

CYBER SPACE AND WOMEN *

—Men are taught to apologize for their weaknesses, women for their strengths.”

-Lois Wyse

INTRODUCTION

Technical measures to protect computer systems are being implemented along with legal measures to prevent and deter criminal behavior. But this technology knows no physical boundaries; it flows more easily around the world subsequently the criminals are increasingly located in places other than where their acts produce their effects and Cyberspace¹ is no exception to it. Cyberspace is a new horizon controlled by machine for information and any criminal activity where computer or network is used as the source, tool or target is known Cybercrimes².

There have been observable changes in recent years regarding position of woman issues in the world. Even now in modern era Woman's identity is an amalgamation of tradition and modernity. So in such an atmosphere, modern women are attempting to redefine their identity through a traditional or modern attitude or combination of both. In modern society today, identities have transformed as traditional ones have been challenged whereas new identities have been formed which enjoy neither the solidity nor the stability of that of the past. Cyberspace is one of the major elements responsible for identity change today. Through introducing cultural underpinnings these media form the common sense of the society in accordance with their own patterns bringing about major upheavals in their attitudes. Woman today is the first generation raised in a society in which technological literacy is essential for effective citizenship in the 21st century. With many more females using digital technologies

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¹ The word “Cyber Space” was coined by “William Gibson,” the Canadian/American science fiction writer who helped define its cyberpunk sub-genre, in 1982 in his novelette “Burning Chrome” in Omni magazine, and in his novel “Neuromancer”.

² The Cambridge English Dictionary defines Cybercrimes as crimes committed with the use of computers or relating to computer, especially through Internet.

for educational and recreational purposes, there has been an increase in social problems in cyberspace, exposing them to different forms of cyber violence. Cyber crimes against women are on the rise and women have been drastically victimized in the cyberspace. Some perpetrators try to defame women by sending obscene e-mails, stalking women by using chat rooms, websites etc, developing pornographic videos where women are depicted in compromising positions mostly created without their consent, spoofing e-mails, morphing of images for pornographic content etc. The sex-offenders look for their victims on social network websites, and also on job or marriage websites where people post their personal information for better prospect. The revealing of personal information has made women more a casualty of cyber crime. It is evident that victimization of women is leading to cyber crime and vice versa. While there are many instances where women in western countries are victimized, there is a raise of such victimization of women in the eastern regions such as India and these women are relatively with less legal protection and they are unique than their western counterparts.

Types of cyber crime that are committed against women:

Amongst the various cyber crimes committed against individuals and society at large the crimes which can be mentioned as specially targeting women are as follows: –

Harassment via e-mails.

Cyber-stalking: Cyber stalking involves following a persons movements across the Internet by posting messages (sometimes threatening) on the bulletin boards frequented by the victim, entering the chat-rooms frequented by the victim, constantly bombarding the victim with emails etc.

Cyber pornography: The literal meaning of the term 'Pornography' is —describing or showing sexual acts in order to cause sexual excitement through books, films, etc. This would include pornographic websites; pornographic material produced using computers and use of internet to download and transmit pornographic videos, pictures, photos, writings etc. Adult entertainment is largest industry on internet. There are more than 420 million individual pornographic web pages today.

Defamation: Defamation can be understood as the intentional infringement of another person's right to his good name. Cyber Defamation occurs when defamation takes place with the help of computers and / or the Internet. e.g. someone publishes defamatory matter about someone on a website or sends e-mails containing defamatory information to all of that person's friends. Information posted to a bulletin board can be accessed by anyone. This means that anyone can place defamatory matter against you. Cyber defamation is also called as Cyber smearing.

Morphing: Morphing is editing the original picture by unauthorised user or fake identity. It was identified that female's pictures are downloaded by fake users and again reposted/uploaded on different websites by creating fake profiles after editing it.

Email spoofing: A spoofed e-mail may be said to be one, which misrepresents its origin. It shows its origin to be different from which actually it originates.

Women also face the possibility of harassment when engaging in online discussions. When they decide to create profiles and blogs for personal expression, they are opening themselves up, not just to supportive individuals, but also individuals with malignant intent. Women are more likely to receive sexually inappropriate messages and images from strangers, even when these responses are clearly uninvited. Unfortunately Cyberspace is a platform that abusers exploit because it allows them to remain relatively anonymous and not face retribution that would otherwise have been possible if a woman had been physically harassed in a public setting. Therefore, although cyberspace does allow women to be themselves, the very fact that they are women still puts them at risk of being sexually harassed. Overall, the Internet can be a beneficial tool for women, particularly those in conservative communities, because it can be used to foster personal expression and the development of supportive relationships. Yet despite these advantages, cyberspace is not an entirely safe environment for women, who are still susceptible to harassment from men who come across their profiles or blogs. When we think about cybersecurity, we often think of security from identity theft, fraud, phishing, or hackers who steal passwords and information. But cyber – or online – security has a broader meaning for victims of domestic and sexual violence and stalking. Cybersecurity also means personal safety – safety from harm, harassment, and abuse while online.

The more frequent and increasingly venomous treatment of women on the internet can be seen as a result of the status quo of male dominance online being threatened. In cases of street harassment, the message is that women are not even welcome to physically occupy public space, which was historically male territory. Because of the nature of cyberspace as a non-physical realm, the imperative is instead to silence women. This is observable on small scale with cases like Sarkeesian's; increased female participation, especially through a feminist platform that can encourage other women to participate too, is threatening enough that it warrants a sexual harassment campaign to silence the dissident. So although the good news is that use of the internet has been on the rise among women,

After gaining a more equal status in some spaces, with the recognition of school and workplace sexual harassment, women today face all sorts of internet abuse. They are emotionally assaulted with assertions that they are overreacting to the non-issue of cyber harassment and beaten down with arguments based in sexism which attempt to relegate them to a position of subordination on the internet or drive them off the net entirely. It is difficult, if not impossible, for individual women to retaliate against harassment, since such resistance often results in even more harassment. Society as a whole must be able to acknowledge that internet sexual harassment is a form of social control directed against women. The public must be able to change the social meaning of cyber harassment and recognize that trivialization is complicity. Only then can women's free use of a potentially egalitarian cyberspace even have a chance at being realized.

Provisions of the IT Act 2008 relating to cyber crime and offences against women in India and the loopholes of the said Act:

Unfortunately even though Chapter XI of the IT Act deals with the offences such as Tampering with computer source documents (sec. 65), Hacking with computer system (sec. 66), publishing of information which is obscene in electronic form (sec. 67) Access to protected system(sec. 70), Breach of confidentiality and privacy(sec. 72), Publication for fraudulent purpose(sec. 74) IT Act 2000 still needs to be modified. It does not mention any crime specifically as against women and children. The elementary problems, which are associated with Cyber-Crimes, are Jurisdiction, Loss of evidence, Lack of cyber army and Cyber savvy judges who are the need of the day. Judiciary plays a vital role in shaping the enactment according to the order of the day. One such stage, which needs appreciation, is the P.I.L., which the Kerela high Court has accepted through an email. Today with the growing arms of cyberspace the territorial boundaries seems to vanish thus the concept of territorial jurisdiction as envisaged under Sec. 16 of C.P.C. and Sec. 2.of the I.P.C. will have to give way to alternative method of dispute resolution. Again, under no section in IT ACT 2000, Obscenity – personal viewing – Is an offence, infact like in IPC 292 again if it is proved that you have published or transmitted or caused to be published in the electronic form only then under Section 67 it can be an offence. Last but not the least, the IT Act 2000 does not mention the typical cyber crimes like cyber stalking, morphing and email spoofing as offences.³

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This article aims to create a thought about cybersecurity and safety regarding woman beyond safely making an online purchase but how we can create an environment where all women can be personally safe from violence while online. How do we create a safe online space for women that doesn't tolerate abuse? How do we support those females who are victimized online, whether their ex is making threats via social networks, or someone is distributing sexually explicit images of them online, or they're being threatened by a group of strangers

³ I.T. ACT, 2000 (Act No 21 of 2000)

online simply because they have an opinion about gender and dare to be in a male-dominated space? And how do we hold accountable those who are threatening, abusing, and harassing victims online?

Unfortunately Indian women are still not open to immediately report the cyber abuse or cyber crime. The biggest problem of cyber crime lies in the modus operandi and the motive of the cyber criminal. Cyber space is a transit space for many people, including offenders. While people do not live in cyber space, they come and go like any other place. This nature provides the offenders the chance to escape after the commission of cyber crime. Many websites and blogs provide security tips for the safety of women and children in the net. But still then cyber crime against women are on rise. In reality it is seen many chat friends enjoy teasing their women friends by words such as “sexy”, “attractive” which are the virtual beginning of cyber obscenity. They slowly take their female friends into confidence and start discussing about their own problems like a true friend. Hence in many occasions they are successful in turning the net friendship into a strong bond and gradually proceed to send obscene or derogatory remarks. If the recipient shies away, the sender of such messages would become more encouraged to continue. The problem would be solved only when the victimised woman then and there report back or even warn the abuser about taking strong actions.

