

How to Avoid the Alienation of Public Opinion on Women's Rights Through the Law: Based on the Comparison of PRC and American Laws

Mengmeng Zhang^{1,a,*}

¹*Yorba Linda High School, Bastanchury Rd, Yorba Linda, United States*

a. 273346@pylusd.org

**corresponding author*

Abstract: “How do people alienate the damage that public opinion can bring to females through legal powers?” This topic of the effects on feminism has not yet been mentioned by much prior research. Furthermore, it is a novel and vital investigation for this era. However, time and geographical limits have hindered the expansibility of this research. They are limiting the amount of experimental methods that could potentially be utilized. This research compared legal restrictions in the People's Republic of China (PRC) and the United States (U.S.). This study also recommended the possible usage of legal authorities to strengthen female rights and equality between the two sexes. This research also analyzed specific issues related to this topic and provided possible improvements. The findings hope to bring attention to female rights regarding daily situations on social media platforms. The research hopes to defend women's rights and interests in all aspects with the help of the law's strength and majesty.

Keywords: public opinions, feminism, law, internet/social media platforms

1. Introduction

As society is advancing, so are more people awakening from the discrimination of gender differences. Within these reactions towards the different treatment of different genders, Feminism arose as the most advocated ideal. In the olden days, women were considered inferior to men in America and the PRC. As time progresses, improvements have been made in the equality between females and males. In the U.S., different feminist movements took place, such as the suffrage movement in the 18th century, arguing for female voting rights. In the PRC, the communist revolutions boosted female equality. As Mao Zedong claimed, “Women hold up half the sky [1].” In the present day, feminist equality seems to fade as society becomes more educated and balanced. However, can this statement be considered valid? The internet is slowly taking over modern people's lives, and so does public opinion. People's thoughts are swaying every moment due to public views [2]. In a networking society like today, people are eager to argue for the rights of females, and this might cause a counterproductive result and shift the fairness of women's rights toward a declining slope. Suppose public opinion is pleading and expressing the longing for social inequality. Are these expressions based on the fact that the rights and interests of men and women are not entirely equal? Thus, can these expressions be too impulsive and unnecessary, hurting absolute equality? This research

discusses how to avoid alienation of public opinion on women's rights through the law. Furthermore, this research will compare the difference between the laws of the U.S. and the laws of the PRC on related matters to this research.

This research will be done by observing real-life situations and public opinions on the internet regarding equality between males and females. It will thoroughly discuss why these expressions on different platforms are made and explain the possible counterproductive effects caused by these public opinions. First, the research will examine the concrete manifestations of public opinion harming women. Additionally, the study will elucidate how to solve and circumvent this problem through law (because the investigation will be observing the PRC's media platforms, the rules explained will primarily be based on the laws of the PRC). The anticipated value of the research is to realize the need to amend specific laws on the limitation of public opinion. The study wants to develop the idea that people should also recognize that it is necessary to impose more restrictions to protect female rights under the law. As the research dived deep down the investigation and investigated different PRC laws and U.S. laws, the study also made many contributions that should be acknowledged:

The research thoroughly analyzed the differences between legislations. The study used the laws of the PRC in real-life situations and provided possible improvements accordingly.

The range of stakeholders is mainly females. However, the effect of public opinion can be on every person. Thus, the stakeholders can broaden their scope to all gender types. Furthermore, the significance of this research includes that it can make a difference in today's society and sufficiently restrict the downside effect of public opinions under the law. This research can also maintain balance and equality among males and females.

2. Concrete Manifestations of Public Opinion Harming Women

Three real-life observations are made on a few of the PRC's most viral social media platforms to fulfill this research. A video went viral on the short video platform KuaiShou in the PRC. The video depicts a couple's daily routine. Within the video, it portrays the wife lying down watching a movie while the husband is cleaning the dishes in the kitchen. Overnight, this video hit 50 million views and gained one million likes. Even crazier, this video hit research number one three days after posting it. The problem occurred in the comment section (the place where all arguments usually start); most people criticized the wife for being "lazy" or "Superior." Although comments protect female rights, most of the comment section is still filled with opinions criticizing the wife's actions in the video. They believe that the movement of the wife not doing any housework does not fit into the social norms. In the olden days, the traditional role for females was homemakers. Although society is progressing and people's minds are getting modernized, there's still this idea of females as housewives in people's subconscious minds.

On the short video platform Tiktok, there is a heated discussion under a video of a female advertising for a gum brand. The video's caption portrays the following: Want to smell good on a date? No one wants their partner to smell dirty breath while giving a kiss. There's nothing wrong with the video or the caption depicted. However, the comment section stirred an aggressive argument. Most comments posted are words such as "Why does this only apply to girls?" "This is discrimination against sex!" "Are people advertising that boys don't need to smell good and only girls do?" It seems like people on the internet are getting too sensitive about feminism. From an objective point of view, there's nothing wrong with what is portrayed in the video. There were no threats against females, scenes degrading and humiliating females, and no words harassing females. Then what stimulated this quarrel? There are two ways to analyze the foundational problem with the argument. First, the video's author is a female and portrays a female advertiser instead of a male advertiser. Second, one comment that declares the video is against feminism and is aggressive toward females can lead to

many other comments following that statement. Thus, as the comments increase, the video will be classified as “Sexism against females” or “Impulsive to females.” The issue of this observation is public opinion’s overabundance of sensitivity toward the topic evolving around feminism. This leads to a counterproductive impact of setting females and males distinctively apart.

On the same platform, a different scenario transpired. An advertisement for a shampoo brand led to a dispute. This scenario varies from the others because the advertisement precisely claimed in its slogan, “Girls can have smelly breath, but never smelly hair.” The issue not only showed up in the comment section; moreover, people posted on their Weibo (a social media platform), expressing their anger toward this advertisement. This advertisement was reposted thirty thousand times over two working days. Although this slogan brought much fame to the brand, it also ruined its entire company. Shortly after the advertisement was posted, many females formed groups on different platforms to besiege the brand. Anti-discrimination because of sex slogans are constructed, songs are sung, and posters are even made and posed on the internet, trying to prevent this brand from appearing again in their vision. Many female celebrities also stood up and supported the attack on this shampoo brand. Although the comebacks can be considered radical, it is also a reasonable reaction. Even though the advertisement did not try to send out any degrading signals to females, it still lit up feminism within many people’s hearts. Due to the pressure of public opinion, the advertisement was soon taken down from many platforms in the PRC. Yet, there are no specific laws or restrictions on videos that portray females as inferior or accidentally sending out messages that degrade females from males within the PRC.

3. Legal Measures for the Protection of Women’s Rights in the PRC and the United States

Regarding protecting women’s rights, the PRC and the United States’ laws maintain roughly similar views. However, the two countries also hold slight differences in the details of the rules. According to the criminal code of the PRC, violence and rape of females that are fourteen years old or under, with or without consent, will result in an above three years but no more than ten years of fixed-term imprisonment (statute 236). Moreover, kidnapping females or children will result in 5 to 10 years of fixed-term imprisonment (Statute 240). Other than these two specific statutes mentioned, no additional regulations protecting female rights exist. Compared with the laws in the PRC, U.S. laws are more detailed according to many case codes. In *Griswold v. Connecticut*, the Supreme Court’s decision to ban contraceptive use for couples allowed females more rights to sexual freedom. Another case regarding the issue of female rights is the *International Union, UAW v. Johnson Controls, Inc.* [3]. The case code eventually made clear that workplace discrimination based on sex is not allowed. Similarly, in *Meritor Savings Bank v. Vinson*, sex discrimination of female employers is again proved illegal under the Civil Rights Act of 1964 [4]. Another case regarding female rights should also be mentioned. Just like *Meritor Savings Bank v. Vinson*, sex discrimination in the workplace also became the fuse in *Reed v. Reed* [5]. Within this case, it was an issue over Idaho law that favors males as administrators. It was later determined that this action is considered sex discrimination and violates female’s civil rights.

Likewise, in the case *International Union, UAW v. Johnson Controls, Inc.*, the company’s action of not hiring any female applicants in a battery factory was eventually ruled as unlawful, just like the other cases that revealed sex discrimination against females when coming to the pursue of career [6]. All of the case codes are governed by the Supreme Court and stress the legal rights of females. Neither of the two countries (the PRC and the U.S.) restricts any public opinion that degrades females. Moreover, there are no specific restrictions on the damage to female rights, such as sexual assault, sexual harassment, or simply words that imply females are inferior to males. Although both countries establish equality in a marriage where females and males hold the same power and rights to freely choose their marriage (statute 1041 of the civil code in the PRC, section one of the fourteenth

amendment of the U.S. constitution), true equality in all areas between the two sexes has not yet been fully accomplished. As people develop toward modernized thinking and a more profound desire for equality, female equality has slowly gained some of its rights. However, inappropriate words and behaviors towards females still reside in every corner of the world. Sexual assault and unwanted physical contact in a hostile workplace environment, sexual harassment in academic settings, and sexual discrimination that limits female's career choices are still happening. Thus, these issues should be noticed and further restricted by legal authorities.

4. How to Regulate the Alienation of Women's Rights by Public Opinion Through Laws

To fully resolve the issue of feminine equality, legal power should be used in restricting behaviors and suppressing unwanted designation toward females. Current restrictions should be eased and expanded. To fulfill this purpose, the law must limit any documents, videos, images, photographs, or articles that cause possible harm to female rights and female identity. Legal authorities should also set a clear boundary line on what actions or words harm female equality. Anything posted online, or that can influence public opinion that depicts females as inferior or objectifying, exasperating, or assaulting females in any way is considered harmful and inappropriate and should be confined. Restrictions also should be tightened on unwanted physical touch, sexual assault, sexual harassment, and sexual discrimination in all environments. All genders, as long as they intentionally cause harm to women, need to be regulated. In other words, even if a female is causing damage to another woman, it must be restricted. To do so, there are two options. One option is that the government needs to increase funds for legal enforcement. The other option is to amend current statutes. While legal powers empower equality between the two sexes, ordinary people can also help.

The internet is one of the most influential beings in modern society, and public opinions make it the greatest weapon. Public opinion is a two-way sword [7]. It can be used to cause harm and attack others, while it can also be used to promote equality and peace. The law needs to shape benign public opinion and create a social atmosphere of equality between men and women. Furthermore, the internet should advocate proper sex education and promotion of women's status [8]. Influential figures, such as K-pop idols, celebrities, and officials, should also step in and encourage the correct view on sexual equality. Similarly, females can also use the power of public opinion to declare justice. Females can create their channels and form organizations to help spread sex equality. Females can also use social media to help each other by building programs to financially support them and make opportunities more accessible when searching for a career. Platforms like these have already begun in some areas of the world and have had significant influences [9]. According to oecd.org, digital media, and financial services provide "leapfrog" opportunities for making "additional income, increase their employment opportunities, and access knowledge and general information" (OECD). One World Pulse platform helps women connect and share their life stories, experiences, and ideas. It is shown that the platform has been used in more than 190 countries all around the world (Human Rights Careers). Uganda, a country in East Africa, founded a nonprofit organization in 2007 to help females within that area. It offers "microcredit loans; leadership and business training; literacy training; and more" (Human Rights Careers). All of the examples of platforms above show the feasibility and success of using the Internet to help women. Lastly, females can also use public opinions against others. Public opinions are swayed easily and can bring a positive effect if used correctly. For example, women can post videos on short video platforms like TikTok to advocate female rights. Similarly, females can make topics on the internet, such as slogans like "female rights matters," and propose a voice for themselves [10].

5. Conclusion

This research focuses on the internet, and public opinion influences on females while also mentioning how legal powers can change the current situation and bring equality between the two sexes. The research focused on three scenarios and analyzed public opinion's influences on those cases in the concrete manifestations. It also emphasized the importance of social media in spreading information, swaying public statements, and creating broad disputes. In legal measures for the protection of women's rights in the PRC and the United States, the investigation analyzed the differences and similarities between the laws in the two countries regarding sexual equality. It indicated the insufficient areas of the statutes that could be worked on. In how to regulate the alienation of women's rights by public opinion through laws, the research specifically mentioned several ways for females to have a voice on the internet and promote equal rights for themselves. In this part, the study also provided examples of organizations that have already influenced women's rights. The research further promotes public opinions to protect females and bring positive effects.

Like the research mentioned previously, the implications and values of this research can be considered impactful. It brought novel ideas on female rights and the protection of feminist equality. It stressed the importance of legal power's involvement in preserving female rights and explained how to accomplish this. This study wants people to expand women's rights online and hopes to root out the inequality between men and women established by feudal ideology.

There are also some limitations to this research that will be mentioned. One needs to be made aware of the regulations mentioned within the study. Many updated legal arguments and other complicated legal statutes may have yet to be mentioned in the research. Thus, more investigation could be done to fulfill the purpose of this research. More experiments and deeper legal analysis on current issues may help better develop the critical core values of the study. The other limitation is the need for more actual experimentation. Due to time and geographical restraints, the research is completed mainly by observing current real-life situations and legal codes in the PRC and the United States. The study did not use other methods to collect data, such as surveys on social media users who constantly use the internet platforms, interviews of specific feminist organizations, or performing an experiment on different public opinions' regarding female rights. If the research expands its horizon to other data collection methods, the study will be more detailed and reliable.

References

- [1] Jun, C., University, H. (2015). *Women's social mobilization, marriage freedom, and Chinese communist revolution: inspection of the marriage system change in the red Soviet area*. Journal of Hebei Radio & TV University.
- [2] Hui, W. (2013). *Research about causes of formation of public opinion derived network based on information alienation power*. Journal of Modern Information.
- [3] Zhuoming, Z. (2008). *Can justices derive unenumerated rights? A commentary on Griswold v. Connecticut*. Journal of Yunnan University(Law Edition).
- [4] Phillips, M. J. (1991). *Employer sexual harassment liability under agency principles: a second look at a meritor savings bank*, FSB v. Vinson. Vand.l.rev, 1229.
- [5] Fought, S. R. (1971). *Background of the Reed v. Reed Case*.
- [6] Lowery, C. (1998). *Protection or Equality? : A Feminist Analysis of Protective Labor Legislation in UAW v. Johnson Controls, Inc.* (Doctoral dissertation, University of North Texas).
- [7] Vol. (2014). *Institute of Mass Media. The role of the media in changing public opinion. Using the media as an ideological weapon*. Rossijskij Akademičeskij Žurnal, 23(1), 43-48.
- [8] OCDE. (2012). *Gender equality in education*. Lap Lambert Academic Publishing.
- [9] English L, M. (2006). *A Foucauldian reading of learning in feminist, nonprofit organizations*. Adult Education Quarterly, 56(2), 85-101.
- [10] Shum, J. I. (2017). *The Effects of Personality Types (Introversion-Extraversion) on Promoting Feminism on Social Media Platforms*.