



Tackling cyberbullying crimes to reduce the phenomenon of violence

*Bouragba mostefa**

*University of Djelfa,
(Algeria)*

m.bouragba@univ-djelfa.dz

Dennis Alexandre

*Lower Danube University Galati
(Romania)*

Dennis_Alexandre@yahoo.fr

Abstract ;

Cyberbullying has emerged because of the dramatic advances in technology, the rapid increase in electronic communications and the consequent dramatic development, misuse and lack of control over different means of communication cyberbullying has emerged and threatens a large part of society, starting attention to it and working to combat it and tackle it as a crime that has begun to be considered a long-term phenomenon, until it is recognized as a form of violence. The risks of cyberbullying are reflected in its content. The use of derogatory language and abusive rumours spread as soon as they were transmitted at lightning speed. They also hack personal accounts on social media sites, steal photos and personal data and post them on other people's accounts. As a result, the victim is alienated from the same act or behaviour, creating a state of congestion and anger among members of society. Cyberbullying is therefore a form of direct violence. How effective is the law to address cyberbullying in reducing violence in society?

Article info

Received
April 27 ;2024
Accepted
June 05.2024

Keyword:

- ✓ Cyberbullying:
- ✓ Law:
- ✓ Violence Reduction:

1. Introduction

In recent years, sociology and psychology researchers have been interested in studying cyberbullying, which has become a global phenomenon for most people, and whose behaviour often leads to violent or suicidal behaviour due to infringement of information confidentiality. Violation of privacy and dissemination of victims' personal data among individuals through various means. In view of the importance of addressing this issue and diagnosing the causes of the prevalence of these crimes, in-depth research is required in order to find effective and appropriate solutions, especially in the legal sphere. This requires legislators to intervene with deterrent legal texts to reduce the prevalence of cyberbullying offences and keep abreast of dramatic advances in technology.

To solve this problem, we need to rely on descriptive methods to describe the phenomenon and its causes, and to use analytical methods to analyse some of the legal texts that provide for the punishment of perpetrators of cyberbullying. Hence, we ask the following questions: where is the legal text clear and how effective is it in reducing the prevalence of cyberbullying?

Study concepts:

Cyberbullying

The concept of cyberbullying refers to aggressive and undesirable behaviour

based on the use of the Internet to harm and abuse others; By posting or sharing negative and harmful content about someone and includes sharing and exchanging information and personal images of a person which exposes him to abuse, humiliation and embarrassment, It also involves attacking people, threatening them, etc., through the use of digital devices such as mobile phones, Computer, text messages, applications, social media, forums, etc., To demonstrate this, we should know cyberbullying, and then the forms and causes of cyberbullying.

Linguistic definition of bullying

Linguistic bullying is known to resemble a leopard. It is said that a bully and a bully were on the leopard, a leopard.(souzan,129,2020)

Terminology of bullying

The term bullying has many definitions. Olvins defines it as a recurrent pattern of aggressive behaviour that directs the negative intention of one person to another, with a power imbalance.

Ken Rigby defines it as the psychological or physical persecution of a less powerful person by a person or group of persons with greater authority. Dr. Hala Hatar Ismail defines it as a form of abuse against others when an individual or group (bully or bully) uses their power to attack an individual or group in various forms

(victim or victim), including physical, verbal, psychological, social, sexual and electronic.

Mr. Ahmad Hamas also developed a series of bullying determinants, which he defined as follows:

- The abnormal behaviour of the victim's bully.
- The act must involve intent, intent and repeated damage.
- This depends on the different balance of power between the bully and the bully victim.
- Bullying begins with stalking the victim with a plan to inflict, and can develop into verbal, psychological or even physical abuse.

Through the previous definition we can clearly see that bullying can take many forms, possibly psychological or physical, and the concept of bullying has evolved into a new species, and that is the essence of our research - cyberbullying.

Definition of cyberbullying

Cyberbullying is defined as "harassment and remote harassment of the use of electronic means of communication by a bully intended to create a psychological atmosphere of threat and anxiety in the victim". (Mahmoud, 20, 2018)

Researchers know that Butter Yeshia, Urbin and Susan "any intentional

harassment occurring from one end to the other using telecommunications means",

"It is the use of electronic means of communication to inflict intentional harm on another party without direct physical contact with him." (Hisham, 181, 2018)

Procedurally, it is defined as "deliberate and repeated damage caused by the use of technological means in computer, mobile or other electronic devices to threaten, insult or harm others.

Cyberbullying is characterized by the fact that it allows the bully to harass the victim at any time and reduces the bully's degree of accountability and accountability for what is the case in face-to-face bullying. Cyberbullying breaks into homes and hacks into their own computers and phones.

Forms and causes of cyberbullying

Cyberbullying can take many forms and causes, varying depending on the size of the crime and the methods used. Each crime has specific motives and reasons, which will be explained below:

Forms of cyberbullying

Forms of cyberbullying can be divided into two types:

1. Direct cyberbullying:

The tools for sending bullying messages directly from the bully to the victim either on the victim's phone or through

suspension and posting on the website of the victim's account.

2. Indirect cyberbullying:

Among them, bullying messages are sent to mobile devices belonging to the victim's friends and relatives, or through leaflets and comments at the bully's expense. One person sent text messages containing insult to the target person. This may occur through people testing the quality of information describing the target person by placing data on the Internet or showing photos and videos intended to target or insult the victim.

The researcher "Willazid" issues cyberbullying in terms of cyberattacks as follows:

Hot: fights are fought on the Internet using emails filled with mystery and vulgar language.

- Harassment: repeat unwanted and degrading messages.
- Defame, slander and spread rumours about a person online to harm him or her or his reputation or friendship.
- Identity test: The bully impersonates another person and sends or publishes certain materials to deceive, implicate or discredit that person.
- Disclosure: Sharing someone's secrets, embarrassing information or images online.

- Deception: Trick someone into revealing their secrets or embarrassing information, then they are shared online.

Exclusion: deliberately and cruelly exclude someone from a total of online.

- Electronic stalker: severe harassment and repeated mutilation involving threats or the creation of extreme fear. (Hanan, 531, 2017)

Through this division, the legislator can include them among the offences provided for in the Penal Code for the perpetrator's punishment.

Causes of cyberbullying.

For a variety of reasons, we summarize them as follows:

A. " Family causes: Parents often struggle to meet the family's needs for food, clothing and education. Others, in the sense that they ignore their role, namely education, correct behaviour and the search for change. Characteristics of a child or young person: assumes full responsibilities to teachers or housewives for their health problems. Domestic violence is one of the main causes of bullying, especially online. Growing up in a family where violence is frequent between spouses or children is sacred, because the child finds his or her goal of harming others in various ways, especially electronically.

B. Psychological Reasons

Bullies come from poor families and families living in deprived areas or so-called poverty, laughing at the gaps and differences that grow between families due to people's lifestyles. Even mentally. Bullies, especially leaders among them, often have powerful and dominant personalities. The causes of bullying may come from family members and psychiatric illnesses may require treatment and this is of course done after being assessed by a doctor. Psychiatrist.

C. Causes associated with technological development.

Electronic games often arise from electronic violence games such as superpowers and crushing opponents. Many children are addicted to such toys for entertainment and later become addicted to them. Their impact reaches the family, the school and the society in which they live, which is possible. It was therefore necessary to control officials who did not allow children to participate in such games and wanted to limit their presence. The State plays an important role in helping to curb the spread of these outrageous and dangerous rule of law games, because they destroy and kill generations. In addition to electronic games, there are television programmes aimed at children and adults alike against images of violence, brutal killings and contempt for human life that have left a significant impact in the past and

affected the human heart through tradition. Especially middle-minded people.

(Deia, 99, 2020)

Electronic bullying methods are diverse and multiple, and are classified as follows:

- Bullying by phone, bullying by video and text, bullying by email, bullying in chat rooms, bullying online. With regard to online behaviour, the above method is used to send messages, images or videos with the aim of threatening, harassing, humiliating or disturbing the victim, or sharing private information such as messages, photos or videos without the victim's consent. Publishes. Spreading false rumours or information to the victim with the intention of harming the victim or deliberately ignoring or excluding anyone from any online activity and thereby attacking the Internet account or changing the personal information of others.

(Mahmoud, 29, 2018)

Alternative mechanisms to combat cyberbullying

The prevention of violent crime and cyberterrorism in general is confirmed by international organizations, including the United Nations Children's Fund (UNICEF), the International Labour Organization (ILO) and others at the national level, where the Algerian Criminal Code provides for appropriate measures. The perpetrator of this crime shall be punished.

International mechanisms

UNICEF plays a pivotal role with ILO to reduce the spread of cyberbullying.

UNICEF's role in reducing the spread of cyberbullying.

The United Nations Children's Fund (UNICEF) has warned of the risks that cyberbullying phenomena pose to more than 70% of 15 to 24-year-olds of Internet users globally. After a survey conducted by UNICEF where more than 1 million participants received from more than 160 countries, as well as proposals from a series of dialogues entitled "Eliminating Violence" Organized by students around the world, Executive Director Hazita Faure singled out for words "We have listened to children and young people from all over the world and what they say is very clear. The Internet has become free from it. This is why UNICEF on Internet Day calls for security to call out everyone and to be kind to the Internet..." Online can cause profound damage by quickly moving to a broad audience. The phenomena of bullying and cyberbullying feed into each other's phenomena, causing victims a series of harmful behaviours based on studies leading to alcohol and drug abuse, school dropouts and, in more extreme cases, bullying or cyberbullying to commit suicide.

ILO's tasks to reduce the phenomenon of cyberbullying.

The International Labour Organization (ILO), in collaboration with the United Nations Fund for Women (UNIFEM), launched a social media campaign affecting millions of people around the world, especially women, to support women workers' rights to live in an environment free from violence and abuse. The marketing process is impressive. Text messages to employees, employers, government officials and legislators explaining some of the negative psychological and health effects of violence and abuse around the world. The definition of Convention No. 190 on Violence and Abuse, published on 21 June 2019, is "a list of unilateral or repeated acts and acts of unlawful conduct or threat aimed at causing adverse physical, mental or economic consequences; It includes: violence and violence based on sexual violence. " social ". (www.ilo.org.)

This includes bullying, harassment and other issues, and in a world of violence and abuse, including all forms of violence and abuse, it is recognized that everyone has the right to do good and provides broad protections applicable at all levels. Violence and harassment undermine equality in the workplace and can have negative consequences for those exposed to it in terms of wages, career advancement and working conditions, and can result in people leaving the workforce.

Algerian legislation and cyberbullying

Harassment is a street crime usually caused by harm to another party. This is also the case where different technologies are used as tools for technological crime to create threats that harm many people, especially young people. For this reason, the legislator has put in place measures that are considered cyberbullying.

Crime of bullying and violence

The bully uses different kinds of social media to humiliate the victim and his life. It also uses the opportunity to send words and images that scratch the modesty and the living or offend the name and dignity of the victim. - in practice, dignity and honour are the place held by everyone in society. From an individual point of view, dignity and respect are the things that everyone feels they deserve and deserve to be treated well by their members. Society suits its heart. **(Solaiman, 45, 2014)**

Articles 296 and 298 of the Algerian Penal Code apply to crimes of slavery and slavery; Because hurling indicates something to others in some way. If this is true, the person must be punished and the incident violates honour and dignity. **(Ahmed, 220, 2014)**

It is the judge's discretion. International article 296 provides that messages consist of words, texts, threats, leaflets, signs, etc. All these methods can be achieved using different kinds of social media. With regard

to the proposed punishment of insult, the Algerian legislator imposed a penalty of two months' imprisonment (2) to (6) months and a fine of 25.000 to 100.000 DJ or one of those penalties under "article 298". Algerian Criminal Code. **(Law 06-23 of 20/12/2006)**

Crime of bullying and sexual harassment

Sexual harassment refers to a form of intimidation, and this crime occurs through various forms of electronic media, direct threats over the phone, or online audio and video. Words such as displaying explicit sexual images, posters or films of the victim, forcing the other party to speak explicit words, or using facial expressions and hand movements to attract attention are not directly harassed. (Mohannad, 72, 2009)

For this offence to exist, Algerian law requires a contractual relationship between the commander and his subordinates, in accordance with article 341 bis of the Criminal Code, which has been added to the Criminal Code's full book of Law 15-19. Dated 30 December 2015. Sex Code. Intimidation - The perpetrator must be a person exercising the authority of his or her job or profession.

French legislation promulgated the Criminal Code 01.17. In 2002, it did not mention the relationship between the manager and the subordinate, nor did it mention in the document that the perpetrator had used the authority of his

position, thereby committing the offence even if committed by a colleague or agent. Organization. With regard to this penalty, Algerian legislation prescribes a penalty of one to three years' imprisonment and a fine of 100,000 DZD to 300,000 DZD. **(Law 15-19 of 30.12.2015)**

Crime of bullying between discrimination and hate speech

Hate crimes, or prejudice crimes, are defined as a set of attacks in which the victim and victim are targeted because of race, religion, race, race or sex. This means that it is divisive, racist and racist, and the victim is not welcome. (Morning, 28, 2013)

Algerian legislation, as stipulated in article 2 of Act No. 20.05-177 on the prevention and control of discrimination and hate speech, defines hate speech as "all forms of expression which propagate, encourage or justify discrimination, as well as those which include a method of contempt, insult, hostility, hatred or violence directed at a person or a group of persons on the basis of sex, race, colour, descent, national or ethnic origin, language, geographical affiliation, disability or state of health" In the second paragraph of the same article, discrimination is defined as "any distinction, exclusion, restriction or preference based on sex, race, colour, descent, national or ethnic origin, language, geographical affiliation, disability or state of health aimed at disrupting or impeding the recognition, enjoyment or exercise on

an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any field of public life".

Article 15 above prohibits all forms of harassment in any form of expression, regardless of the means used, whether verbal, written, graphic, visual, photographic, singing, representational or any other form of expression.

The penalty for discrimination and hate crimes depends on the victim's injury and article 31/4. It varied according to the method used in the article. The penalty was 2 to 5 years' imprisonment and a fine. From 200,000 Algerian dinars to 500,000 Algerian dinars if the crime is committed using media technology. Provides for a penalty of five (5) to ten (10) years' imprisonment and a fine of 5,000,000 DZD to 10,000,000 DZD for anyone who creates, manages or controls a website or electronic account for the purpose of distributing information promoting a program. information, idea, image or image that may cause discrimination and hatred in society. Article 32 of the same Act punishes the perpetrator with a penalty of three to seven years' imprisonment and a fine of 300,000 to 700,000 DZD if he advocates violence.

Conclusion:

Through our study, we noted that there are global interlocking factors in cyberbullying crime. In particular, we have found a global interconnectedness in cyberbullying, as the widespread use of modern information and communications technologies by many segments of society has led the majority of society globally to suffer the effects of these crimes on people's personality and dignity. Despite the complexities of social, psychological and legal research, the crime of bullying has not emerged in the world like other crimes. In order to reduce the prevalence of such crimes, in-depth research by sociologists and psychologists is essential for Algeria's legislature to finally intervene and develop a deterrent legal text.

- Algerian legislators must enact law after law to keep abreast of new developments in the technological field. This is because traditional legislation is no longer suitable for cyberbullying, which ultimately leads to violence in society.

- Promulgation of internal rules that distinguish illegal acts from all types and types of institutions, wider reading across different types of media, and stricter penal and penal provisions for cyberbullying.

- Seek to reduce the subsequent effects of cyberbullying by educating all students.

- Families must play their role in constantly educating children about the dangers and serious consequences of cyberbullying.

- To assist, guide and provide psychological and physical support to victims of cyberbullying.

References**1/ Books**

Souleiman Marwan, defamation of press criticism, first edition without a publishing house, Iraq, 2014 p. 45.

2 /Articles

1.Abou alaa Hanan Al-Fawzi, The effectiveness of selective guidance in reducing the level of cyberbullying in his eyes of adolescents, the magazine of the College of War, the University of Istiut, vol. 33 6 2017 Egypt.

2. Souzan bint sadaka, cyberbullying and its relationship with the psychological unit of female students of the College of Education at Umm Al-Qura University, Journal of Educational and Psychological Sciences, No. 12 vol. 4, 2020, Saudi Arabia.

3.Sabah Sami Daoud, Hate Crimes, Journal of Legal Sciences, Iraq, No. 28 in 2013.

4. Deia Muslim, Legal Protection against Cyberbullying with Coronavirus Pandemic Comparative Analytical Study, Kufa Magazine No. 47, Iraq 2020.

3/Master's theses

1.Mahmoud Kamel Mohamed Kamel, e-bullying and self-esteem in his eye from deaf and hearing-impaired adolescent students (Sekou Metri Study - Clinical) Master's thesis, Faculty of Education, Department of Mental Health, Tanta University, in 2018 Egypt.

2.Mohannad bin Hamad, criminalization of sexual harassment and his punishment, Master's degree, Nayef University of Security Sciences, Riyadh, Saudi Arabia in 2009.

4/Legal texts

Order No. 66 -156 of 8 June 1966 amending and supplementing Algeria's Penal Code.

Act No. 20-05 of 28 April 2020 on the prevention and combating of crimes of discrimination and hate speech.

5/Websites

1. UN News Website <http://news.un.org>

ILO's website. <http://ilo.org>