

Original Paper

Digital Empowerment of Social Assistance Rights: Legal Issues and Reflections

Yunlong Zhu^{1,2}

¹ University of Washington, Seattle, WA 98195, USA

² WinGlobal, Guangdong, Shenzhen, China

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Abstract

This paper aims to explore the legal issues surrounding the digital empowerment of social assistance rights, by examining the current practices and status of digital empowerment in the field of social assistance, and analyzing the legal challenges and solutions involved. Firstly, the paper elucidates the concepts and significance of social assistance rights and digital empowerment, then analyzes the current application of digital technologies in the field of social assistance and the current legal issues therein. Subsequently, it focuses on legal issues such as data privacy and information security, legal frameworks and regulations for safeguarding social assistance rights, legal responsibilities, and regulatory mechanisms, proposing corresponding legal safeguards and strategies. Finally, it summarizes the achievements and challenges of digitally empowering social assistance rights and provides prospects for future development.

Keywords

Digital empowerment, social assistance rights, legal issues, data privacy

1. Introduction

With the rapid development and widespread adoption of digital technology, digital empowerment has become an important trend in the field of social assistance. In terms of legal issues concerning the right to social assistance, digital empowerment provides new avenues for thinking and resolution. The consideration of legal issues related to digital empowerment in social assistance not only involves the combination of technology applications and legal norms but also concerns fairness, justice, and the protection of human rights. This paper will explore how digital empowerment affects the legal practice of the right to social assistance, as well as the legal issues and challenges involved. Through an analysis of the intersection between digital empowerment and the right to social assistance, we can better

understand the development trends of social assistance law in the digital age and provide reference and guidance for building a more equitable and efficient social assistance system.

2. The Concept and Significance of Digital Empowerment of Social Assistance Rights

2.1 The Concept and Connotation of Social Assistance Rights

Social assistance rights, as an integral part of the human rights system, refer to the individual's right, under the law, to obtain necessary living support and assistance from the government or social organizations. Its core connotation includes two aspects: first, individuals have the right to obtain social assistance, meaning that when individuals encounter living difficulties or special circumstances, they have the right to apply to the government or social organizations for and obtain corresponding assistance; second, the government or social organizations have the responsibility to provide necessary social assistance to individuals, ensuring the protection of their basic rights to life. Therefore, social assistance rights are not only the rights of individuals but also the responsibilities of the government, requiring both proactive applications from individuals and active fulfillment from the government.

In the context of digital empowerment, the concept and connotation of social assistance rights have undergone new changes. Digital empowerment makes the processes of social assistance application, review, and distribution more efficient and convenient, strengthening the government's management and supervision of social assistance. At the same time, the application of digital technology provides individuals with more channels and ways to access information and services, enhancing the realization of social assistance rights. Therefore, digital empowerment not only enhances the efficiency and service level of the social assistance system but also promotes the realization and safeguarding of social assistance rights, which is of great significance and value (Egan, 2022, pp. 202-222).

2.2 The Concept of Digital Empowerment and Its Application in the Field of Social Assistance

Digital empowerment refers to the use of digital technology to provide more efficient, convenient, and intelligent services and support to various industries, thereby promoting social development and progress. In the field of social assistance, the specific applications of digital empowerment include but are not limited to the following aspects: Data management: Establishing an electronic file system for social assistance recipients using information technology to digitize the collection, storage, management, and sharing of personal information, improving the accuracy and timeliness of social assistance. Intelligent auditing: Using artificial intelligence, big data, and other technologies to conduct intelligent audits and analysis of social assistance application materials, improving audit efficiency, reducing human errors, preventing fraudulent applications, and ensuring the rational distribution of assistance resources. Electronic payment: Using electronic payment methods to distribute social assistance funds, directly transferring funds to the accounts of recipients through channels such as bank cards and electronic wallets, improving distribution efficiency, and reducing delays and risks in fund circulation. Online services: Establishing social assistance information disclosure platforms and online consultation service systems to provide convenient information inquiry and application processing

services for recipients, enhancing the transparency and accessibility of services. Data analysis and prediction: Through the analysis and mining of social assistance data, discovering the regularities and trends of social assistance needs, providing scientific basis and predictive support for government decision-making and resource allocation. The application of digital empowerment in the field of social assistance not only enhances service efficiency and quality but also strengthens the transparency and fairness of social assistance, promoting the modernization and healthy development of the social assistance system.

3. Current Status Analysis of Digitally Empowering Social Assistance Rights

3.1 Current Application Status of Digital Technology in the Field of Social Assistance

Currently, digital technology has made some progress in the field of social assistance, mainly in the following aspects: Firstly, data management has been initially established. Many regions have set up electronic file systems for social assistance recipients, realizing the digitized collection, storage, and management of personal information. These electronic file systems not only improve the efficiency of information integration and sharing but also provide more accurate data support for social assistance work. Secondly, intelligent auditing is gradually being widely applied. With the help of artificial intelligence and big data technology, social assistance application materials can be intelligently audited and analyzed, rapidly identifying eligible beneficiaries, reducing the time and cost of manual review, and improving the accuracy and efficiency of auditing. Thirdly, electronic payment methods are gradually becoming more widespread. More and more places are adopting electronic payment methods to distribute social assistance funds, allowing beneficiaries to directly receive funds through channels such as bank cards and electronic wallets, avoiding the security risks and management challenges associated with cash distribution, and improving the convenience and security of fund distribution. Additionally, online service platforms are gradually being improved. Many places have established social assistance information disclosure platforms and online consultation service systems, allowing beneficiaries to access policy regulations, submit application materials, and seek advice through the internet, enhancing the convenience and accessibility of services and promoting information sharing and communication. In summary, digital technology has achieved some results in the field of social assistance, but it still faces some challenges and issues, such as information security risks and data privacy protection. Therefore, it is necessary to further strengthen technological innovation and legal system construction in the future to promote the deep application of digital empowerment in the field of social assistance, better safeguarding and implementing the right to social assistance (Lee, 2016, pp. 317-333).

3.2 Manifestation and Issues of Social Assistance Rights in the Process of Digital Empowerment

Digital empowerment in the field of social assistance reflects various aspects of social assistance rights in practice, but it also brings some problems and challenges. Firstly, digital empowerment reflects the right to access information of social assistance. Through digital platforms, beneficiaries can easily

access information such as assistance policies and application procedures, enhancing the transparency and accessibility of information, improving the beneficiaries' awareness of their rights and their exercise (Habermas, 2022, pp. 145-171). 145-171. Secondly, digital empowerment reflects the right to apply for and receive assistance. Beneficiaries can submit application materials through online platforms, and government departments can timely process and handle applications, reducing the time and space constraints associated with traditional application methods and enhancing the channels for beneficiaries to realize their rights. Thirdly, digital empowerment reflects the right to service guarantees of social assistance. Through digital platforms, beneficiaries can more quickly obtain assistance funds and service support, improving the efficiency and quality of assistance and enhancing the satisfaction and trust of beneficiaries. However, digital empowerment also faces some problems and challenges. Firstly, the existence of the digital divide means that some vulnerable groups cannot enjoy the convenience brought by digital empowerment, which contradicts the principle of universality of social assistance rights. Secondly, concerns about information security and privacy protection have been widely raised, as the leakage and misuse of personal sensitive information may harm the legitimate rights and interests of beneficiaries. Additionally, the application of digital technology may increase the technical dependence of beneficiaries. Once the system fails or misinformation occurs, it may affect the realization of beneficiaries' rights and life security. Therefore, while digital empowerment embodies social assistance rights, it is also necessary to fully consider the problems and challenges, strengthen the management of information security and privacy protection, promote the universality and sustainable development of digital technology, and ensure that digital empowerment plays a positive role in realizing social assistance rights.

4. Discussion on Legal Issues of Digitally Empowering Social Assistance Rights

4.1 Data Privacy and Information Security Protection

With the widespread application of digital empowerment in the field of social assistance, data privacy and information security protection have become urgent legal issues to be addressed. In the process of digital assistance, a large amount of personal sensitive information is collected, stored, and used, including personal identity information, economic conditions, family situations, etc. Once this information is leaked or misused, it will seriously harm the legitimate rights and privacy of beneficiaries. Firstly, laws need to specify the scope and purpose of data collection and use. When collecting personal information, social assistance agencies should clearly inform beneficiaries of the purpose, scope, and methods of information collection, and obtain explicit consent from the beneficiaries. At the same time, laws should stipulate strict data usage and access permissions to ensure the legality and security of data. Secondly, laws need to strengthen the supervision and protection of data security. Social assistance agencies should establish sound information security management systems and technical protection measures, strengthen the encryption, backup, and monitoring of personal information, prevent illegal access, and tampering of data. Meanwhile, for security incidents

such as data leakage and loss, laws should stipulate timely reporting and compensation responsibilities to safeguard the legitimate rights and interests of beneficiaries. Additionally, laws need to strengthen the standardized management of data sharing and exchange. During the data sharing process, the recipients, scope, and purposes of data sharing should be clearly specified to ensure the legality and security of data and prevent its abuse and leakage. Meanwhile, laws should specify cross-departmental data exchange mechanisms and procedures, strengthen the supervision and management of data exchange to ensure its legality and compliance. In summary, data privacy and information security protection are important legal issues faced by digitally empowering social assistance rights. By strengthening the standardized management of data collection, use, sharing, and exchange, establishing sound information security management systems and technical protection measures, the legitimate rights and privacy of beneficiaries can be effectively safeguarded, promoting the realization and implementation of social assistance rights (Danso, 2018, pp. 410-430).

4.2 Legal Framework and Regulations for Guaranteeing Social Assistance Rights

The legal framework and regulations for guaranteeing social assistance rights are essential foundations to ensure the full protection and realization of beneficiaries' rights. In the process of digitally empowering social assistance rights, the legal framework and regulations should include the following aspects: Firstly, clarify the legal status and principles of social assistance. Laws should clearly stipulate that social assistance rights are basic rights of beneficiaries, with legal protection and remedies. At the same time, laws should specify the basic principles of social assistance, including fairness, justice, transparency, and convenience, providing legal guidance and norms for social assistance work. Secondly, specify the objects and scope of social assistance. Laws should clearly define the objects of social assistance, including which populations are eligible for social assistance and under what circumstances. Meanwhile, laws should also specify the content and standards of social assistance, including specific content and standards in areas such as economic assistance, medical aid, and educational support. Thirdly, establish a sound social assistance system and mechanism. Laws should stipulate the establishment of a sound social assistance management system and operating mechanism, clarify the responsibilities and obligations of government departments and social organizations, ensure the reasonable allocation and effective utilization of social assistance resources. Meanwhile, laws should specify the standards for social assistance services and quality evaluation mechanisms, strengthen the supervision and evaluation of social assistance work. Lastly, strengthen the protection and relief mechanisms for social assistance rights. Laws should stipulate the establishment of sound protection and relief mechanisms for social assistance rights, including channels for complaints and reports, administrative review, and judicial remedies, to ensure that the legitimate rights and interests of beneficiaries are effectively protected and realized. In summary, the legal framework and regulations for guaranteeing social assistance rights are a crucial link to ensure the smooth implementation of digitally empowering social assistance rights. By clarifying the legal status and principles of social assistance, specifying the objects and scope of social assistance, establishing a sound social assistance

system and mechanism, and strengthening the protection and relief mechanisms for social assistance rights, the rights and interests of beneficiaries can be effectively protected, promoting the normalization and healthy development of social assistance work (Lombard-Vance, Soye, Ferri et al., 2023, pp. 28-47).

4.3 Construction of Legal Responsibility and Supervision Mechanisms

In the process of digitally empowering social assistance rights, the establishment of sound legal responsibility and supervision mechanisms is an important guarantee to safeguard the rights and interests of beneficiaries and ensure the fair operation of social assistance. This mechanism should cover the following aspects: Firstly, establish clear legal responsibility systems. Laws should clearly stipulate the responsibilities and obligations of social assistance agencies, government departments, and relevant personnel in social assistance work, including responsibilities for information protection, implementation of assistance standards, and service quality assurance. For illegal and irregular behaviors, laws should specify corresponding punishment and accountability mechanisms to ensure the implementation and enforcement of legal responsibilities. Secondly, establish effective supervision mechanisms. Government departments should strengthen the supervision and management of social assistance work, establish a sound supervision system and mechanism, strengthen the daily supervision and inspection of social assistance agencies and personnel. At the same time, it should establish an assessment and evaluation mechanism for social assistance work to conduct regular assessments and monitoring of social assistance work, discover and correct problems in a timely manner. Thirdly, strengthen the supervision of information security and data protection. Government departments should strengthen the security management and supervision of social assistance data, establish sound data security protection systems and technical protection measures to ensure the security and confidentiality of beneficiaries' personal information. For behaviors that violate data protection regulations, corresponding penalties and sanctions should be imposed. Lastly, establish mechanisms for accepting complaints and handling disputes. Government departments should establish sound mechanisms for accepting and handling complaints about social assistance, providing timely and effective channels for beneficiaries to complain, and promptly handling the complaints and disputes received. For complaints and disputes involving the rights and interests of beneficiaries, investigations and resolutions should be carried out impartially, timely, and effectively to ensure the effective protection and maintenance of beneficiaries' legitimate rights and interests. In summary, the establishment of sound legal responsibility and supervision mechanisms is an important guarantee for digitally empowering social assistance rights. By clarifying legal responsibilities, strengthening supervision and oversight, protecting information security, and establishing mechanisms for complaint handling, the rights and interests of beneficiaries can be effectively protected, promoting the fair operation of social assistance work and advancing the implementation and development of digitally empowering social assistance rights.

5. Legal Safeguards and Measures for Digitally Empowering Social Assistance Rights

5.1 Legal Policy Suggestions and Improvements

To better safeguard the digitally empowered social assistance rights, it is crucial to enact specialized laws such as the “Social Assistance Law” or related regulations. This law should clearly define the rights and obligations of social assistance, including aspects such as beneficiaries, assistance standards, procedures, and information protection, providing clear legal basis and norms for digitally empowering social assistance. Additionally, it is necessary to improve the legal system for personal information protection. Strengthening the protection of personal information, clearly defining the principles of collection, use, storage, and protection of personal information, establishing sound personal information security management systems and technical protection measures, ensure the security and confidentiality of beneficiaries’ personal information. Furthermore, establishing independent social assistance regulatory agencies is also an important measure. Independent social assistance regulatory agencies should be established to strengthen the supervision and management of social assistance work, standardize social assistance behavior, and uphold the legitimate rights and interests of beneficiaries and the fair operation of social assistance. Strengthening legal publicity and education is also indispensable. Efforts should be made to enhance the publicity and education of social assistance laws and policies, increase the awareness and understanding of social assistance rights and obligations among beneficiaries and the public, and enhance beneficiaries’ awareness and ability to protect their rights. Lastly, establishing a sound complaint reporting mechanism is also necessary. A sound social assistance complaint reporting mechanism should be established to provide timely and effective channels for beneficiaries to lodge complaints, promptly handle complaints and disputes received, and ensure the effective protection and maintenance of beneficiaries’ legitimate rights and interests. Through these legal policy suggestions and improvements, the legal safeguards for digitally empowering social assistance rights can be further strengthened, promoting the normalization, institutionalization, and healthy development of social assistance work, and achieving effective protection and implementation of social assistance rights.

5.2 Strengthening Supervision and Security Mechanisms

Strengthening supervision and security mechanisms is an important measure to ensure the effective implementation of digitally empowering social assistance rights. Firstly, it is crucial to establish sound supervision mechanisms. Government departments should strengthen supervision and management of social assistance agencies and relevant service providers to ensure their lawful performance and standardized operation. Regular supervision and inspection should be conducted to identify and rectify problems in a timely manner. Secondly, strengthening information security is a necessary means to ensure the security of beneficiaries’ personal information. Establishing sound information security management systems and adopting effective technical measures to protect beneficiaries’ personal information, preventing the risks of information leakage and misuse. Thirdly, strengthening the supervision of digitally empowering technology is essential. Supervise the research, application, and

promotion of digitally empowering technology to ensure compliance with laws and regulations and safeguard the rights and interests of beneficiaries. Meanwhile, strengthen the supervision of digitally empowering service platforms to enhance platform security and reliability. Lastly, establish a sound complaint handling mechanism. Establish complaint channels for beneficiaries, promptly receive and handle complaints, and safeguard beneficiaries' legitimate rights and interests. The implementation of these measures will provide strong guarantees for digitally empowering social assistance rights, promote the sustainable development of social assistance undertakings (Hoogerwerf & Mavrou, 2020, pp. 131-143).

5.3 Public Participation and Social Governance

Enhancing public participation and social governance are important measures to guarantee digitally empowering social assistance rights. Firstly, an information disclosure mechanism should be established to ensure the transparency of social assistance policies, standards, and procedures. By disclosing relevant information to the public, it enhances their ability to understand and participate in social assistance work, and improves the democracy and scientific nature of government decision-making. Secondly, encourage social organizations and volunteers to participate in social assistance work, leveraging their roles in information collection, needs assessment, and service provision. The participation of social organizations and volunteers can not only enrich social assistance resources but also enhance the quality and efficiency of social assistance services. Thirdly, establish a sound social supervision mechanism, strengthen supervision and evaluation of social assistance work. By establishing complaint reporting channels, holding public hearings, etc., strengthen social supervision of social assistance work, promptly identify and correct problems, and promote the standardization and healthy development of social assistance work. Lastly, strengthen community construction and promote the organic integration of social assistance work and community services. Give full play to the role of community organizations, establish a community social assistance model characterized by multi-party participation and collaborative governance, provide beneficiaries with services that are closer to life, warmer, and more caring. Through these measures, public participation can be stimulated, promoting the democratization, rule of law, and humanization of social assistance work, and better achieving the goal of digitally empowering social assistance rights.

6. Conclusion

Digitally empowering social assistance rights is an important way to promote the development of social assistance undertakings, with the potential to promote social equity, improve assistance efficiency, and service quality. This article discusses the importance and feasibility of digitally empowering social assistance rights from three aspects: legal safeguards and measures, supervision and security mechanisms, and public participation and social governance. To better realize digitally empowering social assistance rights, specific measures such as establishing a sound legal policy system, strengthening supervision and security mechanisms, promoting public participation and social

governance are proposed. Through the implementation of these measures, the efficiency and quality of social assistance work can be effectively improved, promoting the comprehensive realization of social assistance rights. In the future, it is necessary to further strengthen the cooperation between government, social organizations, and the public, jointly promote the implementation of digitally empowering social assistance rights, and contribute to the construction of a more fair and harmonious society.

References

- Danso, R. (2018). Cultural competence and cultural humility: A critical reflection on key cultural diversity concepts. *Journal of Social Work*, 18(4), 410-430. <https://doi.org/10.1177/1468017316654341>
- Egan, M. (2022). Remote justice: Information rights as a tool of empowerment. *International Review of Law, Computers & Technology*, 36(2), 202-222. <https://doi.org/10.1080/13600869.2022.2060465>
- Habermas, J. (2022). Reflections and hypotheses on a further structural transformation of the political public sphere. *Theory, Culture & Society*, 39(4), 145-171. <https://doi.org/10.1177/02632764221112341>
- Hoogerwerf, E. J., & Mavrou, K. (2020). Inclusive education and digital empowerment as part of wider societal challenges. In *The Role of Assistive Technology in Fostering Inclusive Education* (pp. 131-143). Routledge. <https://doi.org/10.4324/9780429428241-6>
- Lee, C. K. (2016). Precarization or empowerment? Reflections on recent labor unrest in China. *The Journal of Asian Studies*, 75(2), 317-333. <https://doi.org/10.1017/S0021911815002132>
- Lombard-Vance, R., Soye, E., Ferri, D. et al. (2023). Applying the “human rights model of disability” to informed consent: Experiences and reflections from the SHAPES project. *Disabilities*, 3(1), 28-47. <https://doi.org/10.3390/disabilities3010003>