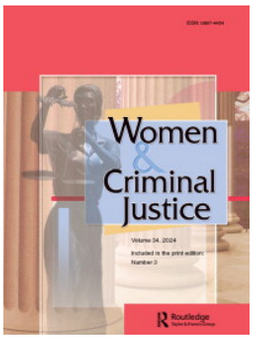

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A Study of Gender Differences on Chinese Criminal Justice Practitioners' Death Penalty Opinions

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ABSTRACT

Among Western studies of death penalty public opinion, one specific inquiry is on potential gender differences between men and women. While many studies conducted in the United States found a gender gap in which men exhibited significantly higher levels of support for capital punishment, studies of this gender gap in other nations are rare and the results are mixed and inconsistent. Based on a sample of 516 criminal justice professionals (CJPs) from one southern Chinese city, this study examines their death penalty opinions and explores if potential gender differences exist. Bivariate and multivariate analyses showed little significant differences between male and female Chinese CJPs, albeit women displayed lower levels of support in general. In rape crimes, however, female Chinese CJPs were more likely to favor capital punishment than males, after controlling for other variables. This study provides the first in-depth examination of gender differences of death penalty opinions among CJPs.

KEYWORDS

Chinese criminal justice professionals; death penalty justifications; death penalty opinion; gender differences

INTRODUCTION

Among Western studies of public opinion on the death penalty, one prominent line of inquiry is on potential gender differences between men and women. While many studies conducted in the United States (US) found a gender gap in which men exhibited significantly higher levels of support for capital punishment than women (Applegate et al., 2002; Boots & Cochran, 2011; Cochran & Sanders, 2009; Vito et al., 2022; Whitehead & Blankenship, 2000), studies that examined the gender gap of death penalty opinion in other nations are rare and the results are mixed and inconsistent (Kutateladze & Crossman, 2009; Lambert et al., 2018; Lambert et al., 2014; Lambert et al., 2007; Lambert et al., 2016). The gender gap (or lack thereof) likely reflects the unique socioeconomic conditions and culture of a society (e.g., Stack, 2000, 2004). It is thus critical to explore this gender gap among societies that are drastically different from Western nations such as the US.

Another gap in the literature is also noticeable: albeit studies of death penalty opinion by criminal justice professionals (CJPs) included gender as one key demographic variable (Callahan et al., 2000; Flanagan et al., 1993; Hamm, 1989; Mignon & Holmes, 1999; Sandys & McGarrell, 1994; Semrad et al., 2021), none centered their analyses on gender differences to our knowledge. In this study, we turn to People's Republic of China (China), a non-Western nation. Based on a sample of 516 CJPs from one city in southern China, we examine their death penalty opinions and

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explore if potential gender differences exist. Albeit a number of studies empirically explored Chinese CJPs' death penalty opinions (He, 2009; Jiang, 2008; Jiang, 2020; Kuang, 2009; Liu, 2022; Mo & Zeng, 2009; Oberwittler et al., 2010; Zhang & He, 2011; Zhu, 2009), their scope of examination is rather limited, and none paid special attention to the potential gender effect (see review below).

We argue that China presents a unique setting to this study for three primary reasons. First, despite its efforts to reduce and limit death sentences and executions, China remains the biggest user of capital punishment in the world (Liang & Lu, 2016). Its current Criminal Law still contains 46 capital offenses. A study in China would allow examination of CJPs' opinions for a broad range of capital offenses, a significant addition to Western studies (which are often limited to the offense of homicide). Second, China's long history of death penalty use and cultural and traditional emphases on retribution and heavy penalty in governing society have had profound influence on its death penalty practice (Liang & Liu, 2021; Liang & Lu, 2016). Politically, the non-democratic nature of the Chinese government further entrenches the use of the death penalty as a tool both for crime-fighting and political purposes (e.g., Johnson & Miao, 2016). China's non-democratic polity and long history and culture of death penalty use may thus affect Chinese CJPs' death penalty opinion, overcoming any potential gender differences. Third, past studies have well noted the unique working relationship among Chinese *gong-jian-fa* (police, procuratorate, and court) workers and described the practice of China's gong-jian-fa as an assembly-line, which emphasizes on coordination, cooperation, and efficiency instead of detection of errors, supervision, and checks and balances (Chen, 2005; McConville et al., 2011; Mou, 2020). This high degree of mutual trust and collaboration may lead to similar opinions by gong-jian-fa workers on fighting capital crimes and meting out death sentences and negate potential gender differences, which is also subject to empirical testing.

In the remaining of the article, we first review the extant literature, in particular on studies of the gender gap of death penalty opinions. Next, we introduce the data of this study and present main analyses. Lastly, we discuss major limitations and key findings of our study.

GENDER EFFECT ON DEATH PENALTY OPINION

Western studies of public opinion on the death penalty have built a rich body of literature over time, and one prominent line of inquiry is on potential gender differences between men and women. Overall, while the majority of studies conducted in the US found a gender gap in which men exhibited significantly higher levels of support for capital punishment than women (see reviews by Applegate et al., 2002; Boots & Cochran, 2011; Cochran & Sanders, 2009; Vito et al., 2022), exceptions existed where no gender gap was found (Lester et al., 1997; Payne & Coogle, 1998; Schadt & Delisi, 2007; Tyler & Weber, 1982). Besides the elusive nature of the gender gap, different results might be due to the timing of the studies (particularly so with poll data), methodology adopted (e.g., what and how questions were asked in the survey), samples utilized (e.g., random vs. convenient samples; regional vs. national data), and techniques of analysis (bivariate vs. multivariate analysis) (Stack, 2000). What is probably more telling, nevertheless, is the evolving trend toward more in-depth analysis of such a gender effect (or lack thereof). Early on, Lester (1987) already noticed studies from the 1960s to 1980s that examined sex differences but found the results mixed and inconsistent (chapter six). As time went on, studies became more and more sophisticated with use of advanced analysis (e.g., multivariate regressions). Nevertheless, gender often remained one demographic control variable instead of a primary focus of the inquiry among many studies. For instance, Borg (1997) studied southern subculture of violence, found gender a significant factor in people's support for capital punishment (with males being more supportive), but offered little detailed discussion beyond the statistical finding. To bring gender back to the center stage, scholars started paying special attention to the gender effect in

their inquiry. Noticeably, some studies examined the gender effect on a broad range of issues related to crime and punishment (Applegate et al., 2002; Gault & Sabini, 2000; Halim & Stiles, 2001; Hurwitz & Smithey, 1998). In such studies, people's death penalty opinion was often buried among many different measures on crime and punishment. In other words, while gender became the focal concern, it was not exclusively examined in the context of death penalty opinion. Only after the new century did scholars begin to examine the posited gender gap exclusively on people's death penalty opinion (Boots & Cochran, 2011; Cochran & Sanders, 2009; Stack, 2000; Vito et al., 2022; Whitehead & Blankenship, 2000).

In exploring the gender effect on death penalty opinion, a number of theories have been proposed to explain the gender gap. Among them, the most popular ones included: 1) the effect of gender socialization (e.g., women being more empathetic, caring, compassionate, and less punitive and approval of violence) and women's unique ethics (e.g., an "ethic of care," Gilligan, 1982) (Applegate et al., 2002; Boots & Cochran, 2011; Cochran & Sanders, 2009; Hurwitz & Smithey, 1998; Stack, 2000; Trahan et al., 2019; Whitehead & Blankenship, 2000); 2) the effect of differential experiences with crimes and criminal justice system between men and women (e.g., victimization experience, fear of crime, perception of crime severity) (Applegate et al., 2002; Boots & Cochran, 2011; Cochran & Sanders, 2009; Hurwitz & Smithey, 1998; Schadt & Delisi, 2007; Whitehead & Blankenship, 2000); 3) the gendered effect of symbolic orientations (e.g., political ideology, religious fundamentalism, authoritarianism) (e.g., Stack, 2000); 4) the effect of status differences between men and women and the resultant gender inequalities in society, and feminist ideology and consciousness (Cochran & Sanders, 2009). Despite such attempts, studies often showed that these factors, once taken into consideration (e.g., in regression models), failed to attenuate the independent effect of gender. For instance, based on analysis of longitudinal data from 1972 to 2002, Cochran and Sanders (2009) found that the effect of the gender gap on capital punishment continued to be robust despite controlling for many of these explanations outlined above. In another study, Boots and Cochran (2011) hypothesized that women would be more likely to adopt a situational attribution style and consider the circumstances of the crime, thus being less punitive and more likely to seek alternatives to the death penalty. The results of their study, though lending some support to the attribution theory, failed to bridge the gender gap in death penalty support. Furthermore, gender was found closely correlated and interacting with other factors such as race and social class (Dotson & Carter, 2012; Trahan et al., 2019) and personality traits (Robbers, 2006; Unnever et al., 2005) in influencing people's death penalty opinion, which complicated scholars' efforts to pinpoint exact causes of the observed gender gap in the US.

In contrast to studies in the US, the effect of gender on death penalty support in other nations is far from clear. In a study of death penalty opinion based on aggregate data from 17 nations (all industrialized Western nations except the Philippines), for instance, Stack (2004) found that men were more likely to favor the death penalty than women, but pointed out that the meaning of gender may be different (from that of the US) in other nations, especially nations with different socioeconomic conditions and culture (see also Stack, 2000). Unfortunately, studies that examined the gender gap of death penalty opinion in other nations are rare. While gender was often tested as a demographic variable among studies that examined death penalty opinion based on data from non-US nations (e.g., Keil et al., 1999; Lambert et al., 2008; Stack et al., 2007), it was the primary focus of scholarly inquiry only in a handful of studies (Kutateladze & Crossman, 2009; Lambert et al., 2018; Lambert et al., 2014; Lambert et al., 2007; Lambert et al., 2016). Kutateladze and Crossman's comparison (2009) between Georgia (as a nation) and the US found the posited gender effect for both nations (with males being more supportive of the death penalty). However, a series of studies launched by Lambert and his research associates to explore the gender gap among non-Western nations such as China, Nigeria, Bangladesh, India, and Japan produced mixed results: no gender gap was found for Bangladesh, China, and Nigeria (Lambert

et al., 2014; Lambert et al., 2007), a gender gap was produced based a sample of Indian college students in which males showed more death penalty support (Lambert et al., 2018; compared to another study that produced no gender effect for Indian students, Lambert et al., 2008), and a reversed gender effect was found from a sample of Japanese students with Japanese women being more punitive and supportive of the death penalty (Lambert et al., 2016). In terms of sampling and measurement on people's support of the death penalty, studies by Lambert and his research associates above were all generated from convenient student samples based on one single measure of death penalty support in general. In contrast, Kutateladze and Crossman (2009) relied on two nonprobability samples of general population and utilized a death penalty index to cover various scenarios (e.g., on special groups such as juveniles under 18 and pregnant women, various crimes such as murder, rape, and terrorism, and differing situations of wrongful convictions). These preliminary findings, collectively, confirm that unique socioeconomic conditions and culture of a particular nation be considered in exploration of the gender effect.

CHINESE DEATH PENALTY PUBLIC OPINION AND GENDER

Studies on Chinese death penalty public opinion remained limited in terms of their scope and depth, though research has produced more than 30 published studies to date. Similar to Western studies reviewed above, studies that focused on gender differences regarding Chinese death penalty public opinion are extremely scarce. A great bulk of published studies (especially studies published by Chinese domestic scholars) conducted no or very little discussion of gender (Cao & Cullen, 2001; He, 2009; Jia, 2005; Jiang, 2008; Liu, 2021; Mo & Zeng, 2009; Yuan, 2009; Zhang & He, 2011; Zhu, 2009). For instance, citing the very first death penalty survey done by the Law Institute of the Chinese Academy of Social Sciences in 1995, Hu (1999) merely displayed the death penalty support rates by gender and quickly rushed to the conclusion that women were more supportive of the death penalty while the data actually showed that a higher percentage of women (3.31% vs. 2.84% for males) believed that "China's death penalty [use] is too much" and a lower percentage of women (20.68% vs. 24.89% for males) believed that "China's death penalty [use] is too little" (pp. 342-343).

Among studies published in the new century (especially by overseas scholars), gender was often controlled as one demographic variable in regression analyses, but little detailed discussion was offered. Regarding the effect of gender, the results are inconsistent and mixed. While some studies reported more death penalty support for men than women (Kuang, 2009; Liang et al., 2006; Liu, 2022; Wu et al., 2011) and found that women were more likely to favor an alternative punishment (Liang & Wang, 2020), many other studies found no significant gender differences (Chu et al., 2022; Jiang et al., 2009; Jiang et al., 2010; Jiang et al., 2018; Jiang et al., 2007; Jiang & Wang, 2008; Liang & Chen, 2020; Qi & Oberwittler, 2009), including two studies that specifically examined gender differences on Chinese respondents' death penalty views (Lambert et al., 2014; Lambert et al., 2007).[1] Two studies that examined Taiwanese people's death penalty opinions also found no significant gender effect after gender was controlled in regressions (Cao et al., 2020; Hsieh, 2009). Hsieh (2009) further ran gender-specific regression models and showed that different factors played a role in influencing males and females' death penalty opinions.

Yet a few studies (Jiang, 2020; Liang et al., 2019; Liang et al., 2021; Zhao, 2015) found more death penalty support for Chinese women than men. Though the number of such studies is small, these studies covered different samples and capital crimes. For instance, Zhao (2015) randomly sampled 1,010 residents from one undisclosed mid-size Chinese city in 2013 and surveyed people's preferred punishment based on a hypothetical case of organizing prostitution (which was a

[1]It should be noted that some of the publications (Jiang et al., 2010; Jiang etal., 2007; Jiang & Wang, 2008; Lambert et al., 2014; Lambert et al., 2007) relied on the same sample and data.

capital offense then but is no longer after the Chinese Criminal Law was amended in 2015). While only 4.1% of all respondents chose the death penalty as their preferred punishment, female respondents were found more punitive than males. Based on a convenient sample of 1,077 students from a southern Chinese city collected in 2017, Liang and his associates (Liang et al., 2019; Liang et al., 2021) tested the famous Marshall hypotheses in China. Regression results showed that compared to males, female students were more likely to support or be neutral than oppose the death penalty after other variables were controlled (particularly so in two models on homicide and rape). More recently, Jiang (2020) surveyed 222 defense lawyers in 2018 and 2019 on their opinions regarding four capital drug offenses (including smuggling, trafficking, transporting, and manufacturing drugs, see Article 347 of the Criminal Law). Among other findings, female lawyers displayed significantly higher levels of death penalty support for two drug offenses (smuggling and trafficking) than their male counterparts.

In addition to the inconsistent statistical results, explanations of gender differences (or lack thereof) are rather speculative at this stage. For instance, Lambert et al. (2007) attributed the non-significant gender effect in their study to China's patriarchal tradition and collectivist culture which leads women to conform to men's views and/or the views of the collective groups. Further, they argued that China's (non-democratic) political system and the government-sponsored public education (which buttresses the use of capital punishment) might also accounted for the lack of a gender gap (see also Jiang et al., 2009). Jiang and Wang (2008) suggested that compared to men, Chinese women are both more conservative (thus more likely to support harsh punishment including the death penalty) and more passionate based on their traditional roles (thus less likely to support capital punishment). The effect of these two factors may cancel each other out. As reviewed above, two studies that found more death penalty support for females (Liang et al., 2019; Zhao, 2015) both involved sex-related crimes (rape and organizing prostitution respectively). Zhao (2015), in particular, attributed women's tougher punitive attitude to their stronger stance against prostitution (p.36).

In sum, with a few exceptions (Hsieh, 2009; Lambert et al., 2014; Lambert et al., 2007), past studies of Chinese death penalty public opinion failed to consider gender as a primary focus of their examination. Instead, gender was often tested as a control variable, and the results on the gender effect were mixed and inconsistent. Besides Hsieh's study (2009) which examined gender differences of death penalty opinions among Taiwanese people, two studies by Lambert and his associates (Lambert et al., 2014; Lambert et al., 2007) tested mainland Chinese but relied exclusively on convenient student samples and one single measurement of people's death penalty support in general without distinctions of specific capital offenses. There is much room to test the gender gap with other groups of people, as students could be significantly different from other citizens regarding their death penalty opinions (e.g., Jiang et al., 2018).

CURRENT STUDY

Based on a sample of Chinese CJPs, this study aims to explore potential gender differences on their death penalty opinions. Specifically, we ask two related research questions: 1) Are there gender differences among CJPs' death penalty opinions? 2) How do such differences (if existing) vary by capital offenses?

Data and Analytical Strategy

Data in this research were collected from one southern Chinese city with a population of three million registered residents by 2020. This city shares many typical characteristics of mid-size Chinese cities in socio-economic dimensions and the structure and operation of criminal justice system. Due to increasing restrictions on studies of sensitive topics (e.g., capital punishment), more information that can help identify the city is not disclosed.

Conducting criminological fieldwork research in China is very challenging, especially when the topic is viewed as "(politically) sensitive." In a very recent publication, Wei et al. (2023) systematically reviewed five methodological challenges (including political sensitivity and gaining research access) and proposed corresponding coping strategies. In addition, they emphasized the importance of power relations in conducting field research, which could affect many critical stages, from gaining entrée to maintaining proper relations with one's research subject, and to data collection and analysis. In this study, we encountered similar challenges in securing proper means to conduct surveys on six targeted groups of CJPs (police, prosecutors, judges, lawyers, correctional officers, and others). To gain proper access, we carefully chose the research site/city described above and heavily relied upon our personal and professional connections (*guanxi*) with key local informants who helped us reach out to and connect with administrators at respective agencies. Alongside a copy of the questionnaire, an introduction letter and a confidential and anonymous agreement letter were provided to respective administrators to petition for permission and help with survey distribution within their institutions. After gaining approval and support, the final surveys were conducted between April 15 and May 10, 2021. Unfortunately, random sampling within each agency was not feasible (a universal challenge to all studies that involved samples of CJPs given the limited access to CJPs). Instead, we settled with purposive samplings to target respondents in each of the six groups.

Due to strict limitations of their internal management systems, the administrative staff of each institution requested on handling the distribution and return of the questionnaires themselves, thus allowing no direct contact between the researchers and survey respondents. An agreement was reached that the distributed questionnaires be returned to the researchers in four days, and questions regarding the survey were promptly answered by the researchers during the survey administration. Both the subject and institution anonymities were also promised by the researchers. The seven-page Chinese survey questionnaire was designed for a bigger project with 62 questions in total. The first 57 questions cover respondents' demographic information, their death penalty opinions, and other criminal justice related issues; the last five questions tap their opinion on five hypothetic cases with the defendants' gender being assigned as either "male" (A version) or "female" (B version). To ensure randomness, both versions were randomly distributed to the administrative staff of each institution before they were distributed to respondents. This current study does *not* utilize data based on the five hypothetical cases, thus treating both versions the same. Granted, our research suffered from nonrandom sampling, and the researchers did not have direct control over the data collection process, a limitation we will revisit below. About 700 questionnaires were distributed among six institutions with a target sample of 120 questionnaires for each institution and a total of 516 completed questionnaires were returned, consisting of 66 judges, 68 prosecutors, 124 police officers, 55 lawyers, 31 correctional officers and 172 other professionals (primarily consisting of bailiffs and forensic experts).

Analytically, we address our research questions through the following steps. First, we use bivariate analyses to test potential correlations between gender and other demographic variables. Second, bivariate analyses are conducted to examine gender differences on death penalty opinions and justifications. Lastly, we turn to regression analyses to assess the independent and net effect of gender on death penalty opinions after controlling for demographic and death penalty justification variables.

Gender and Demographic Data

Among 516 respondents in our sample, 219 (42.4%) were females and 297 (57.6%) were males.[2] To explore if significant demographic differences existed between two gender groups, we tested a number of demographic variables in cross-tabulations, including age (in years), one's career

[2]Regarding the gender composition of each CJP group, prosecutors (64.7%), lawyers (49.1%), and the 'others' (47.7%) have higher female representations, compared to the police (26.6%), judges (33.3%) and correctional officers (35.5%) in our sample,

Table 1. Demographic variables by gender.

All respondents (n = 516)	Females (n = 219)	Males (n = 297)	Pearson's Chi-square/T-test
Age (mean in years): 33.46	31.54	34.88	−4.737***
Career length (mean in years): 3.84	3.95	3.76	1.140
Education			
Graduate degree: 9.9%	10.5%	9.4%	7.255*
Bachelor degree: 67.4%	72.6%	63.6%	
Below bachelor: 22.7%	16.9%	26.9%	
Law degree			
No: 60.1%	55.3%	63.6%	3.695
Yes: 39.9%	44.7%	36.4%	
Residence location			
Cities: 52.1%	49.3%	54.2%	2.797
Suburbs: 39.1%	39.7%	38.7%	
Rural villages: 8.7%	11.0%	7.1%	
Household registration			
Local: 84.1%	79.9%	87.2%	5.021*
Nonlocal: 15.9%	20.1%	12.8%	
Marital status			
Others: 20.9%	24.7%	18.2%	15.389***
Married: 52.9%	42.9%	60.3%	
Single: 26.2%	32.4%	21.5%	
Ethnicity			
Minorities: 14.0%	16.4%	12.1%	1.957
Han: 86.0%	83.6%	87.9%	
Annual income			
>100K: 18.0%	18.3%	17.8%	2.552
60-100K: 35.3%	31.5%	38.0%	
<60K: 46.7%	50.2%	44.1%	

*$p < 0.05$.
**$p < 0.01$.
***$p < 0.001$.

length (in years), education level (in three groups), whether one received a law degree, residence location (in three groups), household registration (either local or non-local), marital status (in three groups), ethnicity (Han people or ethnic minorities), and annual income (in three groups). Pearson's Chi-square tests (for categorical variables) or t-tests (for continuous variables) were run and significant results were indicated in Table 1.

As shown, while no significant gender differences were found for career length, having a law degree, residence location, ethnicity status, and annual income level, significant differences were found for age, education level, household registration, and marital status. Specifically, female respondents in our sample were significantly younger than male respondents on average (31.54 vs. 34.88); education-wise, female respondents were more likely to possess a bachelor degree and male respondents were more likely to have a degree below the bachelor's; regarding household registration, female respondents were more likely to hold a nonlocal registration than male respondents (20.1% vs. 12.8%); on marital status, male respondents were more likely to be married while female respondents were more likely to be single or had other marital statuses (e.g., divorced, separated, widowed).

Death Penalty Opinions by Gender

To survey respondents' death penalty opinions, we first asked their overall opinion on capital punishment and then solicited their opinions on six specific capital offenses, including homicide, rape, drug offenses, violent crimes with human death(s), nonviolent crimes without human loss,

likely reflecting the gendered nature of different CJPs. While treating the CJPs as a collective group in this study, the reader should be cautioned that there are potential opinion variations across CJP groups (which we address in another study).

Table 2. Death penalty opinions by gender.

Capital crime(s), all respondents (n = 516)	Females (n = 219)	Males (n = 297)	Pearson's Chi-square
Overall			
Favor: 84.3%	82.2%	85.9%	1.494
Not sure: 13.6%	15.1%	12.5%	
Oppose: 2.1%	2.7%	1.7%	
Homicide			
Favor: 90.7%	89.5%	91.6%	1.953
Not sure: 6.4%	6.4%	6.4%	
Oppose: 2.9%	4.1%	2.0%	
Rape			
Favor: 74.2%	76.7%	72.4%	3.370
Not sure: 20.5%	20.1%	20.9%	
Oppose: 5.2%	3.2%	6.7%	
Drug offenses			
Favor: 82.9%	79.0%	85.9%	4.469
Not sure: 11.8%	15.1%	9.4%	
Oppose: 5.2%	5.9%	4.7%	
Violent crime with human death			
Favor: 75.8%	74.9%	76.4%	.935
Not sure: 19.8%	19.6%	19.9%	
Oppose: 4.5%	5.5%	3.7%	
Nonviolent crime without human death			
Favor: 58.3%	57.5%	58.9%	3.812
Not sure: 31.8%	29.7%	33.3%	
Oppose: 9.9%	12.8%	7.7%	
Corruption			
Favor: 60.5%	58.4%	62.0%	6.275*
Not sure: 31.6%	30.1%	32.7%	
Oppose: 7.9%	11.4%	5.4%	

*$p < 0.05$.
**$p < 0.01$.
***$p < 0.001$.

and corruption crimes. The original answers based on a 5-point Likert scale (from "strongly support," "support," "neutral/not sure," "oppose," to "strongly oppose") were recoded into three groups ("support," "neutral/not sure," and "oppose")[3], and the data broken down by gender are presented in Table 2.

As shown, for each death penalty opinion variable, a significant proportion of respondents reported a "neutral" position (ranging from 6.4% in homicide to 31% in nonviolent crimes without human loss and corruption crimes), more so than respondents who opposed capital punishment. This attests to the necessity of using trichotomized, instead of dichotomized, variables in order to more accurately measure Chinese respondents' death penalty opinions (Liang et al., 2019). We also witnessed variations of respondents' opinions by capital offenses: while the highest support rates were reported in homicide (90.7%), overall opinion (84.3%), and drug offenses (82.9%), the lowest rates were found among nonviolent crimes without human loss (58.3%) and corruption crimes (60.5%), reflecting the lessened severity of crimes perceived by the respondents.

[3]Besides the problem of reliance on the oversimplified general question in polls to measure people's support for the death penalty, a related question is how to categorize people's opinions based on the survey questions. A common practice is to dichotomize people's opinions (e.g., 'favor' vs. 'oppose') and leave out equivocal answers (e.g., 'not sure', 'don't know'). Even among studies that utilized scales (e.g., Likert scales) in their measurement, scholars often collapse the scale into a binary outcome, and this trend seemingly continues among recent publications in this field (Anderson et al., 2017; Porter et al., 2018; Trahan et al., 2019). Nevertheless, this could lead to serious misinterpretation of the results, especially when there is a significant portion of respondents who hold 'not sure/neutral' positions. Instead of reporting the binary results (and leaving out the 'neutral' group), we keep the 'neutral' group and utilize trichotomized measures in this study. Some scholars (e.g., Bakken, 2023) suggested that these 'undecided' folks may have an important role to play in shaping the future of China's death penalty reforms.

Table 3. Death penalty exemptions for special populations by gender.

All respondents (n = 516)	Females (n = 219)	Males (n = 297)	Pearson's Chi-square
Seniors over 75			
Favor: 33.5%	29.2%	36.7%	3.388
Not sure: 46.3%	48.4%	44.8%	
Oppose: 20.2%	22.4%	18.5%	
Juveniles under 18			
Favor: 26.6%	23.3%	29.0%	3.771
Not sure: 54.8%	54.8%	54.9%	
Oppose: 18.6%	21.9%	16.2%	
Pregnant women or mothers with newborn babies			
Favor: 22.9%	21.9%	23.6%	.205
Not sure: 38.6%	39.3%	38.0%	
Oppose: 38.6%	38.8%	38.4%	
People with mental illness			
Favor: 23.3%	21.5%	24.6%	3.277
Not sure: 51.9%	49.8%	53.5%	
Oppose: 24.8%	28.8%	21.9%	
People with physical disabilities			
Favor: 28.3%	25.1%	30.6%	6.326*
Not sure: 54.5%	53.0%	55.6%	
Oppose: 17.2%	21.9%	13.8%	
People with significant contribution to society			
Favor: 27.3%	24.7%	29.3%	5.185
Not sure: 54.7%	53.0%	55.9%	
Oppose: 18.0%	22.4%	14.8%	

*$p < 0.05$.
**$p < 0.01$.
***$p < 0.001$.

Regarding potential gender differences, Pearson's Chi-square tests were again utilized in cross tabulations to test statistical significance. Gender was *insignificant* for all offenses except corruption crimes: female respondents were significantly less likely to support capital punishment than their male counterparts (58.4% vs. 62.0%) and more likely to oppose capital punishment (11.4% vs. 5.4%). One other interesting finding regarding the gender effect by capital offenses is also noticeable: for rape crimes, females were *more* likely to support and less likely to oppose capital punishment than males, though the differences were not statistically significant. In contrast, females would be more likely to oppose capital punishment than males for other capital crimes. Apparently, the nature of rape as a sex offense against women[4] plays a significant role in influencing women's opinions on the use of capital punishment.

Our questionnaire also surveyed respondents' opinions on capital punishment for several groups of special populations, including seniors over 75 years of age, juveniles under 18, pregnant women or mothers with new-born babies, people with mental illness, people with physical disabilities, and people who made significant contribution to society. While all of these special groups may gain respondents' sympathy to varying degrees, the Chinese Criminal Law only explicitly exempts the first three groups of special population from capital punishment (Article 49) and people with mental illness may be exempted from criminal liability under certain circumstances (Article 18).

The data broken down by gender are presented in Table 3. As seen, for all special populations, about one-fifth to one-third of all respondents still favored the use of the death penalty (even for the three legally exempted groups and people with mental illness). However, the "neutral/not sure" opinion became the majority for all special groups, ranging from 38.6% to 54.8%, and the percentage of the "oppose" opinion also significantly increased, ranging from 17.2% to 38.6%. Regarding potential gender differences, for every group of special population, female respondents

[4]The Chinese Criminal Law stipulates that rape only applies to female victims (Article 236).

Table 4. Death penalty justifications by gender.

Justifications by all respondents (n = 516)	Females (n = 219)	Males (n = 297)	T-test score
Deterrence (mean): 2.25	2.35	2.17	3.475***
Just desert (mean): 2.60	2.61	2.59	.330
Law & order (mean): 2.47	2.53	2.43	1.980*
Inhuman punishment (mean): 2.82	2.78	2.85	−1.009
Inadequacy of LWOP (mean): 2.69	2.71	2.68	.402
Sentencing fairness (mean): 2.80	2.79	2.80	−.182

*$p < 0.05$.
**$p < 0.01$.
***$p < 0.001$.

were more likely to oppose and less likely to support capital punishment than males. Nevertheless, the gender differences were only statistically significant for people with physical disabilities, a category not legally exempted from capital punishment by the Chinese Criminal Law.

Justifications for Death Penalty Opinions

A series of questions in our questionnaire solicited respondents' justifications for their support or rejection of the death penalty based on a 5-point Likert scale (from "strongly support" to "strongly oppose"). Based on the rationales of these justifications, we created six death penalty justification indexes, including deterrence, just deserts, (maintaining) law and order, (death penalty being) inhumane punishment, inadequacy of the life imprisonment without possibility of parole (LWOP) (as the alternative punishment), and sentencing unfairness (concerns about disparities and unfairness of death sentences). The reliability coefficient (Cronbach's alpha) of these indexes ranges from .567 to .759 (see Appendix 1 for variables included in each index and corresponding alpha coefficient). Being mathematical means of included variables in each index, the index values represent respondents' agreement to each index: the lower the value is, the stronger one's belief is in an index.

Table 4 presents data on death penalty justification indexes. Based on the mean index scores, the majority of respondents believed in deterrence and law and order (with the mean index values below 2.5 for both), but they reported less support for other justifications (with mean values greater than 2.5). To explore gender differences of death penalty justifications, we ran a series of t-tests whose results are shown in Table 4. Females were significantly less likely to support deterrence and law and order compared to their male counterpart, but no significant gender differences were found for other justifications.

Regression Analyses

The bivariate analyses above showed that one's gender could be significantly correlated with other demographic variables and death penalty justifications. To test if gender has a net, independent impact on one's death penalty opinions, we turn to regression analyses to control demographic and death penalty justification variables. Specifically, our dependent variables include the overall death penalty opinion and six opinion variables on specific capital offenses in Table 2. Our primary variable of interest is gender. All other demographic variables in Table 1 and death penalty justification indexes in Table 4 are included as control variables in regressions below.

As our dependent variables are ordinal level variables, we ran ordinal regressions initially. Nevertheless, in all models (except one), the assumption of parallel lines is violated at the .05 significance level. As a result, we turned to multinominal logistic regressions (MLRs), and the results are presented in Tables 5 and 6. Given the nature of the MLRs, among dependent death penalty opinion variables, we set the "support" group (that is, respondents who supported capital punishment) as the reference group and presented the results for the "neutral" and "oppose" groups (in

Table 5. Multinominal logistic regression on overall death penalty opinion.

	Neutral group			Oppose group		
Variables	B(S.E.)	Wald	Exp(B)	B(S.E.)	Wald	Exp(B)
Sex	.049(.30)	.026	1.050	−2.027(1.59)	1.622	.132
Age	.034(.04)	.795	1.035	−.573(.27)*	4.450	.564
Career length	−.115(.05)*	6.230	.891	.801(.38)*	4.453	2.228
Education						
Graduate degree	−.848(.65)	1.698	.428	5.282(2.60)*	4.130	196.746
Bachelor degree	−.391(.37)	1.123	.676	−.668(1.50)	.198	.513
Law degree	−.224(.35)	.418	.799	−4.146(1.94)*	4.575	.016
Residence location						
Cities	−.156(.53)	.086	.856	−3.400(2.55)	1.778	.033
Suburbs	−.348(.53)	.431	.706	−.294(1.51)	.038	.746
Household registration	−.655(.47)	1.986	.519	2.130(2.43)	.767	8.414
Marital status						
Others	−.460(.46)	.982	.631	−4.265(3.29)	1.680	.014
Married	.062(.38)	.027	1.064	−3.117(1.92)	2.645	.044
Ethnicity	.716(.48)	2.229	2.046	4.862(2.62)	3.453	129.34
Annual income						
>100K	1.098(.48)*	5.289	2.997	2.969(2.70)	1.208	19.465
60-100K	.251(.38)	.448	1.285	1.765(1.99)	.784	5.841
Deterrence	1.43(.36)***	15.96	4.169	2.953(1.52)	3.779	19.167
Just deserts	−.134(.29)	.210	.875	−.500(1.36)	.136	.606
Law & order	1.071(.46)*	5.457	2.918	3.598(1.97)	3.338	36.522
Inhumane punishment	−.305(.27)	1.245	.737	−5.571(2.64)*	4.456	.004
Inadequacy of LWOP	−.291(.32)	.825	.748	−2.190(1.14)	3.640	.112
Sentencing unfairness	.270(.30)	.809	1.310	2.433(1.19)*	4.188	11.392
Intercept	−6.68(1.7)***	16.362	n/a	.911(8.3)	.012	n/a
−2 log likelihood			354.579***			
Nagelkerke R2			.419			

*$p < 0.05$.
**$p < 0.01$.
***$p < 0.001$.

comparison to the support group) separately. Thus, MLR regressions produced results that contrasted both the "neutral" and "oppose" groups to the "support" group. Among demographic variables, besides continuous variables (age and career length), the *last* category of all categorial variables in Table 1 was set as the reference group (that is, "below bachelor," "with a law degree," "rural villages," "nonlocal household registration," "singles," "Han (people)," and "below 60,000 yuan" respectively). All death penalty justification indexes are continuous variables.

Table 5 details the MLR results on the overall death penalty opinion. When the "neutral" group was contrasted to the "support" group (column 2), gender was not significant when all other variables were controlled for. Career length and annual income were the only demographic variables that indicated a significant result: holding others constant, respondents with longer career length were more likely to report a "support" instead of a "neutral" position; respondents with an annual income over 100,000 (compared to those with an income below 60,000 annually) were more likely to hold a "neutral" position. Two death penalty justification indexes were significant: as expected, respondents with a stronger belief in deterrence and law and order were more likely to support capital punishment than being neutral. When the "oppose" group was compared to the "support" group (column 3), again gender was not significant. A number of demographic variables were significant: specifically, respondents who were older, had a shorter career length, and had a law degree were more likely to support than oppose capital punishment; respondents with graduate level degrees (compared to respondents without a bachelor degree) were more likely to oppose than support capital punishment. Two death penalty justification indexes were significant: as expected, respondents who were more likely to believe that capital punishment is inhumane were more likely to oppose capital punishment; nevertheless, respondents who

expressed stronger concerns about sentencing unfairness were more likely to support capital punishment, contrary to our expectations.

In Table 6, to save room, we summarized key MLR results for the six variables of specific capital offenses (and included the results for the overall opinion for comparison purpose). Only variables with statistically significant results were marked in the Table with positive ("+") or negative ("−") influence indicated accordingly (with full results available upon request). As shown, gender, our primary variable of interest, was statistically significant only in one model: for rape crimes, when the "oppose" group was contrasted to the "support" group, females were more likely to support than oppose capital punishment, holding other variables constant. In all other models, gender failed to exert a net, independent effect on death penalty opinions.

Other demographic and death penalty justification variables were more "active," in comparison to gender. For homicide, when the "neutral" group was contrasted to the "support" group, education level and two death penalty justification indexes were significant: holding others constant, respondents with a bachelor degree (compared to those without a bachelor degree) were more likely to support capital punishment than being neutral; respondents who held a stronger belief in deterrence were more likely to support capital punishment; respondents who were more likely to believe that capital punishment is inhumane were more likely to hold a "neutral" position. When the "oppose" group was contrasted to the "support" group, deterrence was the only significant variable: respondents with a stronger belief in deterrence were more likely to support capital punishment.

For respondents' opinion on rape, when the "neutral" group was contrasted to the "support" group, a number of demographic variables and death penalty justification indexes were significant: holding others constant, having a bachelor degree (compared to those without a degree), living in rural villages (compared to living in suburbs), having a local household registration (compared to having a non-local household registration), being ethnic minorities (compared to being Han people), holding a stronger belief in law and order and that the LWOP is an inadequate alternative were significantly correlated with one's support to capital punishment. Surprisingly, holding a weaker belief in deterrence was significantly correlated with one's support to capital punishment. When the "oppose" group was contrasted to the "support" group, besides the effect of gender (discussed above), living in cities (compared to living in rural villages), marital status being "others" (compared to being "single"), being Han people (compared to being ethnic minorities), and holding a stronger belief that the death penalty is inhumane (unexpectedly) were significantly correlated with death penalty support.

For respondents' opinion on drug offenses, when the "neutral" group was contrasted to the "support" group, having a longer career length, without a law degree, living in cities (compared to living in rural villages), and holding a stronger belief in deterrence and law and order were significantly correlated with support of capital punishment. When the "oppose" group was contrasted to the "support" group, holding a stronger belief in deterrence was the only variable significantly correlated with support of capital punishment.

For respondents' opinion on violent crimes with human death(s), when the "neutral" group was contrasted to the "support" group, having a bachelor degree (compared to those without a degree), without a law degree, and holding a stronger belief in just deserts were significantly correlated with support of capital punishment. When the "oppose" group was contrasted to the "support" group, living in cities (compared to living in rural villages), being Han people (compared to being ethnic minority members), and holding a stronger belief in law and order were significantly correlated with support of capital punishment.

For respondents' opinion on nonviolent crimes without human death(s), when the "neutral" group was contrasted to the "support" group, without a law degree, living in cities (compared to living in rural villages), and holding a stronger belief in law and order and that the LWOP is an inadequate alternative were significantly correlated with support of capital punishment.

Table 6. Summary of key multinominal logistic regression results on death penalty opinions.

Variables	Overall opinion		Homicide		Rape		Drug offenses		Violent crime with death		Nonviolent crime w/t death		Corruption	
	Neutral	Oppose	Neutral	Oppose	Neutral	Oppose	Neutral	Oppose	Neutral	Oppose	Neutral	Oppose	Neutral	Oppose
Sex						+								
Age		−												
Career length	−	+					−							
Education														
Graduate degree		+												
Bachelor degree			−		−				−				−	
Law degree		−					+		+		+		+	
Residence location														
Cities						−	−			−	−	−		
Suburbs					+									
Household registration					+							+		+
Marital status														
Others						−								−
Married														
Ethnicity					+	−				−		−		
Annual income														
>100K	+													
60-100K														
Deterrence	+		+	+	−		+	+			−			
Just deserts									+			+	+	+
Law & order	+				+		+			+	+	+	+	
Inhuman punishment		−	−			+							+	
Inadequacy of LWOP					+						+			−
Sentencing unfairness		+												

±Statistically significant (at least $p < 0.05$).

Unexpectedly, holding a weaker belief in deterrence was significantly correlated with one's support to capital punishment. When the "oppose" group was contrasted to the "support" group, living in cities (compared to living in rural villages), having a local household registration (compared to a nonlocal registration), being Han people (compared to ethnic minority members), and holding a stronger belief in just deserts and law and order were significantly correlated with support of capital punishment.

Lastly, for respondents' opinion on corruption crimes, when the "neutral" group was contrasted to the "support" group, having a bachelor degree (compared to those without a degree), without a law degree, and holding a stronger belief in just deserts and law and order were significantly correlated with support of capital punishment. A stronger belief that capital punishment is inhumane was surprisingly correlated with support of capital punishment. When the "oppose" group was contrasted to the "support" group, holding a local household registration (compared to a nonlocal registration), marital status being "others" (compared to being "single"), and holding a stronger belief in just deserts were significantly correlated with support of capital punishment. Unexpectedly, holding a weaker belief that the LWOP is an inadequate alternative was significantly correlated with death penalty support.

DISCUSSION AND CONCLUSION

Based on a nonrandom sample of 516 CJPs from one southern Chinese city, this study explored potential gender differences among their death penalty opinions. Being explorative and non-generalizable in nature, the results of our study need to be interpreted with caution. Granted, this limitation is a common challenge to past studies that involved samples of CJPs given their limited access to CJPs. Another limitation was our lack of control over data collection, as we had to rely on the administrative staff of each professional institution to distribute and collect questionnaires. This "top-down" approach made our survey study feasible logistically, but we (the researchers) lost direct control over survey administration. The challenges we encountered in this study (e.g., gaining access, dealing with political sensitivity and power relations) matched many other scholars who conduct similar criminological field research in China (Wei et al., 2023).

With these limitations in mind, our study makes a significant contribution to the existing studies in two critical ways based on our research questions. First, being the first empirical study to explore potential gender differences of death penalty opinions among CJPs, our study fills an important gap in the literature. There is little doubt that CJPs play a fundamental role in maintaining law and order in society, and their stances on crime, law, and punishment would likely be reflected in their profession and affect their work. Albeit past studies of CJPs' death penalty opinion included gender as one demographic variable (Callahan et al., 2000; Flanagan et al., 1993; Hamm, 1989; Mignon & Holmes, 1999; Sandys & McGarrell, 1994; Semrad et al., 2021), none exclusively focused on gender differences. Scholars already argued that the effect of (gender) socialization be one key factor to explain the potential gender gaps for people's death penalty support (Applegate et al., 2002; Boots & Cochran, 2011; Cochran & Sanders, 2009; Hurwitz & Smithey, 1998; Stack, 2000; Trahan et al., 2019; Whitehead & Blankenship, 2000). If this is true, people' professionalization could carry a significant impact in this regard, especially when they deal with law, crime, and punishment on a routine basis such as that of CJPs. Such inquiries, however, need to be situated within unique socioeconomic conditions and culture of a particular society (Stack, 2000, 2004).

Second, our study tested potential gender differences across a variety of capital offenses, thus an important improvement from the past studies which almost exclusively limited their examination to homicides only either in the US (Boots & Cochran, 2011; Cochran & Sanders, 2009; Stack, 2000; Vito et al., 2022; Whitehead & Blankenship, 2000) or other nations (Lambert et al., 2018; Lambert et al., 2014; Lambert et al., 2007; Lambert et al., 2016). Consistent with findings of

other Chinese populations (Jia, 2005; Liang et al., 2019; Oberwittler et al., 2010), our data showed that Chinese CJPs' opinion on capital punishment varied by capital offenses (Table 2). When the severity of crimes lessened, respondents' level of death penalty support declined, which was evident for both gender groups. The regression results (Tables 5 and 6) also showed that the nature of the specific capital offense mattered, which reaffirms the concern by scholars about using the general abstract survey question (e.g., "Do you favor or oppose the death penalty for persons convicted of murder?") as the universal measure for people's death penalty opinion (Bowers et al., 1994), especially when a nation such as China carries a great number of diverse capital offenses. Moreover, for each opinion variable, the percentage of the "neutral" group was bigger than the "oppose" group (Table 2), and when other variables were controlled for, the regression results (Tables 5 and 6) showed significant differences between the "neutral" group and the "oppose" group when we compared them with the "support" group. This finding confirmed the importance of paying attention to the indeterminate group when Chinese people's death penalty opinions are examined (Liang et al., 2019).[5]

Regarding the effect of gender on death penalty opinions, the results of this study showed a subtle but complicated picture. To start with, gender was significantly correlated with several demographic variables in our sample (i.e., age, education level, marital status, household registration) (Table 1). Further, gender was correlated with respondents' death penalty justifications: females were less likely than males to hold a strong belief in deterrence and law and order, two core death penalty justifications (Table 4).

The bivariate results (Table 2) found significant gender differences for corruption crimes only (but not for the overall opinion and other capital offenses), in which females were more likely to oppose than support capital punishment. We also noticed an interesting finding regarding rape: due to its unique gendered crime nature, females were more likely to support capital punishment than males, a sharp contrast to their lower support levels for other capital offenses. Female respondents' general lower death penalty support level was also evident when we surveyed their opinion on potential exemptions for some special population groups (Table 3) (and the gender differences were significant for people with disabilities).

When demographic and death penalty justification variables were controlled for in regression analyses (Tables 5 and 6), gender often failed to exert a net, independent effect on one's opinion. The only exception is for rape crimes: when the "oppose" group was contrasted to the "support" group, gender exhibited a net independent effect, even after other variables were controlled for. Consistent with findings of two other studies (Liang et al., 2019; Zhao, 2015), this finding shows that the nature of an offense (especially when it is sex-related) matters when we examine potential gender differences. Albeit Western scholars already pointed out that women would be able to better relate to gendered crimes against female victims (e.g., wife-battering, Pierce & Harris, 1993) and they may also advocate harsh punishment for crimes such as rape or domestic abuse (Hurwitz & Smithey, 1998), such a gender effect was *not* tested in the context of capital punishment (mainly because rape without human death is not subject to capital punishment among Western nations). As witnessed in this study, Chinese female CJPs would be more likely to

[5]As pointed out by one anonymous reviewer, research (particularly in social and political psychology) has found empirical support to the concept of (value) *ambivalence*, which refers to the presence of conflicting evaluations or beliefs held by people about an attitude object. For instance, research by Craig and his colleagues (Craig et al., 2002; Craig et al., 2005) found that many respondents in their survey simultaneously held both positive and negative attitudes toward issues related to abortion and gay rights. Such ambivalence, whose degree varies depending upon the specific circumstances, potentially reflects conflicts among people's underlying core values, and may help explain the instability of mass attitudes and their opinion changes over time. Our current study, though not directly testing the potential ambivalence of CJPs' death penalty opinion, does reveal that a significant portion of CJPs do *not* hold firm answers one way or the other, and their opinions are subject to change given specific circumstances. The concept of ambivalence thus could be one theoretical foundation for interpreting these results and future studies should be devoted to this approach. We'd like to thank the anonymous reviewer for this important insight.

support harsher punishment, including capital punishment, than male CJPs in such crimes. If this gendered position is visible for specially trained CJPs, we might expect similar or even bigger gender gaps among the nonprofessionals (subject to testing in future studies). Beyond this unique finding, minimum gender differences were observed among Chinese CJPs. Besides potential reasons suggested by Lambert and his associates (Lambert et al., 2014; Lambert et al., 2007), we suggest that the experience of criminal justice system may have played a role to narrow any gender gap among Chinese CJPs, as set out in our introduction section. Unfortunately, this study was not able to directly test the effect of criminal justice professionalization. Future studies should endeavor to contrast CJPs' experience with the general public to reveal the impact of their unique profession.

Moreover, death penalty opinions by Chinese CJPs are significantly tied to their justifications and demographic background (Tables 5 and 6). The death penalty justification indexes we tested can be categorized in two groups: the first group (including deterrence, just deserts/retribution, and law and order) could be labeled as "core" beliefs that directly and positively buttress people's death penalty support and indeed played a much stronger role in the regression results: both deterrence and law and order had a significant result in seven regression models, and just deserts in four models. The second group of death penalty justification indexes (including inhumane punishment, inadequacy of LWOP, and sentencing unfairness) apparently played a lesser role in comparison: the mean values of these three indexes were higher than that of the first group, indicating people's weaker belief in these indexes; further, there were only sporadic significant results for these indexes among regression models. These results to some extent dovetailed with findings of previous studies (e.g., Liang et al., 2006; Jiang et al., 2009; Jiang et al., 2007; Oberwittler & Qi, 2009; Wu et al., 2011), which showed that Chinese citizens tended to hold a strong belief in deterrence, retribution, and law and order. In comparison, the majority of Chinese CJPs' did not see capital punishment as inhumane, and their (weak) assessment of the LWOP as an alternative punishment to capital punishment and (modest) concerns about sentencing disparities were not strong enough to overcome their support for capital punishment otherwise, similar to findings of CJPs from other nations (Hoyle & Lehrfreund, 2020; Hughes & Robinson, 2013).

One more interesting finding on death penalty justifications was variation by capital offenses. For instance, while respondents' belief in deterrence was significant for homicide and drug offenses in anticipated directions, it was not significant for violent and corruption offenses; for rape and nonviolent crimes, respondents who hold a stronger belief in deterrence were more likely to choose a "neutral" than a "support" position, contrary to the expected directions. This result might indicate how Chinese CJPs evaluate the effect of deterrence differently depending upon the specific capital offenses being surveyed: that is, they may believe that deterrence work for certain crimes (homicide and drug offenses), but not for other violent (e.g., rape) and nonviolent crimes (e.g., corruption crimes). In comparison, the direction of the impact of just deserts and law and order was consistent. The results of inhuman punishment and inadequacy of LWOP also changed directions in a few models and produced outcomes difficult to explain. Future studies should make more endeavor to explore how people's death penalty justifications may change when different capital offenses (or crime scenarios) are probed.

Besides gender, many demographic variables exhibited significant effects, but the results are difficult to interpret and compounded by two factors, the type of capital offenses and the specific group of respondents (either "the neutral" or the "oppose" group). For more serious crimes with "less room" for disagreement (e.g., homicide and drug offenses, evident from the high levels of death penalty support by all respondents, see Table 2), the roles of demographic variables were rather limited. In contrast, for less severe capital crimes such as nonviolent and corruption crimes, demographic variables were more "active" in influencing respondents' death penalty opinions. Moreover, some demographic variables exerted different effects for the neutral and the oppose groups, potentially indicating different profiles of these two groups of people (Bakken,

2023). For instance, one's education level had significant results in four models when the "neutral" group was contrasted with the "support" group: compared to respondents without a degree, respondents with a bachelor degree were more likely to support capital punishment. This result is consistent with past studies from China (Liu, 2021) but contrary to findings from the U.S. poll data, and its interpretation is still subject to debate (e.g., Bakken, 2023, chapter six; Liu, 2021). In contrast, one particular type of education, legal education seemingly played a different role: in four models of specific capital crimes, respondents with a law degree were more likely to hold a "neutral" than a "support" position. Note that both education variables were *only* significant to the "neutral" groups, but not to the "oppose" groups. In contrast, marital status being "others" (compared to being "single") and being ethnic minorities were mainly uniquely associated with the "oppose" groups instead of the "neutral" groups. Again, we caution the reader with our interpretation as the data might be due to the unique nature of this sample of CJPs. More studies are thus warranted.

In conclusion, our study provided the first in-depth examination of potential gender differences of death penalty opinion by a group of Chinese CJPs. It is likely that the collective experience of the Chinese criminal justice system may have minimized any gender differences prior to their career. More study of the general population would undoubtedly shed light on the gender gap (or lack thereof) in China. Our study found little significant differences between men and women, though women were less supportive of capital punishment in general. Chinese CJPs' death penalty opinions were largely influenced by their death penalty justifications and demographic background. However, gender did play a significant role in rape crimes, with women showing more support for capital punishment. It shows that Chinese female CJPs look at sex crimes against women differently than their male colleagues, which directly influences their choice of punishment. These findings call for further examination across different cultures and societies, where gender and CJP's roles may contain different meanings and thus influence CJPs' death penalty opinions and practices.

DISCLOSURE STATEMENT

No potential conflict of interest was reported by the author(s).

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Appendix 1: Indexes of death penalty justifications

Scales	Variables included	Alpha
Deterrence	Capital punishment may deter and prevent other potential criminals Capital punishment carries more deterrence than the LWOP Capital punishment is the ultimate means to deprive criminals of their capability of reoffending	.643
Just deserts	Capital punishment is retribution to criminals Capital punishment is the criminal's deserved punishment	.567
Law & order	Capital punishment is necessary for law and order If not executed, a released criminal will cause harm to society If not sentenced to death, a criminal may escape punishment because of corruption of the criminal justice system	.649
Inhuman punishment	The notion of capital punishment no longer suits contemporary society No rationale would justify the deprivation of one's life, including capital punishment Capital punishment deprives criminals' opportunity to be rehabilitated	.736
Inadequacy of LWOP	As an alternative to capital punishment, the LWOP adds fiscal burden to the government The LWOP cannot be implemented in reality	.741
Sentencing unfairness	In death sentencing, courts' sentences are inaccurate or even unfair due to lack of uniform sentencing standards Capital punishment may lead to injustice in reality (e.g., low-status criminals such as farmers and migrant workers are more likely to be death sentenced than high-status criminals such as cadres and rich people)	.759