

Cyberbullying: A Threat to Freedom of Expression

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ABSTRACT: This article discusses the relationship between cyberbullying and freedom of expression, demonstrating how digital harassment damages the fundamental principles of free speech. Cyberbullying, defined as the use of online platforms to frighten or harass others, is directly against the idea of free expression, which seeks to protect open and respectful discourse. Through in-depth research and comparison of legal frameworks, this report identifies substantial loopholes in present legislation that fail to address the rising threat of cyber harassment. It suggests a broad strategy that combines legal reform, technology advances, and educational initiatives to foster an online environment that values empathy and respect. Key proposals include algorithmic changes to detect bullying behavior and the introduction of comprehensive digital citizenship education programs. The article shows the major psychological effects of cyberbullying, underlining the importance of creating safer online environments. The paper argues for cooperation among governments, technical companies, and civil society to restore the balance between supporting free expression and combating cyber abuse. This collaborated plan aims to prevent cyberbullying while simultaneously maintaining the internet as a vibrant space for democratic discourse and free speech.

KEYWORDS: cyberbullying, freedom of expression, digital harassment, online safety, legal framework, technological innovations, educational programs

1. Introduction

In the digital age, the internet has grown into a double-edged sword, providing unprecedented opportunities for free expression, learning, and connectedness while also creating new outlets for harassment and intimidation. Cyberbullying is a harmful type of action that has spread throughout the world, impacting people of all ages and having especially negative effects on youth. These phenomena create conditions of fear that mute voices and discourage discourse, undermining the basic basis of freedom of expression, which is a cornerstone of democratic nations. As we examine the intricacies of cyberbullying, it becomes clear that this problem is much more than just a few nasty acts; rather, it is intricately linked to larger dynamics of power, technology, and society.

The emergence of social media platforms, instant messaging applications, and online forums has revolutionized our communication and interaction methods. However, it has also led to the emergence of anonymous or pseudonymous interactions, which may encourage people to participate in detrimental behaviors without facing immediate repercussions. A variety of actions fall under the umbrella of cyberbullying, such as exchanging vile rumors, distributing threatening messages, disclosing personal information without authorization, and participating in other online harassing activities. These behaviors can have severe psychological repercussions on victims, impairing the ideals of safety and freedom that ought to be upheld in online environments and causing worry, despair, and even thoughts of suicide.

Research methods such as dogmatic research approaches and comparative legal analysis have been used in this case. The author evaluates and contrasts the views of reputable and skilled scientists. Additionally, an evaluation of the standards of several laws and international treaties on cyberbullying will be carried out using a comparative legal method, with any significant disparities being highlighted. To better understand how cyberbullying and freedom of expression are related, this article will look at how dangerous a threat cyberbullying is to the latter. We will reveal the complex aspects of this problem by examining the methods used in cyberbullying, the social and psychological effects on victims, and the difficulties in establishing and implementing legislation against online harassment. In addition, we will look into the obligations that governments, civil society organizations, and technology companies

have in preventing cyberbullying while preserving the right to free speech. Employing this investigation, the paper aims to strengthen the fundamental principles of freedom and democracy in the digital age by adding to the current conversation about fostering a more welcoming, courteous, and secure virtual space for all users.

2. Understanding Cyberbullying and Its Forms

Considering how important technology is to young people, there has been particular worry regarding the effects of online harassment, or "cyberbullying," on these individuals (Clough 2015, 420). Bullying that occurs over digital platforms, such as tablets, laptops, and cell phones, is referred to as cyberbullying (Jahankhani 2019, 3). It can happen online via social media, forums, or games where users can read, interact with, or share material. It can also happen through SMS, Text, and applications. Sending, publishing, or disseminating hurtful, malicious, or offensive material about another person is known as cyberbullying. It may involve disclosing private or intimate information about another individual in a way that makes them feel embarrassed or degraded. Cyberbullying can often cross the line into illegal or criminal activity. There is no agreed definition of 'cyberbullying', it is typically used to describe a sub-set of bullying, or covert bullying using technology: unprovoked, aggressive, and intentional behavior involving the abuse of power in relationships' (Clough 2015, 420).

Cyberbullying can take many forms, reflecting the diverse range of digital platforms and methods by which people communicate online. Understanding these manifestations is critical for detecting and combating cyberbullying. Here are some of the many expressions of cyberbullying:

- Cyber harassment - The deliberate use of information and communication technologies to humiliate, annoy, attack, threaten, alarm, offend, and/or verbally abuse another person (or people) (United Nations Office on Drugs and Crime 2019, 47).
- Doxing - Sharing private or personal information about someone without their permission with the intent to embarrass or humiliate them (United Nations Office on Drugs and Crime 2019, 47).
- Cyberstalking - the use of information and communication technology to commit a series of activities over time intended to harass, annoy, attack, threaten, terrorize, and/or verbally abuse an individual (or individuals) (United Nations Office on Drugs and Crime 2019, 44).

Anonymity on the internet plays a multifaceted role in online harassment, serving as both a shield and a weapon. Many experts say that cyberbullying is worse than traditional bullying because of anonymity, a victim's inability to escape from the abuse, and the vast size of the potential audience (Parks 2013, 6). It gives a safe space for people to express themselves without fear of repercussions, allowing marginalized voices to come out. However, the same veil of anonymity frequently encourages users to engage in aggressive, damaging behavior with no immediate consequences, as the lack of identifiable information makes it impossible to hold perpetrators accountable. This anonymity fosters a sense of detachment and depersonalization, as harassers are unable to fully comprehend the impact of their acts on actual people.

Furthermore, it hampers efforts by platforms and authorities to trace and punish offenders, allowing poisonous behavior to spread. While anonymity can promote privacy and freedom of expression, its role in promoting online harassment emphasizes the importance of taking balanced methods in digital spaces that respect users' rights while discouraging abusive behavior.

These forms underscore the complexities of cyberbullying and the need for digital literacy and empathy in fighting these behaviors. Individuals, schools, parents, and legislators can design more effective measures to avoid and respond to cyberbullying by identifying and recognizing its various manifestations.

3. The Impact of Cyberbullying on Victims' Rights and Freedoms

Cyberbullying is similar to other types of online harassment in that it uses online communication, social networking sites, picture distribution, and similar tactics to torment the victim. While cyberbullying is most commonly associated with school-aged children, it can also occur at work (Clough 2015, 420). Cyberbullying can have major emotional implications for both the victim and the bully. Victims may endure stress, anxiety, depression, and, in severe situations, suicide ideation or behavior.

The psychological effects of cyberbullying on victims can be severe and debilitating, harming their mental health and well-being in a variety of ways. Unlike conventional bullying, cyberbullying follows victims everywhere and is accessible through all digital platforms, making it difficult for victims to seek relief. Victims may develop anxiety over future online encounters or the dissemination of harmful content. This anxiety can emerge physiologically, causing symptoms such as panic attacks, difficulties sleeping, and problems focusing.

Persistent cyberbullying can cause emotions of depression, loneliness, and hopelessness. Victims may withdraw themselves, lose interest in activities they formerly valued, and experience a pervasive sense of worthlessness and despair. In severe circumstances, these feelings might last a long time and necessitate expert help. The agony created by cyberbullying can occasionally drive victims to consider or attempt suicide. The unrelenting nature of online abuse, along with public humiliation and the perception that there is no way out, can intensify feelings of despair and powerlessness, dramatically raising the risk of suicide.

Addressing cyberbullying requires education, awareness, reporting, and intervention measures from both individuals and institutions, such as schools, families, and social media platforms. The internet environment implies that the victim cannot escape their attackers, even when they are not at school or work. Cyberbullying has the potential to quickly escalate and involve others. Cyberbullying, like other forms of harassment, has been associated with significant discomfort and anxiety, as well as long-term psychological harm and suicide (Clough 2015, 420).

Cyberbullies use a variety of psychological strategies to frighten, manipulate, and cause harm to their targets. These include impersonation, in which bullies adopt the victim's identity to harm their reputation; public shaming and humiliation by disseminating personal information or photographs; exclusion, which isolates the victim from their peer group and gas-lighting, which causes victims to question their senses or sanity. They frequently use the anonymity and reach of the internet to reinforce these tactics, producing a pervasive sense of threat and isolation in the victim. These tactics are intended to exploit vulnerabilities, cause fear, and gain control over persons in the digital domain.

The *United States v. Drew* (2008) case, including Lori Drew's construction of a bogus MySpace account to torment 13-year-old Megan Meier, which sadly resulted in Megan's suicide, had a huge impact on the discourse about cyberbullying. This case from Dardenne Prairie, Missouri, highlighted the serious implications of internet harassment, especially when committed by an adult against a kid. Lori Drew was initially convicted under the Computer Fraud and Abuse Act for her hoax, but her conviction was later reversed, highlighting the challenges of applying existing laws to cyberbullying instances (Castle 2009, 581).

Megan Meier's tale catalyzed reform, highlighting the critical need for particular cyberbullying legislation. The case highlighted the difficulties in legally combating internet harassment and the limitations in protection against such conduct. It caused a media frenzy and raised public awareness about the consequences of cyberbullying, prompting debate over the legal, social, and ethical measures needed to effectively tackle this issue (Castle 2009, 581).

The case highlighted the delicate balance between combatting cyberbullying and protecting free expression and privacy rights. It underscored the need for explicit, targeted legislation that addresses the specific character of online abuse, protecting victims while

upholding fundamental rights. Megan Meier's situation is a painful reminder of the devastation caused by cyberbullying and the ongoing work required to establish safer online settings.

4. Balancing Act: Protecting Freedom of Expression While Fighting Cyberbullying

The instantaneous nature of the internet means that often a good deal of harm is done before the information can be removed (Baker and Robinson 2021, 22). The integration of AI and machine learning into cyberbullying detection and mitigation presents a proactive approach to combat harmful online behaviors. These technologies excel in analyzing extensive data sets to identify patterns, context, and anomalies indicative of cyberbullying, such as harassment or sudden spikes in targeting individuals. The employment of AI as a weapon could require defense systems to be more capable of detecting threats and maintaining cover (Baker and Robinson 2021, 215). AI's potential to automatically moderate harmful content and provide support to victims highlights its significance in creating safer online environments. However, the challenge lies in deploying these technologies without overstepping into over-censorship, thus preserving freedom of expression and privacy.

Key strategies include employing AI for pattern recognition and contextual analysis to accurately identify cyberbullying, alongside anomaly detection for unusual activity monitoring. In response, automated systems can moderate content, offer victim support, and adaptively learn to improve detection and mitigation tactics. Emerging technology can be both a threat to privacy and a tool for fraud and crime prevention (Baker and Robinson 2021, 4). However, ensuring the ethical use of AI necessitates human oversight, transparency in AI operations, user control over content interaction, and consideration of diverse cultural norms to avoid bias and respect privacy. The future of combating cyberbullying with AI depends on balanced, ethical, and collaborative efforts to refine these technologies, ensuring they protect individuals while fostering a respectful online culture.

Cyberbullying regulations are frequently challenged as they may violate the US Constitution's provision of free expression, making them unlawful (Parks 2013, 7). Protecting freedom of expression while combating cyberbullying requires striking a delicate balance between respecting individuals' free speech rights, as embodied in global and regional human rights instruments, and ensuring that the digital arena does not become a forum for harassment and abuse.

No one seriously argues that free speech means the right to say or publish whatever you want about anyone or anything without consequences (Melkonian 2012, 4). It is a fundamental right, yet it does not grant immunity to spread falsehoods or harm others without repercussions. Responsible expression respects boundaries, understanding that rights come with the duty not to infringe upon the safety and dignity of others. Despite claiming to promote free speech, many civilizations restrict it in various ways. The First Amendment in the United States guarantees free expression, and any exceptions must be justified in light of this constitutional freedom. While regulations provide for freedom of expression, it is unclear what kind of communication should be considered free (Melkonian 2012, 9).

Universal Declaration of Human Rights (United Nations General Assembly 1948) - upholds the right to freedom of opinion and expression, highlighting the importance of being able to impart information and ideas through any media regardless of frontiers. This foundational principle must be balanced with the rights and dignity of others to ensure a respectful and safe online environment.

International Covenant on Economic, Social, and Cultural Rights (ICESCR) (United Nations General Assembly 1966a) and International Covenant on Civil and Political Rights (ICCPR) (United Nations General Assembly 1966b) both covenants emphasize the importance of respecting human rights. The ICCPR specifically addresses freedom of expression and its boundaries to the rights or reputations of others. European Convention on Human Rights (ECHR) - protects the right to freedom of expression but also includes provisions for

restrictions deemed necessary in a democratic society, such as for the protection of the reputation or rights of others. This clause provides a legal framework for combating cyberbullying while respecting free speech (Council of Europe 1950).

Standardized assessment and regular monitoring of cyberbullying are necessary to assess the problem, identify risk and protective variables, and develop preventative and intervention methods (Baldry, Blaya, and Farrington 2018, 59). Efforts to counteract cyberbullying must take into account these legal frameworks, ensuring that actions do not violate the right to free expression while effectively addressing and reducing the harm caused by online abuse. This includes defining cyberbullying, establishing education and awareness programs, providing victim reporting and support systems, and fostering an online culture of respect and dignity. It also necessitates the collaboration of different parties, including governments, internet service providers, social media platforms, and civil society, to implement laws and rules that protect individuals from cyberbullying while not unduly restricting legitimate expression. To effectively eliminate cyberbullying, we must first address racism, sexism, homophobia, ableism, and fatphobia. Cyberbullying communications sometimes reinforce systemic inequality and marginalization (Baldry, Blaya, and Farrington 2018, 60). Children learn to exclude and stigmatize individuals who vary from them, just as adults do in subtler ways.

To prevent this crime, We need greater public education about how to develop polite relationships with one another (Baldry, Blaya, and Farrington 2018, 60). Community-driven initiatives and educational programs are critical in fighting cyberbullying and promoting awareness, empathy, and digital citizenship through joint efforts involving schools, families, non-governmental organizations, and technology companies (Parks 2013, 7). School-based programs, such as the Olweus Bullying Prevention Program (clemsonolweus.org), use role-playing to teach online respect, whereas projects like Common Sense Education promote digital literacy among students, teachers, and parents. Peer mentorship and workshops, sponsored by organizations like #ICANHELP (www.icanhelp.net), encourage inclusive online communities. Collaborations with technology businesses result in tools for better digital citizenship and procedures to report cyberbullying. These diverse techniques seek to reduce cyberbullying and promote a more courteous online community.

5. Conclusion

The study of cyberbullying's impact on freedom of expression reveals that this digital threat poses a multifaceted challenge to individual rights and communal harmony. As this article has shown, the insidious nature of cyberbullying not only causes psychological harm to its victims but also greatly limits their ability to express themselves freely and without fear. The paradox is that one's freedom of expression is used to repress another's, resulting in an environment in which voices are silenced not by the force of law, but by the tyranny of harassment and intimidation.

The global digital ecosystem has increased the scope and impact of bullying, crossing physical boundaries and allowing abusers to remain anonymous. This detachment not only empowers aggressors but also hinders authorities' efforts to provide proper protection and recourse for victims. The discussion has emphasized the need for legislation, technological platforms, and community awareness in fighting this issue. However, the effectiveness of these strategies is dependent on a shared commitment to creating a digital culture based on empathy, respect, and inclusivity.

Legal frameworks must be constantly assessed and modified to meet cyberbullying techniques as they evolve, ensuring that laws are both deterrent and relevant to the intricacies of the digital age. Similarly, social media platforms and technology businesses must be alert and aggressive in enforcing community standards, using powerful algorithms and human intervention to detect and reduce bullying. Education and awareness campaigns are equally important, providing individuals with the knowledge and skills they need to defend themselves online, encourage digital citizenship, and combat cyberbullying.

To summarize, preserving free expression in the face of cyberbullying is a complicated operation that necessitates a collaborative effort from individuals, communities, and governments globally. By acknowledging the gravity of cyberbullying and actively participating in solutions, society can protect the digital sphere as a platform for open, courteous, and constructive exchange of ideas. The struggle against cyberbullying is much more than just opposing a negative force; it is also about confirming our common commitment to the principles of freedom, dignity, and respect in the digital era.

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