



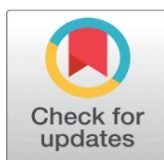
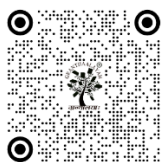


USE OF HATE SPEECH AS A POLITICAL STRATEGY DURING ELECTION CAMPAIGN: A THREAT TO DEMOCRACY

Srutakirti Panda  , Dr. Madhubrata Mohanty  

¹ Ph.D. Research Scholar, Faculty of Legal Studies, SOA National Institute of Law, Siksha 'O' Anusandhan (Deemed to be University), Bhubaneswar, Odisha, India

² Professor of Law, Faculty of Legal Studies, SOA National Institute of Law, Siksha 'O' Anusandhan (Deemed to be University), Bhubaneswar, Odisha, India



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Corresponding Author

Srutakirti Panda,
srutakirtipanda.sp@gmail.com

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ABSTRACT

The use of hate speech for political purposes during election campaigns is a disturbing phenomenon that threatens the democratic foundations of the societies. Politicians utilize divisive rhetoric to mobilize voters and supporters by inciting fear, animosity and polarization related to race, religion, ethnicity or gender by using hate speech as a political weapon. The current study analyses contemporary electoral campaign patterns across many democracies, focusing on the correlation between hate speech and voter manipulation and how these factors erode democratic principles of participation, equality and informed expression. A thorough review is conducted on the function of media and social media platforms in magnifying these messages, so generating echo chambers that distort the public discourse. In this light the present paper intends to assert that the unfettered propagation of hate speech undermines political culture and erodes public trust in democratic institutions, highlighting its legal, ethical and social implications as a pressing challenge necessitating policy intervention and increased societal awareness.

Keywords: Democracy, Election, Election Campaign, India, Hate Speech, Politics, Political Hate Speech

1. INTRODUCTION

International human rights law safeguards the entitlement to engage in genuine electoral processes, including rights related to equality, non-discrimination, peaceful assembly, association and the freedom of opinions and expressions. Hate speech presents a significant threat to these rights, as it may incite violence if it is deemed to constitute incitement to hatred. In the absence of a universally accepted definition of hate speech, the presence of ambiguous national legislation serves as a mechanism for the suppression of dissent. Furthermore, it is observed that regulatory bodies

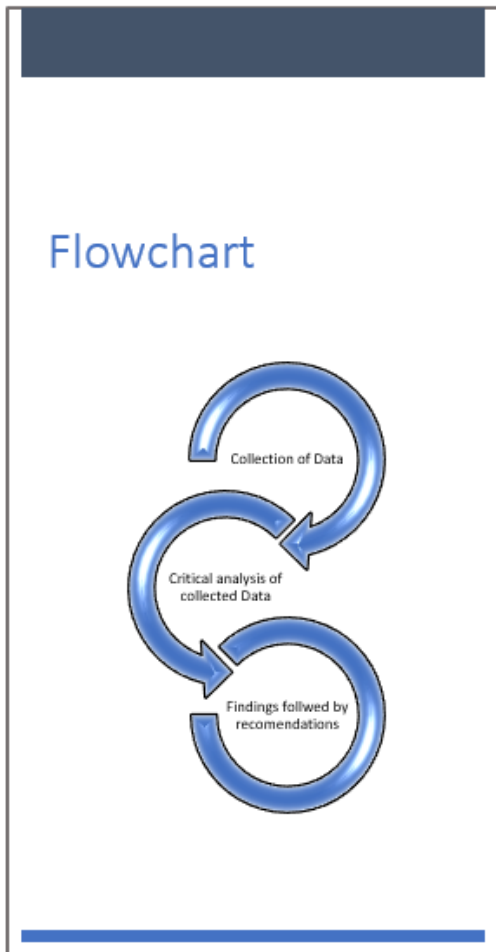
frequently refrain from prosecuting cases of incitement to hatred, particularly hate speech instances where marginalized groups are the subjects of such incitement. [1]

The fundamental essence of democracy is rooted in the unimpeded exchange of ideas, the cultivation of respectful discourse and the orderly transition of authority. Nonetheless, the escalating utilization of hate speech as a strategic instrument within the context of electoral campaigns signifies a concerning deviation from established principles. The principles of democracy, which emphasize on unity, equality and respect, are fundamentally undermined by the intentional use of hateful rhetoric. Such rhetoric serves to exploit social divisions for the purpose of political advantage, thereby contravening the core tenets of democratic governance. The phenomenon of hate speech has been strategically employed by political parties as a means to manipulate public sentiment and secure electoral benefits. Hate speech possesses the capacity to influence voter sentiments through the exploitation of social divisions, including but not limited to ethnicity, religion, or economic disparity, thereby diverting focus from critical policy discussions. The escalation of social divisions through hate speech serves to polarize communities by distorting the foundational principles of democracy. This phenomenon not only fosters the spread of misinformation but also erodes trust in democratic institutions. In a democratic context where electoral campaigns and the pursuit of power are predominantly influenced by the capacity to convince people and gain public support, the role of language is crucial in mobilising individuals and seeking votes. Throughout electoral campaigns, political entities and their representatives utilise rhetoric to disseminate the beliefs, ideologies and commitments of their respective parties, aiming to secure the support of the electorate. [2]

Moreover, the proliferation of hate speech is significantly intensified by digital platforms, which frequently enhance the visibility of such content, thereby fostering an environment conducive to misinformation and detrimental rhetoric. The utilization of social media and mass communication serves to exacerbate this phenomenon, as incendiary content disseminates swiftly and is frequently engaged with in a manner lacking critical scrutiny. This trend presents significant ethical and legal implications, calling into question the foundational principles of democracy by favouring immediate electoral gains at the expense of enduring societal unity.

On a global scale, sovereign states have acknowledged the threats associated with these strategies, leading to the adoption of various policies aimed at mitigating the impact of disinformation related to electoral processes. For example, member states of the European Union, including Denmark, Estonia and Finland, have undertaken measures to enhance media literacy and have enacted legislation aimed at combating disinformation, thereby safeguarding the integrity of democratic processes. In a comparable manner, Nigeria has encountered significant instances of electoral violence associated with hate speech, which has initiated discourse surrounding the necessity for policy reform aimed at mitigating such polarizing rhetoric whereas, the 2016 Presidential election in the United States served as a significant context for the proliferation of hate speech. Even now, well after the election's conclusion, American society continues to struggle with divisions that stem from the unprecedented levels of hate speech that characterised that electoral period. [3] However, the effective mitigation of hate speech used as a political instrument necessitates not only the implementation of policy measures but also a persistent dedication from political leaders to uphold democratic principles and promote unity rather than disharmony throughout the electoral process.

This paper examines the ramifications of this trend, with particular emphasis on the manner in which the employment of hate speech within political campaigns undermines the fundamental principles of democracy. Through the promotion of division, the degradation of trust in democratic institutions and the incitement of violence, hate speech fundamentally threatens the core principles of democratic governance.



2. OBJECTIVES

The objectives of the current study are involved on the following dynamics, Such as,

- 1) To analyse the Prevalence and Strategic Use of Hate Speech in Political Campaigns
- 2) To assess the Impact of Hate Speech on Democratic Values and Integrity
- 3) To examine the Role of Digital and Mass Media in Amplifying Political Hate Speech
- 4) Consequently, to recommend certain plan of action to regulate the use of hate speech in campaigns, emphasizing the need for legislative reforms, media accountability, and public consciousness to protect democracy.

3. METHODOLOGY

The methodology of this particular study comprises of three steps as shown in the flowchart. i.e., the collection of data followed by critical analysis resulting in findings and recommendations. The collection of data involves primary sources of data through provisions of Indian Constitution, different statutes, regulations, cases and secondary sources of data through law reviews, reports, articles etc. So, the overall data has collected from various sources such as, scholarly articles, conference proceedings, web blogs, books, newspaper articles, and other media outlets, reports and judicial rulings. Thereafter the collected data compiled together and undergone a phase of critical analysis through filtration process where the researchers narrow down the search results in order to find out the most relevant information that strengthen the study. Consequently, the findings defend the entire work and few reasonable suggestions have been recommended by the researchers to be looked into in order to curb the emerging issues.

What is Hate Speech?

The United Nations Strategy and Plan of Action on hate speech articulates the concept as encompassing "any kind of communication in speech, writing or behaviour, that attacks or employs pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender and other identity factors."

It is important to acknowledge that a universally accepted definition of hate speech does not exist within the framework of international human rights law.

[Source- UN Strategy and Plan of Action on Hate Speech]

4. THE RISE OF HATE SPEECH IN POLITICAL CAMPAIGNS

The electoral period in India is characterized by intense campaigning, the proliferation of slogans and the significant influence of religious and caste-based divisions. The categorization of hate speech within the context of electoral campaigns is delineated as a 'corrupt practice' pursuant to Section 123(3A) of the Representation of the People Act, 1951. The Supreme Court has examined the matter of caste and communal appeals in the context of elections through two significant rulings, i.e., *Ramesh Yashwant Prabhoo v P.R. Kunte*, [4] 1995, and *Manohar Joshi v Nitin Bhaurao Patil*, [5] 1996. In the context of the 2014 Lok Sabha Elections, the Court rendered a decision to dismiss petitions seeking directives aimed at restricting hate speech during the electoral process. Furthermore, the Court mandated the Law Commission of India to conduct an examination of hate speeches expressed by politicians. In the year 2019, the Court issued a reprimand to the Election Commission for its failure to take appropriate action against candidates who were involved in hate speech during the elections, mostly in Uttar Pradesh. The Supreme Court has articulated that the Election Commission is required to undertake greater responsibility in these issues; however, sadly, the Commission contends that it is predominantly 'powerless' in addressing matters pertaining to hate speech. [6]

In 2024, cases registered against one of the members of political party, in Maharashtra, for targeting minority community through his hateful speech and instigating people for violence. The FIR has been lodged under sections 302 (deliberate intent to harm religious sentiments), 351(2) (criminal intimidation), 352 (intentional insult aimed at provoking a breach of peace), along with other pertinent provisions of the Bharatiya Nyaya Sanhita (BNS). The prevalence of hate speech in India has exhibited an alarming and disrupting growth, especially during electoral cycles. As per the report of, The National Crime Records Bureau (NCRB), a significant rise in the number of 45% hate speech cases has filed under Section 153A of the Indian Penal Code, 1860, (which is now covered under Section 196(1) of Bharatiya Nyaya Sanhita (BNS), 2023), that addresses the promotion of enmity between different groups, escalating from 993 cases in 2021 to 1,444 in 2022. A report from India Hate Lab has recorded 668 instances of hate speech in 2023, indicating a significant increase of 62% in incidents, rising from 255 in the first half to 413 in the latter half of the year, 1165 in 2024 and 1318 in 2025 hate speech cases.

More than 200 petitions have been submitted to various organisations, including the National Commission for Minorities (NCM), the National Human Rights Commission (NHRC), the National Broadcasting and Digital Standards Authority (NBDSA), the National Commission for Scheduled Tribes (NCST), the National Commission for Women (NCW), as well as social media platforms such as Facebook and Twitter, by the Citizens for Justice and Peace (CJP) organisation, which is a Human Rights movement that defends Indians' freedom and constitutional rights with the aim of identifying

instances of hate speech perpetrated by politicians, social media trolls, and news broadcasters or publications, particularly emphasising on the issue of hate speech directed towards religious minorities, Dalits, Adivasis, women, children, and the LGBTQIA+ community, and subsequently report these instances to the appropriate authorities for timely actions. ¹ The present statistics as shown under figure 1, depicted the numbers basing on the NCRB and India Hate Lab reports to highlight the alarming rise of hate speech in India, particularly during election campaigns, thereby emphasising the necessity for robust interventions to tackle this pressing concern.

Figure 1

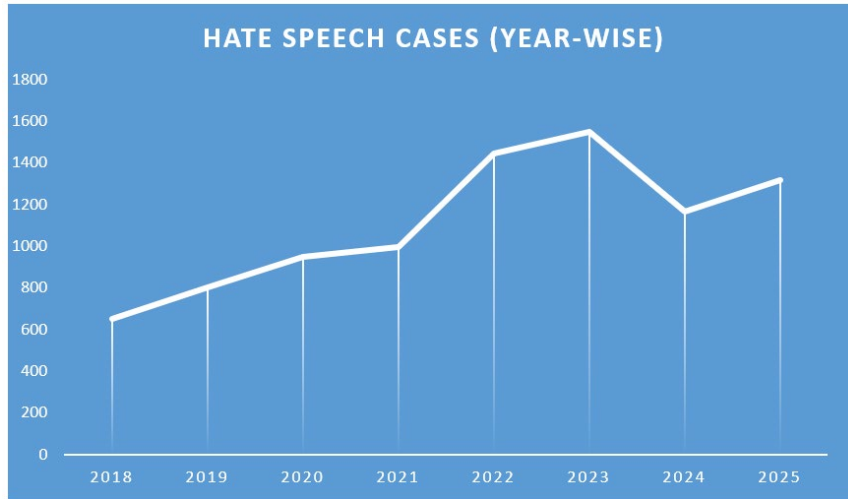


Figure 1 Rise in Hate Speech Cases During Election Campaign in India (2024-2025)

Source: NCRB Report, India Hate Lab Report

5. CONSEQUENCE OF USING HATE SPEECH IN ELECTORAL CAMPAIGN

The war of words between the contesting candidates, opposition leaders and the supporters of political parties in order to gather votes, public support to win the election plays a crucial role for dissemination of hate speech resulting intimidation. The ignition made by offensive remarks, derogatory statements and hateful speeches made by political parties during electoral campaign often leads to severe consequences such as, before poll violence, after poll violence, EVM breaking, Malpractices in election processes, Rigging, etc, that couldn't be handled by legislative forces sometimes. Figure 2 depicts the consequence of utilisation of hate speech in electoral campaigns. Byju (2026)

Figure 2

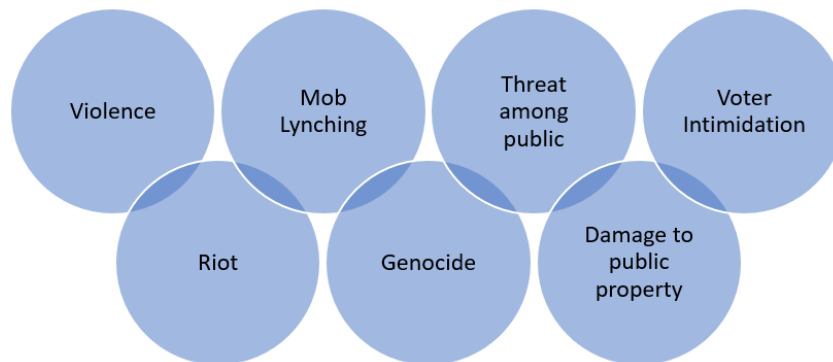


Figure 2 Consequence of Hate Speech in Electoral Campaigns

The rhetoric of hate speech employed by politicians exacerbates political polarization, which leads to an environment conducive to the escalation of domestic terrorism. [7]

¹ <https://cjp.org.in/>

6. THE IMPACT OF HATE SPEECH ON DEMOCRACY

The significance of one's speech becomes noticeable when the speaker possesses a considerable influence through their discourse. Political leaders often regard freedom of expression as a fundamental democratic entitlement; however, they frequently manipulate this principle to legitimise the proliferation of hate speech. In societies where verbal communication holds greater significance than non-verbal or written forms, the utterances of politicians regarding hate speech emerge as a pivotal factor influencing the potential for future violence. The discourse employed by political leaders significantly influences their constituents; thus, if a leader articulates messages having violent rhetoric, the likelihood of subsequent violent actions increases. [8]

The impact of hate speech on democracy, especially in the context of electoral campaigns, have emerged as a significant concern on a global scale. The deliberate use of hate speech as a political strategy poses a significant threat to the foundational principles of democracy, undermines the integrity of political processes and contributes to the destabilization of social cohesion. Figure 3 depicts the multiple avenues through which the use of hate speech during election campaigns, influence the democratic framework.

Figure 3

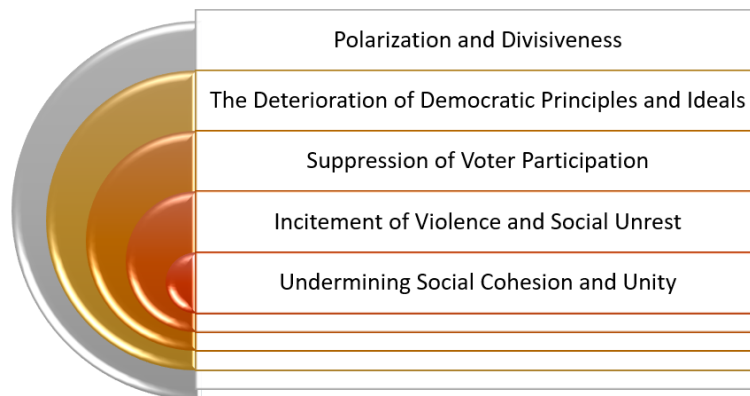


Figure 3 Impact of Hate Speech on Democracy

Hate speech exacerbates social divisions. Election seasons isolate minority groups, promoting distrust and societal segregation. This undermines democratic society, impeding productive discourse and fostering division among groups. The democratic principles of equality, inclusion, and tolerance for different opinions are undermined when government leaders support hate speech. It undermines public faith in democratic institutions and fosters intolerance and animosity. The moral foundation of democratic processes is eroded and the integrity of public institutions is threatened, if such aggressive discourse becomes the norm. Hate speech during election campaigns hinders marginalised communities' participation in democratic processes, affecting voting numbers and political influence. It suppresses representation and creates a culture of fear and intimidation, especially towards a community. This may reduce varied voices, violating representative democracy and biasing political arena. To achieve fair representation and participation, hate speech must be challenged and democracy must be equitable. In the context of election campaigns, the prevalence of hate speech has the potential to incite violence directed towards political adversaries or specific targeted groups. This could legitimise the aggressive behaviour of supporters, resulting in detrimental effects and societal unrest. This has the potential to undermine democratic principles by substituting calm discourse with animosity and fear. Historically, hate speech has been a catalyst for violence, inciting enmity within communities. Political leaders utilising divisive rhetoric may incite their followers to confront with opposite party that potentially leads to civil disorder, societal instability, and instances of violence. Hate speech directed at particular groups during election campaign has the potential to foster persistent divisive mentality that extend beyond electoral cycles, undermining national unity and jeopardising the collective commitment to uphold democratic principles. The adversarial mindset undermines national identity and obstructs the effective operation of democratic institutions. A fragmented society faces challenges in upholding democratic institutions, while the persistent impact of hate speech obstructs initiatives aimed at reconciliation and unity, thereby undermining the social unity that is vital for a robust democracy.

7. ROLE OF MEDIA IN AMPLIFYING POLITICAL HATE SPEECH

The relationship between politics and media has historically been characterised by a profound interdependence, with the media playing a pivotal role in shaping the political agenda and underscoring the significance of political discourse. [9] Although the media can play a role in fostering discourse and enhancing understanding, they may also contribute to the emergence of social tension by perpetuating stereotypes and facilitating the spread of hate speech. [10] Historically, the Print media have provided extensive coverage of political campaigns, often characterised by a level of political rhetoric that can be notably more toxic at times. This is the reason that, globally, election periods are characterised by a succession of events that elevate the intensity of the political environment. [11] Print media (newspapers mostly), electronic media (news channels mostly) and now the social media (online platforms, Facebook and twitter mostly) plays a significant role in influencing the political discourse, highlighting the importance of political matters, throughout the world. Political campaigns, candidates, and their roles, particularly those at the national level, are subject to extensive scrutiny and analysis. A closer examination of this coverage indicates that certain elements are emphasised more than others, and it becomes evident that politicians have utilised media platforms to engage in campaigns characterised by hate speech.

In the landmark cases such as Tehseen Poonawalla case², Shaheen abdulla case³, Ashwini Kumar Upadhyay case⁴ where the Supreme Court of India has provided various guideline to media broadcasting and police personnels to curb the menace of hate speech. In accordance with the directive established in such cases, it is binding upon police authorities to register FIRs Suo motu against those accountable for hate speech, which also includes media organisations that disseminate such material.

The media significantly influences the formation of public discourse in the context of electoral processes. In India, the media, particularly in its digital and social manifestations, plays a crucial role in the amplification of political hate speech, which can occur both inadvertently and, at times, with intent or paid. Media is the platform the general public mostly rely on to know the happening around his surroundings and worldwide. Public trusts whatever delivered by media as true. So, it is the responsibility of media platforms to work in good-faith and provide news that is true and beneficial for public or society at large. Media has ample power not only to maintain peace, harmony, and public order in the society with its positive discourse but also can ignite people by exacerbation of negativity while disseminating hateful speeches. The media, that while frequently amplifying hate speech, rather should use its power to diminish its effects as well. Figure 4 provides a thorough examination of its function in both negative and positive ways.

Figure 4



Figure 4 Role of Media

² Tehseen Poonawalla Vs. Union of India, AIR 2018 SUPREME COURT 3354

³ Shaheen Abdulla Vs. Union of India & Ors., Writ Petition(s)(Civil) No.940/2022

⁴ Ashwini Kumar Upadhyay Vs. Union of India & Ors, Writ Petition (Civil) No. 943/2021

The Hon'ble Bombay High Court in his judgment in the case of *Nilesh Navalakha & Anr. vs. Union of India & Ors*⁵, expressed the media outlets should not censor live-streaming. Although the statements may be truthful, they cannot use hate speech, abusive statements, and disrupt justice. Criminal contempt might follow if the targeted individual sues the media and speaker for hate speech. Public speakers should not be encouraged by media outlets to make statements that might be seen as disrespectful or obstructive to the administration of justice. If the show wants to stay within acceptable boundaries, the anchor plays a key role. To prevent being embarrassed or treated with disdain, it may be helpful to muffle the speaker if they turn off topic or demonstrate a predisposition to do so.

The principles of impartiality, neutrality, and balance constitute the foundational elements of journalism. Media professionals, particularly in television and video, possess the capacity to engage and shape the perceptions of their audience. This highlights the necessity for a commitment to impartial, rational, and composed examination of topics and selection of perspectives, particularly regarding contentious and significant matters. Journalists assume a pivotal role in shaping prevailing narratives, thereby carrying a significant responsibility to ensure that their approach is guided by both inclusivity and rationality.

8. FINDINGS IN TOTALITY

After the assessment of all above-mentioned information, the researchers found that, the process of elections, particularly within the context of India, exerts a profound influence on communal conflicts. Political parties utilising divisive rhetoric, identity politics, and hate speech as strategic tools to engage particular voter demographics, potentially intensifying discord among various communities. Evaluation of the political rhetoric is vital, as disparaging remarks, offensive comments, derogatory statements, or false pledges to safeguard the interests of a specific community may exacerbate communal violence. Individuals in political positions who manipulate religious or ethnic divisions for the purpose of securing electoral advantages potentially intensifying existing hostilities.

The contribution of media and online platforms in disseminating hate speech and disinformation, is significant and warrants careful examination. Extremist ideologies cultivate a conducive environment within digital realms, by which they can extend their reach to a greater audience and exacerbate communal violences. Social media platforms have the potential to foster echo chambers, wherein individuals may encounter extremist perspectives that serve to reinforce their pre-existing beliefs. This phenomenon has the potential to mobilize individuals and perpetuate an ongoing pattern of intolerance.

It is imperative to review the legal framework and assess its efficacy in confronting hate speech and violence. Inadequate or ineffectively enforced legal statutes may obstruct endeavours aimed at ensuring accountability for perpetrators. Regrettably, there exists a lack of evidence indicating that legal measures have been pursued against the individuals responsible for the hate speeches. It is crucial to enhance the power of Election Commission of India to penalize the perpetrators utilising hateful derogatory statements during election campaign. In the large democracy like India, ECI being powerless in dealing with this severe issue is quite shameful. The absence of legal recourse in this context raises substantial concerns, as it may foster a prevailing sense of impunity among individuals who perpetrate hate speech and exacerbate communal unrest.

9. RECOMMENDATIONS FOR MITIGATING THE THREAT OF HATE SPEECH

According to international human rights law, it is imperative that all individuals, especially those in significant public roles and leadership positions, abstain from disseminating messages of intolerance or making statements that could provoke violence, enmity or discrimination. Hate speech during election campaigns poses significant risks to the integrity of democratic processes, and has the potential to incite violence, and contributes to societal division. To address this issue in the country like India, which has dynamic and diverse elections, it is necessary to implement targeted actions on various fronts, such as: -

- Enhance the authority or the power of the Election Commission of India (ECI) to regulate, investigate, and impose penalties for the use of hate speech as a political tool during election campaign environments.

⁵(2021)SCCOnlineBOM56

- Ensure that political parties are required to sign a code of conduct that explicitly forbids the expression of hate speech.
- enforce legislative provisions with stringent punishments of disqualification or prohibition from contesting in elections to political parties or candidates who engage in hate speech.
- establish fast-track tribunals, in order to resolve issues of hate speech related to elections in a timely manner.
- The media platforms should keep track of political ads that have been paid for and remove any information that promotes hate speech.
- Establish and implement media guidelines to promote fair and impartial coverage of political events while preventing the sensationalism of provocative remarks made during campaigns.
- Political parties should implement internal protocols aimed at preventing their members from engaging in hate speech.
- Public awareness is required to educate people about hate speech, its consequences and regarding their right to hold politicians accountable for spreading hatred in the society through hate speech

10. CONCLUSION

India stands as the largest democracy globally. However, it exhibits significant deficiencies regarding judicial independence, the safeguarding of minority rights and having legislative provisions for offence like hate speech. The Election Commission of India also lacks the necessary authority to effectively regulate hate speech. The Election Commission of India (ECI) Model Code of Conduct, implemented during the electoral process, has faced criticism from human rights organisations for its perceived failure in addressing the issue of hate speech. The judicial system in India has also faced scrutiny to exhibit a certain hesitance in confronting the existing framework and render legal judgements on hate speech that ensure accountability for politicians. The prosecution of hate speech has been complicated by the actions of politicians.

The pandemic of hate speech rises mostly during election campaigns which leads to communal violence resulting in mob lynching, riots and genocide or homicide in most cases. Yes, the researcher addresses hate speech as pandemic because after analysing all the facts above, the authors of this current paper, suggest that hate speech is nothing but a virus that is wide spreading hatred in cancerous speed both in online and offline platforms. Hate speech is not only a threat to democracy but also an attack upon freedom of speech and expression which is a fundamental right of every individual. It is a matter of concern that, a speech which cannot be protected under the purview of free speech often get exempted from punishment also, due to insufficient legal framework to address the particular offence. The ambiguity in the definition safeguards this particular offence mostly. The administration needs to enact legislation that explicitly delineates and forbids hate speech. This would enable the ECI to take proactive measures against individuals found liable of hate speech in the context of election campaigns.

CONFLICT OF INTERESTS

None.

ACKNOWLEDGMENTS

None.

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