A STUDY ON CYBERBULLYING AGAINST WOMEN: DIGITAL BANGLADESH PERSPECTIVES

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ABSTRACT

With the rapid development and expansion of information and communication technology (ICT), totally, a different kind of crime has its unique origin in internet i.e., in virtual world. It has become very easy and common in internet more specially in social media to insult, spreading false news and hate speech etc. towards a person which is called cyberbullying. With the rapid growth of internet and social media users in Digital Bangladesh, cyberbullying is occurring frequently. Women in Digital Bangladesh are now frequently targeted by the internet and social media users to harass and bully. Cyberbullying against women has become an alarming issue, as it is victimizing both netizens and non-netizens women, the consequences of which are very long termed. The significance of this article is to explore and investigate on the global issue, cyberbullying. This article articulates the real scenario of cyberbullying with its causes and consequences. It also focuses on the legislation of Bangladesh, how are they combating with global phenomenon, cyberbullying in recent and future days. This study will help the young people, teachers, lawmakers, advocate and concerned persons to learn about the real scenario of cyberbullying in digital Bangladesh.

Keywords: Cyberbullying; Internet; Women; Digital Bangladesh; Law

INTRODUCTION

The attainment of Information and communication Technology (ICT) in Bangladesh has open a new era for its people. It is now very common to hold a smartphone or having a laptop or computer with internet connection in Bangladesh. As a result, the position of Bangladesh in internet using has grown in recent years very quickly. Over 80 million people had accessed the internet in Bangladesh in 2017, which was 0.1 million people in 2000. Again, the number of internet user in July 2022 in Bangladesh is about 129 million. A major portion of the internet users are women, and they mostly use social media like Facebook, Twitter, Instagram, YouTube, and so on. Women users express their shows and comments on social media, and it has become a matter of concern that their safety on social media to be protected. Now a days, social media users mostly women are attacked by the other users by posting hate speech, false news, slung words, indecent photos etc. of them which are called cyberbullying or online character assassination. As a critical problem, cyberbullying attracts the huge attention of the researcher and academician to uphold the issue and its causes, consequences, and precautions.

CYBERBULLYING

There is no clear and crystal definition of cyberbullying in any statute of United Nations and Convention. According to Merriam Webster Dictionary "the electronic posting of mean-spirited messages about a person often done anonymously.ⁱⁱⁱ In the 1990s, cyberbullying was started with the help of personal computers in virtual chatroom and classroom and then classmates even strangers have become victim of cyberbullying in public chatrooms or on private messaging platforms.^{iv} The word 'cyber' means something relating to or characteristics of the culture of computer, information technology, and virtual reality. Cyber means and relates to internet, virtual world, use of digital media communication. Bully means to treat someone in a cruel, insulting, threating, or aggressive by act or word. Generally it is seen that bullying is an aggressive act of person who are more powerful towards weak person.^v Cyberbullying refers to an act that takes place on an online platform through electronic communications such as text messages, e-mail, chats, and social networking sites, in which people share negative, harmful, or mean content with the intent of harassing, threatening, humiliating, or embarrassing someone.^{vi} The act of violence or aggression carried out willingly by a group of people or

individual to harass other person is termed as Cyberbullying.^{vii} Again, when a person uses electronic communication to bully, others typically by sending messages of attacking, fear or threatening nature is known as cyberbullying.^{viii} It can happen through mobile, computer and electronic and digital media communications like website, social media, email etc. The UNICEF has given a standard definition of cyberbullying and said that it is repeated

behaviours, aimed at scaring, angering, or shaming those who are targeted. Examples include:

• spreading lies about or posting embarrassing photos or videos of someone on social

media.

• sending hurtful, abusive, or threatening messages, images, or videos via messaging

platforms

• impersonating someone and sending mean messages to others on their behalf or through

fake accounts.ix

Besides these spreading hate space regarding against person's faith and belief and religion, are also considered as cyberbullying. Most of the victims are women in vulnerable position in online platform, as they do lack of expertness in online platform.

TYPES OF CYBERBULLYING

Cyberbullying is an act or a set of acts. It has different forms and different shapes. It can be an embarrassing message, threatening message or post containing audio, videos, or text degrading one reputation and good will in virtual world including in social media. Even it can be rumors spread by text or audio video in social media or website etc.

The very common forms of cyberbullying are noted below.

Harassment

Harassment occurs when the bully sends hurtful, mean, insulting message in email, inbox of social media platform or even in the comment section in social media. It may even take place in the form of a post in social media like Facebook, YouTube, Twitter etc. containing insulting or degrading, mimicry using audio, video, and photos.^x

Cyberstalking

Stalking in real life may happen in digital or social media platform. Here the cyber stalkers repeatedly and intensively threaten, sends offensive message in email, inbox or mention the victims in comment section in social media. The consequence of the cyberstalking is so intensive that the victims started to think that the offender will attack him/her physically in real

life though stalking happened in cyberworld.xi

Impersonation

Impersonation occurred by creating a fake profile using the real information of the victims. The information may collect through third parties. Sometimes it is found that the bully hacks the real online account of the victims, creates a fake profile, impersonate him, and acts in such a way that the victim is using the account and do the acts what he wants. Impersonation makes

him the target of the cyberbullying by the other bully.

Doxing

Doxing is the act of publishing victim's sensitive and important information on social media and websites without the consent of victims by the bully. This act is done stealthily. As a result, when the victim comes to know the fact, he feels fear and unsafe on online and virtual world.^{xii}

Exclusion

Exclusion is an act of abandoning someone deliberately in real world. But it may also happen in social media or online platform. The victims the bully in group start public or private chat room by leaving the conversation or group. As a result, it may cause psychological pressure on

the victims.

Trickery

Trickery is one kind of deception. In case of trickery, the bully offers friendship to the victims and makes friendship with the victim. After that the bully make conversation, put him in position to gain victims trust and then the bully started to abuse victims trust by accessing his private and personal information and data which he shares with third parties.

Denigration

Here the bully attacks the victim of cyberbullying by spreading rumours or gossiping about the victims by creating fake account of the victim . The fake account or profile shared post of rumours or gossiping in the social media or website and that's how they damage the reputation or goodwill of the victims. Xiiii

Trolling

This is the very common method of cyberbullying in social media which is an act of leaving an insulting message on the internet to annoy someone. Trolling may happen in text form or in visual graphics by creating memo or audio and video medium.

Besides these, with growth of internet and social media users

GROWTH OF INTERNET AND SOCIAL MEDIA USERS IN DIGITAL BANGLADESH

The slogan of "Digital Bangladesh" of the Government of Bangladesh has special significance for national development. Digital Bangladesh with Vision 2021 is a big impetus for the use of digital technology in the country^{xiv}. As an integral part of Digital Bangladesh, the government has taken a planned action development project that's include short-term, mid-term and long-term plans total consisting of 306 action plans which have been identified for the fulfillment of Vision 2021.^{xv} The data shows that from the last couple of years, for the rea fulfillment of Vision 2021, radical advancement of information communication and technology (ICT), internet and use of social media have become very popular in Bangladesh.

Year	Number of Internet User in Bangladesh
2000	About 0.1 million
2007	About 4.5 million
2009	About 5.56 million
2017	About 80 million
2019	About 90 million
2020	About 99 million
2021	About 123 million
July 2022	About 129 million

Figure-1: Internet User Growth
Source: IWS and BTRC

A study shows that in 2020 during the covid -19 the number of internet user is reached at 99 million which is 60.7% of the total population of that time.^{xvi} In July 2022 the number of internet user reaches at about 129 million.^{xvii} It is also presumed that the actual internet user figures may be higher than these published numbers.

A major portion of the total internet users are using social media like Facebook, Instagram, LinkedIn, YouTube, twitter for social communication with friends and family. A recent study shows that the number of internet user using social media is shown on the chart^{xviii}

Social Media	Percent based on Total Internet User in January 2022	Female	Male
Facebook	About 44.70 million	31.6%	68.6%
YouTube	About 34.50 million	42.1%	57.9%
Twitters	About 0.77 million	N/A	N/A
LinkedIn	About 4.60 million	24.9%	75.1%
Instagram	About 4.45 million	33%	67%

Figure-2: Social Media Users in Bangladesh in 2022 Source: DATAREPORTAL

The previous Figure-2 shows that a notable number of social media users are women, and they are youngsters and adult (shown in the Figure-3). The most uncomfortable thing is that every 12 seconds a new Facebook user is added in the country, which is more than the total birth rate of the country. As the notable portion of social media users are women, there is always a

possibility that the vulnerable sufferers of cyberbullying are women. Data of Social Media User including Facebook, YouTube etc. classification based on age^{xx}.

Age Range (Years)	Percentage	
13-17	10.4%	
18-24	43.6%	
25-34	29.2%	
35-44	10.6%	
45-54	3.5%	
55-64	1.2%	
65+	1.4%	

Figure-3: Facebook User Source: Napoleoncat

CYBERBULLYING AGAINST WOMEN IN DIGITAL BANGLADESH

With the advancement of Information and Communication Technology (ICT) growth of internet user and social media user produce cyberbullying cases and cyberbullying criminals. Bangladesh has a high rate of cyberbullying. Police Cyber Support for Women was launched in November of 2020. A total of 17,280 women contacted the unit on the first year. All of them were victims of cyber bullying in one or other way. The Bangladesh Institute of ICT in Development (BIID)'s survey titled "Cyberbullying against girls and women over social media" on behalf of the ICT Division. This survey shows that the cyberbullying victim's rate is 80% as well as the percentage of victims in which 64% of the girls in the cities and 33% in the rural area receive sexually explicit videos, messages, and photos. An alarming number of cyberbullying cases happened during covid-19 in 2020 in social media like Facebook and YouTube etc. Due to covid 19 According to a survey sponsored by Action Aid Bangladesh, 50 per cent women among those surveyed in the country complained about online harassment. Over 62 per cent among the victims were below the age of 25 years. A suiii

Common Forms of Cyberbullying against Women

The very common examples of cyberbullying against women are comments regarding their lifestyle, clothing's, dress code, body structures or shape, hate speech, public shamming,

repeatedly sending offensive messages, calls, emails, distribute intimate photos and videos without consent, 'morphing' (manipulation of a person's images onto others body), sexual offences or assault on internet, instigate women to commit suicide etc. The list is not exhaustive and many more to be included because different types of cyberbullying emerging day by day with increasing number of internet users.

Incidents of Cyberbullying against Women in Digital Bangladesh

Incident 1

Due to celebrating wedding ceremony in different manner, a bride named Farhana Afroz, resident of Jashore were bullied in online platform. She was leading a motorcycle of her friends in Jashore town to celebrate her wedding ceremony. Someone records that motorcycle ride and posted on Facebook (A social media Platform). When that videos went viral on Facebook and she faced storms of cyberbullying as many of the netizens were making comments abusive and offensive remarks on his photos and videos saying that these gesture, attire, and attempt were anti religion. xxiv

Incident 2

Shipra Debnath, a student, who is also a member of the team led by slain Major (Rtd) Sinha Md Rashed Khan, recently fell victim to serious cyberbullying on social media. It is alleged that senior police officials were reportedly involved in the act of harassing and bullying Shipra – one of the prime witnesses in the case related to the murder of the former army man – on different social media platforms. Shipra tried to file a case against those responsible, including two senior police officers, under the Digital Security Act (DSA), but the Cox's Bazar Sadar Police station refused to register her case. xxv

Incident 3

Ahsan Habib Bhabna a prominent actress was victims of cyberbullying when she celebrated Mother's Day and posted some photos in social media platform, and she was bullied by a netizen who claimed him to be a student at a reputed University. Later she filed a complaint at CID and the criminals apologized.xxvi

Incident 4

Nusrat Jahan Rafi, an Alim examinee in Feni, made a complaint of sexual assaults on her by her madrassah principal in March 2019. Officer in Charge of the Police Station secretly recorded her statements and circulated them online. She was once again victimised with

cyberbullying, even from law enforcement official. Nusrat was set on fire for refusing to withdraw the case filed against principal, later she died at Dhaka Medical College Hospital.

The police officer, however, was arrested later and jailed for eight years under the DSA. xxvii

Incident 5

The recent incident regarding Pori Moni is a perfect example of how eager many netizens are to blame and jump to conclusions, with the 29-year-old film star saying she was subjected to

harassment, attempted rape and murder. **The incident, place, and perpetrators were not even

revealed, but the actress was subjected to victim blaming in the worst possible way, with many

questioning her integrity and character.

Incident 6

Recently advent of Artificial Intelligent (AI) open the new era of internet and technology. With

the blessings of AI, it has brought some curses too. Recently, a digital creator, entrepreneur,

content creator vlogger named Noureen Afrose Piya whose private videos goes viral on

internet, and she was victim of cyberbullying. Later, in an unofficial investigation it is found

that the girl found on the viral video is not Noureen Afrose Piya but some other else. xxixThis

the dark sides of Artificial Intelligent which is used to commit cyberbullying.

CAUSES OF CYBERBULLYING

The true reasons of why people do cyberbully against women are not understood and unknown.

The key influencing factors are the key to combating cyberbullying. Among the various factors

of cyberbullying, this article tries mention the key factors are responsible for cyberbullying.

Gender

Though the number of women social media users are lower than male, they are the prime target

of cyberbullying. A recent study shows that women are the vulnerable victims of cyberbullying.

Women cyberbullying victim's rate is 80% out of 100% and only 20% is male. Only based on

gender female are the main victims of cyberbullying.

Age

Age is another push factor to cause cyberbullying. Social Media is very popular between

adolescence and adult aged 13-24 years old. And most of them willingly or unwillingly commit

cyberbullying. Many cyber criminals fall between the ages of 16 and 17. xxx

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Easy Access of Internet and Availability of Digital Devices

With the development of information and communication technology, it is now very easy for a 12–13-year aged child to access internet which is another cause accelerating cyberbullying. Moreover, cheap price of digital devices and free access to social media for teens provides opportunity to integrate with everyone in the virtual world very easily and quickly which is another factor to fix the target of cyberbullying.

Curiosity

It is now very common to have a smartphone and an account on online platform. During Covid 19 the number of internet user increased at a high rate and in a noteworthy amount of young people got started to use social media platform. And in social media platform they attacked others and become victims of cyberbullying due to curious mind and unawareness. Almost 49% of students in Bangladesh have reported that they became victims of cyberbullying. Due to the social media revolution, cyberbullying in Bangladesh has become a common problem. xxxii

Visibility of Recent Judicial Decisions

Another cause of cyberbullying is absence of judicial decisions. There is lack of record in cyberbullying cases where punishment has been executed.

Revenge

Cyberbullies are done by youngsters out of revenge, even they justified the cyberbullies what they have done to others. They want to feel others what have already felt.

Victim Blaming

In Bangladesh very often it is seen that if the victim of any offence or crime is female, then it is the blame of that women to be there. Likewise, the victims of cyberbullying are blamed by others even victim's guardian blame them. A mean student may Whatever the reason, kids sometimes feel their cyberbullying behaviors are warranted and deserved. xxxii

Daring

The person who cyberbullies think that they commit cyberbully through internet, there identity will not be exposed, and they won't get caught.

Boredom

Those who are bored and seeking for entertainment will sometimes commit cyberbullying.

Lack of Sympathy

Most of the cyberbullying criminals do lack of sympathy. They don't even think that their behavior will hurt other feeling, they don't have that kind of senses or feelings.

Feeling Powerful

The cyberbullying criminals commit cyberbullying because by doing this they feel that they

become hero in the eyes of other.

Unwillingness to take Legal Action

There are laws and rules in Bangladesh for deterring it, and provisions for punishment are also

quite stringent. Even then, the litigation process often turns out to be excessively long drawn

or cumbersome. xxxiii As a result, victim does not dare or eager to take legal action against the

perpetrators.

Lack of Supervision and Family Norms

Parents do lack of control over the activities of their children through online platform, as a

result their children are also involved in various criminal activities or are being bullied. Despite

the lack of proper family values and etiquette, children and adolescents become involved in

cyber bullying.xxxiv

CONSEQUENCES OF CYBERBULLYING

In most cases, people of all ages are victims of cyberbullying, but the number of young women

and children are the highest. According to a 2019 UNICEF survey, 36 percent of the victims

of cyber bullying in the country are between 10 and 13 years old, 36 percent are between 14

and 15 years old, and 25 percent are between 16 and 17 years old. The effects of

cyberbullying on the women and children are worst. As cyberbullying is a threat to the society,

its effects are not limited to the women. The victims of cyberbullying specially children and

women have a short term and long-term effects like mentally, emotionally, physically.

Mental

Victims of cyberbullying faces Chronic depression; Increased risk of suicidal thoughts, suicide

plans, and suicide attempts; Anxiety disorders; Post-traumatic stress disorder; Poor general

health; Self-destructive behavior, including self-harm; Substance abuse; Feelings of shame etc.

Emotional

Cyberbullying is a significant stressor in a women's life. Most of the victims of cyberbullying

faces any of the stress like humiliation, anger, isolation, powerlessness etc.

Physical

In real world, the incident of bullying happens between the victims and a bully. This incident includes name shaming, body shaming, spreading rumors, threat, harassment and it ends within a short time and the range of place is to some extent limited. But in case of cyberbullying, it happens in virtual world, it spreads throughout the world. But it has some physical effects. Among physical effects sleep disturbance is one of them. Victims of cyberbullying does not have sound sleep. Stomachaches, headaches, muscle aches, disordered eating or meal skipping, other physical complaints with no known medical cause are seen among the victims of cyberbullying.

Academic and Career

Since victims of cyberbullying easily get nervous breakdown, stress, and humiliation, they lose interest in education. As a result, they avoid school, they couldn't get a good result in the exam and build a good career.

Suicide

Researcher found that there is an involvement between victims of cyberbullying and suicidal behavior. This suicidal behavior is mostly seen in adolescent students, specially among women. Due to worst effect of cyberbullying, victims get mentally and nerves breakdown, as a result they decide to take their own life by themselves. As the women and children are the major victims of cyberbullying, the amount of suicide and suicidal attempt is seen most among them. Rukaiya Rupa who was a student of class- X committed suicide due to circulation of a fake indecent photo in social media. Every year there are 11 suicide attempts by women due to cyber violence. **xxxviii**

LEGAL FRAMEWORK AND PRACTICES IN BANGLADESH

The word "cyberbullying" is not found specifically anywhere in the existing law of Bangladesh. Again, nowhere in the Acts and regulations in Bangladesh define cyberbullying as a crime. But the acts which fall within the definition of cyberbullying are considered as offences under different provisions in existing legal arena. Legal action against cyberbullying may be taken under different laws in Bangladesh, such as Penal Code 1860, Information and Communication Technology, 2006; Digital Security Act 2018; Pornography Control Act,

2012. Nari o Shish Nirjaton Domon Ain 2003, Bangladesh Telecommunication Act 2001, The Code of Criminal Procedure, 1898 and Evidence Act, 1872.

Constitution of Bangladesh

The Supreme Law of Bangladesh is Constitution of The People's Republic of Bangladesh (herein after referred as Constitution) which guarantees the right to life and personal liberty, xxxix right to protection of law, xl and guarantees the right to enforce fundamental rights. As a citizen of Bangladesh, women have the same rights as men have because the Constitution prohibits discrimination based on sex, caste, creed, race, and birthplace xlii and ensures taking legal action against the cyberbullying criminals.

Information and Communication Technology, 2006

The acts which fall within the definition of Cyberbullying can be prosecuted as cybercrime under both Information and Communication Technology, 2006 and Digital Security Act, 2018, that acts can be tried by Cyber Tribunal established under Information and Communication Technology, 2006^{xliii}. Apart from this, it also provides that if any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons which is an offence.^{xliv} But it does not specifically says anything about definition of cyberbullying and its punishment.

Digital Security Act 2018

Digital Security Act, 2018 indirectly defines cyberbullying as a cybercrime. It provides that if any person, through any website or any other digital medium,—(a) intentionally or knowingly transmits, publishes, or propagates any data-information which he knows to be offensive, false or threatening in order to annoy, insult, humiliate or malign a person that person commits an offence^{xlv}. Again, publication of defamatory statement in electronic form can be prosecuted under Digital Security Act 2018. xlvi If any person collects, sells, possesses, provides, or uses identity information of any other person without lawful authority, then such act of the person shall be an offence. xlvii Besides these if anyone does identity fraud and personation it will be considered as an offence. This Act also does not say anything specifically about cyberbullying rather talks about cyberbullying under the definition of cybercrime.

Penal Code 1860

Penal Code 1860 provides punishment for defamatory words^{xlviii} and words, gestures or acts

intended to insult the modesty of a woman. xlix This act says about stalking commits in real life

world nothing about cyberbullying. If someone commits offence of defamation in virtual

world, it will be prosecuted under Digital Security Act, 2018.

Pornography Control Act, 2012

Pornography Control Act, 2012 does not specially define offence of cyberbullying rather it

provides that any person may commit offence of cyberbullying by recording pornography

secretly of other person and distribute it by internet, mobile or any digital means. In this case

that person can be punished not exceeding five years imprisonment or 2 lakhs taka or both.¹

Nari o Shish Nirjaton Domon Ain 2003

Nari o Shish Nirjaton Domon Ain 2003 also provides punishment for 'sexual oppression' that

includes 'indecent gesture' which also fall within the definition of cyberbullying. Bangladesh

Telecommunication Act 2001 punishes the criminal for sending obscene or indecent message. lii

Bangladesh Telecommunication Regulatory Commission

By calling at +880-29611111 or by emailing at btrc@btrc.gov.bd. victims of cyber-crimes

(which includes cyber bullying) can lodge a complaint to the Bangladesh Telecommunication

Regulatory Commission (BTRC). BTRC is supposed to take necessary actions within 24 hours

and the perpetrators will be brought to justice within 3 days after the complaint is filed. The

government has also launched a cyber-crime helpline. Cyberbullying victims can call at

+8801766678888 to submit their complaints.

National Helpline Number for Violence Against Women and Children 109

Apart from legislation there is a national help line number 109 which is under Ministry of

Women and Children Affairs. If any women and children become victim of violence including

cyberbullying or cyberbullying is about to commit if the victim calls 109, communicate with

the team, they help the victim immediately to prevent the crime or seek necessary legal actions,

but their assistance is not enough to meet the situation.

Apart from Information and Communication Technology, 2006, The Code of Criminal Procedure 1898 deal with establishment of Cyber Tribunal and trail procedures iii of the offence committed under different Sections of Digital Security Act, 2018. The Evidence Act 1872 defines the documents to be produced before the Court or Tribunal. From the above discussion it is evident that laws do not have specific provision regarding cyberbullying and that's why it is quite hard to prosecute the bully and award the punishment. Lack of specific provision one hand encourages the offender and on the other hand the women are not willing to seek justice. Even the law enforcing agency cannot render justice to the victims always.

CONCLUSION

With the rapid growth of internet users, cyberbullying has become a growing concern in this era of modern technology in every country. The legal system of Bangladesh does not specifically define cyberbullying as a crime in any of its laws and regulations. Due to lack of specific laws and provisions, the number of women victims of cyberbullying seeking justice are very low, and the vulnerabilities of the laws and regulations of Bangladesh prolong the sufferings of the women. The government of Bangladesh should adopt adequate legal mechanisms to define cyberbullying as a crime and address new and specialized laws to brought civil and criminal proceedings by women in these types of cases.

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- xliv Information and Communication Technology, 2006, Section 57
- xlv The Digital Security Act 2018, Section 25
- xlvii The Digital Security Act 2018, Section 29 xlviii The Digital Security Act 2018, Section 26 xlviii Penal Code 1860. Section 499.
- xlix Penal Code 1860. Section 509.
- ¹ Pornography Control Act, 2012, Section 8.
- li Nari o Shish Nirjaton Domon Ain 2003. Section 10.
- lii Bangladesh Telecommunication Act 2001. Section 69.
- liii Information and Communication Technology, 2006, Chapter Eight