

Bullying is Evolving, what about Protections?

By Siyabonga Mviko

29 May 2026

Bullying, especially in schools, has not always been a recognised crisis due to little reporting, sometimes based on cultural stereotypes, and then acceptance of such behaviour by victims. Often, in South Africa, children fear reporting even to their parents for fear of being shouted at and being humiliated as cowards. It took some time for South African schools to factor bullying as a phenomenon that needed not only studying but also systematically responding to.

The South African Schools Act 84 obliges a code of conduct, mandating a safe environment for learners, among others. Despite this, there was no specialised policy responding to the problem of bullying, studying its roots and causes, or what forms it takes, as times change.

Bullying takes many forms and so does not have a single definition. In her 2002 dissertation, Adriana Catherina Vorster defined this phenomenon as “a conscious and wilful act of aggression and or manipulation that involves despite to hurt another/others...”, noting that it occurred in either direct or indirect ways.

Direct bullying can be physical or verbal, while indirect bullying involves “distortion, gesture and exclusion”. Several types of bullying can be classified as either of these two distinctions. Here are: teasing, name-calling, inappropriate sexual comments – these comments that may be considered sexual harassment. Other types are taunting and threatening to cause harm.

Socially, bullying includes excluding someone from activities or gatherings on purpose, encouraging others not to befriend someone, or humiliating someone in public, all as a means to hurt them. Physical forms of bullying include beating the victim, breaking their belongings, making rude or offensive gestures towards them, and/or even spitting on them. Karibu has previously reported on stories about bullying, including cases where victims ended their lives due to school bullying, but bullying is not limited to the classroom.

With advances in technology, bullying is now changing how and where it occurs, although the content is the same as before. Recently, many forms of bullying use artificial intelligence (AI). This is relevant for South Africa, where cyberbullying is increasingly common. Cyberbullying can be in the form of ‘doxxing’ (dropping documents), deepfaking.

Doxxing is a form of online violence where cyberbullies track and reveal information about someone. It leads to issues such as stalking and always compromises the safety and dignity of the targeted person.

Deepfakes happen when AI is used to generate images, voices, videos that convincingly resemble someone real – the target – but it is violent when this someone is depicted in humiliating situations or caused to say embarrassing things. The intention is always to cause harm or mislead, facilitating harmful rumours about the victim.

In South Africa, both doxxing and deepfakes have often featured a gender aspect to them. There are many cases of men who publicise recordings, often with explicit/intimate content, usually to get back at them, while deepfakes usually involve 'nudifying' someone's images to cause embarrassment, attack their dignity and standing in society.

Existing legal frameworks like the Cybercrimes Act 19 of 2020, The Children's Act 38 of 2005, etc., offer protections against these forms of online violence, although the laws do not seem specialised to cyberbullying. Internet users can better protect themselves against some of this violence by securing their digital footprint – using privacy settings to secure their information, but if breaches occur and doxxing or deepfakes happen, it is best to record the evidence and save it for law enforcement purposes.

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