

# Normative Reporting of Rule-of-Law News in the Context of Media Overstepping— Focusing on Online Media Trials

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**Abstract:** The significant influence of online public opinion, coupled with the anonymity and lack of “gatekeepers,” often gives rise to the phenomenon of “online media trial,” which hinders judicial independence and fairness. This is detrimental to instilling the correct legal concepts among netizens and adversely affects the healthy development of the online media ecosystem. This article, rooted in the reporting of rule-of-law news, thoroughly explores this issue from three dimensions: “objectivity and fairness,” “professional demonstration and warning education,” and “responsibility and obligation.” It concludes with measures such as establishing the correct value orientation, exercising the right of opinion supervision in accordance with the law, ensuring the legality and orderliness of reporting content, and standardizing the use of legal language. These measures aim to promote theoretical research in the fields of justice and media and contribute to better resolving contradictions in practice.

**Keywords:** Media Overstepping; Online Media Trial; Rule-of-Law News

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## 1. Introduction

In today's society, online platforms are constantly emerging, and news media is gradually becoming universal and publicized, with everyone becoming a “microphone” and all individuals being “self-media.” According to the “Statistical Report on the Development of the Internet in China,” as of June 2023, the user base of online news in China has reached 781 million people, accounting for 72.4% of the overall online population<sup>[1]</sup>. At the same time, online media's frequent expression on public events and hot topics is increasingly influencing the general public's awareness, public opinion environment, and value systems. The phenomenon of online media overstepping its bounds is also significantly increasing, as seen in sensational cases such as the “Jiang Ge case” and the “Zheng Linghua incident.” In these events, online media played a role in fueling the flames, and the problems it poses are worth studying. On a smaller scale, there is a lack of objectivity and fairness in news media, while on a larger scale, it interferes with and challenges the national legal system, and may even constitute a violation of the law. Among these issues, rule-of-law news stands out due to its high level of professionalism, strict regulatory requirements, significant influence, and its typical involvement in safeguarding public safety and well-being. Its impact in the dissemination of online media is more representative, serving as the continuation of media vitality and the foundation for optimizing the social public opinion environment.

## 2. Lack of Objectivity and Fairness: Online media overstepping its boundaries has its own “original sin.”

The concept of “media overstepping” refers to the phenomenon where media goes beyond its designated professional role and takes on functions outside of its professional scope<sup>[2]</sup>. “Online media trial” is a typical example of media overstepping. In this scenario, the general public, self-media, mainstream media, or online public relations companies use online platforms such as social media, video websites, public accounts, and social apps to disseminate and pass judgment on certain hot issues in society. This shapes public opinion, gradually influences the public's objective evaluation of news events, causes harm to the individuals involved in the news, and to some extent, impacts the policy decisions of administrative authorities and the independence and fairness of judicial authorities.

In fact, the original meaning of “media trial” refers to a form of illegal and morally judgmental action against the defendant or the suspect without adhering to legal procedures.<sup>[3]</sup> It is also known as “newspaper trial,” representing an illegal and morally judgmental action against the defendant and the suspect without following legal procedures.

“Online media trial” and the traditional notion of “media trial” share similarities but also exhibit differences. The commonalities lie in both using media as a means to intervene and influence the independence of the judiciary through “overstepping” behavior. Both involve

emotionally charged reporting to attract more attention, as well as the tendency for personal speculation and making sweeping generalizations, giving significant coverage or biased emphasis to one side in news reporting. In the realm of news commentary, there is a prevalence of critical language with sharp expressions that captivate attention, subtly influencing public thinking and perceptions. In some sensitive cases, there may even be premature guilt assumptions during the trial, impacting judicial fairness.

In addition, with the changing social media environment, “online media trial” has demonstrated its uniqueness. In contrast to traditional “media trial” where various media outlets, primarily newspapers, and broadcast television, play a dominant role, “online media trial” involves a diverse range of participants. It is characterized by widespread public involvement, including all internet users, websites, new media platforms, mobile apps, public accounts, or online public relations companies. Leveraging the internet as a medium, these entities evaluate and investigate certain public events and socially significant cases that are still under qualitative assessment. They shape public opinion, guide public perception, and, in some cases, fail to provide an objective assessment of the authenticity of events and the individuals involved, thereby interfering with the objective independence of administrative rulings and judicial decisions.

In the context of online media, the effectiveness, interactivity, concealment, irrationality, and disorderliness of public opinion are particularly prominent. The expression of public thoughts is greatly influenced by the media and can undergo changes or distortions in facts. Especially in certain highly influential judicial cases, the media’s role in supervising public opinion may be magnified, leading to a certain degree of alienation and distortion, transforming into a form of “media trial.” The emergence of these issues is, on the surface, a misalignment of the role of online media as a “social judge,” where it “administers justice” in news reporting, arbitrarily characterizing news events and individuals and even determining sentences. In essence, it reflects a lack of legal awareness among some members of the public, as well as insufficient awareness of journalistic reporting standards among certain reporters. The failure to clearly define the boundaries between news facts and legal regulations in information dissemination contributes to these problems. These issues not only violate the legitimate rights of the parties involved but also disrupt the normal order of online society. Furthermore, they contradict the principle of authenticity revered in news reporting, crossing the boundaries of media objectivity and fairness. Ultimately, they pose a threat to the vitality and influence of the media.

### **3. Professional Demonstration and Warning Education: The Role of Rule-of-law News in Online Media Trial**

News is a rapid record and reflection of dynamic and objective social events. In China, the channels for news and information dissemination are becoming increasingly diverse, with various methods, forms, and topics covering multiple fields such as politics, culture, economy, and society. The trends in the industry, professionalism, distinctiveness, and guiding nature of news reporting are becoming more evident. In the general public’s perception, rule-of-law news, due to its inherent connection with “law”, possesses strong professional attributes and demands high levels of professionalism and standardization. Compared to news media in various fields, rule-of-law news stands out for its seriousness, professionalism, and authority, making it a typical representative of news normativity. As an integration of law and news, it signifies the organic unity of institutional norms and the objective factual nature of news. The foundation of this objective reality lies in the “lawful” reporting by rule-of-law media in news events and the authority of the law itself. In the specific context of online media trial overstepping, the power of rule-of-law news stems from its legal professionalism and objectivity. Its influence and competitiveness lie in analyzing and dissecting the news facts in the context of online media trial overstepping, correcting, avoiding, and reducing instances of overstepping, highlighting the normative attributes of rule-of-law news. This, in turn, serves the dynamic process and progress of building a rule-of-law society.

Additionally, rule-of-law news carries profound warning significance and possesses a stronger educational function for guiding the audience. Among various media types in China, different fields of media adopt varying news perspectives in their articles. Rule-of-law news tends to focus more on exploring news from the perspectives of legal regulations and norms, providing interpretive reporting. In journalistic practice, it often uses a narrative or descriptive approach, using cases to illustrate reasoning and legal principles, guiding the audience to establish a legal consciousness and normative ideology. When reading rule-of-law news, the audience is not engaged in mere entertainment; rather, they are often subtly influenced, engaging in rational thinking, and consciously or unconsciously regulating their behavior. As an amal-

gamation of law and news, rule-of-law news has strong demonstrative and guiding characteristics in achieving normative reporting. Rule-of-law journalists are not only perceived as overseers of public opinion but also symbolic figures for the dissemination, popularization, and normative application of laws and regulations. A well-executed rule-of-law news piece should integrate news value with authoritative norms. For professionals in rule-of-law media, in the process of interviewing, writing, and disseminating rule-of-law news, adherence to principles such as truthfulness, proximity, and timeliness is crucial. Furthermore, emphasis should be placed on upholding normativity and warning significance.

#### **4. Responsibility and Obligation: Normative Reporting Methods of Rule-of-law News in Online Media Trial Overstepping**

Normativity is the fundamental principle of law, and normative reporting serves as the guiding principle and lifeline of rule-of-law news. Properly conducting rule-of-law news reporting allows for distinguishing right from wrong and promoting justice. Conversely, improper reporting can lead to significant negative impacts. Therefore, the promotion of rule-of-law news must adhere to the correct public opinion orientation, prioritize positive reporting, use objectivity and fairness, news facts, and legal foundations as guiding principles, pay attention to the timeliness of dissemination, and consider normativity as the foundation for its existence.

##### **4.1 Adhering to the Correct Value Orientation**

Rule-of-law news often covers judicial cases. Such news, due to its extensive societal implications, high relevance to the public, widespread attention, and significant influence, easily becomes a social hotspot and a focal point of public opinion. Therefore, it is also a “heavy-hit area” where the phenomenon of “online media trial” occurs. It cannot be denied that some current online media, self-media, and even news professionals, in pursuit of so-called “fanbase,” tend to focus unilaterally on click rates and attractiveness, disregarding laws and regulations. They prioritize news reporting on “exposés” and “decryption,” treat skirting the legal boundaries as a skill, provide detailed descriptions of criminal processes and violent behavior, inject personal values into specific cases, and objectively become a “textbook” for violations and crimes. Therefore, in rule-of-law news reporting, promoting the correct value orientation must take precedence. Rationality, calmness, and objectivity, which are characteristics of the law, should be integrated. Considering the potential negative impacts of news from multiple perspectives is essential. Guiding the dissemination of a value orientation that emphasizes “respect, humility, frugality, and tolerance,” adeptly resolving negative emotions, avoiding arbitrary amplification of the flaws and dark sides of cases, refraining from tarnishing the dignity of judicial institutions and legal regulations, and resisting the temptation to solely chase trends, seize timeliness, and pursue sensational effects are imperative.

##### **4.2 The content of reporting should adhere to legality and order.**

Legal news reporting must adhere to legality, and the fundamental principle is that the content should be lawful and orderly<sup>[4]</sup>. This is especially crucial when dealing with cases that are still under investigation or trial by judicial authorities. It is essential not to overstep judicial procedures, refrain from making hasty conclusions, and ensure that comments are reasonable, legal, and in compliance. Comments should not carry subjective biases or intent to influence, interfere, or pressure judicial proceedings and rulings. Looking at the current state of online media dissemination, the fast dissemination, wide reach, and strong interactivity of online communication have led some prominent online figures, media platforms, and self-media to selectively report extensively on certain major cases or criminals. This is often driven by the desire for attention, clicks, and traffic. In doing so, they pass judgment on the court’s trial process, aiming to influence the judgment according to their own preferences, create public opinion hotspots, interfere with court rulings, and result in public distrust of judicial decisions. As the legal system serves as the standard for society’s judgment of right and wrong, and it clearly defines the procedures for punishment and disposal, rule-of-law news reporting must operate within the legal framework. It should eliminate one-sidedness and subjectivity, adhere to the principles of legality and order, and ensure the objectivity and fairness of the content in news reporting.

##### **4.3 Exercising the Right of Public Opinion Supervision in Accordance with the Law**

News reporting carries the responsibility of public opinion supervision. Rule-of-law news focuses on upholding the fairness and justice of the law and supervising the operation of judicial authorities. By exercising the right of supervision, the operation of the judicial system can be made more reasonable and compliant, judicial approval and legal proceedings can become more transparent, and the probability of irregularities can be reduced. In the process of exercising the right of supervision, “in accordance with the law” is a red line and bottom line that must be followed. It is also a weapon to enhance the normativity and credibility of rule-of-law news reporting. It must operate within the legal framework, clarify the role and status of the media, define responsibilities and obligations, clearly delineate the relationship between news supervision and judicial trial, rule-of-law news reporting and news infringement, and emphasize the normativity of reporting procedures to avoid media trial. In reports related to the field of judicial supervision, it is crucial to strike a balance between press freedom and legal boundaries. This ensures that the reporting does not hinder judicial trial while still reasonably supervising the normative operation of judicial procedures, fulfilling the duty of public opinion supervision.

#### **4.4 Use Legal Language and Terminology Appropriately**

Specialized terminology is an unavoidable topic in news reporting, and legal language serves as both legal terminology and the linguistic foundation for reporting on the rule of law. In the context of reporting on the rule of law, due to a lack of specialization, many online self-media and media platforms fail to accurately use legal language. Relying on their own limited understanding of legal provisions, they engage in unauthorized interpretation, commentary, and public influence, resulting in a lack of accuracy and normativity, making it prone to leading public opinion in a biased direction. As official documents of the state, the normativity of legal provisions cannot be challenged and serves as the highest standard of conduct. Legal language, being a specialized form of communication, must adhere to principles of normativity, refraining from arbitrary use and unauthorized alterations to linguistic structures. Therefore, in reporting on the rule of law, it is imperative to use language accurately and according to established standards. When participating in discussions, one should refrain from making unfounded statements. Judgment on sensitive events or significant topics must be approached with great caution. In daily reporting, especially when dealing with legal terminology, precision is essential. It is better to abstain from making statements than to make incorrect ones, avoiding misunderstandings and preventing the misguidance of the public. When reporting on news that may impact the classification, sentencing, and reputation of individuals involved in legal cases, it is crucial to avoid personal bias, refrain from subjective judgments, and prioritize ensuring the normativity of news reporting.

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