

LAWFOYER INTERNATIONAL
JOURNAL OF DOCTRINAL LEGAL
RESEARCH
(ISSN: 2583-7753)

Volume 2 | Issue 3

2024

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EXPLORING THE REASON BEHIND UNREPORTED HATE CRIMES

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I. ABSTRACT

Hate crimes in India are increasingly recognized as a critical social problem, including acts of violence or discrimination based on religion, caste, ethnicity and regional identity. These crimes are usually motivated by prejudice, often fueled by divisive political discourse, cultural prejudices and socio-economic inequalities. Religious minorities, especially Muslims, Dalits (historically marginalized communities) and immigrants, face increased risks of victimization. The incidence of hate crimes has increased over the past decade, often exacerbated by community tensions and changes in political frameworks, such as those affecting regional citizenship and residency laws.

The legal framework for combating hate crimes In India remains fragmented, with the Indian Penal Code (IPC) providing limited scope for prosecuting hate crimes. While there are provisions to address communal violence and religious hostility, there is no specific legislation on hate crimes, making it difficult to consistently address the underlying prejudices that motivate these actions. The implementation of existing laws is often inconsistent, influenced by regional political climates and hampered by slow legal procedures.

Media coverage of hate crimes is also polarizing, with some media outlets highlighting these incidents while others downplay or ignore them, depending on political leanings. This variability in representation affects public awareness and response, often leading to a cycle of fear, anger and further division. Tackling hate crimes in India requires a multifaceted approach, including legal reforms, public education about tolerance and diversity, and institutional accountability to ensure the protection of vulnerable groups and uphold the country's secular ideals.

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II. KEY WORDS

Historical evolution of hate crime, role of media, consequences of underreported hate crime, legal awareness, reasons of hate crime, misuse of justice.

III. INTRODUCTION

According to black laws dictionary, A crime is defined as an act that the law makes punishable; the breach of a legal duty treated as the subject matter of a criminal proceeding. It is an offence that can happen to anyone, in respective of the individual status, ethnicity, religion, color, race, etc.

Criminal Act does not have a define way of occurring, it can be either to cause grievous hurt, death, or defamatory on one's reputation. Hate crimes are one of those crimes that happen due to lack of security in our society. Where a specific individual or group of individuals, association, or organizations are targeted due to their race, color, disability, religion, sexual orientation, transgender, then such crime amount to hate crimes.

Hate crimes are criminal acts committed against individuals or groups based on specific characteristics such as race, religion, ethnicity, gender, sexual orientation, disability, caste or nationality. Unlike ordinary crimes, hate crimes are motivated by prejudice or hatred against a particular group. These crimes are more than just attacks on individuals; they are meant to send a message of fear, division and intimidation to the wider community that shares the victim's identity.

Therefore, in order to give a proper and concise explanation of the term hate crimes, there are certain elements that must be proved. These elements are,

- Bias motivation
- Hate symbolism
- Criminal act
- Target selection
- Victim impact
- Intent to intimidate or harm
- Official investigation

- Community impact
- Perpetrators actions.

In simple words, for a crime to fall under the classification of hate crimes, there must be hate and crime which has taken place.

Motivated by Bias: The defining feature of a hate crime is its motivation, where the perpetrator targets the victim because of their membership in a particular group, rather than personal reasons.

Impact Beyond the Victim: Hate crimes affect not only the immediate victim but also the larger community that identifies with the victim. These crimes aim to dehumanize entire groups, instilling fear and a sense of vulnerability.

Symbolic and Psychological Impact: Hate crimes are often intended to send a message that a particular group is inferior or unwelcome, thus reinforcing social hierarchies and inequality. They lead to psychological trauma, fear, and alienation for both individuals and their communities.

IV. RESEARCH OBJECTIVES

The main objective of this research paper will focus on how to categorize and analyse the prevalence of different types of hate crimes in India based on targeted groups, the reason as to why hate crimes are unreported, and also the consequences of not reporting hate crimes.

V. RESEARCH QUESTIONS

What are the long-term consequences that have affected the peace of society in India due to unreported hate crimes?

VI. MAIN REASONS FOR HATE CRIMES IN INDIA

- **Historical evolution of hate crime in India**

India's history of hate crimes is closely linked to the country's complex social fabric, which includes a rigid caste system, religious diversity, ethnic divisions and regionalism. These factors, combined with historical events such as colonization, partition and political movements, have shaped patterns of hate-based violence over

time. Here are some key historical periods and incidents that highlight the evolution of hate crimes in India.

- **Colonial period (1600-1947) :**

During the British rule, the politics of divide and rule played a crucial role in deepening the divisions between religious groups and castes. The British often pitted Hindus against Muslims and exacerbated caste divisions to maintain control. Although caste-based violence and religious tensions existed before colonization, British policies institutionalized and deepened these divisions, laying the groundwork for future hate crimes.

- **Partition of India (1947) :**

The partition of British India into India and Pakistan in 1947 was one of the bloodiest episodes in the subcontinent's history, characterized by large-scale communal violence between Hindus, Muslims and Sikhs. More than a million people were killed and millions displaced in the mass migrations that followed. This period intensified religious hostilities, particularly between Hindus and Muslims, and set the stage for communal violence in independent India.

- **Communal uprisings after independence (1947-1980) :**

The first decades of independent India were marked by periodic outbreaks of communal violence, often triggered by religious or political events. Among the main incidents we can mention:

- **Hyderabad Riots (1948):**

After the princely state of Hyderabad became part of India, large-scale violence broke out, mainly against Muslims.

- **Gujarat riots (1969):**

one of the worst incidents of communal violence since independence, with more than 400 deaths, most of them Muslims.

- **Anti-Sikh riots (1984):**

After the assassination of Prime Minister Indira Gandhi by her Sikh bodyguards, mobs in Delhi and other parts of India targeted Sikhs, resulting in more than 3000 dead.

- **The demolition of the Babri Mosque and its consequences (1990) :**

The demolition of the Babri Mosque, a 16th-century mosque in Ayodhya, by Hindu extremists in 1992 marked an important turning point in India's communal history. The event sparked communal riots across the country, which left thousands dead, mostly Muslims. The Mumbai riots of 1992-1993 were particularly serious and heightened tensions between Hindus and Muslims. This period also witnessed the rise of Hindu nationalism and the polarization of Indian politics along religious lines.

- **Anti-Christian violence (late 1990s - 2000s) :**

India has also been the scene of hate crimes against its Christian minority. In the late 1990s, attacks on missionaries and Christian churches increased, especially in states such as Odisha and Gujarat. In 1999, Australian missionary Graham Staines and his two sons were burned alive by an angry mob in Odisha, an incident that shocked the nation.

- **Caste-based violence (ongoing):**

Caste-based hate crimes, particularly against Dalits, remain widespread in India. Incidents of violence, discrimination and social isolation against Dalits are an ongoing problem. Notable incidents include:

- **Kilvenman massacre (1968):**

44 Dalit farm workers were burned alive in Tamil Nadu. **Khairlanji massacre (2006):** A Dalit family in Maharashtra was brutally murdered by upper caste villagers.

- **An Incident Battle (2016):**

Four Dalit men were flogged in public for skinning a dead cow, leading to protests across the country.

- **Cow Vigilantism (2010s-Present):**

In recent years, there has been a sharp rise in hate crimes linked to the cow milking war, particularly in northern India. Under the pretext of protecting cows (considered sacred in Hinduism), Hindu nationalist groups have targeted Muslims and Dalits suspected of slaughtering cows or consuming beef. The lynching incidents, such as that of Mohammad Akhlaq in Dadri (2015) and Pehlu Khan in Rajasthan (2017), have drawn international attention.

- **Targeting LGBTQ+ and marginalized communities :**

Although the LGBTQ+ community has gained legal rights in recent years (including the decriminalization of homosexuality in 2018), hate crimes against them remain a major problem. Community members continue to face violence, harassment and social isolation

- **Anti-Muslim violence and citizenship issues (2019–present):**

The introduction of the Citizenship Amendment Act (CAA) in 2019, combined with the National Register of Citizens (NRC) in Assam, has sparked widespread protests across the country. Many saw the CAA as discriminatory against Muslims, and subsequent protests led to violence, particularly in Delhi in early 2020. The Delhi riots resulted in the deaths of more than 50 people, mostly of Muslims.

A. Reasons for Hate crimes

Hate crimes in India are often linked to complex socio-political, religious and cultural factors. The main reasons for hate crimes in the country are:

- **Religious and communal tensions:**

India has a religiously diverse population consisting mainly of Hindus, Muslims, Christians, Sikhs and others. Historical tensions between religious communities, particularly between Hindus and Muslims, have led to communal violence and hate crimes. Religious polarization, often exploited for political purposes, is one of the main factors.

- **Caste-based discrimination:**

The caste system in India, although abolished by the Constitution, continues to influence social and economic interactions. Crimes against Dalits (formerly called “untouchables”) and other lower castes often stem from deep-seated prejudices and age-old caste hierarchies.

- **Ethnic and regional conflicts:**

India is home to many ethnic groups and tensions between different linguistic, cultural and ethnic communities can lead to violence. Regionalism, or the feeling of superiority of one region over another, can also lead to hate crimes against migrants or people from other countries.

- **Gender and sexuality:**

Members of the LGBTQ+ community and women are sometimes targets of hate crimes due to social stigma, patriarchy and conservative views on gender and sexuality.

- **Political influence:**

Political parties and groups sometimes incite hatred or violence for electoral purposes by exploiting identity politics, including religion, caste or ethnicity, leading to an increase in hate crimes during election periods or periods of political instability.

- **Economic Inequality:**

Competition for scarce resources, such as land, jobs and access to government services, can create tensions between different groups, especially when this competition affects caste, religious identity or racial.

Some recent incidents that took place in India was the recent hate speech against the Muslim community. In 2023 we saw that India has already recorded 668 hate speech events targeted against Muslims

VII. IMPORTANCE OF REPORTING A HATE CRIME.

Reporting hate crimes is essential for many reasons, both for the victims and for the society in general. That is to say,

- **Prevention of future crimes**

The prevention of future crimes will be controllable if hate crimes are reported and addressed through the justice system, it sends a message that such behaviour is unacceptable and will not be tolerated. This can deter potential offenders from committing similar crimes in the future. Failure to report crimes can embolden perpetrators and create a culture of fear and silence. Reporting can break this cycle, encouraging others to come forward and reducing the risk of relapse.

- **Building of community trust**

Build community trust is one main reason why hate crimes should be reported, because When victims and communities see that hate crimes are taken seriously, it builds trust in law enforcement and the justice system. This is particularly important for marginalized groups who may feel alienated or distrustful of authority, creating a safer environment, help raise awareness among vulnerable communities about the challenges they face, prompting society to act to protect these groups and ensure their safety and dignity.

- **Advocacy on the danger towards sectarianism.**

Reporting hate crimes is a step forward the fight against hatred and intolerance in society. It raises awareness of the dangers of sectarianism and raises social discussions about inclusion and respect for diversity. Promotion of solidarity which can generate public outrage and solidarity with the affected community. This collective response can promote social unity and encourage action to support victims.

- **Purpose of documentation**

Reporting hate crimes can also lead to legal and political reform. As incidents are documented and made public, pressure is mounting on governments and legislators to create stricter laws and policies to combat hate crimes. It also helps to Strengthening hate crime legislation, regular reporting can reveal gaps or weaknesses in existing laws, prompting reforms that provide better protections and tougher penalties for hate-motivated violence.

- **Legal consequences and compensation towards victims**

Reporting hate crime also help ensure that perpetrators of hate crimes face legal consequences, helping to prevent future crimes and ensuring that justice is served for the victim. victims can also receive compensation or access support services, including counselling, legal assistance or protection. Without reporting, victims risk not getting the help they need.

- **Role of media in reporting hate crimes**

The media play a crucial role in reporting hate crimes, shaping public perception and influencing society's response to these incidents. They have the power to raise awareness, hold authorities accountable and spark a wider debate about the causes and consequences of hate-based violence. However, they also risk exacerbating tensions if not handled responsibly.

- **Some key roles play by media in reporting hate crimes are;**

Creating of awareness to the public: The media draws public attention to hate crimes, helping to ensure that these incidents are not overlooked or ignored. By reporting hate crimes, the media helps raise public awareness of the seriousness and frequency of these acts, as well as the vulnerability of certain communities. They are known as an Amplify marginalized voice, advocating against Hate crimes to those targeted groups that don't have the resources or platforms to express themselves. The media can serve as a voice for these communities, providing victims and their families with a platform to share their experiences, seeking justice and garner public support.

Holding the authorities accountable: When authorities fail to respond to hate crimes or do not respond well, the media can expose these failures, creating public pressure to hold those authorities responsible. Investigative journalism can uncover biases in law enforcement or judicial processes and push for reform. The Media coverage of hate crimes can also ensure that cases remain in the spotlight, helping to prevent them from being buried or ignored by the justice system. Continued

coverage can ensure that justice is served and that hate crimes are not treated as isolated or trivial events.

Fosters public dialogue: The media can initiate and facilitate discussions on wider issues related to hate crimes, such as systemic racism, religious intolerance, caste-based discrimination and xenophobia. This promotes a better understanding of the social and cultural factors that contribute to hate crimes. The media have a responsibility to promote messages of inclusion, respect and tolerance in their coverage. Highlighting stories of solidarity, reconciliation and peacebuilding after hate crimes can inspire positive social change.

Fighting misinformation and stereotypes: hate crimes are often fueled by misinformation, rumours or prejudicial narratives. The media can play a vital role in fact-checking and disinformation, which can incite violence or perpetuate stereotypes against certain groups. Through balanced and objective reporting, the media can challenge harmful stereotypes about marginalized groups, instead fostering empathy and understanding. Media coverage that highlights the humanity of the victims, instead of reducing them to their identity, can counteract prejudicial views.

Create public pressure for political reform, Advocacy for tougher legislation: Media attention can fuel public demand for tougher hate crime legislation and stronger mechanisms to prevent and combat hate crime. This can lead to reforms in law enforcement practices, legal frameworks and social policies. Impact on political discourse can also be a key issue for the coverage of hate crimes, which often sparks political debate, prompting government officials and lawmakers to respond. Continued media attention can lead to political commitments to combat hate crimes more effectively.

Ethics in media for reporting hate crimes

We also need to consider the biases of the media in the way they report hate crimes. For example, are they ethical enough to cover up these crimes indiscriminately, or are they trying to cover up certain acts because of a higher power? Ethical journalism requires reporters to provide context, verify information, and avoid making

assumptions about motivations or connections until reliable sources confirm. When journalists seek to inform rather than incite, they help foster a more understanding and empathetic society, which is especially important in diverse communities where misunderstandings can easily arise. They should strive to be accurate and fair, taking care not to make comments that could aggravate existing stereotypes or tensions. Furthermore, when journalists report responsibly, they contribute to raising public awareness in a constructive way. Coverage of hate crimes should not only acknowledge the seriousness of the crime, but also highlight broader social issues or systemic biases, promoting informed debate rather than divisive rhetoric. This requires a delicate balance between sensitivity, integrity and commitment to the truth.

However, ethical journalism has power beyond reporting: it can educate, heal and build bridges. By focusing on the impact of their words and approach, journalists can help prevent sensationalism from becoming a divisive force and instead use it to promote awareness, understanding and positive change.

VIII. CONSEQUENCES OF NOT REPORTING HATE CRIME AND ITS EFFECT ON SOCIETY.

When hate crimes go unreported, perpetrators may feel emboldened to continue their behaviour, which can exacerbate the severity of future incidents. Its effects on society can lead to an increase in hate-motivated violence, making communities feel insecure and fostering a culture of fear and hostility. Also, If hate crimes are not reported, they are not reflected in crime statistics, leading to an underrepresentation of the problem. Without accurate data, policy makers may fail to allocate the necessary resources or create effective policies to combat hate crimes, leaving targeted communities vulnerable and vulnerable.

Perpetrators of hate crimes can go unpunished, allowing them to continue their discriminatory behaviour without facing legal consequences. This lack of accountability undermines the rule of law and can create a perception that hate crimes are tolerated, which erodes trust in the justice system. When hate crimes go unreported or unaddressed, it sends message that such acts are socially acceptable or

irrelevant. This normalization of hate can perpetuate discrimination, marginalization and intolerance, allowing ideologies motivated by hate to flourish unchecked.

Communities targeted by hate crimes can feel alienated and defiant to law enforcement and public institutions if crimes are not reported and addressed. It erodes social cohesion, increases tension between different groups and undermines efforts to build inclusive and harmonious societies. Future generations may inherit a society where bigotry, prejudice and violence are more entrenched. This can create a culture of intolerance in the long term, reducing the prospects for social equality, justice and peaceful coexistence.

It can also create a cycle of distrust between communities and law enforcement, as victims may feel that the system is ineffective or indifferent to their needs. This distrust can make it harder for law enforcement to serve and protect communities, weakening overall public safety.

- **Legal implications and misuse of justice in hate crimes**

Legal implications and abuse of justice in hate crimes occur when these crimes go unreported, underreported, or handled inappropriately by the justice system. This leads to significant negative consequences for victims, communities and society as a whole.

- **Legal biasness and failure to enforce hate crime laws**

Hate crimes are often legally distinguishable from other types of crime because of their motive, which is rooted in prejudice against a particular group. If a hate crime goes unreported or is misclassified as a less serious offense, the perpetrator can avoid being charged with a hate crime, which carries harsher penalties in many jurisdictions. Without proper legal charges, perpetrators may face lighter sentences or even escape prosecution altogether. This undermines justice as victims are denied the legal recognition and remedies they deserve. Many countries and states have specific laws that criminalize hate crimes and impose harsher penalties. When these crimes go unreported, they prevent the full enforcement of these laws, effectively weakening their impact. Failure to properly use hate crime laws sends a signal that

these crimes are not being treated with the seriousness they deserve, thus reducing the deterrent effect of these laws.

- **Denial of Victims compensation**

In many jurisdictions, victims of hate crimes are entitled to specific protections, including protective orders, victim compensation and other remedies. If a hate crime is not reported or identified, victims may be denied these protections. Victims cannot benefit from compensation, psychological counselling and legal support, which worsens their trauma and leaves them vulnerable to further attacks. Law enforcement may misclassify a hate crime as simple assault, vandalism, or other non-hate crimes, often due to a lack of training or lack of evidence of motive. This misclassification leads to incomplete justice for the victim, as hate crime laws often provide harsher penalties. Failure to recognize the harm element of the crime can prevent offenders from receiving appropriate legal consequences.

- **Violation of victim's civil rights**

Hate crimes often involve violations of the victim's civil rights, such as the right to be free from discrimination based on race, religion, sexual orientation or other protected characteristics. A failure to report or address these crimes can lead to the erosion of civil rights protections. By failing to treat hate crimes as violations of civil rights, the justice system risks failing to respect the legal protections offered to vulnerable groups, thereby contributing to systemic inequality and discrimination. In some cases, hate crime prosecutions may be uneven due to different levels of awareness or engagement between law enforcement and prosecutors.

Some jurisdictions may prosecute hate crimes vigorously, while others may not recognize or prosecute these crimes. This inconsistency creates unequal treatment under the law, where victims in one region may receive justice while others in other regions or jurisdictions do not. Such inequalities undermine the principle of equal justice. Effective prosecution of hate crimes helps set legal precedents that can be used to prosecute future crimes and inform the development of new laws. If hate crimes are not reported or prosecuted, these precedents are not set. Without legal precedents, future cases may not benefit from the judicial guidance necessary to

ensure that hate crimes are properly dealt with by the courts, which can weaken the legal framework for future prosecutions.

One of the purposes of hate crime laws is to deter repeat offenders by punishing them more harshly. When hate crimes are not reported or prosecuted, this deterrent effect is lost. The lack of adequate sanctions for hate crimes can lead to retribution and the loss of opportunities to rehabilitate the perpetrators, contributing to a cycle of violence and discrimination.

IX. REAL WORLD INSTANCE OF UNREPORTED HATE CRIMES

A. Hate Crimes Against Indigenous Women in Canada

In Canada, hate crimes and violence against Indigenous women are historically underreported and covered by the media, leading to a crisis of “invisibility.” The lack of coverage of Missing and Murdered Indigenous Women and Girls (Missing and Murdered Indigenous Women and Girls) has had serious consequences, leading to community frustration, mistrust of law enforcement and delays in the justice. The National Offshore Inquiry highlighted how systemic racism and media underreporting allowed these crimes to go largely unsolved, contributing to a cycle of violence. In response, grassroots movements and advocacy groups, such as the Native Women’s Association of Canada, began to independently document the cases, drawing international attention to the problem and calling for greater accountability.

B. Anti-Asian Hate Crimes in the United States (COVID-19 Pandemic)

During the early months of the COVID-19 pandemic, hate crimes against Asian-Americans increased significantly, but many of these incidents went unreported by the mainstream media. This lack of visibility meant that the true extent of the problem remained hidden from the general public and that initial law enforcement responses were not uniform from state to state. The lack of reporting also left communities without adequate resources and support. Asian American advocacy groups, such as Stop AAPI Hate, took the lead in documenting the incidents and

raising awareness, eventually demonstrating that more than 10,000 hate incidents occurred between March 2020 and September 2021. This lack of reporting has delayed the implementation of crucial policy measures and community support, extending the damage and distress of those affected.

C. Anti-Semitic Hate Crimes in France

France has been the scene of numerous hate crimes targeting Jewish communities, but many cases go unreported or receive limited media coverage. The under-reporting of anti-Semitic incidents has tangible consequences: Jewish communities feel vulnerable and disadvantaged, and the public remains unaware of the scale of anti-Semitic violence. Community leaders in France have noted that when these crimes are minimized, the general public is less likely to understand the seriousness of the problem and law enforcement is less likely to prioritize these cases. This underreporting perpetuates stereotypes and a sense of neglect, which limit public policy responses and social cohesion.

D. LGBTQ+ Hate Crimes in the United Kingdom

In the United Kingdom, the Home Office reported a 20% increase in hate crimes against LGBTQ+ people in 2021. However, some groups, such as the LGBT Foundation, believe that this figure is underestimated due to fear of reprisals, mistrust of authorities and social stigma. The perceived failure to properly report these crimes has led to a lack of resources to combat hate crimes against LGBTQ+ people, inadequate security measures and low trust in the justice system among LGBTQ+ people. This under-reporting perpetuates isolation and invisibility, creating a cycle in which victims feel unable to seek help and abusers are emboldened by the lack of consequences.

X. CONCLUSION

Hate crimes in India have a long and complex history, deeply rooted in religious, caste and regional divisions. The interplay between politics, identity and social hierarchies has consistently fueled violence against marginalized groups. Although India has made significant progress in fighting discrimination through laws and

social movements, hate crimes continue to undermine the country's secular and democratic fabric.

Reporting hate crimes is essential to achieving justice, preventing future crimes and fostering a safer and more inclusive society. It allows us to take hate-motivated violence seriously, support victims and stand together against intolerance and discrimination.

The media play a vital role in reporting hate crimes by raising awareness, holding authorities accountable, fostering public dialogue and promoting social change. However, responsible and balanced coverage is essential to avoid fueling tensions or perpetuating harmful stereotypes. By highlighting the human impact of hate crimes and the structural problems that allow these crimes to continue, the media can be a powerful force for justice and social harmony.

In summary, failure to report hate crimes can have serious social, legal and psychological consequences. This allows hatred to be perpetuated, weakens the resilience of communities and hinders efforts to create a fairer and more inclusive society.

The legal consequences of not reporting hate crimes are profound, undermining the justice system's ability to hold perpetrators accountable, enforce hate crime laws, protect victims, and enforce civil rights. This abuse of justice weakens society's protection against discrimination, encourages perpetrators and fosters a climate of fear and inequality. Effectively fighting hate crimes is essential to maintain the integrity of the legal system and to ensure that justice is served.

XI. SUGGESTIONS

We already know the implications of not reporting hate crimes, but the crucial question is that, when reported does the authority take proper measures to stop or implement rules and laws that will effectively work for the well being of the oppressed individual or organisation?

In my humble opinion, I will suggest that authorities and police force should at least run to the aid of the victims and file a complaint because the legal system cannot be put into jeopardy due to corruption or misuse of legal system.

Hate crimes laws should be more stringent, and when reported, it shouldn't be taken for granted like a mere assault. The legislation should also provide a mechanism where there will be a procedural standard for hate crime investigation and also an E-website where such crime can be easily reported without knowing the individual but the locations and victims.

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