

## Postprint: A Study on the Phenomenon of Illegal and Unethical Content Dissemination in Short Videos and Regulatory Approaches

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### Abstract

With the development of mobile Internet, short videos characterized by “fragmentation” have rapidly captured users’ attention. While short video dissemination satisfies users’ needs for information acquisition, entertainment, and social interaction, it also exhibits illegal and unethical phenomena such as false content, vulgar content, and copyright infringement. Although China has actively addressed such malpractices at the legal and regulatory level, issues including lagging legal system reforms, inadequate legal supervision, and improper technology application persist. To promote the healthy development of online short videos, legislation concerning online short videos should be further improved, and technologies such as intelligent review and blockchain should be employed to cleanse the online environment. Simultaneously, publicity efforts for short video governance should be intensified, training for short video content producers and users should be enhanced, and their awareness of rule of law and media literacy should be elevated to achieve the long-term development of online short videos.

### Full Text

#### Research on the Phenomenon of Illegal and Immoral Content in Short Video Dissemination and Its Regulatory Path

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**Abstract:** With the development of mobile internet, short-form videos characterized by “fragmentation” have rapidly captured users’ attention. While short video dissemination satisfies user needs for information acquisition, entertainment, and social interaction, it also exhibits illegal and immoral phenomena including false content, vulgar content, and copyright infringement. Although

China has actively sought to avoid such malpractices through laws and regulations, problems persist, including lagging legal improvements, inadequate regulatory oversight, and improper technology use. To promote the healthy development of online short videos, we should further improve short video legislation, utilize technologies such as intelligent review and blockchain to purify the online environment, and simultaneously intensify governance publicity. Additionally, strengthening training for content producers and users to enhance their legal awareness and media literacy will enable the long-term development of online short videos.

**Keywords:** short video; illegal and immoral; malpractice analysis; regulatory path

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With the development of mobile internet and innovations in communication technology, short-form video has emerged as a new media dissemination method that has become increasingly popular and widely used. Online short videos evolved from their infancy in 2011 to explosive growth in 2016, and have now reached full maturity, successfully capturing high traffic volumes and becoming a favored information dissemination method for the public. According to the 48th “Statistical Report on Internet Development in China” released by the China Internet Network Information Center (CNNIC), as of June 2021, China’s short video user base reached 888 million [1]. Short videos have become deeply integrated into people’s daily lives, playing an important role in spawning new online cultures and transforming lifestyles. However, due to incomplete governance mechanisms, numerous dissemination malpractices have emerged, misleading netizens’ values and weakening the guidance of mainstream values to some extent. As General Secretary Xi Jinping emphasized: “We must create a clean and upright cyberspace for the vast number of netizens, especially young people” [2]. From the perspective of cyberspace governance, promoting the healthy development of short videos and achieving the unity of instrumental rationality and value rationality is significant for forming a new online ecology and constructing a new information dissemination pattern.

Since 2016, academic discussions on short videos have grown increasingly robust, primarily focusing on their dissemination mechanisms, narrative modes, limitations, and impacts on adolescents, while research related to short video governance remains relatively insufficient [3]. This paper attempts to summarize the illegal and immoral phenomena in short videos, analyze the causes behind these malpractices, review existing Chinese laws and regulations concerning short video governance, identify their deficiencies and shortcomings, and provide references for further optimizing and improving short video governance.

## 1. Three Manifestations of Illegal and Immoral Short Videos: Falsehood, Vulgarity, and Infringement

In the reporting sections of Douyin and Kuaishou, content violations are categorized into 13 types: pornographic and vulgar content, false political information, counterfeit sales, rumor-mongering, suspected fraud, illegal activities, spam advertising, insults and verbal abuse, dangerous behavior, poor value orientation, plagiarism, infringement of reputation/privacy/portrait rights, and impersonation. Based on investigations of these short video platforms, current reported illegal and immoral phenomena can be broadly summarized into three categories: false content, vulgar content, and copyright infringement.

### 1.1 False Content Dissemination

Short video platforms are flooded with numerous “staged” videos whose content largely diverges from reality, yet they attract large numbers of users by stimulating curiosity and capitalizing on their novelty-seeking psychology, enabling video creators, platforms, and advertisers to reap economic benefits. These videos involve various aspects of society. For instance, in March 2021, CCTV exposed the “Hanwen Team,” which, under the guise of poverty alleviation and helping people in difficulty, staged poverty scenarios, disseminated false information, exaggerated and fabricated poverty conditions in Liangshan, and used related short videos to sell products for profit.

Some Douyin influencers not only engage in brushing orders (fake transactions) but also extensively sell counterfeit products without proper certification, and even peddle prohibited goods explicitly banned by the state. According to the “E-commerce Big Data Library” (DATA.100EC.CN) from the E-commerce Research Center, “Douyin E-commerce” appears to have problems including refund issues, product quality, goods not matching descriptions, false promotions, after-sales service, and online counterfeiting.

[Figure 1: see original paper] Proportion of Complaint Types on Douyin Platform (Note: Data sourced from DATA.100EC.CN)

### 1.2 Vulgar Content Dissemination

While short video platforms contain positive, healthy, and uplifting works that spread positive energy—for example, a 6-year-old girl in Xihaigu who, after her mother left, resolutely took on the responsibility of caring for her paralyzed father, touching thousands of netizens—the vast variety and uneven quality of works have also produced large amounts of content with poor value orientation, particularly content that negatively impacts minors and content featuring minors as subjects.

Many hosts dress provocatively with exaggerated movements, using sexually suggestive and violent-leaning footage to attract attention and draw crowds. Some

videos feature minors as subjects, dressing selected adolescents in gaudy, exaggerated adult clothing in talent shows to attract audiences. On some short video platforms, the process of underage girls becoming pregnant and giving birth is even shared. To obtain economic benefits, such content unscrupulously caters to users' curiosity and vulgar aesthetic demands, disregarding social ethics and morality, thereby damaging the platforms' own image and creating pernicious influence.

### 1.3 Content Infringement

Copyright infringement incidents in short video dissemination are commonplace. During the successful Tokyo Olympics in July 2021, numerous news media outlets entered the venues to report on the sporting events, but simultaneously, many short videos about the Olympic coverage were played on platforms like Douyin and Kuaishou without indicating video sources. In response, CCTV' s news client issued a statement sternly condemning short video infringement and calling for effective protection of Olympic copyrights. The article stated that as of August 3, 2021, 4,759 live-streaming infringement links and 4,759 on-demand infringement links had been detected.

Regarding unauthorized editing and redistribution, Tencent Video requested that Douyin delete and block videos infringing on “The Thunder” (a TV drama) on its platform, and demanded compensation totaling 100 million yuan for economic losses and rights protection expenses [4].

The October 2020 incident involving middle-aged women falling in love with a “fake Jin Dong” on Douyin revealed a gray market of celebrity impersonation accounts on short video platforms. Douyin hosts numerous “fake Jin Dong” accounts that exploit celebrities' influence to deceive women' s emotions for economic gain, with many older female fans traveling to Beijing overnight to chase the star because of these accounts.

## 2. Analysis of Causes Behind Short Video Malpractices

The existence of illegal and immoral phenomena in short video dissemination seriously disrupts normal social order and cybersecurity, and misguides the formation of personal values. Therefore, this paper explores the causes of short video malpractices from three dimensions—legal, technological, and user-related—to adopt targeted regulatory paths and purify the short video dissemination environment.

### 2.1 Lagging Legal System Improvements Relative to Industry Development

Currently, short videos are flourishing, but relevant laws and regulations lag behind industry development needs. Since the 18th Party Congress, although China' s internet legislation has gradually accelerated with the successive intro-

duction of laws, regulations, and departmental rules such as the Cybersecurity Law and E-commerce Law, crucial regulations like the Personal Information Protection Law and Data Security Law that are closely related to short video users have yet to be enacted [5]. Even in the Provisions on the Governance of Online Information Content Ecology implemented in 2020, issues concerning value orientation for minors are barely addressed. Furthermore, in the current Copyright Law, provisions regarding the definition of short video infringement and infringement liability remain ambiguous. Overall, legal system improvements for the short video industry lag behind its development demands.

## **2.2 Algorithmic Recommendation Under AI Technology May Lead to Adolescent Value Distortion**

In the information society, algorithmic recommendation constitutes the underlying logic of short video distribution. Through data collection to form user profiles and recommend relevant content accordingly, short video platforms analyze massive user evaluations and attitudes under the support of big data algorithms. Once users perform actions like liking or commenting on short video platforms, the platforms infer their preferences and push large quantities of similar short videos to them.

Low-quality and vulgar short videos spread widely on short video platforms, while minors' media criticism abilities are insufficient. Consequently, minors are more susceptible to the negative impacts of low-quality vulgar short videos, easily causing serious consequences such as adolescent value disorientation. If short video platforms push content based on adolescent users' habits, they can easily create a vicious cycle of severe information homogenization and loss of mainstream values.

## **2.3 Popularization of Dissemination Technology Lowers Barriers, Resulting in Uneven Content Quality**

Advances and popularization of dissemination technology have lowered the barrier for users to access and use short videos, enabling various users to easily upload short videos. This has resulted in a mixed group of short video producers and uneven content quality. Simultaneously, driven by the attention economy, some short video bloggers lacking legal awareness and media literacy attract audiences through bizarre, violent, pornographic, and other vulgar content. Such short videos not only feature bloody content and strange visuals but are also difficult to distinguish as true or false. Over time, this leads to serious consequences of communication failure or inappropriate opinions, hindering the healthy development of short video platforms.

In response to illegal and non-compliant behaviors on short video platforms, the state has issued a series of documents on internet supervision including the Notice on Further Regulating the Dissemination Order of Online Audio-Visual Programs and the Management Specifications for Online Short Video Platforms,

which have curbed dissemination malpractices to some extent. However, the ethical chaos in short video dissemination has not been fundamentally resolved.

### **3. Regulatory Paths for Healthy Short Video Development**

Based on the above summary and analysis of illegal and immoral phenomena in short videos, as well as the review of existing Chinese laws and regulations on short video governance, effectively regulating illegal and immoral short video dissemination requires improving legislative supervision, optimizing technical measures, strengthening legal awareness, enhancing user literacy, and forming synergistic forces to enable sustainable development momentum for short videos.

#### **3.1 Improve Online Legislation and Optimize Short Video Supervision**

To promote the orderly and healthy development of the short video industry, we should intensify constraints on illegal and non-compliant short video behaviors from the legal and regulatory level. The state should improve online legislation, delineate responsible entities, clarify supervisory agencies and mechanisms, and establish a legal and regulatory system that aligns with the short video industry. Specifically, on one hand, the state should prioritize cracking down on illegal and non-compliant behaviors in cyberspace, commit to creating a healthy online environment, especially for minors. Based on current characteristics of the internet entertainment industry and user habits, we should establish and improve laws and regulations for the short video industry. On the other hand, when formulating laws and regulations, relevant state departments should consider the practical interests of all parties including short video platforms, content creators, and users as much as possible. This requires conducting thorough investigations into the development conditions of major short video platforms, analyzing the findings, and then adopting reasonable legislative models in conjunction with existing regulations on illegal and non-compliant short video behaviors. Nowadays, videos such as “soft pornography” advertisements, “staged videos,” and “false marketing” remain common on short video platforms. These videos often exploit legal loopholes, while China’s existing laws and regulations have yet to address these “gray area” non-compliant behaviors. Therefore, while improving legislation, relevant departments should also consider regulating these “gray areas,” permeating laws and regulations into every corner of short video platforms.

#### **3.2 Utilize Technical Measures to Purify the Online Environment**

First, short video technology applications should correct technical concepts and optimize technical logic. As an artificial intelligence technology, algorithmic recommendation should uphold human value orientation as the dominant factor, abandon the evaluation standard of traffic supremacy, achieve unity between instrumental rationality and value rationality, enhance user insight technology, reduce single information push mechanisms, increase algorithmic transparency,

and make information distribution more scientific.

Second, we should strengthen technology research and development to develop intelligent review technology for short video content and intensify video examination. Currently, although various online short video platforms have independent video information screening mechanisms that can intercept some non-compliant short videos, some non-compliant information still achieves widespread diffusion and dissemination. Therefore, to create a clean online environment, we must further intensify filtering and screening of online short video content. We can employ a combination of intelligent algorithms and manual screening to optimize intelligent gatekeeping, block the release of harmful videos from the source, and foster a healthy short video content dissemination environment [6].

Finally, to strengthen copyright protection of short video content and prevent infringement, we can fully utilize blockchain technology to improve short video copyright registration and evidence preservation systems and regulate user behavior. The advantage of integrating blockchain into the short video industry lies in its ability to reconstruct a “content is king” short video content ecology and achieve win-win cooperation through reshaping relationships among content producers, audiences, and short video platforms [7]. Moreover, using blockchain technology can track users with non-standard short video usage, effectively preventing the emergence and dissemination of alienated videos and purifying the online environment.

### **3.3 Strengthen Training for Online Short Video Creators and Enhance Their Legal Awareness**

Improving short video content quality is a crucial link in regulating non-compliant short video behaviors. On one hand, short video content producers should enhance copyright protection awareness when creating videos, indicating sources or origins when adapting or quoting others’ works to prevent copyright infringement. Once producers release their completed works, they should promptly register them on the online copyright registration platform for self-media audio and video content to effectively safeguard their own interests [8].

On the other hand, we should strengthen short video producers’ learning and popularization of online policies and laws to cultivate their legal awareness. When producing and disseminating short video content, creators should fully consider the value and impact of their content, ensuring it does not violate relevant laws and regulations and aligns with mainstream social values and advocated social morality and public order. Additionally, short video creators should improve their information discrimination and screening abilities, refraining from producing or disseminating vulgar short video content. Finally, creators should properly exercise their legal supervisory rights by promptly reporting illegal and non-compliant short video content.

### 3.4 Intensify Governance Publicity and Substantially Enhance User Media Literacy

Enhancing user media literacy is key to rectifying short video malpractices. Users should not accept all short video content uncritically but should learn to identify illegal and immoral short video content and actively report such videos, continuously improving their information identification and screening abilities. This requires support from all sectors of society. Schools should offer relevant legal courses to ensure universal legal knowledge, understanding, and compliance, continuously improving short video users' legal literacy. Users themselves should also actively consume video content that spreads positive energy and correct values, contributing their efforts to creating a clean online environment.

In this era of "everyone has a microphone," the barrier for short video content creators has been significantly lowered, and numerous short videos threatening adolescents' physical and mental health still exist on short video platforms. These problems urgently need resolution. Rectifying short video malpractices cannot be accomplished overnight; only through joint efforts from all sectors of society can short videos achieve long-term development and embrace a more promising future.

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*Note: Figure translations are in progress. See original paper for figures.*

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