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Analysis of the causes and governance of youth cyberviolence

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Abstract: With the continuous development of network technology, the frequent outbreaks of cyber violence among young people have become a major challenge to network security. The manifestations of youth cyber violence are diverse, mainly including cyber insults and defamation behavior, cyber discrimination, and human flesh search. The causes of teenage cyber violence are due to the deviation of teenagers' moral behavioral cognition, the neglect of teenagers' education by families and schools, the anonymity and virtual nature of the network, and the imperfection of laws and regulations to protect teenagers. This article adopts a qualitative research method and combines case studies and literature research to put forward its own views on the management of youth cyber violence. The article found that by strengthening the moral education of teenagers, using administrative means to enhance the supervision and management of the Internet industry, employing legal means to increase the punishment for teenagers' cyber violence, and utilizing preventive measures to strengthen the punishment of new types of cyber violence, it is possible to curb the occurrence of teenagers' cyber violence.

Keywords: Cyberviolence; Young people; Governance path.

1. Introduction

Cyberviolence refers to the infringement of the victim's right to honour, privacy and other rights committed by Internet users through the Internet, causing property damage and personal loss to the victim, and is an extension of real-life 'violent' behaviour on the Internet. With the popularity of electronic devices and the Internet, the problem of cyberviolence has arisen one after another. Teenagers who grow up in the Internet environment are also affected by cyberviolence. Adolescents will be actively or passively exposed to cyberviolence in their online activities, and prolonged exposure to symbols of violence, such as verbal abuse and physical attacks, will inevitably affect their psychological state and behavioural habits. For example, adolescents who have encountered cyberviolence will find it difficult to form good relationships with others and will be affected in their studies. Psychologically, the victims will experience negative emotions such as fear and frustrated selfconfidence, which will in turn affect their self-confidence and self-esteem, and may even lead to a lowering of their self-control to abuse alcohol and drugs, or in more serious cases, trigger extreme behaviour and suicide. Cases of teenagers committing suicide as a result of violent remarks on the Internet have occurred many times [1] and in 2019, Kimura Hana, a 22-year-old Japanese professional wrestler, received a large number of abusive messages on social media after she participated in a TV programme for several months, and in May 2020, Kimura Hana was found dead of suicide in her home, according to the Life Times. China's CCTV network reported that Liu Xuezhou, a teenager who was searching for his family, committed suicide after leaving a suicide note because he couldn't stand the cyberviolence [2] and Zheng Linghua, a young girl who was severely depressed after being cyberbullied because her hair colour was pink, eventually ended her young life [3]. In similar cases,

cyberviolence speech has played an obvious role in contributing to the harmful consequences, but there are very few instances of accountability. The reasons for this are China's lack of attention to young people, unclear legal norms governing the online sphere, and light penalties for cyberviolence, making it less feasible to judge cyberviolence [4].

The 5th National Survey Report on Internet Use by Minors showed that in 2022, there were 193 million Chinese underage Internet users, and the Internet penetration rate among minors was 97.2 percent [5]. The Survey Report on the Protection of Minors' Network Rights and Interests and Satisfaction with Their Sense of Security released by the China Youth Research Centre in 2023 shows that more than half of the minors interviewed said that cyberviolence had occurred around them; more than 30% of the minors interviewed had participated in activities related to cyberviolence [6]. From this, we can see that cyberviolence is spreading to minors, and some minors are victims of cyberviolence, while others are participants and perpetrators. This is a sign of the immaturity of minors' minds and their lack of ability to judge right and wrong, as well as their lack of media literacy and legal awareness, and requires widespread attention.

The United States was the first country to use laws to regulate cyberviolence, and the U.S. courts have attracted a great deal of attention from the legal community for hearing the first case of cyberviolence [7]. In 2006, a boy who posed as Josh Evans on the MySpace website showed love to a 13-year-old girl, Megan Meier, and then fabricated facts and made vicious comments about her and attacked her, and many unidentified users also participated in the attacks on Megan, which ultimately led to Megan's suicide. The case prompted several states to enact or consider legislation prohibiting harassment via the Internet. Subsequently, in 2009, Parliament criminalised the use of the Internet to harass others with the introduction of Megan's Law [8]. In addition, the United States has laws to curb cyberviolence among youth, such as the Safe Place to Learn Act and the Jeffrey Johnston Stand Up for All Students Act, with penalties that can range from suspension and expulsion to imprisonment. Scholars in other countries have also conducted in-depth research on the legal regulation of cyberviolence and achieved a certain number of research results. However, most of the extra-territorial academic research on cyberviolence is aimed at summarising the practical experience and promoting the further development of the practice. Although there is more research results related to cyberviolence, their contents are seldom systematised and specialised, and there are very few documents that delve into cyberviolence completely from a legal perspective.

2. Methodology

This paper uses the qualitative research method to study the youth cyberviolence. Qualitative research method refers to a method or Angle to study things from the internal prescriptivity of things according to the attributes of social phenomena or things and the contradictory changes in the movement [9]. This paper is carried out by the literature research method and the case study method in qualitative research methods. Literature research method refers to a research method that obtains information and forms opinions by checking, sorting and analyzing relevant literatures in the research. By combing and sorting out the relevant researches of domestic and foreign scholars, this paper analyzes the research results of domestic and foreign researches on cyberviolence, providing facts and theoretical basis for this study. In addition, through the library, the Internet and various journals and magazines to consult the relevant research literature at home and abroad, to understand the background of youth cyberviolence. Case study method is to analyze cases, combine theory and practice, conduct comprehensive research and draw relevant conclusions [10]. This paper selects cases that have attracted wide attention in the real society in recent years, analyzes these typical cyberviolence incidents, and discusses the manifestations, harms, causes and countermeasures of adolescent cyberviolence.

3. Discussion and Findings

3.1. The Main Form of Youth Cyberviolence

Cyberviolence is the behaviour of a large-scale network of people who attack, abuse, insult and intimidate by means of threats against real or altered and distorted events on the Internet. Online speech with a strong violent colour, has a very strong offensive, seriously affecting the mental state of the parties involved in cyberviolence, destructive force and even threaten to the entire public order, is another form of social violence. Common forms of cyberviolence among adolescents include the following main types.

Internet insults and defamation refers to the act of creating and spreading rumours on the information network, degrading the personality of others and damaging their reputation. For example, posting messages and emails with insulting and defamatory content on online social platforms, abusing others in various online platforms, posting videos that humiliate and shame others, and so on. Due to the anonymity and fast transmission speed of the Internet, the information can be quickly spread in a short time to gather and trigger the onlookers and discussions of netizens [11]. Traditional insults and defamation mostly occur between acquaintances. With the advent of the network era, the object of insult and defamation has changed significantly, and is often committed against strangers who are not known to each other. In practice, victims have real difficulties in identifying the aggressor and collecting evidence, and the cost of defending their rights is extremely high.

Online discrimination refers to the use of social networks to spread more widely by sending disparaging messages, photos, videos, etc., after the victim is humiliated [12]. The main types of cyber discrimination are geographic discrimination and ethnic discrimination. Geographical discrimination refers to the public's inherent prejudice against a certain geographical area due to geographical differences, such as urban discrimination against rural areas, local people discriminating against outsiders, rich geographical areas discriminating against poor geographical areas, and geographical discrimination among provinces. For example, when a girl from Henan Province was rejected for a job because of her household registration, such geographic discrimination seriously violated her right to equal employment [13]. Ethnic discrimination or hate speech refers to expressions of discrimination or hatred against ethnic individuals or groups on the basis of their ethnic identity or ethnic customs or characteristics. These discriminatory behavioural prejudices stem from cultural differences, exaggerated facts and herd mentality. Spread through online platforms, they create a social cognitive bias that results in unfair treatment and discrimination against specific individuals in education, career development and other areas.

Human flesh search is the form of cyberviolence that is most likely to make victims feel panic in the entire cyberviolence incident [14]. Its main method is to obtain victims' personal information through various channels and use Internet devices as a medium to illegally expose to the public the collected personal information of the victims, including telephone numbers, home addresses, identity card numbers and other private information. A great deal of online verbal violence and even real-life violence has begun to directly target individual citizens, inevitably interfering with netizens' work, family and personal development. Some of the victims may even choose to die lightly due to excessive mental stress and real-life trauma [15]. The results of human flesh searches are very bad, and the subjects of such mass events think they are 'just trials', making the victims of the searches live in the midst of ridicule and abuse by public opinion, which can lead to mental breakdown and depression, and even to serious consequences such as suicide.

3.2. Analysis of the Causes of Youth Cyberviolence

Adolescents' Perceived Biases in Moral Behaviour. Research has shown that the incidence of cyberbullying is negatively correlated with age, the older the person is the less likely they are to perpetrate or be subjected to cyberbullying, early adolescence is a high incidence of cyberbullying, and the incidence of cyberviolence is directly proportional to the age of the subjects in the age group of 10-15 years old [16]. Adolescents at this stage have an immature view of things, have greater emotional

changes, are easily agitated, and lack self-control, and may conflict with others and engage in aggressive behaviour because of one-sided and extreme ideas. At the same time, early adolescents do not have a strong ability to distinguish between right and wrong, and their individual behaviours are sometimes blind and arbitrary. Due to the limitations in the real society, they usually choose cyberbullying as a way to vent their dissatisfaction [17]. The Internet can provide these adolescents with the opportunity to gain a sense of existence and self-confidence, giving them channels and space to vent their discontent, so that they are always in an active position and can gain psychological satisfaction.

Neglect of the Family and School in the Education of Young People. The family is the first environment in which a child's character and behavioural patterns are formed [18]. Akarsuozlem studies cyberviolence from the psychological level. Through the questionnaire survey and data analysis of 350 college students, Akarsuozlem believes that cyberviolence of teenagers is closely related to their growth environment, especially their childhood experiences. Under these influences, they will develop extreme psychology and be stimulated externally to commit cyberviolence [19].

If parents can provide a sense of security for the growth and development of adolescents, they will seldom obtain psychological satisfaction and a sense of security by cyber-bullying others, and basically they can seek help from their parents in time if they suffer from cyber-bullying. As a result of strained family relationships, parents' emotional crisis and domestic violence may easily distort children's personality and behaviour and form undesirable behavioural patterns. GaraigordobilMaite studies the relationship between cyberviolence and family, school and social education from the perspective of gender orientation, and believes that the attention and counseling education of various subjects to adolescents' cognitive and psychological states can increase adolescents' respect for the cognitive diversity of others and effectively reduce the occurrence of cyberviolence. Therefore, school and family education is fundamental to the attitude of teenagers to implement and deal with cyberviolence, and they should pay more attention to this problem [20]. School is an important place for the socialisation of adolescents [21]. Teachers and classmates will have a direct influence on adolescent cyberbullying incidents. On the one hand, schools focus most of their attention on how to improve young people's academic performance, neglecting to varying degrees their social development, which may lead to insufficient development of students' mental health and interpersonal relationship handling skills [22]. On the other hand, schools have inadequate systems for preventing and responding to incidents of bullying in schools, failing to identify and resolve conflicts among students in a timely manner [23].

The Anonymity and Virtual Nature of the Internet Cause Cyberviolence to be Inexpensive. Frequent cyberviolence, obviously with the virtual nature of cyberspace, invisibility has a lot to do [24]. Cyberviolence, compared to traditional physical violence, greatly reduces the conditions for violence, as long as the basic level of network operation of people, can be through the message, pop-ups and other ways to violence. Through the text, pictures, video to express their views simple and easy, online speech exists anonymity, without responsibility, more to promote the frequent generation of cyberviolence [25]. The majority of young people are incapable of civil behaviour and people with limited capacity for civil behaviour, and need the guidance, help and protection of their legal representatives. The anonymous and virtual environment of the Internet gives young people the possibility of escaping from the supervision of their identities, and cyberspace provides speakers with the possibility of concealing their identities. According to some data, 70.6 per cent of young Internet users between the ages of 15 and 24 around the world are facing the threat of cyberviolence, bullying and harassment, which is inextricably linked to the anonymity and virtual nature of the Internet platform [26].

Laws and Regulations are not Perfect to Protect Young People. In order to protect minors from cyberviolence, China has taken a number of legal measures. For example, Article 26 of the Regulations on the Protection of Minors issued by the State Council in October 2023 specifically provides a normative basis for punishing cyberbullying of minors. Article 77 of the Law of the People's Republic of China on the Protection of Minors stipulates that after minors have been subjected to cyberbullying, network service providers are required to take necessary measures to stop the infringement, such as deleting, blocking, and disconnecting links. However, there are difficulties in criminalising the

conversion from real-life bullying to cyberbullying mode and the definition of the scope of subjects [27]. Taking Article 130 of the Law on the Protection of Minors as an example, both parties of student bullying are minors, and the form of expression includes bullying and insulting behaviours deliberately or maliciously carried out through cyber means, while according to Article 77 of the Law on the Protection of Minors, the subject of cyber bullying includes any organisation or individual. From the perspective of constituting the offence of cyberbullying by minors, an expanded position seems to be more conducive to the identification of the act of 'bullying' in the process of convergence between the law and the law $\lceil 28 \rceil$.

In addition, the weak protection of personal information under the law has given cyberviolence an opportunity to take advantage of it Sumartiningsih, et al. [29]. For example, human flesh search is a serious violation of citizens' personal information, but in judicial practice, it is difficult to use the crime of violating citizens' personal information to regulate the behaviour of human flesh search, the reason is that the crime of violating citizens' personal information mainly combats the sale of citizens' personal information for profit or the acquisition of citizens' personal information by unlawful means, while the personal information of the citizens obtained from human flesh search is consolidated and pieced together from the fragmented information provided by different netizens, rather than obtained through illegal trading, and therefore cannot be regulated by the crime of violating citizens' personal information. The personal information obtained by human flesh search is integrated and pieced together from fragmented information provided by different netizens, rather than obtained through illegal trading, and therefore cannot be regulated by the offence of infringement of citizens' personal information [30]. In 2017, China enacted the Cybersecurity Law of the People's Republic of China, which for the first time proposed a law to regulate the Internet, but it did not provide a good and specific regulatory scheme for the leakage of personal information and 'human flesh search', making it difficult to hold cyberviolence offenders legally accountable in practice [31].

3.3. The Path of Prevention and Governance of Youth Cyberviolence

Whether from a global perspective or from China's perspective, the problem of youth cyberviolence cannot be solved overnight, and it is necessary to treat young people with love and care. A multi-party system should be established to deal with juvenile cyberviolence, integrating the resources of families, schools, education administrative departments, judicial organs and social organisations to help juveniles establish correct values.

Clarifying the Responsibilities of Families and Schools for Education and Guidance. First, improving the way guardians fulfil their responsibilities. Parents should regulate their own behaviour, set an example for young people, make them understand the importance of respect, understanding and tolerance, and channel their bad moods in a timely manner, so as to prevent them from committing unlawful acts against others as a result of their own moods. The judicial responsibilities of guardians under the current law are fines, admonition, and the requirement of strict supervision [32]. On this basis, administrative penalties can be added. For parents who are negligent in exercising their guardianship duties or refuse to do so, resulting in an increase in cyberviolence among adolescents and causing serious consequences, they can be urged and admonished by the school where the adolescent lives or by the residents' committee or the villagers' committee, and, if their behaviour constitutes a violation of the regulations on penalties for public security administration, the public security organs will impose administrative penalties according to the law, and they can be placed under administrative detention [33]. On the basis of punishment and education, clear rules on the use of the Internet should be further developed, including regulations on Internet access time, browsing content and social behaviour. Full consideration should be given to the age-specific characteristics and growth needs of young people, with a view to safeguarding their legitimate rights and interests while preventing them from becoming addicted to the Internet and committing crimes. Secondly, as a place to train new generations, schools should not only teach students scientific and cultural knowledge, but also educate them on the basic rules of how to behave in the world. For example, to carry out anti-network violence

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theme, encourage students to take a variety of forms to express their understanding of net violence, play a positive role in guiding the school. Minors in the cyberviolence, seek the timely help of parents, teachers, courage to take up legal weapons to defend the legitimate rights and interests, rather than choosing to fight violence with violence, venting anger cannot help us to solve the problem positively, in the face of contradictions and conflicts with others, should remain calm and confident, rational response.

Strengthening the Regulation of the Network Industry through Administrative Means. Platforms should improve their technology and constantly upgrade their databases, not only to focus on monitoring young people at risk of committing crimes detected in a timely manner through the early warning mechanism, but also to carry out correlation searches and data analyses of the relevant accounts of juvenile subjects with records of releasing undesirable information, so as to promptly find out whether there is any release of relevant information involving cyber-violence, and to strengthen the vetting and approval of the information. Encourage and advocate Internet-related enterprises to actively develop youth-related Internet APPs to open up a safer and healthier Internet environment for young people. Article 13 of the Provisions on Ecological Governance of Network Information Content, which came into force in China in March 2020, encourages network information content service platforms to develop models suitable for use by minors, to provide network products and services suitable for use by minors, and to facilitate minors' access to information that is beneficial to their physical and mental health. Currently, Chinese platforms such as Bilibili Animation and Weibo have set up a 'youth mode', but as users are not required to authenticate their real names when they register their accounts, this means that minors are unable to choose this mode. However, the provision does not specify specific penalties for violating Article 13, and some platforms have not yet set up a youth mode, which has had little effect on addressing incidents of youth cyberviolence. In the Internet era, the cost of subsequent dissemination of information is extremely low, but it is more difficult to control subsequent dissemination, so it is necessary to adopt a combination of prior prevention and subsequent relief. The government should clarify the prior censorship responsibility of platforms, and through artificial intelligence and other means, identify pictures, text, and voice on the Internet, filter illegal and infringing information, and for more hidden infringing information, the platforms should take measures such as deleting, blocking, and disconnecting the link after notification by the victim. For victims of cyberviolence, service commissioners can be set up to guide victims in network operation and complete the process of reporting and filing a report [34].

Strengthening Legislation and Improving the Governance System. Acts committed in the cyberworld are carried on the Internet and are not substantially different from real acts. From this perspective, it is important to find a correspondence between linguistic cyberviolence and similar offences under criminal law. Therefore, in order to improve the network insult and slander and network discrimination and other language network violence, it can be included in the traditional criminal law norms [32]. At present, China's Supreme Court and Supreme Prosecutor's Interpretation on Several Issues Concerning the Application of Law in Handling Criminal Cases Involving the Use of Information Networks to Commit Slander and Other Criminal Cases has linked Internet defamation to the offence of defamation in the Criminal Code [35]. Therefore, the author suggests that the relevant provisions of the above judicial interpretations can also be applied in cases where the perpetrator uses the information network to commit insulting behaviour and cyber discrimination, or that judicial interpretations be issued specifically for such behaviour, so as to achieve the interface between linguistic cyberviolence and traditional criminal law. With regard to new types of cybercrime involving young people, it is necessary, on the basis of the principles of education, probation and salvation, to strengthen the supervision of young people who have experience in committing crimes in gangs, so as to prevent this type of crime from developing into a chain or group.

Weak protection of personal information, imperfect accountability mechanism, and loopholes in the online real-name system all lead to the emergence of cyberviolence [36]. This requires the law to strengthen the legal protection of personal information, enhance the awareness of the government and

the public to protect legal information, and increase the punishment of information leakage and illegal use. As the first country in the world to issue a written law on the Internet, Germany's relevant laws stipulate that all the laws and regulations prevailing in real society are also applicable to the Internet. Germany introduced the Information and Communication Services Act in 1997 [37] and improved its Internet management system after entering the 21st century, clearly stipulating that Internet speech can become a criminal fact and be punished by punishment. Therefore, it is suggested that on the one hand, Chinese laws should add relevant provisions on the criminal responsibility of cyberviolence, severely punish the behavior of disclosing the privacy of juveniles such as "human flesh search" and exposing the privacy of minors online, and on the other hand, amend the provisions of the criminal law to severely punish the recidivists of cyberviolence crimes against juveniles, so that they will not dare to commit crimes again, and play a deterrent and educational role in society [38].

Enhancement of Cyber Morality and the Rule of Law by Young People Themselves. First of all, young people should avoid blindly making excessive and inappropriate remarks on the Internet. In the face of the complexity of information in the network, they should constantly improve their ability to identify and select information, and when they express their views on the network platform, they should pay attention to controlling their own emotions, expressing themselves rationally and speaking in a civilised manner, and they should try to stop cyber-violence under the condition of ensuring their own safety when they are watching it. Secondly, young people should cultivate their own legal awareness, young people should pay attention to the civilised language when they express their opinions on the Internet, and they should be aware that cyberviolence is a kind of infringement of the law and not an act for which they are not legally liable. At the same time in the social behaviour of the Internet, when they are harmed by the infringement of the evidence should be retained in a timely manner, the use of legal means to defend their legitimate rights and interests in a reasonable and legal manner, to avoid damage to their rights. Finally, young people should improve the ability to identify network violence, the face of network violence should be brave to speak out. In the face of cyberviolence, timely use of reporting channels to social platforms for help, will be involved in cyberviolence related information properly preserved, to avoid key evidence by the abuser in the aftermath of the deletion [39].

4. Conclusion

Young people are the future of society and the objects that need to be protected in all aspects. In the era of Internet, teenagers in many countries are faced with the problem of cyberviolence, which is not only a domestic problem, but also a hot spot of international concern. In this paper, the concept of cyberviolence, the form of expression and the harm caused by cyberviolence are sorted out. This paper is connected with real life, reflecting on and finding out the problems existing in the legal governance of cyberviolence in China, and then putting forward personal suggestions for the current situation of China's governance.

With the rapid development of the Internet, cyberspace has become an indispensable living environment in today's society. Due to the anonymity and virtual nature of the Internet, the cost of cyberviolence is low, so it is very important to guide young people to establish correct values, which is inseparable from family efforts and school education [40]. This paper calls on the whole society to pay attention to youth cyberviolence, prevent and guide different aspects from clear family and school education and guidance responsibilities, strengthen the standardized management of the Internet industry through administrative means, strengthen legislation to improve the governance system and enhance the concept of Internet morality and rule of law among teenagers themselves, and jointly create a civilized Internet space.

Transparency:

The authors confirm that the manuscript is an honest, accurate and transparent account of the study that no vital features of the study have been omitted and that any discrepancies from the study as planned have been explained. This study followed all ethical practices during writing.

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