INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 5 AND ISSUE 14 OF 2025

APIS – 3920 - 0001 *(and)* ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

. FROM SHAME TO SUPPORT: CULTURAL CRIMINOLOGY OF VICTIM BLAMING IN INDIAN COMMUNITIES

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BEST CITATION - JENIMETTILDA J, FROM SHAME TO SUPPORT: CULTURAL CRIMINOLOGY OF VICTIM BLAMING IN INDIAN COMMUNITIES, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR),* 5 (14) OF 2025, PG. 758-772, APIS – 3920 – 0001 & ISSN - 2583-2344.

ABSTRACT

Victim blaming remains one of the most enduring cultural and criminological challenges in India, shaping how survivors of sexual and gender-based violence are perceived, treated, and supported. This study applies a cultural criminology framework to examine how patriarchal norms, caste hierarchies, honour-based expectations, and religious interpretations collectively determine public and institutional responses to survivors. Despite significant legal reforms particularly the Criminal Law Amendments of 1983, 2013, 2018 and Bharatiya Nyaya Sanhita,2023 victims blaming continues to infiltrate policing practices, judicial reasoning, media narratives, and digital interactions. The research reveals that survivors are often required to defend their morality, behaviour, and social standing before their claims are taken seriously, thereby reproducing historical prejudices rooted in colonial law, caste power structures, and patriarchal control. Through an interdisciplinary analysis of case law, statutory developments, and socio-cultural patterns, the study argues that legal reform alone cannot dismantle entrenched narratives of shame. A shift toward a survivor-centric justice model requires trauma-informed institutional procedures, community-level transformation of honour-based gender norms, strengthened cyber protections, and ethical media conduct. The findings underscore the need for a holistic cultural and structural shift from a system that implicitly blames survivors to one that affirms dignity, agency, and support.

KEYWORDS

Victim blaming; Cultural criminology; Sexual violence; Indian criminal justice system; Patriarchy; Caste and gender; Honour norms; Digital shaming; Media ethics; Survivor-centric justice; Trauma-informed policing; Gender norms in India

CHAPTER 1 — INTRODUCTION

Victim blaming remains one of the most persistent cultural and criminological challenges within the Indian criminal justice landscape. Although statutory reforms and judicial pronouncements have articulated a rights-based framework for addressing sexual and gender-based violence, survivors continue to encounter social suspicion, moral judgment, and institutional indifference. These responses emerge not merely from individual prejudices but from deeply embedded cultural scripts that shape perceptions of gender, honour, sexuality, community identity, and legitimacy. Within Indian communities, victim blaming manifests as an interpretive lens through which violence is understood; the survivor's conduct, clothing, mobility, relationships, and socio-economic status are often scrutinized more rigorously than the perpetrator's actions. This cultural inversion of responsibility has profound consequences for access to justice, mental health, reporting behaviour, and societal perceptions of violence. Cultural criminology offers a valuable framework to examine these dynamics because it situates crime, victimization, and legal authority within

emotional, symbolic, and power-laden contexts that shape societal responses.[1399]

Indian society's engagement with victim blaming is shaped by the intersection of colonial influences, patriarchal traditions, caste hierarchies, and communal expectations. Honour (izzat), modesty, sexual purity, and obedience constitute normative ideals against which survivors are measured. When violence occurs, it is frequently interpreted not as an act of coercion or harm but as a breach of these normative expectations. Consequently, survivors are compelled into silence to protect family honour; complaints are discouraged to preserve community standing; and legal interventions are viewed as threats to marital or social stability. In this manner, victim blaming becomes a mechanism for disciplining behaviour and reinforcing gendered status quos. The evolution of Indian criminal law especially after watershed moments like the Mathura rape case and the Nirbhaya movement demonstrates that legal reforms alone cannot disrupt these entrenched cultural narratives.[1400]

The Indian judiciary has repeatedly acknowledged the structural nature of victim blaming and its incompatibility with constitutional values of dignity, equality, and fair procedure. **Article 21 of the Constitution,** which guarantees the right to life with dignity, is central to redefining the State's duties toward survivors. Over the last few decades, judicial decisions have increasingly condemned the use of stereotypes, the reliance on sexual history evidence, and the expectation of physical resistance as prerequisites for credibility.[1401]**The Criminal Law (Amendment) Acts of 1983, 2013, 2018 and Bharatiya Nyaya Sanhita,2023** codified these shifts by expanding the definition of sexual offences, enhancing procedural safeguards, and removing evidentiary practices that historically enabled courts to discredit survivors. Yet, despite these progressive legal developments, cultural norms continue to dictate the lived reality of survivors and the institutional responses they receive.[1402]

This research article seeks to explore the phenomenon of victim blaming in India through a cultural criminological lens. It argues that victim blaming is not an isolated behavioural problem, but a culturally produced narrative embedded in India's social, institutional, and legal frameworks. The study examines how cultural beliefs shape policing practices, courtroom reasoning, community pressures, media representations, and digital interactions. It also interrogates how caste, religion, family honour, and patriarchy intersect to create hierarchies of credibility that silence certain survivors more than others. By tracing the historical, structural, and symbolic dimensions of victim blaming, this work aims to map the complex terrain where culture and law collide.

The chapter also underscores that meaningful change requires more than statutory reform. While courts have articulated survivor-centric principles, and legislatures have modernised criminal provisions, the underlying cultural environment that sustains victim blaming continues to restrict the transformative potential of these legal interventions. Understanding this phenomenon demands an interdisciplinary approach that combines criminological theory, socio-legal analysis, feminist scholarship, and constitutional interpretation. As such, the subsequent chapters explore the multifaceted evolution of victim blaming in India from its colonial and patriarchal origins to its contemporary manifestations in digital spaces before offering a framework for shifting from narratives of shame to cultures of support.

CHAPTER 2 — CULTURAL CRIMINOLOGY & THE IDEA OF VICTIM BLAMING

Cultural criminology provides a powerful analytical lens for understanding why victim

[1399] Jeff Ferrell, Cultural Criminology: Theories of Meaning and Power (Routledge 2019).
[1400] Tukaram v. State of Maharashtra, (1979) 2 SCC 143.
[1401] The Constitution of India, art. 21.
[1402] Criminal Law (Amendment) Act, 2013.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 5 AND ISSUE 14 OF 2025
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
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blaming persists in India despite progressive legal reforms. Unlike traditional criminology, which often treats crime and victimisation as objective categories, cultural criminology recognises that social meanings, emotions, symbols, and power relations shape how societies interpret harm and responsibility. Crime is not merely an act, it is a cultural event, interpreted and reinterpreted through collective narratives. In the Indian context, these narratives are heavily influenced by gender norms, caste structures, and communal expectations, which together produce a cultural environment in which survivors of violence are frequently held accountable for the victimisation they endure.[1403]Viewed through this framework, victim blaming becomes a symbolic practice that reinforces dominant ideologies rather than a neutral assessment of facts.

Central to cultural criminology is the understanding that emotions and moral judgments are integral to how societies process violence. Indian communities often respond to incidents of sexual or gender-based violence with heightened moral scrutiny directed at the survivor. The survivor's clothing, behaviour, time of travel, or prior acquaintance with the accused become central to public evaluations of credibility and morality. This emotional orientation toward shame and honour manifests as a cultural expectation that women must maintain modesty and sexual purity to be considered deserving victims. When a survivor is perceived as deviating from these expectations, the community interprets the violence as a consequence of her moral failure rather than the perpetrator's criminality.[1404]This interpretive process illustrates how cultural norms shape notions of victimhood and culpability.

Cultural criminology also highlights the role of power structures in shaping victim blaming. Patriarchy operates not only as a social ideology but as a regulatory mechanism that dictates acceptable gender behaviour and punishes deviation through social stigma. Women who assert autonomy by choosing relationships, clothing, careers, or lifestyles are often framed as transgressors who have invited violence. The legal system, although tasked with neutrality, is not insulated from these cultural narratives. Historically, courts have often relied on stereotypical assumptions about "good" and "bad" women, drawing adverse inferences from delayed reporting, lack of physical resistance, or previous sexual relationships.[1405]Even though statutory amendments now prohibit such reasoning, remnants of these assumptions occasionally appear in judicial language and police behaviour, demonstrating the endurance of cultural norms within institutional settings.

The dynamics of shame, honour, and gendered morality are central themes within the cultural criminological analysis of victim blaming. Indian communities often locate honour within female bodies, positioning women as bearers of familial and communal reputation. Sexual violence is thus treated not as an assault on the individual but as a symbolic stain on collective honour. This collectivisation of shame leads families and communities to police women's behaviour, suppress complaints, encourage compromise, or force survivors into silence. As a result, victim blaming operates as a cultural mechanism that both disciplines women and safeguards patriarchal order.[1406]It ensures conformity by transforming private harm into a public moral drama.

Moreover, cultural criminology reveals how everyday interactions at police stations, in courts, within neighbourhoods, and online become sites where cultural narratives of blame are rehearsed and reinforced. Police officers may ask why a survivor was alone with a man; neighbours may gossip about her character; journalists may sensationalise her lifestyle. Each of these practices contributes to a broader symbolic environment that

[1403] Jeff Ferrell, Cultural Criminology: An Invitation (Sage Publications 2008).
[1404] State of Punjab v. Gurmit Singh, (1996) 2 SCC 384.
[1405] Bodhisattwa Gautam v. Subhra Chakraborty, (1996) 1 SCC 490.
[1406] Indian Evidence Act, 1872, § 146 (as amended by Criminal Law Amendment Act 2013).

delegitimises survivor narratives and deters others from seeking justice. This cultural climate interacts with structural inequalities, such as caste discrimination, to create hierarchies of victimhood in which some survivors' voices are amplified while others are undermined.[1407]

In this framework, victim blaming in India is not an aberration, but a culturally produced response rooted in symbolic notions of morality, honour, and gender identity. Cultural criminology helps us see that addressing victim blaming requires more than legal reform; it requires confronting the cultural narratives and emotional economies that sustain it. Only by understanding the symbolic power of shame, gendered expectations, and communal norms can the criminal justice system begin to dismantle practices that silence survivors and perpetuate impunity.

CHAPTER 3 — HISTORICAL ROOTS OF VICTIM BLAMING IN INDIA

The persistence of victim blaming in contemporary India cannot be understood without examining the historical foundations that shaped societal attitudes toward gender, sexuality, and moral responsibility. Long before formal legal systems attempted to adjudicate sexual and gender-based violence, social norms embedded within caste hierarchies, patriarchal traditions, and religious customs already prescribed rigid expectations for women's conduct. These norms defined femininity in terms of modesty, purity, and obedience, creating a cultural framework in which deviation from prescribed roles was viewed as morally suspect. Within this historical context, incidents of violence against women were frequently interpreted not as violations of bodily autonomy but as reflections of women's failure to uphold societal expectations. Such cultural logic laid the groundwork for modern victim-blaming tendencies, which continue to thrive despite legal reforms.

Colonial rule further entrenched these attitudes by merging Victorian morality with existing patriarchal structures. British administrators and colonial courts imposed legal standards that implicitly linked women's credibility to their sexual purity and social respectability. Judges often evaluated survivors' testimony through moralistic lenses, presuming that "respectable" women would resist assault and immediately report it, whereas those who did not conform to Victorian ideals were considered unreliable witnesses. These assumptions filtered into landmark colonial-era judgments, where the absence of physical injuries, delayed reporting, or any hint of prior association with the accused was taken as evidence against the survivor.[1408]As a consequence, the criminal justice system began to institutionalise a culture of suspicion toward survivors, in ways that mirrored and amplified existing cultural biases.

The interplay between caste and sexual violence forms another critical component of the historical roots of victim blaming. For centuries, Dalit women and other marginalised caste groups have been subjected to routine sexual exploitation as a form of caste domination. The social stigma attached to caste status often rendered their complaints invisible or easily dismissed. Traditional hierarchies positioned upper-caste women as bearers of community honour, while Dalit women were constructed as inherently available or morally lax perceptions that directly influenced legal and communal responses to violence. This caste-coded moral assessment shaped early police practices and judicial interpretations, creating a hierarchy of victimhood that privileged certain women's narratives over others.[1409]

The *Mathura rape case of 1972* epitomised the cumulative impact of these historical forces. Mathura, a young Adivasi girl, accused two policemen of custodial rape. The Supreme

[1407] Laxmi Murthy, Violence, Shame, and Honour: A Sociological Inquiry into Gendered Harm (2017).

[1408] Mrinalini Sinha, Colonial Masculinity: The 'Manly Englishman' and the 'Effeminate Bengali' (Zubaan 1995).

[1409] Sharmila Rege, Dalit Women Talk Differently: A Critique of 'Difference' and Towards a Dalit Feminist Standpoint (1998).

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APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
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Court's decision to acquit the accused on the logic that she showed "no signs of resistance" and was "habituated to sexual intercourse" represented the collision of colonial morality, caste prejudice, and patriarchal assumptions about consent. The judgment reproduced the belief that women of certain social backgrounds could not be raped, and that absence of physical injury automatically implied consent.[1410]The public outrage that followed led by feminist scholars and activists was a watershed moment that exposed how deeply victim blaming was embedded within Indian criminal jurisprudence. This mobilisation ultimately led to the Criminal Law (Amendment) Act of 1983, marking the first major legislative step toward dismantling judicially sanctioned victim-blaming reasoning.[1411]

Yet, even after the 1983 reforms, the cultural foundations of victim blaming continued to influence legal institutions. Police often refused to register complaints, citing concerns about "family honour" or questioning the survivor's moral character. Courtrooms sometimes echoed the same stereotypes that the 1983 amendments sought to eliminate, relying on outdated assumptions about chastity, resistance, and sexual history. Families and communities frequently pressured survivors into compromise, reinforcing the long-standing belief that reporting sexual violence brought dishonour rather than justice. These responses demonstrate how historical patterns persisted beneath the surface, shaping institutional attitudes even after formal legal change.

The endurance of victim blaming into the post-independence era reveals that law alone cannot undo centuries of cultural conditioning. The historical convergence of patriarchal norms, caste hierarchies, and colonial legal ideologies created a durable cultural template that continues to influence contemporary interpretations of sexual violence. Understanding this historical trajectory is essential for recognising why modern reforms often struggle to produce transformative change. The legacy of these historical structures forms the backdrop against which cultural criminology examines the symbolic, emotional, and power-driven dimensions of victim blaming in modern India.

CHAPTER 4 — LEGAL FRAMEWORKS AGAINST VICTIM BLAMING IN INDIA

The legal landscape in India has undergone significant transformation in an effort to counteract entrenched victim-blaming practices, but these reforms must be understood in relation to the cultural forces they attempt to disrupt. At the constitutional level, the rights to equality, dignity, and personal liberty form the bedrock of survivor-centred justice. Article 14 mandates equal protection of the law, while Article 21 protects the right to live with dignity a principle repeatedly interpreted by courts to encompass sensitive treatment of survivors of sexual and gender-based violence.[1412]These constitutional guarantees have been invoked to criticise investigative practices and courtroom procedures that rely on stereotypes, moral judgments, or invasive questioning. Yet the very need for judicial intervention reveals the depth of cultural attitudes that shape legal responses.

Statutory reform began in earnest with the Criminal Law (Amendment) Act of 1983, enacted in response to nationwide protests following the Mathura case. This amendment introduced the presumption of absence of consent in cases of custodial rape and shifted part of the evidentiary burden onto the accused. While limited in scope, the reform acknowledged for the first time that systemic factors influence survivor vulnerability and credibility. However, the persistence of police reluctance, prosecutorial bias, and judicial stereotyping soon demonstrated that deeper reforms were necessary.[1413]Consequently, the legal system entered a period of sustained re-examination of

[1410] Tukaram v. State of Maharashtra, (1979) 2 SCC 143.
[1411] Criminal Law (Amendment) Act, 1983.
[1412] The Constitution of India, arts. 14, 21.
[1413] Criminal Law (Amendment) Act, 1983.

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its approach to sexual offences and institutional practices that had long facilitated victim blaming.

The watershed moment in this evolution occurred following the 2012 Nirbhaya gang rape, which exposed the inadequacies of existing laws and catalysed unprecedented public and legislative urgency. The Criminal Law (Amendment) Act of 2013 substantially expanded the definition of sexual assault, criminalised offences such as voyeurism, stalking, acid attacks, and disrobing, and introduced mandatory minimum sentences for specific crimes. Crucially, the amendment also revised the Indian Evidence Act by prohibiting questions about a survivor's sexual history and declaring that past sexual conduct cannot be used to infer consent.[1414]These changes directly targeted the pervasive practice of discrediting survivors through character assassination; a tactic deeply rooted in cultural expectations of purity and morality.

Judicial decisions have played an equally important role in steering the justice system away from victim-blaming narratives. Courts have repeatedly reiterated that the testimony of a prosecutrix need not be corroborated if it is credible and trustworthy, emphasising that disbelief should not be based on stereotypes about how a "real" victim behaves. In *State of H.P. v. Raghubir Singh,* the Supreme Court clarified that the absence of injuries does not disprove sexual assault, recognising that fear, shock, or power imbalances may prevent physical resistance.[1415]More recently, the Supreme Court in *Lillu v. State of Haryana* prohibited the use of the two-finger test, describing it as unconstitutional, degrading, and irrelevant to determining consent.[1416]These rulings collectively signal an effort to strip legal processes of cultural biases that historically justified victim blaming.

Parallel to criminal law reforms, special legislation offers additional protection to vulnerable groups. **The Protection of Children from Sexual Offences (POCSO) Act of 2012** created a child-centric judicial process where consent is legally irrelevant for minors, thus eliminating many of the cultural arguments frequently used to discredit child survivors. **The Protection of Women from Domestic Violence Act of 2005** expanded the definition of abuse to include psychological, verbal, and economic harm, explicitly recognising that women are often blamed for provoking domestic violence or failing to maintain family harmony.[1417]The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act strengthens legal recourse for caste-based sexual violence, acknowledging the intersection of caste prejudice and gendered harm.

Despite these reforms, the gap between law and practice remains significant. Cultural assumptions continue to shape police questioning, judicial expectations, and community responses. Investigations may still be coloured by concerns about reputation or honour, and defence strategies frequently attempt to reintroduce character evidence indirectly. The legal system's continued struggle with these issues highlights that statutory reforms, though necessary, cannot alone dismantle deeply rooted victim-blaming ideologies. For legal protections to fully materialise, they must operate alongside broader cultural transformation a point that cultural criminology makes central in its critique of institutional power.

Ultimately, the evolution of India's legal framework demonstrates a movement toward recognising survivors as rights-bearing individuals rather than moral subjects to be judged. The challenge that remains is ensuring that the spirit of these reforms permeates the everyday functioning of the justice system, from police stations to courtrooms, in ways that

[1414] Indian Evidence Act, 1872, S.53A.
[1415] State of H.P. v. Raghubir Singh, (1993) 2 SCC 622.
[1416] Lillu v. State of Haryana, (2013) 14 SCC 643.
[1417] Protection of Women from Domestic Violence Act, 2005, S.3.

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genuinely dismantle the cultural foundations of victim blaming.

CHAPTER 5 — CULTURAL BLAMING IN POLICING, COURTROOMS & MEDIA

Victim blaming in India does not merely operate at the level of cultural attitudes; it is embedded within the daily functioning of policing, courtroom practices, and media representation. These institutional spaces become sites where cultural norms are enacted, reinforced, and legitimised. Police officers, defence lawyers, judges, journalists, and even social media users contribute to a broader ecosystem in which survivors must continually justify their behaviour, morality, and credibility. Cultural criminology helps illuminate how institutions reflect societal anxieties about gender and sexuality, often reproducing the same stereotypes and moral judgments that shape community responses.

Within police stations, the first point of contact for most survivors, cultural beliefs frequently shape initial interactions. Survivors are often asked why they were alone, why they travelled at night, why they befriended the accused, or why they wore certain clothes. These questions suggest that the survivor's moral conduct, rather than the accused's criminal behaviour, is the central issue. Such inquiries reflect an entrenched belief that sexual violence is provoked by female behaviour, thereby implicitly shifting responsibility from perpetrator to victim. Numerous studies and reports reveal that police officers, particularly in rural and semi-urban regions, continue to advise families to compromise, settle the matter privately, or avoid formal complaints to preserve "family honour."[1418]This dynamic shows how cultural norms infiltrate legal responsibilities, undermining statutory protections and discouraging survivors from pursuing justice.

The courtroom, ideally a neutral space, often becomes another arena where cultural biases manifest. Defence strategies regularly attempt to discredit survivors by highlighting inconsistencies in statements, delayed reporting, or supposed impropriety in lifestyle or relationships. Although amendments to the Evidence Act prohibit character evidence, indirect references to morality continue to surface, especially in cross-examination. In the case of *Shakti Vahini v. Union of India,* judges themselves have occasionally invoked stereotypical ideas about modesty, chastity, or appropriate behaviour, suggesting that "virtuous" women would resist assault or avoid certain situations. While appellate courts frequently overturn such reasoning, the persistence of these ideas reveals how deeply entrenched cultural stereotypes remain within judicial thinking.[1419]

Even where courts formally condemn victim blaming, institutional practices sometimes perpetuate it unintentionally. Survivors may be required to recount traumatic events multiple times, undergo invasive questioning, or appear in court alongside the accused all processes that symbolically reinforce scrutiny of the victim rather than accountability for the perpetrator. In *Delhi Domestic Working Women's Forum v. Union of India*, the Supreme Court emphasised the need for victim-sensitive procedures, acknowledging that the justice system often re-traumatises survivors through insensitive practices.[1420]Despite such directives, implementation remains uneven across jurisdictions.

The media plays an equally influential role in shaping public perceptions of survivors. In high-profile cases, news outlets often sensationalise details about the survivor's clothing, personal relationships, or whereabouts at the time of the incident. Tabloid-style reporting reinforces the cultural belief that survivors must justify their presence in public spaces or their modes of self-expression. Although **Section 72 of the BNS** prohibits disclosure of a rape survivor's identity, leaks, speculative reporting, and digital

[1418] State of Punjab v. Ramdev Singh, (2004) 1 SCC 421.

[1419] Shakti Vahini v. Union of India, (2018) 7 SCC 192.

[1420] Delhi Domestic Working Women's Forum v. Union of India, (1995) 1 SCC 14.

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circulation frequently undermine this protection. In cases involving minors or marginalised women, media narratives sometimes adopt paternalistic tones, framing survivors as naive or reckless, thereby subtly reinforcing victim-blaming attitudes.[1421]

Social media amplifies these tendencies, creating virtual spaces where moral policing thrives. Survivors who come forward, particularly under movements like #MeTooIndia, frequently encounter trolling, defamation, and accusations of fabrication. Online commentary often reflects the same cultural anxieties about gender roles and sexual agency found in traditional media. Digital platforms also enable the rapid spread of doctored images, private messages, or rumours, subjecting survivors to widespread humiliation and psychological harm. Cultural criminology explains this as an extension of public shaming rituals into virtual spaces, where anonymity emboldens users to police gender norms aggressively.[1422]

Together, these institutional practices demonstrate that victim blaming is not merely a societal tendency, but a systemic phenomenon enabled by policing, legal, and media structures. These institutions, rather than countering cultural prejudices, often reinforce them through everyday interactions and representations. The result is a justice system in which survivors must fight not only their perpetrators but also the cultural and institutional forces that question their credibility at every step. To dismantle victim blaming meaningfully, reforms must target both structural procedures and the cultural assumptions embedded within institutional cultures.

CHAPTER 6 — CASTE, FAMILY HONOUR & RELIGION IN SHAPING VICTIM BLAMING

Victim blaming in India is profoundly shaped by the intersection of caste, family honour, and religious norms three pillars of social organisation that have historically controlled women's bodies, mobility, and sexual autonomy. Cultural criminology underscores that crime and victimisation cannot be detached from the social hierarchies and symbolic meanings that organise everyday life. In India, these hierarchies determine who is seen as a "credible" victim, whose suffering is minimised or normalised, and who is held responsible for their own victimisation. The interplay of caste and patriarchy produces a layered system of moral judgment in which survivors' social identities significantly influence the response they receive from families, communities, institutions, and the State.[1423]

Caste occupies a central role in structuring attitudes toward sexual and gender-based violence. Dalit, Adivasi, and other marginalised caste women historically endured sexual violence as an assertion of dominance by upper-caste men. This violence is not only physical but symbolic it reinforces caste hierarchy and communicates social control. Within this context, victim blaming operates differently across caste lines. When Dalit women report violence, their credibility is often undermined by longstanding prejudices that portray them as sexually available or morally unrestrained. Police may dismiss their complaints, local elites may exert pressure to withdraw cases, and courts may demand a higher burden of proof.[1424]In contrast, violence against upper-caste women is often framed as an assault on community honour, leading to swift community mobilisation but also intense pressure to avoid "public shame." Thus, caste determines both the likelihood of victimisation and the social meaning attributed to it.

Family honour, tied closely to caste and kinship systems, is another powerful determinant of victim-blaming attitudes. In many Indian families, women are seen as custodians of lineage purity and social reputation. This symbolic expectation leads to a cultural logic in

[1421] Bharatiya Nyaya Sangita,2023, S.72
[1422] Delhi Domestic Working Women's Forum v. Union of India, (1995) 1 SCC 14.
[1423] Uma Chakravarti, Gendering Caste: Through a Feminist Lens (Sage 2003).
[1424] Khairlanji Massacre Cases, Bombay High Court (2008).

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which a woman's body becomes a site for negotiating family prestige. Consequently, when violence occurs, the survivor is frequently blamed for tarnishing the family's reputation regardless of her lack of agency in the act. Families may discourage reporting to avoid gossip, social exclusion, or reduced marriage prospects for other female members. In extreme cases, survivors are forced into marriage with their assailants to restore honour, a practice documented in various regions.[1425]Such responses reveal how cultural narratives prioritise social appearance over individual justice, thereby perpetuating silence.

Honour-based violence represents the most extreme articulation of this cultural framework. Communities that strongly regulate female sexuality particularly in inter-caste or inter-religious relationships may resort to threats, coercion, or murder to preserve perceived moral order. Honour killings, though illegal and repeatedly condemned by the judiciary, persist because they are legitimised by communal belief systems that link female autonomy with social transgression. The Supreme Court in *Shakti Vahini v. Union of India* acknowledged the systemic nature of such violence, directing authorities to protect couples who defy caste or religious boundaries.[1426]Despite these directives, honour-based threats continue, revealing the deep-rooted cultural expectations that frame women as symbols of community purity.

Religion also plays a complex role in constructing victim-blaming narratives. While no major religious text explicitly condones blaming victims, cultural interpretations often impose behavioural expectations on women that influence how violence is perceived. Concepts of modesty, obedience, and sexual restraint are frequently invoked to evaluate a survivor's character. In many communities, discussions about sex are taboo, limiting awareness, silencing survivors, and discouraging reporting. Religious leaders sometimes advise compromise or forgiveness to maintain social harmony, inadvertently reinforcing the belief that survivors must adapt to patriarchal expectations. Religious ceremonies and rituals may further magnify stigma, as survivors are sometimes considered ritually impure or unsuitable for participation in community life after sexual victimisation.[1427]

These intersecting structures caste, honour, and religion creates a cultural environment in which survivors must navigate not only the trauma of violence but also the burden of moral scrutiny. They determine which narratives are believed, which are silenced, and which are weaponised. The justice system, though constitutionally obligated to operate independently of cultural bias, often reflects the same hierarchical values that shape social life. Police may hesitate to register cases involving upper-caste accused; courts may unconsciously rely on caste-coded assumptions about credibility; and community leaders may prioritise social cohesion over individual justice.

Understanding this intersectional cultural terrain is essential for any meaningful attempt to combat victim blaming. Reforms aimed solely at legal procedures cannot succeed unless they confront the social identities and power structures that shape how violence is interpreted. Cultural criminology thus provides a critical tool for analysing how symbolic meanings attached to caste, honour and religion perpetuate patriarchal blame and obstruct justice.

CHAPTER 7 — CYBER CULTURE, DIGITAL SHAMING & NEW FORMS OF BLAMING

The rise of digital technology has transformed the landscape of victim blaming in India, extending its reach, and intensifying its consequences. While online spaces hold immense potential for solidarity, mobilisation, and awareness, they also serve as powerful tools for surveillance, harassment, and moral policing. Cultural criminology draws attention to

[1425] Flavia Agnes, Law, Justice and Gender: Family Law and Constitutional Claims (Oxford University Press 2011).
[1426] Shakti Vahini v. Union of India, (2018) 7 SCC 192.
[1427] Prem Chowdhry, Contentious Marriages, Eloping Couples: Gender, Caste and Patriarchy in Northern India (Oxford University Press 2007).

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how digital environments shape new forms of meaning-making, emotion, and identity. In India, cyberspace replicates and often amplifies the cultural anxieties surrounding gender, sexuality, and honour that already exist offline. This results in online environments where survivors are subjected to intense scrutiny, public shaming, and retaliatory harassment, creating a second layer of victimisation that parallels and reinforces traditional forms of blame.[1428]

Digital shaming of survivors frequently begins the moment a complaint becomes public. Social media users, often shielded by anonymity, scrutinise survivors' photos, clothing, relationships, and lifestyles. Platforms such as Facebook, Instagram, and X (formerly Twitter) become arenas where victimhood is put on trial by strangers, echoing the same patriarchal narratives found within families and communities. In cases involving college students or working women, commentators often argue that the survivor was "careless" or "seeking attention," implying that public presence or self-expression is an invitation for violence. This dynamic illustrates how cyberculture becomes an extension of offline gender norms, reinforcing the notion that women's behaviour must conform to restrictive moral codes to be considered legitimate victims.[1429]

Revenge porn, doxxing, and circulation of intimate images represent some of the most severe manifestations of digital victim blaming. Survivors of non-consensual image sharing often face public humiliation, threats, and coercion, with their intimate content weaponised against them. Instead of condemning the perpetrator, online audiences frequently accuse the survivor of being irresponsible for creating or sharing private images, thereby shifting responsibility away from the offence itself. **The Information Technology Act, particularly Sections 66E, 67, and 67A,** criminalises such dissemination, yet enforcement remains inconsistent due to police unfamiliarity with cyberforensics and persistent cultural biases that view digital privacy violations as moral failures rather than crimes.[1430]

The #MeTooIndia movement demonstrated both the empowering and hostile dimensions of online disclosure. While digital spaces allowed survivors to share experiences without institutional barriers, many who came forward faced troll armies, reputational attacks, and allegations of dishonesty. Critics often questioned the timing of disclosures, implying ulterior motives, while others insisted that survivors were fabricating allegations to gain sympathy or target prominent men. This backlash illustrates how online platforms mirror offline cultural discomfort with women asserting agency, particularly when they challenge figures of authority or disrupt established social hierarchies.[1431]Digital backlash thus becomes a mechanism of silencing, warning other potential survivors against speaking out.

Media outlets, in their competition for visibility, often worsen digital victim blaming. Sensationalised headlines, invasive details, and suggestive photographs circulate rapidly across platforms, shaping public opinion before formal investigations begin. Even when identities are legally protected, digital breadcrumbs such as location, age, or social media posts enable online communities to identify survivors, leading to widespread harassment. The Supreme Court in Sabu Mathew George v. Union of India, admonitions against media trials and the Press Council's guidelines have done little to curb this trend, as the economic incentives of digital journalism often prioritise speed and sensationalism over ethical responsibility.[1432]

Furthermore, digital misogyny intersects with caste, religion, and class, creating layered

[1428] David Garland, The Culture of Control: Crime and Social Order in Contemporary Society (University of Chicago Press 2001).
[1429] Bharatiya Nyaya Sangita,2023, S. 75-78
[1430] Information Technology Act, 2000, S. 66E, 67, 67A.
[1431] Raya Sarkar, #MeToo List of Sexual Harassers in Academia (2017).
[1432] Sabu Mathew George v. Union of India, (2018) 3 SCC 229.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 5 AND ISSUE 14 OF 2025
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

vulnerabilities. Dalit and minority women who speak out online often encounter casteist, communal, or xenophobic attacks alongside gendered insults. Their experiences reveal that digital platforms do not merely replicate offline hierarchies they magnify them. Troll networks frequently mobilise collective harassment campaigns, weaponising cultural narratives to undermine survivors' credibility and shame them into silence. Cultural criminology's emphasis on emotional dynamics is especially relevant here: online hate is fuelled by moral outrage, fear of social change, and patriarchal discomfort with women's autonomy.

Despite these challenges, the digital realm also hosts critical resistance. Feminist collectives, student groups, and civil society organisations use social media to challenge victim-blaming narratives, educate users on consent, and mobilise against institutional failures. Online campaigns such as #StopVictimBlaming and #JusticeFor, have redefined public discourse by shifting attention from survivor behaviour to perpetrator accountability. These interventions highlight the potential for cyberculture to support transformative cultural change, even as it remains a contested space fraught with patriarchal backlash.

Ultimately, the digital sphere represents both a continuation and an escalation of traditional victim-blaming practices. Technology amplifies cultural norms, enabling rapid dissemination of judgment and shame. For reforms to be effective, legal interventions must address not only cybercrimes but also the cultural narratives that allow digital victim blaming to flourish. Without confronting these symbolic meanings, the law risks being outpaced by the evolving dynamics of digital harm.

CHAPTER 8 — TOWARDS A SUPPORT-CENTRIC FRAMEWORK: FROM SHAME TO SUPPORT

The shift from a culture of shame to a culture of support represents the most crucial transformation required to counteract victim blaming in India. While legislative reforms and judicial interventions have laid a strong foundation, meaningful change depends on altering the cultural narratives that shape societal and institutional responses to survivors. Cultural criminology underscores that crime and justice cannot be understood without examining the symbolic meanings, emotional dynamics, and power structures that influence behaviour. Applying this framework to India reveals that dismantling victim blaming requires both structural reforms and cultural reorientation, aimed at reshaping how society interprets harm, agency, and dignity.[1433]

A support-centric framework begins with recognising survivors as rights-bearing individuals rather than moral subjects to be evaluated against patriarchal expectations. The judiciary has increasingly emphasised dignity as a foundational principle, reaffirming that the criminal justice system must protect survivors from secondary victimisation. In *Delhi Domestic Working Women's Forum v. Union of India,* the Supreme Court stressed the need for compensation schemes, legal representation, and sensitive procedures, acknowledging the emotional and psychological toll inflicted by adversarial processes.[1434]More recently, in *Nipun Saxena v. Union of India,* the Court reiterated survivors' rights to privacy and confidentiality, affirming that the justice system must adapt to survivors' needs, not the other way around.[1435]These rulings highlight a growing judicial recognition of the need for trauma-informed approaches grounded in dignity and empathy.

Police reform is equally essential. Sensitisation programmes, specialised women's desks, and gender-responsive training modules have been introduced in several states. However, their effectiveness depends on continuous implementation, monitoring, and the willingness of officers to challenge internalised cultural norms. A support-centric model of policing requires shifting from suspicion and moral

[1433] Mark Warr, Companions in Crime: The Social Aspects of Criminal Conduct (Cambridge University Press 2002).
[1434] Delhi Domestic Working Women's Forum v. Union of India, (1995) 1 SCC 14.
[1435] Nipun Saxena v. Union of India, (2019) 2 SCC 703.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 5 AND ISSUE 14 OF 2025

APIS – 3920 - 0001 *(and)* ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

scrutiny to trust and validation. This includes ensuring prompt FIR registration, eliminating aggressive or invasive questioning, and facilitating access to counsellors and medical professionals trained in trauma care.[1436]A culturally aware police force is vital for bridging the gap between legal mandates and survivors' lived realities.

Community engagement forms another crucial pillar of the shift toward support. Grassroots organisations, feminist collectives, and Dalit women's groups have played a transformative role in reframing public discourse around consent, autonomy, and structural violence. Their work demonstrates that cultural change is most effective when it emerges from within communities rather than being imposed upon them. Awareness campaigns, community dialogues, and school-based gender education programmes contribute to reshaping attitudes that normalise or justify victim blaming. Such interventions aim to challenge deep-rooted beliefs about honour, purity, and feminine responsibility, replacing them with values centred on equality, respect, and mutual accountability.[1437]

Educational institutions also hold significant potential for cultural transformation. Universities and schools increasingly adopt anti-harassment policies, internal complaints committees, and gender-sensitivity training modules. These measures not only provide procedural safeguards but also cultivate environments in which conversations about consent and respect become normalised. Understanding the social construction of gender roles, stigma, and power can empower young people to critically dismantle cultural scripts that perpetuate victim blaming. Education is therefore not merely preventative, it is transformative, reorienting societal values at their foundational levels.

Media reform remains an essential component of a survivor-centric cultural shift. Ethical reporting, avoidance of sensationalism, protection of survivor identity, and responsible language choices are vital to shaping public perceptions. The Press Council of India's guidelines and the Supreme Court's repeated warnings against media trials reflect a recognition of the media's power to either reinforce or challenge cultural prejudices. Digital platforms, too, must develop better mechanisms to counteract cyber harassment and misinformation. Civil society pressure on tech companies, along with stronger enforcement of legal provisions under the Information Technology Act, can help mitigate online victim blaming and offer survivors safer digital spaces.

Support frameworks must also prioritise mental health. Survivors frequently experience trauma, fear, shame, and social withdrawal responses exacerbated by victim blaming. Access to psychological counselling, trauma therapy, and crisis support services must be integrated into the legal process. The State has begun to recognise this need through schemes under the National Commission for Women and the Ministry of Home Affairs, but implementation remains inconsistent. A trauma-informed justice system acknowledges the emotional dimensions of violence and provides survivors with sustained support rather than one-time interventions.

The path forward requires the collaborative effort of families, communities, institutions, and the State. Families must reframe honour not as a fragile asset threatened by women's experiences but as a commitment to supporting their daughters, sisters, and wives with dignity. Communities must challenge cultural scripts that silence survivors and excuse perpetrators. Legal institutions must continue dismantling stereotypes that have historically defined credibility and consent. Digital citizens must resist the impulse to policewomen's behaviour online and instead cultivate virtual environments grounded in empathy and integrity.

[1436] Ministry of Home Affairs, Advisory on Crimes Against Women (2020).
[1437] UN Women India, Survivor-Centric Approaches to Justice (2021).

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 5 AND ISSUE 14 OF 2025

APIS – 3920 - 0001 *(and)* ISSN - 2583-2344

Published by

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The transition from shame to support ultimately signifies a cultural transformation in how India understands justice. It demands recognition of survivors' autonomy, dignity, and agency, alongside accountability for institutions that reproduce harm. By applying cultural criminology, this research demonstrates that legal change is only the first step; cultural change must follow. When survivors are believed without judgment, supported without conditions, and treated with dignity, the justice system moves closer to fulfilling the constitutional promise of equality and personal liberty. Only then can India truly dismantle the cultural roots of victim blaming and create a society where support, rather than shame, defines the collective response to violence.

Chapter 9— CONCLUSION & RECOMMENDATION

Victim blaming in India persists not because of gaps in legal doctrine but because cultural norms continue to shape perceptions of gender and morality. Cultural criminology highlights that crime and victimisation are social processes constructed through collective meanings, emotions, and power relations. To meaningfully address victim blaming, India must challenge the cultural scripts that equate victimhood with shame and transform them into narratives of empathy, rights, and community responsibility.

The movement from shame to support requires aligning legal reforms with cultural change. Courts must continue rejecting patriarchal stereotypes; police must adopt trauma-informed practices; media must refrain from moralistic reporting; and communities must redefine honour in terms of support rather than silence. Only then can India move toward a justice system-and a social environment-where victims are believed, respected, and protected.

9.1. Recommendations:

A. Institutionalise Trauma-Informed Practices Across the Justice System

Police, prosecutors, medical officers, and judges must be trained to avoid invasive questioning, recognise trauma responses, and ensure survivor privacy. Mandatory protocols for sensitive interviewing and coordinated care can reduce secondary victimisation.

B. Launch Community-Level Interventions to Challenge Honour-Based Gender Norms

Family honour and purity narratives must be confronted through structured awareness programmes involving educators, panchayats, religious leaders, and youth groups. Public campaigns should centre consent, dignity and autonomy to counter harmful cultural scripts.

C.Strengthen Cyber Policing to Address Digital Victim Blaming

Dedicated cyber units must be expanded to tackle online harassment, non-consensual image circulation, and targeted misogyny. Fast-track digital FIR portals and prompt takedown mechanisms can mitigate digital harm.

D. Enforce Ethical Media Standards to Prevent Sensationalism

Binding guidelines must prohibit moral commentary, sensational headlines or implicit disclosure of survivor identity. Regular training for journalists in gender-sensitive reporting is essential to ensure media does not replicate patriarchal blame.

E. Integrate Intersectional Protections for Caste, Class, and Religious Vulnerabilities

Policies must reflect diverse experiences of violence. Special safeguards for Dalit, Adivasi, and minority women such as legal aid workers, community liaisons, and caste-sensitive investigative protocols are necessary to counter structural bias.

Together, these recommendations form a holistic roadmap for transforming India's justice system into one that upholds the constitutional promise of equality and dignity. A survivor-centric future requires dismantling symbolic structures of shame and constructing new cultural narratives that validate, support and empower those who come forward seeking justice.

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