Reflections on the Rule of Law: The Governance of Public Opinion under the Background of Intelligent Media and COVID-19

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Abstract: *With the development of artificial intelligence and algorithmic technology, the "Internet public opinion" during the coronavirus pandemic has shown different features comparing previous times——they are the coexistence of responsiveness and paranoia, the coexistence of consultation and hierarchy, and the combination of incentive and incitement. We believe that the government should regulate, supervise and lead the "Internet public opinion" through the rule of law to cope with those newly emerged characteristics. To be specific, the first is to improve the law system for comprehensive governance of online public opinion, and the second is to strengthen the network platform and its algorithm rules. The final is to improve the law and media literacy of the general public.*

Key words: *the era of intelligent media; COVID-19; Internet public opinion; Rule of law*

Introduction

As Dickens wrote in *A Tale of Two Cities*: "It was the best of times, it was the worst of times, it was the era of wisdom, it was the era of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness…" Since human beings entered into the risk society, in addition to the traditional natural risks and economic risks, technical and public health risks have become increasingly prominent. In the last two years, the outbreak of COVID-19 and people's perceptions of its impact have become another two crucial risks that we can not ignore. Governments and institutions must analyze the trend behind public opinion when a crisis like COVID-19 emerges so that we can take measures to help build us, the people around the world, back better.

The Characteristics of Network Public Opinion towards COVID-19 in the Era of Intelligent Media

Make full use of artificial intelligence and big data technology is the most distinguishing feature of the intelligent era. The two kinds of technology dominate the whole progress of information dissemination and interactive feedback. "Artificial intelligence redefines news production and communication" (Fang, 2019). In

this essay, we conclude three characteristics of the Internet opinion during the coronavirus pandemic.

Responsive and Paranoid

In the era of intelligent media, Internet service providers can accurately distribute every piece of information based on algorithm recommendation techniques. Network companies and Internet platforms will take advantage of their database, compelling various visitors' big data. They gather and analyze these data to create different "user portraits" to "target" people. As a result, their users will receive information or news that has been screened and filtered by the algorithmic recommendation system. Once their origins of information become fixed and narrow, they are more likely to believe what they have already thought fondly. As time goes by, people who are identified and exposed to this information will be stuck in this designed cycle; they will be like silkworms that are trapped in the "information cocoons".

For example, in the early era of the pandemic, the Wuhan branch of the Red Cross Society of China (referred to as the "Wuhan branch") was questioned by many parties about distributing donated materials. Except the wrong receiver name appeared in the payment receipt signed from the branch when CCTV reporters visited their warehouse, they were blocked by a guard, and the broadcast was forced to terminate. Also, a series of photos posted by a web user (@BigWayneWu), forwarded and inquired by China Daily's official accountant in Weibo, showed medical staff in Xiehe hospital have to make protective clothing and masks by themselves because of the shortage of supplies (This piece of news had been denied by Xiehe hospital in Wuhan in 31st January 2020). Because this information online is all accompanied by videos or photos, reporters' and users' words are descriptive and incentive; people who cared about the fight with COVID-19 would be easy to feel irritated and impulsive. Once netizens who were already doubtful about the Red Cross organization receive massive negative information such like the above posted by the Internet platforms, there will be incited more easily.

If governments had not taken adequate measures to affirm the news sources, broadcast information through an official announcement or state media like CCTV, govern and regulate online opinion immediately, Internet public opinion would be more likely to fall into extreme paranoia and challenging recovery. On the other hand, netizens' Internet opinion is more like a multiple communication than a monotonous monologue; the author and the audience are in a reversible position (Ma & Chen, 2015), it has more robust responsiveness to other means of information transaction.

Consultative and Hierarchical

In the traditional media era, the Internet public opinion shows homogenization and classlessness. In contrast, the intelligent media era exhibits hierarchy. Firstly, the algorithmic-based information distribution system identified and differentiated classes from online users. Different "tribes" often have their own features; they normally share the same feelings towards COVID-19 ,and use similar expressions to describe that, which leads to the complexity and diversity of online public opinion. Meanwhile, the popularization of the mobile Internet in intelligent media has made it easier for people to participate in online discussions. The public can actively participate in online discussions about the COVID-19, which helps bridge the gap between different

classes. Differences in concepts also contribute to the formation of rational and positive online public opinion.

Incentive and Incitement

Since the convenience of the information dissemination and personalized post regime, it is common for netizens to share their opinion less rationally.

As Gustave Le Pen mentioned in *The Crowd: A Study of the Popular Mind*, when individuals are gathered together in a crowd for action, they will be added to the racial characteristics and differ from themselves at times to a very considerable degree. A group is impulsive, mobile, and irritate compared to a single person. For example, at the beginning of the COVID-19 epidemic, some people rushed into the supermarket and pharmacy to stock daily necessities and masks because they were incited by the rumors or influenced by other people's anxiety emotions widespread on the network. Nevertheless, from another perspective, policymakers who provided reliable data and gave strong responses through the state press and social media had successfully obtained people's trust and enhance government credibility. "This increase in the trust provides governments with an unusual chance to take decisive action backed up by public support"—as CIC in New York University has argued, "the pandemic is an opportunity to build back better, and this data suggests leaders should seize the moment." (Chamier, Nowl & Angell, 2020). With the help of government's practical endeavors like Strengthening the supervision of popular projects and disclosing data on the fulfillment of government's responsibilities and administrative promises; and the rational guidance of the media, the public opinion has been successfully governed and led, shows the public's pride and self-confidence in the central government and the whole country, shows people's admiration and care for the selfless and dedicated medical staff, and their full support for overcoming the epidemic.

Ways of Rule of Law

In intelligent media period, managing online public opinion is a comprehensive project that requires multiple forces to work together. The rule of law, the most efficient means of governing the country, integrating and adjusting the society, should play a prominent role in administrating the public opinion under the background of COVID-19.

Improving the Related Law System

Ever since humanity has entered into the intelligent era that includes various means of media and are able to self-evolving, it has extensively promoted the developing progress of the information distribution platform and end of the message dissemination. However, because of the masses' desire for expression and the convenience of information transmission, things that be posted online are more likely to gather together to form the public online opinion; it can even impact the confrontation with the COVID-19. Every piece of words from different areas and classes is likely to become fuses of public opinion events. It is not enough to only rely on the government's power and one-direct administrative regime to fulfill the need for supervision or governance of public opinion. We should take the government, media, society, and the public into

managing the online public opinion through ways of the rule of law to improve the law system related to this area gradually.

Firstly, from law utilization, the first step is to devote to relative legislation and use interpretation to expand the existing law's impact on online public opinion. Negative online public opinion is unscrupulous; it is inseparable from the imperfection of relevant laws and regulations on the Internet (Qu, Fan & Liu, 2020). The government should establish a perfect law system about the Internet field; meanwhile, to encourage the administrative apartments to use their practical experiences to fulfill the law system through regulations or interpretations. Secondly, from law application, judicial authorities should weaken the negative influence on online public opinion through judicial trials, declare the sovereignty and dignity of the law. Thirdly, from law enforcement, Cyberspace administration and the Ministry of Public Security should strictly enforce the law and crack down on network rumors, fraud crimes and network infringement. Finally, they should also inspire and guide numerous network platforms and netizens to actively abide by the law in the spirit and principle of law and create a network public opinion environment conducive to fighting against COVID-19.

Strengthen the Network Platform

We have to admit that cyberspace is too complex and too vast for only the government to administer it, supervise it, or inflict punishments on users in it. Because of that, the network platforms and Internet companies, such as Tencent, Alibaba, or Baidu, which are the biggest and most powerful network companies in China, should use their regulations, that is, soft law, to manage their internal cyber environment. They are obliged to delete or screen information that is dangerous and harmful; they are asked to protect other users from vicious opinions, even more, they are encouraged to lead the public opinion positively. Up till now, various platforms have asked their users to upload their ID number and phone number for the “real-name identification” of individuals. There are also many internet company use “award mechanism” to encourage their users to participate in the supervision of their counterparts’ words online.

In this article, we defined their obligations are—navigate public perceptions of coronavirus risk and encourage people to stand in the same line, to gather together to face the challenge of COVID-19. Finally, it is necessary to consider further how to break down the "algorithm hegemony" and "algorithm black box" of the network platform by legal means, "some negative effects and potential problems of the algorithm are covered and masked by the "black box" (Qu, Fan & Liu, 2020).

It is crucial to forbid Internet platforms to misuse algorithmic technology to trace their users. It is also urgent to prevent the formation of an "information cocoon." These two things will harm people's rational understanding of the COVID-19. The government should publish information essential for people to understand the virus and protect themselves and their families better. Besides, they can also use the algorithm to form the"positive public opinion", whose features will be responsive, consultative, and encouraging, to unite the public and media's wisdom and power to confront the coronavirus pandemic.

Improve the Public's Legal and Media Literacy

At the first stage of the outbreak of the COVID-19 pandemic, because the public did not understand the current situation of the epidemic, the infection route was unclear, and the symptoms after infection were unknowing; they fall into panic, helplessness, and curiosity (Zhang, 2018). People who actively participated in the discussion about the epidemic can be divided into several groups: some were eager to know more about this unknown virus and asked governments for official disclose; some were expressing their anxiety; while some individual information publishers deliberately fabricated negative news for drawing others attention for commercial interests. The definition of "Public opinion towards COVID-19" in this article is exactly the mixture of webers' feelings, attitudes, ideas, and opinions that are sent by themselves online. From the above, we can conclude that people play the dominant and primary role in the procedure of public opinion accumulation. If most web users post positive information online, and show an optimistic attitude towards the epidemic or different kinds of emergence, the general opinion that consisted of their ideas will bring motivation and confidence into the whole crowd. Once people can rationally analyze the situation, it will be easier to calm down even facing a crisis. As a result, it is necessary to improve the public's legal literacy and media literacy. The government should lead and educate Internet users to use their free speech rights to place messages online in a motivated and rational way.

First of all, cultivate and improve the public's legal literacy. At the every first stage of the epidemic, people were panic and curious at the same time: roads and logistics were blocked, prices of essential fruits and vegetable surged, governments encouraged everyone staying at home and wearing masks as soon as possible. All of these manners intensified people’s mood and enhance their anxiety. Some people began to follow the negative online opinions blindly, expressing their dissatisfaction, suspicion, even defaming towards governments. Someone even insulted and humiliated police officers, medical staff and voluntary participants who were confronting the COVID-19. However, the origin of the negative online opinions can be attributed to someone's malicious make-up of fake news or stories for drawing others' attention; while some people intentionally revile medical staff or volunteers just to relieve their negative feelings. All in all, the reason behind these behaviors is they are short of legal literacy. The literacy of the rule of law is a kind of quality that a person accumulated in long-term study and application after mastering the law's knowledge, understanding the rules of law, forming the thinking of law, and establishing the belief in law. Citizens who obtained the literacy of the rule of law will strictly abide by the law's bottom line when communicating with others on the internet. They can actively exercise the right of free speech and supervision, which the constitution grants, and promote the traditional values of justice and freedom. In contrast, citizens who lack legal literacy may be reckless, even hurt others on purpose, so it is imperative to improve people's literacy of the rule of law.

Secondly, the masses also urgently need to have good media literacy. The original intention of encouraging people to have "media literacy" is for them to have the ability to recognize and criticize the information brought by every kind of media, especially online media. However, the audience is not only passively receiving information as the so-called "information feeding people", but some of them are also active participants in online communications. On the one hand, they are supposed to be able to identify the truth; on the other hand, they should be taught about the ethical risks of their irresponsible posting and comments. People who can think critically perform better than those who don't, people who are educated to identify truth from others' expression rather than easily believe are harder to be incited and misguided.

As we have mentioned above, Internet platforms in the era of intellectual media use algorithms to distribute and recommend information, which tends to lead to an "information silkworm" and a "post-truth era." If the public can read and think critically, analyze the original information of access to the data that can reflect the truth, communicate with others modestly and kindly, and care about the choice of words and expression, it would be easy for the government to ensure relevant COVID-19 of network public opinion remain positive and have a different influence on our society.

Summary

The plague, the so-called Black Death, had killed millions of people in Europe in the 14th century. At that time, facing the plague, facing the uncontrolled pandemic and countless deaths, a series of absurd opinions was produced and generated. Some people inflicted caning on themselves; some people believe that punishing the ugly and strange people, the rich, or the Jews will be helpful to ask for the forgiveness of God to improve the conditions and their family member's recovery. The absurdity of public opinion undermined social order and trust, potentially contributing to the plague, which wiped out a third or even half of all life on the continent. In today's era of Intelligent media and the period of our intense fight against the COVID-19 epidemic, it is of great importance to regulate and guide online public opinion in a timely and correct manner, which is not only an important task entrusted by the times but also related to the victory of this war with the COVID-19 pandemic.

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