Rechtsidee

Table Of Content

RECHTSIDEE

PUBLISHED BY UNIVERSITAS MUHAMMADIYAH SIDOARJO

ISSN 2443-3497 (online)

SCAN ME

Originality Statement

The author[s] declare that this article is their own work and to the best of their knowledge it contains no materials previously published or written by another person, or substantial proportions of material which have been accepted for the published of any other published materials, except where due acknowledgement is made in the article. Any contribution made to the research by others, with whom author[s] have work, is explicitly acknowledged in the article.

Conflict of Interest Statement

The author[s] declare that this article was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

Copyright Statement

EDITORIAL TEAM

Editor in Chief

Rifqi Ridlo Phahlevy , Universitas Muhammadiyah Sidoarjo, Indonesia (Scopus) (ORCID)

Managing Editor

Noor Fatimah Mediawati, Universitas Muhammadiyah Sidoarjo, Indonesia (Sinta

Editors

Faizal Kurniawan, Universitas Airlangga, Indonesia (Scopus)

M. Zulfa Aulia, Universitas Jambi, Indonesia (Sinta)

Emy Rosnawati, Universitas Muhammadiyah Sidoarjo, Indonesia (Sinta)

Totok Wahyu Abadi, Universitas Muhammadiyah Sidoarjo, Indonesia (Scopus)
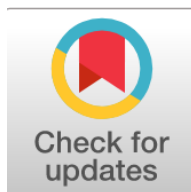
Complete list of editorial team (link)

Complete list of indexing services for this journal (link)

How to submit to this journal (link)

Article information

Check this article update (crossmark)

Check this article impact (*)

Save this article to Mendeley

(*) Time for indexing process is various, depends on indexing database platform

Anonymity in the Action of Cyber Bullying

Anonimitas dalam Tindakan Penindasan Maya

Ni Putu Sri Widiasih , niputusriwidiasih@gmail.com, (1)

Faculty of Law, Airlangga University, Indonesia

(1) Corresponding author

Abstract

The emergence of cyber bullying is caused by the advancement of information technology that has led to various social networking sites that have an impact on increasing usage internet which leads to violations of social norms. This study aims to identify the role of an anonymous account in criminal acts of cyber bullying, and how to avoid it. The method using in this research is conceptual approach. The characteristics of anonymity in cyber bullying are very important to watch out for, actors in cyber bullying who use anonymous accounts are very difficult to detect, so cyber bullying becomes very dangerous if left unchecked. The result of this study shown, that the anonymity only want to be treated the same or also conceal their identities because they want the forum to only look at what they wrote, not who wrote it. Concealment of identity is done intentionally, but with different reasons. Anonymity becomes very dangerous if used by parties who are not responsible for doing the crime. The role of anonymity in cyber bullying is used by actors to protect their true identities in smoothing out their crimes. Legal protection against anonymity can be done, Indonesia is a rule by law that protects its citizens from the state and citizens other.

Published date: 2019-12-07 00:00:00

1. Introduction

The rapid development of information technology has caused rapid changes. Little by little social media can include the community into a new cultural pattern and can determine the mindset and culture and behavior in society. With the internet world or also called cyberspace, almost everything can be done. This aspect positive of cyberspace naturally shapes the trend of world technology development with all forms of human creativity. But even the negative impact cannot be avoided, for example in the form of pornography that is rife on Internet media. The development of Internet technology has led to a crime called crime or crime through the Internet network. The emergence of several cases cyber crime in Indonesia, is a phenomenon, such as credit card theft, hacking on various sites, tapping other people's data transmission, email, and manipulation of data by setting up an unwanted commands into a computer programmer. Various actions above can be subject to criminal acts, both formal and material offenses. Formal offense because it involves the act of someone accessing other people's computer data without permission, while material offense is an act that has caused a loss for others.

Social media is one form of advancement in information and communication technology. Through social media, more and more develops enable information to spread easily in the community. Information in any form can be disseminated easily and quickly so as to influence the perspective, lifestyle, and culture of a nation. Through social media, humans are invited to dialogue, sharpening the sharpness of reason and psychology with nature that only appears on the screen, but actually describes the reality of human life. However, there is no denying that messages broadcast through electronic media can direct audiences, both towards pro-social and anti-social behavior.

Figure 1: Growth of Internet Use by APJII

The survey results of penetration and behavior of internet users in Indonesia by the Association Indonesian Internet Service Providers(APJII) collected 2500 respondents, more than the previous survey of 1250 respondents. In general, the APJII survey stated that the penetration of users internet in Indonesia increased by around 8% to 143.26 million people, equivalent to 54.68 percent of the population of 262 million people. By city or district, internet users are concentrated in urban areas with a percentage of 72.41%, penetration in urban areas can be understood, because fiber access optic and other supporting infrastructure are high for internet access. The age range of 19-34 years is the main contributor with 49.52%, age range 35-54 years with 29.55%, while the 13-18 years old with a percentage of 16.68%. In terms of education for S2 / S3 numbered 88.24%, S1 / Diploma amounted to 79.23%, SMA numbered 70.54%, SMP numbered 48.53% and SD 25.1% while those not attending school were 5.45%. The APJII survey proves that the types of services accessed by most users are applicationswith 89.35%, followed by social media 87.13%, search engines 74.84%, see pictures or photos 72.79% and videos 69.64%.

Cases of abuse continue to occur along with the development of the world of technology. With the development of gadgets, it will also develop a variety of new social media, while the development of social media is aware or unconscious of producing negative impacts, one of which is cyber abuse or cyber bullying. Media will not only give people the opportunity to access their social media accounts, but it will also make it easier someone for to create an anonymous account and certain fake accounts related to cyber bullying. Social media has a very important main role in committing crimes, cyber bullying among others:

1. The problem of cyber bullying occurs when the emergence of social media. Because before people knew about social media, there was no such thing as cyber bullying.
2. Without social media, there will be no cyber bullying. Cyber bullying can only be done on social media that uses an connection internet. Because cyber bullying differs from bullying traditional which consists of bullying, physical bullying verbal and bullying mental can be done directly and conventional. While cyber bullying is carried out in cyberspace or virtual worlds that require networks and internet connections to be able to commit these crimes.
3. Cyber bullying that occurs on social media has a positive impact because the case is lifted to the public place so that the available evidence can be easily accessed.
4. Cyber bullying occurs when social media such as Facebook and Twitter have storage facilities text.

Characteristics of cyber bullying are commonly recognized by anonymous nature, and can occur anytime and anywhere. Examples of behaviors cyber bullyingcommon include repeatedly sending inappropriate messages and containing insults and refutations without a strong foundation using abusive and abusive language. Motivation of the offender is usually due to heartache, wants to be angry or wants revenge, but is unable to express his anger directly to the victim. Anonymous is anonymous or unknown, whether someone or group is responsible for the contents of the work. Anonymous does not give the reader the opportunity to determine how much they believe in the source concerned. Or a trait that refers to the uncertainty / uncertainty of the identity of a person / party. Based on the background above, the problems that will be examined in this research

are as follows:

1. What is the role of an anonymous account in criminal acts of cyber bullying?
2. How to avoid anonymous accounts on social media?

2. Research Methods

This research uses a conceptual approach, which is an approach that examines anonymity in criminal acts of *cyber bullying*. materials secondary legal in this study were obtained from all publications on anonymity and *cyber bullying*, legal literatures, such as legal journals, legal text books, legal dictionaries, legal dictates, legal articles and papers and research that related to anonymity in criminal acts of *cyber bullying*. The legal materials used in this study were obtained through literature search, in ways that are the first material legal that has been obtained both from primary legal material and secondary legal material. Furthermore, identification of legal material that is relevant and in accordance with legal issues is carried out to get an appropriate conclusion on the legal issue being studied.

3. Results and Discussion

3.1. Anonymity

Anonymity comes from a Greek word, anonymia, which means "nameless" or in english "namelessness" or usually refers to someone who often means that personal identity, the person's personal identity information is unknown. Anonymous is anonymous or unknown, whether a person or group is responsible for the contents of the work. Anonymity does not give the reader the opportunity to determine how much they believe in the source concerned. Anonymous is a figurative meaning that describes someone without a name or without a personal identity, a pseudonym or someone who uses not his real name and is often used in the world internet.

Anonymous use is now easier and more widely used for writers, broadcasters radio, intelligence or also used for criminal acts. Anonym is often used as an online identity or identity in the world cyber. There are two types of anonymity, as follows:

1. True Anonymity, this type of anonymity is anonymity that cannot be traced. This may be by accident or indeed aims to hide the identity sender's so that it becomes a mystery to someone else, the identity of someone using anonymity this identity is difficult to trace. A or persona group of people who use this trait do not include any identity .
2. Pseudo-anonymity, this type of anonymity may still be traceable because the owner account uses a pseudonym or not a real name. Thepseudo-frequency of anonymity denotes the original nature or behavior. One of the intentions of the account owner is to use a pseudonym which is to divert a person's opinion or opinion or a group's on the account.

Anonymity is a condition where a person's identity is hidden from people other in a particular community. Concealment of identity is done intentionally, but with different reasons. There are those who do not want to know their true identity because they want her to be treated equally or also concealing their identity because they want the forum to only look at what they wrote, not who wrote it. Now there are many forums that allow members not to be identified, as long as their contribution is positive. However, some sites also do not forbid this anonymity because they do not want a user who is not really clear about his origin to join as long as his real identity is unknown and if his identity is still unknown as long as he will be ignored. The easiest way is to get acquainted/introduce yourself directly.Anonymity is used by people who are not responsible for committing their crimes in the world cyber, provoking without fearing that their identities will be known by victims using the internet.

3.2. Cyber Bullying

Cyber bullying has two meanings, namely "cyber" and "bully", the word "cyber" stands for "cyberspace" is a space that cannot be seen. This space is created when there is a communication relationship that is carried out to disseminate information that where physical distance is no longer an obstacle or better known as cyberspace. While the word "bully" if translated into Indonesian means the word rundung, meaning "bullying" is perundung. Perundungan comes from the word "rundung" which in the Indonesian Dictionary (KBBI) is disturbing, constantly disturbing, and troublesome.

In general, cyber bullying isinterpreted as abusive treatment carried out by a person or group of people, using the help of electronic equipment that is repeated and continuously on a target who has difficulty defending himself.Cyber bullyingis an activity of using information and communication technology intentionally, repeatedly and continuously containing hostility carried out by individuals or groups in order to hurt the feelings of others (groups or individuals). Cross defines cyber bullying *as* an act carried out by individuals or groups by using technology, information and communication over and over which the purpose is to hurt others.

Cyber bullyinghas unique characteristics, namely carried out by individuals or more, the tools used are electronic devices such as smart phones and a set of computers, which are spread through internet media such as social

media by sending text messages, images or photos, symbols and videos containing elements of insult or defamation and threats, and the existence of anonymity as a shield for the perpetrators to hide their identities in committing crimes. Fabio Sticca, et al in a study entitled Longitudinal Risk Factor For Cyberbullying In Adolescence: The Journal of Community and Applied Social Psychologystates that the factors that cause someone to do cyber bullyingare the frequent use of the internet. Internet use is at risk for having involvement in conducting cyber bullying. Perpetrators also spend more time onlinethan interacting with friends or with the surrounding environment. Camodeca and Goosens, in Satalina's article entitled "The Trend of Behavior CyberbullyingJudging from Extroverted and Introverted Personality Types, that cyber bullying has dominant personality characteristics and tend to like to be violent, temperamental, impulsive, easily frustrated, often violating regulations, involved in proactive aggression and reactive aggression, cleverly dodging difficult situations, and showing little care or compassion for the victim.

In Indonesia, sanctions for cyber bullyinghave been regulated in the Law of the Republic of Indonesia Number 19 of 2016 concerning Amendments to Law Number 11 Year 2008 concerning Information and Electronic Transactions (ITE). Cyber bullyinghas cost many people to the point of depression even though it hasn't yet reached suicide, however, there has not been handling a serious from the investigators of victims who have experienced severe depression due to cyber bullying. Until now, the case of cyber bullyingonly arrived at the investigation stage because the perpetrators and victims were still underage so they chose to make peace.

3.3. The Role of Anonymous Accounts in Crime Cyber Bullying

Anonymous is the most unique characteristic in cyber bullying, perpetrators use anonymous accounts or fake accounts to cover their true identities in order to expedite their crimes freely. Most of the victims did not know the reason why they could become victims of cyber bullying, and victims also did not know who the perpetrators of the crime were, so it was very dangerous for victims who experienced cyber bullying. The perpetrators easily wash their hands of responsibility and can do their actions at any time without being identified. The number of anonymous accounts in social networks is not only done by people ordinary, by changing their names or adding other names to their real names, there are even those whose identities in their profiles do not match their identities true, so they can be categorized with an anonymous account. The perpetrators of cyber bullyingmostly use social media accounts such as Facebook, BBM, SMS, Line, Wathsapp, Instagram, and YouTube, these social media accounts are the most popular media accounts among the public when interacting in cyberspace.

Anonymity can affect the behavior of cyber bullying,previously anonymous only is the nature of behavior cyber bullying. Acts of cyber bullyingthat are not transparent causes victims to be unable to know the real identity of the perpetrator. So Barlet, et al. developed anonymity as a predictor of behavior cyber bullying.Anonymity is the only factor that can distinguish between cyber bullyingand traditional bullying. Barlet and Gentiledefine two dimensions of anonymity, as follows:

1. Anonymousis a person's behavior not to show his true identity when accessing the internet.
2. Strengtht is the feeling of someone to have high social strength when communicating through social media. social power in the virtual world raises efforts to influence in order to take part in cyber bullying. In the context of cyber bullying, actors will feel that they have great social strength even though in reality the perpetrators do not have great social strength.

Anonymity functions to discuss a topic or problem involving personal problems, minority issues, harassment, sex life and many other things, anonymity helps someone to get freedom of expression and maintain privacy from crimes that can violate the law. Anonymity is used by actors in attacking their victims by creating fake social media accounts without any distinctive identity characteristics left perpetrators by the by sending messages, photos and videos that contain elements of humiliation or defamation to the victims so that the victims feel embarrassed, feel their pride falls and is known by the general public, especially users of social media, and contains elements of threats that are also accompanied by violence so that the victims feel fear, anxiety, and psychological and psychological stress. The following are the characteristics of an anonymous account, namely:

1. Who does not know which account belongs to, friends and closest people who do not know who the account owner is and there is no shared friendship history.
2. Unknown accounts always watch uploaded stories, even like every recent submission. Even to dare to send direct message(DM).
3. Most of the owners of anonymous accounts make their accounts privateor locked.
4. Users of an anonymous account do not post photos of themselves or real photos as photos profile. They prefer to use celebrity photos or photographs that actually belong to others. This is certainly done to cover the real identity of the fake account user.
5. Accounts with a very small number of submissions are suspect, even not even sometimes there are empty ones. But recently, there are also fake accounts under guise of the an online shop, which usually have a submission by a considerable amount.
6. The number of followers from this anonymous account is very little. At least ten, rarely if there are thousands, unless the fake account owner is very skilled at hiding his identity or making his account easily trusted by the victim.

7. Users of anonymous accounts may have different habits, some are very active or some are very passive. The active account will immediately invite chat shortly after being approved. The goal starts from inviting to meet and date or to just promote the product he wants to introduce. But there is also an anonymous account that is very passive and intends to steal data from account the victim's. Fake accounts like this usually don't do a lot of activity or communication with friends on social media.

8. Users of an anonymous account on social media will appear more passive and different from account the original. When the original social media accounts often a share to link,image, or just play games, then the anonymous account might just did not ever do any activity. Accounts like this usually more often observe other social media users through their accounts. This method is often done to prepare victims of data theft.

Renny and Suryantoin his journal entitled Emotional Intelligence, anonymity and cyber bullying(BullyMaya) stated in the results of his research that emotional intelligence and anonymity are jointly insignificant with cyber bullying, the relationship between emotional intelligence and anonymity is not proven, but between intelligence emotional and cyber bullyingthere is a very significant positive correlation, meaning emotional intelligence greatly influences the perpetrators of cyber bulying. So from that emotional intelligence is very important in supporting the emergence of behavior cyber bullying.The low level of emotional intelligence can trigger the perpetrator to make messages or posts that are rude and cornering the victim, express feelings of anger with rude, indulging in disgrace and the ugliness of victims on media social so that it is known by the general public. If the anonim is accompanied by bad goals and feelings of anger, someone can do cyber bullying. The reason someone does cyber bullying isbecause of anger and hurt so they want to take revenge on a friend who has hurt him. Anonymity with low emotional intelligence causes someone to do cyber bullying, but if anonymity with ability a high emotional then one would not do cyber bullying. the role of anonymity in criminal acts of cyber bullyingis as follows:

1. Anonymous used by the perpetrator to mask his true identity;
2. Anonymous used by the offender as a shield to facilitate in conducting crime;
3. Anonymous it becomes difficult to track if it does not have the specific characteristics left behind by the slightest perpetrator.

The characteristics of anonymity in cyber bullyingare very important because the perpetrators in cyber bullyingwho use anonymous accounts are very difficult to detect, so cyber bullyingbecomes very dangerous if left unchecked Therefore the role of anonymity in cyber bullying isused by the perpetrator to witness his crime. Legal protection of the anonymity to do, Indonesia is a country of law (rule by law) which protects its citizens from the state and other citizens.

3.4. How to Avoid Anonymous Accounts on Social Media

The concept of tolerance and Pancasila culture must be developed in conjunction with life Community on the internet as well as social life in the real world. Even anonymity is though protected, it will not be separated from the law. Because in the end its identity will sooner or later be traced. There is cyber-ethicsthat must be adhered to together, so that the Indonesian internet community is healthy, safe and responsible. In some cases investigations and arrests of anonymous accounts that attack in writing to state identities and symbols can be carried out. Although it is difficult, digital forensic science has been able to uncover the veil of anonymity based on digital traceor through searching information IP Addressthe relevant.

Ethics really need to be considered in using social media, here are social media ethics

as follows:

1. Understand the content and purpose of writing comprehensively and not fragments before giving comments.
2. The use of words or sentences needs to be considered before posting posts or commenting (using good and polite language) on social media.
3. Not posting status that smells of humiliation, defamation, threats and SARA in the form of writing, pictures and videos, it is feared that it can offend certain parties.
4. Manage social media accounts in private mode, so that they are not easily infiltrated by people who want to do evil.
5. Able to distinguish between private and public chats. This is done to avoid unwanted crimes, such as fraud and kidnapping. Do not arbitrarily share links before checking the correctness of the posts (including sharing the hashtag or mention).

Written ethics that have been agreed upon by the wider community or customs also need to be obeyed and respected. The unwritten ethics include a collection of etiquette, manners, values/norms and rules that are created from the process of interaction between people. In principle, the ethics of communicating on social media is a combination of thinking, acting and behaving that refers to the rules of law and norms that apply in society and is expressed in the form of actions and sayings. Some of the following ways can be done to avoid anonymous accounts, are as follows:

1. Do not write all personal information on the profile of a social media account, in order to avoid identity theft which leads to making fake accounts by parties irresponsible.
2. Don't accept friend requests from unknown people and friendships that are indicated often insulting or spreading false news on social media.
3. Don't be provoked to give any response that triggers a fight and negative smelling posts on social media.
4. Use filtering or filtering for e-mails, SMS, incoming calls on mobileradical social media accounts, and also don't upload or send pornographic images, photos and videos to anyone on social media.
5. Never tell anyone your social media password. To avoid hacking accounts it is recommended to change the passwordaccount regularly.

The need for education in using the internet responsibly so that the role of parents is very important to act decisively in monitoring their children who are not old enough to join social media. Internet users need to be informed in the ethics of surfing by complying with applicable laws in order to avoid undesirable things, namely becoming victims of cyber bullying. In the ITE Law it is not specifically specified regarding cyber bullying,but elements of insult, defamation, threats and extortion can be included in the realm of cyber bullying. Because in this all-digital era, the form of human aspirations on social media is very difficult to monitor, therefore as a user of information technology, media it should pay attention to ethics in social.

4. Conclusion

Anonymity is very dangerous if used by people who are not responsible for committing a crime, anonymity is one of the characteristics in cyber bullying. Actors use an anonymous account to cover their true identity. Anonymity makes it easier for the perpetrator to commit his crime, the difficulty of anonymous accounts being detected so that most people use anonymity as an identity in interacting on social media, as well as criminals using anonymity as a shield for their crime. So that cyber bullyingshould be wary because it has the characteristics of anonymity which is very dangerous and difficult to detect.

Education in social very necessary in the use of information technology, media as well as ethics that need to be respected in communicating on social media which is a combination of thinking, acting and behaving that refers to the rules of law and norms that apply in society and poured in the form of deeds and sayings. Be smart and good at controlling your self and your mind in social media, don't be easily provoked to comment on, make or send posts that contain negative elements, such as insulting defamation and pornography and immorality.

References

1. Sunarto, Kamanto, Pengantar Sosiologi, Jakarta: Fak Ekonomi UI, 2000.
2. Barlet ,Christoper. P, dkk, Attacking Others Online: The Formation Of Cyberbullying in Late Adolescence, Journal Of American Psychology Association, 2012.
3. Barlet, Christoper. P, dkk, Predicting Cyberbullying From Anonymity, Journal Of American Psychology Association, 2014.
4. Sticca, Fabio, dkk, Longitudinal Risk Factor For Cyberbullying In Adolescence: Journal of Community and Applied Social Psychology, 2013, hlm. 52-67. http://dx.doi.org/10.1002.casp.2136.
5. Rifauddin, Machsun. M, Fenomena Cyberbullying Pada Remaja (Studi Analisis Media Sosial Facebook), Jurnal Ilmu Perpustakaan, Informasi dan Kearsipan Khizanah Al-Hikmah, Vol. 4, No. 1, 2016.
6. Renny dan Suryanto, Kecerdasan Emosi, Anonimitas dan Cyberbullying (Bully Dunia Maya, Jurnal Psikologi Indonesia, Januari 2016, Vol. 5, No. 01.
7. Satalina. D, Kecendrungan Perilaku Cyberbullying Ditinjau dari Tipe Kepribadian Ekstrovert dan Introvert, Fakultas Psikologi: Universitas Muhammadiyah Malang,
8. Bauman, Sheri & Heather Pero, Bullying and Cyberbullying Among Deaf Students and Their Hearing Peers: An Exploratory Study, Journal o Deaf studies and Deaf Education University of Arizona, 2010.
9. Dadan Wijayanto, dkk, Sifat Anonim di Dunia Maya : Anonymous Blog, Tugas Kelompok: Fakultas Matematika Dan Ilmu Pengetahuan Alam sistem Komputer universitas Tanjungpura, 2012, hlm.2.https://id.scribd.com/doc/95386030/Kelompok-2-Sifat-Anonim-Di-Cyberspace, diakses pada tanggal 24 juni 2019, pukul 15.00.
10. Kamus Besar Bahasa Indonesia, https://kbbi.web.id/rundung diakses pada tanggal 24 juni 2019. http://mycyberbullying.wordpress.com/2014/05/25/pengertian-cyberbullying/, di akses pada tanggal 24 juni 2019.
11. https://id.wikipedia.org/wiki/Anonimitas, diakses pada tanggal 25 juni 2019, pukul 14.45.
12. Heaven Blasher, February 26, 2018, Sifat Anonim Dalam Dunia Maya: Pengertian dan Dampak Positif Negatif dari Anonimitas Etika Profesi, http://campus-siskom.blogspot.com/2018/02/sifat- anonim-dalam-dunia-maya.html. Diakses pada tanggal 23 juni 2019, pukul: 14.00.
13. Buletin APJII Edisi23 April 2018, hal. 1. Diakses pada tanggal 25 Juni 2019, Pukul 14.00. https://apjii.or.id/downfile/file/BULETINAPJIIEDISI23April2018.pdf.
14. Besar, Kejahatan Dengan Menggunakan Sarana Teknologi Informasi, 2016, https://business-

Rechtsidee

law.binus.ac.id/2016/07/31/kejahatan-dengan-menggunakan-sarana-teknologi-informasi/ diakses pada tanggal 24 juni 2019, pukul:11.45.