

OPTIMIZATION PATH OF LEGAL RIGHTS PROTECTION FOR COLLEGE STUDENTS IN CENTRAL CHINA

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Abstract. This paper explores the current status of the protection of the legal rights and interests of college students in central China. Through a comprehensive analysis of the existing legal framework, relevant policies and semi-structured interview data, it is found that the rights and interests of college students are often undermined by campus bullying, naked loans and telecommunications fraud. Due to the special vulnerability of the college student group in the socioeconomic background of the central region, they face problems such as not understanding the law and difficulty in finding suitable helpers in the process of protecting their rights. Drawing on comparative studies and best practices, this paper proposes to optimize the rights protection channels in many aspects, such as clarifying the mandatory reporting obligations of relevant responsible entities in legislation, establishing legal aid agencies in colleges and universities, and supporting rights protection APPs. This study aims to contribute to the establishment of a more sound and effective rights protection system for college students in the central region, and ultimately promote the welfare of college students and create a fairer and more just educational environment.

Keywords: *bullying, Naked Loans, telecommunications fraud, legal rights*

Introduction

With the development of social economy, a new situation of vigorous development has emerged in the field of higher education (Becker et al., 2010). However, some new contradictions have also attracted the attention, research and thinking of higher education workers. In recent years, the infringement of the legal rights and interests of college students is a very prominent problem among these new contradictions (Sun, 2023). In 2023, the total number of students enrolled in all forms of higher education in China will be 47.6319 million. Their well-being and development are vital to social progress and economic prosperity. Ensuring the legitimate rights and interests of college students is particularly important in the central region, which is undergoing rapid economic and social transformation. The region is characterized by a mixed urban and rural population (Zhang et al., 2016) and faces unique challenges in implementing and enforcing legal frameworks designed to protect student rights. China's existing protective laws may not always be fully implemented or enforced at the local level (Hu et al., 2024), leaving students vulnerable to exploitation and rights violations. The specific situation in the central region adds another layer of complexity. The region's rapid economic development has led to a surge in higher education enrollment, placing greater pressure on existing infrastructure and resources. This rapid expansion, coupled with uneven legal awareness and enforcement levels across provinces (Hou, 2023), poses unique challenges to ensuring that the legitimate rights and interests of college students are continuously and effectively protected.

Given their young age, students are at a heightened risk of violent victimisation (Roberts, 2022). In addition, since many students are living "independently" for the first time, this newfound freedom, coupled with a large number of classmates in similar situations (Bickel and Lake, 1999), creates a blind confidence in students' personal ability to handle danger, further increasing the likelihood of students being harmed by criminal activities on campus. Inherent in the services that today's students expect from universities is a safe educational and social environment. However, as universities continue to expand enrollment to meet the expectations of applicants, threats to campus safety expand (Peters, 2006). Correspondingly, how to better protect the legitimate rights and interests of college students has attracted the attention of many educators, theorists and practitioners. Colleges and universities are the main places for college students to study and live (Maassen et al., 2019), ensuring that college students can acquire knowledge safely and healthily in this place is an unchanging theme of higher education research (Hay and Fleming, 2021). In reality, the infringement of college students' rights and interests and the increasing status of college students make the solution of the problem of protecting college students' rights and interests very urgent and of great practical significance. This study is crucial because the violation of students' rights directly affects their well-being, academic performance and prospects. To explore the currency challenges and optimize the protection of college students' rights and interests in the central region from a legal perspective, especially to improve their ability to protect their rights and interests. The question raised are: What are the common violations of legal rights and interests encountered by college students in central China? How to implement legislative reforms to strengthen the legal protection of the rights of college students in central China?

Literature review

In recent years, many incidents that infringe the legal rights of college students have frequently entered the public eye through media reports, and the overall incidence of infringing incidents has shown a rapid upward trend. Campus bullying, telecommunications fraud, naked loan crisis and other issues have seriously affected the personal safety and property safety of college students. Chen et al. (2014) believed that due to the profound changes in the domestic and international environment, the protection of college students' rights and interests has also shown diversity and complexity. The imperfect mechanism for college students' rights and interests appeal and the high cost of rights protection are the main reasons why college students' rights and interests are infringed and not protected. A study stated took college students' subject rights as the research object, explored the formation process of college students' subject rights, and proposed a management theory for the generation and realization of college students' subject rights. Liu et al. (2020) pointed out that the main manifestations of infringement of college students' rights are infringement of the right to education, infringement of personality rights, infringement of property rights, etc. Therefore, it is necessary to protect students' rights and interests by improving the management system of colleges and universities and improving the relief mechanism for college students' rights. Saaltink et al. (2012) have proposed that young people should actively participate in the protection of their own rights and interests, that juvenile crimes that infringe the rights and interests of college students should be corrected in a timely manner (Singer, 1997), and that psychological intervention and treatment should be taken for victimized college students (Schenk and Fremouw, 2012).

The research on the legal rights and interests of college students at home and abroad is still mainly based on basic theoretical research, and there is a lack of empirical investigation. In the context of rule of law, it is inevitable that the protection of college students' rights and interests will be combined with legal regulation.

Materials and Methods

The research methodology chosen for this study is a qualitative research approach to answer the question "What are the common violations of legal rights and interests encountered by college students in central China? How to implement legislative reforms to strengthen the legal protection of the rights of college students in central China?" The qualitative research design was chosen because of the limited time available for the study. The qualitative approach emphasizes the quality of data associated with each observation unit rather than the number of observation units. Recognizing that statistical generalization is only one means of research design; the qualitative approach emphasizes the quality of data associated with each observed unit rather than the number of units observed. Statistical generalization is simply a means used by a research design to represent a population (Patterson and Williams, 2002). These methods are usually not designed to make broad assertions about a group, but rather to gain insight into specific subgroups and the underlying processes, values, dilemmas, emotions, conflicts, and relationships that lead to particular outcomes. It is these forms, and the issues that arise, that are transferable to other contexts, not their quantitative patterns and statistical relationships. Through this openness, qualitative research methods can explore areas that are inherently 'fuzzy' (Antoine, 2009).

Results and Discussion

Analysis of the current status of legal rights and interests of college students

The survey samples came from five schools in the central region of China, and a total of 15 people were interviewed. In the interview, "Do you think that the legal rights and interests of college students have been damaged more in recent years?" Participants 1, 4 and 9 mentioned campus bullying, participants 3, 4, 11 and 15 mentioned campus "naked loans", and participants 2, 6, 8 and 10 mentioned campus telecommunications fraud.

Analysis of the manifestations and illegality of campus bullying

Campus bullying refers to the behavior that occurs inside and outside the school campus, where one student (individual or group) deliberately or maliciously uses physical strength or numbers of people once or multiple times to bully, insult, and infringe on the physical, mental or property of another student (individual or group) through physical, verbal and network means (Xu and Xu, 2018). Participant 1 mentioned: "In recent years, school bullying incidents have occurred frequently. I often see in the news that the bullies' behavior is very cruel and shocking." Participant 4 said: "The school bullying incidents around me have caused extremely serious harm to my classmates' bodies and minds." Participant 9 talked about: "My friends have developed serious emotional or mental disorders after being bullied."

Analyzing the illegality of bullying behavior, it can be seen that school bullying behavior is essentially an infringement (Brookshire, 2014; Weddle, 2004), and illegality is one of the constituent elements (main manifestations) of infringement. Clarifying the meaning of illegality is crucial to determining the illegality of school bullying. School bullying behavior is mainly manifested as infringement of inviolable rights, and its illegality is determined by the meaning of inviolable rights. According to Article 3 of the Civil Code, the personal rights, property rights and other legal rights and interests of civil subjects are protected by law and shall not be infringed by any organization or individual. As long as this inviolable right is infringed, the behavior is illegal. In the case of school bullying, if the behavior of the actor is judged to have infringed the absolute rights of the bullied person, causing the bullied person to feel deep pain physically and mentally, it is of course illegal (Yang and Tao, 2013). School bullying behavior has complex manifestations, and some behaviors cannot be covered by legal provisions. For example, exclusion and isolation are typical school bullying behaviors, and they do cause great psychological harm to the bullied, but how do we judge the illegality of these behaviors? It is necessary to judge not only whether the motive and purpose of the behavior is for illegal purposes such as discrimination and revenge; whether the means and degree of the behavior are excessive, if illegal means such as threats, intimidation, and personal injury are adopted, or the degree has seriously affected the lives and studies of others; whether the behavior has caused actual damage and the subjective understanding and degree of fault of the actor. If it is intentional, the illegality will be more serious. From this, it can be judged that school bullying violates the criminal obligations stipulated in the Criminal Law. Therefore, school bullying is criminally illegal (Feng, 2023; Zhou, 2022; Sun, 2021; Yao and Liu, 2021).

Analysis of the performance and illegality of campus 'naked loans'

With the vigorous development of the Internet, private lending has taken advantage of the telecommunications network and is no longer limited to the traditional form of face-to-face transactions. Instead, many illegal and criminal activities have emerged in the guise of private lending. Participant No. 3 mentioned: "When he was searching for mobile phones and other electronic products on the Internet, he saw a pop-up window indicating that he could get a loan at a low price. After learning about it, he found that it was a "naked loan." Participant No. 4 said: "I have seen pop-up windows for loan web pages when I was surfing the Internet, and I closed them immediately. Because I saw in the news that the victims were all female college students, and many of them were originally victims, but later embarked on the road of crime in order to repay the 'Naked loan!'" Participant No. 11 described: "'Naked loan' refers to college students taking nude photos required by the lender as a guarantee of their repayment. When college students have difficulty repaying, the lender will "Naked loans attract many college students with financial difficulties because of their low requirements and simple procedures. It seems to help them through a crisis, but there is actually a bigger trap waiting for them. The interest-compounding method forces college students to borrow new loans to repay old debts, and they soon fall into the vortex of high loan principal and interest repayments. When borrowers are unable to repay their loans and are on the verge of collapse, lenders use the sex trade channels they have prepared long ago to force college students to sell their bodies to repay their loans." The lender of "naked loans" may be involved in various criminal charges such as the crime of disseminating obscene materials and the

crime of disseminating obscene materials for profit, the crime of forced prostitution, the crime of extortion, the crime of insult and the crime of rape.

Analysis of the manifestations and illegality of campus telecommunications fraud

The manifestations of campus telecommunications fraud are quite diverse. Participant No. 2 mentioned part-time order-brushing fraud. "The fraudsters recruited people to do part-time order-brushing through the Internet, promising to return the order-brushing fees after completing the designated transactions and give additional order-brushing wages. At first, they would return a few small amounts of order-brushing fees and pay the agreed remuneration in advance. When my classmates gradually trusted them, the fraudsters would give several large numbers of order-brushing tasks, and then make up various reasons to refuse to return the money, in order to defraud money until my classmates realized that they were deceived." Participant 6 described the pig-killing scam. "Pig-killing" is currently the most common and most destructive fraud method. The scammers first look for targets through social software, etc.; after adding the victim as a friend, they establish emotional exchanges with the victim; after the relationship is stable, they encourage the victim to invest; after the victim completely trusts him, he encourages the victim to make a large investment, and finally blocks the victim and disappears from the victim's sight. Participant 8 described the loan fraud he encountered. "The scammer lured me to apply for a small loan with simple procedures and low interest rates, and then asked me to pay various fees to the account he set up first, saying that the bank account I provided was wrong and I needed to pay a "handling fee" to unfreeze it..."

Participant 10 mentioned that the scammer pretended to be an online merchant to commit fraud. "The scammer somehow got my online shopping information, pretended to be a merchant, and told me that I needed to make an online refund, but the refund procedure he guided me through actually transferred the payment to the fraud account." So far, although the incidence of telecommunications network fraud crimes in China is relatively high, there is no separate crime of telecommunications network fraud in the Chinese Criminal Law. The crimes involved in telecommunications network fraud include fraud, fraud, obstruction of credit card management, stealing, buying, and illegally providing credit card information, infringing on citizens' personal information, refusing to perform information network security management obligations, illegal use of information networks, assisting information network criminal activities, and disrupting the order of radio communication management.

Measures to meet the new needs of legal protection of college students' rights and interests

During the interview, the Participant students put forward some ideas for legal protection of rights and interests. Some of them are not in line with the principle of legality of crime and punishment and the principle of proportionality between crime and punishment, such as: Participant 5 mentioned: "sentencing campus bullies to death"; some do not conform to the current national conditions in China, such as Participant 7 mentioned: "installing more campus cameras to monitor whether students are defrauded". We have sorted out and studied some more reasonable ideas for legal protection of rights and interests, and proposed the following feasible measures based on the needs of the students in the interview.

Clarify the mandatory reporting obligations of relevant responsible entities in legislation

Due to the fact that college students live on campus for a long time and university class management is more flexible, it is difficult for parents and schools to discover incidents of infringement of college students' rights and interests in the first place. In order to better protect the interests of college students, the protection responsibilities of the government, society, schools, parents and other parties should be clarified, and the supervision of college students' safety by administrative agencies should be strengthened. The government is responsible for formulating relevant laws and regulations, clarifying the definition and punishment measures for school bullying, increasing supervision of school bullying issues, and establishing reporting and complaint channels. In terms of society, the media will increase exposure of school bullying issues to create a good public opinion environment; social organizations will actively participate in anti-school bullying activities; and provide professional psychological counseling and assistance services. Schools are responsible for formulating a complete school bullying prevention and control system and emergency plan; strengthening campus safety management, promptly discovering and stopping bullying behavior; carrying out student mental health education, cultivating students' correct outlook on life and values; establishing a student complaint and help mechanism, and properly handling bullying incidents. Parents need to strengthen family education, cultivate their children's good character and empathy; actively communicate with the school and pay attention to their children's growth; and communicate with the school and professional institutions in a timely manner to seek help when problems are discovered.

At the same time, a mandatory reporting system should be established, and its content should include the following four aspects: First, clarify the subject of mandatory reporting. From the perspective of protecting college students' privacy and the possibility of reporting operations, the scope of this subject should not be too large. It is limited to institutions and personnel who may come into contact with college students due to work reasons, such as schools, social work service agencies, medical institutions, psychological counseling agencies and their staff; second, it clarifies the objects of mandatory reporting, which should include all students in public and private undergraduate and college institutions; third, it clarifies the specific circumstances of the report, which should include not only physical injuries suffered by college students, but also suspicious mental conditions such as drastic mood swings, long-term depression; fourth, it clarifies the liability consequences of the subject's inaction. If the subject with the obligation to report fails to report to the competent department after discovering or knowing the abnormal behavior of college students, and serious consequences are caused, it should be punished by the relevant department.

Establishment a legal aid agency in colleges and universities

The survey shows that the main reason for the infringement of college students' rights is that college students are not clear about their own rights and interests, and they do not know how to defend their rights when they are infringed. Although the work of the Communist Youth League and counselors can have a positive impact, they are limited by their professional level and cannot directly solve the problem of infringement

of rights and interests. To truly ensure that the legitimate rights and interests of college students are protected, it is also necessary to have personnel who have received professional training in law or psychology to provide education, guidance and consultation. In addition to carrying out legal publicity, legal lectures, and offering legal courses, colleges and universities should also consider introducing or establishing legal aid agencies in colleges and universities as a supplement to offering rule of law courses and holding rule of law lectures, so as to provide timely and professional legal consultation and assistance to teachers and students. At the same time, campus resources can also be used to establish a rights protection volunteer team composed mainly of college law teachers and supplemented by law students, to provide help to teachers and students, resolve disputes in a timely manner, and effectively protect students' rights and interests.

Rights protection APP support

Establish a college student rights protection APP to reduce the difficulty of college students' rights protection. From the interview, it was found that participants 3, 7, and 12 all mentioned that although college students' awareness of legal rights protection is gradually increasing, due to the imperfect relevant guaranteed system, the cost of college students to protect their own legitimate rights and interests is high. When college students are wondering whether they can defend their rights, it is difficult to match them with professional legal practitioners for assistance (Feng, 2023). At the same time, since college students have to complete heavy university homework, they do not have more time and energy to learn how to solve problems through professional legal channels, so many college students can only choose to give up their rights after their legitimate rights and interests are infringed. In the interview, the interviewer noted that as a generation that grew up in the wave of the Internet era, contemporary college students are more willing to use smartphones to deal with problems in all aspects of life. Therefore, to protect the legitimate rights and interests of college students, this channel that college students are more popular with can be chosen.

A one-click rights protection button is set in the mobile phone APP. As long as college students report and upload student ID cards and other documents through the confidential port, there will be a special customer service return visit to communicate and ask about the specific case. And give a reply within 3-5 working days. At the same time, the APP is supported by AI big data and sets up an intelligent generation of legal opinions. Students can describe their cases under this module. The system uses AI algorithms to match massive legal databases and give legal opinions. The legal opinions are completely free, and the opinions are given quickly. If students are not satisfied with the opinions or still have questions, they can continue to consult manual customer service. Considering that the relevant departments do not have the funds to support so many manual customers service staff who understand the law in a short period of time, it is possible to consider organizing these volunteers by the law departments or law schools of major universities. Not only does it provide opportunities for practice for law students and law school teachers, but it also enables volunteers to empathize with the plight of the consultants and thus provide better services for them. Such a personnel composition can provide professional legal services to college students and reduce the occurrence of infringement of the legitimate rights and interests of college students. At the same time, it can also stand as an intermediary to safeguard the rights and interests of all parties, truly reflecting the fairness and justice of the law.

Conclusion

This article analyzes the current situation of the protection of college students' rights and interests, analyzes the manifestations and causes of the infringement of college students' rights and interests in central China, and analyzes the changes in the demand for the protection of college students' legitimate rights and interests in recent years. The issue of college students' rights protection is not only an important issue related to their personal development, but also a major issue related to the construction and future of the country. It requires the joint efforts of legislators, schools and society to improve college students' awareness of rights protection, strengthen the effectiveness of college students' rights protection work, and protect college students' legitimate rights and interests from infringement.

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Conflict of interest

The authors confirm that there is no conflict of interest involve with any parties in this research study.

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