that the current literature has much to tell about the psychological and social connotations of hate speech, there exists a sharp gap in the explanations of the phenomenon of its functioning as a culturally instilled and digitally enhanced phenomenon, particularly in the context of numerous vulnerable populations. Also, the lack of focus on the inefficiency of victim-focused legal

protection, such as the flaws in statutory terms, compensation frameworks, institutional support framework and digital regulations framework is insufficiently covered.

The current paper takes up an inter-disciplinary perspective of socio-legal approach to examine the hate speech as a secondary victimization, which occurs at psychological, social and legal level. The research will attempt to unravel the effects of hate speech on various groups of vulnerable people in the virtual world and also critically discuss the socio-legal and institutional shortcomings in dealing with the evils. The research will contribute to the overall understanding of hate speech and develop the successful victim-centered legal and policy responses on the basis of the contributions of law, psychology, sociology and digital studies.

The major objectives of this study are:

1. To analyse the psychological impact of hate speech on vulnerable communities, particularly in digital environments, with emphasis on secondary victimization across diverse victim groups.
2. To examine the socio-legal and institutional gaps in India concerning victim-centric protections against hate speech, including deficiencies in legal frameworks, compensation mechanisms and digital regulation.

2. METHODOLOGY

2.1 Research Design

The current study is based on the qualitative approach to the secondary data analysis and conducted with the help of the interdisciplinary socio-legal research design. It is an amalgamation of the doctrinal legal research and the socio-legal research that will look into the psychological, social and legal facets of hate speech in the digital culture. It is an analytical, descriptive and interpretative study and this will allow thorough assessment of the role of hate speech in vulnerable populations as a secondary victimization. The design targets the specifics of multi-group victimization and takes more than rape survivors into account and LGBTQ+ individuals, religious minorities, caste-based groups and other marginalized groups.

2.2 Data Sources

The research is based on the systematically chosen secondary literature, such as statutory provisions, constitutional principles, judicial rulings, NCRB reports, India Hate Lab datasets, Citizens for Justice and Peace (CJP) reports and academic peer-reviewed literature. The patterns of underreporting and victimization of sexual offences are contextualized

with NCRB data and the empirical data on the incidents of hate speech against religious and marginalized communities are presented by India Hate Lab and CJP reports. Also, the studies of psychological trauma and hate speech online are included to enhance the analytical framework. The public discourse, political statements and documented examples of cases are also reviewed.

2.3 Methodological Approach and Thematic Analysis

The study has a thematic analysis that is a structured analysis which is applied in interpreting the data obtained. Coding and classification of the secondary sources according to the main topics of analysis were as follows: (i) the experiences of the victims themselves, (ii) psychological trauma and secondary victimization, (iii) social and digital amplification of harm, (iv) structural causes of the hate speech, (v) legal and institutional gaps. The themes were inductively determined according to common trends that were found in datasets and literature. The results of different victim groups can be compared using the methodology and modified to a multi-dimensional harm rather than a one-dimensional outlook.

2.4 Interdisciplinary Analytical Framework

The interdisciplinary approach consisting of research on law, psychology, sociology and digital studies has been applied in the study. Under legal study the Constitutional protection, statutory provisions, court rulings on hate speech and the defence of the victims are analysed. The after-effects of the trauma in the form of the anxiety, PTSD, stigma and withdrawal are quantified with the help of the psychological perspectives. The trends in the social life such as patriarchy, caste hierarchy and communal ideology that perpetuate hate speech is understood through sociological analysis. Digital studies are also included to determine what role social media, algorithmic amplification and online anonymity play in the formation and subsequent spreading of hate speech.

2.5 Scope and Limitations

The study is majorly contextualized in the Indian socio-legal surroundings, but also, it utilizes the worldwide literature in enhancing conceptual knowledge. It also focuses on a number of vulnerable groups, including rape victims, homosexuals, religious minorities and caste-oriented groups. The limitation of direct communication with the lived experiences is that the secondary data is utilized, yet the validity of the analysis is ensured by the

credibility of the reports, datasets and documented incidences. Although NCRB data can offer some structured statistical understanding, hate speech-specific data is still disjointed and this indicates a bigger institutional gap, which is in itself one of the main study findings.

3. RESULTS

3.1 Lived Experiences Across Vulnerable Communities

The results indicate that hate speech has a compounded victimization in various vulnerable groups. Victim-blaming and stigmatization of rape

survivors still exist, which discourages reporting, as evidenced by NCRB statistics, which indicate that there is still underreporting of sexual offences.¹ Equally, India Hate Lab recorded an acute increase in hate speech cases against religious minorities, especially Muslims and Christians, in 2023-2024,² which is also reflected in Table 1. Identity-based harassment and exclusion are visible in LGBTQ+ people and caste-based groups, which are frequently intensified via digital media, causing social alienation and the inability to access institutional justice systems.

Table 1: Comparative Impact of Hate Speech Across Vulnerable Communities

Victim Group	Nature of Hate Speech	Key Psychological Impact	Social Consequences	Legal Protection Status
Rape Survivors	Victim-blaming, moral policing	PTSD, shame, self-blame	Underreporting, stigma	Weak, indirect
LGBTQ+ Individuals	Identity-based slurs, online harassment	Anxiety, isolation, depression	Social exclusion, invisibility	Limited
Religious Minorities	Communal hate speech, incitement	Fear, insecurity, trauma	Communal tension, marginalization	Fragmented
Caste-based Groups	Derogatory caste remarks, exclusion	Psychological distress, inferiority	Social discrimination	Inconsistent
Migrants / Marginalized Workers	Xenophobic speech, stereotyping	Stress, alienation	Economic & social vulnerability	Minimal

Source: NCRB (2022); India Hate Lab (2024); CJP (2023)

3.2 Psychological Trauma and Secondary Victimization

Hate speech is also a major contributor to the psychological trauma in groups of victims. Empirical research has revealed that PTSD symptoms and emotional distress have a very close relationship with hate exposure via the Internet (Figure 1).

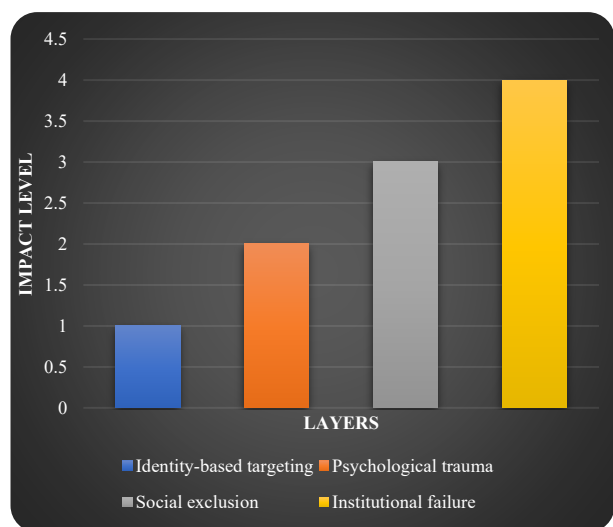


Figure 1: Multi-layered Impact of Hate Speech

The victims will tend to internalise stigma that culminates into anxiety, depression and low self-esteem. With marginalized people, the exposure is solidified and the reactions of the society to the exposure augment the already existing injury. The hate victimization narratives on the Internet are indicators of increasing insecurity and defencelessness of emotions, which are the foundations that justify the need to conceptualize hate speech as a psychological violence and not utterance.

3.3 Social and Digital Amplification of Harm

The examination concludes that online platforms are the most noticeable resources of making hate speech more visible, permanent and spreading. India Hate Lab alone has documented more than 1,000 cases of hate speech incidences in India in 2023 with most of them being related to politics and communal Hindu cases. This type of extensive spread of information has the effect of normalizing prejudice and desensitizing to violence. The victims feel undesirable in the society, they are tarnished in their reputation and are mistrusted by the institutions. The fact that bad content is being reproduced on the

¹ National Crime Records Bureau. (2022). Crime in India 2022 Statistics. Ministry of Home Affairs, Government of India.

² India Hate Lab. (2024). Hate Speech Events in India: Annual Report 2023-2024.

Internet continuously makes the healing process even more difficult since it takes time before one is victimized as Figure 2 demonstrates. It is digital

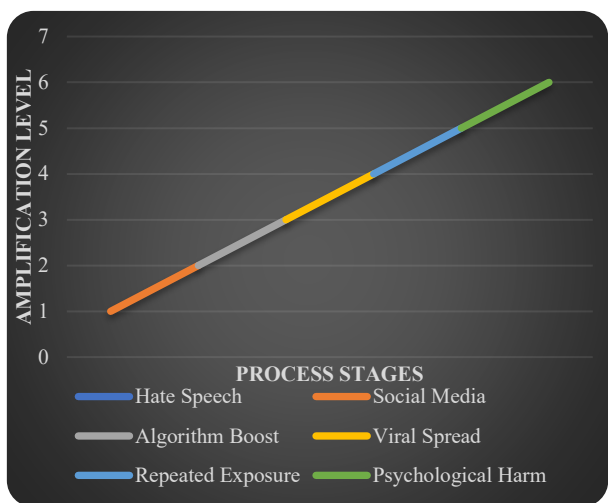


Figure 2: Mechanisms of Digital Amplification of Hate Speech

ecosystems that change hate speech as an irreversible social degradation that is not limited to a few cases.

3.4 Structural Drivers of Hate Speech

The results show that the socio-cultural and political systems are the foundations of hate speech (Table 2). The patriarchal norms, caste hierarchies and communal ideologies respectively spread the victim-blaming of the sexual violence cases and discrimination of the marginalized groups. In their reports, Citizens for Justice and Peace say that recurring trends of hate speech are associated with political mobilization and polarization of communities.³ Also, anonymity and algorithm promotion on social media offer a possibility to spread negative news within a limited period. All these conditions in the structure make hate speech as ordinary, recreating systemic imbalance and instilling discriminatory attitudes in the real and virtual space.

Table 2: Reported Hate Speech Incidents in India by Category (2023)

Category of Target	Approx. Share of Incidents	Dominant Platforms	Key Drivers
Religious Minorities	High (majority of cases reported)	Public speeches, social media	Political mobilization
Caste-based Groups	Moderate	Social media, local discourse	Social hierarchy
LGBTQ+ Community	Increasing	Online platforms	Identity prejudice
Women (incl. rape survivors)	High	Social media, news discourse	Patriarchy, victim blaming
Migrants	Emerging	Political & online narratives	Xenophobia

Source: India Hate Lab Report (2024); CJP Reports (2023)

3.5 Gaps in Victim-Centric Legal Protections

As indicated in the review, the Indian legal system is in urgent need of the legal frameworks, which protect the victims of hate speech in a victim-centered manner (Table 3). Although in the IPC, there are provisions that cover group-based hostility, individualized harms of hate speech are not provided by the law. The victims are not well-compensated as there are no existing compensation

plans, special helplines or institutional support systems. The Supreme Court has also identified loopholes in the jurisprudence of hate speech.⁴ In addition, the absence of efficient digital regulation also allows the existence of dangerous information, which instantly requires a radical change in the legislation in relation to the three main concepts: the protection of victims and their responsibility.

Table 3: Legal and Institutional Gaps in Addressing Hate Speech

Legal Dimension	Current Status in India	Identified Gap
Definition of Hate Speech	Fragmented (IPC provisions)	No unified statutory definition
Victim Compensation	Limited (case-specific)	No structured compensation framework
Reporting Mechanisms	General FIR system	No dedicated hate speech reporting channels
Institutional Support	Weak	Lack of helplines, counseling systems
Digital Regulation	Partial (IT Rules)	Weak enforcement and accountability

Source: Pravasi Bhalai Sangathan v. Union of India (2014); Secondary legal analysis

4. DISCUSSION

The results of the given research indicate that hate speech in digital culture cannot be considered a simple offensive speech, but a form of secondary

victimization that overlaps with other forms of harm done to vulnerable populations in the past. It is demonstrated in the discussion that hate speech has

³ Citizens for Justice and Peace (CJP). (2023). Hate Speech and Communal Violence Reports in India.

⁴ Pravasi Bhalai Sangathan v. Union of India & Ors., AIR 2014 SC 1591.

psychological, social and legal implications, which predetermines the necessity to demonstrate the interdisciplinary assumption of the research. Despite the fact that the examples of rape survivors can be regarded as one of the most illustrative examples of how such harms may be observed, the findings demonstrate that LGBTQ+ people, religious minorities, caste-based groups and other marginalized groups are also susceptible to humiliation, rejection, intimidation and institutional neglect.

The findings also show that hate speech is internalized in the already existing socio-cultural systems. The accusations of rape victims are still affected by patriarchal values, social prejudice, caste system and identity prejudice, thus continuing to discriminate against minorities and discriminated groups to some degree. The victims also suffer being not only abused interpersonally but also rejected and indifferent by the community and the state institutions. It is even worse when derogatory speech is endorsed by the political speech, media messages, or uncontrolled communication through Internet.

It has been established that victims of hate speech on the Internet are most likely to develop depressive symptoms, emotional breakdown and resilience [13]. To the same extent, the effects of race- and identity-based violence on the online platform have been ascribed to mental health outcomes [14] of the marginalized in terms of the trauma. The evidence presented in the systematic review also suggests that the consequences of repeated exposure to hate in the Internet and the traditional media are prejudice, distress and negative community-level outcomes [15]. In the legal front, the past literature has pointed out the evidentiary and jurisprudential setback in proving the harms of hate speech in jurisdictions that do not clearly define it through statute [16]. Theory has also suggested that regulation of hate speech should be balanced between the right to expression and the right to dignity the background as the most critical one in the harm assessment [17]. The hate speech has also been found to be an international policy problem in the light of cross-border and technologically-enhanced issues that require concerted efforts by law and institutions.⁵

One of the major implications of the findings is that hate speech heightens the effects of trauma as it transforms the initial victimization into a social suffering over a period of time. The original act of violence, discrimination or exclusion is not only

harmful to the victims, but it is also complemented with stigma, public accusations, online harassment and negative storytelling which challenge the dignity and credibility of the victims. This is especially visible in online spaces, where hate speech spreads fast, is stored forever and is reinforced over and over again to victims and the general population. This repetition only exacerbates emotional suffering, strengthens fear and shame; and undermines the willingness of the victim to resort to legal or institutional foundations. Therefore, digital culture does not merely pass hate speech; it amplifies and naturalizes it.

The other notable dimension to emerge due to the findings is lack of victim-led protection of law in India. As some of the statutory provisions might indirectly address hateful or inflammatory speech, there is no precise and comprehensive legal framework that would help the victims in an effective solution. The results indicate that the legal framework is still divided as far as individualized harms of hate speech, compensation frameworks, institutional support service and digital accountability are concerned. The lack of special helplines, psychological support systems and available reporting procedures is a grave discrepancy between the official legal principles and the real victim protection.

Simultaneously, this research is restricted in certain ways. It is not an investigation of primary data where it might have first-hand victim reports and disaggregated information of hate speech in all the vulnerable groups is not equally available. Nevertheless, the study has also given a uniform socio-legal clarification of the mechanism of hate speech as a culturally endorsed and digitally amplified harm. Empirical interviews, cross-jurisdiction comparison and platform-specific study are additional research that may be included to establish a more evidence-based legal reform and victim support policy.

5. CONCLUSION

The hate speech of digital culture belongs to the most significant types of secondary victimization that is not only the simple utterance of words, but has long-term psychological, social and legal effects on vulnerable groups. The article has shown that hate speech worsens trauma, generates the further stigma and results in social exclusion, particularly in rape survivors, LGBTQ+ people, religious minority

⁵ Strategy, U. N. (2018). Plan of Action on Hate Speech (2019). United Nations.

URL: <https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20Plan%20of%20Action%20on%20Hate%20Speech>.

communities and caste-based communities. The digital world also adds to these evils and the speed, with which it is propagated, the retractability and the reinforcement of the algorithmic precondition the discriminatory narratives to become the norm. Socio-legal-wise, it has proved that there are some serious gaps in the existing legal system in India. The lack of a statutory definition of hate speech, the scattered provisions and the unavailability of redressal to the victim are the grey areas that need to be addressed. The fact that hate speech continues within the political and cultural arena is also an indicator of how

the system is supposed to be reformed. To overcome this problem, a multidimensional approach will be required and this would involve legal changes, increased regulation of digital and greater awareness of society. The damage and injustice ought to be alleviated by developing victim-focused legal safeguard, powerful institutions and technological responsibility. The war against hate speech is not only a legal responsibility but also a social responsibility that seeks to safeguard human dignity, equality and inclusive social order.

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