
CYBER STALKING AND ONLINE HARASSMENT OF WOMEN: A SOCIO-LEGAL AND PSYCHOLOGICAL ANALYSIS

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ABSTRACT

The rapid increase in global internet has led to a parallel rise in online harms such as *cyberstalking* and *cyber harassment*. Women are disproportionately targeted with gender-based hostility in *digital spaces*, where anonymity and borderless communication allow offenders to act with little immediately of accountability. Cyber stalkers misuse technology as a tool or weapon to observe, harass, threaten, and elicit fear in their target victims through sophisticated and relentless stalking behaviour. Although such offenses are becoming increasingly common, very little research has considered their impact on the mental health and general well-being of adult victims. This research tries to fill that gap by reviewing the literature on psychological, emotional, and social effects faced by women who become victims of online harassment and stalking. The findings reveal a strong correlation between *cyber victimization* and long-term trauma, including anxiety, depression, fear, *social withdrawal*, and reduced digital participation. This study, in the end, points out the dire need for improved reporting mechanisms, enhanced *digital literacy*, efficient law enforcement responses, and collaborative preventive measures that ensure safer online environments for women worldwide.

Keywords: Cyberstalking, Cyber harassment, digital space, cyber victimization, social withdrawal, digital literacy.

Introduction

Cyber stalking and online harassment

Cyberstalking involves using technology to make someone else afraid of concerned about their safety; most often the technology is the Internet. This conduct is threatening or otherwise fear-inducing, involves an invasion of a person's relative right to privacy, and manifests in repeated actions over time.¹ Online harassment can include sexual harassment, which is unwanted personal contact or other actions based on sex that impact the dignity of women at work. This may involve unwelcome physical, verbal, or non-verbal behaviour.² The evidence shows that the women and girls are highly exposed to it. They can suffer from serious consequences, resulting in physical, sexual, psychological, or economic harm and suffering. Online harassment becomes cyberstalking when undesired communications, either direct or indirect, are repeated; takes place over a period through one or more media of the internet.

Nature and scope of cyberstalking and online harassment

The forms that cyberstalking and cyber harassment take vary, but they all play a role in contributing to the damage suffered by the victim. Such forms include unsolicited communication, threatening emails, online surveillance via social media sites, identify theft, impersonation, defamation, and non-consensual communication of personal or intimate information. In most instances, the perpetrator employs multiple sites at any given time, making it extremely difficult for the victim to escape this abuse.³

One of the most outstanding features of cyberstalking and cyber harassment is their repetitive nature, which differentiates them from other forms of abuse. This feature gives these forms of abuse a sense of singularity in comparison to other forms of abuse. The borderless nature of cyberspace also poses another problem in that the perpetrator may operate in different jurisdiction, making it difficult to enforce legal action against them.

The seriousness of cyber harassment was recognized in a court case in India in *Kalandi Charan Lenka v. State of Odisha*, where the perpetrator created fake social media accounts and disseminated obscene and defamatory content about the victim. The Orissa High Court

¹ <https://cyberbullying.org/cyberstalking>.

² <https://docs.manupatra.in/newslines/articles/Upload/FDF5EB3E-2BB1-44BB-8F1D-9CA06D965AA9.pdf>.

³ https://www.jstor.org/stable/jj.39454396?turn_away=true.

recognized this behaviour as a serious violation of the victim's right to privacy and dignity and asserted that cyber harassment is as serious an offense as physical harassment.⁴ In another case in India in *State of West Bengal v. Animesh Boxi*, the court heard a case on the uploading of personal images without consent and recognized this behaviour as a serious offense that violates the victim's autonomy, dignity, and mental state.⁵

Psychological and emotional impact on women

The effect of cyberstalking and harassment is not just limited to temporary discomfort but also has significant and lasting effects on the mental psyche of the victims. The victims of cyber harassment and stalking also contribute to an environment in which the victims feel constantly under surveillance and attack, which further contributes to their mental instability and stress.⁶ One of the most significant effects of cyberstalking and harassment is the creation of anxiety and fear in the minds of the victims, in which they are constantly worried and fearful of attacks and harassment. This fear is not only limited to the virtual environment but also affects their real lives and their sense of security and happiness. Another significant effect of cyberstalking and harassment is the creation of depression in the victims, in which the victims suffer from feelings of helplessness, sadness, and lack of interest in their daily activities and lives.

Another significant effect of cyberstalking and harassment is social withdrawal, in which the victims withdraw themselves from social activities and refrain from participating in social discourse and communication, whether in virtual environment or in real life. The victims of cyberstalking and harassment often refrain from social media platforms and communication with other people, which not only affects their social lives but also affects their professional and educational opportunities and growth.

The recognition of the mental trauma and harm caused to the victims of cyberstalking and harassment is also reflected in judicial decisions and observations, that the mental trauma and harm caused to the victim and acknowledged that such offenses have significant effects on the mental psyche of the victims and their reputations. The devastating effect of non-consensual image sharing on the mental health and dignity of women and acknowledged that such offenses

⁴ <https://www.scribd.com/document/717957330/II-Kalandi-Charan-Lenka-v-State-of-Odisha>.

⁵ <https://globalfreedomofexpression.columbia.edu/cases/state-of-west-bengal-v-boxi/>.

⁶ <https://www.sciencedirect.com/science/article/pii/S004016252031252X>.

have significant effects on the mental psyche of women and dignity and reputation.

Legal Framework and Constitutional protection

While digital technologies and internet connectivity have changed the way individuals communicate and exchange information, they have also resulted in a new breed of crime known as cybercrime. Such crimes have become serious threat to the well-being, respectability, and peace of mind not only of their targets but specifically women, who happen to be the prime victims of such crime. To cope with such issues, laws have been enacted to control such conduct and protect the victims and bring violators to justice.

In India, the offense of cyberstalking has been covered in provision of Section 78 of BNS, 2023. In this section, the crime of stalking has been defined, and it has been stated that stalking involves the monitoring of the use of internet or electronic communication or any other kind of digital communication of a woman, even when there has been a clear indication of her disinterest in such activity. This provision indicates that continues stalking and attempts to communicate through electronic devices may pose grave dangers to the dignity, safety, and privacy of a woman.⁷ The Information Technology Act, 2000 offers substantial protection against the harassment that occurs through cyberspace. Under Section 66A, punishment for sending offensive messages through communication services, Section 66C, any act of identity theft that entails dishonestly making use of electronic signatures, passwords, or other identification markers is punishable, while under Section 66D, cheating by personation by means of computer resources is considered criminal. The abovementioned sections apply where there are fake social media profiles, impersonation, or any fraudulent acts carried out using technology.

Recommendations and Preventive Measures

It is not only important to improve legislation and law enforcement methods for dealing with cyberstalking and cyber harassment, but also essential to use a victim-centered approach. Many victims feel reluctant to make an official complaint regarding cyberstalking or cyberharassment because of the social stigma and victim-blaming that could occur after the complaint was filed, and fears that the complaint would not be considered. For that reason, it is necessary for the

⁷ https://www.mha.gov.in/sites/default/files/250883_english_01042024.pdf.

relevant authorities to introduce victim-friendly and confidential reporting systems that will provide assistance at all stages of the case.

Cyber awareness for parents

Parents ought to keep the lines of communication open with their kids concerning possible online dangers such as cyber grooming, stalking, bullying, and online exploitation. They also need to monitor their online activities and create clear rules with regard to internet usage and online gaming. They need to stay vigilant when observing a shift in behaviour on the part of their kids, such as being excessively online, overly secretive, and defensive about their online interactions, as they could point to cyber grooming or online abuse. Cyber grooming is known as the establishment of emotional ties between the offender and the child using social media, online games or any other online apps, as a way of gaining trust of the kid for sexual abuse or other types of online abuse. Parents need to teach their kids how to use social media responsibly by ensuring that the settings are strict and personal information is not shared at all.⁸

Cyber awareness for teens and young adults

Individuals must set up robust privacy settings for their social media profiles, limit sharing personal information only with those individuals who can be considered trustworthy, and be very careful when accepting friend requests or chats from strangers. It is also crucial for an individual to block or delete any user who behaves inappropriately or causes discomfort and sign off of his or her social media account once the usage ends as well as password protect the device he or she uses. The individual must be very careful about not sharing any sensitive information with others, including his or her phone number, email address, real-time location, and photographs or videos. It must be remembered that this type of information could be recovered even after deleting them from the smartphone that is connected to cloud storage. It is necessary for the individual to understand during video calls that the conversation might be secretly taped and used against him or her at a later stage. In order to protect oneself from cyberstalking, it becomes essential to disable location service when not required and report fake social media profiles immediately.⁹

⁸ https://cybercrime.gov.in/Webform/Crime_OnlineSafetyTips.aspx

⁹ https://cybercrime.gov.in/Webform/Crime_OnlineSafetyTips.aspx

Conclusion

As illustrated in this research, these crimes affect women more than men because of gender discrimination, the anonymity provided by the internet, and extensive use of technology. Cyberstalking is not only characterized by unwanted electronic contact but involves stalking, stealing of one's identity, posing as someone else, and sharing of personal details without consent. These crimes affect the privacy and the safety of a woman since they expose her to danger and violate her dignity. Psychological impacts as anxiety, depression, fear and social withdrawal are common experiences for victims even after the harassment period. However, ultimately, an integrated approach involving the government, law enforcement agencies, education sector, technology companies, parents, and society in general will be needed to tackle this menace. Encouraging proper use of the internet, enhancing cybersecurity, and prompt reporting of any abuse can greatly minimize online victimization. Establishing a conducive digital space is not only a legal responsibility but also a social one that is important in ensuring the dignity and privacy of all people, especially women, are respected and protected in this technological era.