

The Online World in Real Life: Cyber Violence against Women

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ABSTRACT

Women are contributing and embracing new technology and discoveries in today's fast-paced world without falling behind. They have learned to use modern technology for networking, professional activity, and self-expression, but crimes against them that undermine their self-sanctity and respect continue to occur. As a result of adult bullying, cyberstalking, hacking, modified sexual photographs, and electronic blackmail, harassing women is now considered a kind of cybercrime. The Indian Parliament and the law-making bodies are always working to deal with new offenses as a result of technological advancements. But in the modern era, these rules are insufficient to rein in and restore the status of women. Lawmaking bodies in India and abroad have expressed the opinion that crimes of this nature should be strictly monitored and outlawed in order to uphold women's place in society.

Keywords: cybercrime, harassment, electronic blackmail, act, parliament

I. INTRODUCTION

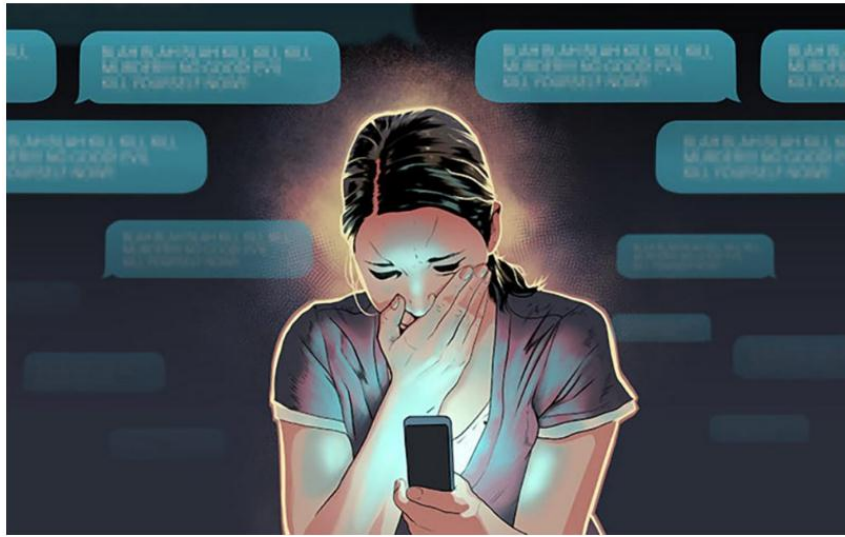
"Dark Realities of the Virtual World: Cybercrime against Women" Everyone should wish to ensure that we have the technological resources required to look into cybercrimes, be ready to combat them, and bring offenders to justice. - Janet Reno

A state's and its society's development are significantly influenced by the burgeoning technology industry. Its widespread use has demonstrated its strength and created a unique virtual environment. A completely new cyber world has emerged since computers became a common instrument for communication, information processing, and storage. Although technology has numerous benefits that have made life for humans easier and more comfortable, it also has a bad side that cannot be ignored and may lead to cybercrime and the abuse of women.

Even India passed the IT Act 2000 and other regulations to combat cybercrime, yet concerns pertaining to women continue to be neglected in practically every field. The widespread misuse of the internet, including hacking, identity theft, pornography, and other cybercrimes, has become a contemporary trend. Using the means of contemporary telecommunication networks like the internet (chat rooms, notice boards, etc.) and mobile phones (SMS/MMS), it is possible to define cyber offenses as offenses committed against individuals or a group of individuals with a criminal motivation to harm the reputation of the victim or cause physical or mental harm, either directly or indirectly.

II. ASSAULTS ON WOMEN

"Women are magnificent works of God's creation." The late Pt. Jawaharlal Nehru said, "You can tell the condition of a nation by looking at its status of women." when discussing the actual status or position of a woman in the modern day. The status of a nation's women can be used to gauge its progress. Women today achieve their own levels of independence and contribution in every area of their careers. Every sphere of endeavor, including science, the arts, commerce, the military, and politics, is affected by their presence. However, their issues are still not properly resolved. Males as well as women's society itself are to blame for this harshness toward women. The term "crime" generally refers to a legal wrong that may be punished through criminal procedures, whereas "cyber crime" refers to unlawful conduct in which a computer is either the tool or the target. There are many other crimes that are only perpetrated against women, but they are grouped into a few different categories, such as sexual offenses, matrimonial offenses, other cruelties, and cyber crimes.



Source: <https://research.jgu.edu.in/materiality-and-discursivity-of-cyber-violence-against-women-in-india/>

2.1 Internet Crime

The common man is completely dependent on various electronic or scientific devices to make their lives easier, which is why this era is known as the technological age. A new type of criminal activity called "cyber crime" has its roots in the increasing reliance of contemporary society on computer networks. It is a catch-all phrase for all illegal operations carried out over the Internet, in cyberspace, or elsewhere through the use of computers. It operates under the assumption that cyberspace-based criminal activity is a completely new phenomena. i.e., "cyber crime".

2.2 Online Violence Against Women

Since the beginning of time, women in India and other nations have experienced unfavorable circumstances where their basic rights in terms of economic, social, and financial security have been severely violated by a variety of social issues. India's history, which serves as proof, has brought attention to the situation of women in our nation. The status of women has fluctuated over time, sometimes rising to a particular level in a matriarchal society and then falling back to this harsh society. Women continue to be used as a source of entertainment and as machines for giving birth even today, despite the world's numerous discoveries and advancements. This type of crime is more sensitive to a woman than it is to a male since it not only affects her day-to-day existence but also causes her physical and mental distress due to the new types of criminal activity that are taking place in society. Some cybercrimes, like email harassment, cyberstalking, cyberpornography, defamation, morphing, and email spoofing, are primarily committed against women. Following are some examples of fundamental cybercrimes that jeopardize women's identities:

2.3 Email-based Harassment

This type of cybercrime is not brand-new. Letter-based harassment existed in the absence of such electronic mediums. It includes threats, intimidation, blackmail, and even email-based conversation. This kind of harassment is pretty comparable to the letter harassment that existed in the past, but it is troublesome when it is carried out using false identities (fake ids).

2.4 Internet Harassment

One of the most often discussed cybercrimes in the modern world is cyberstalking. The Oxford Dictionary defines "stalking" as "pursuing covertly." It entails tracking a person's movements in sites where they frequently visit on the internet, including as chat rooms, bulletin boards, and other places where messages and emails are sent. Women who are stalked by men or children who are stalked by adult predators are the most common targets of cyber stalking. More than 75% of victims of cyberstalking are discovered to be women. In essence, this cybercrime is motivated by four motives: love, retaliation and hatred, ego and power trips.

2.5 Cyberpornography

Another hazard to India's female population is this crime. This includes pornographic websites, computer-produced pornographic periodicals, and the use of the internet to obtain and send pornographic media, among other things. The advent of the internet has made this crime much easier to commit, endangering not just the identity and dignity of women but also the

fabric of society as a whole. Women and children are the primary victims of this crime. Nowadays, kids can browse these pornographic websites that display severe nudity, ruining their purity and turning them into social outcasts.

2.6 Cyberslander

It constitutes a cyber tort because it contains libel and slander. This occurs whenever a defamatory statement is made online or via a computer. For instance, someone might publish some false information and spread it among the victims' friends and family members.

2.7 Mutation

The term "morphing" refers to unlawful or false identity alteration of the original image. In the recent past, it was discovered that certain bogus identities were downloading images of women, editing them, and then reposting or uploading them to some unsavory websites. This limited-edition piece violates the Information and Technology Act of 2000 and is punishable under Sections 43 and 66 of the Act[8].

2.8 Spoofing Emails

A faked email is one whose origin is misrepresented. It demonstrates how uniquely distinct it is from its actual source. One of the most popular strategies employed by some males is to send pornographic photos to women via email.

2.9 India's Legal Framework

According to the late IT minister Pramod Mahajan, who described cybercrime as a "fourth generation crime," "today, everybody will have to train themselves for the IT language, and the law-enforcing agencies especially need to be IT-savvy." For a very long time, women have been the target of physical and emotional abuse and harassment. Throughout history, there have been various forms of cruelty. In the recent past, law-making bodies believed that the protection of women's rights and their protection should come first in order to provide justice and equality to this segment of society. They altered Indian legislation in order to carry out this admirable aim, with the following amendment standing out:

III. THE CRIMINAL LAW 2013 (AMENDMENT) BILL

The Evidence Act, the Criminal Procedure Code, and the laws pertaining to sexual offenses have all undergone significant revisions. The IPC's few amendment provisions are listed below:

Attack with Acid (Section. 326A): A sentence of at least 10 years in jail, with the possibility of life in prison, as well as a justifiable and fair fine to cover the victim's medical costs.

Acid Attraction Attempt (Section. 326B): Imprisonment for a minimum of five years and a maximum of seven years, as well as fine.

Sexual assault (Section 354 A): In clause 5 of the section, the phrases "any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature" have been deleted. The penalty for an offense covered by clauses (I) and (ii) of this section has been reduced from five years to three years in jail.

Intentionally Stripping a Woman (Section 354 B): Imprisonment for a minimum of three years but up to seven years, including a fine.

Only women may become victims of voyeurism under Section 354C. For the first offense, the sentence must be at least one year in prison, but it may be up to three years, and it must also include a fine. And if it is your second or subsequent conviction, you will be sentenced to a minimum of 3 years in jail and a maximum of 7 years in prison, plus a fine.

Assault (Section 354D): The offense's punishment has altered. When a man commits the crime of stalking, he faces up to 5 years in prison and a fine for the second and subsequent offenses, and up to 3 years in prison for the first. In addition to this, the definition has been highlighted and divided into clauses.

Information Technology Act of 2000 Widened List of Offenses. It should be emphasized that all activities or offenses covered by Section 66 of the Information Technology Act of 2000 are both cognizable and non-bailable. The main components to bring any act under this provision are mens rea, or the bad intent, knowledge of the wrongdoing, and the destruction, alteration, or diminution of the value or utility of data.

Voguing (Section 66E): focuses on the invasion of people's sexual privacy and the dissemination of the same online. Publication or transmission of a person's private information without that person's agreement is punishable by up to 3 years in prison or a fine of 2 lakh rupees, or both.

Article 66A: Infractions punishable by up to three years in prison or a fine include sending insulting messages via communication services, causing annoyance, etc., using electronic communication, or sending an email to mislead or deceive the recipient about the source of such messages.

- **Article 66B:** Receiving a stolen computer resource or communication device is punishable by up to three years in prison, a fine of one lakh rupees, or both.
- **Article 66D:** Cheating through the use of a computer resource or a communication device is punishable by imprisonment of either kind, which could last up to three years, as well as by a fine of up to one lakh rupees.
- **Article 67:** Anyone who posts or sends obscene content online in a way that tends to influence people who are likely to read it faces up to three years in prison on their first conviction and a fine of up to 10 lakh rupees, or both, depending on the severity of the offense. *Suhas Kutti v. State of Tamil Nadu, 2004.*
- **Article 67A:** This section discusses the penalties for electronically posting or transferring content that contains sexually explicit acts.
- **Article 67B:** The only topic covered in this section is child pornography. This area covers depicting children in text or digital images, advertising or promoting such content in an obscene or indecent way, helping to facilitate online child abuse, and getting kids involved in relationships with other kids online. First-time offenders who are convicted face a maximum term of 5 years in prison and a fine of 10 lakh, while repeat offenders face a maximum term of 7 years in prison and a fine of 10 lakh.

Indian Penal Code, the Information Technology Act, and other Acts

- Emailing threatening messages
- Emailing slanderous messages
- Falsification of electronic records
- Fake websites and online scams
- The spoofing of emails
- Hacking a website
- The purchase of illegal drugs online
- The purchase of weapons online
- Logical fallacies
- Attacks by viruses
- Attacks using Denial of Service

The Cr.P.C. and Evidence Act has undergone some changes, including making victim statements easier to record, making victim characteristics irrelevant, and creating a presumption of no consent in cases where sexual intercourse is proven but the victim testifies in court that there was no consent.

IV. CONCLUSION

Indian women still aren't willing to report online abuse or crimes right away. The primary causes of cybercrime are the cybercriminal's method of operation and motivation. Many people, especially criminals, use the internet as a means of transportation. Even if people don't dwell there, they visit and leave like they do anywhere else. Because of this, they have a chance to flee after committing a cybercrime. Many websites and blogs offer safety advice for women's and children's online safety. However, the number of cybercrimes against women is increasing. Speaking of legal framework, lawmakers and other law-making agencies create a framework or set of regulations that may be used to preside over information and technology. In fact, the lack of a clear definition of a specific region or jurisdiction is a criticism of the rules governing the fourth generation of crimes known as cyber crimes. It is also true that someone operating through a World Wide Web site while located in a foreign country's cyberspace can act with impunity and commit such crimes. In actuality, it is us—the general populace—who must exercise caution since everything in the universe has two sides—a positive side and a terrible side. We are the ones who must decide which element we wish to use, and the outcome will follow.

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