

CYBERSTALKING IN NIGERIA: NATURE, CAUSES AND IMPLICATIONS

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Abstract

Cyberstalking is one of the most salient but dangerous cybercrimes all over the world. The act of following or intimidating someone through the internet or other electronic communication devices is known as cyberstalking. It includes the use of the Internet to send a person a series of messages in order to stalk, threaten, or harass them. This paper examines the nature, causes and the implications of cyberstalking in Nigeria. The similarities and differences between conventional stalking and cyberstalking were highlighted. It argued that social platform addiction, accepting all friends request including strangers, leaving flamboyant life online and frequent uploads of personal information online are some of the factors that are responsible for cyberstalking. The paper also discusses the psychological, physical and social implications of cyberstalking. Space Transition theory is deployed to explain the nature of cyberstalking in Nigeria. The paper reviews the available legislative and protective laws of cyberstalking in Nigeria, and useful security tips are recommended to combat cyberstalking and develop an effective and proactive response to the problem.

Keywords: Computers, Cyberstalking, Information Communication Technology (ICT), Internet, Physical Stalking

Introduction

From time immemorial, stalking has been one of the most threatening behaviours with devastating impact on victims. It is a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, non-consensual communication, verbal, written, or implied threats, or a combination thereof, that would cause a fear. However, traditional crimes are transitioning out of the physical space into the virtual domain. In other words, with Information Communication Technology (ICT), particularly the Internet, physical stalkers have found new, more effective and efficient means to perpetrate their malicious acts. They use the internet as a tool or channel to harass, threaten and generate immense fear on their victims through various stalking tactics.

Cyberstalking is a pandemic stretching across the globe and seems to be on the increase among youths in Nigeria perhaps due to the increase in the number of internet users. This tends to disrupt the lives of victims as they feel troubled and threatened. Cyberstalking is as threatening as physical stalking, exposing the victims to a variety of aspects including mental distress and even physical harm. Lucks (2004) argued that as technology advances, society is becoming increasingly reliant on computers and the Internet as cyberspace facilitates the transfer of information over data lines leaving millions of people vulnerable to cyber-crime, one of which is cyberstalking.

More often than not, cyberstalking is intensified as anonymity seems guaranteed and perpetrators do not have to leave their homes to find or pursue their targets unlike the physical stalkers. (Jaishankar & Sankary, 2005). In this way, Miller & Morris (2012) argue that cyber stalking has proven itself to be a threat in the contemporary world. This paper attempts to discover the nature and extent of cyberstalking in Nigeria. The paper clarifies similarities and differences between conventional stalking and cyberstalking. The paper reviews the available legislative and protective laws by the Nigerian government to tackle the act of cyberstalking.

Conceptual Clarification

In this section, important terms and concepts used in this work are clarified. They include cybercrime, cyberstalking, stalking, internet and information and communication technologies.

Cybercrime

Cybercrime is any criminal activity in which computers and or the Internet function as the primary means to commit a misdemeanour (Booyens, 2011). Cybercrime ranges from cyber pornography, identity theft, hacking and cyberstalking. Cybercrimes are crimes facilitated by computer networks or devices, the primary target of which is independent of the computer networks or device. Examples include fraud and identity theft, phishing scams and information warfare.

Cyberstalking

Cyberstalking is described as following or threatening someone using the Internet or other electronic communication systems. Threats of harm or threatening actions are examples of the activities involved. Cyberstalking is described as a pattern of behaviour involving electronic or internet-capable devices, such as cell phones, tablets, or laptops (Goodno, 2007; Reyns et. al., 2012). The National Centre for Cyberstalking Research, (2003) defines cyberstalking as "Threatening actions or unwelcome advances directed at another using the internet and other means of online and computer communications." Although cyberstalking has the same common features as conventional stalking, it radically changed when it is transposed into the virtual world. Such online behaviours have been made possible by technical advances that have exposed potential stalkers from the spatial constraints of their recurring perusal (Reyns, 2010). Williams (2010) noted that cyberstalking is the use of information technology, like the Internet, to follow, harass or contact another person in an unwanted and unwelcome manner.

Stalking

Stalking is described as a pattern of behaviour directed at a specific individual that includes repeated physical proximity, written, verbal or nonconsensual communication or a combination of these, which would cause a rational person to be afraid (Tjaden and Thoennes, 1998). Stalking happens when someone makes another person fear for their life. Stalking is characterized as a pattern of behaviour in which one person repeatedly inflicts unwelcome intrusions on another to the point that the recipient fears for his or her life (Smith, et. al., 2009).

Internet

The internet is a network connecting millions of computers. A network is group of two or more computer systems linked together. According to Dennis & Kahn (2021), internet is a system architecture that has revolutionized communications and methods of commerce by allowing various computer networks around the world to interconnect. Internet is sometimes referred as a "network of networks".

Information and Communication Technologies (ICT)

Information and Communication Technologies (ICT) is a broader term for Information Technology (IT), which refers to all communication technologies, including the internet, wireless networks, cell phones, computers, software, middleware, video-conferencing, social networking, and other media applications and services enabling users to access, retrieve, store, transmit, and manipulate information in a digital form (Ansah et al., 2006).

According to Laudon and Laudon (2007), ICT comprises all technology that simplifies the processing, transfer and exchange of information and communication services. It is considered as a subject of expertise that links information technology (like computers and applications) and telecommunication networks (intranet and internet), which allow people and computer co-exist and inter relate regardless of physical location.

ICT is fast developing and is now part of every aspect of our livelihood in this contemporary era. Generally, ICT ensures the flow of communication in every aspect of human Endeavour. ICT makes it possible to communicate with family, friends, business clients, colleagues and to the world at large. In essence, ICT is however an umbrella term that includes any communication device or application.

Stalking and Cyberstalking

In reality, both stalking and cyberstalking have the same goal but use different methods to achieve it. The victim is subjected to the offender's unwelcome and repetitive pursuit actions, indicating that all cases meet the basic stalking requirements. The factor of cyberspace separates cyberstalking from other forms of stalking and positions it as a detachment of stalking. While physical stalker watches and observes from a safe distance (close proximity), cyber stalker operates in cyberspace, where the victim and attacker are linked via a network of connected computers and are not even in the same physical location at the same time (Reyns et. al., 2011). In a similar vein to be above assertion, the United States Attorney General Report, (1999) stated that stalkers, both online and offline, are motivated by the urge to exert control over their victims and participate in similar styles of actions to achieve this end.

As would be expected based on the larger stalking literature, both groups of stalkers mainly targeted women, and primarily motive for both forms of stalking was to resume a relationship and/or exact revenge for its breakup (a rejected stalking motivation), (Meloy, 2007). Turvey, (2012) also drew parallels between stalking in the physical and the virtual worlds. An individual who speaks to strangers unsecured in the real world is at risk of being stalked; similarly, an individual who participates in online chat rooms unsecured is at risk of cyberstalking. Offenders who acquire victims in areas that are controlled by police, as well as offenders who acquire victims on safe web platforms, are at risk of being captured or apprehended.

With the exceptions of the claim raised above, some researchers say that there are few variations between off-line stalkers and Cyberstalkers in their studies. Digital stalkers tend to have a number of reasons for using the internet. Furthermore, while certain stalkers may never engage in stalking behaviour outside of the cyberspace, cyberstalking cannot be considered a continuation of stalking. As a result, the growth of cyber technologies will continue to lead to new types of crimes distinct from the traditional crimes (Cavezza & McEwan, 2014; Reyns, 2010). As a result, cyber technologies continue to support the practice of cyber harassment. These distinctions illustrate the vital need to examine cyberstalking as a distinct phenomenon.

Pittaro, 2007 have outline some differences, where he explain that cyberstalking is an extension of stalking, because physical stalkers and cyberstalkers intimidate, harass and intimidate their targets. Physical stalking is bounded by geographical restriction but Cyberstalking has therefore propagated via the internet and as such become a norm in the mainstream of internet users. That is, a physical stalker can live in the same geographical zone with the target, but in the case of cyber stalking, the stalker could be across the country or continent. Simply because, no physical contact is needed.

Theoretical Framework

Criminology theories are indispensable in any criminological analysis. They form an integral part of criminological research as it is a general principle that explains or predict facts, observation or events. This paper however adopted the Space Transition Theory (STT).

Space Transition Theory of Cybercrimes

Many scholars have attempted to address the causes of cybercrimes with traditional theories such as Social Learning Theory, Routine Activities Theory and Drift and Neutralization theory. However, they were not fully successful in their explanation of cybercrimes, as the cyber space is altogether a new space and cybercrime is a new form of crime (Jaishankar, 2007b; Yar, 2005). The Space Transition Theory of Cyber-crimes was propounded by Jaishankar (2008). The theory explains the nature of the behavior of the persons who brings out their conforming and non- conforming behavior in the physical space and cyber space. Space transition involves the movement of the person from one space to another (e.g., from physical space to cyber space and vice versa). Space transition theory argues that, people behave differently when they move from one space to another” (Jaishankar, 2008).

Propositions of Space Transition Theory (Jaishankar, 2008)

The theory has the following propositions

1. Persons, with repressed criminal behavior (in the physical space) have a propensity to commit crime in cyberspace, which, otherwise they would not commit in physical space, due to their status and position.
2. Identity flexibility, dissociative anonymity and lack of deterrence factor in the cyberspace provides offenders the choice to commit cybercrime.
3. Criminal behavior of offenders in cyberspace is likely to be imported to Physical space which, in physical space may be exported to cyberspace as well.
4. Intermittent ventures of offenders in to the cyberspace and the dynamic spatio-temporal nature of cyberspace provide the chance to escape.
5. (a) Strangers are likely to unite together in cyberspace to commit crime in the physical space.
(b) Associates of physical space are likely to unite to commit crime in cyberspace.
6. Persons from closed society are more likely to commit crimes in cyberspace than persons from open society.
7. The conflict of norms and values of physical space with the norms and values of cyberspace may lead to cybercrimes.

The relevance of the Space Transition Theory of Cybercrimes cannot be under estimated because of its centrality to the understanding of not only the spate of crime, but also of deviance and terror in the cyberspace. Justifying the significance of the space transition theory to the objectives of this paper, Jaishankar (2008) postulated that the theory was only meant to address cybercrimes

and not physical space crimes. The STT explains the tenor of criminal behaviour in the cyberspace. However, in relation to stalking, the space transition theory accurately explains the movement of the conventional form of stalking which is the physical stalking to cyberstalking.

The space transition theory has been tested and identity flexibility, dissociative anonymity, easy online association, and lack of deterrence are concluded to bring more and more traditional criminals to the Internet (Kethineni et al., 2017). Following the above discussion on the factors that influences victimization, it can be also be deduced that the rate of online stalkers has been on the increase due to the features that make the perpetration of stalking easy for potential perpetrators.

Although not all cyberstalkers were physical stalkers but following the explanation of the space transition theory, it is possible for a stalker to transit from the physical world to the virtual and vice versa depending on his/her motive towards his/her victim. For instance, this kind of transition would be common among ex-lover cyber stalkers. These kinds of stalker tend to have prior knowledge and physical access to the victim. The theory is also suitable in explaining the collective cyber stalking by McFarlane & Bocij, (2005). Just like one of the propositions of the STT which states that strangers are likely to unite together in cyberspace to commit crime in the physical space.

Categories of Cyberstalking

McFarlane & Bocij (2005) divided cyber-stalkers into four categories. They are: the intimate cyber-stalker; the vindictive cyber-stalker; the composed cyber-stalker; and the collective cyber-stalker. Each is explained below:

1. **Intimate cyber stalking:** In the context of intimate cyberstalking, the Cyberstalkers attempts to manipulate the target's feelings or attention. The Cyberstalkers tries to form a bond with the victim through infatuation and obsession. Various electronic attempts to gain the victim's attention by frequently messaging and recurrent calls to the victims are characteristics of intimate Cyberstalkers (McFarlane & Bocij, 2005).
2. **Vindictive cyber stalking:** The ferocity with which victims are pursued distinguishes this form of cyber stalking. Cyber stalking is also motivated by anger, hatred, and violence, as it is characterized by a vindictive nature. Cyber stalking victims are constantly harassed, and they might even be stalked offline by perpetrators (McFarlane & Bocij, 2005). The vindictive cyber stalker is more aggressive and vengeful than the other forms of Cyberstalkers, and they harass their victims more often.
3. **Composed cyber stalking:** This kind of cyberstalking is intended to cause the victims constant discomfort and nuisance. They don't want to build a friendship with their targets; instead, they want to cause pain by intimidating their victims (McFarlane & Bocij, 2005). Victims are cyber stalked in a poised and warm way (Pittaro, (2007).
4. **Collective cyber stalking-** According to McFarlane & Bocij, (2005), the collective cyberstalking includes group of people tracking a victim using digital communication devices. This form of cyber-stalking is often associated with impersonation and encouraging others to threaten the victims (McFarlane & Bocij, 2005).

Behavioural characteristics Associated with Cyberstalking

The following are among the commonest behaviours portrayed by perpetrators of cyberstalking.

1. **Threatening their victims:** Threat is the most common attribute of cyberstalking cases. Unlike the physical cyber-stalkers, these kinds of stalkers often use social media platforms to make threats and like the justification of space transition theory, they can however advance into threatening and harassing the victims physically. Radda & Ndubueze, (2013) concluded that fear of receiving threatening, insulting and harassing emails was expressed by most victims of cyberstalking.
2. **Spreading false accusations:** Online stalkers also aim at damaging their victims' reputations by posting false information about them on the internet. The online stalkers can also contact their victims' family members, friends with false information to harm the victim's reputation (Mullen et. al., 2009). For instance, once they notice the victim is not penetrable or taking measures that can hinder their acts, they at times improvise by dispersing false information or accusations to indirectly harm their victims.
3. **Physically approaching their victims:** These Online stalkers have been known to go to the extent of trying all means to meet their victims to inflict pain or harm on them. These harms might include rape, death, abduction among others (Bocij, 2004). Physical stalkers, like the space transition theory assumptions, are drawn into the virtual space by certain enticing elements such as suitable anonymity. In the same way, cyberstalkers travel into the physical world to meet and hurt their victims.
4. **Taking victim's Identity:** They frequently make use various online platforms to impersonate their victims. For instances, a cyber stalker might use the victim's identity to engage in contact with the victim's friends or family to defraud them (Bocij, 2004). This is usually common among Cyberstalkers that also have exterior motives for stalking their victims. These motives might include stealing from the victim's friends, family, relatives or co-workers, and defrauding the victims through impersonation (Identity theft).
5. **Sending of unwelcome/unwanted messages to victims:** Following the assumption of Bocij, (2004), Cyberstalkers are also recognized for sending unwanted messages repeatedly. This is done mostly via social media platforms like Whatsapp, mails, Facebook, twitter among others. As such when all these messages become too much or unbearable for the victims, they feel disorientated or confused and at times unable to effectively use their social media platforms.

Factors influencing Cyberstalking

In the society today, especially in Nigeria, peoples' attitude towards cyber security is poor. Internet addictions have been considered to be the major reasons why individuals seem vulnerable to victimization. Being addicted totally disconnects individual from people around and increases the possibilities of being victimized in the cyber world. The internet has brought about the evolution of social media platforms, making crime execution much easier for cyber stalkers. Unlike the physical stalkers who have to be in a closer proximity to stalk their victims, the internet

has provided better avenues (anonymity, proximity among others) for cyber stalking perpetrators. The following are considered but not limited to be factors that motivate cyber stalkers.

1. **Social platform addiction:** Although, the world is gradually advancing into Internet of Things and most peoples' daily activities revolves around or indirectly involves cyber engagement. But individuals, especially the youth have abused the use of internet and social media. For instance, most youths and even adults begin their day with their smart phones and end their day with their smart phone. However, the frequent or constant presence on social media tend to expose a lot of people to being victimized (Oyindamola, 2015).
2. **Accepting all friend requests including strangers:** Pitarro (2011) states that there has been an increase in the amount of cyber stalking cases perpetrated by strangers. As such, peoples' attitudes online tend to influence the rate at which cyber-stalkers operate. Social media users, most especially on Instagram, facebook etc., focus mainly on getting larger followers, so they accept requests from strangers and even send requests to strangers (Ndubueze et. al., 2017).
3. **Leaving a flamboyant life online:** People today are said to possess double lives, the social media life and the physical life. Due to the nature of society where material things have been given high value, people however showcase a flamboyant lifestyle on social media. This is usually through uploading of assets, money and other expensive gadgets online. All these actions tend to attract possible online stalkers whose aim is at defrauding victims for financial benefits.
4. **Frequent uploads of personal information online:** Among factors that motivate perpetrators of stalking is the frequent uploads of personal information and current location online. Just like the assumption of the space transition theory, it is of the view that there are certain factors that motivate an individual in to crimes and vice versa. As such, these factors might motivate an individual with repressed criminal behaviour in the physical world to commit crime in the cyber world. Individuals, who do not give out personal information to strangers, both online and offline, reduce their chance of being a victim. In this manner, while the behaviours increases or decreases the risk of cyberstalking can vary, the stalking behaviour principle behind the actions, or omission of acts, remains quite similar (Turvey 2012).

Potential Victims of cyber stalking

1. **Females:** Victims are usually targeted based on their attractiveness and status. Ndubueze et. al., (2017) & Pittaro (2011) have concluded that women are usually stalked, although men and children fall victim depending on the perpetrator's preferences.
2. **Ex-Lovers:** Another source of cyberstalking is through breakdown of a romantic relationship. This form of cyber harassment stems from the breakup of a romantic relationship. In certain situations, abuse occurs before the relationship ends, when the victim's partner displays signs of pervasiveness, dominance and jealousy. Because the ex-partner is so familiar with the victim, it is however possible for the perpetrator to stalk the victim on physical space as well as the cyber space at the same time (Pitarro, 2011).

3. **Strangers:** Ndubueze et. al., (2018) believed that potential harassers were mainly strangers. These set of victims have no prior interaction with their stalkers or either completely unaware that they had any contact with the stalkers. These victims are attracted to the stalkers due to several motivating factors or preferences.
4. **Third party:** Some individual are hurt indirectly as a result of stalking. These set of victims varies from the main victim's spouse, friends, co-workers to relatives among others. For instance, an intimate cyberstalker may indirectly harass or harm the victim's new boyfriend or girlfriend as the case may be. It is also possible for those that protect the victim to be harmed by a cyberstalker out of annoyance or vengeance.
5. **Celebrities:** Stars, politicians and other high status citizens who are often victims due to their status. Some celebrities are pursued by a large number of people. Such victims are harassed by perpetrator of cyberstalking who have problems with intimacy and incompetency issues ending in intimidation, defamation, and constant abuse.

The implications of cyberstalking on victims

It should be remembered that not all victims of cyberstalking experience the same consequences and the impact can differ according to personality, degree of the severity and nature of the cyber stalking behaviour. The following implications of cyberstalking are discussed:

1. **Psychological Effect:** The victims of cyber stalking often experience psychological consequences. Cyber stalking, unlike most crimes, entails a pattern of behaviour that is repeated and enduring. Cyber stalking victims are subjected to a variety of abuse. These abuses however put them in a state of helplessness, self-blame, isolation, and also at risk of mental problems and suicidal ideation in some cases (Drahokoupilová, 2007). Victims of cyberstalking experience depression, anxiety, anger, humiliation and Post Traumatic Stress Disorder (PTSD), (Bocij, 2004; National Centre for Cyberstalking Research, 2011). Ndubueze & Sarki, (2017) in their study also concluded that victims go through emotional feelings like being worried, fearful and distressed.
2. **Social Effect:** In terms of interpersonal, professional, and general social functioning, cyber stalking can cause victims to change their lifestyles. Victims' personal contact details, such as phone numbers, e-mail addresses, and even their names, can be changed. Furthermore, they may adjust their daily routines, forced to change jobs, schools or residence. Pathe, (2002) also discusses how cyber stalking can cause people to avoid some places, implement protective measures, and reduce their social interactions. Victims of cyber stalking can also have their access to digital activities such as online forum and social media denied. The National Centre for Cyberstalking Research, (2011) also noted that most victims of cyberstalking are also likely to experience changes in their relationship with partners, co-workers or family members.
3. **Physical Effect:** Sleep problems, including nightmares, falling asleep, and remaining awake, may be physical symptoms of cyber stalking. However, some people may experience problems with intimacy and weight. In more serious cases, victims may turn

to drug abuse as a way of coping with an unending situation. According to Bocij, (2004) and Pathe, (2002), when a person feels physically threatened, however, he or she may experience panic attacks, poor focus, exhaustion and headaches. Such physical signs are obviously likely to cause instability in all areas of a victim's life. Majority of cyberstalking victims experiences reduced performance at work and like employment issues like demotion or being terminated. Also, victims encounter financial expense, and upheaval of moving home and cost for additional security measures (National Centre for Cyberstalking Research, 2011).

Cyberstalking in Nigerian Context

For decades cyberstalking did not receive scholarly attention in the world till when high profile cases started to emerge. Then issue started to receive significant attention from policy makers and researchers. While cyberstalking and cyber-bullying activities are common in the Western world, it seems not to be prevalent in Nigeria. Much of what we know of threats, insults and harassment take place offline (Radda & Ndubueze, 2013). Although, Marcun et al., (2010) argued that several studies on youth internet usage found that many young people face unwanted exposure to sexual material, sexual solicitation and unwanted non-sexual harassment.

Nevertheless, a particular study on cyberstalking awareness and perception among undergraduate students in Nigeria revealed that 92.3% of the respondents were aware that people are making unwanted calls/text messages/e-mails to others. Consequently, virtual communication makes it easier for cyber- stalkers to effectively track and targets their victims; send them many of unwanted, threatening and intimidating phone calls, text messages and e-mails, (Ndubueze et al, 2018).

The Plan International's annual State of the World's Girls report/series, (2021) titled "Free to be Online; Girls and Young Women's Experience of Online Harassment" revealed that more than half of girls surveyed from around the world said they had been harassed and abused online. The report also revealed that 1 in 4 girls abused online feels physically unsafe as a result (Plan International Nigeria, 2021)

In recent time, Federal Government of Nigeria filed Cyberstalking charges against Omoyele Sowore a longtime political activist and publisher of the 'Sahara Reporters' an online news agency. They believed that Sowore committed Cyberstalking by " knowingly sent messages by means of press interview granted on 'Arise television' network which he knew to be false for the purpose of causing insult, enmity, hatred and ill-will on the President of the Federal Republic of Nigeria" (Cindy, 2019).

Another study on cyberstalking awareness and perception among tertiary students in Nigeria conducted by Ndubueze et al., (2018) revealed that cyberstalking is meant to frustrate individuals, defraud them, force them into a relationship and settle old quarrels. Also it was found that slightly more than half of the respondents (52.9%) believed that potential harassers were mainly strangers. Furthermore, Ndubueze et al., (2018) revealed majority of the respondents (87.2%) believed that potential victims of cyberstalking are people who post many personal information online, people who accept friendship invitation from unknown people in the social media and people with many social media/phone contacts.

A study on the fear of online victimization among undergraduate students in Nigeria found that fear of receiving threatening, insulting and harassing emails was expressed by close to half (41.0%) of the respondents (Radda & Ndubueze, 2013). These findings suggest that although cyberstalking

has not received much attention from scholars in Nigeria, it has remained a growing social problem and require deeper investigation.

The Economic and Financial Crimes Commission, (EFCC), on Wednesday 9th December, 2020 arraigned a self-acclaimed hacker, Chris Ihebuzor, before an Ikeja Special Offences Court, Lagos over alleged stealing, cyberstalking and demanding money with written threats to Access Bank Plc. The offender was docked on a 6-count charge bothering on stealing, unauthorized access and modification of computer materials. The cyberstalker with intent to extort money from Access Bank Plc, knowingly sent threat e-mail to the management of Access Bank Plc demanding money from them. The EFCC alleged that the defendant, with intent to defraud, had unauthorized access to computer materials of Access Bank Plc customer's public data and caused unauthorized modifications of the bank's public liability. (Vanguard Online, 2020)

Since Nigeria's cybercrime act was adopted in 2015, the Committee to Protect Journalists (CPJ) has documented its repeated use to prosecute journalists; in one case that has been ongoing since 2017. Journalist Fejiro Oliver was charged with four count charges of cyberstalking under Section 24 of the act for corruption report. Also, Ofoeyeno was arraigned on a six-count charge bordering on conspiracy to commit a felony with cyber fraud, attempt to defraud, impersonation, threat to expose nudes and cyberstalking (Gbenga-Ogundare, 2021).

Unfortunately, the high rate of cyberstalking cases in Nigeria lead to trauma and depression of many victims, due to the fact that internet end-users are not aware that they can report the case of cyberstalking to law enforcement agencies most especially (EFCC and Nigeria Police Force) despite the enactment of Cybercrime Act 2015. There is need to mobilize and make awareness to internet users about the menace of cyberstalking.

Overview of Legal Framework in Nigeria to fight Cyber Stalking

The recent increase in cyber-crime is a major concern to Nigeria and the world at large. Consequently, cyber-security is affecting the image of the country negatively. The government has put in place numerous strategies and Acts to effectively regulate the menace in the cyber world. In Nigeria, a law was introduced in 2015, a Cybercrime (prohibition, preventive etc.) Act 2015. Following the law under this Act, the law on cyberstalking is given in section 24 and it states that:

Anyone who intentionally sends or forward offensive and provocative materials to a person to insult, harass and cause distress on another person is guilty under the Cybercrime Act 2015 and can be sentenced to three (3) years in prison and nothing more or a fine of N7,000,000.00 or both.

Section 24(2) also states that:

"Anyone who communicates with a person on electronic technology to cause distress, harassment, intimidation, threaten violence or body harm to another person (target), is guilty of the Cybercrimes Act 2015 and is liable to be sentenced to a term of ten (10) years or a minimum fine of N25,000,000.00".

Discussion

The focus of this study was to explore the occurrence, nature and impact of cyber stalking as well as to determine the effectiveness of protective measures available. Firstly, the paper attempts to distinguish between the concept of physical stalking and cyberstalking. It finally asserts to the fact that both stalking and cyberstalking have the same goal but use different methods to achieve it.

The paper examines the nature of cyberstalking by analyzing the categories of cyberstalking and causal explanation behind each.

Unlike other cybercrimes where there are general characteristics, the cyberstalking according to the paper has its distinct manner of perpetration which includes threatening, spreading of false accusation, identity theft, constantly sending unwanted texts and lastly physically approaching victims. This however, justifies the relevance of the adopted theory (Space Transition Theory). That is, the physical approach by perpetrators accurately explains the movement of the conventional form of stalking which is the physical stalking to cyberstalking.

This paper highlighted the 'individual factors' as the major factors predisposing people to been victimized. As such, it can be deduced that individual who are not conscious of their online attitudes are painting themselves as a suitable target, and are prone to victimization by cyberstalkers. Aside the fact that individual's behaviour indirectly affect the rate of cyberstalking perpetration and victimization, there are specific sets of people who are highly at the edge of been stalked. Strangers, ex-lovers, females, third parties and celebrities all posses potential attributes that might provoke or suite the preferences of cyberstalkers.

It can be established from the findings that although cyberstalking has not received much attention from scholars in Nigeria, it has remained a growing social problem. Victims of cyberstalking according to the findings experience psychological issues (depression, fearfulness, distress, anxiety, anger, and humiliation); social issues (change in interpersonal and individual's lifestyle); and physical issues (financial expense, moving home, health issue). The awareness of the rate and consequences of cyberstalking in Nigeria can be proven going by the legal measures put in place by the government.

In 2015, Nigeria introduced a law on cyberstalking in section 24 of the Cybercrime (prohibition, preventive etc.) Act 2015. Since its adoption, it has been effective as it showcase a positive implication over the years. For instance, journalists like Fejiro Oliver was charged with four count charges of cyberstalking in 2017. In 2020, Ofoeyeno was arraigned on a six-count charge bordering on conspiracy to commit a felony with cyber fraud, attempt to defraud, impersonation, threat to expose nudes and cyberstalking (Gbenga-Ogundare, 2020).

Conclusion and Recommendations

Cyber-crimes are complex problems that arise as a result of the contemporary society's engagement and association with the internet and other Information and Communication Technologies (ICTs). Despite the fact that the Nigerian government reckons with the responsibility to ensure human security, Nigerians internet users also have a role to play in protecting themselves from cyberstalking and to know steps and measures to take if it occurs. The paper concludes, noting that cyberstalking will only decrease when the extent of the problem is fully understood including its potential victims and law.

It recommends a collaborative effort from victims, law enforcement, private and public sectors in order to combat cyberstalking and develop an effective and proactive response to the problem. The Nigeria internet users however should also change their attitudes towards cyber security by being conscious of the information they post online, and control their addiction to the internet.

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