
Gender Equality in Social Networks: Feminist and Cyber Violence

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It is widely acknowledged that the status of women has been largely improved no matter in the family or the workplace during the last few decades because the call for equal pay for men and women is growing fast thanks to the rise of social media platforms. On the other hand, the social platforms also intensify the gender dichotomy, for every man or woman has the place to speak for themselves and to fight for their own right, which leads to many debates on line and both men and women have their own opinions in the most cases.

Debates on the Internet

The use of social media and the Internet has allowed the voices of many vulnerable groups to be heard, which is the first step of protecting their rights. As for female group, the Internet provides them with more opportunities to speak up and to communicate with each other. For example, the 'me too.' movement, founded in 2006 by Tarana Burke to support survivors of sexual violence, particularly young women of color from low-wealth communities, to find pathways to healing. The movement's vision from the beginning has been to address both the dearth of resources for survivors of sexual violence and to build a robust community of advocates and allies. Later, due to the widespread use of social media, the movement went global as the #MeToo hashtag went viral in October 2017 and survivors across the world came forward about their experiences with sexual assault. However, there also has been a backlash against the 'me too.' movement from minority, but the minority has the magnitude of power, which is the whole patriarchy system that deeply rooted in our civilization.

We have to admit that women are still in a vulnerable position. South Korea's "Room N" Incident¹ and the suicide of 26-year-old writer Lin Yihan reflected the helplessness and vulnerability of women. Instead of helping them, some of the comment even trying to confuse the concepts and categorize all those who speak out on gender equality issues as radical feminists.

In fact, women have been disadvantaged group most of the time throughout history. The

¹ The "Nth Room" case is a criminal case involving blackmail, cybersex trafficking, and the spread of sexually exploitative videos via the Telegram app between 2018 and 2020 in South Korea. A man nicknamed god sold sexual exploitation videos on Telegram channels and groups. The number of confirmed victims is at least 103, including 26 minors. It was revealed that the victims' pictures were shared and sold to over 260,000 IDs (narrowed down to about 60,000 users, taking into consideration overlapping profiles)[13] and were anonymously paid for cryptocurrency.
(Cited from: https://en.wikipedia.org/wiki/Nth_Room_case)

rising of women's status would inevitably become the detriment of some men, so the trend of gender equality would continuously cause more discussions. With the outbreak of these real-life events, many women feel unsafe. If society cannot understand a feminist sense of self-reflection and doesn't have the ability to see the pain of others, feminist mobilization can be directed at real structural problems as much as it can be consumed by violating the rights of vulnerable groups in complex situations.

Historic of feminism and internet farce

Feminism is not a static, monolithic concept. In the process of continuous development, the theory has mixed with but not limited to: liberalism, Marxism, neo-Marxism, postmodernism, poststructuralism and extra.

Specifically, from the 18th century to the 1960s, the dominant tendency of the women's movement was to follow the liberal tradition, and the main research framework of liberal feminism was the issue of reason and emotion; The focus of radical feminism was on issues of nature and culture; in the 1970s, socialist feminism was the main focus, and its focus was on issues in the public and private spheres; in the 1980s, there was a full-scale conservative resurgence, a synthesis of radical, liberal, socialist feminism.

However, with the continuous popularization of feminism, the stigma of "feminism" has appeared in the cyberspace, mainly through the stigmatization of titles, thereby causing the public to misunderstand feminism. It's not just a comeback of traditional female prejudice, it's a remnant of some old thinking that exists.

At the same time, because some people do not clarify the connotation of feminism, they arbitrarily label various phenomena and behaviors and put forward some inappropriate claims, claiming that they are "feminist", which also deepens the stereotype of women and makes it difficult to justify the name of feminism.

In order to attract attention, some netizens entertained and spoofed feminism and engaged in gender confrontation, which also made it more difficult to achieve equality between men and women, making it difficult for general public to hear the normal and reasonable demands of women, and a symbol of feminism being stigmatized.

To solve this problem, we need to guide the public to have a correct understanding of feminism, abandon prejudice and misunderstanding, and safeguard the legitimate rights and interests of women, so as to promote the sound development of feminism.

Feminism and radical feminism

A women's group called "Destroy Men Association" blatantly declared that "all married women are prostitutes". They claim that women will never be liberated unless the family is completely eliminated, unless women abandon motherhood and sex with men. Therefore, the feminism advocated on the Internet with the goal of "not getting married and not having children" is actually a radical feminist genre.

Looking at everything in reality from the perspective of "women's oppressed" is equivalent to opening a Pandora's box. Once opened, there is no possibility of ending. It can also be said that paying too much attention to political correctness is equivalent to discriminating against oneself in a disguised form, acknowledging one's weak position in disguise instead of actively fighting for rights.

Insufficient knowledge of "feminist" theory makes it easy to attribute complex

inequalities to gender differences. Postmodern society is extremely complex, and an inequality exists not just because of gender differences. Of course, this is not a problem that exists only in Chinese feminism, it is a problem faced by feminists all over the world. Insufficient cognition often leads to the birth of irrational discussions, which is also the point that online feminism has been debated, easily labeled and stigmatized.

The obligation of the platform

The protection of women's rights online is part of a broader sociocultural and professional shift. In the international world, there are regulations and organizations that are devoted to protect women's equal rights online. But the protection that should have been given to women has not been fully acclaimed by documents yet. Therefore, it is social media platforms' turn to bring the plan to completion.

The main international instruments for the protection of women's rights are the 1952 Convention on the Political Rights of Women and the 1979 Convention on the Elimination of All Forms of Discrimination against Women. Both UN Women and the UNHRC work actively on various dimensions of women's rights. Groups such as the Association for Progressive Communications (APC) and the Internet Governance Forum Dynamic Coalition on Gender and Internet Governance have been actively involved in advocacy for women's rights online. Support for women's rights online is also offered by the World Wide Web Foundation's Women's Rights Online: Raising Voices.

However, the social media often take inadequate actions to implement the protection that is needed by and should have been given to women online.

Every day, we hear about women and girls who have been victims of consensual image or video sharing, intimidation and threats via emails or social media platforms, including rape and death threats, online sexual harassment, stalking, including with the use of tracking apps and devices, as well as impersonation, and economic harm via digital means. Young girls are particularly vulnerable to sexual exploitation and abuse as well as bullying by their peers in the digital space. In some cases, such acts have also resulted in physical violence or led to the victims even having suicidal thoughts. But this is just a snapshot of the problem.

One of reasons that the online violence is raging against women is that the social media platforms as well as other websites do not always act effectively to remove hateful content. These platforms should not be places where online abuse proliferates without consequence. Some of the platforms even allow users to found some hatred groups that specifically turn the blade to women. In South Korea, the astonishing Telegram Nth Room Case was partly related to the "high confidentiality" of the platform Telegram, on which all information is not examined. The effective enforcement of social media companies' obligations to restrict access to illegal content, in line with freedom of expression standards should be ensured.

Canada's Incoming Legislation

Following direction from the Prime Minister of Canada "to take action on combating hate groups and online hate and harassment, ideologically motivated violent extremism and terrorist organizations," the Minister of Canadian Heritage recently announced a plan to table legislation addressing harmful online speech. The Heritage Minister explained that the new bill will outline a regulatory framework applying to online platforms that includes the establishment of a regulator meant to oversee platforms' management of unlawful online

speech. The regulator will have the authority to impose financial penalties on platforms for failure to comply. Under the new legislation, the definition of “speech” is said to include hate speech, child pornography, incitement of violence, incitement of terrorism, and non-consensual sharing of sexual images. The bill will define these categories in detail.

Considerations about legislation

I. Inadequate basis of substantive law

In the age of We Media, everyone has the right to engage in the dissemination of information, becoming a core role in the information dissemination channels, making the dissemination channels more professional and daily, and also allowing more people to enter the dissemination activities of information media. This makes the court generally fall into a situation where there is no law to refer to when dealing with such cases, and therefore it will enlarge the judicial personnel's discretion in the process of case handling, which may eventually lead to judicial corruption.

II. Weak supervision of online speech

The existing laws governing cyber violence are more about afterwards strike, while few laws regulate cyber violence in advance. Even in the legal norms after the event, there are less detailed legal provisions and more principled norms. From the perspective of legal regulation process, including different procedures such as reporting and investigation, these provisions are lack of special legal provisions. Due to the lack of special legal provisions, infringers do not realize the regulatory effect of the law, which also makes legal norms unable to achieve the effectiveness of supervision, reducing the prestige of the law. In addition, various supervision and management departments are prone to overlapping or not closely connected, which further creates a regulatory gap and makes online violence lack effective constraints.

III. Clear Notice and Counter-Notice Requirements

Legal clarity is an essential principle of the rule of law. It is thus important that the legislative framework regulating online speech be “precise, clear, and accessible.” As the Manila Principles note, “imposing liability on internet intermediaries without providing clear and accessible guidance as to the precise type of content that is not lawful and the precise requirements of a legally sufficient notice encourages intermediaries to over-remove content.” Well-defined notice requirements help prevent over-removal by providing platforms with guidance on how to respond to removal requests, thus tempering incentives to err on the side of caution to avoid liability while also deterring vexatious removal requests. According to the Manila Principles, complainants must provide information including the legal basis for the removal request, the Internet identifier and a description of the content in question, an overview of potential defenses open to the recipient, and documentation of legal standing. This is also one of the best ways to avoid violating the freedom of speech.

Cyber crime is virtual and cross regional, even if the defendant's address information is known, it will be difficult for the plaintiff to sue because of the distance between the plaintiff and the victim, which will make it difficult for the victim to get redress at the moment, leading to further expansion of the infringement. Therefore, it is unreasonable to define the jurisdiction of a case according to the tort or the result. Some scholars believe that the principle of taking the plaintiff's domicile as the jurisdiction should be clearly stipulated. This

is because the plaintiff's domicile is relatively fixed, so in order to reduce the difficulty of the plaintiff's litigation in its location, the victim is hereby proposed to a way to protect their litigation rights.

In terms of the burden of proof, according to the general principles of the procedural law, if the proponent bears the burden of proof, it will increase the difficulty of proof for the victim. Therefore, the defendant can try to bear the burden of proof. If the defendant wants to exempt the burden of proof, it needs to meet certain conditions. In this way, it can not only effectively safeguard the realization of their rights, but also reduce the occurrence of online violence.

Conclusion

Canada's announcement seems like an early step toward greater online oversight and accountability, but it remains to be seen how it will safeguard transparency, due process, and freedom of expression and information while ensuring public and civil society participation. Any attempt to protect online speakers from both harmful/unlawful speech and oppressive content moderation must simultaneously accommodate for content moderation regimes that uphold and protect the inherently democratic ideals of online spaces. This surely difficult task requires a thoughtful and well-informed approach.

Besides, the education of how to make connect online properly needs to put on agenda, which is an effective method of raising the public awareness of well behavior online and could prevent undesirable behavior.

And ideally, we could outline an international universal protective convention to regulate and protect the network environment, which does not mean to limit the rights to free speech online. The Declaration of Human Rights defines freedom as "Freedom means the right to do anything that is not harmful to others." From this, we can see that the deeper meaning of freedom is that there are certain prerequisites that each person's freedom must be satisfied without infringing on the legitimate rights and interests of others. While every citizen has the right to freedom of expression on the Internet, it is also important to realize that freedom is all relative. There is no absolute freedom in the world, and the freedom to express personal opinion on the Internet is also a relative freedom, which must be within the scope of laws and regulations and not harm the legitimate rights and interests of others. Some people might believe that network regulation restricts the right to freedom of speech online, however, true network regulation is not just a matter of control, but to promote the Internet environment to become a space with proper public order where every netizens could correctly distinguish whether their online speech is beneficial or harmful.