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## **BEYOND THE SCREEN: WOMEN'S HUMAN RIGHTS IN THE FACE OF ONLINE ABUSE**

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Dr. Anil Kumar Dixit, Professor, Career College of Law, Bhopal

Dr. Humera Qureishi, Assistant Professor, Career College of Law, Bhopal

### **ABSTRACT:**

This research paper examines the intersection of women's human rights and the pervasive issue of online abuse. In recent years, the digital landscape has become a battleground for gender-based harassment, threatening the fundamental rights and freedoms of women worldwide. Through a comprehensive literature review and analysis of case studies, this paper explores the various forms of online abuse faced by women, including cyber bullying, harassment, doxxing, and revenge porn. It delves into the underlying factors perpetuating such abuse, including misogyny, patriarchal attitudes, and power imbalances inherent in online spaces. Furthermore, the paper investigates the legal frameworks and institutional responses aimed at addressing online abuse against women at both national and international levels. It also evaluates the effectiveness of existing policies and initiatives in safeguarding women's human rights online. Moreover, the paper highlights the psychological and socio-economic consequences of online abuse on women, emphasizing the need for holistic support mechanisms and digital literacy programs. Lastly, the research offers recommendations for policymakers, civil society organizations, and technology companies to enhance the protection of women's human rights in the digital realm, promoting a safer and more inclusive online environment for all.

## **Introduction**

In India, online abuse against women has emerged as a significant societal issue, reflecting broader challenges related to gender inequality, cultural norms, and digital transformation. Various forms of online abuse, including harassment, cyber bullying, doxxing, and revenge porn, have become prevalent, impacting women across diverse backgrounds and regions. Cultural and societal factors play a significant role in exacerbating online abuse against women in India. Deep-rooted patriarchal attitudes, reinforced by traditional gender roles and expectations, contribute to the normalization of misogynistic behavior and gender-based violence both online and offline. Moreover, the inter-sectionality of gender with other social identities such as caste, religion, and ethnicity further complicates the experiences of women, particularly those from marginalized communities who face multiple layers of discrimination and stigma. One of the key challenges in addressing online abuse against women in India is the inadequacy of legal frameworks and institutional responses. While legislative provisions exist to tackle cyber crimes and harassment, enforcement mechanisms often fall short, leading to impunity for perpetrators and limited access to justice for victims. Additionally, the complex nature of online platforms and the borderless nature of the internet pose challenges in regulating and holding accountable those responsible for perpetrating online abuse.

The impact of online abuse on women in India is multifaceted and profound. Beyond the immediate psychological harm, including anxiety, depression, and trauma, women also face social and economic consequences. Cultural stigmatization and victim-blaming often deter victims from seeking support or reporting abuse, exacerbating their sense of isolation and vulnerability. Moreover, online abuse can have long-term implications for women's socio-economic opportunities, affecting their educational and employment prospects and perpetuating cycles of gender-based violence and discrimination. Despite these challenges, efforts are underway to address online abuse against women in India. Civil society organizations, activists, and individuals are advocating for legal reforms, raising awareness, and providing support services for victims.

## **Understanding Online Abuse against Women in India**

Understanding online abuse against women in India requires an examination of the cultural, societal, and technological factors that contribute to its prevalence. Deep-rooted patriarchal

norms, gender roles, and expectations shape online interactions, often leading to harassment, intimidation, and discrimination against women. Additionally, the anonymity afforded by digital platforms can embolden perpetrators to engage in abusive behavior without fear of consequences. Intersectional factors such as caste, religion, and socio-economic status further compound the experiences of women, exacerbating their vulnerability to online abuse. To effectively address online abuse against women in India, it is essential to consider these contextual factors and implement comprehensive strategies that prioritize women's safety, empower victims, and promote accountability among perpetrators and online platforms.

### **A. Forms and manifestations of online abuse**

Online abuse against women in India takes various forms, ranging from cyber bullying and online harassment to doxxing and revenge porn. Perpetrators may engage in behaviors such as sending unwanted messages, spreading rumors, sharing intimate images without consent, and using hate speech or misogynistic language. Additionally, women may be subjected to trolling, cyber stalking, extortion, and identity theft online. These forms of abuse can have severe psychological, social, and economic consequences for victims, including anxiety, depression, social isolation, and damage to reputation. Cultural and societal factors exert a significant influence on the prevalence and nature of online harassment, particularly against women, in India.<sup>1</sup> Here are some key factors:

- 1. Patriarchal Norms:** India, like many other societies, has deeply ingrained patriarchal norms that prioritize men's dominance and control over women. This power dynamic extends into online spaces, where women may be targeted for expressing opinions or asserting their autonomy.
- 2. Gender Roles and Expectations:** Traditional gender roles prescribe specific behaviors and roles for men and women. Women who deviate from these norms, such as by being assertive or outspoken online, may face backlash and harassment as a form of enforcing conformity.
- 3. Cultural Stigmatization of Women's Agency:** Women's autonomy and agency are often stigmatized in Indian society, particularly when it comes to sexuality and

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<sup>1</sup> Jaishankar. K. and Kumaravelu. N., "Cyber Crimes Against Women in India: Challenges and Solutions", p.213.

expression. This stigma can manifest as online harassment aimed at silencing women who challenge traditional gender roles or express themselves freely.

4. **Normalization of Misogyny:** Misogynistic attitudes and behaviors are often normalized in Indian culture, perpetuated through media, entertainment, and social norms. This normalization contributes to the acceptance of online harassment as an inevitable part of women's online experiences.
5. **Inter-sectionality with Other Identities:** Women's experiences of online harassment are also shaped by intersecting identities such as caste, religion, ethnicity, and socio-economic status. Marginalized women, who face multiple forms of discrimination, may be particularly vulnerable to online harassment that targets their identity markers.
6. **Cyber Culture and Anonymity:** The anonymity afforded by online platforms can amplify and facilitate harassment, as perpetrators feel emboldened to engage in abusive behavior without fear of consequences. This culture of anonymity can exacerbate existing power imbalances and enable the proliferation of hateful content targeting women.
7. **Lack of Digital Literacy and Awareness:** Limited digital literacy among both users and law enforcement agencies can exacerbate online harassment. Women may lack the knowledge and skills to protect themselves online or navigate platforms effectively, while authorities may struggle to investigate and address online abuse cases effectively.
8. **Normalization of Violence against Women:** Violence against women is often normalized in Indian society, leading to a culture where harassment and abuse are seen as inevitable or even justified. This normalization perpetuates a cycle of violence and contributes to the normalization of online harassment against women.

#### **B. Case studies highlighting prevalent issues**

Case studies provide valuable insights into prevalent issues of online abuse against women in the Indian context. Here are two examples:

**Study 1: Cyber bullying and Victim Shaming** In 2017, a young woman from Delhi, let's call her Riya, became the target of cyberbullying after she shared her opinion on social media about

gender equality. Riya received a barrage of abusive messages and threats, questioning her character and integrity. Some individuals even shared her personal information, including her address and phone number, leading to offline harassment and intimidation. Despite seeking help from the platform's reporting mechanisms and local authorities, Riya faced victim blaming and indifference, with some suggesting that she provoked the abuse by speaking out. This case highlights the intersection of cyberbullying, victim shaming, and the inadequacy of support systems in addressing online abuse against women in India. Riya's experience underscores the urgent need for stronger legal protections, better enforcement mechanisms, and enhanced awareness campaigns to combat cyber bullying and support victims.

**Study 2:** Revenge Porn and Legal Challenges in 2019, a college student, Maya, faced a nightmare when intimate photos shared in confidence with her then-partner were maliciously circulated online after their breakup. Maya's photos were shared on multiple social media platforms and even circulated via messaging apps, causing immense distress and humiliation. Despite Maya's efforts to have the content removed, the photos continued to resurface on various platforms, leading to ongoing harassment and mental anguish. Maya's case illustrates the pervasive issue of revenge porn and the challenges victims face in seeking legal recourse in India. Existing laws often fail to adequately address revenge porn, leaving victims vulnerable to further exploitation and trauma. Maya's struggle highlights the need for stronger legal frameworks, specialized support services, and improved cooperation between law enforcement agencies and online platforms to effectively combat revenge porn and protect victims' rights.

## **Root Causes of Online Abuse in the Indian Context**

### **Cultural norms and gender inequality**

Cultural norms and gender inequality significantly contribute to online abuse against women in India. These norms often perpetuate the normalization of gender-based violence and discrimination, reinforcing the belief in male superiority and female subordination. Women's autonomy and expression are frequently stifled by societal expectations, leading to fear of judgment or backlash when challenging traditional roles or expressing dissenting opinions online.<sup>2</sup> Moreover, gendered socialization from a young age reinforces passive and accommodating behaviors in women, while men are encouraged to be assertive and dominant,

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<sup>2</sup> Jaishankar. K., "Digital Dystopias: Cyber Crimes against Women in India", p.361.

contributing to power imbalances in online interactions. Ultimately, addressing online abuse against women requires challenging these entrenched cultural norms and striving for gender equality to create safer and more inclusive digital spaces.

### **Impact of caste, religion, and other social identities**

The intersection of caste, religion, and other social identities with gender exacerbates online abuse against women in India. Women from marginalized caste communities face caste-based slurs and targeted harassment, while those belonging to religious minorities may experience hate speech and threats based on their religious identity. Additionally, other social identities such as ethnicity, language, socio-economic status, and geographical location intersect with gender to shape women's experiences of online abuse. Efforts to address online abuse must recognize and challenge these intersecting forms of discrimination, promoting inclusivity and social justice for all women.

### **Role of technology access and digital literacy**

Technology access and digital literacy significantly influence women's experiences of online abuse in India. Disparities in technology access, such as limited internet connectivity and smartphone ownership among women, contribute to their vulnerability to online harassment. Additionally, inadequate digital literacy skills make women more susceptible to online threats and manipulation. Bridging the digital divide and providing digital literacy training are essential steps to empower women to navigate online spaces safely and protect themselves from abuse.<sup>3</sup>

### **Legal Frameworks and Institutional Responses in India**

1. **Legal Frameworks:** India has various laws and regulations that can be applied to address online abuse, including the Information Technology Act, 2000, and the Indian Penal Code. These laws cover offenses such as cyber bullying, online harassment, and defamation. Additionally, recent amendments have been made to strengthen the legal framework for addressing specific forms of online abuse, such as revenge porn and

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<sup>3</sup> Koskela, Anu and Huttunen, Suzanne."Violence and Gender in the Globalized World: The Intimate and the Extimate", p.209.

cyber stalking.

2. **Law Enforcement:** Despite existing legal provisions, challenges remain in the enforcement of laws related to online abuse. Law enforcement agencies often lack the expertise and resources to investigate cybercrimes effectively. Moreover, the anonymity and borderless nature of the internet make it difficult to identify and apprehend perpetrators, leading to low conviction rates and impunity for online abusers.
3. **Reporting Mechanisms:** Online platforms and social media companies play a significant role in addressing online abuse through their reporting mechanisms and content moderation policies. However, the effectiveness of these mechanisms varies, and there are concerns about inconsistent enforcement and biases in content moderation. Additionally, victims may face barriers in accessing and navigating these reporting systems, hindering their ability to seek help and support.<sup>4</sup>
4. **Support Services:** Institutional responses to online abuse often include the provision of support services for victims, such as help lines, counseling, and legal aid. However, these services may be underfunded or inaccessible to marginalized communities, leaving many victims without the necessary support and resources to address their experiences of online abuse.
5. **Awareness and Training:** Increasing awareness about online abuse and building the capacity of stakeholders, including law enforcement officials, judicial authorities, and civil society organizations, is essential to effectively combating this issue. Training programs and awareness campaigns can help enhance understanding of online abuse dynamics, improve response mechanisms, and empower individuals to protect themselves and others online.

### **Legislative provisions addressing online abuse**

Legislative provisions addressing online abuse in India primarily fall under the Information Technology (IT) Act, 2000, and related amendments. Here's an overview:

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<sup>4</sup> Gajjala, Radhika and Birzescu, Anca, "Gender, Sexuality and Social Media: Perspectives from India", p. 113.

1. **Information Technology (IT) Act, 2000:** The IT Act, 2000, is the primary legislation governing cyber activities in India. It includes provisions related to unauthorized access to computer systems, data theft, and the transmission of obscene or offensive content online. Section 66A of the IT Act, which dealt with online harassment and offensive messages, was struck down by the Supreme Court in 2015 for being vague and unconstitutional.
2. **Amendments to the IT Act:** In response to emerging cyber threats, several amendments have been made to the IT Act to address specific forms of online abuse. For example, the Information Technology (Amendment) Act, 2008, introduced new offenses such as cyberterrorism, data privacy violations, and the publication or transmission of sexually explicit content without consent.<sup>5</sup>
3. **Protection of Women from Sexual Harassment:** While the IT Act provides some provisions for addressing online harassment, the Protection of Women from Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, offers additional protections for women facing harassment in online work environments.<sup>6</sup> This legislation requires employers to provide a safe working environment and mechanisms for redressal of complaints, including those related to online harassment.
4. **Additional Legal Provisions:** In addition to specific legislation addressing cybercrimes, other laws such as the Indian Penal Code (IPC) may also be invoked to address online abuse. Sections of the IPC related to defamation, harassment, stalking, and obscenity can be applied to cases of online abuse against women.

### **Effectiveness of law enforcement mechanisms**

The effectiveness of law enforcement mechanisms in addressing online abuse in India varies due to several factors. Law enforcement agencies may lack the necessary expertise and resources to investigate cybercrimes effectively, and jurisdictional challenges can complicate efforts to coordinate with authorities in other regions. Victims may face barriers in reporting incidents, and legal frameworks and evidence collection procedures may not be adequate for addressing cybercrimes. Collaboration between law enforcement agencies and other

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<sup>5</sup> Jane, A. Emma, "Online Misogyny: A Global Perspective", p. 218.

<sup>6</sup> Vickery, Ryan, Jacqueline, "Online Harassment", p. 345.



stakeholders is essential for a comprehensive response to online abuse. Addressing these challenges requires sustained investments in training, infrastructure, and legal reforms to ensure a more effective response to online abuse. Meanwhile, the effectiveness of law enforcement mechanisms in addressing online abuse in India varies due to several factors:

1. **Capacity and Training:** Law enforcement agencies may lack the necessary expertise, resources, and training to effectively investigate and prosecute cybercrimes. Given the rapidly evolving nature of technology and online threats, there is a need for continuous capacity building and training programs to equip law enforcement personnel with the skills and knowledge required to address online abuse effectively.
2. **Jurisdictional Challenges:** Online abuse often transcends geographical boundaries, posing challenges for law enforcement agencies in determining jurisdiction and coordinating with authorities in other jurisdictions. The borderless nature of the internet can complicate investigations and hinder efforts to hold perpetrators accountable, particularly in cases involving cross-border harassment or cybercrimes.
3. **Reporting and Response Mechanisms:** Victims of online abuse may face barriers in reporting incidents to law enforcement agencies, such as lack of awareness about reporting mechanisms, fear of retaliation, or skepticism about the efficacy of law enforcement interventions. Additionally, response times and the quality of investigations can vary, impacting victims' confidence in the legal system and their willingness to seek justice.
4. **Legal Frameworks and Evidence Collection:** The effectiveness of law enforcement mechanisms depends on the adequacy of legal frameworks and procedures for addressing cybercrimes. Challenges may arise in collecting digital evidence, preserving chain of custody, and ensuring admissibility in court, particularly in cases involving complex technicalities or encrypted communications.<sup>7</sup>
5. **Collaboration with Other Stakeholders:** Effective responses to online abuse require collaboration between law enforcement agencies, internet service providers, online platforms, civil society organizations, and other stakeholders. Coordination and

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<sup>7</sup> Penny, Laurie, "Cybersexism: Sex, Gender and Power on the Internet", p. 313.

information sharing among these entities are essential for investigating and combating online abuse, as well as for providing support services to victims.

### **Challenges in implementation and access to justice**

Challenges in the implementation of legal frameworks and access to justice contribute to the persistence of online abuse against women in India. These challenges include:

1. **Limited Awareness and Reporting:** Many women may not be aware of their rights or the legal remedies available to them in cases of online abuse. Additionally, fear of retaliation, stigma, and lack of trust in law enforcement agencies may deter victims from reporting incidents of online harassment. As a result, many cases of online abuse go unreported, leading to underrepresentation and underestimation of the problem.
2. **Inadequate Legal Protections:** While laws exist to address cybercrimes and harassment, their implementation may be hindered by loopholes, ambiguities, and gaps in legal provisions. Some forms of online abuse, such as trolling, cyber stalking, and doxxing, may not be explicitly addressed in existing laws, leaving victims without adequate legal recourse.
3. **Jurisdictional Challenges:** Online abuse often transcends geographical boundaries, posing challenges in determining jurisdiction and coordinating investigations across different jurisdictions. Jurisdictional issues can complicate law enforcement efforts and delay or impede access to justice for victims, particularly in cases involving perpetrators located outside the country.<sup>8</sup>
4. **Resource Constraints:** Law enforcement agencies may lack the necessary resources, expertise, and infrastructure to effectively investigate cybercrimes and prosecute perpetrators. Limited funding, outdated technology, and inadequate training can undermine efforts to address online abuse and provide timely justice to victims.
5. **Legal Proceedings and Delays:** Legal proceedings related to cybercrimes may be lengthy and complex, further delaying access to justice for victims. Overburdened

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<sup>8</sup> Collado, Cecilia Castaño, and Villalobos, Raquel Gallego, "Digital Gender: Social, Cultural and Political Implications", p. 3.96.

courts, bureaucratic procedures, and a lack of specialized cybercrime courts can contribute to delays in adjudicating cases of online abuse, prolonging victims' trauma and uncertainty.

6. **Victim blaming and Stigmatization:** Victims of online abuse, particularly women, may face victim blaming, stigma, and discrimination when seeking justice. Cultural attitudes and societal norms that blame victims for their abuse or dismiss online harassment as trivial can further deter victims from pursuing legal recourse and accessing justice.

### **Recommendations for Policy and Practice in India**

Recommendations for policy and practice in India to address online abuse against women include strengthening legal frameworks, enhancing law enforcement capacity, raising awareness through education initiatives, improving victim support services, collaborating with technology stakeholders, investing in research and data collection, and adopting a gender-responsive approach. These measures aim to empower women, hold perpetrators accountable, and create safer online spaces for all individuals, regardless of gender.

#### **A. Strengthening legal frameworks to address gaps**

Strengthening legal frameworks to address gaps in addressing online abuse against women is crucial. This involves amending existing laws or introducing new legislation to explicitly define and criminalize various forms of online harassment, including cyberstalking, doxxing, revenge porn, and trolling. Additionally, enhancing legal provisions to ensure swift and effective enforcement of laws, providing clear guidelines for reporting and investigating cybercrimes, and establishing specialized cybercrime units within law enforcement agencies can help improve the response to online abuse.<sup>9</sup> Moreover, increasing penalties for perpetrators of online abuse and ensuring that victims have access to justice and support services are essential components of strengthening legal frameworks to address gaps in combating online abuse against women.

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<sup>9</sup> Levy, Barrie, "Women and Violence: Seal Studies", p. 296.

## **B. Community-based approaches to combat online abuse**

Implementing community-based approaches is essential for combatting online abuse against women effectively. These approaches involve engaging diverse community stakeholders, including local leaders, educators, civil society organizations, and technology platforms, to raise awareness, promote digital literacy, and foster a culture of respect and accountability online. Community-based interventions can include organizing workshops, training sessions, and awareness campaigns tailored to specific community needs and contexts. Additionally, establishing support networks and safe spaces where women can share their experiences, seek assistance, and access resources can empower survivors and promote solidarity within communities. By harnessing the collective efforts of communities, we can create safer and more inclusive online environments where women are supported, respected, and able to exercise their rights freely.

## **C. Collaboration of government, civil society, and technology companies**

Collaboration between government, civil society, and technology companies is essential for effectively addressing online abuse against women. By working together, these stakeholders can leverage their respective expertise, resources, and influence to develop comprehensive strategies and initiatives to combat online abuse. Government agencies can enact policies, legislation, and regulations to create a conducive legal environment and allocate resources for addressing online abuse. Civil society organizations can provide support services, advocacy, and awareness-raising campaigns to empower survivors and promote digital literacy. Meanwhile, technology companies can implement measures such as robust content moderation, reporting mechanisms, and user education to create safer online platforms.<sup>10</sup>By collaborating, these stakeholders can strengthen prevention, response, and support efforts, ultimately creating safer and more inclusive online spaces for women.

## **Conclusion**

In conclusion, addressing online abuse against women in India requires a multifaceted approach that encompasses legal, technological, social, and cultural dimensions. While significant progress has been made in recognizing and addressing online abuse, challenges

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<sup>10</sup> Citron, Danielle Keats, "Hate Crimes in Cyberspace", p.245.

persist in effectively combating this pervasive issue. Strengthening legal frameworks, enhancing law enforcement capacity, raising awareness, improving victim support services, and fostering collaboration between government, civil society, and technology companies are crucial steps in creating safer and more inclusive online environments for women. By working together and prioritizing the rights and dignity of women, we can strive towards a future where all individuals can participate freely and safely in the digital world.

Future directions for research and advocacy within the Indian context should focus on understanding the intersectional dynamics of online abuse, assessing its impact on women's well-being, analyzing existing legal and policy frameworks, examining platform governance practices, evaluating community-based interventions, and engaging stakeholders in policy advocacy efforts. By prioritizing these areas, we can advance our understanding of online abuse against women, inform evidence-based interventions, and advocate for systemic change to create safer and more inclusive digital spaces.

The urgency of concerted action to protect women's rights online in India cannot be overstated. As online abuse against women continues to escalate, it poses significant threats to their safety, well-being, and participation in digital spaces. Immediate and coordinated efforts are needed to address this pressing issue and uphold women's rights online. Online abuse not only violates women's fundamental rights to safety, privacy, and freedom of expression but also undermines their ability to fully participate in social, economic, and political life. It perpetuates gender-based violence, reinforces harmful stereotypes, and silences women's voices, leading to a chilling effect on their online engagement and activism.

In the absence of effective interventions, online abuse can have far-reaching consequences, exacerbating existing inequalities and hindering progress towards gender equality and women's empowerment. It contributes to a hostile online environment that marginalizes and excludes women, perpetuating a cycle of fear, self-censorship, and disengagement. Given the pervasive nature of online abuse and its detrimental impact on women's rights, urgent action is required at multiple levels. This includes strengthening legal frameworks, enhancing law enforcement capacity, raising awareness, improving victim support services, and fostering collaboration between government, civil society, and technology companies.

Moreover, addressing online abuse against women requires a holistic approach that addresses

the root causes of gender inequality, challenges harmful norms and attitudes, and promotes digital literacy and empowerment. It also necessitates a concerted effort to create safer and more inclusive online spaces where women can exercise their rights freely, express themselves without fear of retaliation, and participate fully in the digital world. By recognizing the urgency of this issue and taking decisive action to protect women's rights online, India can demonstrate its commitment to upholding human rights, promoting gender equality, and building a more inclusive and equitable society for all individuals, regardless of gender.