Understanding the Influence of Cybercrime Law Absence on Cyberbullying in Higher Institutions of Learning: A Case of the International University of Management

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Abstract

Cyberbullying is a serious problem that can have a significant negative impact on victims, including depression, anxiety, low self-esteem, and even suicidal thoughts. The absence of cybercrime laws can make it difficult to prosecute cyberbullying cases, which can contribute to the problem. The purpose of this study was to understand the influence of the absence of a cybercrime law on cyberbullying in higher institutions of learning. The study focused on the International University of Management (IUM) in Namibia. The study used mixed methods research design. Data was collected through an online questionnaire comprising both quantitative and qualitative questions. The link to the questionnaire was shared with students, as well as academic and administrative staff at IUM. The study found that the absence of a cybercrime law contributes to the problem of cyberbullying in IUM. The study also found that that there are a number of factors that contribute to cyberbullying in IUM, such as the use of social media, the anonymity that the internet provides, and the lack of awareness of cyberbullying among students and staff. The findings of the study have implications for policymakers, educators, and parents. Policymakers need to enact cybercrime laws to help prevent and prosecute cyberbullying cases. Educators need to educate students about cyberbullying and how to deal with it. Parents need to talk to their children about cyberbullying and monitor their online activity.

Key words: cybercrime, cyberbullying, university, students, educators, social media

1.   INTRODUCTION

The integration of digital technology into higher education has revolutionized learning and communication, but it has also given rise to complex challenges, notably the surge of cyberbullying within academic institutions [1]. Cyberbullying is a serious issue that has far-reaching implications, especially in higher education institutions [2]. It is a form of bullying that takes place online or through electronic devices [3]. It can involve sending mean or threatening messages, posting embarrassing photos or videos, or spreading rumors [1].

Cyberbullying can have a devastating impact on victims, leading to depression, anxiety, low self-esteem, and even suicidal thoughts [3], [4]. [5] stated that there are mentioned can cause long term trauma continuing into adulthood, even forty years after the event has occurred cyber bullies have been proven to have conduct difficulties, hyperactivity, and low pro-social behaviour, whereas cyber victims have low self-esteem, high levels of depressive symptoms, and emotional and peer problems. Within higher education, where digital tools play a pivotal role in various aspects of university life, the potential for cyberbullying incidents is amplified [6]. This online presence exposes students to a heightened risk of online harassment and abuse as they engage in digital discourse, collaborative projects, and virtual interactions [2]. It might also cause students to be angry, which can lead to student taking revenge. It is alleged that cyberbullying can steer up anger in students and might take regretful actions out of anger. Unlike traditional bullying this can happen any time, day, or night. The perpetrators can be anonyms and relentless and crueller [7].

The absence of effective cybercrime legislation further complicates this issue [8]. Insufficient legal frameworks undermine institutions' ability to respond and prevent cyberbullying, leaving victims without recourse and perpetrators without deterrence [9]. The Namibian government does not yet have a Cybercrime Act, as the Cybersecurity bill that is meant to serve as a cybercrime act has been in a draft format for a number of years now. [10] also confirms that the cybercrime bill of Namibia has not yet been passed to become a law or Act of parliament. Links alleges that there are significant but correctable problems in the draft Cybercrime Bill of 2019, which can and should be addressed appropriately and sufficiently as the ultimate substantive document is created and finalized [11]. Besides the lack of cybercrime law in the country, there is also a lack of initiative from the side of the Ministry of Higher Education and the higher education institutions in Namibia as they have also not developed policies to curb the practice of cyberbullying.

There is no research done about how the lack of the cybercrime law in Namibia can influence the ongoing cyberbullying in higher education institutions. Due to the prevalence of cyberbullying and the serious harm it causes on the victims, this study was conducted to therefore investigate the issues surrounding the practice of cyberbullying among students in higher education institutions and what influence the lack of the cybercrime law has on this practice. The International University of Management (IUM) in this paper serves as a case study to highlight the urgent need for comprehensive cybercrime laws that foster a safe digital environment for students [12]. IUM is the largest private university in Namibia with a student population of more than 16 000 students. This study examined the nexus between cyberbullying and the absence of cybercrime law within the IUM community in Namibia. Specifically, it aimed to explore: How the use of social media platforms exacerbates cyberbullying incidents [13] and

how the lack of effective cybercrime legislation amplifies the challenges faced by the IUM community. By delving into these interconnected aspects, this study endeavored to shed light on the urgency of implementing comprehensive cybercrime regulations to safeguard the well-being and online interactions of the academic community [9].

2. METHODS

To comprehensively examine the influence of the absence of cybercrime laws on cyberbullying within higher education, a convergent mixed-methods approach was employed that combined qualitative and quantitative approaches. The mixed methods research approach uses both quantitative and qualitative methods to collect, analyse and integrate data and as a result, drawing interpretations based on the combined strengths of both sets of data [14]. In the convergent design, the quantitative and qualitative data are collected, and data is compared, and the results merged together [14]. A qualitative approach involved using open ended questions and a quantitative approached involved using close-ended questions contained within the same online questionnaire was administered to students from different faculties to understand their experiences, perceptions and challenges related to cyberbullying and the absence of cybercrime legislation. This was done to get a more comprehensive understanding of the causes of cyberbullying and the impact of the Cyber Act. The mixed methods approach helps in gaining a more complete insight into a phenomenon than when a quantitative or qualitative approach is used separately. The target population for the study was students at the Dorado campus of the International University of Namibia. Figure 1 illustrates the research process followed in the study.

Data was collected through an online questionnaire created using Google Forms. The questionnaire included both quantitative and qualitative questions. The online questionnaire was the primary research instrument. It was designed to collect data on the participants' experiences with cyberbullying, their knowledge of the Cyber Act, and their opinions on the effectiveness of the law. The sample for the study was selected using a convenience sampling method. This means that the participants were chosen based on their availability and willingness to participate. The sample size was determined by point of saturation, which is the point at which no new information is being generated from the data. The sample size at the end of the data collection was 37 participants. The Dorado campus where the study was conducted has about 6589 registered students. The quantitative data from the questionnaire was analyzed using descriptive statistics such as percentages. The qualitative data was analyzed using thematic analysis, which involved identifying and coding common themes in the data.
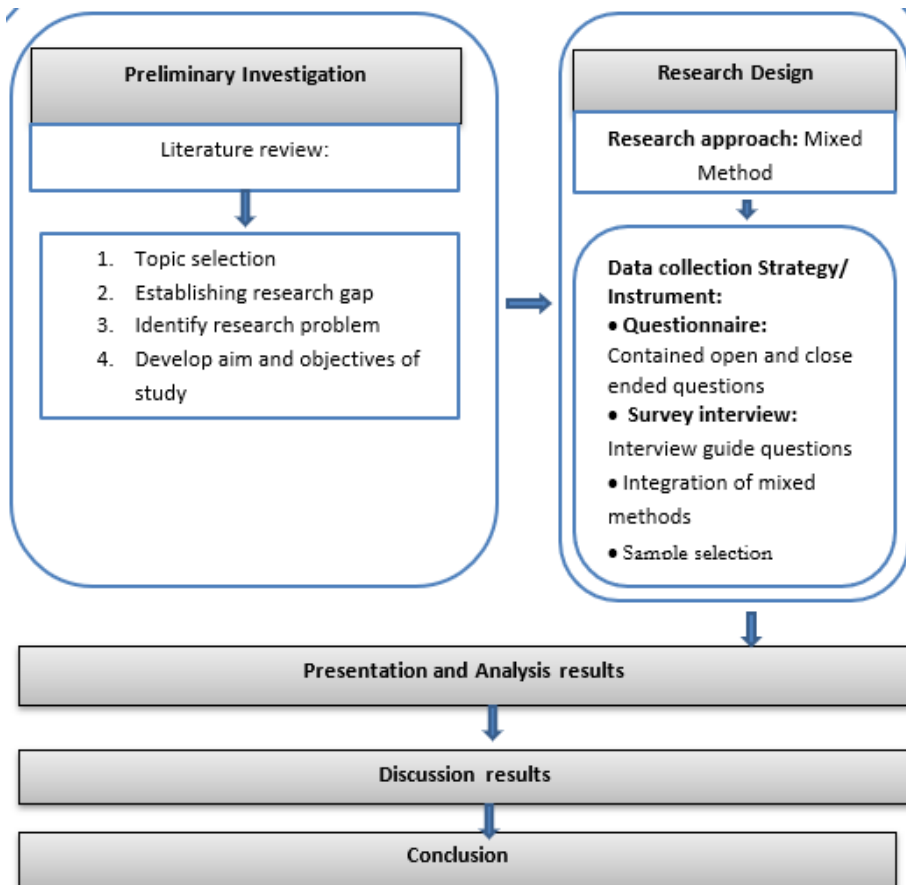
Figure 1. Research Process Flow

3. RESULTS AND DISCUSSION

3.1 Presentation of quantitative data

The results of the qualitative analysis provided insights into the lived experiences of the IUM community in relation to cyberbullying and its connection to the absence of cybercrime laws. The interviews shed light on the emotional, psychological, and academic consequences of cyberbullying and the perceived barriers to addressing the issue effectively. Quantitative survey data yielded information about the prevalence of cyberbullying incidents within IUM, as well as the respondents' level of awareness regarding cybercrime legislation. This data helped to gauge the extent of the problem and the perceived gaps in legal protection.
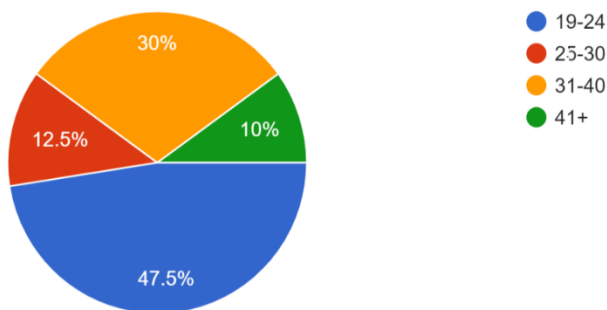
Figure 2. Age range of participants

Figure 2 shows that most of the participants were aged between 19 and 24. The results demonstrate that **47.5% of this age group** is on social media. It is followed by the age range of 31-40 with 30%, and then followed by the age range of 25-30 with 12.5%, and the last age range is 41+ with 10%. It could be the reason why the age group of 19-24 has the most participants, is because they are more into socializing online as compared to the older participants. It is also likely that most of the participants in the study were undergraduate students who attend full-time programmes, and the age group of these students is mainly between 19 years (mostly first year students) and 24 years.
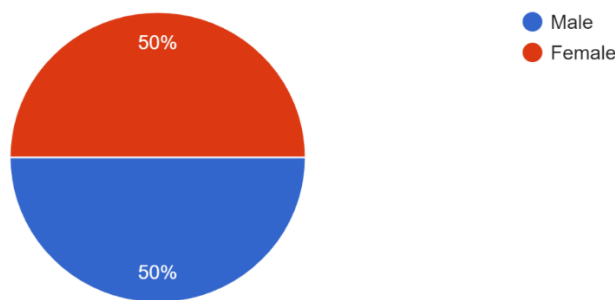

Figure 3. Gender

The demographical results data in Figure 3 shows that there was a 50% female and 50% male gender participants' representation. Among those, the age range is identified as 19-24 with 47.5% followed by age range 31-40 with 30%, then followed by age range 25-30 with 12.5% then the last age range is 41+ with 10 % as shown in figure 3. This indicates two things; that both genders were interested in participating in the research and that the age group of 19-24 with 47.5% had the most participants who took part in the study.
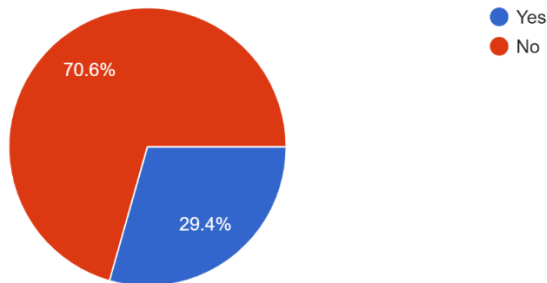
Figure 4. Participants who have and have not experienced cyberbullying.

Figure 4 shows demographic data of participants who were cyberbullied before. It shows that 70.6% of the participants were not bullied and the rest of the 29.4 % were bullied. It could be that the 70.6% participants have busy lives or have minimal time to create posts on social media. Following on the data illustrated by figure 4, it shows that 29.4 % were cyberbullied through mostly through harsh comments and sending of videos and pictures around social media.
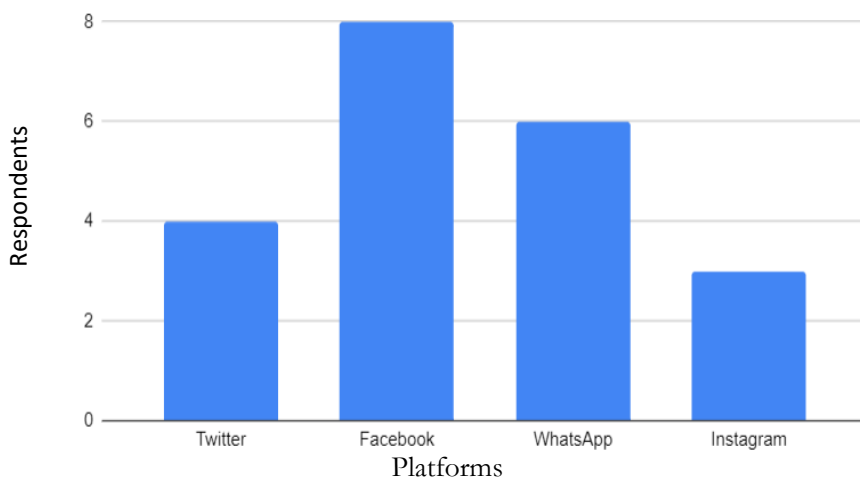

Figure 5. Platforms used by participants.

The demographic data shown in Figure 5 shows that Facebook has the highest cyberbullying rate with 36.4% followed by WhatsApp with 27.2% then Twitter with 18.2% and lastly Instagram with 13.6 % Telegram shows no cyberbullying activity which could be because it hardly used.
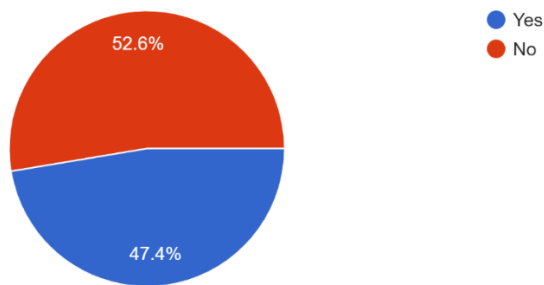
Figure 6. Cyberbullying assurances

The demographic data in Figure 6 shows that, 52.6% said yes and the other 47.4% said no. As per the data shown in figure 6, most participants know of students who have been bullied. Participants were cyberbullied mostly through harsh comments and sending of videos and picture around social media, defaming of personal's character and also by the accounts being hacked. As it is illustrated in figure 3, the age demographic of females and males were equal. It could be that they were both interested in participating in this research.

Figure 7. Platform occurred.
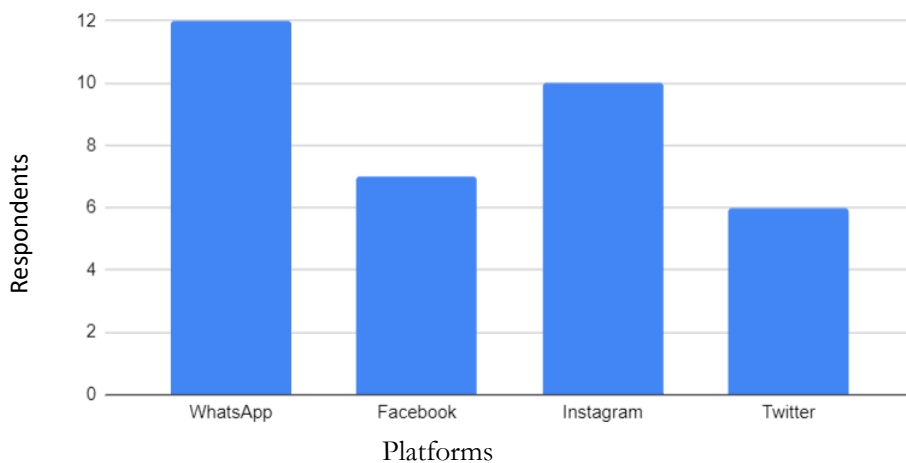
The demographic data shown in figure 7 shows WhatsApp as the platform with highest cyberbullying rate with 12 respondents (32.4%) followed by Instagram with 10 respondents (27%) then Facebook with 7 respondents (18.9%) then lastly Twitter with 6 respondents (16.2%) and Telegram showed no cyberbullying activity which could be because it is not popular among students. It is seldom used.

Other platforms on which cyberbullying occurred. Besides the platforms presented in figure 5, We Chat with 1 respondent (2.7%) and TikTok with 1 respondent (2.7%) were other platforms reported to be used for cyberbullying.

3.2 Presentation of qualitative data

The section below shows the qualitative questions that were presented to the respondents in the online questionnaire that was used to collect both the quantitative and qualitative data. The results obtained from each question are presented in a summarized format.

a)   What do you think causes cyberbullying amongst students?
The participants mostly stated that it is due to the lack of awareness about the causes of cyberbullying, others stated that it is because they also went through the same experience. In addition, some participants stated that they do it only because their fellow students are doing it or due to peer pressure, others do it due to jealousy and poverty in their own lives, which could be because of their background and pressure at home. Furthermore, the participants also stated other reasons being insecurities, differences, failure, selfishness, betrayal, addiction to bullying others, and the ability of hiding one's real identity on social media.

b)   Do you think the absence of Cybercrime Act promotes cyberbullying amongst students? Do you think if there was a Cybercrime Act in Namibia, it will reduce or prevent the cyberbullying occurrences amongst students?
Most of the participants said "yes" that the absence of Cybercrime Act promotes cyberbullying amongst students, others said no, that the presence of it will promote cyberbullying and a few have no clue. Those who answered 'yes', feel that if the Cybercrime Act is implemented, cyberbullying will reduce because students will be afraid to be imprisoned or fined. Those who answered 'no' feel that the law does not take other crimes seriously and it will only motivate cyberbullying more.

c)   What do you think is the role of students in preventing cyberbullying in the International University of Management community?
Most participants stated that they should make awareness campaigns, then other participants said that the incidents should be reported so actions can be taken upon, other participants stated that students should be kind and love one another, others stated that students should avoid posting personnel information, the other participants stated that students should stop spending time on social networks. With information shown in figure 4.3.1 and in figure 4.3.4 cyber bullying is slightly high. Reporting these incidents and social awareness clubs

together with the SRC committee can assist in minimizing the number of cyberbullying happening on campus.

d)   What do you think is the role of the government in preventing cyberbullying?

Most participants stated the government should implement the Cybercrime Act which will provide a harassment free community, the participants also stated that the government should make awareness campaigns. Some participants stated that the government cannot really do much and others stated that the government should ensure that the people's lives are cared for, while a few indicated that they do not know of any role. Participants who stated that the government should implement the Cybercrime Act indicated that it would help to reduce cyberbullying because students will be afraid to be imprisoned or fined as mentioned earlier.

e)   What measures can the International University of Management implement to reduce cyberbullying amongst its students?

Most participants stated the International University of Management should implement awareness campaigns, and implement its own cybercrime policy containing rules like suspension or cancellation of bully's continuous assessment marks, other participants also stated that the International University of Management can report the matters and take action, others stated that a support group can be created to help students who experience bullying, additionally others stated that personal information should be kept private and participants also stated that there should be no favouritism among students and they also suggested that a tracking system can be developed to track cyberbullying. The International University of Management should not wait for government to implement the Cybercrime Act instead they should create their own rules and regulations for cyberbullying because it is happening on campus.

3.3 Discussion

The findings of this study contributed to a comprehensive understanding of the influence of cybercrime law absence on cyberbullying within higher institutions of learning, using IUM as a case study. The qualitative analysis provided rich insights into the real-world implications of cyberbullying and the challenges posed by inadequate legal frameworks. The quantitative data helped to contextualize the prevalence of cyberbullying incidents and the perceived role of cybercrime laws in prevention. Ultimately, this study aimed to underscore the urgency of enacting comprehensive cybercrime legislation to protect students and create a secure digital environment within higher education. It found out that the prevalence of cyberbullying incidents within IUM is high, and that the respondents' level of awareness regarding cybercrime legislation is low. This

suggests that there is a need for more education and awareness about cyberbullying and cybercrime laws among students and staff at IUM.

The findings from this study have implications for policymakers, educators, and parents. Policymakers need to enact cybercrime laws to help prevent and prosecute cyberbullying cases. Educators need to educate students about cyberbullying and how to deal with it. Parents need to talk to their children about cyberbullying and monitor their online activity. By examining the interplay between legal frameworks, online behaviors, and the prevalence of cyberbullying, the research sought to provide valuable recommendations for policy changes and awareness campaigns that can mitigate cyberbullying's impact. The study provided a good example of how cyberbullying can be a serious problem in higher education institutions, especially in the absence of effective cybercrime laws. The study found that the use of social media platforms can exacerbate cyberbullying incidents, and that the lack of effective cybercrime legislation can amplify the challenges faced by the IUM community.

Age of participants

The results in figure 2 show that most participants were aged between 19 and 24, with 47.5% of the participants falling into this age group. This was followed by the age group of 31-40, with 30% of the participants, and the age group of 25-30, with 12.5% of the participants. The age group of 41plus had the lowest percentage of participants, with 10%. The reason why the age group of 19-24 had the most participants is likely because they are more active on social media. This age group is often considered to be the most social and outgoing, and they are more likely to use social media platforms to connect with friends and family, share their experiences, and express themselves. The lower participation rates in the other age groups could be due to several factors, such as having less time for social media, being less comfortable using social media, or being more concerned about cyberbullying. The results of this study suggest that it is important to target cyberbullying prevention and intervention efforts at young people, as they are the most likely to be affected by this form of abuse.

Gender distribution

The gender distribution of the participants was evenly split, with 50% male and 50% female (figure 3). The age range of the participants was also evenly split, with 47.5% between the ages of 19 and 24, 30% between the ages of 31 and 40, 12.5% between the ages of 25 and 30, and 10% 41 and older. The fact that the gender distribution was evenly split suggests that both males and females were equally interested in participating in the research. The fact that the age range was also evenly split suggests that the research was able to capture the experiences of people from all age groups. The finding was that the age group of

19-24 had the most participants is interesting. This age group is often considered to be the most active on social media. It is possible that the participants in this age group were more likely to be aware of cyberbullying and to have experienced it themselves.

Number of participants who experienced Cyberbullying.

According to the data provided in figure 4, 70.6% of the participants in this study were not cyberbullied, while 29.4% were cyberbullied. The most common types of cyberbullying were harsh comments and sending of videos and pictures around social media. It is possible that 70.6% of participants who were not cyberbullying simply did not experience it, as cyberbullying can happen to anyone, regardless of age, gender, or social status.

Platform where they were bullied.

It has been observed in figure 5 that facebook has the highest cyberbullying rate and most of the participants were bullied on this platform, followed by WhatsApp, Twitter, Instagram, and Telegram. It is important to note that the data collected provided a snapshot of cyberbullying activity on these platforms. The actual rates of cyberbullying may be higher or lower. Additionally, the reasons for the different cyberbullying rates on each platform may be complex and vary depending on the specific platform. It is also important to remember that cyberbullying is not limited to social media platforms. It can also happen through text messages, email, and other forms of electronic communication.

Cyberbullying assurances

Cyberbullying can have a serious impact on the victim, both emotionally and psychologically. According to the results in figure 6, 52.6% of the participants said that they know of someone who had been cyberbullied, while 47.4% said that they do not. Victims of cyberbullying may experience feelings of sadness, anxiety, fear, and low self-esteem. They may also have difficulty sleeping, concentrating, and attending school. In some cases, cyberbullying can lead to suicide. If you know someone who is being cyberbullied, it is important to act. You can talk to a trusted adult, such as a parent, teacher, or counselor. You can also report the cyberbullying to the platform where it is happening. The platform will then investigate the incident and take appropriate action.

Platforms where bullying usually occur.

The demographic data in figure 7 shows that WhatsApp has the highest cyberbullying rate, with 32.4% of the participants reporting that they had been cyberbullied on the platform. Instagram was the second most common platform

for cyberbullying, with 27% of the participants reporting that they had been cyberbullied on the platform. Facebook was the third most common platform, with 18.9% of the participants reporting that they had been cyberbullied on the platform. Twitter and Telegram had the lowest cyberbullying rates, with no participants reporting that they had been cyberbullied on either platform. There are a few possible reasons for the high cyberbullying rate on WhatsApp. First, WhatsApp is a very popular messaging platform, with over 2 billion active users worldwide. This means that there are more potential victims and perpetrators of cyberbullying on WhatsApp than on other platforms.

Second, WhatsApp is a closed platform, which means that users can only communicate with people who are in their contact list. This can make it easier for bullies to target specific victims, as they know that the victim will see the messages. Third, WhatsApp allows users to send disappearing messages, which means that the messages can be deleted after they have been read. This can make it difficult to track cyberbullying incidents on WhatsApp. The low cyberbullying rates on Twitter and Telegram could be due to the fact that these platforms are not as popular as WhatsApp or Instagram. Additionally, Twitter and Telegram are more public platforms, which means that it is more difficult for bullies to target specific victims.

4. CONCLUSION

The purpose of this research was to investigate the influence of the absence of the cybercrime law in Namibia on cyberbullying in higher education institutions in Namibia, with the International University of Management (IUM) used as the case study. The study sought to establish the presence of cyberbullying within the IUM student community, investigate causes of cyberbullying among students and explore the consequences or challenges associated to the absence of the cybercrime law in Namibia, in relation to cyberbullying among students. Appropriate solutions that would assist in preventing and minimising cyberbullying incidents among students in higher education institutions were finally proposed.

The study confirmed that there is a presence of cyberbullying among students at the International University of Management. It found that most of the bullying occurred on WhatsApp, Instagram, Facebook, and Twitter. Most of the respondents indicated that the absence of the cybercrime law in Namibia promotes or encourages cyberbullying and that if the cybercrime law was implemented, it would deter the practice of cyberbullying as perpetrators would be afraid of being punished. Respondents suggested that universities should implement awareness campaigns to educate students on cyberbullying and its effects on the victims. They also suggested that the government should work on finalising the development and implementation of the Cybercrime Act and that

higher education institutions should not wait for the government to finalise the cybercrime law but that they should create their own tailored policies to prevent and minimize cyberbullying incidences.

The government should enact a comprehensive cybercrime law that specifically addresses cyberbullying. The university should develop and implement a cyberbullying prevention and response policy. The university should provide training to students and staff on cyberbullying and cybercrime laws. Parents should talk to their children about cyberbullying and the importance of online safety. Students should be encouraged to collect evidence, e.g. save screenshots of cyberbullying messages or posts. If cyberbullied on social media, the victim can block the bully and report the incident to the platform where it happened. It can be difficult to stay calm when being cyberbullied, but it is important to do so because reacting angrily may encourage the bully to continue. Most platforms have policies against cyberbullying and will take action to remove the offending content and to punish the bully. This will prevent them from contacting the victim. This also helps victims to report the incident and to protect themselves if cyberbullying escalates. Talking to someone or a trusted adult can help victims to deal with the situation and protect themselves. Victims should remember that they are not alone. Cyberbullying is a serious problem, but support can be sought. There are people who can offer help.

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