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2. From Mobbing to (Cyber)Mobbing

Children and adolescents are capable of constructive as well as destructive behavior, just as adults are. When acts of violence occur and individuals suffer harm, teachers and school administrators are obliged to take action. (Cyber)mobbing is one of the phenomena that call for a response from the school community. The issue is not *whether* to respond, but rather *how* and *when*.

But first, it is imperative that teachers, school social workers, and school psychologists agree on definitions, so that misunderstandings can be avoided and a basis for teamwork established. In this chapter, among other things we will define what is meant by a conflict; how mobbing, cybermobbing, and cyber attacks differ from one another; and the dynamics that drive the group phenomenon of (cyber)mobbing.

Why does (cyber)mobbing occur most often in schools?

Mobbing arises most easily in social systems determined by necessity, from which individuals cannot simply extract themselves – situations dictated by such things as the requirement to attend school. Therefore, this handbook concentrates on the system typical to schools. However, many observations can also be related to other contexts, such as (partially residential) youth shelters. The texts may give rise to the impression that (cyber)mobbing occurs exclusively among students. However, teachers are sometimes also involved, often as victims.

2.1 Definition of Terms

2.1.1 Areas of Conflict in Schools

Strictly speaking, school conflict is not a *singular* phenomenon. Conflicts in schools are very frequent, everyday occurrences, and they differ from one another in many ways. A correct diagnosis greatly facilitates the handling of school conflicts (see Chapter 5.4.2). The following is an attempt to differentiate the areas, levels, dynamics, and subconflicts that play a role in school conflicts.

Conflicts in working together as opposed to conflicts in living together

At the outset, it is essential to distinguish two major areas of conflict occurring in the school context (see Figure 1, p. 18).

Firstly, there are the conflicts that come up while participating in classroom instruction. We call them *conflicts in working together*. These are particular conflicts that result when work assignments or other directions given by teachers are ignored – when homework isn't completed, students come late to class or disturb lessons. There are symmetrical conflicts among persons on the same level and asymmetrical conflicts with persons on a higher or lower hierarchical level. Conflicts in working together are by their nature asymmetrical, since they occur between teachers and students.

Demeaning or insulting teachers does not, however, fall into this area, nor do attacks on dignity and social status among the students. Such conflicts, which arise from or have an effect on *living together* at school, form the second category. These are conflicts resulting from the interaction between individuals or between an individual and the school as an institution. It is unimportant in this context whether a person happens to be a teacher or a student; what is essential is the person's fundamental status as a human being. Usually, such conflicts are triggered by violations of basic human needs or when property is damaged.

Most conflicts in the area of living together don't command the attention of the school community; many of them are settled by the persons involved, with more or less outside support. Many such conflicts proceed chronically or under the surface without ever escalating. The spectrum extends from ill will to jostling and fighting, which is important for personal development, all the way to serious conflicts in the course of which criminal acts can be committed and emotional and physical harm can be done – as is the case with (cyber)mobbing. However, it is apparent that the border between different forms of conflict

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cannot always be drawn clearly, even within a particular peer group. Ultimately, the distinction between a joke, a difference of opinion, a fight, and mobbing can only be clarified through social exchange, and this lack of clarity can in turn generate further conflicts.

2.1.2 The Conflict Process, its Dynamic, Levels, and Subconflicts

In the conflict area of living together in a school community, there is seldom a case of an isolated conflict existing all on its own. If, for example, student A denounces student B in a chat and the teachers hears about it, often the behavior perceived as an individual conflict between A and B may in fact be the tip of an iceberg (whose main mass lies invisible beneath the surface). At schools, frequently a conflict is only perceived as such when one person behaves offensively towards another and the other person responds in kind. Before this conflict-laden behavior was to be

Areas of Conflict in Schools

Working together

- disrupting lessons by commenting out loud
- distracting a student at the same desk
- refusing to work in a group
- tardiness
- cutting class
- ignoring teachers' instructions
- not having work materials at hand
- not doing homework
- dissatisfaction with the style of instruction
- dissatisfaction with grades

Living together

- violation of psycho-social needs for recognition/acknowledgement or acceptance, through:
 - slander
 - calumny
 - insult
 - exclusion
- assault/physical harm
- removal of or damage done to personal property/vandalism

Conflicts in **working** together, as well as conflicts in **living** together, originate in the experience of individual persons.
They can escalate on several levels and be demonstrated there.

Fig. 1: Conflict areas in the school context.

observed, however, there was already an inner conflict – not easily perceived from without – for at least one of the persons now interacting. It is the result of an inner conflict between the person's experience of what is and what should be. The interaction between the conflict parties is consequently an attempt to do away with this inner conflict. Seen in this perspective, it is realistic to assume that a perceived individual conflict between A and B is only the visible tip of an iceberg and part of a larger whole. As we proceed, we will refer to this larger entity as a conflict system or as a conflict process. Under that surface and initially not visible, there may be other weighty matters coming to bear on several levels, and we will refer to these as subconflicts of the conflict system.

To work out a conflict in a manner that is educationally significant, it is recommended that one think and act systemically. Practically speaking, that implies pursuing the following lines of questioning:

1. Which persons are interacting on the stage (or visible surface) of the conflict process?
2. What inner conflicts are driving them?
3. How are these intrapersonal and interpersonal conflicts mirrored in the surrounding social systems (peer group, school class, school and family system)?
4. And vice versa: How do these social systems affect the individual and his/her interactions?

With our systemic approach, the assumption is that a conflict process in a school is a many-leveled field of tension, in which parts affect the whole and the whole affects the parts. Every conflict process has its own characteristic architecture and its own dynamic (see Chapter 2.2). Thinking and acting systemically calls for a close examination of the structure and dynamic of the conflict process on all its levels, with attention to reciprocal influences – of individual, interpersonal, and social contexts.

Continuing the analogy to the architecture of a building, we postulate that a conflict process – depending on its dynamic – can demonstrate itself on as many as *five levels*. The levels described here as 1 and 2 form the micro-level of the individual conflict system.

1. Intrapersonal Level (the system of the individual)

On the *intrapersonal level*, the conflict process is reflected inwardly when one person experiences, in relation to another person, an inner conflict – or a feeling of discomfort – in the form of

- cognitive dissonance
- unpleasant bodily sensations
- negative emotions.

The person feels physically or emotionally uncomfortable, and may even feel pain. He or she feels slighted, impaired, irritated or even anxious. People describe this as a feeling of (great) dissatisfaction. Taken literally, this suggests that they have lost their inner peace, their inner sense of balance. What they are experiencing as what IS (in the here and now) does not correspond to some aspect of their inner self, and another aspect of the self is wishing for something else that SHOULD be (in the future). We designate this as an inner conflict.

We speak of traumatization in cases where the individual system of a person is so greatly overtaxed that, after a disturbing event, it cannot re-balance itself and regain control.

Inner conflicts are often triggered when a person's current interaction with others frustrates some basic emotional need, such as the need for security, recognition, self-efficacy, or attachment (see Chapter 7.1.1). Sometimes, the causes for internal and external conflicts lie in biographical, neuro-biological or genetic factors (e.g., in cases of highly impulsive behavior) and are deeply anchored in the individual's personality (as in the case of autism).

Since the individual experience of the conflict parties is an important part of the conflict process, high priority should be given to this level in any analysis. N.B.: Playful jostling between children or adolescents either does not involve an inner conflict, or this conflict is taken in stride. Such struggles are a part of the positioning and tussling that are necessary for psychological development and usually do not lead to an escalation on the second level, the interpersonal level.

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2. Interpersonal Level (System of I-to-You Interaction)

A conflict process expresses itself on the *interpersonal level* when one person is dissatisfied with another person, this other person perceives the dissatisfaction, and the two interact over it. The interaction can be violent or it can be respectful, aiming at a mutually agreeable, peaceful solution. In most cases, an interpersonal conflict process is not openly communicated. It may be stewing inside, but isn't enacted. In this case, we call it a covert interpersonal conflict. If the dissatisfaction is not perceived by the other conflict party, then there is no interpersonal subconflict on this level. Nevertheless, this situation is considered to be a conflict process.

The other levels described (3 to 5) in the following are the meso-levels of the social system. What we mean by that was discussed in Chapter 1.1 (What do we mean by a system?) and is also treated in Chapter 5.4.4 (The element of levels of action).

3. Peer Level or Classmate Level (System of the peer group and school class)

From the intrapersonal or interpersonal level, a conflict process can escalate to the level of the social system in the peer group or the school class (bottom-up). This dynamic develops particularly when one conflict party wants to draw a peer or class system into the conflict. It often begins with a cyber attack. The digital options presented by social media simplify this enormously (see Chapter 2.1.4 to 2.1.6). A reverse dynamic is also possible (top-down), with the conflict process set into motion in the social media frequented by the peer group or classmates. This is always the case with (cyber)mobbing. The distinguishing characteristic is then the conflict between the informal norms and values of the peer group or classmates ('putting someone down is OK!') and the formal, legally defined framework of values and norms for the school system (see Chapter 2.1.3). The examination and evaluation of these bottom-up and top-down dynamics is extremely important for planning how to proceed towards resolution.

4. Institutional Level (School System)

A conflict process can escalate to the institutional level of the school system if:

- individuals seriously or repeatedly violate the legal framework of values and norms
- this behavior has an influence on life at the school – which is usually the case with (cyber)mobbing
- the school is obliged to react to the offensive behavior and finds it indicated to take educative or punitive measures (not always the case)
- the police are notified within the context of criminal prosecution (not always the case)

It is a core pedagogical task of every school to enable young people to perceive conflicts in their environment and to overcome them non-violently. State constitutions and school laws also state this aim. Teachers and headmasters represent the school system. They should take an active role and use the conflict process toward an educational aim – to strengthen the pro-social competence of the students and promote democratically functioning community life. This is a part of the school's mandate for democracy education.

Another responsibility of the school system is to protect the students from harm, to identify endangerments and to counteract them. Article 1 of the (German) constitution states: "Human dignity is inviolable. To respect and protect it is the obligation of all governmental power." In cases of (cyber)mobbing, the victims' dignity is trampled upon. Therefore, in accord with current legal precedents, the school system in which it occurs is legally obliged to react on the institutional level. Subject to their duty to protect and shelter students, teachers cannot remain bystanders when their students' basic human rights are being violated. However, the extent to which a school system or its representatives actually intervene on the institutional level and carry out the institutional subconflict is largely determined by two factors:

1. What is the informal position of this particular school system concerning violence in all forms (guiding policy?)
2. What resources does it have available in terms of time and specific competence?

5. Level of the Educational Partners (Style of Upbringing)

Finally, it can occur that a conflict process is also reflected on the level of the family system, and that cooperation between parents and teachers or headmasters is gravely disturbed as a result. This is often the case when violence is accepted or justified within the family, or perhaps even practiced.

In families and schools there is a generation boundary. Those responsible for educating the young in both systems (parents, teachers, headmasters) ideally form a mutual system of education for school children. They are legally required to inform one another about essential developments and to confer on them. This is the explicit duty of the school system.

When a conflict process escalates to the level of the style of upbringing, it becomes particularly difficult to reach a pedagogical conflict resolution. This is the case when:

- the framework or values and norms is unclear
- the parents advocate a different set of norms and values than the teachers or headmasters, and/or
- the parents feel overlooked, overruled, or disadvantaged by the measures taken toward conflict resolution at the school.

If, from the outset, too little attention is paid to cultivating a cooperative relationship, there can be a rapid escalation that will effectively block any reasonable pedagogical attempts at regulation on the intrapersonal or interpersonal levels. Every conflict system is a constellation of forces or tensions. It can be broken down into subsystems (levels, relationships, individuals). Although it may – depending on the case – be a very specific constellation, it always displays the same patterns.

The upshot is that educators in schools need to consider carefully: the levels on which the conflict process is articulated (for professional discussion on this, see Chapter 5.4.2); in what manner the subconflicts are expressed; and what type of dynamic might lead to a further escalation of events. Only after analyzing the escalation potential of the subconflicts is it possible to set out a goal-oriented timeline for further action (see Chapter 5.5 The Element of Phases of Activity).

Especially with (cyber)mobbing, the situation of a victim can deteriorate dramatically if the visible one-on-one conflict is addressed prematurely, or if the dynamic of the conflict process (bottom-up versus top-down) is initially misjudged.

According to the teacher-training standards of the Conference of the Ministers of Education (representing the German federal states and coordinating their educational policies nation-wide), teachers are expected to develop their ability to handle conflicts. A conflict can certainly have positive effects and be regarded as a learning situation for democracy education. Seeing it exclusively as a burden would be too one-sided. Conflicts enlighten interaction, repeatedly put values and norms of existing systems to the test, and serve as a driving force towards development – for better or for worse.

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Matrix: Conflict levels with their corresponding systems and methods for approaching them

Conflict level	System	Methods of approach in the school context
1. intrapersonal level	individual system of subjective thinking, feeling, physical sensation, and free will (system of the individual person)	counseling, coaching, supervised attendance at school
2. interpersonal level	system of the conflict parties involved (system of the conflict parties and those observing them)	three-way conversation, mediation, reparation for damage done
3. peer/classmate level	system of the peer group or classroom unit with its informally practiced set of values and norms	social training, Systemic Brief Intervention or Mobbing Intervention, establishment of a peer support system, work with personal contracts or pledges to cease and desist, follow-up rituals
4. institutional level	system of the institution (school), particularly the formal and informal norms and values it cultivates – represented by the regulators	contracts renouncing the use of force; retribution through compensation for past deeds, community service assignments, educative or punitive measures
5. overall realm of upbringing	system of shared educational partnership (family system vs. school system)	participatory talks, agreements negotiated personally between parents/guardians and teachers/headmasters

Fig. 2: Levels of conflict, systems, and methods of approach

2.1.3 The Framework of Values and Norms

The formal societal framework of values and norms

Students and teachers in Germany are obliged to conform to a given set of norms and values. These include the personality rights and civil rights granted by the federal constitution, human rights and children's rights, the constitutions and school laws of the individual states, and the statutes and house rules of the school itself. Although it may not be immediately clear to everyone: of course there are also binding formal norms for activities on the internet and particularly in social networks, including the penal code (in Germany, StGB) and copyright law (KunstUrhG). In addition, school and house rules often stipulate how smartphones may be used.

However, adolescents are often lax when it comes to transferring the formal framework of values into their own (particularly their digital) everyday lives. Such concepts as cybergrooming, cyberstalking, happy slapping, shitstorm, or sexting delineate the phenomena that result. What is more, in open societies with their wide range of value judgments, it is necessary to clarify certain issues again and again: what kind of behavior violates a norm, or does not; what constitutes an insult as opposed to a free expression of someone's opinion. Children and adolescents therefore need, just as adults do, the ability to assert themselves non-violently in order to protect themselves against emotional and physical attacks and also to protect their property. Training guidelines on "non-violent self-assertion" are available in most languages online, in German on the websites of klicksafe and Konflikt-KULTUR.

The informal Framework of Values and Norms within Social Group

Almost invariably, there are differences between formal and informal sets of values and norms (see Figure 3). An adolescent who behaves violently is not always aware of the extent to which his behavior runs

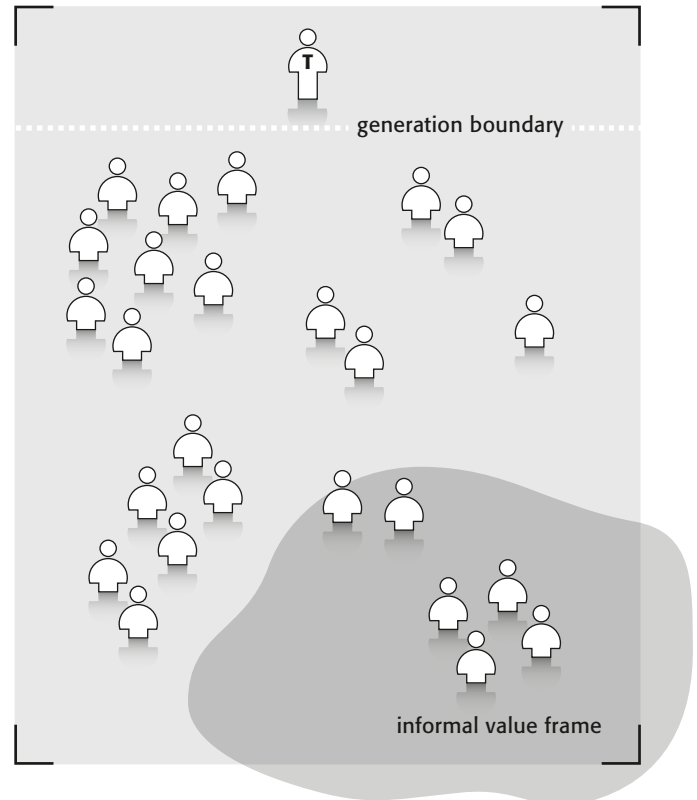


Fig. 3: Starting point (☺ = group members, T = teacher). In every school class there is a formal framework of values and norm. Individual students demonstrate dissocial behavior.

counter to the accepted framework of values and norms. It would be most likely that he realize it due to the reaction of adults. But in the digital realm there are not many adults around. Social controls are weak. This is one of the reasons why (cyber)mobbing among adolescents is often noticed quite late by adults. Adolescents take advantage of the options the digital realm offers to fulfill their developmentally essential need for autonomy and differentiation from the world of adults. They make their own rules. In the case of (cyber)mobbing, the informal framework of values and norms differs greatly from formal standards. A subculture is cultivated that is often misanthropic. Pro-social skills are blocked off and become stunted.

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2.1.4 “Analog” Mobbing

To be able to respond professionally to the phenomenon of (cyber)mobbing in schools or youth centers, it helps to be familiar with mobbing research and its definition of mobbing. Studies on “analog” (or traditional) mobbing date back primarily to the work of the Swedish-Norwegian psychologist Dan Olweus, who began systemically addressing the topic of force and mobbing in the early 1970s. Olweus defines mobbing this way: “A student is exposed to force or is mobbed when he or she is repeatedly, over a period of time, exposed to negative behavior of one or more other students. In most cases, there is an imbalance of power between the offenders and the victims.” (cf. Olweus 1993). The approaches of Stephenson and Smith expand Olweus’ definition to include the form of the social interaction (cf. Stephenson/Smith 1989). They distinguish two types of mobbing: direct and indirect. Direct mobbing may be verbal (the victim is spoken to abusively or insulted) or physical (the victim is hit, kicked, or otherwise maltreated). With indirect (relational) mobbing, rumors are spread about the victim, or he/she is deliberately excluded from a group.

The authors of this handbook define mobbing as follows:



***Mobbing** is repeated and systematic demeaning of other persons, which serves to fulfill needs of the person initiating it – particularly needs for power and status –, which evokes a positive response within the group, which cannot be brought to an end by the victim alone, and which alters the value framework of the group.*

In other words (and with a bit more differentiation): mobbing at schools is a complex and hostile process of conflict that is reflected on several levels. It involves repeated and deliberate actions within groups (e.g., in a school class) intended to damage other persons emotionally or socially in their immediate social environment including the group, used as a means of satisfying unfulfilled needs of one’s own (such as needs for power, recognition, or diversion) and thus stabilizing one’s own personality. An important factor is the imbalance of power. The offender, striving for dominance, aims at improving his/her own social clout by reducing the social status of the person attacked. This can only be considered successful when and if the social group participates actively and the group’s informal framework of values and norms takes increasing precedence over the formal framework. Then, the damaging, dominating persons are in a sufficient position of power, so that the victims find themselves in a helpless position, unable to put an end to the damaging attacks on their own and thus not able to free themselves from this inferior position.

Mobbing occurs through words and gestures, physical attacks, theft or damage of property, and through psycho-social manipulation (relational force exercised by lying, spreading rumors, delegating tasks to helpers, misinforming educators, etc.). Expressed in another way: it can consist of attacks on the body, the property, or the psyche. Mobbing is not some kind of playful jostling or pretended argument, not a difference of opinion, not any kind of horsing around, but rather a deliberate injury.

The sum of individual attacks adds up to the phenomenon of mobbing. An individual attack generally can’t be identified as mobbing, or may not even be mobbing; it usually does not involve any illegal action and therefore is not associated with a criminal offense. In most cases, the perpetrator seeks out a victim who cannot defend himself/herself adequately against the attacks, or only with the greatest difficulty.

Some publications on the topic make a distinction between mobbing and conflicts. But the imbalance of power between offenders and victims being as severe as is in mobbing, the present authors refuse to designate it as a conflict. That would be to downplay its gravity. Since we view mobbing as a complex process of conflict expressing itself on several levels and difficult to grasp, we find it meaningful to treat mobbing as a sum of conflicts.

The American media scholar and social researcher danah boyd points out (boyd 2014, p. 128 ff.) that networked technologies complicate the task of understand the mobbing phenomenon, since many people assume that cybermobbing is something new. She also makes it clear that adults use the word mobbing (or bullying) as a generic term for any form of aggressive behavior. The distinction between mobbing and drama (the latter term is used by young people for any kind of conflict) is imprecise, and hateful or cruel acts implemented by technical means are usually closely interwoven with conflicts at school.

danah boyd established in her interviews with adolescents that, although mobbing and drama occur in their language, in practice their interaction reflects a different picture. This has to do with differences in behavior and the perceptions of that behavior: here, tensions become visible that are central to the problem – namely, how adolescents and adults perceive and experience conflicts. “At the same time, it’s essential that concerned outsiders do not take what they see on social media and make assessments without trying to understand the context.” (boyd 2014, p. 133ff).

2.1.5 From Cybermobbing to (Cyber)Mobbing

Due to the increasing use of mobile devices, with annually rising numbers also among younger users, the digital world is gradually converging with the analog world. The JIM Study 2018 (longitudinal research on media use among young people in Germany) observed the following preferences in its survey of 12-to-19-year-olds:

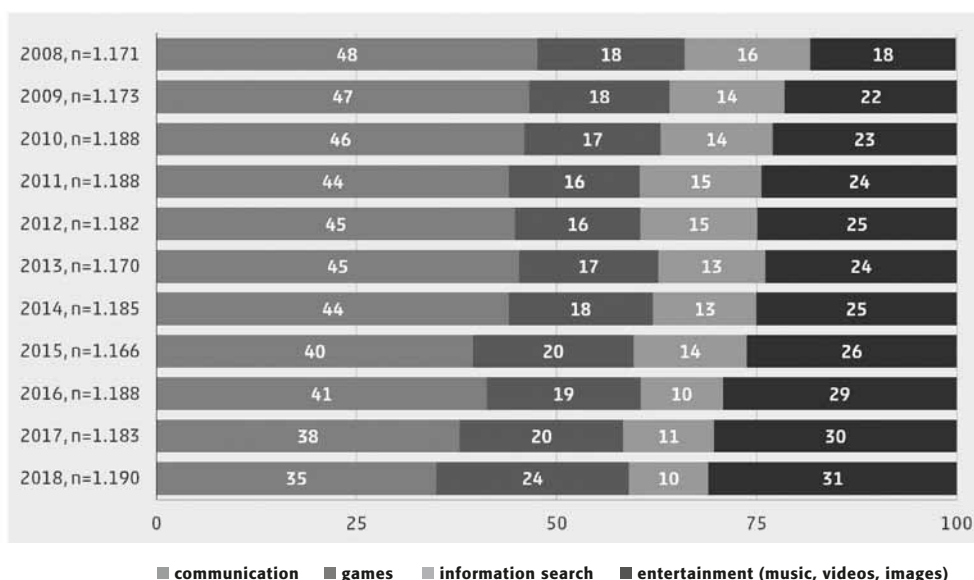


Fig. 4: Distribution of content in internet use among German adolescents in the years 2008 through 2018, in percent.
(source JIM Study 2018)

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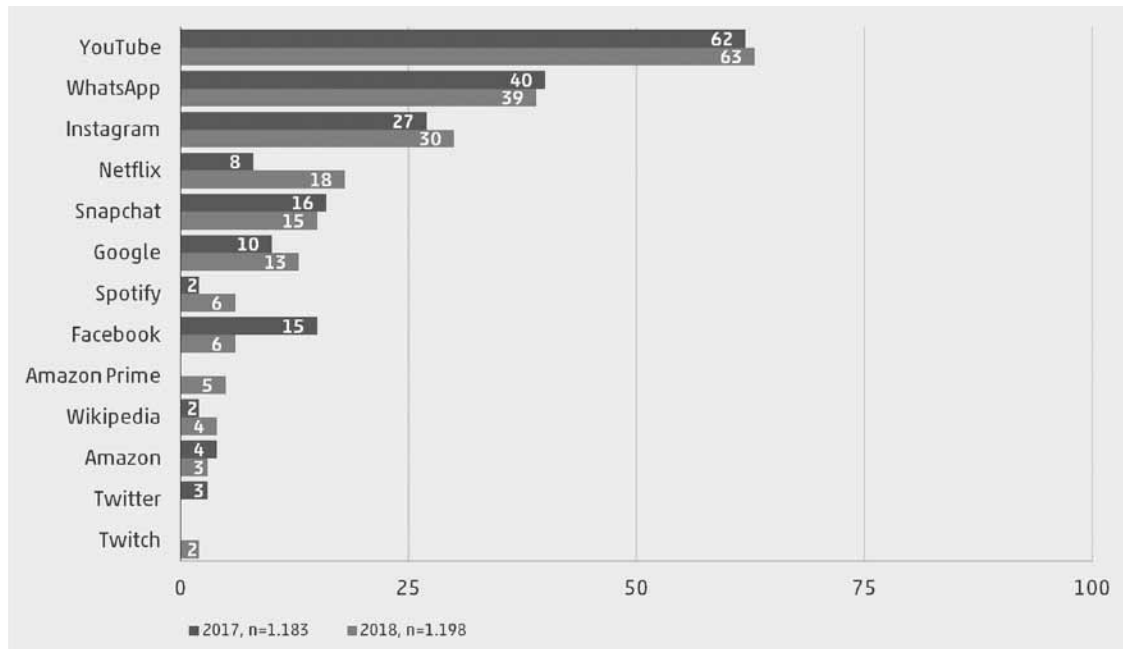


Fig. 5: The most popular internet portals in 2017 and 2018 among adolescents in Germany.
(source: JIM Study 2018)

Young people mostly make use of digital resources to communicate with one another. When they are affected by mobbing, it can be assumed that this is proceeding in both the analog world ("analog" mobbing) and the digital sphere (cybermobbing), since the analog and digital worlds of children and adolescents overlap seamlessly and therefore need to be regarded as a unit. Physical mobbing corresponds to the digitally delivered threat of physical violence, verbal mobbing corresponds to insults and harassment, and relational mobbing corresponds to exclusion from a group, e.g. a chat (cf. Stod/Wegmann/Brand 2015).

Although it is theoretically possible to draw a line between mobbing and cybermobbing, it doesn't usually make sense in practice. Mobbing via digital means has an enormously increased, hostile, and damaging potential, and it therefore must be given particularly careful attention.

As explained earlier, in Chapter 1, in the following we use almost exclusively the term (cyber)mobbing, since mobbing without any involvement of digital means practically doesn't occur any more, and we define it as follows:



(Cyber)mobbing is mobbing in the course of which attacks take place in the digital and analog spheres.

Even though digital and analog attacks generally occur in parallel to one another, for purposes of analysis it is essential to be familiar with the definition of cybermobbing and in particular with its specific characteristics as detailed in Chapter 2.3.5.

The Extent of (Cyber)Mobbing

Many research studies call attention to the fact that instances of (cyber)mobbing increase during the transition to secondary schools and are most common among teenagers aged 13 through 15 – which indicates that (cyber)mobbing is less common earlier, among children, and later, among young adults. It has not been clearly established whether boys or girls are more prone to engage in (cyber)mobbing. Taking the outcomes of various studies into account, it is possible to make a tentative estimate of the number of persons already victimized by (cyber)mobbing. International studies assume a wide range with a victim rate between 10% and 40% (cf. Stod/Wegmann/Brand 2015) – whereby the estimates depend on the issues and methods the studies are based on. The frequency of (cyber)mobbing cases is highest during puberty, after which it gradually decreases. Therefore, appropriate prevention measures should already be implemented in the third or fourth grade, or even earlier. Particular attention should be paid to developments at the outset of the school year, when new groups are forming.

2.1.6 Cyber Attacks

A cyber attack (in this context) is an incursion undertaken by using digital means. If a cyber attack is ignored (or even condemned) by the group, then it can be regarded as an attempt at (cyber)mobbing that failed its testing stage (see also Chapter 2.2.3). If, on the other hand, a cyber attack is reinforced by the group, then it becomes a case of (cyber)mobbing.

What exactly is the difference between a cyber attack and (cyber)mobbing? A cyber attack is an isolated event, a single attack launched by one person using a smartphone or e-mail against another person. There may be a group drawn in, or the attack may take place exclusively between the offender and the person targeted. Even a series of several cyber attacks may not yet amount to (cyber)mobbing. Only when a

group has been addressed and has also signaled its readiness to join in the attack does it become a case of (cyber)mobbing.

To clarify this, a comparison:

- a) A sends B an insulting e-mail ► cyber attack
- b) A sends B an insulting e-mail with copies to the entire class mailing list ► cyber attack
- c) A sends B an insulting e-mail with copies to the entire class mailing list.
B then receives similar insulting mails from 10 members of the class ► (cyber)mobbing or (cyber)mobbing in the testing stage.

2.2 The Dynamic of (Cyber)Mobbing

Anyone who wishes to understand (cyber)mobbing has to look beyond the relationship between offenders and victims. (Cyber)mobbing is a complex, systemic conflict process within school classes and other groups, but with many other parties contributing to bring it into existence and maintain it (cf. Korn 2006, Schäfer 2007, Schäfer / Korn 2007).

2.2.1 Who becomes an Offender?

All human beings share – in widely varying degrees and forms – the need for recognition, status, and power. This is a legitimate need, the decisive factor being the strategy applied to fulfill it. Personal effort is one possible way to achieve this, another possible way is by humiliating others.

Children and adolescents who have a particularly strong need for recognition often discover early in life that they can satisfy this need by exercising force, humiliating others and deliberately victimizing them by manipulating the rest of a group. Often enough, parents play a role here that should not be underestimated – by promoting an exaggerated need for recognition in their children as a way of satisfying the parents' own need to dominate and command a high social status.

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For a long time, it was believed that mobbing offenders were lacking in self-estimation. In fact, usually quite the opposite is the case. Someone who, over a period of months, builds up a system that ultimately almost all the classmates participate in, needs to have a particular set of skills. "These offenders have a distinct social intelligence. Social intelligence, in this context, is regarded as a *neutral* ability that can be associated both with mobbing offenders and with dissocial behavior. A socially intelligent person exhibits social skills in order to achieve personal aims by employing aggressive or non-aggressive behavioral tactics" (Scheithauer et al. 2007, p. 144).

It follows from this that, toward preventing or terminating (cyber)mobbing, a sole emphasis on cognitive skills may be counterproductive, e.g. in relation to understanding the perspective of another person: this might "under certain circumstances [lead] to a more ingenious deployment of socially manipulative behavior in the social environment, meaning that the intervention itself will perhaps not produce a de-escalation of the problem, but rather its exacerbation in the form of increased occurrences of bullying" (ibid., p. 149).

In the literature on (cyber)mobbing, several types of offenders are differentiated. They have been labeled with bizarre names, such as "avenging angel" or "nasty girl" (cf. Aftab 2012). These rather stereotyped designations point towards various motivations among the offenders – revenge, prestige, power, or fun. An intervention is more likely to be successful if it refrains from such stereotyping, instead distinguishing clearly between the person and his/her behavior, taking the needs of the offender into account while consistently refusing to accept their behavior (see Chapter 4).

Often there is such a strong focus on the offender that one could go so far as to call it a 'trance' with all the negative effects that implies. Investigating or searching for offenders, or rather offender profiles, in advance of or during an intervention can endanger its success by directing attention too soon away from the systemic dynamic and towards the issue of who is individually responsible. But mobbing can only be understood and resolved when approached as a group-dynamic phenomenon.

2.2.2 Who becomes a Victim?

A potential offender makes use of little everyday tests (like an insulting remark, or an unflattering photo on a chat) and observes similar interchanges among the classmates to find out who the most suitable victim might be. Three factors are of special significance here:

- hooks
- ineffective self-defense
- imbalance of power/lack of support

Hooks

Hooks are personal attributes to which mobbing can be "attached" in the sense of "hung onto". All kinds of attributes and forms of behavior can be used as hooks: ethnic background, family income, skin or hair color, attentiveness in class, grades, athletic ability, preferences in music, clothing, stuttering, dialect – to name only a few. The decisive issue is not the actual significance of an attribute, but rather the response evoked, for example reinforcement or laughter from the classmates. This means that:

- anyone can become a victim, since everyone has attributes that distinguish him or her from others
- hooks have to be addressed explicitly during an intervention, otherwise their destructive use will continue off the record.

Ineffective Self-Defense

Some victims don't defend themselves at all. Others simply "grin and bear it". Most victims don't defend themselves sufficiently, or their defense does them more harm than good.

Mobbing is especially difficult to resolve when the victim or his/her parents themselves behave aggressively or violently and demonstrate a lack of self-control. The classmates perceive this behavior as unsuitable and use "they flipped out!" as a justification for badgering the victim: "It's Jonathan's own fault, he flips out every day." Needless to say, the classmates know where his sensitive spots are and what "buttons" they need to push. When Jonathan goes over the top again, they skillfully call adults' attention to it: "See, he's batty. There he goes again."

There are other children who bear all the attacks silently for a long time and then suddenly break into tears. These victims show their vulnerability in an unprotected environment, and this frequently has negative consequences. At the same time, they usually receive attention from adults – a bit of that scarce human good that everyone wants more of. The rest of the class reacts with rejection and envy, they think it's unfair and again use that as justification for further attacks. Often, students who cry are accused of deliberately using their tears to gain an advantage.

Some victims don't come to class or come in late in order to avoid being attacked. Educators who go along with this and refrain from the usual sanctions often provoke a counterreaction from the classmates, who accuse the victims of being lazy and the adults of being unfair.

The most ineffective form of self-defense is tattling, that is, saying negative things about someone behind his or her back. This is why it is absolutely essential that children and adolescents understand and internalize the distinction between 'tattling' and 'getting help'. In an acute situation, 'getting help' is the next step following an unsuccessful attempt at self-defense. Also, 'getting help' can be announced. Students who tattle and teachers who don't respond properly to tattling both foster mobbing – that it can occur at all and that it can be continued.

Children who are emotionally instable or socially insecure/anxious lack, from the outset, the personal skills needed to defend themselves. They need strong persons at their side to protect them, which again points toward the necessity of working in this direction during an intervention (see Chapter 4).

Imbalance of Power/Lack of Support

Potential mobbing victims have little or no support, but they are not always classical outsiders or loners. Often they have one or two friends in the class, but this does not suffice in the face of the overwhelming power of the offenders and their assistants. The decisive factor is the imbalance of power between offenders and victims.



In summary, we can say:

Ultimately, anyone can become a victim. The most likely candidate is someone who presents obvious hooks to dock into, who has the least effective self-defense and little or no support.

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2.2.3 The Testing Stage

The testing stage serves toward figuring out who is most “suitable” to be humiliated. For selecting a mobbing victim, in some cases one single interlude lasting only a few minutes can be conclusive enough – say, an exchange in the locker room of the school gym. But the entire testing stage, as experience has shown, generally lasts several weeks: until the imbalance of power is well established and the informal, dissocial value framework of the school class expands and takes hold.

(Cyber)mobbing can actually be triggered by one individual act – be it deliberate or not. If, for example, digital content falls into the “wrong hands”, it can be distributed at lightning speed with no means of holding it back. In this respect, the assisting fellow offenders play an essential role. When content is re-posted, there may no longer be just one offender responsible. The effective power of the group is immense in such cases and can even lead to a situation in which a criminal act cannot be traced back to any one person. In the event of a cyber attack copied to various addresses via a mailing list or posted on a social network, this can always be considered a case of (cyber)mobbing in the testing stage.

It does in fact happen that mobbing processes never advance beyond the testing stage, that they ‘get stuck’, so to speak. This happens particularly in school classes or communities where

- the victim can defend himself/herself effectively,
- there are sufficient protective, pro-social energies at play, and
- the homeroom or leading teacher cultivates good contact to the children/adolescents and deftly fulfills the responsibility of leading.
(cf. Grüner / Hilt / Tilp 2015)

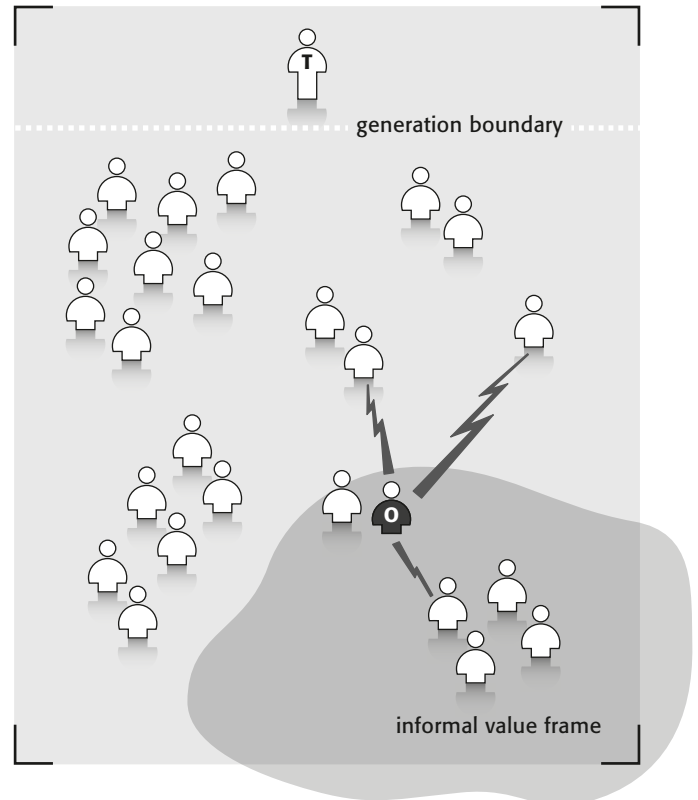


Fig. 6: Testing stage (G = group members, O = offender, T = teacher). A student with a heightened need for recognition is investigating which classmate might be suited for humiliation and denigration.

2.2.4 The Consolidation Stage

Differentiating the Roles

Figure 7 shows the development after the testing stage if adequate efforts are not undertaken to work with the group. The distinctive characteristic of the consolidation stage is the differentiation of roles. The persons positioned near the offender are the so-called assistants. These are students who act in the interest of the offender, although they may have been attacked by him themselves during the testing stage and therefore still have a bone to pick with him. This paradox has to do with the advantages of the assistant role and the basic need for security, belonging, power, fun, and recognition.

Anyone who contributes to victimizing another person reduces the danger of becoming a victim himself. Belonging to a strong group gives an individual a sense of community and of his own power. And someone who enjoys being in a group that goes after someone else is well suited for the role as assistant.

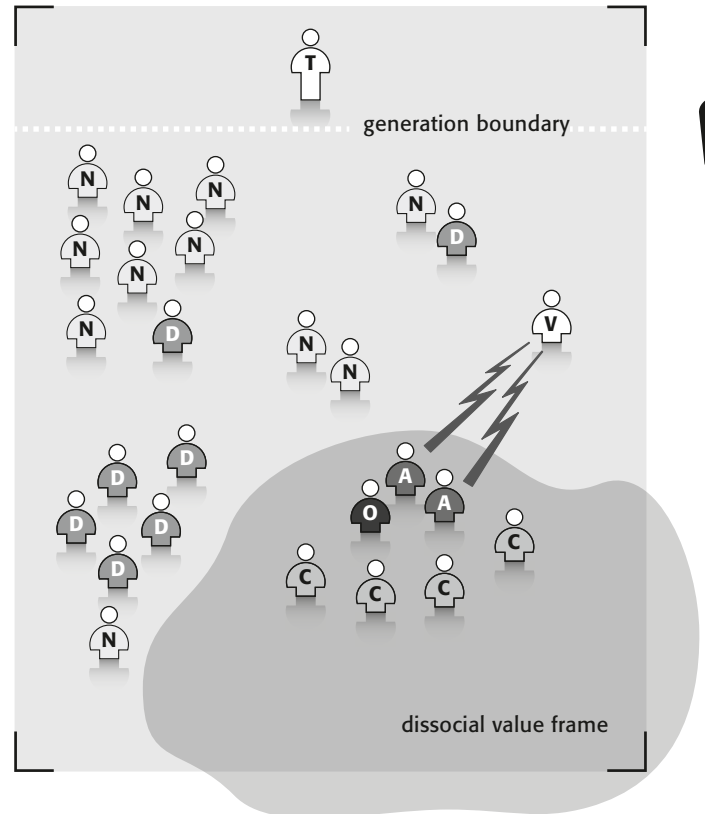


Fig. 7: Consolidation stage (☺ = group members, O = offender, V = victim, A = assistants, C = claqueurs, D = (potential) defenders, N = non-participants). A mobbing group has formed, with differentiated roles. The victim is repeatedly and systematically attacked, and cannot escape the situation (context of obligatory attendance at school).

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In addition, there are the *claqueurs*, also called *amplifiers*, who are grouped around the offender and his assistants. They do not participate actively in the mobbing, instead forming an interested audience, for example by laughing. This in turn reinforces the activities of the offender and the assistants.

The *defenders* or *potential defenders* feel committed to the formal framework of values and are uncomfortable with mobbing. Although they do not participate actively in it, they may have a guilty conscience. They have compassion with the victim. Some of them help the victim directly or indirectly, others do not – although they potentially could.

The last group consists of the *non-participants* or the *bystanders*. Usually, they find mobbing unpleasant and would prefer to avoid the situation completely – which is not possible due to the requirement that they attend school. They also feel committed to the formal framework of values, but they seek refuge in the illusion that what's happening is none of their business. If, for example, the mobbing is directed only at the girls in the class, then the boys say that they have nothing to do with the girls (and vice versa).

These roles are not absolutely fixed. During the stage of consolidation, it can always happen that roles are switched, for example because friendships are formed or fall apart, or because classmates have pangs of conscience. From this, we draw a key insight for the intervention: *Mobbing is a dynamic process of conflict and, as such, is fundamentally open to modification.*

Another characteristic of the consolidation stage is the increasingly dissocial behavior of the group members. Approval for a dissocial, informal set of values and norms is on the rise. More and more, the social group follows 'its own rules'. Examples of this would be a lack of freedom to express one's opinion or, figuratively speaking, 'a wall of silence'. Any attempt to recruit outside help is considered taboo and is punished by the dominating offenders. A 'state within a state' begins to emerge. The offenders work consistently toward expanding the reach of their power.



Mobbing is a group phenomenon in which, alongside offenders and victims, all the members of a group participate – in the following roles:



Assistants support the offender.



Claqueurs form an interested audience but do not participate in the mobbing.



Defenders or potential defenders feel committed to the formal framework of values. Some of them help the victim, others do not.



Non-participants or bystanders would prefer to avoid the situation entirely and seek refuge in the idea that it's none of their business.

What keeps potential defenders from acting?

There are many reasons why some persons do not do anything to improve the situation, although they would be able to. Many potential defenders are afraid of becoming victims themselves. Or they don't know exactly what they could do. Since there is often no adult support, they don't trust themselves to be of any help. Getting outside help would be vilified as tattling, and being considered a tattler is the last thing any student would want.

It is noteworthy that, during the consolidation stage, the group of (potential) defenders is generally larger than the group of offenders, assistants, and claqueurs. The group of defenders and bystanders is, however, neither aware of its power, nor is it organized. The group surrounding the offender, on the other hand, has an identity: "We are the ones who attack."

With regard to prevention and intervention, it is therefore the task of adults to organize the defense against mobbing.

One potent protective factor is a respectful culture of teamwork and communicative exchange, for example in a class council that is oriented toward democracy education and is well led. If the school class as a group gets together regularly in some formal framework of this type and cultivates an egalitarian atmosphere with a respectful, free exchange of opinions, and where needs can be articulated and considered – that is, if a culture of dialog based on respect has been developed –, then mobbing attempts can be discussed and solidarity with the victim can be shown. (On the subject of classroom councils, continuing education is offered in Germany, e.g. by Konflikt-KULTUR.) When (cyber)mobbing is occurring on the internet, often (potential) defenders see hardly any options for supporting the victim. They're afraid of 'doing the wrong thing'. Critical comments that they might post on the internet in response to mobbing actions, for example, would be documented on the net indefinitely and would increase the probability that they themselves might become the victim of an attack.

In this stage, the influence teachers can have on the framework of values and norms and on the behavior of students is steadily reduced. The generation boundary takes on the form of a wall of silence. There are individual cases in which adults assume the role of an assistant or a claqueur and in doing so actually reinforce the mobbing, for instance by embarrassing a students in front of others, or by grinning at a "joking" remark thrown in by an offender.

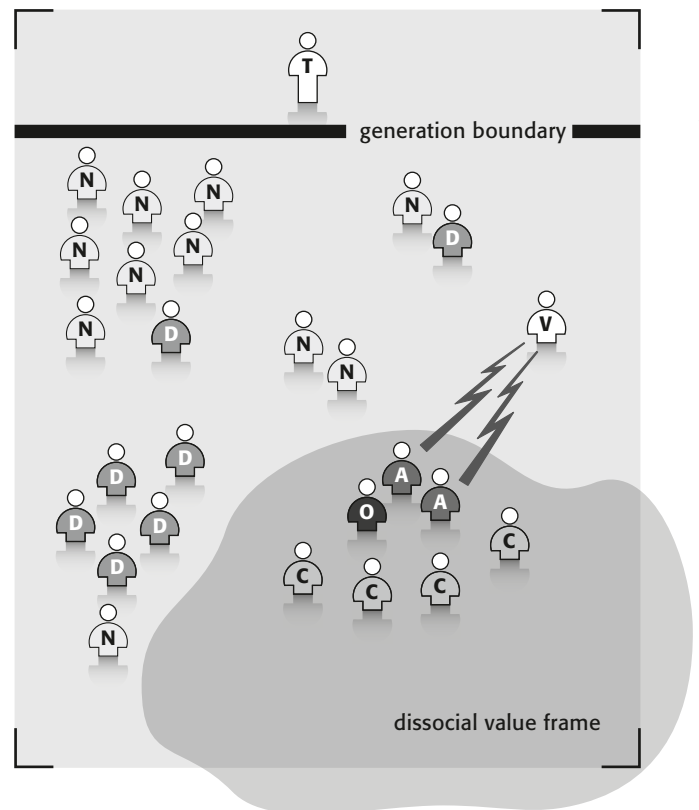


Fig. 8: The generation boundary as a wall of silence. Between students and teacher there is a 'wall of silence'; the teacher's ability to influence the values, norms, and behavior of the students is steadily weakened.

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Why do Victims Suffer in Silence?

During the consolidation stage, the victim already suffers greatly. Often, symptoms such as abdominal pain or the inability to sleep well set in. Nonetheless, most mobbing victims don't tell anyone what is happening to them. Some reasons for this are:

- The victim is very much afraid that any interference by adults will just make everything worse. Unfortunately, this fear is justified – inasmuch as the application of unsuitable intervention methods will in fact exacerbate the mobbing (see also Chapter 4.5).
- The victim has already made an attempt at confiding in an adult and been put off with unhelpful comments, such as: "You just have to stick up for yourself", "Things will settle down again", or "It must be partly your own fault."
- The victim wishes to spare his/her parents the suffering he/she is enduring and thus protect them. Besides, the student knows how little influence parents can actually exert and also has an inkling of the additional damage that can result from their interference.
- The victim fears that the parents will be reproachful, as in: "Why didn't you tell me about it. Don't you trust me?"
- The victim doesn't want to tattle.
- The offenders have threatened more attacks if the victim informs any adults.
- The victim feels guilty and reproaches himself/herself, asking: "What's wrong with me, why does all this happen to me?"
- The victim is overwhelmed by shame because of his/her otherness and increasingly identifies with the denigrations dealt out by the offenders.

Specific reasons in cases of cybermobbing:

- The victim feels guilty, for example because of having recorded/sent out videos that are now being circulated.
- The victim resigns, feeling helpless over against the internet: "Once something is posted, you can never get it deleted."
- A report submitted to the web provider produces no effect, or the response comes much too late.

2.2.5 The Manifestation Stage

Whereas, up to now, there have been varying opinions within the group/school class, now in the manifestation stage the group more or less unanimously agrees on the exclusion of the victim. Except for one or two non-participants, all the classmates are now active as offenders, assistants, or claqueurs. Should some classmates initially have had a guilty conscience, they now consider their actions to be morally justified. With few exceptions, no one has any more pangs of conscience. "The longer the harassment lasts, the greater the number of classmates who think the offender's actions toward the victim are justified" (Huber 2011, p. 5).

From the students' point of view, the formal framework of values and norms – and with it, the victim's basic human rights – no longer need be observed. Now, the group's dissocial, informal framework of values and norms applies. The victim is caught, with no possibility to escape, in the social realm of a subculture determined by its own set of misanthropic values and norms. A 'state within a state' has been erected. The torment, harassment, degradation, and humiliation of the victim are now informally legitimated and considered to conform to the 'raison d'état'.

There is a wall of silence between the school class and the representatives of the formally applicable framework of values and norms established by the democratic state. The right to free expression, the right to free development of the individual, the right to inclusion and participation – out the window with them all!

The drama building up during the stages of consolidation and manifestation is one of the most oppressive aspects that distinguish mobbing from other conflicts. "For the victim, it becomes increasingly difficult to break out of this role. His unpopularity and isolation continue to grow. While the offender expands his radius of action, the victim has less and less headroom. The victim himself can do almost nothing to change the situation, and instead is dependent on support from others. Unfortunately, as the manifestation of the victim role advances, intervention becomes more and more difficult" (Huber 2011, p. 5).

To the classmates, it feels as if the class had a right to harass the victim and force him/her out of the class, as if everyone were allowed to participate, as if it were the only correct thing to do, as if they even deserved to be praised for it. Often, in this stage the group plays the 'epidemic game', acting as though the person being mobbed had some threatening, contagious disease. Contact with this person would be 'fatal'. The sick person has to be 'isolated'. He has to be gotten rid of. The student being mobbed is 'free game', everything is his fault as the scapegoat, and he can be 'burned at the stake'.

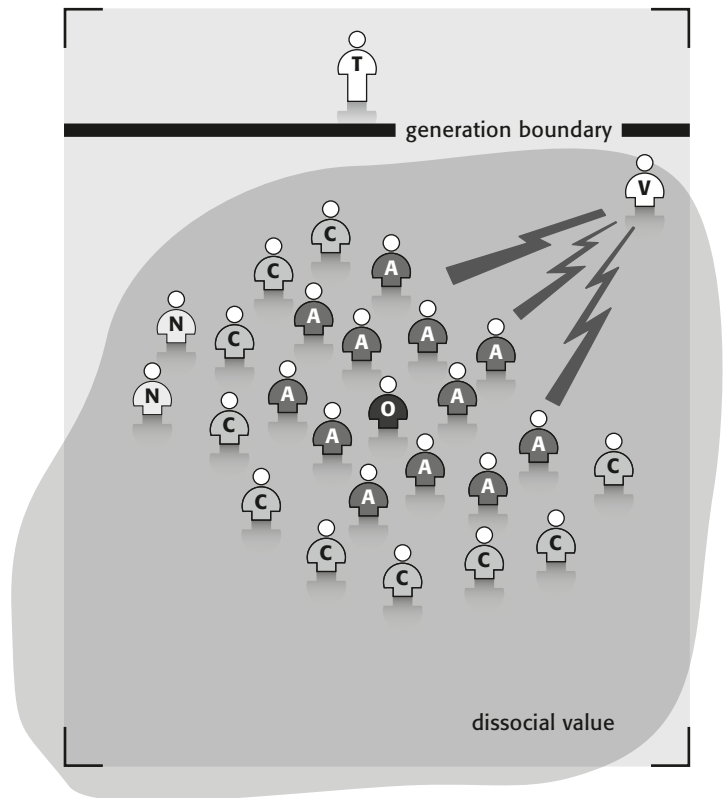


Fig. 9: The manifestation stage:

The dissocial, informal framework of values and norms dominates the students' behavior. From their point of view, their behavior is legitimate. There is now a "state within a state", and the helpless victim is at its mercy.

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Should you at this point, as a well-meaning teacher, enter the class with the aim of intervening, the probability is high that the class will be entirely unwilling to speak with you. "I don't know", "no idea what's going on!", or gestures of repudiation are typical reactions of students trying to signalize that they don't want any interference. Any member of the group who makes an attempt at dialog will later be punished.

In the event that the class group is willing to engage, the students will be patient at the outset, but soon will be informing you in an irritated and aggressive tone that your understanding of the whole matter is entirely wrong. And should you go on refusing to concede that it's all the victim's fault, you yourself will become the enemy.

Victims' reactions in this stage tend to differ. While girls often direct their suffering and aggression inwards (implosion), boys' revenge fantasies may threaten to explode. Frequent results are a drop in school achievement, psychosomatic illnesses, self-damaging behavior, or suicidal thoughts – extending all the way to suicide or extreme fantasies of violence and revenge. If one asks the victims who are affected, these dramatic aspects may easily be glossed over, with responses no more emphatic than "they should just stop it."

More often than one might expect, the school class manages to convince the teacher that its dissocial behavior is legitimate. A visible sign of this would be the educator picking up on the justification strategy of the class, inwardly and outwardly, saying something like, "She has no sense of humor at all, and sometimes young people just play a little bit rough with one another" (Grüner/Hilt 2011, p. 96).

The chances for successful intervention at this point are very slim. As an emergency measure, and to avoid imminent danger, there is often no alternative to taking the victim out of the class – which can have catastrophic consequences both for the victim and for the class/group.

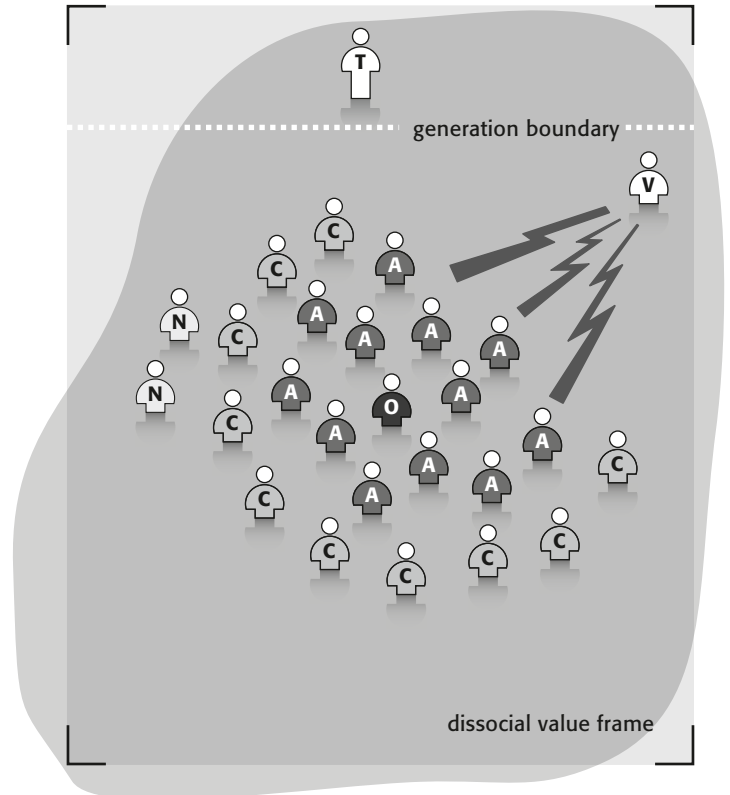


Fig. 10: The teacher is involved in the dissocial framework of values and norms.

It is not uncommon that the school class manages to convince the teacher that its dissocial behavior is legitimate (justification strategy).

The Dynamic of Removing the Victim

Taking the victim out the class or group does not necessarily put an end to the mobbing – neither for the class, nor for the victim. If the problem is not addressed, often the following happens:

With his or her self-confidence and trust in others severely damaged, the victim starts off on what is purportedly a new beginning – in a group that is completely unfamiliar and that in itself has an established structure. Despite efforts of the new peer group to take up contact, many victims display strongly protective behavior, are extremely reticent and therefore seem strange to the others. This 'odd' behavior can easily become the hook for another round of mobbing. It can become a vicious circle, or a self-fulfilling prophecy: "I protect myself, so that I don't present an easy target"; "He seems kind of strange [or arrogant], let's put him to the test." Often enough, former victims also behave very aggressively in their new environment in an attempt to avoid becoming a victim again.

Transferring a new school as means of solving the problem thus presents considerable risks and quite often can lead to a new instance of mobbing: "Such behavior indicates, on the one hand, that the school is unable to guarantee the physical and emotional safety of its students. On the other hand, the child who is already feeling shaken is confronted in the new class with what is probably the most difficult task of student life: integrating into an existing classroom community where relationships are already closely woven" (Schäfer / Herpell 2010, p. 202).

If it is to be foreseen that mobbing cannot be brought to an end under the circumstances in a given school class, then transferring to a new school should not be ruled out – in the interest of protecting the victim. Anyway, it is not uncommon that the victim and parents act preemptively, taking the decision out of the educators' hands. To improve the likelihood that such an emergency measure will succeed, the victim requires the active support of responsible persons who facilitate integration into the new environment.

When a mobbing victim is taken out of the class, the group is reinforced in its behavior. At the same time, individual students may still have an unfulfilled need for prestige, status, and power. If they are not shown a way to satisfy this need without using force, they will hardly be willing to revise their previous strategy. For this reason, a new cycle of testing, consolidation, and manifestation is likely to set in. It is apparent that, just like the victim, the school class is also in acute need of active support. This encompasses, among other things, a re-activation of the formal framework of values and norms, the development of a democratic team culture and communication, and all the means through which educational influence can be brought to bear, as described in Chapter 7.

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2.3 How the Internet Alters Mobbing

The internet in combination with social media and mobile devices has radically changed communication among individuals. This 'sea change' accommodates in a unique way adolescents' need to communicate and be able to maintain constant contact with friends, but also their need for self-portrayal and recognition.

It is unsurprising that, among teenagers, exchange with others via messenger or in online communities is statistically the top priority of their communicative activity on the net (see Figure 11). However, this new culture of communication and constant availability thanks to mobile technology also creates new options for doing harm to others.

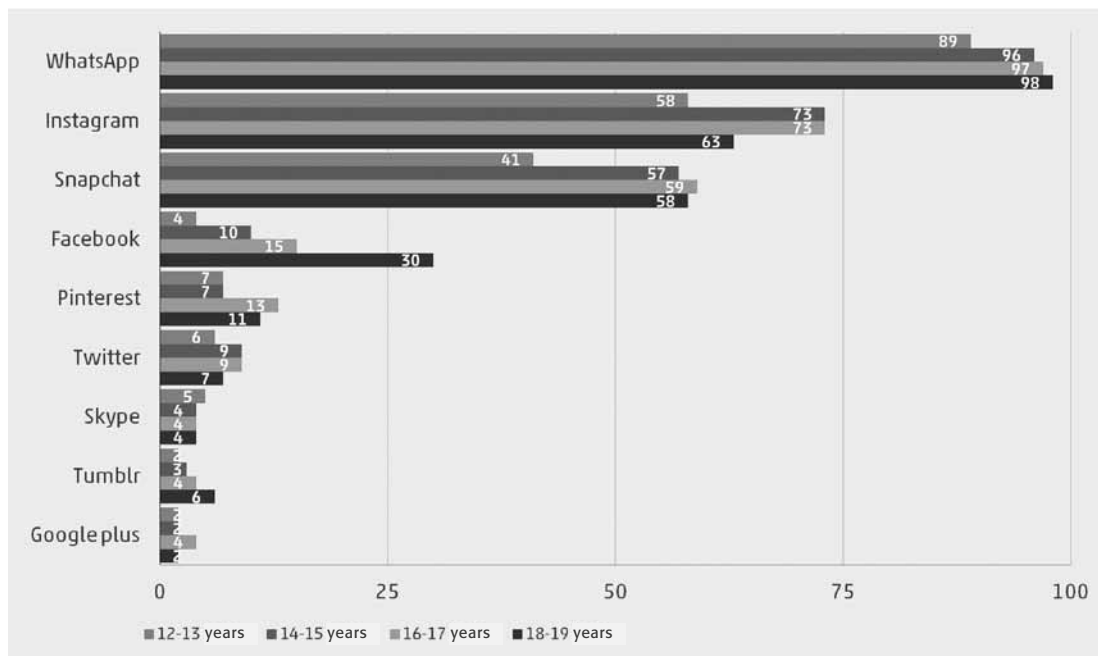


Fig. 11: Activities on the internet relating predominantly to communication, for the age group 12 to 19 years in Germany: messenger services have a strong lead ahead of other digital communication modes. (source: JIM Study 2018)

2.3.1 The Significance of Digital Self-Portrayal

An important facet of development during adolescence consists in developing one's own identity, testing it, and strengthening it. The conception of developmental tasks and identity development in adolescents was defined by, among others, R. J. Havighurst und Erik H. Erikson (cf. Grob/Jaschinski 2003). It sees identity as based, above all, on self-perception and on external assessment. Feedback from age peers and other members of the social group thus bears great meaning for adolescents. Social networks play a special role in this "identity work"; in particular, the options for self-portrayal are highly significant, along with group feedback to it. Social networks offer many modes for feedback, recognition, and self-orientation. Among them are:

- recognition through 'likes' and comments
- remarks about a person's appearance
- information about status/standing in the group
- relationships with friends
- gender roles and sexual orientation
- personal interests and abilities
- hobbies and recreational activities
- ideals, role models, goals

Self-portrayal guided by personal questionnaires is still familiar to some of us from the albums of primary school days ('favorite color, favorite food', etc.). These types of questions about a person, his or her interests and attitudes now crop up again in social networks. Users of social networks invest considerable effort in creating a perfect virtual portrayal of their own person. With an individual profile, photo, posts, and more, users launch a quest for the recognition of friends, acquaintances, and strangers. Feedback comes in the form of comments, likes, or friending requests.

The increasing speed of digital communication often lures adolescents in search of recognition into posting information, images, or video without thinking first. Social networks and many of the social media applications subsist on this: the fact that users share a great deal of material, possibly too much material, with one other. But not every bit of information, every photo or video is suited to be presented to the online world or to vague acquaintances.

Particularly during puberty, it is of interest to teenagers to test whether they can make a splash in their peer group or with a potential love interest. Moreover, daily they see prominent figures doing just this – using the net to promote their image and to advertise. Since VIPs serve as role models for adolescents, it's hardly surprising that they imitate their idols when it comes to self-portrayal.

Feedback from others in response to posted photos and videos or other content is, however, not always positive. Images and posts can evoke all kinds of undesirable reactions from the community. Demeaning comments get sent off spontaneously, without any reflection, and can be disseminated at lightning speed among a vast and incalculable number of recipients.

All these forms of self-staging can also provide a target for (cyber)mobbing. Largess and lack of caution in handling personal data – one's own or others' – is exactly what offenders are on the outlook for, as they present easy picking and a breeding ground for vilification, threats, or harassment. Content can be copied, altered, re-posted, and made available to a huge audience within seconds. In the real world, a victim can be bullied through physical or verbal attacks, but on the internet the possibilities are much more extensive. And there are few inhibitions. Attacks remain omnipresent. There is no protected space for unwinding or regeneration. With this situation, a core developmental task of young people's lives has become even riskier.

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When boundaries are overstepped on the internet, teachers, educators, and parents usually don't hear about it, or not until it's too late. There are two important reasons for this. Firstly, adults usually don't frequent the same virtual spaces as adolescents do. And secondly, young people who are affected don't regard adults as confidants who have access to effective means of support or defense.

2.3.2 The Significance of Privacy for Adolescents

Although everyone is aware that one needs to be cautious about divulging personal information on the net, there remains a problem called the privacy paradox. This is a phenomenon that not only affects children and adolescents, but also many adults in like measure. The privacy paradox describes the contradiction that, while users think protecting their private sphere is important in general, they do not apply this insight to their own actions.

In her study on the life of adolescents in social networks, the media scholar and social researcher danah boyd addressed young people's conception of the private sphere and was able to provide valuable outcomes for (media) educational work with this group (cf. Boyd 2014). She asserts that adolescents are indeed interested in protecting their own privacy; however, their understanding and experience of the private sphere tends to differ from that of adults. When adolescents seek privacy, boyd reports, they think of it in relation to persons who have power over them, such as parents and teachers. Young people want to participate in public life and, above all, they want to act without supervision, moving outside of the

sphere of influence of their parents. To achieve this, they develop sophisticated strategies for controlling contexts and for self-portrayal that can be interpreted correctly by their target audience. In addition, they have to build strategies for coming to terms with constant supervision by the surrounding adults and learn to deal with invisible listeners and observers and with colliding contexts. The aspect of invisible users is particularly difficult for adolescents to grasp, since they often can't imagine who – outside of their immediate surroundings – could be interested in their internet activities. Seen from the adolescent point of view, their own networks are not public, quite the contrary: they are private, since (as teenagers assume) only the peer group is tuned in.

What is more, young people often struggle on social networks to deal with societal norms, due to the fact that in social media, diverse societal contexts often converge. Adolescents expect that their families and friends will understand and respect these varying contexts, and will recognize it when a message is not intended for them. When moving in a social situation characterized by familiarity or intimacy, most people initially rule out the possibility that their conversations are or could become public. But due to the fact that the internet is universally accessible and difficult to regulate, social norms are only effective to a certain extent. In a world determined by media, assumptions and norms relating to the visibility and distribution of messages need to be questioned, because many popular social networks are specifically designed to induce users to disseminate their messages and comments widely. If values and norms are to be effectively applied in dealing with digital media, "new" conventions will have to be agreed upon by users.

2.3.3 Where Mobbing Occurs on the Net

Even though the great majority of users cultivates responsible handling of devices and services, these can nonetheless be misused for (cyber)mobbing. The following overview pinpoints risks that can be associated with the use of new media and online services.

device/service	possible misuse / forms of mobbing
smartphones/ mobiles	<ul style="list-style-type: none"> ■ Using mobile phones or smartphones, anonymous calls can be placed repeatedly, for one thing, and for another, they can be used to send nasty or humiliating messages, threats, intimidations, or insults. ■ In addition, they make it possible to produce photos or video that are humiliating, then send them to others or publish them on the internet.
instant messenger/ messaging apps (WhatsApp, Threema, Snapchat, Instagram, etc.)	<ul style="list-style-type: none"> ■ With instant-messaging applications on the smartphone or PC, nasty or embarrassing text messages, photos, or videos can be sent out. They can go viral and rapidly reach a large audience. ■ The person who is affected can be blocked or excluded from groups, and thus isolated. ■ When an account is hacked, it can be misused to post malicious or embarrassing messages to the contact list in the name of the hacking victim, in order to discredit that person.
smartphones and apps – specifics relating to mobile applications	<ul style="list-style-type: none"> ■ Deleting content that was sent through an app is almost impossible, since the content is no longer only located on the device that sent it or on the provider's server, but rather on all the devices that were contacted. ■ Many apps do not offer a function (such as a 'report' button) for registering mobbing attacks. ■ It is hardly possible to initiate legal proceedings because the providers are often located outside of Europe. ■ The group function on many apps greatly increases the range, meaning that problematic content can be distributed to a wide audience very quickly. Moreover, the person affected can be excluded from the group and, as a result, not realize that they are being harassed. ■ Some apps give the impression that posted photos and videos can only be viewed for a certain period of time, that they have an expiration date. This is misleading because images can usually be restored, and in addition, it can have the effect that problematic content is even more deliberately re-posted or forwarded.
chatrooms/ forums/blogs	<ul style="list-style-type: none"> ■ In chatrooms, nasty or unpleasant messages can be sent anonymously. ■ Through the use of groups, particular individuals can be deliberately ignored or excluded. ■ Sometimes, friendships are offered as a means of gaining access to personal information. This can ultimately lead to coercion or libel.

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social networks	<ul style="list-style-type: none"> ■ Mobbing attacks on social networks often take the form of disparaging photos or videos that are published, or nasty comments posted under pictures. ■ When an account gets hacked, it can be used to send nasty messages to the contact list as a way of discrediting the account's owner. ■ If a mobber has access to an account, he can change it to the disadvantage of the account's owner (for example, by deleting or adding information). ■ Offenders can create fake profiles and pretend to be a certain person, either to harass that person or to impersonate him/her while harassing someone else; or they can form hate groups directed toward another person. ■ Sometimes, in order to gain access to personal information, people will establish a friendship under false premises or will pretend to be interested in beginning a relationship. This can ultimately lead to coercion or libel.
e-mail	<ul style="list-style-type: none"> ■ In addition to nasty or threatening messages, e-mail also enables the distribution of problematic photos and videos, as well as computer viruses. ■ When an e-mail account is hacked, it can be used to send unpleasant messages to the contact list in the name of the account's owner, to forward personal e-mails and in doing so discredit the hacking victim, or simply to delete private e-mails.
video portals (YouTube, Vimeo, MyVideo, etc.)	<ul style="list-style-type: none"> ■ On video portals, clips can be published that are shameful, humiliating, or embarrassing to a person (e.g. 'happy-slapping' videos showing how a victim is being humiliated or beaten by others). ■ It also happens that private videos (often with erotic content) are posted online after a relationship has ended as a way of shaming the ex-partner in public. ■ Such videos, once posted, are often 'liked', snidely commented on, and further circulated on the net. ■ When an e-mail account is hacked, it can be used to upload videos in the name of the account's owner in order to discredit him or her.
gaming sites, virtual world (e.g. World of Warcraft, GTA)	<ul style="list-style-type: none"> ■ In the gaming realm, mobbing occurs, for example, when advanced players seek out inexperienced players and repeated kill their avatar, so that the victim no longer has access to the game. ■ A gamer can exclude individual players from group activities and events. ■ When an account is hacked, it can be misused to send malicious messages to the community in the name of the victim, in order to discredit him. If a mobber has access to an account, he can also manipulate it or make moves in the game to the disadvantage of the account's owner (for example, with money or goods accumulated during play).
webcams	<ul style="list-style-type: none"> ■ Via webcam, unsuitable or private content can be recorded and posted. ■ Young people can be persuaded or forced to perform unsuitable acts that are then recorded and posted. ■ Private recordings also are uploaded when a relationship has ended and one person wants to shame the ex-partner publicly.

2.3.4 Forms of Mobbing on the Net

Here are various types of damage done in the context of cybermobbing (based on Willard 2007):

- accusations, spreading rumors: deliberate defamation of another person by posting or sending out rumors/lies aimed at destroying relationships or ruining the person's reputation
- exclusion, expulsion: deliberately blocking persons from participating in a group, such as a chat, a community, or an online game
- insults, invectives: sending malicious or nasty messages, posting injurious comments and taunts
- harassment, badgering: repeatedly sending out or posting malicious, cruel, or insulting messages, pin board entries, photos, or videos
- assuming a false identity: pretending to be another person and doing things online that will bring him/her into difficulty (e.g. by using the password directly from the person's Facebook profile)
- shaming: making private habits and intimate details public against the will or without the knowledge of the person affected (e.g. via text, video, or photos – say, taken in the locker room)
- violation of trust: eliciting intimate details, secrets, or embarrassing images from someone in order to distribute them or to coerce the person
- threats: directly or indirectly menacing a person with actual force affecting them bodily, emotionally, or in their (social) relationships

2.3.5 Specific Characteristics of Cybermobbing

Cybermobbing takes place on the internet (e.g. via e-mail, on social networks, or through portals handling videos) and on smartphones (e.g. via instant-messaging apps such as WhatsApp). Cybermobbing is a type of mobbing that – as opposed to “analog” mobbing – exhibits the following characteristics:

Loss of Private, Protected Spaces

Cybermobbing is not over at the end of the school day, but rather continues around the clock, independent of location and extending into a victim's private refuges. Since cyber offenders can work the internet at any time of the day or night, their victims are also harassed during their time at home. Even in their own four walls, they have no respite from attacks and no opportunity to recover from them. Simply extracting themselves from social networks is hardly an option, since this would be tantamount to the loss of all essential social contacts in the digital realm. Therefore, advising victims to stay off the internet for some time can mean an additional burden for them.

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Loss of Control over Data on the Net

Digital content gets disseminated very rapidly and can be shared unlimitedly on social media. As soon as messages, images, and videos are online, it is hardly possible to control their distribution. Quickly and easily, they can be copied from one portal to another. This makes the extent and the scope of cybermobbing much greater than that of analog mobbing. Moreover, long-forgotten content can re-surface and cause difficulties for a victim in the aftermath of a mobbing attack. There is a much wider audience than in analog mobbing, which makes it extremely burdensome for those affected. This is particularly true of photos and videos, since the mobbing victim can be recognized in them for a long time – a circumstance that can complicate a ‘fresh start’ after transferring to a new school and lead to a continuation of mobbing.

The Vast, Unknown Audience

Content not only circulates very quickly, it can also become accessible to an incalculably large number of persons. The fact that posted vilifications can also be read by strangers, who then have a negative image of the victim, presents an additional burden. It is not uncommon that people who don’t even know the victim take part in the harassment. The audience is generally much larger than in cases of analog mobbing.

Anonymity of the Offenders

Often, the offender conceals his own identity, for example by using nicknames, so that the victim doesn’t know exactly who is behind the attacks. It could even be that this gives the offender a feeling of – false – security and an endurance that draws things out. Especially in cases of cybermobbing among children and adolescents, offenders and victims usually know one another from their “real” personal environment, either from school, the neighborhood, the village, or the ethnic community. For this reason, the victims almost always have a suspicion about who could be attacking them.

Lacking Perception of the Damage Done to the Victim

The direct reaction of the victim to a damaging statement or a disrespectful photo is normally not visible to the cybermobbing offender. Essential elements of communication are lacking, such as facial expressions and gestures that provide feedback to a partner in personal communication. Therefore, the offender is often not aware of the impact of his actions. Under these circumstances, no compassion or impulse toward ceasing the attacks can take hold. Neither can the victim, without direct contact, grasp the motivation for the attacks – making them all the more difficult to bear.

2.4 Legal Fundamentals

Mobbing is not always associated with actions that are obvious violations of law; intelligent offenders, in particular, avoid getting into areas regulated by the penal code. However, mobbing always is based on the violation of human rights, civil rights, and children's rights. Therefore, intervention in cases of mobbing primarily addresses the violation of established values. However, whenever criminal acts are involved, these must be prosecuted or sanctioned in addition to the educative intervention. Only in the rarest cases is it sensible to limit the response to penal prosecution, without any educative or systemic intervention.

In Germany, there is no specific "Mobbing Law" or "(Cyber)Mobbing Law", but it is possible to prosecute individual offenses covered by the penal code and other laws. (Cyber)mobbing proceedings often elaborate various elements of an offense, such as insult, libel, blackmail/coercion or the distribution of photos and videos without consent, which in combination have far-reaching penal consequences. The following overview summarizes the criminal acts that can be associated with (cyber)mobbing under German law.

Demeaning Statements on the Internet:

- **Insult** (§ 185 Penal Code)
Whoever degrades, demeans, or through other statements or actions damages the honor of another person or humiliates that person, is liable to prosecution.
- **Slander and calumny**
(§§ 186 & 187 Penal Code)
Whoever (e.g., in forums, social networks, or blogs) voices statements or insults that serve to damage another person's reputation or disseminates untruths about that person or is liable to prosecution.
- **Coercion** (§ 240 Penal Code)
Whoever uses force or threat of serious damage to induce another person to fulfill his will by performing, enduring, or omitting an act, is liable to prosecution.
- **Threatening** (§ 241 Penal Code)
Whoever threatens another person with a felony against him or a person close to him is liable to prosecution.
- **Blackmail** (§ 253 S Penal Code)
Whoever uses force or threat of serious harm to a person or his property in order to attain benefit for himself or a third person is liable to prosecution.
- **Stalking** (§ 238 Penal Code)
The concept of 'stalking' means 'to sneak up' on someone, to insist on seeking his proximity against that person's will, using communication media to establish contact or in other ways to infringe on the person's life style. Whoever terrorizes another person in this manner is liable to prosecution.

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Dissemination of Photos, Videos, or Audio Recordings Containing Comprising Content:

■ Control over one's own image

(§§ 22 & 23 Artistic Copyright Act)

Photos and videos may only be distributed and published if the person portrayed has granted consent. Every person has the fundamental right to determine whether and in which context portrayals of him/her are made public. Violations of this right can be penalized under §33 Artistic Copyright Act.

N.B. § 23 Artistic Copyright Act stipulates, however, that consent is not required when "the persons shown are incidental to the depiction of a landscape or other location", when prominent persons are displayed, or in "pictures of gatherings, public processions, and similar activities such as public events in which the persons depicted have taken part", e.g. a school festival. Prosecution under this law is only possible where none of these exceptions applies.

■ Violation of the integrity of the spoken word

(§ 201 Penal Code)

Whoever makes, without consent, an audio recording of the spoken words of another (e.g. of a statement intended for a particular, limited group of persons – like a school class) is liable to prosecution. This violation is particularly grave when the recording is made available to third parties, or is published. Even the posting of such recorded speech in online chats (not accessible to the general public) can be subject to prosecution.

N.B. Particularly strict rules apply to telephone conversations (§ 88-89 and §148 Telecommunication Law). It is forbidden to record the spoken word off the telephone without the previous explicit consent of the person speaking, and broadcasting or otherwise disseminating such statements is considered a grave offense. Even when a person has left a message on an answering machine, this does not imply his or her consent to any further transmission – meaning that it must not be re-recorded, posted, or in any way made available to anyone other than the person to whom that (spoken) message was originally directed.

■ Violation of the intimate sphere by taking photographs (§ 201a Penal Code)

Whoever secretly creates photos or films of another person in their living quarters or another space especially protected from view (e.g. a shower, a toilet, or a locker room) is liable to prosecution. The offense is more serious when such images are transmitted or made available to others.

N.B. In this context of visual images, a classroom is not a protected space, but a locker room or a toilet would be one.

■ Violation of the integrity of the written word/Data espionage

(§§ 202 & 202a Penal Code)

Although § 202 forbids opening or reading sealed letters and documents intended for another person; this does not apply to reading e-mails, meaning that online communication is exempt from this restriction.

In this context, however, § 202a on "Data Espionage" can be called upon – provided that the data were, in advance, "especially protected against unauthorized access". This implies that persons are liable to prosecution who, without authorization, read encrypted e-mails or unlawfully gain possession of the log-in password of another person.

■ **Circulation of pornography**

(§ 184 Penal Code)

Whoever makes pornographic written materials available to a person under 18 years of age, by offering, showing, or supplying it, or by presenting it at a place accessible or visible to them, is liable to prosecution.

■ **Circulation of child pornography**

(§ 184b Penal Code)

Whoever stores, acquires, or disseminates photos or video clips of persons under 14 years of age, in which their genitals are suggestively presented or sexual acts are depicted, is liable to prosecution. This crime is, in Germany, a so-called "Offizialdelikt", meaning that when police receive notice of it, they are required to take up an investigation and prosecution – whether or not the person depicted in the photo or video clip submits a complaint of their own.

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