

The online word: A space for women?

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Abstract

This article examines the relationship between technology-facilitated gender-based violence (TFGBV), legal frameworks, and processes of cultural and political change, with particular attention to the Italian and French legal contexts. Drawing on three complementary theoretical frameworks – J.L. Austin and Judith Butler’s philosophy of language, which theorizes online hate speech as a performative act with material silencing effects; Hannah Arendt’s distinction between moral fault and collective political responsibility; and Norbert Elias and John L. Scotson’s established-outsider framework as a sociological account of digital exclusion – the article analyses the structural mechanisms through which the architecture of online spaces produces and sustains conditions of vulnerability for women. It further investigates the relationship between legal change and cultural transformation in the digital era, examining how different constitutional traditions in Italy and France configure the tension between freedom of expression and the protection of dignity online, and how media discourse around the so-called cancel culture has been mobilized to obstruct anti-discrimination legislation. The Ligue du LOL affair, a case of coordinated online harassment within French journalism, is used to illustrate these theoretical propositions and their legal and institutional implications.

Keywords: Technology-facilitated gender-based violence, hate speech, anti-discrimination legislation, collective responsibility.

1. Introduction

The digital era has radically transformed the ways in which people communicate, participate in public life, and exercise their rights. The Internet, in its original conception, was designed as an open, egalitarian platform capable of erasing geographical boundaries and enabling cultural exchange across difference - a space where individuals could interact, share knowledge, and exercise influence beyond the constraints of their physical location (Rifkin, 2001)¹.

This founding promise, however, has proven deeply contradictory. While cyberspace has fostered economic growth, expanded access to education, and given voice to previously marginalized communities, it has simultaneously become a site of reproduction and amplification of pre-existing social hierarchies, and in particular of gender-based discrimination. The same digital infrastructure that enables democratic participation also enables the targeting, silencing and harassment of women at a scale and speed that offline contexts cannot replicate.

This article examines the relationship between technology-facilitated gender-based violence (TFGBV), the legal frameworks developed to address it, and the broader processes of cultural and political change that emerge in response to it. Rather than offering a comprehensive overview of the phenomenon, it focuses on a specific question: how does the structural architecture of online space enable and sustain TFGBV, and how do legal and cultural systems - shaped by different national traditions - respond to it? This question is explored through a comparative lens, with particular attention to the Italian and French legal contexts, and is illustrated through the Ligue du LOL affair, a case that crystallizes many of the tensions this article seeks to theorize².

The article proceeds as follows. Section 2 establishes the theoretical framework in three parts: it draws on J.L. Austin (1962) and Judith Butler's (1997) philosophy of language to understand online hate speech as a performative act with material consequences; on Hannah Arendt's (2003) distinction between moral fault and collective political responsibility; and on Norbert Elias and John L. Scotson's (1965) established-outsider framework as a sociological account of digital exclusion. Section 3 examines the specific mechanisms through which the architecture of the digital space - datafication, anonymity, algorithmic amplification - produces and sustains conditions of vulnerability

¹ Tim Berners-Lee conceived the Internet as a response to an open challenge, mixing influences, ideas and conclusions of different origins, up to coagulate a new concept thanks to the wonderful mediation of the human mind (Berners-Lee & Fischetti, 1999).

² Despite a lack of universal consensus on the definition of this phenomenon, technology-facilitated gender-based violence has been defined by the GREVIO as: "Any act of gender-based violence against women that is committed, assisted or aggravated in part or fully by the use of ICT, such as mobile phones and smartphones, the Internet, social media platforms or email, against a woman because she is a woman, or affects women disproportionately". This definition also reflects agreed-upon language in CEDAW General Recommendation 35, paragraph 20, which includes online violence and states: "Gender-based violence against women occurs in all spaces and spheres of human interaction, whether public or private, including [...] the redefinition of public and private through technology mediated environments, such as contemporary forms of violence occurring online and in other digital environments".

for women online. Section 4 analyses the relationship between legal and cultural change, with specific reference to the different conceptions of freedom of expression operative in Italy and France. Section 5 illustrates the framework through the Ligue du LOL case, showing how the theoretical categories illuminate the dynamics of the affair and its aftermath. Section 6 draws conclusions and identifies directions for future research.

2. Theoretical framework: Performativity, hate speech, and collective responsibility

Any serious analysis of TFGBV must begin from a theoretically grounded understanding of what online violence is and how it operates. Two theoretical traditions are particularly productive for this purpose: the philosophy of language in the tradition of Austin and Butler, which illuminates the performative dimension of hate speech; and Arendt's political philosophy, which offers a framework for thinking about collective responsibility that goes beyond individual moral culpability.

2.1. Hate speech as performative act

J.L. Austin's distinction between constative and performative utterances - developed in his foundational work *How to Do Things with Words* (1962) - provides an essential starting point. For Austin, performative utterances do not merely describe a state of affairs: they enact one. When hate speech is directed at a woman online, it does not simply represent a pre-existing social reality; it actively constitutes it, marking the target as other, as appropriately subject to exclusion and humiliation.

Judith Butler's reading of Austin in *Excitable Speech: A Politics of the Performative* (1997) extends this insight in a direction that is directly relevant to TFGBV. For Butler, hate speech is a speech act that re-enacts and reinforces hierarchical social relations, drawing its force from the accumulated weight of prior iterations. The slur, the threat, the sexualized insult do not merely wound in the moment of their utterance; they cite and recite a history of subjugation, and in doing so they position their targets within a social grammar of subordination.

This performative dimension is amplified in the digital environment. Online hate speech operates through mechanisms of citation and re-citation - through shares, retweets, and algorithmic amplification - that intensify its force and extend its reach far beyond the original utterance. What begins as a comment on a single post can become a coordinated attack involving hundreds or thousands of participants, each repetition adding to the cumulative weight of the performative act. The architecture of social media platforms, that are designed to maximize engagement through the amplification of emotional content, is not neutral with respect to this dynamic: it actively facilitates the escalation and spread of TFGBV (Bello & Scudieri, 2022). Research on online misogynistic communities has described this violent communicative practice as "e-bile": a form of

language that has become constitutive of digital male homosociality, normalized through repetition within echo chambers to the point of appearing ordinary rather than extreme (Cannito et al., 2021).

Furthermore, Butler's analysis of the relationship between speech and silence is directly applicable to the experience of women targeted by online violence. The phenomenon known as the "silencing effect" - whereby women withdraw from online participation as a result of harassment - is not merely a consequence of hate speech: it is, in Austin's terms, one of its perlocutionary effects, an outcome that the speech act produces in its target. When women are driven out of digital public spaces, their exclusion does not simply reflect a pre-existing condition of inequality; it enacts and reinforces it, contributing to the reproduction of a gendered digital divide (Schiavon, 2019)³.

2.2. Collective responsibility and political accountability

The second theoretical resource deployed in this article is Hannah Arendt's distinction between moral fault and political responsibility, developed primarily in *Responsibility and Judgement* (2003). For Arendt, fault is individual and backward-looking: it attaches to specific acts performed by identifiable agents and is properly addressed through legal or moral sanction. Responsibility, by contrast, is collective and political: it derives not from what one has done, but from what one is - that is, from membership in a community and whose actions have produced certain outcomes.

Arendt specifies two conditions for collective responsibility: first, that the subject be held responsible for the consequences of actions she has not directly performed; second, that this responsibility be grounded in membership of a group that cannot simply be refused. This second condition is crucial: collective responsibility is not chosen, it is assigned by the fact of belonging to a community - in this case, to the communities of men who benefit from patriarchal structures, of media professionals who operate within sexist institutional cultures, or of platform users who consume and circulate violent content⁴.

Applied to the dynamics of TFGBV, Arendt's framework has significant analytical purchase. It allows us to move beyond the individualization of responsibility that characterizes most legal responses to online harassment, which focus on identifying and sanctioning specific perpetrators, and to address the structural and cultural conditions

³ The distinction between perlocutionary and illocutionary acts is central to Austin's speech act theory. An illocutionary act is what is done in saying something (promising, asserting, insulting); a perlocutionary act is what is achieved by saying something - the effect produced in the hearer or in the world. Butler's analysis focuses precisely on the perlocutionary dimension: hate speech does not merely express hatred but produces subordination as its effect. See Austin (1962, pp. 98-132) and Butler (1997, pp. 1-41).

⁴ Arendt develops this distinction most systematically in the essay *Collective Responsibility* (1968, republished in *Responsibility and Judgement*, 2003). Her argument is directed against the conflation of political responsibility with moral guilt that she identifies in post-war debates on German collective guilt: one can be politically responsible for what members of one's community have done without being morally guilty of those acts oneself.

that make TFGBV possible. The question is not only who committed a specific act of harassment, but what kind of community enables, normalizes, and benefits from the systematic targeting of women online.

Moreover, Arendt's distinction between moral and political spheres maps onto the tension between legal and cultural change that runs through the history of legislative responses to gender-based violence. Legal reform is a necessary but insufficient response to TFGBV: it addresses fault, but it does not automatically produce the cultural transformation that collective responsibility demands.

2.3. Established and outsiders: The sociological structure of digital exclusion

The third theoretical resource mobilized in this article draws on Norbert Elias and John L. Scotson's sociological analysis of power differentials between established and outsider groups (Elias & Scotson, 1965). In their foundational study of a working-class community in Leicester, Elias and Scotson demonstrated that the dominance of an established group over newcomers or outsiders does not derive from any objective superiority in resources, skills, or status, but from the group's capacity to maintain internal cohesion and to stigmatize the outsider group as inferior, disorderly, or threatening to the community's values. The stigma imposed by the established group on the outsiders tends to be internalized by the outsiders themselves, who come to perceive their own marginalization as natural or deserved, thereby reproducing the conditions of their exclusion.

This framework is directly applicable to the dynamics of TFGBV in digital spaces. Online environments that are dominated by established groups deploy mechanisms of stigmatization against women who claim presence and voice in those spaces. The violence directed at women online is not random: it targets those who visibly transgress the implicit norms of a space whose boundaries are defined and policed by the established group. The "silencing effect" identified by Butler can thus be read not only as a perlocutionary consequence of hate speech but as a structural outcome of the established-outsider dynamic: women withdraw from online spaces because the cumulative force of the harassment encodes a message about who belongs and who does not.

Crucially, the Elias-Scotson framework also illuminates the conditions under which the established-outsider dynamic can be disrupted. In their analysis, the moment at which outsiders begin to reject the stigmatized image imposed upon them and to develop an autonomous collective self-representation marks the beginning of a shift in the balance of power. This moment of refusal is inherently collective: it requires outsiders to overcome the isolation and self-blame that the stigma produces, and to reconstitute themselves as a group capable of articulating counter-narratives. Applied to TFGBV, this insight suggests that the collective response of victims - that is the public mobilization, the shared testimony, the refusal to remain silent - represents the outsider group's assertion of its right to occupy the space from which it has been systematically excluded. This reading connects directly with Arendt's concept of collective political responsibility, extending it to include not only the accountability of the established group, but the transformative potential of the outsiders' collective agency.

3. The architecture of online space and the production of TFGBV

The performative force of online hate speech is not independent of the structural environment in which it is produced and circulates. The specific architecture of digital platforms shapes both the character of TFGBV and the conditions under which it can be contested. Three features of this architecture deserve particular attention: datafication and profiling, the ambiguities of online anonymity, and the dynamics of networked amplification.

3.1. Datafication, profiling, and the electronic body

The production of dispersed digital data enables the construction of what might be called an “electronic body”: a digital profile that exists alongside and interacts with the embodied subject, but which is available for forms of surveillance and targeting that the physical body is not (Weiss, 2020). Every online interaction contributes to a data portrait that can be used to identify, locate, and target specific individuals, including women.

This process of datafication enables a new form of gendered targeting. Algorithmic profiling allows perpetrators to identify women who are active in particular online spaces - such as feminist communities, political forums, journalism platforms - and to coordinate attacks against them with a precision and scale that offline harassment cannot achieve. The same algorithms that recommend content to users based on their engagement patterns also facilitate the circulation of violent and misogynistic material, creating feedback loops that intensify exposure to TFGBV and normalize its presence within particular online communities (Baekgaard, 2024; Mutombo & Salmona, 2023).

The resulting concentration of personal data in the hands of platform operators also creates conditions for what Bauman and Lyon (2013) termed “liquid surveillance”: a form of monitoring that is diffuse, continuous, and difficult to contest, and that produces its effects through the management of visibility rather than through overt coercion. Women who are targeted by TFGBV frequently experience this dynamic as the impossibility of removing themselves from the conditions of their targeting: deleting accounts, changing usernames, and withdrawing from platforms does not necessarily interrupt the circulation of content already shared, nor the digital record that makes continued targeting possible.

3.2. Anonymity and its double edge

The question of online anonymity presents a significant legal and normative challenge. From one perspective, anonymity is not merely a technical feature of online communication but a condition of possibility for the exercise of free speech by marginalized subjects: it allows individuals to express views, share experiences, and participate in political debate without exposing themselves to the risks that attach to identifiable speech. This was, indeed, part of the founding promises of the Internet as an equalizing space, a premise that retains some validity for communities whose offline existence is constrained by persecution or discrimination (G. Resta, 2014; Ziccardi, 2020).

From another perspective, however, the perception of anonymity - even when it is technically illusory, since most users can be traced through IP addresses and other digital markers - functions as a tool that facilitates the expression of attitudes and behaviours that would be suppressed in face-to-face interaction. The perpetrators of online harassment frequently use anonymity not to exercise marginalized speech, but to evade accountability for attacks that they would not risk in offline contexts. This creates a structural asymmetry: victims of TFGBV bear full accountability for their online presence, while perpetrators exploit the conditions of reduced accountability to act with impunity (Horsman, 2016).

The legal regulation of online anonymity thus involves a genuine tension between competing values - such as privacy, free expression, and protection from harm - that cannot be resolved by simple legislative prescription. Different national traditions have approached this tension differently, with consequences that are directly relevant to the legal response to TFGBV.

3.3. Networked amplification and mob dynamics

A third feature of the online architecture that is particularly important for TFGBV is the absence of a stable relationship between perpetrator and victim, which combines with the network structure of social media to produce phenomena of collective and coordinated harassment. Unlike offline forms of gender-based violence, which typically involve a relationship between perpetrator and victim, TFGBV frequently involves actors who have no prior connection to their targets, whose participation in harassment is mediated by platform structures that reward engagement regardless of its character.

The phenomenon described in the literature as “networked abuse” (Bello & Scudieri, 2022) - the coordinated targeting of individuals by groups of users who share and amplify harmful content - produces effects that are qualitatively different from individual harassment. The echo-chamber dynamics identified by researchers (de Roos et al., 2024) mean that sexist content, once introduced into a community, tends to intensify and radicalize over time, with each iteration normalizing more extreme attitudes and behaviours. The loss of accountability encouraged by what the literature terms “mob mentality” - that is the sense of impunity experienced by individuals acting within an anonymous collective - further reduces the inhibitions that might otherwise constrain violent speech (Zampi & Smith, 2021). Scholarship on the manosphere phenomenon has shown that these communities function as “emotional communities” in which narratives of male victimization are collectively elaborated and translated into targeted hostility against women (Cannito et al., 2021). The mechanisms of echo chamber within these communities facilitate processes of radicalization, progressively normalizing more extreme attitudes and generating the conditions for coordinated acts of harassment of the kind documented in TFGBV cases⁵.

⁵ The concept of *emotional communities* applied to the *manosphere* derives from Ging (2019), who draws on the sociology of emotion to describe how shared narratives of male victimization generate group cohesion and

These dynamics have significant implications for legal responses, which are typically designed to address individual acts rather than distributed, networked phenomena. The difficulty of attributing responsibility for coordinated harassment campaigns across multiple actors, multiple platforms, and multiple jurisdictions represents one of the central challenges facing legal frameworks designed to address TFGBV.

4. Legal frameworks, cultural change, and the freedom of expression

The relationship between legal frameworks and cultural change is neither linear nor unidirectional. Legal norms do not simply reflect social values; they also constitute and transform them, shaping what counts as acceptable behaviour and which forms of harm are recognized as worthy of legal remedy. This is particularly true in the domain of gender-based violence, where legal change has historically both followed and catalyzed cultural transformation (Nelken & Feest, 2001).

Understanding this relationship requires attention to what the legal sociology tradition has called “living law”, that is the law as it is actually practiced and experienced. The living law is created and implemented by judges who, in their daily application of legal norms, encounter the gaps and tensions in the legislative system and develop interpretive solutions that respond to changing social realities. The interpretation of judges often precedes and shapes legislative activity, identifying needs for normative change that the political process may be slow to address (E. Resta, 2014; Marini & Cerri, 2007).

In the domain of TFGBV, this interplay between legal interpretation and cultural change is particularly visible in the area of freedom of expression, a value that occupies a central but differently configured place in the Italian and French constitutional traditions.

In Italy, freedom of expression is protected by Article 21 of the Constitution, which permits limitations to this freedom only as explicitly provided by law and when necessary. This provision reflects a constitutional culture that understands freedom of expression as a right that can and, under certain circumstances, must be limited in order to protect other fundamental values, including human dignity and equality. The Italian legal framework has developed, through both legislative intervention and judicial interpretation, a series of instruments for addressing hate speech - including the provisions of Law 654/1975 (as modified by Law 205/1993) on incitement to racial hatred, subsequently extended to cover gender-based and other forms of discrimination⁶.

motivate collective hostility toward women and feminism. The term *e-bile* to designate the genre of violent misogynistic online language was coined by Jane (2014).

⁶ Law 654/1975 (Reale Law), as amended by Law 205/1993 (Mancino Law), criminalizes incitement to racial, ethnic, national, and religious hatred. Subsequent jurisprudence and legislative interventions have progressively extended these provisions to cover other grounds of discrimination, including sex and gender identity, though the Italian framework remains more fragmented than its French counterpart. The failure of

In France, on the other side, freedom of expression is understood within a different constitutional tradition, shaped by the legacy of the Declaration of the Rights of Man and of the Citizen of 1789 and by the Republican conception of “laïcité”. While French law provides for significant limitations on freedom of expression in cases of insult, defamation, incitement to hatred, and the denial of crimes against humanity, these limitations are interpreted within a framework that places considerable weight on the value of free public debate. The 1972 Pleven Law and its subsequent amendments have established a legal framework for combating hate speech that is in some respects broader than its Italian counterpart - notably through its inclusion of incitement to discrimination on grounds of sex among the actionable categories - but whose application in practice has been subject to significant judicial discretion⁷.

This comparative dimension matters for TFGBV because the legal response to online hate speech is shaped by the broader constitutional culture within which those provisions are interpreted. The threshold between protected expression and actionable harm, the weight given to the intent of the speaker versus the effect on the recipient, the procedural conditions under which victims can seek legal remedy - all of these elements are inflected by national legal traditions that reflect different historical experiences and different configurations of the relationship between the individual, the state, and the public sphere.

The digital environment complicates this framework picture in at least two aspects. First, online hate speech crosses jurisdictional boundaries in ways that make the application of national legal frameworks to digital conduct structurally problematic: content produced in one legal jurisdiction is immediately accessible in others, creating conflicts of applicable law. Second, the speed and scale of online communication create pressures for legal response that the judicial and legislative process struggles to match, generating a gap between the emergence of new forms of TFGBV and the legal tools available to address them.

These tensions are not merely technical: they reflect deeper questions about the relationship between legal and cultural change in the digital era. The law cannot simply prohibit its way to a culture of respect and equality; it requires the development of shared norms and practices that make legal prohibitions meaningful. At the same time, legal frameworks that fail to keep pace with the evolution of TFGBV contribute to a culture of impunity that undermines the conditions for democratic participation - particularly for women, who bear a disproportionate burden of online violence (Virgilio & Carbonari,

the Zan Bill in 2021 left a significant gap in protection specifically for homotransphobic hate speech. On the Mancino Law see Goisis (2019); on the DDL Zan see Pulitanò (2021) and Ansuátegui Roig (2019).

⁷ The Pleven Law (Loi n° 72-546 du 1er juillet 1972) introduced criminal sanctions for incitement to discrimination, hatred or violence on grounds of origin, race, or religion. It has been amended multiple times, notably by the Lellouche Law (2003) and the Halde Law (2004), to extend its scope to include sex, sexual orientation, disability, and other grounds. The 2021 Avia Law, partially struck down by the Constitutional Council, attempted to extend obligations to online platforms. France also has the specific crime of sexist harassment (*harcèlement sexiste*) under Article 222-33-2-2 of the Penal Code, the provision applicable in the Ligue du LOL case. On the Pleven Law see Debono (2022) and Mbongo (2009); on the Loi Avia see Siccardi (2021) and Schoettl (2020).

2023). A further dimension of this dynamic, specific to the Italian context, concerns the way in which public discourse around freedom of expression has been mobilized to delegitimize legislative efforts to address gender-based discrimination. Research on the Italian media debate over the so-called cancel culture has shown that Italian journalism has systematically framed hate speech regulation and inclusive language reform as threats to free speech, constructing a climate of fear that empirically lacks foundation but functions to silence minority demands - including those of feminist and LGBTQ+ movements - and to obstruct the political process of anti-discrimination legislation (Cannito et al., 2022; 2023). The mechanism operates through what the authors call the pseudo-event: the journalistic amplification of non-existent or marginal phenomena into emergencies requiring political reaction, with gender-related issues functioning as the privileged terrain on which this construction of fear takes place. The most consequential illustration of this dynamic is the defeat of the Zan Bill (ddl Zan), the proposed Italian legislation against homotransphobia, in October 2021. The mobilization against the bill directly deployed the anti-cancel culture frame as a political resource, casting anti-discrimination legislation as ideological censorship and producing a real legislative outcome: the parliamentary rejection of a measure that would have extended legal protection to victims of gender-based and LGBTQ+ discrimination (Cannito et al., 2022; 2023). This dynamic exemplifies the circular relationship between media discourse, constitutional culture, and legal change in its most concrete form: far from being a neutral backdrop, the cultural construction of what counts as a threat to freedom of expression actively determines what legal protection against TFGBV is politically achievable.

5. The Ligue du LOL: An illustration

The theoretical framework developed in the preceding sections finds illuminating illustration in the Ligue du LOL affair, a French case which erupted in February 2019 following the publication of an investigation by Checknews, the fact-checking service of the French newspaper Libération. The investigation revealed the existence of a private Facebook group called “Ligue du LOL”, founded by Vincent Glad, a journalist for Libération, which had gathered approximately thirty journalists and media professionals who had engaged, over a period stretching from the late 2000s to the early 2010s, in coordinated campaigns of harassment directed primarily at women and other marginalized groups active on Twitter.

The case is analytically productive precisely because it crystallizes, within a specific and well-documented context, all three of the mechanisms identified in sect. 3: the use of networked digital infrastructure for coordinated targeting; the exploitation of platform architecture and the ambiguities of anonymity to avoid accountability; and the performative dynamics through which ironic and sexualized language was deployed to silence women and reinforce gendered hierarchies within a professional sector.

From the perspective of Butler’s performativity theory, the language practices of the Ligue du LOL members constitute a paradigm case of how hate speech operates as a social

act rather than a mere expression of pre-formed attitudes. The irony and mockery deployed against women – including sexualized photo montages, coordinated waves of derisive commentary and the public sharing of private communications – were not simply offensive: they were performative acts that positioned women journalists as inappropriate occupants of public digital space, as subjects who “deserved” harassment for failing to comply with the unspoken conventions of a boys’ club. As Russo Cardona (2017) has shown, irony in this context operates as a mechanism of power: it constructs a community of insiders whose solidarity is maintained through shared contempt for those designated as outsiders. The dynamics of the Ligue du LOL are, in this aspect, analytically continuous with those documented in research on the manosphere: the homosocial bonding of the group was maintained through the shared practice of targeting women, and the ironic register of that targeting served both to reinforce internal cohesion and to provide perpetrators with a rhetorical shield against accountability: laughter, not hatred, was what they claimed to be performing (Cannito et al., 2021)⁸.

The testimony of victims collected by Iris Gaudin (2020) makes visible the material consequences of this performative dynamic. Women targeted by the Ligue du LOL did not merely experience individual harm: they were driven out of digital public spaces, lost professional opportunities, suffered psychological consequences that extended into their offline lives and were forced into a posture of constant self-surveillance. The pattern that emerged – minimization, psychological collapse, withdrawal from online activity, loss of professional visibility, self-blame – maps precisely onto the silencing effects that Butler identifies as among the central perlocutionary effects of hate speech. That this pattern was experienced by multiple victims independently suggests that it reflects a structural dynamic produced by the specific architecture of the case⁹.

Read through the Elias-Scotson framework, the structure of the Ligue du LOL reproduces with particular clarity the dynamics of established-outsider relations. The group of journalists who constituted the Ligue functioned as a classic established group: their cohesion was maintained through the shared practice of exclusion, directed against women journalists and feminists who were active in the same digital professional space. The irony and mockery that characterized the group’s activity – described by victims as a systematic and escalating campaign rather than a series of isolated incidents – operated precisely as the stigmatization mechanism that Elias and Scotson identify as constitutive of established-group power: it encoded a message about the illegitimacy of the outsiders’ presence, their failure to understand the “rules of the game” of a professional class that had been defined without them and against them.

As a result, there was a collective response of victims in the Ligue du LOL case: in this sense, the public testimonies and the solidarity networks, can be read as the sociological moment in which the outsider group refuses the stigmatized identity imposed upon it. In

⁸ See Report Amnesty International, Barometro dell’odio. Sessismo da tastiera, 2020, available online: <https://d21zrvtkxtd6ae.cloudfront.net/public/uploads/2020/03/15212126/Amnesty-Barometro-odio-aprile-2020.pdf>

⁹ A concrete example is the publication on Twitter by Alexander Hervaud of an invitation to fake accounts to “pay a beer to Iris Gaudin”, attaching an image that referred to a beer in a vagina. Gaudin had tried to intercede for Glad, but she was told that she would not do so and that she did not have a sense of humour.

Elias's terms, this is the precondition for any real shift in the balance of power: it is only when outsiders develop an autonomous collective self-representation, articulated in their own terms rather than in the terms of the established group, that the stigma loses its force and the conditions for change emerge. In fact, the institutional consequences of the affair, such as the editorial investigations and the professional sanctions, were made possible by this prior collective refusal. This is also where the Elias-Scotson reading connects with Arendt's political philosophy: the outsiders' collective agency is not merely a cultural assertion, but a political act, one that reshapes the community's understanding of what its members have done and what it owes to those it has excluded.

The legal response to the Ligue du LOL is equally instructive, and its limitations highlight the analytical gaps that the Arendt's framework helps to address. From a strictly legal perspective, the affair ended without individual criminal convictions, primarily because the facts had occurred between 2009 and 2012 and were time-barred under the applicable statute of limitations at the time of their public disclosure in 2019. The technical and evidentiary difficulties involved in recovering deleted messages and establishing the identity of anonymous account holders added further obstacles to criminal prosecution under Article 222-33-2-2 of the French Penal Code (Gaudin, 2020).

The case also revealed significant failures of journalistic deontology, both on the part of the members of the Ligue du LOL and on the part of the editorial institutions that had employed them¹⁰. The Munich Charter¹¹, which governs professional ethics for French journalists, does not provide for sanctions in cases of violation – a structural gap that the Ligue du LOL case exposed with particular clarity. Several editorial offices subsequently acknowledged having managed the affair inadequately, and the investigation that the case triggered within French journalism revealed that the behaviours documented in the Ligue du LOL were not isolated but reflected broader patterns of institutional sexism (Gaudin, 2020).

It is at this point that Arendt's concept of collective responsibility becomes relevant. The Ligue du LOL affair reflects the responsibility of a professional community, that is the French media journalism, for the institutional cultures and practices that made such behaviours possible, normalized and durable. The fact that some members of the group participated actively while others were passive witnesses, and that still others claimed ignorance, does not dissolve this collective responsibility: in Arendt's terms, belonging to the community that produced and sustained these behaviours constitutes a form of

¹⁰ In the Italian legal system, the ethical rules for journalists are contained within the Code of Ethics adopted by the Order of Journalists, relating to the processing of personal data in the exercise of journalistic activity, whose transgression entails the imposition of sanctions. In French law, the ethical rules are collected within the Charter of Munich, from which the Charter of professional ethics for journalists derives. The Munich Charter includes a series of principles – among which: taking responsibility for professional productions, even anonymous ones; respect for the dignity of persons and the presumption of innocence; the prohibition of confusing one's role with that of a judge or police officer – but their transgression does not entail any sanction (Gaudin, 2020).

¹¹ Syndicats de journalistes des pays de la Communauté européenne. (1971, novembre 24). Déclaration des devoirs et des droits des journalistes [Charte de Munich]. Munich. <https://resources.rsrf.org/appendix-iii-declaration-of-rights-and-obligations-of-journalists/>

political responsibility that is distinct from, and cannot be reduced to, individual moral fault.

The social consequences of the affair illustrate the productive potential of the collective responsibility when it is activated through public mobilization. The case triggered a wave of investigations within French editorial offices, contributed to the emergence of the #MeTooMedia movement in France, and prompted journalism schools and professional associations to develop new instruments for addressing sexism within the profession (Jouët, 2022). This process also demonstrated, as Arendt's framework would suggest, that the political sphere can respond to forms of wrong that the moral-legal sphere, with its focus on individual fault, is unable adequately to address¹².

The digital dimension of the case is equally significant from a comparative legal perspective. The conduct of the Ligue du LOL members took place primarily on Twitter – a platform operating under United States law – and within a private Facebook group, creating jurisdictional complexities that complicated any legal response. The contrast between the French legal framework's formal capacity to address online harassment and its practical inability to do so in this case illustrates the gap between the normative ambitions of national legal systems and the structural realities of the digital environment.

6. Conclusions

This article has examined the relationship between TFGBV, legal frameworks, and processes of cultural and political change through the combined lens of Butler's performativity theory and Arendt's political philosophy of collective responsibility. The central argument is that online hate speech against women is not merely an expression of pre-existing misogyny, but a performative act that constitutes and reinforces gendered hierarchies. Furthermore, the legal and cultural response to this phenomenon requires both the sanctioning of individual fault and the activation of forms of collective political responsibility.

The structural features of the digital environment create conditions that are specifically enabling for TFGBV, both by facilitating the coordination of attacks and by generating feedback loops that normalize violent and misogynistic content. These structural conditions cannot be adequately addressed through legal frameworks designed primarily for individual offline conduct, and the comparative analysis of the Italian and

¹² The mobilization of digital communities around cases of gender-based violence has produced comparable dynamics in the Italian context: see, for example, the case of Giulia Cecchettin, whose femicide in 2023 triggered a nationwide public debate on patriarchal culture, and the case of Elisa Aiello, whose story was shared by digital activist Carlotta Vagnoli and which, after over a year, prompted prompt intervention by the police and justice system. Both cases illustrate the capacity of digital activism to accelerate institutional responses and to transform individual harm into collective political mobilization; see on Cecchettin Case Degani (2025), Botti (2024), Pasini et al. (2025); on Aiello case <https://www.agi.it/politica/news/2024-08-02/violenza-donne-interrogazione-su-elisa-aiello-27346425/>.

French legal traditions reveals that even sophisticated national frameworks face significant limitations when confronted with the jurisdictional and evidentiary challenges posed by online harassment.

The Ligue du LOL case illustrates these theoretical propositions concretely. The failure of criminal prosecution in that case reflects the structural limitations of individual fault-based legal frameworks; the broader social and institutional changes produced by the affair reflect the potential of collective political responsibility when it is activated through public mobilization and deliberation. The case also underscores the importance of journalistic deontology as a dimension of the legal and cultural infrastructure within which TFGBV operates.

Several limitations of this analysis should be noted. The theoretical framework developed here draws primarily on traditions of continental and Anglo-American philosophy of language and political theory and its application to the specific dynamics of digital communication requires further development. The Ligue du LOL case, while analytically productive, is a single case from a specific national and professional context, and the generalizability of the conclusions drawn from it requires verification through broader empirical analysis. Future research should examine the ways in which the comparative legal analysis developed here extends to other national contexts and should engage more systematically with the evolving regulatory landscape of platform governance.

More fundamentally, the analysis developed in this article suggests that the relationship between legal change and cultural transformation in the domain of gender-based violence online is not one of simple sequence - culture first, then law, or law first, then culture - but one of complex mutual constitution. Legal frameworks both respond to and shape cultural norms; cultural mobilizations both follow from and catalyse legal change. Understanding this dynamic and identifying the conditions under which it can be steered toward greater justice and equality, remains an urgent task for legal scholarship, feminist theory, and the sociology of the digital.

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