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FOREIGN EXPERIENCE ON THE THEORETICAL BASIS OF THE OFFENSE OF DEFAMATION BY PLACING IT ON THE WORLD WIDE WEB

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Abstract
The article discusses the issues of cyber-hooliganism on the Internet, its types and methods of committing it. The opinions of foreign scientists in this area and the concepts they give of this type of crime are analyzed. In addition, several facts about the emergence of cyberbullying on the Internet are listed.

Keywords Cyberbullying, Internet, social networks, anonymous, harassment, cyber stalking, discrimination.

INTRODUCTION

The crime of online defamation also exists in foreign countries. Especially in countries like the USA, Western European countries, and India, where the IT sector is developed and investing in the future in this field, many researches have been carried out. Due to the fact that most of them adhere to the Anglo-Saxon legal system, the concept of the crime of insulting by placing it on the Internet is relatively broad, and in the Republic of Uzbekistan, it is included in the crime of cyberbullying, which includes acts qualified by other articles in addition to Article 140 of the Criminal Code. Another aspect of this concept that should be paid attention to abroad is that the main perpetrators and victims of the crime of cyberbullying are young people and schoolchildren.

Below, considering the opinions and experiments of some Western scientists on this topic, we will analyze the concepts and perspectives of the field formed in the West.

According to J.Patchin and S.Hinduja, young people have been bullying and bullying each other for centuries. However, the latest generation has begun to use technology to achieve its goal and expand the scope of damage. This phenomenon is known as cyberbullying and can be defined as: "intentionally and repeatedly inflicting harm through the use of computers, cell phones and other electronic devices." This mainly refers to situations where teenagers use technology to tease, threaten, humiliate or otherwise humiliate their peers[1]. For example, some young people may use smartphones or tablets to send offensive, harmful texts or spread rumors. Others use anonymous apps or their own interactive experiences to laugh at or insult others on home networks.

Cyberbullying occurs in a variety of places and environments in cyberspace, and it's no surprise that cyberspace is often where teenagers congregate. In the early 2000s, most kids spent a lot of time on chat rooms, and as a result, that's where most cyberbullying happened. In recent years, young people have become addicted to social networks (Instagram, Snapchat, TikTok/Musical.ly and Twitter), voice and text chats in popular games (Roblox, League of Legends, Overwatch,

PlayerUnknown Battlegrounds, Fortnite), and video sharing and video streaming (YouTube, Twitch, and Live.Me). This trend has led to an increase in the number of reports of cyberbullying crimes in these environments. This crime can also be witnessed in social gaming sites, anonymous apps that appear and disappear all the time, and augmented reality (AR) and virtual reality (VR) environments.

Although cyberbullying and bullying are often similar in form and technique, they are quite different, with the latter potentially more dangerous. In the former, victims may not know who is targeting them or why. An offender can hide their identity by using anonymous email addresses or pseudonyms. Second, acts of cyberbullying can go viral; that is, a large number of people (in a school, in a neighborhood, in a city, in the whole world!) can become its victim or at least learn about it with the click of a few buttons or the swipe of a touch screen. Thus, the range of potential targets, offenders, and witnesses or bystanders is seemingly endless [2].

According to R. Kowalski and G.Giumetti, some define cyberbullying simply as bullying through the Internet and mobile devices, while others, as discussed below, have formulated a taxonomy of technologies with specific outcomes to measure.

Conceptualizing cyberbullying is complicated by the fact that it can take many different forms and locations. Cyberbullying can take the following forms: flaming ("flaming" - online argument), touching or disturbing ("harassment" - sending insulting, repeated messages); trickery ("outing and trickery" - requesting personal information of others and disclosing this information in electronic space without the person's permission); exclusion ("exclusion" - blocking from various lists); impersonation ("impersonation" - presenting oneself in the place of another person, usually in the place of a victim, and spreading negative or inappropriate information); cyber stalking ("cyber stalking" - stalking another person using electronic communication by repeatedly sending texts with negative content) and sexting ("sexting" - posting embarrassing pictures of the person without their permission). The media in which cyberbullying takes place is correspondingly diverse, including instant messaging (tools such as Telegram), email, text messages, web pages, chats, social networking sites, digital images, and online games.

R.Kowalski and G.Giumetti cited some factors that serve as a source of cyberbullying. Research on traditional bullying suggests that adolescent boys are more likely to be bullied than girls (Olveus & Limber, 2010) and that aggression is often direct (while girls are more likely to be indirectly bullied; Dilmanc, 2009). While some studies support this hypothesis (e.g., Kowalski & Limber, 2007), others have found no statistically significant differences in the perpetration and victimization of this crime between girls and boys (e.g., Hinduja & Patchin, 2008; Slonje & Smith, 2008; PK Smith et al., 2008; Ibarra & Mitchell, 2004a). However, other studies show that although boys are more likely to perpetrate cyberbullying than girls, there is little difference in the incidence of cyberbullying between men and women (Lee, 2006). The latter group of researchers hypothesizes that gender differences depend on where cyberbullying occurs; for example, while girls are more likely to be victims of cyberbullying via email (Hinduja & Patch, 2008), boys are more likely to be victims of cyberbullying via text messages (Slonje & Smith, 2008; Juvonen & Gross, 2008; Smith et al., 2008).

Research on traditional bullying shows that it peaks in the upper grades of school, as this is when young people are trying to gain their place in the social hierarchy. In this way, cyberbullying can be argued to be particularly prevalent among youth in high school, but the developmental level of high school children also varies. For example, Williams and Guerra (2007) found in their study of school students that cyberbullying begins to increase in 5th grade and peaks in 8th grade. However, other researchers point out that the age category may differ depending on the way cyberbullying is perpetrated. For example, Smith et al. (2008) found that cyberbullying through texting, laughing over pictures, and instant messaging was more prevalent among older youth and less common among younger youth. In addition, the formation of behavior leading to cyberbullying in individuals can be caused by personality, psychological

situations, socio-economic, access to technology, anonymity, provocation, school environment [3].

According to B.West and J.Edmison, persecution, discrimination (harassment) usually includes separating people based on a sign (for example, gender, religion, nationality, race, etc.), but such a sign is not necessary for bullying. Thus, bullying may involve a white person violating the rights of a white man or a white woman by doing so, and it may simply be a way for that person to achieve his or her own ends. It may not have a content that discriminates a person based on any characteristic. According to an experiment conducted by researchers in Australia, citizens reported very little difference between discrimination and bullying. Although the terms "discrimination" and "bullying" are used with youth and adult associations, they cannot be used interchangeably. According to the researchers, citizens, like most participants in the experiment, use "bullying" more in situations involving young people and "discrimination" in situations involving adults.

Cyberbullying usually involves the use of electronic media (e.g., email, texting, social networking, virtual presence) but, like traditional bullying, involves the intentional and repeated harm of a targeted individual. However, some additional characteristics make cyberbullying unique and distinguish it from traditional bullying. First, cyberbullying can be done anonymously thanks to the Internet, which not only eases the issue of accountability for the perpetrator, but also makes it easier to commit the crime again. Second, there is no limit to the size and speed of the spread of information on the Internet. These negative actions can be carried out on a large scale and repeatedly, because there is almost no limit in terms of audience. And finally, the absence of generally accepted laws and regulations in this regard is the basis for concluding that formal and informal control mechanisms are limited. Accordingly, a rational explanation can be found as to why cyberbullying has now become an important form of bullying.

B. West and J. Edmison also discussed another area where cyberbullying is common - workplace relationships. In this case, a social experiment was conducted, in which these cases related to cyberbullying were identified [4].

Sadness worker. One of the participants of the experiment said that in the relationship between the employee and the manager, sometimes the employees, who are dissatisfied or upset with their work tasks, powers, status and other factors, post obscene, humiliating or other rude content about their bosses and managers on social networks. This is often done by relatively younger workers.

An over-the-top joke. Another common occurrence in the workplace is a casual joke posted in an email or group of colleagues. Sometimes, people can get angry and upset when they read something written about them on social media, but on closer inspection, it may have a completely different meaning and meaning. This phenomenon is called impact versus intent. However, when this simple joke situation escalates to the point where individuals take it the wrong way, it can move from simple online banter to the realm of cyberbullying.

"Love at work". According to another participant, a broken romantic relationship in the workplace can also be the basis for cyberbullying. She noted that in her experience, she had a co-worker who tried to discredit her online in various ways due to an "unlike" romantic relationship with her co-worker.

Dispersed team. According to two participants of the experiment, they work in a large group performing a certain task at the workplace. They say that due to various factors in the workplace, one of the group members may not like the group. In most cases, this causes other members of the group to post negative thoughts about that member on social networks. In this situation, the employee can complain about discrimination.

Pro-authoritarian. This type of relationship usually occurs between a supervisor and an employee, or when one employee tries to exert undue control over another co-worker, and can often lead to cyberbullying in the workplace.

There is another factor that creates conditions for cyberbullying. This is the possession of formal and informal methods, styles and spaces of information exchange networks in the workplace (for example, e-mail, Telegram, Facebook, etc.). For example, the

e-mail of employees may be reserved for the exchange of information of an official nature, and the Telegram group may be reserved for the exchange of information of an informal nature, or there may be groups of both official and informal nature opened by colleagues in the same Telegram. Naturally, there is a difference between formal and informal spaces in terms of freedom of expression [5].

Summarizing the opinions of the scientists whose studies have been studied above as a conclusion, the crime of insulting by placing it on the Internet in Western countries lies within the crime of cyberbullying, which exists in these countries and has a wider meaning, and the fact that this type of crime is increasing due to digitization, which is currently observed not only in Uzbekistan, but throughout the world, and It can be noted that youth and the workplace are its particularly common environments.

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