



Unintentional Cyberbullying in the Context of Thailand

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Abstract

Cyberbullying is an online activity that has been increasingly prevalent and attracted widespread public attention over the past decade due to its detrimental effects on the victims' emotions, such as anger, despair, shame, tension, depression, and even suicidal ideation. Some notable victims, such as artists and celebrities, choose to deactivate their social media accounts in order to flee the situation. Although the common patterns of cyberbullying do not create major physical effects on the victims, such as physical injuries or death, they still have a direct impact on the mind, emotions, feelings, and self-confidence of both the victims and the bullies.

In this study, the researcher selected a qualitative research methodology to collect documentary data by examining documents, books, textbooks, academic articles, as well as other relevant and reputable internet media, and then analyzing and synthesizing this information to generate new knowledge. In Thai society, it is not yet able to properly define the definition of cyberbullying, and there are overlaps with other cyber behaviors such as cyber-harassment, defamation, and insults, according to the study. In addition, cyberbullying is frequently employed in Thai society as a means of fostering intimacy among intimate friends or acquaintances. In Thailand, enforcing the law may present enforcement challenges.

Keywords: *Cyberbullying, Unintentional, Thailand*

1. Introduction

Cyberbullying is still an important issue on the Social Networking Services (SNS) in Thailand. Although there are many aspects of studies on this topic, this phenomenon is still severe. In addition, nowadays, cyberbullying not only occurs in children and youth but can be experienced by all age groups. One of the main problems may be the ambiguity and uncertainty of cyberbullying, which may change from time to time depending on communication technology innovation. Moreover, in the context of Thailand, some elements of cyberbullying may differ from those in other countries, especially the intention of the perpetrator to cyberbully others. The aim of this article is to explore the unique characteristics of cyberbullying in Thailand, which may make it difficult to impose cyberbullying prevention measures both through formal control, such as the law, and through informal control, such as the social norm.

2. Objectives

- 1) To study the meaning of cyberbullying in the context of Thailand.
- 2) To investigate the unintentional behavioral characteristics of cyberbullying that happened in Thailand.
- 3) To create a new body of knowledge about the specific nature of cyberbullying that occurs in Thailand.

3. Materials and Methods

In this study, the researcher chose to use a documentary research method to collect data by looking at documents, books, textbooks, academic articles, and other relevant and reliable internet media. This information was then analyzed and put together to create new knowledge.



4. Results and Discussion

4.1. Definitions of Cyberbullying

The term "cyberbullying" has been broadly defined as a bullying behavior of humans that has existed for centuries but now expands into cyberspace or a new society established towards widespread, interconnected computer networks; this "virtual society" is established across geographic and political boundaries. According to the 2011 definition of "bullying" by the Royal Institute Dictionary, "bullying" is a conduct that is designed to cause harm and is frequently employed by a stronger or more powerful individual. In Thailand, the term "cyber" has not yet been given an official definition, but it is commonly understood to mean "a computer-related feature." Consequently, the term "cyberbullying" should be defined as "a type of behavior towards computer systems that is meant to harm others." On 28 June 2019, however, the Dictionary of Computer & Information Technology Committee established the following definition of cyberbullying: "cyberbullying is an act considered to be mistreatment, defamation, insulting, harassment, or bullying against someone on social networks like Facebook and Twitter". Yet, studies on the definitions and scope of cyberbullying conduct are still sparse and confusing, especially on a global scale. There are some debates on the overlaps between bullying in a physical area and cyberbullying, as well as between cyberbullying and other related online activities. In order to determine the definitions and breadth of cyberbullying, the author of this paper investigates existing studies. The subsequent sub-sections will discuss the definitions and scope of cyberbullying, followed by related online activities, respectively.

Cyberbullying was recognized by Kowalski, Limber, & Agatston (2008) by comparing it to traditional bullying. They emphasized that bullying in a physical area is a violent activity perpetrated by a motivated offender who exploits the imbalance of power inherent in their connection with the victim. An imbalance of power may be the result of disparities in physical strength, social standing, etc. Furthermore, bullying is a recurrent activity that can occur anywhere and at any time. Cyberbullying, on the other hand, is more difficult to characterize due to its ambiguity and diversity of investigating fields. Cyberbullying is comparable to bullying in a physical place, but it is conducted through the use of digital technology, internet connections, or technological gadgets. Hence, cyberbullying can be viewed as the digital progression of traditional bullying. Nocentini et al. (2010) characterized cyberbullying or bullying in cyberspace as a new form of aggressive conduct that transcends national boundaries and is carried out via communication technology. It is characterized by an offender's intent, a recurring pattern, an imbalance of power, the offender's anonymity, and a desire to commit public acts of violence.

Cyberbullying is a sort of bullying that emerges in cyberspace in which a bully attempts to make a victim feel unhappy, embarrassed, self-doubt, or undervalued through the use of digital data or digital messaging. Examples of cyberbullying include posting a status or an image of someone, liking or sharing stories that make fun of others, aggravating or upsetting individuals on social media, sending inappropriate or nasty comments, and utilizing phony profile images to harass others through technological means. However, unlike traditional bullying, these activities are likely to occur repeatedly at any time or location. Cyberbullying covers any activity that demonstrates an imbalance of power between a cyberbully and a cyberbullying victim, even if they have never met in person or been acquainted before. In addition, repetition is an important aspect of cyberbullying, which is derived from the concept of traditional bullying. To clarify, a victim may have been persistently bullied by an individual or group of individuals over time; this phenomenon has also been used to describe a characteristic of cyberbullying. It should be highlighted, however, that the recurrent patterns of cyberbullying differ from those of traditional bullying. Because cyberbullying tools are typically words, texts, or any type of digital material that is transferred over the internet and saved on multiple servers, they are either forever preserved or impossible to eradicate. Also, digital information is easily accessible via search engines such as Google, Bing, and Yahoo. Due to the nature of digital data, cyberbullying can be reproduced despite the passage of time, even if the original poster no longer interacts with the data.

Another essential element of cyberbullying is the aim of the cyberbully who seeks to hurt the victim's feelings (Nocentini et al., 2010). Yet, the author of this study argues that cyberbullying can occur without the perpetrator's purpose, such as when peer groups joke or tease one another. Due to the fact that the negative



consequences of cyberbullying on the mental states of victims tend to compound over time, it is difficult to establish whether the collected negative feelings are the result of purposeful or unintentional cyberbullying conduct. In addition, it is difficult to demonstrate that these emotions are the result of cyberbullying victimization as opposed to other variables, resulting in difficulty in identifying the appropriate measures to analyze cyberbullying behavior. It must be mentioned that intimate friends and acquaintances of victims frequently become cyberbullies unwittingly.

4.2 The words that are close to cyberbullying

In addition to the problem of providing a clear definition of the word, there is a problem of overlap with other similar behaviors. Especially in Thailand, where such behavior is often confused with illegal acts, defamation and profanity are particularly serious offenses as stated in the Act on Crimes Related to Computers (No. 2) B.E. 2560. In this section, the author would like to discuss various behaviors that are close to cyberbullying, including pointing out differences. Thus, a preliminary understanding needs to be first established as follows:

4.2.1 Profanity and defamation

Profanity and defamation are commonly mentioned and discussed behaviors. Cyberbullying happens when there is an issue in Thai culture, where both insults and violence are considered criminal behavior. Because such actions are crimes under the Criminal Code and create legal responsibility for infringement under the Civil and Commercial Code, they are prohibited. However, the study found that the nature of such actions must be cursing with vulgar words, be it verbal, gestural, or literally, and causing despise and dissatisfaction. This is different from the effect of cyberbullying, which is that the victim will feel pain. Despite a difference in material terms, cyberbullying is an act that would still be considered insulting. While cyberbullying, insults could be delivered through words, letters, photomontages, or caricatures. This can be characterized by a broader range of actions. For the final distinction, "face-to-face" insults are words that are directed directly at the person being insulted. This is because the main intention of the criminal law on insult is to prevent any mutual harm that may result from an insult in person. As has been laid down in the Supreme Court's Judgment No. 3711/2557, in cyberbullying, the person who bullies and the victim may be far apart and cannot attack each other immediately.

Defamation is another offense that is often brought up to be used for cyberbullying, which has always been the norm. It is provided in the Criminal Code, Section 326. The fact that the intent of the law is to protect the reputation or honor of the person being defamed is important; therefore, the words or actions that will be considered defamation must not be said in a way that reduces the reputation and dignity of others or makes other people think that the person being defamed is a bad person, such as by saying that they are cheaters or sex workers. Cyberbullying, in fact, does not even have to be that far, since cyberbullying is a scam. It is a mockery—one that directly affects the victims' emotional well-being. Moreover, this also involves impersonating a target's appearance or skin color and causing distress to the victims. This is in line with the study by Nakseeharach (2018).

Therefore, there is a difference between cyberbullying both in terms of the nature of the elements of the action and the consequences for the victim through disrespect and defamation. It is considered criminal behavior under Thai law because it is an offense that is defined by law as "cyberbullying." What is happening in Thailand today is not considered criminal behavior at all. Since such behavior has not yet been defined as being specifically illegal, any action that falls into the element of an offense of insult or libel must be punished according to the law. However, if the action is not insulting or libelous, but it's just a mockery or a mimicry of appearance and skin color, that action is considered cyberbullying. It's not an insult or defamation in any way.

However, in Thailand's Criminal Code, Section 397 stipulates that anyone who acts in any manner towards another person, whether bullying, harassing, threatening, or causing embarrassment or annoyance, shall be liable to punishment. It is an offense known as a misdemeanor, which means an offense with a light penalty. This section, however, was put in place in 1956, which is when the Criminal Code was passed. The content of the law has never been amended, so it can be said that Article 397 was drafted under the original concept of bullying, which is physical bullying causing damage that can be seen. Cyberbullying, on the other

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hand, is a matter of emotional pain and feelings that have yet to be decided by a Thai court. This, therefore, explains why Thai law will continue to apply such guidelines to cyberbullying as well.

4.2.2 Cyber Harassment

Cyber harassment, or what in Thai means "threats happening in cyberspace," is another behavior that is close to cyberbullying. Many studies (Hinduja & Patchin, 2009; William and Pearson, 2016) have found similarities between these two behaviors. In fact, Kolwalski et al. (2008) said that these two words can be used interchangeably. When researching the nature of cyberspace behavior threats, it was discovered that it must be a characteristic of behavior that is harassing repeatedly and occurring gradually by the offender who aims to create annoyance or to scare the victims, such as online stalking (cyber-stalking), which involves sending threatening messages via email. Another example is sending emails that contain computer viruses or spam in which the perpetrator wants to communicate directly with the victim specifically (Pitaksantayothin, 2005). This is different from cyberbullying in that the offender does not use the method of communicating the message or digital data directly to the victim. However, they frequently use the method of publicizing those digital messages to make the victim feel humiliated or suffer.

From the study, the author saw that although "cyber harassment" is a term that is close in meaning to "cyberbullying," the two behaviors are still different in essence. The author proposes to use the criteria for considering the impact on the victims if it is aimed at creating pain sensations, a heartache or emotional wounds. This also engages the desire to take revenge on the mental health of the victims. In comparison to bullying in physical space where the bully intends to inflict pain on the victim's body, the impact of cyber threats, such as cyber stalking, causes a feeling of fear, insecurity, anxiety, paranoia, or loss of privacy. In addition, cyber-space threats can also be regarded as a type of criminal behavior that is recognized as an offense under the law in many countries, such as England (Pitaksantayothin, 2005), and Thailand, as stated in Section 392 of the Criminal Code. Although cyberbullying is a form of criminal behavior, it is punishable by law in some countries, including the United States (Saengchareonsap, 2016), England (Azam & Samara, 2016), Australia, and New Zealand (Davis, 2015). Nevertheless, there are also scholars who view cyberbullying as behavior that deviates from social norms (deviance behavior) as well as bullying in physical space only (Kim, Song, & Jennings, 2016; Harper, 2017). However, the author could not deny that these two behaviors may, in some cases, overlap. Some behaviors can cause pain, suffering, and humiliation to their victims. At the same time, they can make victims feel unsafe or fearful. As a result, such actions can be classified as both cyberbullying and cyber harassment, as was the case with Amanda Todd.

4.3 Unintentional Cyberbullying in Thailand

In Thai society, which is very different from other countries, the closeness between a cyberbully and a cyberbullying victim is another aspect that contributes to cyberbullying. In other words, cyberbullying in foreign countries typically involves individuals who dislike or are antagonistic towards one another. In Thai culture, however, cyberbullying among adversaries is uncommon. This is because, in Thai culture, when individuals dislike one another, they do not meddle with one another's life, but rather avoid establishing affiliations. Cyberbullying is more likely to occur among close friends. An example of unintentional cyberbullying perpetrated by the victim's friends or close acquaintances is the act of secretly photographing the victim in an inappropriate position, such as while eating with their mouth wide open, and posting these images on social media, which the poster views as humorous among close friends, while the victim may feel shame or discomfort. Sometimes, these images are displayed on bulletin boards at special events, such as a birthday celebration for a friend.

This distinguishes cyberbullying in Thai society from its occurrence in other countries. Cyberbullying could occur without intention in Thai society. Individuals might be bullied by close friends who are accustomed to using harsh or derogatory language. Bullies engage in bullying for a variety of reasons, ranging from the development of close relationships to the promotion of goodwill towards others; yet, they lack the ability to articulate their thoughts and emotions effectively. Thus, they may use incorrect language that causes others to feel inferior or hurt. This can lead to "unintentional bullying," as the following examples from the interviews indicate. This may be due to the fact that the term "bullying" has been extensively used

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interchangeably with "pleasant teasing" in Thailand, which diminishes the severity of the action because "bullying" can apply to both positive and negative behaviors in Thai culture.

People in Thai society prefer to believe that it is a normal action or a way to create relationships, for example, by surreptitiously snapping a hilarious snapshot, because it is a commonly held belief that this is considered harmless teasing. Depending on the relationship between the bully and the victim, the word "cyberbullying" could have either a good or bad connotation. If they are buddies, they may not feel negative about the situation. Perhaps Thai society is distinguished by its perception of teasing as a conduct carried out by unwitting perpetrators. Compared to other countries, pleasant teasing is also prevalent, but there is a limit to activities in which individuals will never cross the line or invade the privacy of others. In addition, from a legal standpoint, it is clear that inadvertent messengers can also engage in cyberbullying. In this situation, the senders may not intend to engage in cyberbullying, but the recipients may perceive what they receive negatively and assume they are being cyberbullied.

5. Conclusion

The study observed that sharing a humiliating image of a buddy, the second most common cyberbullying behavior among the samples, differed in certain ways from embarrassing someone in a physical setting. Although shaming a person on social networks is a normal kind of cyberbullying, it is typically motivated by anger or disdain for the individual who is mocked or embarrassed, according to studies conducted in other nations (Hinduja & Patchin, 2009; Nocentini et al., 2010; Williams & Pearson, 2016). In contrast, the samples tended to publish an embarrassing photo of a known individual or a close friend. This may be due to the fact that bullying conduct in Thailand can be viewed from two perspectives: positive behavior and negative behavior. While people in other nations may share an embarrassing photo of a person they loathe or despise, Thais adopt this method to strengthen or maintain their relationships and friendships. They frequently take embarrassing or amusing photos of their friends, such as candid shots or images of them snoozing in class. These images are occasionally shown on bulletin boards at major events, such as their friend's birthday party.

This indicates that the behavior is not intended as bullying. Unless their images are routinely posted by the same person or by several individuals, victims of cyberbullying are typically unaware that they are being victimized. It also relies on their mental states at the time; if the victims had already experienced bad circumstances when they discovered their embarrassing images on social media, they might begin to develop hostile feelings towards the person(s) who uploaded those images. These instances demonstrate the complexity of cyberbullying patterns among Thai undergraduates, as they vary depending on the emotional states of the victims. If their emotional states are normal, the activities would be seen as friendly teasing, a lighthearted approach to feel closer to another individual or to display camaraderie among close friends. However, if it occurs when the emotional states of the victims are not ready, for instance, after they have experienced problems, disappointments, or unfavorable situations, such teasing could become a factor that triggers negative emotions or feelings in the victims, even if the offenders do not intend to do so. This so-called "unintentional cyberbullying" is, therefore, a distinguishing feature that sets cyberbullying in Thailand apart from cyberbullying in other nations.

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