

RESEARCH ARTICLE/ARAŞTIRMA MAKALESİ

The equivalence of violence against women on social media: Acts constituting digital violence and their place in the Turkish Penal Code

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Abstract

This study aims to explore women's perceptions of digital violence across different age groups, educational backgrounds, and marital statuses. It also investigates their awareness of digital violence on social media and their coping strategies when exposed to such acts. Additionally, their knowledge, attitudes, and behaviors regarding whether digital violence constitutes a crime were examined. Within the scope of the research, a survey form as a preliminary study was applied over the internet throughout Türkiye.

According to the findings, 51.2% of the participants answered that they did not think they were exposed to acts of digital violence on social media. The findings revealed that 43.9% of the participants, who initially indicated that they had not experienced acts of digital violence on social media, stated that they were exposed to certain acts of violence such as being insulted and sworn at, falling victim to fraud, receiving threats and blackmail, enduring harassing messages, discovering fake accounts created in their name with personal photos, etc., 47.7% of the participants stated that "Digital/Cyber Violence" is treated as a separate crime in the Turkish Penal Code. In response to the question 'What would you do if you were exposed to the above action(s)?' 83.3% of the participants marked the item 'I would block the related person from my social media accounts', 48.3% 'I would change the passwords of my social media accounts'.

Consequently, looking at the answers of the women who participated in this survey, it was concluded that they were not aware that they were subjected to digital violence and that the actions they were exposed to were acts of digital violence. In this context, digital violence should be treated as a serious problem, and awareness, prevention and coping methods should be implemented.

Keywords: Digital violence, cyber violence, violence against women, social media, Turkish Penal Code

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1. INTRODUCTION

The World Health Organization (2002) defines violence as the intentional use of physical force or power, whether through threats or actions, against oneself, another person, or a group or community, that either results in or is likely to result in injury, death, psychological harm, or loss. Violence against women, on the other hand, is defined by the United Nations. Accordingly, violence against women is gender-based behaviors that hurts and harms women, that results in or is likely to result in the oppression of women in public or private life, and arbitrary restriction of their freedoms (UN, 20.12.1993). Types of violence used to be seen in certain ways. However, with the development of technological tools, a new type of violence, digital violence, emerged alongside traditional types such as physical, psychological, economic, and sexual violence. Although there is no consensus on a specific concept in the literature, terms like ‘cyber violence,’ ‘online violence,’ ‘cyberbullying,’ and ‘online harassment’ are occasionally used to refer to digital violence. In the current study, the term ‘digital violence’ is used.

Digital violence is a phenomenon that includes actions that cause harm, including threats, intimidation, humiliation, manipulation, control, hate speech, and reputational damage to another person or group through the use of technological tools (Şener & Abınık, 2021: 5). A review of the previous research indicated that women are more likely to encounter gender-related acts of digital violence and are negatively affected by such situations (Pew Research Center, 22.10.2014). For instance, according to a survey by Amnesty International (2018), 41% of women have experienced online harassment at some point in their lives. In the Digital Violence in Türkiye Survey conducted by the Social Information and Communication Association in collaboration with KONDA as part of the “Combating Digital Violence” project, 51% of women reported receiving written, audio, or video harassment messages, and 46% reported being stalked in digital environments (Şener & Abınık, 2021: 4).

The main issue with digital violence against

women is its frequent occurrence despite being largely unrecognized and invisible. Accordingly, this study explores women’s perceptions of digital violence, their levels of awareness of potential exposure to violence on social media, and their managing and coping strategies when faced with digital violence. Furthermore, women’s knowledge, attitudes, and behaviors regarding whether acts of digital violence constitute a crime were also investigated. Finally, some recommendations are provided for preventing digital violence against women and mitigating its negative consequences.

2. DIGITAL VIOLENCE

2.1. Definition

As communication technologies have developed, internet and social media usage has steadily increased and continues to increase. As people of all ages and socio-cultural backgrounds use social media, platforms where individuals spend extended periods have emerged. Thus, acts of violence that are visible in daily life have adapted and diversified in the virtual world. Today, this type of violence, known as ‘Digital Violence,’ has become a concept integrated into our lives with the advancement of communication technologies. Digital violence threatens every internet user.

Digital violence includes all kinds of harassment, threats, blackmail, and hateful discourse directed at individuals or groups through hardware (mobile phones, computers, tablets, etc.) and online platforms (social media, blogs, digital games, etc.) where a person can interact with others (Sarışın, 2022: 267).

Acts of digital violence occur through two types of information technologies. In the first, offenders send instant messages, obscene harassment, slander, or create websites to publish such content. The second method involves sending harassing messages to the victim via mobile phones (Polat, 2017: 33).

Platforms where digital violence can take place are social media, websites, blogs, messaging services, search engines, dating apps, comment sections of online newspapers, online forums,

and chat rooms in digital games, etc. As technology continues to advance, new platforms may also emerge.

It is argued that information and communication technologies facilitate the perpetrator's use of violence for the following five reasons:

- Anonymity: Perpetrators can hide their real identity on the internet.
- Distance of action: The act of violence can be carried out remotely without physical contact.
- Automation: Technology aids perpetrators in tracking the targeted person and executing related actions.
- Accessibility: Digital violence can occur using cell phones and social media.
- Extensiveness: Violent messages and posts can spread rapidly to the masses. In addition, such messages may remain online for a long time, creating secondary victimization (Şener & Abınık, 2021: 6).

The main problem with digital violence, defined with different concepts in the literature, is its invisibility, lack of clear definition, and limited recognition, despite its frequent occurrence among victims (Sarışın, 2022: 262). The difference between digital violence and other types of violence is that harmful acts are performed through information technologies. There is no clear distinction between the concepts of digital violence, cyber violence, virtual violence, and online violence; consequently, these terms are often used interchangeably. Examples of digital violence include forcing individuals to communicate against their will, subjecting them to inappropriate or sexually explicit messages, and using personal information for blackmail (Cirban Ekrem & Er Güneri, 2021: 365).

According to the study conducted by Willard classified digital violence into eight categories based on perpetrator behavior: flaming, harassment, denigration, outing and trickery, exclusion, impersonation, sexting, and cyberstalking. In addition to Willard's classification, Kowalski et al. included 'happy slapping' and 'sexting' to address emerging needs,

emphasizing the sharing of sexually explicit photographs without an individual's consent in virtual environments (Özer Öksüzöğlü, 2021: 70).

Accordingly, the main forms of digital violence include:

- a) Disseminating messages or pictures containing insulting, defamatory, or threatening content
- b) Creating fake identities or social network accounts to deceive people romantically (catfishing)
- c) Intentionally trying to provoke others by using controversial language (flaming)
- d) Acting as a third person (masquerading/impersonation)
- e) Spreading rumors
- f) Sending disturbing sexually explicit pictures or videos (sexting)
- g) Spreading images of the victim being beaten on the internet
- h) Posting provocative and offensive messages to create anger and upset in other people
- i) Harassing/threatening other people by persistently using electronic communication tools (cyberstalking)
- j) Sharing humiliating personal information with third parties (outing). Actions seen as digital violence can be expanded (Maviş, 2021: 2460).

2.2. Scope of Digital Violence

Due to the advancement in technology, more different approaches regarding the scope of digital violence are presented in the literature. With the continuous increase in digital violence, the boundaries of private space on social media are constantly shrinking. Due to the limited number of studies, the boundaries of digital violence remain undefined. (Yıldırım, 2019: 33).

• Privacy Violations

It is the access to private data without the individual's consent. It occurs as taking,

accessing, using, manipulating, and/or distributing photos/videos without the consent of the individual.

- **Surveillance and Monitoring**

Refers to the surveillance and/or monitoring of online and offline activities. Performed through persistent monitoring by using spyware or keyboard recorders.

- **Damage to Reputation/ Credibility**

Involves creating or editing fake photos or videos, identity theft, and the dissemination of private information with the intent to damage other people's reputations.

- **Harassment**

Involves unauthorized sending or receiving of sexually explicit material, and direct threats of violence, including threats of sexual or physical violence.

- **Direct Threats and Violence**

These activities involve gendered blackmail or extortion; identity, money, or property theft; and victim selection (including planned sexual assault).

- **Targeted Attacks on Communities**

Involves hacking websites, social media accounts, or email accounts of certain organizations and communities; surveillance and monitoring of their activities; direct threats of violence against community members; and disclosure of confidential information such as shelter addresses (Yıldırım, 2019: 36).

2.3. Causes of Digital Violence

Causes of digital violence include hiding behind usernames, the power of anonymity, the attractiveness of affecting the environment anonymously, lack of observed consequences for the aggressor, a desire for popularity, projecting past experiences differently, low self-esteem, and prior victimization. Despite the absence of physical contact between the aggressor and victim, the latter experiences psychological harm. Young people exposed to digital violence

often experience intense feelings of depression, low self-esteem, fear, sadness, disappointment, shame, and more. Children and adolescents often perceive digital violence behaviors, enacted through virtual characters they've created by their imagination, as a game and may not take responsibility for their actions (Korkmaz, 2016: 77).

2.4. Impacts of Digital Violence

The consequences of digital violence, which essentially does not involve physical interaction, but is created solely through electronic means, can be extremely challenging. It was emphasized that such acts of bullying are likely to cause psychological problems. Those exposed to digital violence reported damage to their mental health. Victims typically experience burnout, anger, and grief. Consequently, these individuals are likely to experience clinical symptoms, such as depression, anxiety, lack of concentration, and suicidal tendencies. Consistent with this, previous studies highlighted that digital violence is associated with depression and suicide (Maviş, 2021: 2469).

2.5. Digital Violence Against Women

Digital violence against women is a risk facilitated by new communication technologies and has the potential to go viral through these platforms. Specifically, this concept refers to all threats, harassment, blackmail, and marginalizing discourse against a person or group through interaction hardware such as phones, computers, and tablets, as well as interactive media including SMS, e-mail, social media, blogs, or digital games. The phenomenon of 'othering', which has emerged with the existence of society, especially concerning women, has opened a new window for itself with the development of technology. Violence against women is becoming increasingly widespread in the digital environment through the development of new media, resulting in a cycle of reconstruction of social prejudices against women. The constant circulation of gender stereotypes in the digital environment heightens the risk of digital violence against women online. In this context, digital violence, similar to traditional violence, serves

to perpetuate and reinforce patriarchy, gender roles, and the domination of women. However, digital violence, similar to offline violence, is a rising risk that exacerbates the gender equality gap, a goal the United Nations aims to achieve by 2030 (Sarışın, 2022: 262).

3. SOCIAL MEDIA

Social Media refers to internet-based applications that enable members to create and share content with visitors and across various platforms. Social media is widely used by both individuals and institutions due to its ease of access, content creation, and instantly reaching capacity to a broad audience (Barutçu & Tomaş, 2013: 8).

In this regard, social media applications allow individuals to create and share posts including videos, photos, articles, and news. The most common platforms on social media are blogs, vlogs, websites, gaming websites, as well as sharing sites such as YouTube, Instagram, Flickr, Wikipedia, Facebook, Myspace, Pinterest, and Twitter (Çınar, 2021: 38).

Applications considered social media can be grouped under the following seven categories (Onant & Alikılıç, 2008):

- Email groups
- Blogs (diaries)
- Vlogs (video diaries)
- Forums (Google groups, yahoo groups, etc.)
- Corporate intranet (in-house network)
- Extranet (websites)
- Fast message services
- Social networks (Twitter, Facebook, Instagram, etc.)

4. LEGAL SITUATION IN TÜRKİYE

Digital violence is not regulated as an independent crime type in the Turkish Penal Code (TPC) No. 5237, but online attacks in some cases can be subject to punishment. In this regard, acts constituting digital violence are not treated as a single offense under Turkish criminal law but

are addressed individually. Particular attention should be paid to certain types of offenses such as insult, threat, blackmail, disturbing the peace and tranquility of persons, sexual harassment, violation of privacy, recording of personal data, unlawful data transfer or seizure. Turkish lawmakers have amended several of these offenses and introduced enhanced sanctions for digital violence (Maviş, 2021: 2476).

Initially, the crimes of 'entry into the information system,' 'blocking, disrupting, destroying, or altering data,' and 'misuse of debit or credit cards,' categorized under 'cyber-crimes' in the Turkish Penal Code, were examined. Subsequently, other types of crimes were evaluated.

●Article 244 of the Turkish Penal Code – The crime of obstructing, disrupting, destroying, or altering the information system:

Three different crimes are regulated under this article. The behaviors of "blocking and disrupting the information system", "damaging the data in the information system" and "obtaining unfair advantage by using the information system" are sanctioned as different crime types in different paragraphs of this article (Öztürk & Ateş & Erdoğan, 2020: 50).

●Article 245 of the Turkish Penal Code – The crime of misuse of debit or credit cards:

In the preamble of the article, the legal value to be protected by the relevant offense is stated as preventing debit or credit card holders from being harmed by the unlawful use of such cards. Accordingly, the first paragraph of the article criminalizes the offense of unlawfully benefiting with a debit or credit card belonging to someone else; the second paragraph criminalizes the offense of producing, selling, transferring, purchasing, or accepting a fake debit or credit card by associating it with bank accounts belonging to other people; and the third paragraph criminalizes the offense of unlawfully benefiting with a fake or forged debit/credit card (Öztürk & Ateş & Erdoğan, 2020: 51).

● **Article 125 of the Turkish Penal Code – The crime of insult:**

Under Article 125 of the TPC, a person who attributes a concrete act or fact that may harm the honor, reputation, and dignity of a person, or a person who attacks the honor, reputation, and dignity of a person by swearing is liable for the crime of insult. Through the crime of insult, which is probably the most common type of digital violence, protecting the dignity of persons is aimed. Many cases of digital violence involve attributing acts or facts or swearing, which are the material elements of the crime of insult. One of the common types of digital violence is posting humiliating or insulting content on fake social media accounts created in the victim's name. If there is an element of publicity in the concrete case, the penalty will be increased in accordance with Article 125/4 of the TPC. Since it is common for digital violence to be public, the penalty will be increased in many cases (Maviş, 2021: 2477).

● **Article 123 of the Turkish Penal Code – The Crime of Disturbing the Peace and Tranquility of Persons:**

The crime of disturbing the peace and tranquility of persons occurs when a person makes a phone call, makes noise with the sole intention to disturb one's peace and tranquility, or engages in any other unlawful act for the same purpose. For this offense to occur, the acts specified in this article must be persistent or systematic. Persistence is a factor often observed in digital violence. Examples include sending the same messages to the victim over and over again, and too many posting on social media. Sharing a disliked photo of a person on social media does not constitute the crime of disturbing the peace and tranquility of persons, since it does not occur more than once, but it is sufficient to constitute digital violence. From this point of view, it can be argued that the crime of disturbing the peace and tranquility of persons does not cover all forms of digital violence (Maviş, 2021: 2485).

● **Article 106 of the Turkish Penal Code – The Crime of Threatening:**

According to Article 106 of the TPC, a person, who threatens another person or their relative

with harm to their life, body, or sexual integrity is criminally liable. Acts of digital violence may qualify as elements of the crime of threatening, depending on the specific circumstances. Frequent use of electronic communication tools to harass/threaten the victim is an important form of digital violence. The anonymity in digital violence can lead to more severe punishment if these acts constitute the crime of threatening. Regarding this, under Article 106/2-c of the TPC, the penalty is increased if the offense is committed by disguising oneself by sending unsigned letters or using specific signs. If digital violence is carried out as an 'indirect threat,' it may be treated as a qualified case. A typical example of this type of threat is when the perpetrator posts an anonymous threatening message on a website that the victim will come across (Maviş, 2021: 2482).

● **Article 105 of the Turkish Penal Code – The Crime of Sexual Harassment:**

Article 105 of the TPC states that those who sexually harass a person shall be punished. However, the article does not specify the acts considered as sexual harassment. In the article's justification, the legislator noted that 'sexual harassment can involve sexual behaviors that do not constitute a violation of a person's physical integrity. Therefore, the distinction between sexual harassment and sexual assault lies in the fact that sexual harassment involves behaviors that do not physically violate the person. In this context, actions such as offering sexual intercourse, exposing sexual organs, or making sexual gestures constitute sexual harassment. Many acts of digital violence can constitute the crime of sexual harassment. Particularly, the acts called 'Sexting' can be considered within this scope. Sexting can be briefly defined as "the sharing of sexually explicit images," which includes sending nude photos or videos to the victim through electronic communication means (Maviş, 2021: 2483).

● **Article 132-138 of the Turkish Penal Code - Crimes Against Private Life and Private Sphere of Life in the Turkish Penal Code:**

○ **Article 132 of the TPC, the Crime of Violation of the secrecy of communication protects the confidentiality of communication.** Unlawful disclosure of communication content is a form of digital violence and is punishable if the typical elements are met. For example, the unlawful disclosure of the contents of the communication between two people by the perpetrator may fall within this scope. Similarly, according to Art. 132/3, it is also a crime for the perpetrator of digital violence to disclose communication content in which they are involved, and the legislator requires this disclosure to be public. Especially in certain cases of digital violence called flaming and outing, the person involved can be held criminally liable if there is public disclosure. In Flaming, a provocative tone is used to mock the victims, creating a controversial atmosphere and angering them. On the other hand, Outing refers to disclosing content such as text messages and emails shared in confidence with the perpetrator (Maviş, 2021: 2485).

○ **Article 133 of the TPC, the crime of interception and recording of conversations between persons involves intercepting and recording such conversations.** This offense typically occurs in direct face-to-face communication without any intermediary. Considering that digital violence is often performed through communication tools, it is highly unlikely that offenses under Article 133 will occur. Instead, digital acts of violence are more likely to involve the disclosure of recorded non-public conversations, as regulated in Article 133/3 (Maviş, 2021: 2486).

○ **Article 134 of the TPC, the crime of violation of privacy,** is a general norm compared to other crimes in this section of the law. In cases of offenses against private life and the private sphere of life, penalties are not imposed specifically for the violation of privacy, which serves as a general norm, but rather for other related crimes. When other types of offenses are not applicable, acts of digital violence may be subject to punishment under the crime of privacy. Specific forms of digital violence, such

as happy slapping, may be considered a criminal offense as a violation of privacy. In this type of digital violence, an assailant physically assaults the victim while a witness records the incident. These videos, in which the victim is humiliated, are uploaded to the internet and rapidly viewed by tens of thousands of people.

5. METHODOLOGY

The main method employed in the study is a preliminary survey. Before responding to the survey, the participants read and approved a consent form attached at the beginning of the survey. A total of 209 women who met the criteria of being over the age of eighteen were reached. Participants were not restricted to a specific occupational group, marital status, education level, etc. The survey began with three demographic questions, followed by twenty-four multiple-choice questions. Some of these questions allowed participants to mark multiple items. Participants were not obliged to identify themselves in the survey. At the end of the questionnaire, participants were asked two non-compulsory questions: one about measures to prevent digital violence and another about describing a witnessed case of digital/cyber violence. These questions aim to assess the awareness level of women who use the internet in Türkiye about the digital violence they are/ may be exposed to on social media, which acts constitute digital violence, their strategies to cope with digital violence, as well as their knowledge, attitudes, and behaviors regarding whether acts of digital violence constitute a crime. The data collected were used to create graphs.

6. DATA

In this section, the data collected from 209 female participants of different ages, marital status, and education levels were evaluated. According to the findings, 65.6% of the participants were using social media for 8 years or more, whereas 22% were using it for 6-8 years. Furthermore, the frequency of daily social media use outside of work was analyzed, with 27.3% using it for 2-3 hours, 25.8% for 3-4 hours, and 23% for 1-2 hours. These data suggest that frequent daily social media use may expose users to digital world risks.

6.1. In response to the question ‘Which social media applications do you actively use? (You can mark multiple options)’, 97.1% of the participants marked WhatsApp, 95.2% Instagram, and 57.4% chose Twitter.

6.2. As seen in Figure 1, in response to the question ‘Are your social media account(s) open to everyone?’ 83.3% of the participants chose ‘No, my accounts are locked’, while 16.7% selected ‘Yes, my accounts are open to everyone’.

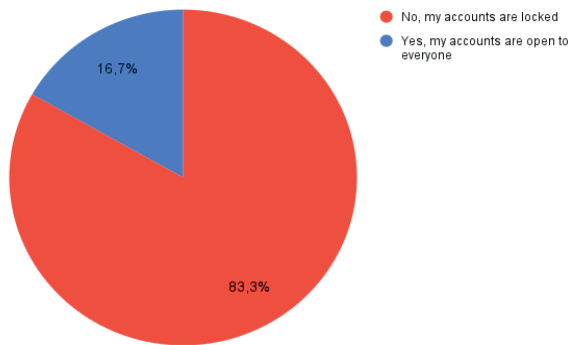


Figure 1. Responses to question 6.2.

6.3. As shown in Figure 2, in response to the question ‘Do you accept follower requests from people you do not know on social media?’, 52.2% of the participants answered “I never accept”, 45.5% answered “I sometimes accept”, and 2.4% said, “I always accept”.

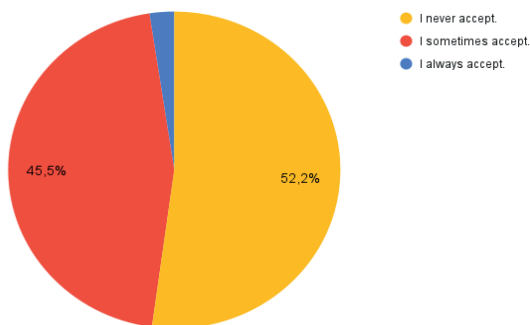


Figure 2. Responses to question 6.3.

6.4. In response to the question ‘Do you think women in Türkiye are safe in their use of social media?’ 76.6% of the participants responded, “I do not think so”, while 19.6% answered “I am undecided”.

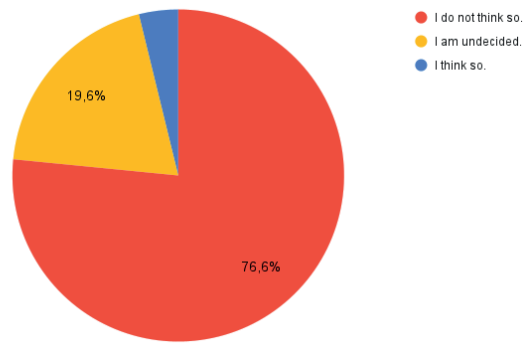


Figure 3. Responses to question 6.4.

6.5. As seen in Figure 4, in response to the question ‘Have you ever experienced moments when you did not feel safe while using social media?’ 74.6% of participants answered ‘Sometimes there are times when I do not feel safe’.

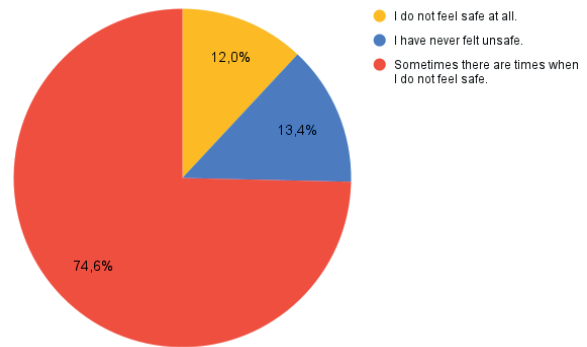


Figure 4. Responses to question 6.5.

6.6. Participants were asked to assess whether the actions specified in the following statements constitute digital violence.

6.6.1. In response to the statement ‘Following a person on social media, commenting on their photos, or liking their posts is digital violence’ 42.1% of the participants disagreed, 28.7% mostly agreed, 14.8% were undecided, and 14.4% completely agreed.

6.6.2. In response to the statement ‘Making comments that damage a person’s reputation or sharing misleading information on social media is digital violence’ 88.5% of the participants answered ‘completely agree’ and 11.5% answered ‘mostly agree’.

6.6.3. In response to the statement '**Frequent humorous or critical comments by your followers about your physical characteristics are digital violence**', 68.4% of the participants completely agreed, 25.4% mostly agreed, 4.8% were undecided and 1.4% disagreed.

6.6.4. In response to the statement '**Hacking or stealing someone's social media accounts is digital violence**', 95.2% of the respondents completely agreed and 3.3% mostly agreed.

6.6.5. In response to the statement '**Sharing private conversations, content, and images between individuals with third parties is digital violence**' 85.2% of the participants completely agreed, 12.9% mostly agreed, and 1.4% were undecided.

6.7. The answers of the participants to the question '**Have you been exposed to any of the following actions/activities on social media, and if so, which actions were you exposed to? (You can mark multiple items)**' were as follows:

- 67.9% of the participants marked the item 'I received message requests from people I don't know',
- 43.5% marked the item 'I received unwanted messages on social media',
- %26.3% marked the item 'I received harassing messages (visual, auditory, and/or written)',
- 24.4% marked the item 'I was persistently followed by someone',
- 15.8% marked the item 'My social media account(s) was stolen',
- 12% marked the item 'Fake account(s) were created with my name and/or photos',
- 11.5% marked the item 'I was subjected to false accusations about myself',
- 11% marked the item 'I was defrauded',
- 5.3% selected the option 'I was threatened and/or blackmailed'.

6.8. As illustrated in Figure 5, in response to the question '**Have there been moments when you thought you were subjected to acts of digital**

violence in the social media environment?' 51.2% of the participants answered 'No, there were not'.

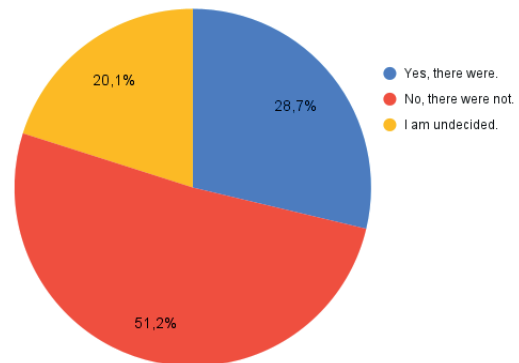


Figure 5. Responses to question 6.8.

6.9. In response to the question '**If you have been exposed to the above actions, on which platforms have you been exposed the most? (Answering this question is optional)**', 169 out of 209 respondents provided answers. Based on the responses, 85.8% of the participants were exposed to acts of digital violence on Instagram, 23.7% on Facebook/Messenger, 18.9% on WhatsApp, and 17.8% on Twitter.

6.10. In response to the question '**Do you think Digital/Cyber Violence is regulated as a separate crime in the Turkish Penal Code?**' 46.4% of the participants answered 'Yes', 43.1% answered 'No Idea', and 10.5% answered 'No'.

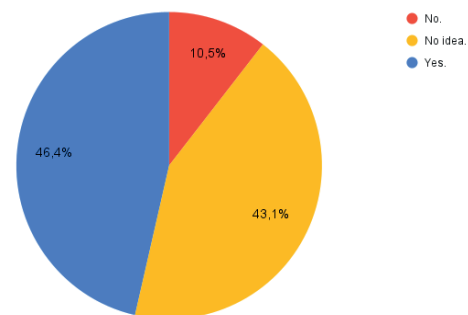


Figure 6. Responses to question 6.10.

6.11. In response to the question '**In your opinion, which crime(s) may occur as a result of the action(s) that constitute digital violence? (You can mark multiple items)**'

- 91.4% of the participants marked 'Threatening',
- 89.5% 'Blackmail',

- 87.6% 'Violation of Privacy',
- 82.3% 'Disturbing the peace and tranquility of people',
- 81.8% 'Insulting',
- 78.9% 'Recording, unlawful disclosure, or seizure of personal data',
- 77% 'Sexual harassment',
- And 74.2% marked 'Persistent stalking'.

6.12. As seen in Figure 7, to the question 'Do you think that legal regulations are sufficient to punish acts of digital violence?' 75.1% of participants answered 'No, I do not think so, legal regulations should be increased', 21.1% answered 'Undecided' and 3.8% answered 'Yes, I think so'.

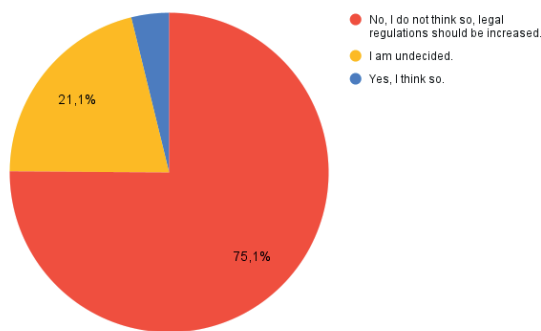


Figure 7. Responses to question 6.12.

6.13. In response to the question 'Have you initiated or would you initiate a legal process if you were subjected to digital violence?' 67.5% of the participants marked 'I did/would', while 32.5% chose 'I did not/would not'

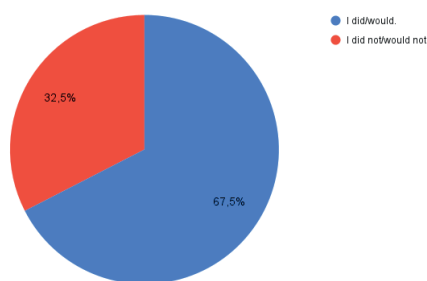


Figure 8. Responses to question 6.13.

6.14. As shown in Figure 9, in response to the question 'Do you believe that the legal process

would progress effectively if you had been subjected to digital violence and initiated a legal process?' 38.8% of the participants responded as 'partially believe', 34% 'partially do not believe', 23% 'completely do not believe', and 4.3% chose 'completely believe'.

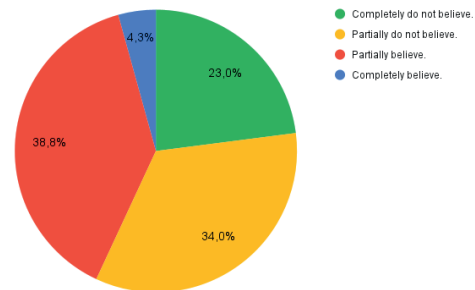


Figure 9. Responses to question 6.14.

6.15. One section of the survey asks participants, 'You can optionally tell us about a case of digital/cyber violence you have witnessed.' As shown in Figure 10, the responses of the participants also include their experiences with legal proceedings.

1. My Instagram account was stolen and my followers were asked for money. I applied to the prosecutor's office, but they decided not to prosecute, saying "if we knew who did it, we would have taken action", although even the e-mail address was largely clear, there were screenshots.
2. My Instagram account was imitated, the same person opened an account on WhatsApp and used my name and photos. He tried to defraud me. I filed a criminal complaint with the prosecutor's office. but the relevant accounts could not even be closed. Only time passed and the person gave up when he realized that he could not defraud me.
3. While the divorce case was going on, my client was constantly receiving insulting and threatening messages from anonymous accounts on Instagram, on the grounds that he was cheating on his wife. We initiated the necessary procedures and filed a criminal complaint, but it was decided that there was no need for prosecution.
4. My Instagram account was stolen. I filed a criminal complaint with the prosecutor's office. But a decision was made not to prosecute.

Figure 10. Selected quotes from participants' responses to question 6.15.

6.16. In response to the question 'Which of the following person(s) have you been subjected to disturbing behavior on social media? (You can mark multiple items)' 66% of the participants marked 'someone I do not know', 56.5% 'anonymous/fake account', 13.4% 'ex-lover', and 12.9% marked 'ex-friend'.

6.17. In response to the question 'What would you do if you were exposed to the above action(s)? (You can mark multiple items)' 83.3% of the participants marked the item 'I would block the related person from my social media accounts', 48.3% 'I would change the passwords

of my social media accounts', 43.1% 'I would ignore/delete the message', 42.6% 'I would hide my social media account', and 42.1% marked the item 'I would file a complaint with the police/prosecutor's office'.

7. DISCUSSION

In this part, the data obtained within the scope of the study and other studies in the literature will be interpreted together and the outputs obtained from the data will be shared.

In this study, 97.1% of the participants stated that they actively use Whatsapp, 95.2% say they use Instagram, and 57.4% say they actively use Twitter. The 'Digital 2023 Türkiye' report (2023) by We Are Social identified Instagram as the most commonly used social media platform among internet users, with a rate of 90.6%. Recent studies and our survey results align with this finding.

83.3% of the participants stated that their social media account profiles were locked. A locked account means respondents restrict access to their content, allowing only specific people to view it. The high rate of 83.3% aligns with previous studies. In a field study, the reasons for this situation were provided. Participants mentioned feeling safer and more comfortable with locked accounts, and they want to control who can follow their social media accounts (Yıldırım, 2019: 53). Among participants with locked social media accounts, 67.8% reported experiencing various acts of violence, including insults and swearing, fraud, threats, harassment, and the creation of fake accounts using their names and photos. The 67.8% figure is both significant and concerning. Combining both research findings, women use locked social media accounts to protect themselves; However, it is concluded that a significant portion of women are still exposed to digital violence.

A majority of the participants stated that they do not accept follower requests from people they do not know. This result suggests that participants are selective on social media and try to reduce the risks of potential digital violence. Among the participants who never accept follower requests from people they don't know

on social media, 56.8% were subjected to acts of violence, including insults and swearing, fraud, threats, harassment, and the creation of fake accounts using their names and photos, etc. It is obvious that while rejecting follower requests from unknown individuals is a measure of digital security, it hasn't completely prevented women from experiencing digital violence. Consequently, methods and techniques to prevent digital violence should be implemented to prevent women from becoming victims of digital violence.

In response to the question 'Do you think women in Türkiye are safe in their use of social media?' 76.6% of the participants responded, "I do not think so", while 19.6% answered "I am undecided". As seen in Figure 4, in response to the question 'Have you ever experienced moments when you did not feel safe while using social media?' 74.6% of participants answered 'Sometimes there are times when I do not feel safe'. Based on the responses to both questions, the majority of participants feel that they and other women are not safe on social media. In a previous field study, the reasons why women do not feel safe on social media were explained under four categories: constant accessibility, pressure from power forces, social pressure, and sexist perspective (Yıldırım, 2019: 62). These findings indicate that women can be subjected to acts of digital violence on social media platforms. The fact that women do not feel safe in digital environments highlights the potential for social media to be used as a medium for violence and attacks against women. As a result, we believe that women may face violence in digital environments, and effective policies should be developed to prevent these acts of violence while increasing research in this area.

Acts of digital violence may take various forms; however, it would not be accurate to categorize every action on social media as digital violence. The purpose of asking question number 6.7. in the survey was to evaluate the findings for this question together with participants' answers to other survey questions and to determine the knowledge, attitudes, and behaviors of the participants about digital violence on social

media. Accordingly, **‘Have you been exposed to any of the following actions/activities on social media, and if so, which actions were you exposed to?’** while some of the options included in the question directly constitute violence and/or a crime, some acts can be considered as violence and/or a crime depending on the manner and intensity with which the perpetrator carries out the act. For example, receiving messages on social media from unknown individuals may not necessarily be considered a direct case of violence. The content of the message would be the most determining factor in such cases. Therefore, each specific case should be evaluated individually.

However, acts such as threatening, sending harassing messages, belittling, humiliating, constantly monitoring the person using technology, creating fake accounts in the name of the person, obtaining and sharing other people’s personal information, limiting the person’s access to technology, spreading false information about the person, discrediting the person on the internet, etc. (Şener & Abınık, 2021: 5) are considered direct forms of violence. Many of these acts are defined as crimes under the Turkish Penal Code.

The answers given to question number 6.8. by participants who responded ‘No, there were not’ and the answer of question 6.7. were analyzed collectively. The findings revealed that 43.9% of the participants, who initially indicated that they had not experienced acts of digital violence on social media, stated that they were exposed to certain acts of violence such as being insulted and sworn at, falling victim to fraud, receiving threats and blackmail, enduring harassing messages, discovering fake accounts created in their name with personal photos, etc. Indeed, there appears to be a contradiction between these two sets of results. This discrepancy underscores a significant issue: the knowledge and awareness among participants regarding the categorization of the acts they experience as digital violence are regrettably low. These findings reaffirm the common problem of digital violence being frequently experienced by users, yet it remains largely unrecognized, invisible,

poorly understood, and inadequately addressed.

In response to the question ‘If you have been exposed to the actions of question 6.7., on which platforms have you been exposed the most?, 169 out of 209 respondents provided answers. Based on the responses, 85.8% of the participants were exposed to acts of digital violence on Instagram, 23.7% on Facebook/Messenger, 18.9% on WhatsApp, and 17.8% on Twitter. According to the Digital Violence in Türkiye Survey conducted by the Social Information and Communication Association in collaboration with KONDA as part of the “Combating Digital Violence” project, Instagram (53%), Facebook (35%), and Twitter (19%) were identified as the platforms where the most acts of digital violence took place (Şener & Abınık, 2021: 4). Recent studies are consistent with our survey results. However, as mentioned in Section 6.1, Instagram is the most used social media platform by the participants. Consequently, as the most common -social media platform and the platform with the most cases of digital violence are the same, it can be argued that easier access to the internet and increased use of social media platforms increase women’s risk of being subjected to digital violence.

As mentioned before, ‘Digital Violence’ is not regulated as a separate form of crime in Turkish law; however, acts of digital violence may appear as an act of one of the crime types set in the Turkish Penal Code and accordingly, different crimes may occur.

Questions numbered 6.12, 6.13, 6.14 in the survey were asked in order to measure the participants’ level of trust in the legal process and the judiciary. Despite a majority of the participants believed that legal regulations are not sufficient, they indicated they would initiate a legal process if exposed to digital violence. Responses regarding their belief in the effectiveness of the legal process varied, with a higher number partially or completely not believing compared to those who partially or completely believed. The survey results in this regard are consistent with the previous studies. In a field study conducted by (Yıldırım, 2019: 75), participants expressed doubt about the effectiveness of legal actions, but they stated they would initiate legal proceedings

in case of such acts. The results indicated that, while women would initiate a legal process after experiencing digital violence, they had limited faith in the judiciary in this context.

One section of the survey asks participants, 'You can optionally tell us about a case of digital/cyber violence you have witnessed.' As shown in Figure 10, the responses of the participants also include their experiences with legal proceedings. Responses to this item suggest that the absence of results from judicial proceedings for incidents participants have experienced or witnessed contributes to the belief that the judicial process is ineffective.

One of the characteristics of digital violence against women is anonymity. Anonymity means that the perpetrator is not recognized or identifiable by the victim when committing acts of digital violence or its subcategories (Akman, 2023) In response to the question about the perpetrators of digital violence, participants mainly selected 'anonymous/fake account' and 'someone I do not know.' Therefore, we found that acts of digital violence are facilitated by anonymity.

In response to the question 'What would you do if you were exposed to the above action(s)? (You can mark multiple items)' 83.3% of the participants marked the item 'I would block the related person from my social media accounts', 48.3% 'I would change the passwords of my social media accounts', 43.1% 'I would ignore/delete the message', 42.6% 'I would hide my social media account', and 42.1% marked the item 'I would file a complaint with the police/prosecutor's office'. The purpose of this question was to understand how individuals respond after being subjected to digital violence. The majority of the participants stated that they would block the perpetrator. This finding can be interpreted that women try to prevent the continuation of violence by at least blocking the person rather than doing nothing, both for self-protection and to warn their acquaintances (Şener & Abunık, 2021: 27). Regarding the other responses to this question, participants stated that they would change their social media account passwords, they would ignore the message, fourthly they

would hide their social media accounts, and they would file a complaint with the police/prosecutor's office. Accordingly, it can be argued that when women are subjected to acts of digital violence, they initially take individual actions to secure themselves, but then seek help from third parties, such as initiating legal proceedings or applying to non-governmental organizations.

8. CONCLUSION

With the development in technology, the use of the internet and consequently social media has increased. According to the "Digital 2023 Türkiye" report prepared by We Are Social, 83.4% of Türkiye's population are internet users, 73.1% are active social media users, and the daily time spent on social media is 2 hours and 54 minutes (Türkiye Digital, 2023). Based on these data, frequent daily use of social media has both advantages and disadvantages. This also reflects the ongoing risk of encountering the negative aspects of the digital world. The risks that new media users can face emerge as 'Digital violence'. Although there is no consensus on a specific concept in the literature, different terms such as "cyber violence", "online violence", "cyberbullying", "online harassment" are often used synonymously. Previous research showed that, like other forms of violence, the majority of 'Digital Violence' victims are women. Based on the findings of studies, despite frequent exposure to digital violence, most victims did not recognize the situation. Our survey yielded a similar result. Regarding this, 43.9% of participants who claimed they had not experienced digital violence on social media reported exposure to various violent acts, including insults, fraud, threats, blackmail, harassing messages, and the creation of fake accounts using their names and photos, etc. It is obvious that although experienced frequently, digital violence often remains unnoticed. Locking social media accounts or rejecting follower requests from unknown individuals does not prevent women from experiencing digital violence. Although many participants believed that legal regulations were insufficient, they stated they would initiate a legal process if subjected to digital violence, despite doubting the effectiveness of this process.

Consequently, participants have low trust in the judiciary. Measures that can be taken against acts of digital violence include the following:

- Digital violence should be considered a serious problem.
- Digital violence and its types should be clearly defined.
- Public awareness-raising campaigns and digital literacy training programs should be expanded.
- Methods and strategies to prevent digital violence should be implemented.
- Criminal acts of digital violence should be more clearly defined in law.
- Complaint buttons for digital violence on social networks should be more active and there should be an expert group that reviews these complaints.

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