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Full Text

Preamble

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A Content Analysis of China's Internet Content Policies and Regulations

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Abstract

[Purpose/Significance] This study describes and analyzes the basic information and textual content of China's internet content policies and regulations, identifies existing problems and deficiencies, compares them with those of major developed countries, and proposes corresponding solutions to provide legal safeguards for China's internet content governance. **[Method/Process]** Internet content policies and regulations were searched on government portal websites and specialized policy databases. After screening, a total of 202 valid samples were obtained. The data were imported into NVivo 11, and content analysis was employed to explore the basic information of these policy texts from three perspectives: issuance time, issuing body, and issuance form. The textual content was analyzed from two dimensions: internet content subjects and internet content objects. Concurrently, co-word analysis of issuing bodies was conducted, and social network analysis was performed using VOSviewer software to map the cooperative network of policy-issuing bodies. **[Result/Conclusion]** The study reveals that China's internet content policies and regulations suffer from multiple issuing bodies, low legislative hierarchy, and insufficient scientific rigor in policy content. Through comparative analysis with major developed countries, improvements are recommended from four angles: reforming the management system, accelerating legislation in key areas, refining regulations concerning internet service providers, and clarifying standards for determining illegal content.

Keywords: Internet content; Policies and regulations; Content analysis

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With the deepening development of internet technologies such as big data, cloud computing, and artificial intelligence, technological iterations have driven profound changes in human lifestyles. According to data released by Internet World Stats, as of June 30, 2019, the global internet user population reached 4.5 billion, accounting for 58.8% of the world's population [1], meaning that over half of the global population has access to the internet and enjoys the benefits of its development. The integration of internet technology and content has formed a new business model of internet content, giving rise to internet literature, internet video, internet music, internet animation, online games, internet live streaming, and other formats, which have promoted the transformation and upgrading of the content industry. Internet technology has broken through temporal and spatial limitations, lowered the threshold for content production,

disrupted traditional communication methods, and facilitated the optimization and upgrading of content production, dissemination, and consumption. Simultaneously, the trend of grassroots production and fission-style dissemination has accelerated the spread of harmful, illegal, and undesirable information. Moreover, the open nature of the internet has accelerated the global flow of internet content and intensified ideological competition among nations. How to maintain cyberspace security and purify the internet content ecosystem has become a major challenge in internet content governance.

In response to this issue, countries worldwide have adopted legal means to regulate internet content production, dissemination, and consumption behaviors. Representative examples include the United States' Children's Internet Protection Act, Singapore's Internet Code of Practice, and Germany's Multimedia Law. Since China gained internet access in 1994, its internet scale has continuously expanded over more than two decades. As of June 2019, China's internet user population reached 854 million, mobile internet users reached 847 million, and internet penetration stood at 61.2% [2]. Meanwhile, according to the "2018-2019 China Digital Publishing Industry Annual Report," China's internet periodical revenue reached 2.138 billion yuan, e-book revenue reached 5.6 billion yuan, digital newspaper revenue (excluding mobile newspapers) reached 830 million yuan, blog applications generated 11.53 billion yuan, and online game revenue reached 79.11 billion yuan [3], demonstrating substantial growth in internet content. However, the healthy development of internet content cannot be separated from a sound legal environment. Therefore, exploring and analyzing China's internet content policies and regulations to provide a favorable cyberspace ecosystem for the healthy development of internet content is particularly urgent and necessary.

Currently, research on internet content policies and regulations primarily approaches the topic from macro and micro perspectives. At the macro level, domestic scholars mainly focus on two angles: internet information policies and regulations, and internet legislation. The first approach categorizes internet information policies and regulations based on the characteristics of internet information activities and the content and functions of policies and regulations, dividing them into network information infrastructure policies, talent policies, resource policies, technology policies, security policies, cultural policies, service policies, cross-border transmission policies, and consumption policies [4], or into information network system construction and development policies, information network resource policies, network information industry policies, and network information market policies [5]. The second approach examines internet legislation from a top-level design perspective, exploring the legislative spirit, development history, current status, and problems of internet legislation. The basic spirit of current internet legislation lies in ensuring security, maintaining order, and pursuing development [6], initially forming a legal system with the Cybersecurity Law as the main component and supplemented by regulations such as the Network Performance Business Management Measures, Internet Information Services Management Measures, Internet News Information Ser-

vices Management Regulations, and Internet Information Content Management Administrative Law Enforcement Procedures. However, problems such as low legislative hierarchy, legislative lag, and insufficient coordination still exist [7]. Foreign scholars mostly approach the topic from the perspective of internet content, either theoretically discussing the balance between freedom of speech and internet content regulation to examine the necessity of internet content legislation [8-9], or enumerating [10-11] and comparatively analyzing [12] internet content policies and regulations of different countries. Notably, such analyses invariably focus regulatory priorities on harmful and illegal content such as pornography, racial discrimination, and hate speech [13-15].

At the micro level, domestic and foreign research either examines the current status of policies and regulations in specific industries and sectors such as online games [16], internet audio-visual programs [17], internet live streaming [18], internet news [19], and internet advertising [20]; or addresses key issues by separately reviewing legislation on internet copyright [21-22], internet privacy [23-24], and internet security [25]; or provides detailed interpretations of specific policies and regulations, such as the Internet User Account Name Management Regulations [26], Internet News Information Services Management Regulations [27], and Advertising Law [28]. Such research tends to focus on qualitative analysis, with few articles combining qualitative and quantitative methods to analyze internet content policies and regulations, represented only by works such as “An Empirical Analysis of Subjects and Objects in China’s Internet Public Opinion Governance—Based on Internet Public Opinion Governance Policies from 1997-2016” [29], “Analysis of the Structure, Function, and Evolution of China’s Internet Content Regulatory System” [30], “Changes in China’s Internet Policy Based on Co-word Analysis: History, Logic, and Future” [31], and *Internet Governance in China: A Content Analysis* [32]. Based on this, this paper aims to analyze the text of national-level internet content policies and regulations in China through content analysis to gain a deeper understanding of China’s internet content governance status.

1. Data Sources and Research Process

This paper defines internet content policies and regulations as a series of laws, judicial interpretations, administrative regulations, departmental rules, and normative documents issued by party and state institutions to regulate internet content production, dissemination, and consumption behaviors, guide the development direction of internet content, and purify the internet content ecosystem.

1.1 Data Sources

On December 16, 1997, the Ministry of Public Security issued the *Administrative Measures for the Security Protection of International Computer Information Network Connections*, which for the first time explicitly defined illegal internet content in regulatory form, marking the beginning of China’s legal regulation of internet content. Accordingly, this paper limits the text collection period from

December 16, 1997, to December 31, 2018. To ensure the accuracy and completeness of materials, data were collected through two methods. First, relevant documents were searched under the “policies and regulations” sections of the official websites of the Central People’s Government of the People’s Republic of China, the Supreme People’s Court, the National Radio and Television Administration, the National Copyright Administration, the Ministry of Culture and Tourism, the Ministry of Industry and Information Technology, the Office of the Central Cyberspace Affairs Commission, and the Cyberspace Administration of China. Second, keyword combinations including “internet,” “network,” “information,” “content,” “culture,” “publishing,” “audio-visual,” “games,” “animation,” and “live streaming” were used to conduct group searches in policy databases such as “Beida Dabao” and “Beida Fayi Net.”

Given the large number of internet content policies and regulations, it would be impractical to include all of them in the research scope in terms of time and effort. Therefore, based on the relevance of text content to internet content, the collected data were further screened to exclude two types of texts: first, five-year planning outlines such as the *National “13th Five-Year” Cultural Development and Reform Planning Outline*, *Copyright Work “13th Five-Year” Plan*, and *Press, Publication, Radio, Film, and Television “13th Five-Year” Development Plan* that provide guidance for the culture, copyright, press, publication, radio, and television industries; and second, regulatory policies on information security for departmental websites issued by the Ministry of Education, Ministry of Commerce, National Administration of Surveying, Mapping and Geoinformation, and State Taxation Administration. Through effective screening, 202 policy and regulatory documents were finally selected, covering legal hierarchies including laws, regulations, departmental rules, judicial interpretations, and departmental normative documents, and involving forms such as notices, regulations, measures, opinions, and others.

1.2 Research Process

Considering the important role of internet content subjects and objects in internet content production, dissemination, and consumption, this paper primarily examines the textual content of internet content policies and regulations from these two dimensions. Internet content subjects refer to internet content producers, disseminators, and consumers, specifically organizations or individuals that publish internet content, provide platform services, and consume internet content. Internet content objects are mainly composed of intangible internet content and tangible internet content products. Internet content refers to valuable information with “content” as its core and the internet as its carrier and transmission channel, while internet content products are specifically manifested as online games, internet audio-visual programs, internet animation, internet live streaming, internet performances, etc.

First, the collected texts were imported into NVivo 11 software. Based on the basic information and content of internet content policy and regulation texts,

a coding table was developed (see Table 1). Two coders discussed the coding standards, reached consensus, and then coded the content of internet content policy and regulation texts according to the common standards. The Kappa coefficient reached 0.8, indicating valid coding. Second, co-word analysis was conducted on the issuing bodies in the secondary coding, and a cooperative network diagram of issuing bodies was drawn through social network analysis. Finally, the problems and improvement paths of China’s internet content policies and regulations were explored.

Table 1. Coding of China’s Internet Content Policies and Regulations

Primary Coding	Secondary Coding
Basic Information of Policy Texts	Issuance Time, Issuing Body, Issuance Form
Content of Policy Texts	Internet Content Subjects, Internet Content Objects

2. Analysis of Basic Information of China’s Internet Content Policy and Regulation Texts

The analysis of basic information regarding China’s internet content policies and regulations primarily focuses on three aspects: issuance time, issuing bodies, and issuance forms.

2.1 Issuance Time

Since the promulgation of the *Administrative Measures for the Security Protection of International Computer Information Network Connections* in 1997, China’s internet content policies and regulations have shown a wave-like progression trend. Between 1997 and 2018, the number of internet content policies and regulations peaked in 2000-2001, 2005, 2009, and 2017. Among these, 2017 marked the highest peak with 25 policies and regulations issued (see Figure 1 [Figure 1: see original paper]). A comprehensive analysis of policy themes by year reveals that the themes of internet content policies and regulations are basically consistent with China’s internet development pace. For example, from China’s internet access in 1994 to 2001, people primarily obtained information through mass portal websites such as Sina, Sohu, and NetEase. Therefore, policies and regulations between 1997 and 2001 mainly focused on regulating internet electronic bulletin services, internet news publishing businesses, and internet medical and health and drug information services. From the introduction of the “blog” concept in 2002 to its launch by major portals like Sina and Sohu in 2005, the internet communication model shifted from “mass portal” to “personal portal” [33], the internet user population continued to expand, and online games developed rapidly. Consequently, between 2002 and 2008, policies and regulations related to online games and internet audio-visual programs were

continuously improved, and policies targeting false information, pornographic information, and harmful information increased. In 2009, major portals including Sina, Sohu, and NetEase joined the “microblog” camp, and WeChat was born the following year. Subsequently, social media became the primary vehicle for internet users to share and obtain information. Therefore, policies and regulations between 2009 and 2018 continued to regulate internet information services, medical and health and drug information services, internet news information services, online games, and internet audio-visual programs, while also expanding regulatory coverage to new business forms such as microblogs, internet live streaming, and internet group information services. Notably, with the release of the *State Council’s Guiding Opinions on Actively Promoting “Internet Plus” Action* (2015), internet content policies and regulations experienced rapid development. The number of policies and regulations issued during the four-year period from 2015 to 2018 accounted for 36% of the total.

2.2 Issuing Bodies

Across the 202 policies and regulations, there are 62 issuing bodies (to more intuitively illustrate the historical development trajectory of issuing bodies, revoked government departments such as the Ministry of Culture, Ministry of Information Industry, General Administration of Press and Publication, State Administration of Press, Publication, Radio, Film and Television, and State Administration of Radio, Film and Television have been retained). Representative departments include the Ministry of Culture, Ministry of Public Security, Cyberspace Administration of China, Ministry of Industry and Information Technology, Ministry of Information Industry, State Administration for Industry and Commerce, State Administration of Radio, Film and Television, State Administration of Press, Publication, Radio, Film and Television, General Administration of Press and Publication, National Copyright Administration, Supreme People’s Court, Ministry of Education, State Food and Drug Administration, State Council Information Office, Ministry of Health, Ministry of Commerce, Supreme People’s Procuratorate, Ministry of Finance, Standing Committee of the National People’s Congress, National Administration of Surveying, Mapping and Geoinformation, Publicity Department of the CPC Central Committee, and Central Office for the Construction of Spiritual Civilization, covering the ruling party, administrative organs, power organs, and judicial organs. Among these, 12 departments issued 10 or more policies and regulations (see Figure 2 [Figure 2: see original paper]), with the Ministry of Culture, Ministry of Public Security, and Cyberspace Administration of China ranking top three with 39, 32, and 32 items respectively. Notably, the State Administration of Press, Publication, Radio, Film and Television was formed by merging the General Administration of Press and Publication and the State Administration of Radio, Film and Television, with the three entities issuing a combined total of 56 policies and regulations. Meanwhile, the Ministry of Information Industry is the predecessor of the Ministry of Industry and Information Technology, with the two issuing a combined total of 46 policies and regulations. This demonstrates that press and

publication administrative departments, telecommunications authorities, radio and television administrative departments, and cultural administrative departments are the main forces participating in internet content governance.

Figure 2. Number of Policies and Regulations Issued by Major Institutions

Among these 202 policies and regulations, 53 texts include two or more issuing bodies. To more intuitively analyze the cooperative network of policy-issuing bodies, this paper conducts co-word analysis and visual exploration (see Figure 3 [Figure 3: see original paper]). In Figure 3, node size represents the frequency of co-occurrence between an issuing body and other bodies—the larger the node, the more frequently the department appears and the broader its cooperation scope. The connecting lines between nodes represent inter-departmental cooperative relationships—the thicker the line, the higher the connection frequency and the closer the relationship. Figure 3 shows that the Ministry of Public Security, Ministry of Industry and Information Technology, State Administration for Industry and Commerce, Cyberspace Administration of China, Ministry of Culture, and General Administration of Press and Publication have relatively broad cooperation scopes and frequently jointly issue policies with other departments. The Ministry of Public Security maintains close ties with the Ministry of Industry and Information Technology and the Cyberspace Administration of China, while the General Administration of Press and Publication, Ministry of Culture, and State Administration of Radio, Film and Television have jointly issued numerous policies.

2.3 Issuance Forms

China's internet content policies and regulations are primarily manifested through forms such as notices, regulations, measures, opinions, interpretations, provisions, announcements, bulletins, plans, and detailed rules. Among the 202 policies and regulations, “notices” account for 94 items, representing nearly half of the total, while “regulations,” “measures,” and “opinions” follow with 34, 22, and 14 items respectively, becoming the main forms of expression for China's internet content policies and regulations (see Figure 4 [Figure 4: see original paper]). As the primary form of policy, “notices” offer greater flexibility and are mainly used to provide directional guidance for internet content governance, answer questions about existing problems in government management, or provide basis for special campaigns, with representative examples including the *Notice of the National “Sweeping Away Pornography and Striking Down Illegal Publications” Work Group Office, Ministry of Industry and Information Technology, Ministry of Public Security, etc. on Strengthening the Management of Internet Live Streaming Services*, *Notice of the State Administration of Radio, Film and Television on Issues Concerning the Management of Internet Audio-Visual Program Service Licenses*, and *Notice of the National Copyright Administration, etc. on Launching the “Sword Net 2018” Special Campaign Against Online Infringement and Piracy*.

“Regulations” and “measures” are relatively more specific, primarily regulating activities in specific areas of internet content from a micro perspective, with representative examples including the *Administrative Measures for the Filing of Non-commercial Internet Information Services*, *Administrative Measures for the Dissemination of Audio-Visual Programs through Information Networks such as the Internet*, *Regulations on Internet Audio-Visual Program Services*, *Regulations on Internet Comment and Reply Services*, and *Regulations on Microblog Information Services*.

Figure 3. Cooperative Network of Issuing Bodies

Figure 4. Issuance Forms of China’s Internet Content Policies and Regulations

3. Analysis of the Content of China’s Internet Content Policy and Regulation Texts

Considering the important position of internet content subjects and objects in internet content production, dissemination, and consumption, the analysis of relevant policy and regulation texts primarily proceeds from these two perspectives.

3.1 Internet Content Subjects

Current provisions regarding internet content subjects mainly concentrate on three stages: pre-event, during-event, and post-event.

In the pre-event stage, “licensing,” “filing,” and “real-name registration” are the three key terms. Across the 202 policies and regulations, 131 texts involve “licensing,” 108 involve “filing,” and 34 involve “real-name registration.” This indicates that the licensing system, filing system, and real-name registration system are important institutional mechanisms for the admission of internet content subjects. First, a licensing system is implemented for commercial internet information services. For example, the production and broadcasting of online dramas and micro-films should respectively obtain the *Radio and Television Program Production and Operation License* and the *Information Network Dissemination of Audio-Visual Programs License* [34]; engaging in internet publishing services requires obtaining the *Internet Publishing Service License* [35]; and providing internet news information services to the public through websites, applications, forums, blogs, microblogs, public accounts, instant messaging tools, internet live streaming, and other forms requires obtaining the *Internet News Information Service License* [36]. Second, a filing system is implemented for non-commercial internet information services [37]. For instance, dangerous goods business units publishing dangerous goods information on their websites and internet email service providers offering email services must obtain internet information service value-added telecommunications business licenses or complete non-commercial internet information service filing procedures [38-39]. Third, a real-name registration system is implemented for internet users. Article 24 of the *Cybersecu-*

ity Law explicitly stipulates that network operators shall not provide services to users who do not provide real identity information. Additionally, 33 policies and regulations, including the *Interim Measures for the Administration of Online Games*, *Regulations on Microblog Information Services*, and *Interim Provisions on the Development and Management of Public Information Services of Instant Messaging Tools*, require internet information service providers, including online game operators, microblog information service providers, instant messaging tool service providers, and internet forum community service providers, to require users to undergo real-name registration with real identity information.

In the during-event stage, relevant clauses focus on clarifying the responsibilities of internet information content providers, internet information platforms, and internet users. First, measures such as the *Administrative Measures for the Dissemination of Audio-Visual Programs through Information Networks*, *Interim Provisions on the Administration of Internet Culture*, *Regulations on Internet Publishing Services*, and *Implementation Rules for the Administration of Internet News Information Service Licenses* explicitly require relevant internet information content providers to establish corresponding editorial responsibility systems to ensure the legality of published content. Second, policies and regulations such as the *Regulations on Internet Group Information Services*, *Regulations on Internet Information Search Services*, *Regulations on Internet Live Streaming Services*, *Regulations on Public Information Services of Instant Messaging Tools*, *Regulations on Internet Forum Community Services*, and *Regulations on Microblog Services* clarify the responsibilities of internet information platforms, including internet group information service providers, internet information search service providers, internet live streaming service providers, instant messaging tool service providers, internet forum community service providers, and microblog service providers. Their responsibilities mainly concentrate on four aspects: first, implementing primary responsibility; second, conducting real-time inspection of internet information content, immediately deleting any illegal or undesirable information that is published or disseminated, and reporting to relevant state departments; third, recording and preserving content published by internet users and log information; and fourth, establishing user information protection systems, ensuring legality when collecting and using personal information, and taking corresponding measures to guarantee personal information security. Third, the responsibilities of internet users mainly lie in prohibiting the publication and dissemination of illegal and undesirable information and legally reporting violations in internet content production, dissemination, and consumption.

In the post-event stage, relevant clauses focus on provisions for punishing violations by internet content subjects, employing specific regulatory measures such as warnings, fines, orders to suspend business for rectification, confiscation of illegal gains, and revocation of licenses to penalize internet content subjects that violate regulatory provisions [40].

3.2 Internet Content Objects

Among the 202 policy and regulation texts, 167 contain the term “content.” Through in-depth analysis, provisions regarding internet content objects mainly concentrate on regulations concerning internet content and internet content products.

On the one hand, provisions concerning internet content mainly focus on enumerating illegal content and guiding the direction of internet content construction. Since the *Administrative Measures for the Security Protection of International Computer Information Network Connections* in 1997 first explicitly defined internet content regulatory targets in the form of “nine prohibitions,” the definition of illegal content has continued to develop over more than 20 years. Fifty-six policies and regulations, including the *Interim Provisions on the Management of Internet Websites Engaging in News Publishing Business*, *Regulations on Internet Audio-Visual Program Services*, *Regulations on Internet Publishing Services*, *Regulations on the Administration of Dedicated Networks and Targeted Dissemination of Audio-Visual Programs*, and *Administrative Measures for Internet Information Services*, explicitly define illegal content in the form of “eight prohibitions,” “nine prohibitions,” and “ten prohibitions.”

Through word frequency statistics (see Figure 5 [Figure 5: see original paper]), it is evident that the government resolutely cracks down on content that endangers national unity, leaks state secrets, undermines ethnic solidarity, damages social stability, and promotes cults, pornography, gambling, violence, and rumors. This shows that the current focus of internet content regulation lies in four categories: first, internet content related to national security and social stability; second, internet content concerning ethnicity and religion; third, pornographic, violent, and gambling content that affects the healthy growth of minors; and fourth, false content such as internet rumors. Additionally, 18 documents, including the *Several Opinions on the Development and Management of Online Games*, *Guiding Opinions on Promoting the Innovative Development of Digital Culture Industry*, *Several Opinions on the Development and Management of Internet Music*, *Notice on Further Strengthening the Management of Internet Audio-Visual Programs such as Online Dramas and Micro-films*, and *Guiding Opinions on Promoting the Healthy Development of Internet Literature*, clarify the direction of internet content construction. Among these, words such as “positive,” “healthy,” “excellent,” “promote,” “guidance,” “spirit,” “ethnic,” and “era” appear with high frequency (see Figure 6 [Figure 6: see original paper]), indicating that internet content construction should develop in a positive, healthy, upward, and connotative direction that aligns with the national spirit and the spirit of the times.

Figure 5. Keywords Related to Illegal Content

Figure 6. Keywords Related to Internet Content Construction Direction

On the other hand, provisions concerning internet content products mainly

focus on regulating online games, internet cultural products, internet publications, internet music, internet literature, internet live streaming, internet maps, internet advertising, and internet audio-visual programs. First, relevant concepts are defined. For example, the *Notice on the Management of Mobile Game Publishing Services*, *Interim Measures for the Administration of Online Games*, *Regulations on Internet Publishing Services*, and *Interim Provisions on the Administration of Internet Culture* clarify the connotation and extension of mobile games, online games, internet publications, and internet cultural products. Second, standards are established for related product services. For instance, the *Catalogue of Internet Audio-Visual Program Service Business Categories (Trial)* classifies internet audio-visual program service businesses, while the *Professional Standards for Internet Map Services* introduces relevant standards for internet map services.

4. Problems in China's Internet Content Policies and Regulations

Through analysis of the issuance time, issuing bodies, issuance forms, and textual content of China's internet content policies and regulations, it is evident that several problems persist, including multiple issuing bodies, low legislative hierarchy, and insufficient scientific rigor in policy content.

4.1 Multiple Issuing Bodies with Overlapping Legislation

As shown in Figures 2 and 3, China's internet content policies and regulations involve numerous issuing bodies, including cyberspace authorities, cultural administrative departments, press and publication administrative departments, radio and television administrative departments, copyright administrative departments, education administrative departments, and health administrative departments. These departments are independent of each other and not subordinate to one another, inevitably leading to different emphases when formulating policies and regulations. Due to multiple sources of policy issuance, different regulations and policies lack connection and mutual support, resulting in repeated and overlapping legislation. Currently, there are licenses for internet information services, including the *Telecommunications Business Operation License*, *Information Network Dissemination of Audio-Visual Programs License*, *Internet Culture Business License*, *Internet Information Service License*, *Internet News Information Service License*, and *Internet Publishing Service License*. These licenses play important roles in pre-event regulation of internet content. However, it cannot be denied that licenses belonging to different departments increase the admission costs for internet content subjects and reduce government management efficiency. At the same time, influenced by the diversity of policy-issuing bodies, relevant policies and regulations define government regulatory objects differently and with overlaps. For example, the *Interim Provisions on the Administration of Internet Culture* include internet music entertainment and online games within the scope of internet cultural products, while the *Reg-*

ulations on Internet Publishing Services similarly include “original digital works with knowledge and ideological content in fields such as literature, art, and science, including text, pictures, maps, games, animation, and audio-visual reading materials” within the scope of internet publications. This creates overlapping regulatory objects between cultural administrative departments and press and publication administrative departments, easily leading to mutual shirking of responsibilities among departments.

4.2 Low Legislative Hierarchy with Legislative Gaps

Although China’s internet content policies and regulations have been continuously improved, the legislative hierarchy remains low. As shown in Figure 4, China’s internet content policies and regulations are mainly composed of notices, regulations, measures, and opinions. Among the 202 policies and regulations, only three laws are significantly related to internet content: the *Cybersecurity Law*, the *Decision of the Standing Committee of the National People’s Congress on Maintaining Internet Security*, and the *Decision of the Standing Committee of the National People’s Congress on Strengthening Network Information Protection*. Policies in the form of notices, opinions, and announcements numerically dominate, far exceeding the number of laws and administrative regulations. While policies offer certain flexibility and can effectively guide internet content production, dissemination, and consumption activities, they lack the coercive power and binding force of laws and administrative regulations, resulting in limited deterrent effects on internet content subjects. Moreover, although the promulgation of the *Cybersecurity Law* provides legal guidance for purifying the cyberspace environment and maintaining internet security, overarching legislation on internet copyright protection, network personal information protection, and healthy internet use by minors remains absent [41].

4.3 Insufficient Scientific Rigor in Policy Content

First, there is an imbalance between rights and obligations. When formulating policies and regulations, competent authorities primarily consider management convenience. Policy content mainly concentrates on internet content subject admission, responsibilities of internet content subjects, and administrative penalties. Constraining terms such as “shall not” and “should” appear frequently. Among the 202 policies and regulations, 132 texts include “shall not” and 115 include “should,” with “should” appearing 1,144 times and “shall not” appearing 512 times. Incentive provisions are insufficient while prohibitive provisions are excessive. For example, the *Regulations on Internet Group Information Services*, *Regulations on Internet Information Search Services*, *Regulations on Internet User Public Account Information Services*, and *Regulations on Internet Live Streaming Services* all clearly define the responsibilities of internet information service providers to equip professional personnel, conduct real-time content monitoring, and protect personal information security, while provisions on the rights of internet content subjects are scarce.

Second, the criteria for determining illegal content need improvement. Although 56 policies and regulations enumerate illegal content, they mostly present it in the form of “eight prohibitions,” “nine prohibitions,” and “ten prohibitions,” with inconsistent specific provisions. Moreover, these clauses impose excessive restrictions on political information involving national security, ethnic solidarity, and social stability, while providing insufficient punishment for private rights-infringing information such as pornography, gambling, rumors, and defamation [42]. Additionally, the wording of relevant clauses is abstract and general, without clarifying the basis for judging and classifying illegal content. Implementation primarily relies on subjective judgment by law enforcement officers, which 无形中 increases the arbitrariness of law enforcement [43].

5. Comparison of Chinese and Foreign Internet Content Policies and Regulations and Implications for China

Major developed countries such as the United States, United Kingdom, Singapore, Australia, Germany, Japan, and South Korea have been at the forefront of internet content legislation. Analyzing their internet content legislation and learning from their successful experiences is essential.

5.1 Comparison of Chinese and Foreign Internet Content Policies and Regulations

Currently, major developed countries including the United States, United Kingdom, Singapore, Australia, Germany, Japan, and South Korea all attach great importance to internet content governance and have successively issued a series of policies and regulations to regulate their domestic internet content development (see Table 2). Overall, these internet content policies and regulations cover multiple fields including child protection, copyright protection, personal information and privacy protection, and internet security protection.

Table 2. Internet Content Policies and Regulations of Major Developed Countries

Country	Relevant Policies and Regulations
United States	<i>Communications Decency Act, Children’s Online Privacy Protection Act, Children’s Internet Protection Act, Patriot Act, Digital Millennium Copyright Act, Electronic Communications Privacy Act, Telecommunications Act of 1996</i>

Country	Relevant Policies and Regulations
United Kingdom	<i>Child Protection Act 1978, Copyright, Designs and Patents Act 1988, Data Protection Act 1998, Communications Act 2003, Digital Economy Act 2010, Obscene Publications Act, Cybersecurity Act, Internal Security Act, Broadcasting Act, Communications Act, Computer Misuse and Cybercrime Act, Privacy Act, Freedom of Information Act, Criminal Law, Copyright Act</i>
Germany	<i>Basic Law, Federal Data Protection Act, Federal Information Security Act, Multimedia Act, Telecommunications Act, Broadcasting State Agreement, Interstate Agreement on the Protection of Young People in the Media, Act to Prevent the Victimization of Private Sexual Images, Network Enforcement Act</i>
Singapore	<i>Broadcasting Act, Publications, Films and Electronic Games Classification Act, Cybersecurity Act, Network Code of Practice</i>
Australia	<i>Broadcasting Services Act, Classification (Publications, Films and Computer Games) Act, Enhancing Online Safety Act, Privacy Act, Freedom of Information Act, Criminal Law, Copyright Act</i>
Japan	<i>Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and Protection of Children, Act on Prevention of Damage from Provision of Private Sexual Images, Personal Information Protection Act, Act on the Limitation of Liability of Internet Service Providers, Act on Development of an Environment that Provides Safe and Secure Internet Use for Young People</i>
South Korea	<i>Act on Promotion of Information and Communications Network Utilization and Information Protection, Electronic Communications Business Act, Act on the Protection of Children and Youth Against Sex Offenses, Youth Protection Act, Personal Information Protection Act</i>

In terms of issuance forms, differences are mainly manifested in two aspects. First, the legislative entry points differ. Major developed countries such as the United States and United Kingdom primarily approach internet content policy and regulation formulation from key issues faced in internet content development, such as healthy internet use by minors, personal information protection, internet security, and copyright protection. In contrast, China's internet content legislation primarily adopts a sectoral and industry-specific approach, formulating specific provisions for fields such as internet culture, internet advertising, internet email, internet electronic bulletin, internet publishing, online games, microblogs, instant messaging tool public information, internet danger-

ous goods information, internet maps and geographic information, internet news information, internet audio-visual programs, and internet literature. Although this intensive legislative approach provides detailed guidance for the healthy development of various internet content sectors to some extent, sectoral and industry-specific legislation hinders the deep integration of internet text, images, audio, and video, which is not conducive to the in-depth development of internet content.

Second, there are differences in regulatory bodies. For example, the UK's Office of Communications (Ofcom) and Australia's Australian Communications and Media Authority (ACMA) were both established in response to media convergence trends, merging departments such as communications, broadcasting, and telecommunications to achieve unified management of broadcasting, communications, and the internet. In contrast, China's internet content policies and regulations involve numerous government entities, forming a "nine dragons governing water" management framework that leads to unclear responsibilities and mutual shirking among departments, which is not conducive to the cross-boundary integration of internet technology. The establishment of Ofcom and ACMA in the UK and Australia has adapted to media convergence trends and facilitated the coordinated development of broadcasting, television, film, and internet content. China's government management departments can learn from the reform experience of internet content management departments in the UK and Australia to further promote super-ministry reform, merging departments with similar or identical functions in internet content regulation to implement unified management of broadcasting, television, internet music, online games, internet publishing, and internet live streaming. At the same time, the authority of cyberspace authorities, cultural administrative departments, radio and television administrative departments, and communications administrative departments should be clearly defined at the legal level, not only reasonably demarcating the power boundaries between departments but also clarifying the rights, responsibilities, and interests between central administrative departments and local administrative departments at various levels.

In terms of internet content subjects, differences between Chinese and foreign internet content legislation are mainly reflected in the definition of internet service providers and the provisions regarding their obligations. Major developed countries such as the United States, United Kingdom, Germany, and Singapore clarify the responsibilities of internet content subjects based on their specific functions in internet content production and dissemination. For example, the US *Digital Millennium Copyright Act* (DMCA) categorizes internet service providers into four types: transient digital network communications, system caching, information residing on systems or networks at the direction of users, and information location tools [44]. Germany's *Multimedia Act* similarly adopts a case-by-case approach to the liability of internet service providers, stating that content providers are primarily responsible for the legality of programs and advertisements, while internet service providers aim to provide channels for third-party content transmission [45]. Singapore's *Internet Code of Practice* specifies

the specific responsibilities of internet access service providers or resellers and internet content providers [46]. In comparison, although China's *Regulations on the Protection of the Right of Communication through Information Networks* enumerates four forms including “providing network automatic access services,” “storing works, performances, and audio-visual recordings obtained from other network service providers,” “providing information storage space,” and “providing search or linking services,” and the term “network service provider” appears multiple times in China's *Regulations on the Protection of the Right of Communication through Information Networks*, *Administrative Measures for Internet Information Services*, *Decision on Strengthening Network Information Protection*, and *Cybersecurity Law*, China's internet content legislation has not defined the specific connotation, extension, categories, and specific obligations of “network service providers” [47]. Notably, Japan, Singapore, and the European Union, like China, explicitly require internet information service providers to undertake responsibilities such as “content inspection,” “notice and deletion,” “discovery and reporting,” “record retention,” and “complaint acceptance” [48]. The difference lies in that the EU's *E-Commerce Directive* explicitly excludes general pre-event review obligations for online platforms regarding published information, while China's *Regulations on Internet Comment and Reply Services*, *Regulations on Internet Live Streaming Services*, *Regulations on Internet User Public Account Information Services*, and *Regulations on Internet News Information Services* explicitly stipulate that internet information service providers implement a “review before publication” system [49].

In terms of internet content, major developed countries such as the United States, United Kingdom, Singapore, and Australia, like China, primarily define illegal content through negative lists. For example, Australia's *Broadcasting Services Act* enumerates prohibited content and potential prohibited content; Singapore's *Internet Code of Practice* clarifies illegal content that harms public interest, morality, order, security, and ethnic harmony; and Germany's *Interstate Agreement on the Protection of Young People in the Media* defines undesirable content from perspectives such as ethnicity, unconstitutionality, violence, war, and pornography. Notably, when defining prohibited content, Australia combines it with a classification system—for example, content “classified as RC or X18+ by the Classification Board; classified as R18+ by the Classification Board and with unrestricted access...” [50] constitutes prohibited content. This approach of combining with a classification system makes the definition of illegal content more explicit to some extent.

5.2 Implications

Perfect internet content policies and regulations are prerequisites for the healthy development of internet content, and their formulation should be based on national conditions and overall economic development goals. In this regard, internet content policies and regulations of different countries bear their own unique imprints. Currently, the core of China's internet content policy and regulation

formulation lies in achieving optimal allocation of resources in internet content production, dissemination, and consumption, enabling internet content production relations to adapt to the development of internet content productive forces. Consequently, improving government governance efficiency and achieving a balance of rights and interests among various subjects are the primary value orientations in China's internet content policy and regulation formulation. Guided by this orientation and addressing the dilemmas faced by China's internet content policies and regulations, combined with the experiences of major developed countries, improvement paths can be provided from four perspectives: reforming the management system, accelerating legislation in key areas, refining regulations concerning internet service providers, and clarifying standards for determining illegal content.

First, reform the management system and clarify government functional boundaries. Currently, the borderless and open nature of the internet has accelerated the cross-boundary development of internet technology. The integration of the internet with news, publishing, games, music, and other fields has formed new business forms such as internet news, internet publishing, online games, and internet music. However, the "nine dragons governing water" management framework, characterized by multiple policy sources, can easily lead to unclear departmental responsibilities and mutual shirking, which is not conducive to the cross-boundary integration of internet technology. The establishment of Ofcom in the UK and ACMA in Australia has adapted to media convergence trends and facilitated the coordinated development of broadcasting, television, film, and internet content. China's government management departments can learn from the reform experience of internet content management departments in the UK and Australia to further promote super-ministry reform, merging departments with similar or identical functions in internet content regulation to implement unified management of broadcasting, television, internet music, online games, internet publishing, and internet live streaming. At the same time, the authority of cyberspace authorities, cultural administrative departments, radio and television administrative departments, and communications administrative departments should be clearly defined at the legal level, not only reasonably demarcating the power boundaries between departments but also clarifying the rights, responsibilities, and interests between central administrative departments and local administrative departments at various levels. Additionally, consideration should be given to the power boundaries between grassroots government departments and their superior regional government departments (provincial governments, municipal governments, etc.), properly handling the contradictions between vertical management and territorial management.

Second, accelerate legislation in key areas to fill legislative gaps. Although China has kept pace with technological development and has formulated a series of policies and regulations for new business forms such as online games, microblogs, instant messaging public information, internet live streaming, and internet audio-visual programs, these policies and regulations only address internet content subject admission and responsibilities. In fact, during internet

content production and dissemination, the main obstacles to the healthy development of internet content include copyright infringement and privacy infringement by internet content subjects, vulgarization, philistinization, and homogenization of internet content, and the persistent problem of pornographic and false information. Consequently, China's internet content policies and regulations require not only sectoral policies and regulations such as the *Regulations on Microblog Information Services*, *Interim Provisions on the Administration of Internet Culture*, and *Interim Measures for the Administration of Internet Advertising* to provide frameworks and top-level designs for China's internet content development, but also accelerated legislation in key areas such as personal information and privacy protection, internet copyright protection, healthy internet use by minors, and internet security protection. Therefore, when formulating internet content policies and regulations, China should accelerate the promulgation of the *Personal Information Protection Law* to provide legal guidance for protecting internet users' personal information and clarifying the rights and obligations of internet users and internet information service providers. Simultaneously, the revision of the *Copyright Law* should be accelerated to adapt copyright protection to internet development trends and provide timely responses to issues such as internet news aggregation services and artificial intelligence copyright. Furthermore, addressing the issue of healthy internet use by minors, the promulgation of the *Regulations on the Protection of Minors in Cyberspace* should be promoted to provide a favorable legal ecosystem for minors' rational use of internet resources.

Third, refine regulations concerning internet service providers. Faced with massive amounts of illegal and undesirable information, vulgar and philistine internet content, and a huge internet user base, government regulation cannot cover every corner. Internet content platform enterprises, as gathering places for internet content and internet users, serve as bridges connecting internet users, internet content, and the government. Endowing internet content platform enterprises with certain responsibilities to undertake relevant government functions can effectively reduce law enforcement costs and promote multi-subject synergy in internet content governance. However, internet platforms possess dual attributes as both market competition subjects and market order maintainers [51]. If excessive regulatory obligations are imposed while neglecting their rights, it will distract them and hinder technological innovation. For example, internet platform enterprises are not professional content regulatory institutions, and requiring them to make accurate judgments on massive and complex internet content remains difficult. If platform enterprises mistakenly identify legal content as illegal and delete it, it will not be conducive to the diversification of China's internet content; if they mistakenly identify illegal content as legal, it will accelerate the spread of illegal and undesirable content. Therefore, in the formulation of internet content policies and regulations, internet service providers should be classified according to their specific functions in internet content production, dissemination, and consumption, and their responsibilities and obligations should be clearly defined. On the one hand, the connotation and

extension of “internet service provider” should be clarified at the legal level, and they should be classified according to their specific functions. On the other hand, based on the scientific classification of internet service providers, the previous one-size-fits-all approach to their responsibilities should be abandoned, and the specific responsibilities of different types of internet service providers should be clearly defined. For example, internet content providers such as Phoenix News, The Paper, and Luoji Siwei should implement “pre-publication review” of their published content, while internet platform providers such as Douyu Live Streaming, Panda Live Streaming, and Weibo may be appropriately exempted from the obligation of “pre-publication review.”

Fourth, clarify the standards for determining illegal content. Faced with massive amounts of internet content information, it would be impossible to enumerate all legal content through positive lists. Therefore, it is more reasonable to enumerate illegal content through negative lists. To clarify the standards for determining illegal content, the provisions on illegal content such as “eight prohibitions,” “nine prohibitions,” and “ten prohibitions” should first be unified to establish a unified negative list of illegal content. On this basis, cultural, press and publication, radio and television, and cyberspace authorities should collaboratively formulate corresponding interpretive benchmark provisions to further specify the connotation and extension of concepts involving national security, state secrets, ethnic solidarity, social stability, pornography, gambling, violence, rumors, and defamation [52], or learn from Australia’s experience in defining prohibited content by introducing a classification system to quantify the determination standards for prohibited content through content classification.

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Author Contributions

Huang Xianrong: Designed the research framework and guided paper revisions.
Cheng Mengyao: Collected and processed data, wrote and revised the paper.

A Content Analysis of the Internet Content Policies and Regulations in China

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Abstract: [Purpose/significance] This paper aims to describe and analyze the basic information and textual content of internet content policies and regulations at the national level, identify existing problems, compare them with those in foreign countries, and propose solutions to provide legal protection for China's internet content governance. [Method/process] 202 documents were collected from government websites and policy databases. Based on content analysis, the documents were imported into NVivo 11. The basic information was analyzed from perspectives of issuance year, issuing agency, and issuance form, while content was analyzed from perspectives of internet content subjects and objects. Meanwhile, co-word analysis was conducted, and a cooperative network diagram of issuing agencies was drawn through social network analysis using VOSviewer. [Result/conclusion] The study finds that China's internet content policies and regulations have diverse legislative subjects, low legislative hierarchy, and insufficient quality. To solve these problems, efforts should be made to reform the management system, speed up legislation in key areas, improve policies and regulations related to ISPs, and clarify standards for illegal content.

Keywords: Internet content; Policies and regulations; Content analysis

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