



Research on the Prevention and Control Strategies of Cyber Violence Under the Rule of Law in the Era of Internet Plus

Wenhui Meng

Law School, Liaocheng University, Liaocheng, Shandong, China.

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*Corresponding author: Wenhui Meng, Law School, Liaocheng University, Liaocheng, Shandong, China.

Abstract

In recent years, there have been frequent reports of cyber violence. With the rapid development of the Internet, the forms and methods of cyber violence are diverse. The occurrence of doxxing, rumors, slander, and invasion of privacy has seriously damaged the legitimate rights and interests of citizens and affected social stability and harmony. In order to maintain the health and stability of the network environment, China has established a series of pertinent laws and regulations. At the same time, governments at all levels and relevant institutions have also enhanced the oversight and management of cyber violence, established reporting platforms and complaint channels, and encouraged the public to actively engage in and collectively combat cyber violence. Based on this background, this paper introduces cyber violence and its harmful effects and elaborates on the strategies for preventing and controlling cyber violence through legal means. Also, it can provide useful references for creating a healthy, safe, and civilized cyberspace.

Keywords

Cyber violence, Harm, Rule of law prevention

1. Cyber Violence and the Harm

1.1 Cyber violence

Cyber-violence refers to insulting, threatening, harassing, spreading rumors, invading privacy, etc. to others with malicious and aggressive words or behaviors in the form of words, pictures, videos, etc. It often occurs in cyberspace such as on social media platforms and forums. The main bodies of cyber violence are a certain number of Internet users. Most of their comments are not the normal evaluation of the incident and often come with behaviors such as invading others' privacy and committing crimes. It can be seen that the emergence of the Internet has enabled people to express their opinions more freely. Due to the lack of supervision, emotional excitement, and fragmented dissemination of information, people often attack things according to their subjective judgments when they do not have a correct and clear understanding of things, which leads to frequent cyber violence (He, J., Wang, Y.Y., & He, Z.M. 2019). Cyber violence is a kind of invisible pressure, which breaks through the moral bottom line and has a great influence on the mental health of victims. It needs to be regulated using education, moral restraint, and law.

1.2 The harm of cyber violence

When individuals become victims of cyber violence, they may be attacked by insults, intimidation, spreading rumors, and other forms. These attacks will make the victims feel helpless and isolated, and even lead to mental

problems such as depression and autism, and even serious tragedies such as suicide. Although People who have cyberbullying behaviors may vent their feelings for some personal purposes, their actions often bring negative consequences to themselves. On the one hand, the behavior of cyberbullies will make other Internet users feel disgusted with them, which will lead to their reputation being damaged. If People who have cyberbullying behaviors are suspected of committing crimes such as slander, threats, extortion, etc., they will face legal liability and social punishment. With the popularity of the Internet, people are increasingly connecting their lives and work with the Internet. The existence of cyber violence will lead to the loss of trust and respect in society and then destroy the harmony and stability of society. At the same time, cyber violence will also bring negative effects to society. On the one hand, cyber violence may cause other Internet users to watch and follow, forming a vicious circle and undermining the wellness development of the network. On the other hand, cyber violence may also lead to retaliation by victims and their supporters, leading to the intensification of social contradictions and conflicts.

With the popularity of the Internet, online media has become one of the main channels to disseminate information. However, the existence of cyber violence will lead to a large number of malicious information such as false information and fake news, which will bring great harm to society. In major events, the existence of cyber violence will cause social panic and chaos, which will seriously threaten the public safety of society. Cyber violence is often based on malicious words such as attacks, insults, threats, and slanders, which often seriously infringe on the legitimate rights and interests of others. For example, People who have cyberbullying behaviors may publish information infringing others' privacy, spread rumors to discredit others' reputations, maliciously attack others' images, etc. These behaviors will undoubtedly cause great trouble and losses to the victims and even seriously affect their lives, work, and interpersonal relationships (Feng, W.Y., 2017).

2. Strategies for the Prevention and Control of Cyber Violence by Law

2.1 The enhancement of network quality and law awareness

The network has become the main channel for people to obtain information and communicate. In cyberspace, there are also various problems and risks such as online fraud, spreading false information, and cyber violence. In order to better use of network resources and improve their security capabilities, it is necessary to constantly improve their network quality. On the one hand, we should learn relevant network knowledge and master basic preventive measures. Understanding the basic working principles of the network, common network attack methods, and how to set passwords and prevent viruses helps us to protect personal privacy and security more effectively. On the other hand, we should pay attention to cultivating correct network behavior habits. The Guiding Opinions on Punishing Cyber-violence Crimes according to Law (exposure draft) drafted by the Supreme Court, the Supreme Procuratorate, and the Ministry of Public Security clearly point out that if the circumstances are serious and conform to the provisions of Article 246 of the Criminal Law, it is convicted and punished for insulting others using wanton abuse, vicious attacks and disclosure of privacy on the information network. If people organize doxing to illegally collect and release citizens' personal information to an unspecified majority on the information network and the circumstances are serious and conform to the provisions of Article 253-1 of the Criminal Law, they shall be convicted and punished for the crime of infringing citizens' personal information. When using the Internet, people should respect the privacy and rights of others, abide by relevant laws and regulations, and refrain from publishing false statements or infringing others' copyrights. At the same time, people should avoid being addicted to the internet, and keep a balance between work and life. In addition, people should also pay more attention to and understand the network risks and security issues. And, people need to continuously strengthen their cognition and understanding of network security, and grasp the information of new network threats and countermeasures in time. It is to better protect the network security and personal privacy. From the government's point of view, the government should reinforce the popularization of network security knowledge, enhance people's awareness of network security, and encourage people to actively participate in the construction of network culture, promote wellness and positive network culture, and create a good network environment. The government can also reinforce the construction of network morality, and improve people's network morality, and social responsibility so that everyone can consciously maintain social harmony and stability.

Strengthening people's legal awareness is one of the important tasks for us to build a society ruled by law. First of all, we should strengthen legal publicity and popularization. Through various means such as advertisements, TV programs, websites, and video interactions, relevant legal knowledge and legal culture are transmitted to the public so that more people can understand and respect the law, thus enhancing legal awareness. Secondly, we should

strengthen legal education and training. In schools, enterprises, and institutions, legal education and training activities should be carried out to help students and teachers better understand and master legal provisions. At the same time, legal professionals should be trained and selected to improve the legal quality of the whole society. Thirdly, a complete legal service mechanism can be established so that people can get legal advice and services and enhance their legal awareness and legal literacy. Finally, it is necessary to strengthen the crackdown and punishment of illegal acts. By intensifying the crackdown and strictly enforcing the law, criminals and illegal actors will be severely punished, which will play a warning role and make citizens pay more attention to the law and enhance their legal awareness.

2.2 The perfection of network management and supervision system

In response to cyber violence, China has issued a series of laws and regulations such as *Opinions on Strengthening the Construction of Cyber Civilization*, *Notice on Effectively Strengthening the Governance of Cyber Violence* and the *Construction of Cyber Rule of Law in China in the New Era*. These laws and regulations have provided strong support for hitting cyber violence. Therefore, it is necessary to strengthen the definition of cyber violence and clarify the scope and standards of cyber violence in order to better crackdown. On the one hand, the government and relevant institutions need to establish a perfect reporting mechanism so that victims can quickly report the situation to relevant departments and get a response. On the other hand, local governments and relevant institutions also need to increase the punishment for cyber violence, and strictly crack down on cyber violence.

Perfecting the comprehensive network management system is a comprehensive, systematic, and basic project. We should follow the principle that positive energy is essential. First of all, it is necessary to strengthen the formulation and improvement of laws and regulations. In view of all kinds of problems in cyberspace, China should strengthen the formulation and improvement of relevant laws and regulations, clarify the rights and obligations in cyberspace, and standardize network behavior and business models. Also, it is necessary to establish and improve the network supervision mechanism, strengthen the supervision and management of cyberspace, and ensure the security and stability of cyberspace. Secondly, we should strengthen technical means and capacity building. In cyberspace, technical means and capabilities are important guarantees for ensuring network security and standardizing network operation. Therefore, the country and enterprises should strengthen the research and development of network security technology and improve the network security protection ability. Moreover, it is also necessary to strengthen the training and selection of talents and improve the professional level and quality of relevant employees in order to better cope with the threats and challenges of network security. Thirdly, it is necessary to strengthen social co-governance and participation. Cyberspace is an open and pluralistic environment, which needs the joint participation and governance of all parties. Governments, enterprises and institutions, social organizations, and individuals should strengthen the supervision and management of cyberspace and create a good network ecology. In addition, the public can be encouraged to actively participate in the comprehensive management of the network, helping maintain network security and standardizing network operations through feedback and reporting illegal acts.

2.3 The push for the construction of network culture

An important aspect of preventing and controlling cyber violence is to create a wellness and progressive cyberculture environment. With the development of modern information technology, the network has become the most important way for people to obtain information and communicate. However, the development of network culture comes with negative phenomena such as network violence and rumor spread, which has brought adverse effects on people's physical and mental wellness. Therefore, creating a wellness and positive network culture atmosphere is imminent, and the whole society should vigorously promote the construction of network culture. First of all, we should strengthen the construction and management of network infrastructure. Ensuring the safety of the network environment and improving the operating efficiency of the network are prerequisites for creating a wellness network culture atmosphere. Governments, enterprises, and individuals should work together to strictly abide by relevant laws and regulations, increase investment in network security, improve the network supervision mechanism, and crack down on cybercrimes and illegal acts. Secondly, we should actively cultivate and spread positive network culture. The whole society should promote wellness and positive online culture through various means such as spreading special lectures on legal culture, public welfare activities, online and offline education, etc., so as to guide people to form good online behavior habits and create an online cultural atmosphere full of love, care, kindness, and justice. Finally, everyone should have self-discipline and responsibility for the network. In cyberspace, everyone should consciously abide by relevant laws and ethics, maintain self-restraint and self-regulation of network behavior, establish correct

network values, assume their social responsibilities, and actively maintain the wellness development of the network environment.

Network culture has become an essential part of people's lives and work, and the continuous development of network technology also provides great space and opportunities for the innovation and development of network culture. The Guiding Opinions on Punishing Cyber Violence Crimes according to Law (exposure draft) clearly points out that extending cyber violence offline, intercepting insults, causing trouble and intimidation, destroying property and other acts against cyber violence victims and their relatives and friends are in line with the provisions of Articles 275 and 293 of the Criminal Law. They have been convicted and punished for the crime of intentionally destroying property and seeking trouble. Therefore, it is our responsibility and obligation to continuously promote innovation and good development of network culture. On the one hand, we should strengthen the development of the network culture industry. The network culture industry is an important force to promote the innovation and development of network culture. The government and enterprises should increase their support and investment in the network culture industry and encourage enterprises and individuals to develop and create more creative and distinctive network culture products. For example, on January 20, 2021, CCTV launched the national-style show *Going Up! Hua Cai Teenager*. Ling, the first virtual character of national style in China, used her creativity to interpret a classic song from Mei Pai Peking Opera, *Tian Nv San Hua*, which won the recognition of four online officials. Therefore, more Internet users have a unique view of Peking Opera and fall in love with it. On the other hand, it is necessary to strengthen the innovation and dissemination of online cultural content. The core of network culture is the content. Promoting the innovation and development of network culture requires people to pay attention to the innovation and dissemination of content. The government and society should strengthen the supervision and management of online cultural content, encourage and support excellent creators of online cultural content, lead the trend of online culture, and promote the development of online culture to a higher level. For example, the well-known Tianyi Luo, whose full name is taken from *Hua Feng Xia Yun*, *Luo Shui Tian Yi*, is a 15-year-old girl with emotions. She has gray hair and green eyes, wears a blue and white cheongsam dress, wears jasper hair ornaments, and hangs a Chinese knot around her waist. She is good at expressing herself and others by singing.

The Internet platform has the characteristics of openness and anonymity, which has caused problems such as information explosion, false propaganda, and cyberbully. The Guiding Opinions on Punishing Cyber Violence Crimes according to Law (Exposure draft) points out that a network service provider who fails to perform the obligation of information network security management according to law for the found information of network violence refuses to correct it after being ordered by the regulatory authorities to take corrective measures, and results in the massive dissemination of illegal information or other serious circumstances shall be convicted and punished for refusing to perform the obligation of information network security management, which conforms to the provisions of Article 286-1 of the Criminal Law. If it constitutes other crimes at the same time, it shall be convicted and punished in accordance with the provisions of a more serious punishment. It can be seen that it is also crucial to promote the Internet platform to effectively fulfill its main responsibilities. First of all, the government should formulate relevant regulations and standards to clarify the main responsibility of the Internet platform. In view of various problems existing in the operation of Internet platforms, the government should strengthen supervision and establish a sound legal and regulatory system. Furthermore, it is necessary to strengthen the qualification examination and professional ethics education for Internet platform practitioners and standardize their operation behavior, which can effectively protect the rights and interests of users and maintain the order of cyberspace. The Internet platform also should establish and improve its management mechanism. The Internet platform should establish perfect mechanisms such as content management, risk assessment, data monitoring, etc., which can find and deal with bad information and behaviors in time and ensure the safety of users' personal information. The Internet platform can strengthen cooperation with regulators, social organizations, industry associations, and other parties to jointly promote the Internet platform to effectively fulfill its main responsibilities. Through cooperation and communication with the Internet platform, the government and regulatory agencies can also understand the operating conditions of the platform, grasp the newest information technology trends and development trends, and conduct necessary supervision and management. In the process of using the Internet platform, users should also consciously abide by relevant laws and regulations, establish correct values and codes of conduct, and consciously safeguard the wellness development of the Internet environment (Cao et al., 2023).

3. Conclusion

To sum up, cyber violence is a new social phenomenon. With the rise of emerging social tools such as Weibo, WeChat, and short videos, the Internet has increasingly become a hotbed of violence such as slander, bullying, and harassment. At the same time, the impact of violence on victims has developed from community mode to cyberspace mode, which also means that the incidental impact of violence on victims is more extensive and lasting. Therefore, we must fully realize the harm of cyber violence and the urgency of cyber violence governance, strengthen the research and prevention of cyber violence, and constantly improve legislation and strictly enforce the law. Moreover, we should strengthen the cooperation between relevant departments, social organizations, and judicial organs, establish a three-dimensional governance mechanism with the government as the leading factor and multi-subject participation, and comprehensively control the phenomenon of cyber violence. In a word, cyber violence in the era of Internet Plus requires all social parties to participate in governance, jointly take responsibility for governing cyber violence, create a good network environment, and contribute to the modernization of the national governance system and governance capacity.

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