



10. Unveiling the Shadows of Cyberspace: Understanding and Combating Cyber Violence Against Women

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Abstract

Violence against women represents a significant violation of human rights and is a pervasive issue worldwide. According to the United Nations Population Fund, approximately one in three women has experienced some form of physical or sexual violence during their lifetime. With the rapid advancement of communication technologies, the landscape of gender-based violence has evolved, giving rise to new forms of abuse known as cyber violence against women. Technology has become an insidious tool for victimizing women, finding success in the virtual realm of cyberspace where harassers can target women with a disturbing level of cruelty due to the vast audience it offers. As the Technology journalist Amanda Hess has said "Until Domestic Violence become a national policy priority, abuse was dismissed as a love, quarrel. Today harmless jokes and undue burdens are Tomorrow's Civil Rights Agenda. This paper aims to provide an overview of cyber violence against women and the legislative measures necessary to combat it. It sheds light on the factors contributing to the escalating prevalence of cyber violence against women and delves into the various manifestations of such violence, while also examining its impact on the lives of women within the context of India.

Key Words: Violence-against women, Gender, Cyber-crime, Cyber-victimization, Cyberspace IT Act 2000 (2008).

Cyber Violence Against Women: An Emerging Threat

Throughout the centuries, women have endured unequal treatment, and the struggle for survival commences from the very moment of a female foetus's existence. They have faced inequality and have often been relegated to second-class citizen status. The familial structure, steeped in patriarchy, typically fails to accord women equal importance. Families often perceive more men as stronger, with sons seen as valuable assets. The birth of a male child is often celebrated. Within this context, violence against women has emerged as one of the most brutal and heart-wrenching forms of abuse. Recognizing the severity of this issue, the Second World Conference on Human Rights in Vienna in 1993 and the Fourth World Conference on Women in 1994 elevated it to a priority concern. This type of violence poses a grave threat to women's lives, bodies, psychological well-being, and freedom. Many scholars and experts argue that the reported data on violence against women only scratches the surface of the problem. The United Nations has defined violence against women as any form of gender-based violence that inflicts physical, sexual, or mental harm or suffering upon women, including threats, whether occurring in public or private life. Meanwhile, the UN Committee



on the Elimination of Discrimination Against Women (CEDAW) General Recommendation 19 defines gender-based violence as violence directed against a woman because of her gender, disproportionately affecting women. This includes acts that result in physical, mental, or sexual harm, as well as threats, coercion, and deprivation of liberty. As recently as November 25, 2018, United Nations Secretary-General Antonio Guterres emphasized that violence against women and girls is a global pandemic, reflecting a long-standing failure to recognize and accept that women and girls are equal and valuable (UN News, 2018). Gender-based violence can occur anywhere, whether in public spaces or the privacy of homes. As time has progressed and technology has advanced, new forms of gender-based violence have emerged in the form of cyber violence against women. The ubiquity of mobile internet access has further expanded the reach of this technological violence, allowing it to occur anytime, anywhere.

Technology has become a highly effective tool for victimizing women due to the ease of perpetration and the wide audience it can reach. Cyber violence is a relatively recent phenomenon, but its growth is rapid, transforming into a global issue with significant societal and economic implications that can curtail human rights. Consequently, cyber violence against women hampers their digital inclusion, often leading them to distrust online platforms and withdraw after experiencing such violence. The increasing prevalence of mobile devices, social media, and other communication technologies has given rise to new forms of gender-based violence that exploit these mediums. These technologies enable messages to reach a vast audience quickly. Popular social media platforms like Facebook, Twitter, WhatsApp, and Instagram wield substantial influence over the online behaviour and habits of users. Mobile internet accessibility knows no bounds, transcending specific times and geographical boundaries. Online violence is a grave concern, as it can manifest in various forms, including those that can lead to the death of the victim.

Chronicles of Cybercrime Evolution: Tracing the Origins and Progression of Technological Violence

The origins of technological violence can be traced back to the use of telecommunication technology, which has been in existence for some time. However, it was only in the post-1960s era that the dark side of telecommunication technology emerged as cybercrime. Initially, there were no clear legal provisions defining cybercrime, and it fell upon academicians to attempt to provide definitions, characterizing cybercrime as attacks on machines and crimes involving the use of computers (Yar, 2006).

A significant turning point occurred with the 10th UN Congress on the Prevention of Crimes and Treatment of Offenders held in Vienna in 2000. This congress marked the first step toward recognizing the global necessity for preventive measures against cybercrime. Subsequently, the Council of Europe's Convention on Cybercrime, held in Budapest in 2001, played a pivotal role in universally criminalizing cybercrime. This convention took a comprehensive approach to investigating cybercrime on a global scale, with a primary focus on e-commerce and content-related crimes harmful to individuals, including child pornography. However, certain forms of cyber victimization, such as sexual harassment,



cyber-eve teasing, and other crimes affecting ordinary internet users, were not adequately addressed by the convention. Notably, gender-based harassment, which was prevalent at the time, remained untouched by the convention (Halder and Jaishankar, 2009). In their book, Halder and Jaishankar discuss the cyber-era in distinct periods based on the evolution of cyber-communications and their usage. The First Period, known as the email period, began in the 1990s when email was the primary mode of digital communication. During this time, there were no universally accepted regulations, except for the European Union Convention on Cybercrime in 2001. The Second Period commenced with the rise of chat rooms in the late 1990s and early 2000s. After the email period, digital communication saw a surge in popularity, leading to the emergence of public and private chat rooms. These platforms allowed people to exchange personal information, share pictures, and engage in instant messaging. The Third Period began with the advent of Social Networking Sites in the early 2000s. During this phase, the United States saw the proliferation of internet users and numerous social networking sites around 2000-2001. This period also witnessed an increase in social interactions through blogs, adult dating sites, and online bulletin boards. With each of these periods, perpetrators developed new methods to victimize innocent individuals, particularly women, on the internet (Halder and Jaishankar, 2011)

Statistical data from the Women Halting Online Abuse (WHOA) organization revealed that in 2000, 87% of victims were female, and the primary mode of victimization was through emails. By 2010, WHOA data showed that 73% of female victims experienced victimization through various means, including emails, instant messaging, social networking sites, blogs, Skype, gaming, and online dating platforms (Women Halting Online Abuse 2000). Recent statistics published by the Centre for Cyber Victims Counselling in India also indicate that 74% of internet users believe that women are susceptible to cyber-attacks, with these attacks occurring primarily through emails, social networking sites, blogs, message boards, and other online platforms (Halder and Jaishankar, 2010)

Understanding the Dimensions of Cyber Violence Against Women

Cyber-violence against women is a form of technology-based violence that, while lacking formal recognition in specific terms, has been described and studied by academics and researchers. Various terms are used interchangeably, such as cyber-crime against women, online violence against women, and technologically facilitated violence against women. The Association for Progressive Communication defines technology-related violence as acts of gender-based violence committed, facilitated, or aggravated in part or entirely through the use of information and communication technologies, such as phones, the internet, social media platforms, and email. Halder and Jaishankar provide a definition for cybercrime against women, describing it as crimes that specifically target women with the intention of causing harm through modern telecommunication networks like the internet, chat rooms, emails, social networking sites, web pages, and mobile phones, including SMS, MMS, and calls. CEDAW General Recommendation 35 extends this definition, acknowledging that gender-based violence against women occurs in various societal settings, including technology-mediated ones, encompassing both public and private domains.



In 2015, the UN Broadband Commission released a report on cyber violence against women and girls, emphasizing the urgent need to address the growing issue. The report highlighted the global relevance of the problem and estimated that 73% of women had already experienced online abuse, with those aged 18-24 being at higher risk. European data revealed that nine million women had encountered online abuse since the age of 15. The accessibility and affordability of new communication technologies have made it easier to harass, coerce, control, and stalk present and former partners, with 77% of women experiencing cyber violence also enduring at least one form of sexual or physical violence from an intimate partner. Additionally, studies show that victims of cyber violence have a significantly higher risk of suicide attempts, ranging from 2 to 3 times higher than non-victims (UN Broadband Commission Report ,2015).

In this digitalized world, the line between personal and public information has become increasingly blurred. Gendered comments, negative portrayals, slut-shaming, cyberbullying, and inappropriate remarks are often directed at women and girls. Data demonstrates that women and girls are the primary targets of cyber violence, with examples like the misogyny on Twitter, where terms like "slut" and "whore" were used millions of times between December 2013 and February 2014. Emma Jane, the author of "Misogyny Online: A Short and Brutish History," notes that women who speak out about online attacks are often told to stop complaining, as if online hate speech has no offline consequences. However, it profoundly affects women socially, psychologically, professionally, financially, and politically. This gendered cyber hate leads some women to self-censor, write anonymously or under pseudonyms, or withdraw partially or entirely from the internet (Emma Jane, 2017). As mobile internet and smartphone accessibility continue to increase globally, the reach of cyber violence is also expanding. If the internet remains a space where users can be harassed, stalked, bullied, and threatened without consequences, its liberating and safe aspects will inevitably diminish. This may discourage existing users and deter potential new ones, ultimately undermining the positive potential of the digital space.

The Growing Challenge of Cyber Violence Against Women in India

India is one of the fastest-growing markets for information and communication technology and boasts one of the largest mobile user bases globally. It is the second-largest user of the internet after China, with an estimated 635.8 million users projected by 2021 (Kemp, 2021). This widespread adoption of the internet has made it an integral part of people's lives. However, if the internet continues to be a space where users can be harassed, stalked, bullied, and threatened with impunity, the empowering and safe aspects of this digital space will inevitably diminish. This could deter existing users and discourage potential new ones. Instances of violence against women, such as rape threats, calls for violence, image misuse, and attacks on women's sexuality, are not unique to India but occur globally. The rise of social media has not spared the realm of gender-based discrimination and violence. American journalist Megan Tyler has noted that it fosters a hostile culture where sexism and hatred towards women can be expressed freely, ultimately working to exclude and silence women.



When India embarked on its journey into the realm of information technology, the primary focus was on safeguarding electronic commerce and related communications rather than addressing cyber-socializing communications. The Indian Information Technology Act of 2000 was initially influenced by the Model on Electronic Commerce adopted by the United Nations General Assembly in 1997. The Act primarily aimed to provide legal recognition to electronic commerce, facilitate e-filing of electronic records, and establish the framework for digital signatures. However, this legislation had its limitations, particularly regarding the governance of cyber-crimes against women, cyber-terrorism, identity theft, corporate liability concerning data protection, and more. To address these shortcomings, an amended version of the IT Act was introduced in 2008, which, to some extent, filled the gaps through the inclusion of amended and newly added provisions in 2011 (*Jeet, 2012*). Nonetheless, the IT Act still falls short in offering effective solutions for issues such as hate speech or cyber-crimes against women. Following the horrific Nirbhaya incident in late 2012, the Indian Penal Code was amended to introduce a series of new penal provisions addressing crimes against women, including voyeurism, stalking, and cyber-stalking. However, India currently lacks comprehensive and dedicated legislation specifically targeting cyber-crimes against women. The IT Act, in particular, suffers from several shortcomings, resulting in the concept of jurisdiction remaining a partially resolved legal challenge (*Pasricha, 2016*).

In India, cyber-violence against women is growing rapidly and has become a human rights concern, particularly following the United Nations Human Rights Council's declaration in 2016 that the right to internet usage is a human right. However, data on cyber-violence against women does not provide a complete picture, as many victims rarely report such incidents. A report by Feminism for India indicates that out of women who faced victimization, 46.7% did not report it, and 18.3% were unaware of the fact that cyber-violence is underreported. Only 35% of women have reported being victims. The incidence of violence against women in India is already high and is expected to increase (*Pasricha, 2016*). Women are more susceptible to victimization in cyberspace than men, and there is a lack of awareness about the causes of cyber victimization. For example, the National Crime Records Bureau reported in 2013 that 1,203 cases involved obscene posts targeting women. In 2017, there were a total of 21,796 reported instances of cyber-crime, with approximately 19.5% committed against women. These included cases of cyber-blackmailing, threats, cyber-pornography, cyber-stalking, cyber-bullying, defamation, morphing, and indecent representation of women. However, the prosecution and conviction rates for cyber-crimes remain low, with only 162 convictions out of 8,306 charged individuals in 2017 (National Crime Records Bureau, 2019). UN Women highlights that only 26% of law enforcement agencies in 86 countries are taking legal measures to combat cyber violence against women. Furthermore, leaked moderation guidelines from Facebook in May 2017 revealed that the platform tolerated a significant amount of verbal and graphic violence against women. Despite recent efforts by Facebook to prevent the posting of non-consensual images, experts and civil society argue that major corporations' community standards do little to protect women's human rights and freedom of expression. These corporations often claim to be tech companies rather than media entities, even though they significantly shape and influence



perceptions and behaviours through their community standards and moderation practices. Unlike cyberattacks against men, cyber harassment of women is particularly sexually demeaning and threatening. It reduces victims to their sexual organs and conveys the message that they exist solely for sexual abuse and disposability. Psychologist Elizabeth Cargill, who works with cyberstalking victims, explains that online harassment makes victims feel as if the perpetrator is omnipresent, reaching them through Facebook, emails, message boards, and even outside their workplaces. This leads to emotional harm, financial strain, post-traumatic distress disorder (PTSD), depression, and anxiety. Over time, cyber harassment victims experience increasingly severe consequences. This illustrates that women not only face traditional forms of crime but also encounter new and potent forms of violence facilitated by technological advancements (Citron, 2014).

Diverse Forms of Cyber Violence Against Women: From Trolling to Revenge Porn

Cyber violence against women encompasses various forms of harm and harassment, including threatening emails, incessant calls and messages, the unauthorized uploading of photographs and videos, cyberstalking, hacking, fraudulent activities, harassment, stalking, trolling, physical threats from online perpetrators, invasions of privacy, body shaming, the dissemination of revenge porn, rape threats, morphing of images, defamation, and more. These crimes mirror real-world offenses such as rape threats, blackmail, stalking, molestation, and others, which have found their digital counterparts in cyberspace.

For instance, there have been instances where individuals have committed rape, recorded the act, and then targeted the victim, warning her to remain silent, lest the video be uploaded online. This illustrates how both online and offline realms have become tools for terrorizing and threatening women. These various forms of cyber violence can be categorized as:

- Trolling
- Cyberstalking
- Cyber harassment
- Image morphing
- Clone identity
- Hacking
- Revenge porn
- Intimate partner violence

The Profound Impact of Cyber Violence: Silencing Women and Reinforcing Patriarchy

The repercussions of cyber violence on women's lives are multifaceted. It significantly impacts their emotional and psychological well-being, disrupts their social connections, and often leads to financial and economic losses. As a consequence, many women opt to deactivate their online accounts and refrain from expressing themselves freely. The online violence serves as a potent catalyst for self-censorship. Reports have unveiled a troubling connection between internet violence and intimate partner violence, even spilling into domestic violence. The deeply ingrained patriarchal mindset remains unaltered and has found new and sophisticated avenues in cyberspace. Perpetrators wield the power to harass with relative impunity, thanks to the cloak of anonymity afforded by the digital realm. This



anonymity poses a grave threat to women as they grapple with harassment from concealed identities.

Cyberspace has emerged as a weapon for replicating the age-old discriminatory and oppressive societal norms against women. In this realm, women are frequently objectified, commodified, and relegated to an inferior status, mirroring the offline world's biases. The gender bias in cyberspace compels women to silence themselves or withdraw, rendering them invisible. The power dynamics witnessed in the physical world are reproduced in cyberspace, resulting in an environment that feels exclusive to men. Women who venture into this territory are often subjected to verbal abuse, harassment, and threats, all aimed at silencing them and fostering a sense of insecurity. This persistent online victimization erodes their belief that cyberspace belongs to them or that they have a place in it.

Numerous instances highlight women's experiences of such severe threats that they decide to deactivate their online accounts. Moreover, there are instances of moral policing regarding women's use of phones and the internet, with certain groups discouraging women and girls from using technology. Victims are frequently blamed for their victimization, advised to behave more maturely, and told to understand their limitations and refrain from posting photos, thoughts, and other content. Victim-blaming serves as a discouraging factor, deterring victims from reporting cybercrimes, much like how sexual assault victims are often questioned about their attire or actions rather than focusing on the perpetrators. This parallels the unfortunate scenario where rape victims are questioned about their clothing choices and timing, rather than holding the culprits accountable. Many women face cyber harassment simply because they are women, intended to send a chilling message to others that similar actions will lead to punishment. Some women are targeted to disgrace their families, perpetuating the notions of honour and dishonour within this new technological and telecommunication landscape. This echoes the historical context where women were abducted and raped to tarnish community and family honour and intimidate others, as highlighted in Urvashi Butalia's writings during the partition era. These occurrences underscore how notions of honour, purity, impurity, inequality, discrimination, and suppression, once confined to the offline world, have found new and sophisticated forms in cyberspace, allowing victimization to transcend geographic boundaries.

Toward a Safer Digital Future: Collective Responsibility and Action

In the pursuit of a safer digital future, it becomes evident that ensuring online spaces are secure, empowering, and inclusive is a collective responsibility. The issue of cyber violence against women is not isolated; it reverberates throughout society, hindering progress and undermining the principles of equality and human rights. This collective responsibility extends beyond governments, international organizations, and tech companies. It encompasses individuals, communities, and civil society as a whole. Everyone has a role to play in combating cyber violence, from fostering a culture of digital respect and empathy to advocating for stronger legal.

This multifaceted challenge requires a concerted effort from individuals, communities, governments, tech companies, and civil society to effect meaningful change.



Empowering Individuals: Digital literacy and awareness programs play a pivotal role in equipping individuals with the knowledge and skills needed to navigate the digital landscape safely and responsibly. Educational initiatives can teach people how to recognize and respond to cyber violence, promoting a culture of digital respect and empathy.

Advocating for Legal Reforms: Strengthening legal frameworks to address cyber violence is crucial. Advocacy efforts can focus on pushing for legislation that explicitly criminalizes cyber violence against women, ensures swift and fair legal procedures, and enforces strict penalties for perpetrators.

Technology and Innovation: Collaborating with technology companies is essential in developing innovative solutions to combat cyber violence. This includes improving reporting mechanisms, enhancing content moderation algorithms, and implementing robust security measures to protect users' privacy and safety.

Law Enforcement and Judicial Cooperation: Enhancing cooperation between law enforcement agencies, judicial systems, and technology companies is vital for holding cybercriminals accountable. This includes sharing information, resources, and expertise to investigate and prosecute cases effectively.

Awareness Campaigns: Raising awareness about cyber violence and its consequences is essential. Public awareness campaigns can help change attitudes, challenge stereotypes, and encourage reporting of incidents.

Support Services: Providing support services for victims of cyber violence is critical. This includes counselling, legal assistance, and helplines that victims can turn to for help and guidance.

Global Collaboration: Cyber violence knows no borders, making international cooperation imperative. Countries and organizations must work together to share best practices, exchange data, and coordinate efforts to combat this global issue.

Cultural Shift: Achieving a safer digital future requires a cultural shift that rejects online harassment and respects the rights and dignity of all individuals, regardless of their gender. This shift should extend to our offline lives, fostering an inclusive and respectful society.

Policy Advocacy: Engaging in policy advocacy to influence governments and international bodies to prioritize the elimination of cyber violence against women within their agendas.

Measuring Progress: Establishing metrics and monitoring mechanisms to assess progress in combating cyber violence and making adjustments as needed.

As we move forward, it is imperative that we view online and offline spaces as interconnected parts of our lives. The impact of cyber violence on women's digital freedom echoes in society, affecting progress, equality, and the realization of human rights. By collectively taking action and shouldering our responsibility to create a safer digital future, we can pave the way for a more inclusive, equitable, and respectful world online and offline.

Preserving Women's Digital Freedom: Confronting Cyber Violence in the 21st Century

Phumzile Nlambongcuka, the executive director of UN WOMEN, has expressed her concern about the potential consequences of the prevailing hostile online culture, fearing that women may begin to limit their internet usage due to the widespread occurrence of cyber violence. Disconnecting from technology in the 21st century is akin to losing one's freedom, the right



to work, the opportunity to meet people, the ability to learn, and the freedom of speech. If women are driven to retreat from the digital realm due to intimidation and trauma, it means forfeiting a world of opportunities for the rest of their lives. The internet has become an integral part of our social fabric, a vital platform for active citizenship, and a means for individuals to voice their opinions and exercise agency. Failing to recognize cyber violence as a serious form of harm poses risks to our society and future generations. This vulnerability to violence and harassment is unjust in a world where women should not be compelled to disengage. Their freedom of movement, their right to express themselves, and their capacity to make choices should not be restricted.

Access to the internet is rapidly evolving into a necessity for economic well-being and is increasingly regarded as a fundamental human right. Therefore, it is imperative to ensure that this digital public space remains safe and empowering for everyone, with a particular emphasis on women's experiences. The new global agenda for 2030 includes a specific goal focused on achieving greater equality and empowerment for all individuals. One of the targets of SDG Goal 5 is to leverage enabling technologies, especially information and communications technology, to empower women. Another target calls for the elimination of all forms of violence against women and girls, whether in the public or private sphere, including trafficking and sexual exploitation. Addressing the issue of cyber violence against women is not just a matter of personal safety but also a crucial step toward achieving broader societal goals. When women are deterred from participating fully in the digital world due to fear and harassment, it hampers progress and inhibits the realization of gender equality.

In this digital age, the internet is a powerful tool for education, employment, activism, and social interaction. It has the potential to level the playing field and empower individuals, regardless of their gender. However, cyber violence poses a significant barrier to these opportunities, reinforcing gender-based discrimination and stifling women's voices. To truly harness the potential of the digital era, we must recognize and combat cyber violence as a pervasive threat to women's rights and well-being. It is not just an issue of personal security; it is a collective challenge that affects us all. By creating a safe and inclusive digital environment, we can ensure that women are free to explore the boundless opportunities offered by the internet, contributing to a more equitable and progressive society.

As we strive to achieve the Sustainable Development Goals, it is imperative that we prioritize the elimination of cyber violence against women. This entails not only legal and technological solutions but also a cultural shift that rejects online harassment and respects the rights and dignity of all individuals, regardless of their gender. By doing so, we can build a digital world that truly reflects the values of equality, empowerment, and respect for all.

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