

# Chapter 11

## Revisiting the Cyberbullying Legislation in Bangladesh: A Comparative Study With the Global Scenario

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### **ABSTRACT**

*The author of this chapter provided a comparison of cyberbullying-related issues across the diverse cyber laws of countries. A definition and distinction between cybercrime and cyberbullying and the impact of cyberbullying on individuals of various ages, socioeconomic, and sociocultural backgrounds were discussed. The cyberbullying provisions in national cyber laws of the top five cyberbullying victim countries were reviewed. Then they were compared to Bangladesh's Information and Communication Technology Act, 2006, and the Digital Security Act, 2018. The final section of the chapter compares the legislation governing cyberbullying in India, Brazil, the United States of America, Belgium, and South Africa to Bangladesh's acts. The comparisons of the crimes demonstrate why the acts are more infamous in Bangladesh than in other nations with a higher rate of cyberbullying victims. Some future recommendations for the Bangladeshi government by examining the country's legislation with the international community and identifying new research possibilities for the future were recommended.*

### **INTRODUCTION**

Our lives have been transformed in ways that were unimaginable even a decade ago. While this technology enables rapid and easy contact between individuals worldwide, it has also enabled offenders to commit atrocities and resulted in the emergence of new forms of Internet-related crime. Cybercrime is a term that refers to any criminal conduct committed with the use of computers, networked devices, or a network that occurs entirely within cyberspace (Babanina et al., 2021; H. Wang, 2021).

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Because the Internet transcends traditional constraints of physical location and identity, it provides an excellent platform for stalkers and bullies to harass, abuse, and threaten people (Collier, 2021). According to Symantec (2012), up to one million people around the world were victims of cybercrime in 2012. About 34% of cybercrime victims had been cyberbullied at some point in their lives.

Bullying is a widespread occurrence and a hot topic of discussion in the academic environment. It is not restricted to children in schoolyards; hostility and violent behavior toward others have spread to adolescents, young people, and young adults as well (Tammam, 2022). Traditional bullying is largely believed to have a variety of detrimental consequences. This involves psychological distress and several types of physical concerns. Physical violence and verbal abuse are two examples, as are related activities such as gossiping and spreading rumors (Chen et al., 2018; Yoon et al., 2021).

Due to the widespread use of the internet, this issue has been dubbed “cyberbullying” in the world of the World Wide Web. Despite the growing global acknowledgment of cyberbullying, Bangladesh’s lack of proper legislation has remained a significant obstacle (Hossain et al., 2022; Hossen, 2021). This article will suggest that new legislation should be drafted in Bangladesh to ensure the safety of children and adolescents. There are numerous misunderstandings between laws and policies among the populace. From the infamous “Article 57” of the “ICT Act” (Mogumder, 2022; Riaz, 2022) to the contentious “Digital Security Act,” none of the laws were drafted with children and adolescents in mind (The Business Standard, 2022; The Daily Star, 2022).

The policy for cyberbullying varies by country’s legislation and encompasses a variety of legal issues. However, it appears as though the legal process is universal in some countries and age-specific in others. Bangladesh’s policy is categorical and based on age and occupation. Additionally, there is no explicit law prohibiting cyberbullying; rather, cybercrime is defined as cyberbullying. The “ICT Act, 2006,” the “Pornography Control Act, 2012,” and the “Digital Security Act, 2018” all address certain aspects of cyberbullying.

The rules governing the aforementioned acts and their changes will be thoroughly studied in this study and then compared to the laws of various countries. This literature study will look for flaws in Bangladesh’s laws by comparing them to international legal precedents from other countries.

## **CYBERBULLYING**

Cyberbullying sometimes begins as a joke, with young people hacking accounts (email, social media, and network profiles) for humor, but the repercussions are far from entertaining. However, cyberbullying occurs when the perpetrator’s intent is adversarial or destructive to others (Kumar & Goldstein, 2020; Zhang et al., 2021). Additionally, the perpetrator’s hostile purpose can be repeated, because cyberbullying requires anonymity. Wong & McBride (2018) found that cyberbullying requires enjoyment seeking. The degree of fun-seeking was much more predictive of cyberbullying than one of the strongest current predictors, cyberbullying normative values.

Cyberbullying has a detrimental effect on children’s mental and physical health. Numerous studies have found that victims of cyberbullying can experience bodily symptoms such as sleep deprivation and decreased vitality. Bedwetting, inability to eat, pain, skin problems, and stomach/abdominal problems (Albdour et al., 2019; S. Lee & Chun, 2020; Mateu et al., 2020).

Online bullying is described as “threats or other inappropriate behavior (other than sexual solicitation) directed toward or posted about a minor on the Internet.” As Allington (2020) indicates, here, aggressive

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