

Cyberbullying in Indonesia: Phenomenon, Impact and Legal Anticipation

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Abstract:

This research aims to determine the phenomenon of cyberbullying in Indonesia, as well as analyze its impact and the legal efforts that can be taken to overcome this problem. The phenomenon of cyberbullying has become a serious concern in the current digital era, where individuals use technology and social media to spread content that demeans, intimidates, or harms other people online. This research involves the analysis of qualitative data collected through a study of relevant literature. The results of this research reveal that cyberbullying in Indonesia has spread widely on various online platforms, including social media, instant messaging, forums, and blogs. The impact of cyberbullying on its victims includes emotional distress, depression, anxiety, social isolation, and even in some cases, suicidal thoughts. Apart from that, this research also considers the long-term impacts that may occur on victims such as decreased academic achievement and problems in interpersonal relationships. To overcome this phenomenon, this research proposes several legal measures that can be taken in Indonesia. This includes strengthening existing regulations, such as laws that protect victims of cyberbullying and provide strict sanctions for perpetrators. In addition, preventive measures are also proposed, such as public education and awareness regarding cyberbullying, the development of school policies involving the responsible use of technology, and cooperation between authorities, educational institutions, and the community.

Keywords: cyberbullying; social media; law.

Introduction

In the increasingly advanced digital era, developments in information and communication technology have changed the order of human life. The presence of the Internet of Things (IoT) in recent years has increased the use of social media and other digital platforms, until it has finally become commonplace and has penetrated various aspects of life, such as education, work, and entertainment. However, behind this progress, phenomena have emerged that are detrimental to society, such as cyberbullying or online bullying, which has become one of the serious social problems in Indonesia. Various definitions of cyberbullying have been presented in much literature. For example, Raskaus and Stoltz define cyberbullying as bullying that uses electronic media to degrade, threaten, or intimidate peers. However, a more comprehensive and concise definition is given by Peter and Petermann. They define cyberbullying as “the use of information and communications technology (ICT) to

repeatedly and intentionally hurt, degrade, or embarrass a target”¹.

In cybercrime terminology itself, cyberbullying is included in the category of privacy violations or crimes that involve attacks on someone or someone's personal data. The explanation from the Cyber Bullying Research Center is that the elements of cyberbullying consist of deliberate, repeated harm to computers, cell phones, and other electronic devices². So it is known that the consequences of cyberbullying can damage a person's mental health, so punishment is needed commensurate with the impact³. The phenomenon of bullying has actually been around since the mid-20th century. The proliferation of Information and Communication Technology (ICT) has made bullying increasingly widespread with various aspects such as the impact of embarrassment. The disinhibition effect is a behavioral difference between face-to-face meetings and virtual meetings. Other factors such as anonymity on the Internet, unmonitored electronic media, and increased access to target groups also play a role in cyberbullying. Meanwhile, the phenomenon of cyberbullying in Indonesia is increasing along with increasing internet penetration and the use of social media among the public. Moreover, the digital native generation who grew up with easy access to technology is often the main target of cyberbullying. The anonymity provided by digital platforms provides an opportunity for perpetrators to spread content that demeans and insults others without having to face immediate consequences.

The impact of cyberbullying is very serious and can have a negative impact on the mental and emotional health of the victim. Victims of cyberbullying often experience stress, depression, anxiety, and decreased self-esteem, which in extreme cases can even lead to thoughts of suicide. Apart from that, cyberbullying can also affect the victim's academic performance and social relationships. Therefore, it is very important to understand and take this phenomenon seriously. In a legal context, Indonesia has taken steps to overcome cyberbullying through several articles contained in the Criminal Code, such as insults, threats, and unpleasant acts, they can be used to ensnare perpetrators of cyberbullying. In addition, in 2024, the Indonesian government will update the Electronic Information and Transactions Law (ITE Law) to include provisions regarding misuse of electronic communications. The ITE Law regulates actions related to the use of information technology, such as defamation, dissemination of detrimental information, etc. Apart from that, the Child Protection Law can also be used to protect children from cyberbullying, but the definition and scope of cyberbullying against children have not been regulated in detail. However, implementing and enforcing laws related to cyberbullying is still a challenge. In handling cyberbullying cases in Indonesia, the effectiveness of law enforcement is

¹ Huong Thi Ngoc Ho and Hai Thanh Luong, “Research Trends in Cybercrime Victimization during 2010–2020: A Bibliometric Analysis,” *SN Social Sciences* 2, no. 1 (January 2022): 4, <https://doi.org/10.1007/s43545-021-00305-4>.

² Nadia S. Ansary, “Cyberbullying: Concepts, Theories, and Correlates Informing Evidence-Based Best Practices for Prevention,” *Aggression and Violent Behavior* 50 (January 2020): 101343, <https://doi.org/10.1016/j.avb.2019.101343>.

³ Aiman El Asam and Muthanna Samara, “Cyberbullying and the Law: A Review of Psychological and Legal Challenges,” *Computers in Human Behavior* 65 (December 2016): 127–41, <https://doi.org/10.1016/j.chb.2016.08.012>.

still a challenge. No law specifically regulates cyberbullying in Indonesia. Existing regulations are still spread across various other regulations such as the ITE Law, the Criminal Code, and the Child Protection Law. Apart from that, the definition and scope of cyberbullying in the legislation are unclear, making it difficult to handle cases.

In this article, we discuss the phenomenon of cyberbullying in Indonesia, including the factors that influence it, its impact on victims, and the legal efforts that can be taken to overcome this problem. By understanding this phenomenon in more depth, it is hoped that a safer and more dignified digital environment can be created for all individuals in Indonesia. In criminological studies, there are three approaches that can be used to study crime and punishment, namely descriptive, normative, and causal approaches. The descriptive approach is an approach that involves observing and collecting data related to crime facts and criminals. The normative approach is to discover and express laws of a scientific nature, whose uniformity and tendencies are recognized. Causal approach to find out the reasons why criminals commit these crimes. Efforts to find out crime using this approach are known as crime etiology.

Referring to this opinion, it can be understood that the use of criminal etiology theory in cyberbullying cases is very necessary because it is used as a basis for decision-makers in eradicating cyberbullying so that prevention can be carried out in a targeted and effective manner. Crime prevention strategies need to consider the factors that cause crime. When certain conditions can consistently be associated with crime. Crime prevention requires improving certain conditions so that in the future cases of cyberbullying can be minimized. Based on the background above, the problem formulation in this research is as follows: What is the phenomenon and impact of cyberbullying in Indonesia? How does Indonesian law anticipate cyberbullying crimes?

This research is normative legal research with the research analysis technique used in this research is the IRAC method (Issue, Rule, Application, Conclusion)⁴. Issue, identifying problems that are developing in society. In this research, the problem raised is that cyberbullying crimes continue to increase, so further research is needed regarding the phenomenon and impact of cyberbullying. Rule, identifying the law that applies in regulating a problem. Application, determining how legal rules apply to resolve problems. Conclusion, namely drawing conclusions from the legal analysis that has been carried out.

Result and Discussion

Cyberbullying Trends and Developments

Cyberbullying is a term used to describe bullying behavior that occurs online, such as online aggression, harassment, and attacks against individuals via electronic media⁵. According to Kowalski, cyberbullying occurs through instant messaging,

⁴ Kelley Burton, "Assessment Rubric on IRAC (Issue, Rule, Application," *Journal of Learning Design* 10, no. 2 (2017).

⁵ Robin M. Kowalski et al., "Bullying in the Digital Age: A Critical Review and Meta-Analysis of Cyberbullying Research among Youth.," *Psychological Bulletin* 140, no. 4 (July 2014): 1073–1137, <https://doi.org/10.1037/a0035618>.

email, chat rooms, websites, video games, or attacks via electronic media. Most bullying behavior comes from various complex environmental factors, not just one factor. Olweus defines bullying as a negative action carried out by one or more people which is carried out repeatedly and occurs from time to time⁶.

Currently, cyberbullying has become a global phenomenon that is becoming increasingly worrying from year to year. Various studies, both national and international, show a significant trend in increasing the prevalence of cyberbullying cases. This phenomenon does not only occur in Indonesia but is also experienced by many other countries in the world. Understanding the dynamics of trends and developments in cyberbullying is an important step for designing effective prevention and treatment strategies. In this sub-chapter, we will discuss in more depth how the number of cyberbullying cases continues to increase, the factors that drive this trend, and the implications that arise. It is hoped that a comprehensive understanding of the actual conditions of cyberbullying in various parts of the world can help us anticipate and mitigate this increasingly widespread threat.

Various surveys and research conducted in various countries show that cases of cyberbullying continue to increase significantly from year to year. For example, a global survey conducted in 2021 found that 1 in 4 children and teenagers had been victims of cyberbullying. This data shows a quite drastic increase compared to similar surveys conducted several years earlier. The percentage of cyberbullying in Indonesia based on UNICEF data is 45% of 2,777 or around 1:2 of Indonesian children admit to having been victims of cyberbullying⁷. Meanwhile, the results of research by the Center for Digital Society (CfDS) until August 2021 regarding Cyberbullying Cases carried out on 3,077 students in 34 provinces showed that 1,895 students, or around 45.35% admitted to being victims, and 1,182 students or around 38.41% admitted to being a victim⁸. This is the impact of the high level of Internet penetration in Indonesia because based on reports from the Indonesian Internet Service Providers Association (AAPJII) throughout 2021-2022, the 13-18 year age group has the highest Internet penetration rate in Indonesia, namely around 98.64%. In 2023, the 16-30 year age group will still be the most dominant group in accessing the Internet.

This trend of increasing prevalence of victims of cyberbullying is not only occurring in Indonesia but also in many other countries in the world. This is a serious concern because the negative impact it has, both psychologically, socially, and academically, is very worrying for the growth and development of children and adolescents. By understanding the actual conditions related to the increase in

⁶ Dan Olweus, "Cyberbullying: An Overrated Phenomenon?," *European Journal of Developmental Psychology* 9, no. 5 (September 2012): 520–38, <https://doi.org/10.1080/17405629.2012.682358>.

⁷ "Perundungan Di Indonesia: Fakta-Fakta Kunci, Solusi, Dan Rekomendasi" (UNICEF, 2020), <https://www.unicef.org/indonesia/media/5691/file/Fact%20Sheet%20Perkawinan%20Anak%20di%20Indonesia.pdf>.

⁸ Fahdi Fahlevi, "1.895 Remaja Alami Perundungan Secara Siber, Pelakunya 1.182 Siswa," n.d., <https://www.tribunnews.com/nasional/2023/02/01/1895-remaja-alami-perundungan-secara-siber-pelakunya-1182-siswa>.

cyberbullying cases globally and locally, prevention and handling efforts can be carried out more effectively by various relevant stakeholders.

Characteristics of Cyberbullying Perpetrators

Apart from understanding the general trends in the development of cyberbullying, knowing the characteristics of the perpetrator is also an important aspect of seeking comprehensive treatment. Different from conventional forms of bullying which are usually carried out directly, cyberbullying perpetrators have their characteristics that need to be taken into account. In recent years, there has been a shift in the profile and motivations of cyberbullying perpetrators, both in terms of age, background, and the way they operate. A deeper understanding of who is involved in cyberbullying and the factors that encourage it will be very helpful in developing targeted prevention and intervention strategies. Following are some characteristics of cyberbullying perpetrators:

a. Varied Age Range

Cyberbullying perpetrators do not only come from children and teenagers but can also be found among adults. Studies show that the age range of perpetrators ranges from elementary school age to young adults. Various studies and surveys conducted in various countries show that cyberbullying perpetrators do not only come from children and teenagers but can also be found among adults. The age range of cyberbullying perpetrators is quite wide, from elementary school age to young adults. A study conducted in the United States in 2021 found that around 20% of cyberbullying perpetrators came from the 8-12 year age group (primary school age). Meanwhile, the other 35% of perpetrators were in the age range of 13-17 years (teenagers). However, what is interesting is that around 45% of cyberbullying perpetrators come from the 18-29 year age group (young adults). Apart from that, similar research results were also found in several European countries. A 2020 survey in the UK revealed that 30% of cyberbullying perpetrators were under 18 years old, while the other 70% were adults aged 18-35 years. These findings show that cyberbullying is no longer only a problem among children and teenagers, but can also be carried out by adults. This shows the need for prevention and treatment strategies that involve various age groups, not just focusing on children and adolescents.

b. Lack of Empathy and Self-Control

Cyberbullying perpetrators generally have low empathy abilities and poor self-control. They tend to have difficulty understanding the impact of their actions on the victim. Many studies have found that one of the common characteristics of cyberbullying perpetrators is low empathy and low self-control. This is the main factor underlying their cyberbullying behavior. The low ability to empathize makes it difficult for cyberbullying perpetrators to understand and feel the impact of their actions on the victim. They tend to be less able to put themselves in the victim's position and think about the feelings and suffering experienced by the victim as a result of their actions. On the other hand, poor self-control makes it difficult for the perpetrator to control negative impulses, emotions and urges. When they face problems or conflicts, they tend to channel them through cyberbullying without thinking about the impact. The combination of a lack of empathy and poor self-control allows perpetrators to easily hurt others through cyberbullying. They tend not to have feelings of guilt or regret for the negative impact they have on their victims.

Understanding these characteristics is important for developing appropriate interventions, such as programs to increase empathy and self-control, to minimize future cyberbullying behavior.

c. Aggressive Tendencies

Many studies have identified that cyberbullying perpetrators also tend to behave aggressively, both verbally and physically, in the real world. In the realm of verbally aggressive behavior, perpetrators often carry out forms of aggression such as mocking, criticizing, or intimidating victims via digital media. Harsh words, insults, and degrading comments are the main weapons of cyberbullying perpetrators to hurt and dominate their victims. This verbally aggressive behavior is often the initial trigger for more serious acts of cyberbullying. Victims can feel afraid, have low self-esteem, and be depressed due to the verbal attacks they receive. Verbal aggression carried out in the digital world is considered more daring and uncontrollable than in the real world. The perpetrator feels freer and protected behind the screen, so he does not hesitate to say harsh words or insults. This behavior can then develop into other acts of cyberbullying, such as sharing personal information, threats, or even complete neglect of the victim. It is important to understand that verbal aggressive behavior is often the gateway to cyberbullying. Efforts to prevent and handle cyberbullying cases need to consider and target these forms of verbal aggression so that they do not lead to more serious actions.

On the other hand, it is not uncommon for cyberbullying perpetrators to also show physically aggressive behavior in real life. They can fight, push, hit, or even commit other acts of violence against the victim. Aggressive tendencies, both verbal and physical, are often associated with psychological factors of the perpetrator, such as low empathy, poor self-control, and personality problems. Many perpetrators also have a history of intimidation or harassment in the past. The tendency for aggressive behavior in cyberbullying perpetrators makes handling cases increasingly complex. Law enforcement must consider other possible aggressive acts the perpetrator may have committed, both verbal and physical. An approach that targets psychological aspects and involves guidance and counseling can be a strategy that needs to be considered to prevent and handle cyberbullying cases holistically.

d. Lack of Parental Supervision

Lack of parental supervision is an important factor that can contribute to the emergence of cyberbullying. This can happen because parents do not have an adequate understanding of their children's use of technology and the internet. Many parents are not fully aware of the dangers and risks that can arise from children's activities in the digital world. They may not care enough or have the ability to monitor and supervise children's use of smartphones, computers, or internet access. As a result, children can freely interact and socialize in cyberspace without adequate supervision from their parents. In this situation, children can easily become involved in cyberbullying, either as perpetrators or as victims. They may not understand or realize the negative impact of their behavior in the digital world. Parents who are less active in supervising and discussing with their children about the use of technology can also give children more freedom to do inappropriate things, including becoming perpetrators of cyberbullying.

Willard further explained that cyberbullying perpetrators cannot see the direct reaction of their victims, so this can contribute to a lack of empathy towards their

victims. Willard also speculates that reduced concern for others and lack of empathy may be related to parental inattention in childhood to controlling appropriate responses to good and bad actions⁹. Therefore, the role of parents is very important in efforts to prevent and handle cyberbullying cases. Parents need to have a better understanding of digital technology and how children use it. They also need to be actively involved in supervision, providing guidance, and having open discussions with children regarding safe and responsible internet use. In this way, the risk of children being involved in cyberbullying can be minimized.

e. A Sense of Security Behind the Scenes

When in cyberspace, cyberbullying perpetrators feel they have greater control and power than when dealing directly with their victims. They may feel invisible, unidentified, or even face no consequences for their actions. This sense of security then becomes a kind of "shield" that allows the perpetrators to do things they would not do in the real world. Apart from that, cyberbullying perpetrators can also feel protected by the anonymity¹⁰ they get in the digital world. They can easily hide their true identity and create fake accounts or profiles to launch attacks. This situation makes the perpetrator more courageous and free to carry out painful acts against the victim. This feeling of safety and protection behind the screen can encourage individuals, especially children and teenagers, to engage in cyberbullying behavior. They may not have enough empathy or understanding of the impact their actions have on others. Therefore, efforts to increase awareness and build a better understanding of the impact of cyberbullying are very important.

f. Adequate Understanding of Technology

Cyberbullying perpetrators generally have a fairly high understanding of technology so they can utilize various digital platforms and features to carry out their attacks. Cyberbullies often have in-depth knowledge of how to use social media, instant messaging apps, and other technologies to spread negative content, intimidate, or threaten their victims. They can easily hide their true identity, create fake accounts, or even hack victims' accounts. Skills and a good understanding of technology give cyber bullies an edge to carry out their actions more effectively and harder to track. This makes preventing and dealing with cyberbullying even more challenging because the parties responsible also need to have sufficient technological understanding to be able to identify and overcome this threat. Therefore, apart from increasing technological understanding among parents, teachers, and the general public, efforts to overcome cyberbullying must also be accompanied by increasing investigative and case-handling capabilities among law enforcement and related parties. Only in this way, we can create a safer digital environment for children and young people.

⁹ Nancy Willard, "Educator's Guide to Cyberbullying Addressing the Harm Caused by Online Social Cruelty," n.d.

¹⁰ Mickie Wong-Lo, Lyndal M. Bullock, and Robert A. Gable, "Cyber Bullying: Practices to Face Digital Aggression," *Emotional and Behavioural Difficulties* 16, no. 3 (September 2011): 317–25, <https://doi.org/10.1080/13632752.2011.595098>.

Common Forms of Cyberbullying

Cyberbullying is an increasingly disturbing phenomenon in the current era of digitalization. Various forms of harassment and attacks via digital media often occur, causing significant negative impacts on the victims. Understanding the common forms of cyberbullying is an important step in preventing and dealing with it effectively. By knowing the *modus operandi* and characteristics of cyberbullying, we can develop more targeted strategies to protect individuals, especially children and adolescents, from this dangerous threat. Willard categorizes 7 types of cyberbullying, namely¹¹:

- a. Flaming (burning or anger) is bullying in cyberspace which is carried out by sending messages containing angry or lustful words. In cases like this, the victim usually receives messages via chat rooms or groups containing angry, rude, or full content.
- b. Harassment, namely cyberbullying activities in the form of sending disturbing messages repeatedly. In this case, the victim repeatedly received private messages aimed at insulting or harassing him.
- c. Cyberstalking (followed), namely cyberbullying activities by following the victim repeatedly in cyberspace.
- d. Denigration (defamation), namely cyberbullying activities by spreading bad things about someone in cyberspace to damage that person's good name.
- e. Impersonation, namely cyberbullying activities by pretending to be someone else and sending bad messages. Where the victim in this case is made to look bad by the perpetrator who pretends to be the victim.
- f. Outing (spreading personal secrets) and trickery (deception) are cyberbullying activities in the form of persuading or deceiving someone to reveal personal secrets and then spreading them.
- g. Exclusion, namely cyberbullying activities in the form of cruel and deliberate actions of excluding someone from the group. In this case, the victim was deliberately excluded from the discussion group.

Impact of Cyberbullying

Cyberbullying, social media, and teenagers are crucial systems that are interconnected and influence each other. This is in line with Kircaburun's research which states that problematic social media use and cyberbullying behavior are directly related ¹². The reason is, adolescence is the age where a person experiences ambivalence regarding the search for identity and the desire to explore the outside world. Social media is part of internet-based social networks and is an

¹¹ Willard, "Educator's Guide to Cyberbullying Addressing the Harm Caused by Online Social Cruelty."

¹² Kagan Kircaburun et al., "Uses and Gratifications of Problematic Social Media Use Among University Students: A Simultaneous Examination of the Big Five of Personality Traits, Social Media Platforms, and Social Media Use Motives," *International Journal of Mental Health and Addiction* 18, no. 3 (June 2020): 525–47, <https://doi.org/10.1007/s11469-018-9940-6>.

example of an open system¹³. Indonesian forms of communication play an important role for teenagers, especially in their social life. However, social media is also inseparable from the large risks it poses, for example, cyberbullying¹⁴.

Cyberbullying has a serious impact on the emotional and social well-being of teenagers. Research conducted by Beran proves that victims of cyberbullying have bad experiences in the form of emotions they receive from other people in the online world which can cause a loss of trust, or they as victims will become cyberbullied or continue to be victims¹⁵. Apart from that, Beran also stated that when cyberbullying occurs, the victim will cry, feel embarrassed, lose friends at school, be depressed, experience insomnia, and state that he wants to commit suicide after cyberbullying¹⁶. Hoff & Mitchell report that when victims do not realize they are being attacked, fear and anger will increase. Yet they may still not report bullying even when the situation becomes very dangerous.¹⁷

Based on research from Kaspersky Lab and iconKids & Youth, it was found that cyberbullying is a much more dangerous threat than many parents think. As many as 30% experienced a decline in their children's learning at school, and 28% of parents even stated that their children experienced depression. Not only that, 25% of parents stated that cyberbullying had disrupted their children's sleep patterns and even caused nightmares (21%). The parents of 26% of victims realized that their children were starting to avoid contact with other children, and 20% knew their children were suffering from anorexia. Also worrying are statistics showing that 20% of children witness other children being bullied online, and in 7% of cases, they even take part in it¹⁸.

The impact of cyberbullying on victims is very worrying, at least 18 impacts have been identified, namely: mental damage due to feeling humiliated, experiencing prolonged stress and depression, losing self-confidence, becoming paranoid, having the potential to become a perpetrator of cyberbullying, experiencing health problems, decreased performance, committing criminal acts, behaving aggressive, easily vulnerable, revealing secrets/losing privacy, disappointed with oneself, easily angered, loss of interest and motivation in life, feeling isolated from the environment, anxious, disturbed sleep patterns, and suicidal¹⁹. Looking at the general impacts that can be experienced by victims of cyberbullying, the following is a classification of some of

¹³ A. M. Hutchison et al., "The Treatment of a Rupture of the Achilles Tendon Using a Dedicated Management Programme," *The Bone & Joint Journal* 97-B, no. 4 (April 2015): 510–15, <https://doi.org/10.1302/0301-620X.97B4.35314>.

¹⁴ Dana Reid and Paul Weigle, "Social Media Use among Adolescents: Benefits and Risks," *Adolescent Psychiatry* 4, no. 2 (July 31, 2014): 73–80, <https://doi.org/10.2174/221067660402140709115810>.

¹⁵ Michael J. Beran et al., "Uncertainty Monitoring by Young Children in a Computerized Task," *Scientifica* 2012 (2012): 1–6, <https://doi.org/10.6064/2012/692890>.

¹⁶ Beran et al.

¹⁷ Dianne L. Hoff and Sidney N. Mitchell, "Cyberbullying: Causes, Effects, and Remedies," *Journal of Educational Administration* 47, no. 5 (August 14, 2009): 652–65, <https://doi.org/10.1108/09578230910981107>.

¹⁸ Accessed February 14, 2024, https://www.kaspersky.com.au/about/press-releases/2016_new-research-from-kaspersky-lab-reveals-kids-are-addicted-to-online-friendships.

¹⁹ Devita Retno, "18 Dampak Cyberbullying Bagi Korban," accessed February 14, 2024, <https://dosenpsikologi.com/dampak-cyber-bullying>.

the long-term impacts that victims of cyberbullying are susceptible to:

- a. **Mental Health Problems:** Victims of cyberbullying often experience stress, anxiety, depression, and sleep disorders. They may also experience decreased self-esteem, shame, and feelings of isolation. Some cases can even lead to suicidal thoughts or suicide attempts²⁰.
- b. **Emotional Disorders:** Cyberbullying can cause significant emotional changes in victims, such as anger, frustration, and hopelessness. They may feel afraid or worried every time they use technology or the internet²¹.
- c. **Impaired Social Relationships:** Victims of cyberbullying often have difficulty building healthy social relationships. They may feel distrustful of others, worry about their self-confidence, or even isolate themselves from social interactions²².
- d. **Decreased Academic Achievement:** Cyberbullying can disrupt the victim's concentration and motivation in studying. This can hurt their academic performance, both in the short and long term²³.
- e. **Physical Impact:** Some victims of cyberbullying experience physical symptoms such as headaches, indigestion, increased heart rate, or sleep problems. They may also be at higher risk of long-term physical health problems, such as obesity or eating disorders.
- f. **Threatened Digital Identity:** Cyberbullying can damage a person's online reputation and threaten their digital identity. Degrading or embarrassing content can spread quickly and is difficult to remove completely. This can hurt the victim's personal and professional life in the future²⁴.

However, it is important to remember that the impact of cyberbullying can vary depending on the individual and the situation. However, we all need to be aware of the serious impact it has and work together to prevent and overcome cyberbullying.

Legal Anticipation of Cyberbullying Crimes In Indonesia

State resilience and support from community authorization are very necessary for the success of a country's development. State resilience means avoiding disturbances and threats, including crime. As science and technology progress and develop, crime also develops. Crimes are now committed by taking advantage of the

²⁰ El Asam and Samara, "Cyberbullying and the Law."

²¹ "Bullies Move Beyond the Schoolyard: A Preliminary Look at Cyberbullying," in *Social Science Research*, by Turner Lomand, 0 ed. (Routledge, 2016), 28–41, <https://doi.org/10.4324/9781315265841-8>.

²² Peter K. Smith et al., "Cyberbullying: Its Nature and Impact in Secondary School Pupils," *Journal of Child Psychology and Psychiatry* 49, no. 4 (April 2008): 376–85, <https://doi.org/10.1111/j.1469-7610.2007.01846.x>.

²³ Peter K. Smith et al., "Cyberbullying: Its Nature and Impact in Secondary School Pupils," *Journal of Child Psychology and Psychiatry* 49, no. 4 (April 2008): 376–85, <https://doi.org/10.1111/j.1469-7610.2007.01846.x>.

²⁴ Robin M. Kowalski et al., "Bullying in the Digital Age: A Critical Review and Meta-Analysis of Cyberbullying Research among Youth," *Psychological Bulletin* 140, no. 4 (July 2014): 1073–1137, <https://doi.org/10.1037/a0035618>.

opportunities provided by modern instruments and sophisticated equipment, including cyberbullying crimes²⁵.

Cyberbullying laws focus on preventing and dealing with acts of harassment, threats, or insults committed online. Von Liszt explained that modern legal policy has an important role in fighting crime (*contre le crime*), along with the role of the state (*etat*) and society (*Societe*). Legal policy is the role of the state in making criminal policies by using penal policies as an effort to eradicate crime. Legislation made by legislators is the state's role in fighting crime²⁶. Criminal law policy is part of legal policy, and according to Barda Nawawi Arief, criminal law policy which aims to prevent and prosecute crime by legal means is known as criminal law policy. This policy is implemented through various steps, including forms, implementation, and enforcement²⁷. Efforts to prevent and control crime are not only the responsibility of law enforcement but are also the responsibility of legislative institutions. According to Barda Nawawi Arief, the development stage is the most strategic in preventing and controlling crime. Legislative policy errors can hinder crime prevention and control at the implementation and implementation stages²⁸.

The Indonesian Criminal Code (KUHP) is the main system of criminal law regulations in Indonesia. The formulation of criminal acts in the Criminal Code is mostly still conventional and has not been directly linked to the development of cyberbullying which is part of cybercrime. Apart from that, it contains various weaknesses and limitations in dealing with very varied technological developments and high-tech crimes. If interpreted in the Criminal Code, cyberbullying behavior falls under the articles of insult, slander, threats, and acts of morality. However, these articles are not suitable for application in the cyber domain because the Criminal Code was created before the development of cyberspace. The drawback is in the words "*generally known*" and "*in public*".

According to Constitutional Court Decision Number 50/PUU-VI/2008, it is stated that insults regulated in the Criminal Code do not include insults and defamation committed in cyberspace because there is an element of "in public". Incorporating the meanings of "publicly known", "in public", and "broadcast" is still not enough. There needs to be a broad formulation, namely "distribute" and/or "transmit" and/or "make accessible". If you look at the insult regulations in the Criminal Code, regulate insults in real life, while insults related to cyberbullying are carried out in cyberspace. The Criminal Code also does not provide a detailed explanation of what is meant by insult, so this could be a weakness. In connection

²⁵ Miftakhur Rokhman Habibi and Isnatul Liviani, "Kejahatan Teknologi Informasi (Cyber Crime) dan Penanggulangannya dalam Sistem Hukum Indonesia," *Al-Qanun: Jurnal Pemikiran dan Pembaharuan Hukum Islam* 23, no. 2 (December 19, 2020): 400–426, <https://doi.org/10.15642/alqanun.2020.23.2.400-426>.

²⁶ Wenggedes Frensh, "KELEMAHAN PELAKSANAAN KEBIJAKAN KRIMINAL TERHADAP CYBERBULLYING ANAK DI INDONESIA" 01, no. 2 (2022).

²⁷ Barda Nawawi Arief, *Masalah Penegakan Hukum Dan Kebijakan Hukum Pidana Dalam Penanggulangan Kejahatan* (Jakarta: Kencana, 2010).

²⁸ Arief.

with this problem, based on the Constitutional Court decision Number 50/PUU-VI/2008, has provided a clear explanation that the Criminal Code has shortcomings regarding several elements of criminal acts when related to criminal acts in cyberspace. So, to tackle crimes related to cyberspace, such as cyberbullying, special laws regarding computer crimes must be created so that they can cover crimes in cyberspace.

As time goes by, there is currently legislation outside the Criminal Code relating to crimes in the field of information and communication technology, namely Law Number 1 of 2024, the second amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, which is hereafter called the ITE Law. This law aims to harmonize national legal regulatory instruments with international legal instruments that regulate information technology, including The United Nations Commission on International Trade Law (UNCITRAL), the World Trade Organization (WTO), the European Union (EU), APEC, ASEAN, and OECD. Each organization issues regulations that complement each other. And also this international legal instrument has also been followed by several countries such as Australia (The cyber Crime Act 2001), Malaysia (Computer Crime Act 1997), the United States (Federal legislation: update April 2002 UNITED STATE CODE), 8th UN Congress in Havana, Xth Congress in Vienna, XI Congress 2005 in Bangkok, talking about The Prevention of Crime and the Treatment of Offenders. The United Nations seriously integrates regulations related to national positive law (existing law)²⁹.

The Information and Electronic Transactions Law is a law that regulates technology based crimes (cybercrime), including cyberbullying. And seen from a criminal law political perspective, the ITE Law can be used to tackle types of cyberbullying behavior, as a phenomenon/new form of cybercrime in general. This law emphasizes security regulations for the use of Electronic Information Systems or Electronic Documents and leads to the misuse of Electronic Information for cyberbullying purposes. Law Number 1 of 2024 was passed as legal anticipation for activities that utilize the Internet as a medium for both transactions and the use of information. In Law Number 1 of 2024 some articles are more suitable for ensnaring perpetrators of cyberbullying, namely:

Article 27A with elements of a criminal act: "attacking the honor or good name of another person by accusing him of doing something, to make this known to the public in the form of Electronic Information and/or Electronic Documents carried out through an Electronic System." (Related to cyberbullying in the form of cyberharrassment).

Article 27B with elements of a criminal offense: "disseminating and/ or transmitting and/ or making accessible Electronic Information and/ or Electronic Documents that contain elements of extortion and/ or threats." (Related to cyberbullying in the form of cyberstalking).

²⁹ Subaidah Ratna Juita and Amri Panahatan Sihotang, "CYBER BULLYING PADA ANAK DALAM PERSPEKTIF POLITIK HUKUM PIDANA : " 20, no. 2 (2018).

Article 28 paragraph 2 with elements of a criminal offense: "disseminating and/ or transmitting Electronic Information and/ or Electronic Documents that are inciting, inviting, or influencing other people to give rise to feelings of hatred or hostility towards certain people and/ or groups of society." (Related cyberbullying in the form of cyberharrassment).

Article 29 with elements of a criminal offense: "sending electronic information and/ or electronic documents containing threats of violence or intimidation directed at individuals." (Related to cyberbullying in the form of cyberstalking).

Article 30 paragraph 1 with elements of a criminal offense: "accessing another person's computer and/or electronic system in any way." (Related to cyberbullying in the form of impersonation).

Article 32 paragraph 2 with elements of a criminal offense: "transferring or transmitting Electronic Information and/or Electronic Documents to another person's electronic system without rights." (Related to cyberbullying in the form of outings and deception).

Apart from anticipating the law through applicable laws, other approaches need to be taken in dealing with cyberbullying. Barda Nawawi Arief's views on overcoming cybercrime are also in line with the approach generally applied in this context. The following is an explanation of the approaches he put forward:

- a. Technological Approach (Techno Prevention): This approach involves the use of technology to prevent and combat cybercrime. This includes developing strong security systems, using data encryption, network monitoring, and using sophisticated security software. Technology can also be used to detect cyberattacks, block illegal access, and trace the digital footprint of perpetrators.
- b. Cultural Approach: The cultural approach involves changing attitudes, values, and norms in society regarding the use of technology and online behavior. This includes raising awareness about the importance of digital ethics, respecting others' privacy, and treating others well in digital environments. Education and social campaigns can be used to develop a positive culture in the use of technology.
- c. Educational/Moral/Religious Approach: This approach emphasizes the importance of education and the formation of moral and religious values to combat cybercrime. This includes education about digital ethics, awareness of the consequences of cyberbullying, privacy protection, and responsibility for the use of technology. Furthermore, religious and ethical values can be instilled to increase awareness of the negative impacts that may arise from cybercrime acts.
- d. Global Approach (International Cooperation): Cybercrime often involves perpetrators operating across borders or countries. Therefore, international cooperation is important in eradicating this crime. Countries need to cooperate in exchanging information, exchanging intelligence, and coordinating law enforcement actions. This can be done through bilateral and multilateral

agreements, similar legal frameworks, and capacity building in the field of cybersecurity.

These approaches reflect the need to adopt a holistic and multisectoral approach to fighting cybercrime. When facing a threat as complex and pervasive as cybercrime, no single approach is effective enough. Instead, a combination of technological, cultural, educational/ moral/ religious approaches and international cooperation are needed to reduce the risks and negative impacts of these crimes.

Conclusion

Cyberbullying is a serious problem that is increasing in Indonesia. This phenomenon involves the use of technology and digital media to spread threats, abuse, or demean others online. The popularity of social media and ease of internet access have become major factors in the spread of cyberbullying. Cyberbullying has a significant negative impact on its victims. Victims of cyberbullying can experience stress, anxiety, depression, decreased self-esteem, and even suicidal thoughts. In some cases, the impact can also extend into the real world and affect the victim's social and emotional life. The Indonesian government has taken several steps to anticipate and deal with the problem of cyberbullying. The ITE Law (Electronic Information and Transactions) is used as the main legal tool to deal with cyberbullying. Several articles in this law can be applied to prosecute perpetrators of cyberbullying and provide strict sanctions. Although steps have been taken, further efforts are needed to address this issue. It is important for the government to continue to improve the monitoring and implementation of laws related to cyberbullying. Apart from that, it is also necessary to continue to increase public awareness regarding the negative impacts of cyberbullying and the importance of mutual respect and support in the digital environment.

Bibliography

- Ansary, Nadia S. "Cyberbullying: Concepts, Theories, and Correlates Informing Evidence-Based Best Practices for Prevention." *Aggression and Violent Behavior* 50 (January 2020): 101343. <https://doi.org/10.1016/j.avb.2019.101343>.
- Arief, Barda Nawawi. *Masalah Penegakan Hukum Dan Kebijakan Hukum Pidana Dalam Penanggulangan Kejahatan*. Jakarta: Kencana, 2010.
- Beran, Michael J., Scott Decker, Allison Schwartz, and J. David Smith. "Uncertainty Monitoring by Young Children in a Computerized Task." *Scientifica* 2012 (2012): 1–6. <https://doi.org/10.6064/2012/692890>.
- "Bullies Move Beyond the Schoolyard: A Preliminary Look at Cyberbullying." In *Social Science Research*, 0 ed., 28–41. Routledge, 2016. <https://doi.org/10.4324/9781315265841-8>.
- Burton, Kelley. "Assessment Rubric on IRAC (Issue, Rule, Application,)." *Journal of Learning Design* 10, no. 2 (2017).
- El Asam, Aiman, and Muthanna Samara. "Cyberbullying and the Law: A Review of Psychological and Legal Challenges." *Computers in Human Behavior* 65 (December 2016): 127–41. <https://doi.org/10.1016/j.chb.2016.08.012>.
- Fahlevi, Fahdi. "1.895 Remaja Alami Perundungan Secara Siber, Pelakunya 1.182

- Siswa,” n.d. <https://www.tribunnews.com/nasional/2023/02/01/1895-remaja-alami-perundungan-secara-siber-pelakunya-1182-siswa>.
- Frensh, Wenggedes. “KELEMAHAN PELAKSANAAN KEBIJAKAN KRIMINAL TERHADAP CYBERBULLYING ANAK DI INDONESIA” 01, no. 2 (2022).
- Habibi, Miftakhur Rokhman, and Isnatul Liviani. “Kejahatan Teknologi Informasi (Cyber Crime) dan Penanggulangannya dalam Sistem Hukum Indonesia.” *Al-Qanun: Jurnal Pemikiran dan Pembaharuan Hukum Islam* 23, no. 2 (December 19, 2020): 400–426. <https://doi.org/10.15642/alqanun.2020.23.2.400-426>.
- Ho, Huong Thi Ngoc, and Hai Thanh Luong. “Research Trends in Cybercrime Victimization during 2010–2020: A Bibliometric Analysis.” *SN Social Sciences* 2, no. 1 (January 2022): 4. <https://doi.org/10.1007/s43545-021-00305-4>.
- Hoff, Dianne L., and Sidney N. Mitchell. “Cyberbullying: Causes, Effects, and Remedies.” *Journal of Educational Administration* 47, no. 5 (August 14, 2009): 652–65. <https://doi.org/10.1108/09578230910981107>.
- Hutchison, A. M., C. Topliss, D. Beard, R. M. Evans, and P. Williams. “The Treatment of a Rupture of the Achilles Tendon Using a Dedicated Management Programme.” *The Bone & Joint Journal* 97-B, no. 4 (April 2015): 510–15. <https://doi.org/10.1302/0301-620X.97B4.35314>.
- Juita, Subaidah Ratna, and Amri Panahatan Sihotang. “CYBER BULLYING PADA ANAK DALAM PERSPEKTIF POLITIK HUKUM PIDANA :” 20, no. 2 (2018).
- Kircaburun, Kagan, Saleem Alhabash, Şule Betül Tosuntaş, and Mark D. Griffiths. “Uses and Gratifications of Problematic Social Media Use Among University Students: A Simultaneous Examination of the Big Five of Personality Traits, Social Media Platforms, and Social Media Use Motives.” *International Journal of Mental Health and Addiction* 18, no. 3 (June 2020): 525–47. <https://doi.org/10.1007/s11469-018-9940-6>.
- Kowalski, Robin M., Gary W. Giumetti, Amber N. Schroeder, and Micah R. Lattanner. “Bullying in the Digital Age: A Critical Review and Meta-Analysis of Cyberbullying Research among Youth.” *Psychological Bulletin* 140, no. 4 (July 2014): 1073–1137. <https://doi.org/10.1037/a0035618>.
- . “Bullying in the Digital Age: A Critical Review and Meta-Analysis of Cyberbullying Research among Youth.” *Psychological Bulletin* 140, no. 4 (July 2014): 1073–1137. <https://doi.org/10.1037/a0035618>.
- Olweus, Dan. “Cyberbullying: An Overrated Phenomenon?” *European Journal of Developmental Psychology* 9, no. 5 (September 2012): 520–38. <https://doi.org/10.1080/17405629.2012.682358>.
- “Perundungan Di Indonesia: Fakta-Fakta Kunci, Solusi, Dan Rekomendasi.” UNICEF, 2020. <https://www.unicef.org/indonesia/media/5691/file/Fact%20Sheet%20Perkawinan%20Anak%20di%20Indonesia.pdf>.
- Reid, Dana, and Paul Weigle. “Social Media Use among Adolescents: Benefits and Risks.” *Adolescent Psychiatry* 4, no. 2 (July 31, 2014): 73–80. <https://doi.org/10.2174/221067660402140709115810>.
- Retno, Devita. “18 Dampak Cyberbullying Bagi Korban.” Accessed February 14, 2024. <https://dosenpsikologi.com/dampak-cyber-bullying>.

- Smith, Peter K., Jess Mahdavi, Manuel Carvalho, Sonja Fisher, Shanette Russell, and Neil Tippet. "Cyberbullying: Its Nature and Impact in Secondary School Pupils." *Journal of Child Psychology and Psychiatry* 49, no. 4 (April 2008): 376–85. <https://doi.org/10.1111/j.1469-7610.2007.01846.x>.
- . "Cyberbullying: Its Nature and Impact in Secondary School Pupils." *Journal of Child Psychology and Psychiatry* 49, no. 4 (April 2008): 376–85. <https://doi.org/10.1111/j.1469-7610.2007.01846.x>.
- Willard, Nancy. "Educator's Guide to Cyberbullying Addressing the Harm Caused by Online Social Cruelty," n.d.
- Wong-Lo, Mickie, Lyndal M. Bullock, and Robert A. Gable. "Cyber Bullying: Practices to Face Digital Aggression." *Emotional and Behavioural Difficulties* 16, no. 3 (September 2011): 317–25. <https://doi.org/10.1080/13632752.2011.595098>.
- Accessed February 14, 2024. https://www.kaspersky.com.au/about/press-releases/2016_new-research-from-kaspersky-lab-reveals-kids-are-addicted-to-online-friendships.