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Gender and sentencing in capital cases: Chinese criminal justice professionals' perspectives

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ABSTRACT

The operation of a fair criminal justice system hinges upon its criminal justice professionals (CJPs) making decisions based on considerations of legal but not extra-legal factors. Studies have shown that offenders' gender, an extra-legal factor, may impact criminal justice decisions. Both the paternalism/chivalry and evil women hypotheses are proposed and tested accordingly. In comparison, fewer studies explored the impact of CJPs' gender on their decision-making. Based on survey data of 516 CJPs from one Chinese city, this study explores potential impact of both CJPs' and offenders' gender on CJPs' preferred punishment in five hypothetical capital cases. The results suggest that female offenders are more likely to receive more lenient dispositions for homicide and sexual assault of minors (supporting the paternalism/chivalry hypothesis), but harsher punishment for drug trafficking (supporting the evil women hypothesis). In contrast, no significant impact of CJPs' gender was found in multivariate analyses, albeit bivariate results indicated some leniency from female CJPs. This study suggests that offenders' gender may still exert influence, with the magnitude and direction of the effect varying by specific crime type and crime circumstances, while the effect of CJPs' gender is largely negated by organizational arrangements and constraints in the unique context of China.

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Gender impact; capital sentencing; Chinese criminal justice professionals; paternalism/chivalry hypothesis; evil women hypothesis

Introduction

Given its grave consequences, death sentencing is one of the most critical decisions that criminal justice professionals (CJPs) face. Over time, laws have been enacted to curb CJPs' discretion on legal factors unique to capital practices (e.g. death-eligible offenses, aggravating and mitigating circumstances) both in the U.S. and China. Additional efforts are made to reduce capricious sentences due to concerns about potential influence of extra-legal factors (e.g. race in the U. S.). One primary focus in this context is gender.

Scholars have examined the impact of both offenders' and CJPs' gender on criminal justice dispositions. Studies have found that the gender of offenders exerts an effect in

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various contexts, and attributed gender sentencing disparities to patriarchy, chivalry, paternalism, and evil women hypotheses (Daly & Bordt, 1995; Stacey & Spohn, 2006). In contrast, while most studies have focused on CJPs' professional background, relatively few have addressed the influence of their gender. The extant research on the potential effect of CJPs' gender is thus rather limited, albeit it is understood that their professionalization might play an important role. For instance, as Gibson stated (1983, p. 9), 'judges' decisions are a function of what they prefer to do [e.g. personal attitude and sentencing philosophies], tempered by what they think they ought to do [e.g. their professional role and responsibility through training and socialization], but constrained by what they perceive is feasible to do [e.g. courtroom workgroup and community social environment].'

Drawing on criminological theories on gender and using survey data of 516 CJPs in China, this study examines the potential impact of both offenders' and CJPs' gender on death sentences. Though China is the largest death penalty retentionist country in the world, there is largely a void in opinion surveys of Chinese CJPs due to a lack of data access. This study sheds light on Chinese CJPs' perspectives on capital sentencing, especially regarding the gender effect.

Offenders' gender and sentencing

Numerous studies have examined the impact of offenders' gender on sentencing. Overall, these studies can be categorized in two theoretical perspectives: the evil women hypothesis and paternalism/chivalry hypothesis.

The evil woman hypothesis asserts that women who commit crimes (especially violent masculine crimes such as murder) are considered to have deviated from and/or violated traditional gender roles, and are thus perceived as more blameworthy and dangerous, resulting in harsher and more extreme forms of punishment compared to men, including death sentences (Atwell, 2007; Chesney-Lind, 2006; Grabe et al., 2006; Luke, 2008; Spohn & Spears, 1997). In contrast, women who commit feminine crimes such as larceny are likely to receive more lenient punishment (Nagel & Hagan, 1983). Such sentencing disparities are in essence reactions to traditional gender role expectations (Chesney-Lind, 1978). This trend is found particularly prominent in cases involving traditionally male-dominated violent crimes and in situations where women are responsible for the death of close family members, thereby being perceived to have violated societal expectations for good women (Rapaport, 1991). Similarly, girls who commit status offenses (e.g. running away from home) often face harsher penalties than boys, due to anticipated societal gender norms (Feld, 2009).

In contrast, the paternalism/chivalry hypothesis suggests that women would receive more lenient treatment than men because they are perceived to be weaker, more vulnerable, less blameworthy for their crimes, and less dangerous to communities (Curry et al., 2004; Krohn et al., 1983). Moreover, this hypothesis suggests that female offenders receive preferential treatment for factors related to traditional family values and gender roles such as being caregivers and bearing childcare responsibilities (Daly & Bordt, 1995; Kruttschnitt & Savolainen, 2009; Luke, 2008). For example, female offenders are found less likely to be incarcerated than males for drug offenses due to their caregiving responsibilities but receive harsher punishment for committing domestic violence because such crime violates family and gender norms (Rapaport, 1991).

Albeit seemingly divergent, both evil woman and paternalism/chivalry perspectives essentially draw on arguments from patriarchy. Patriarchy is more than just sexism (Ortner, 2022). It is a social formation of male-gendered power with a particular system of relationships, beliefs, and values embedded in political, social, and economic systems that subject women and other men to the dominance of 'men' (Ortner, 2022, p. 307; also see Crew, 1991; Ogle & Batton, 2009; Savolainen et al., 2017). Within the legal system, patriarchy manifests in decision-making power, exercises of rights, women's underrepresentation among legal professionals such as judges, lawyers, and lawmakers, and women's overconcentration in lower-level positions and less likelihood to advance professionally (Batton & Wright, 2019). It also persists through cultural norms and patriarchal assumptions that affect female offenders and victims, and opportunities for recruitment and promotion (Batton & Wright, 2019; Huff et al., 2024).

Overall, studies showed strong evidence of preferential treatment of women in the criminal justice system, with a few exceptions (e.g. Evans, 2005). Compared to men, women are more frequently offered charge reductions and probation opportunities (Farnworth et al., 1995; Franklin et al., 2008; Nagel & Hagan, 1982; Rodriguez et al., 2006; Steffensmeier & Demuth, 2006) and are far less likely to receive severe sentences (Belknap, 2020; Crew, 1991). Studies showed gender disparities tend to occur with incarceration rates, but not conviction rates (Kruttschnitt, 1984; Kruttschnitt & Green, 1984; Steffensmeier et al., 1993). This is particularly evident in death penalty decisions in the U.S. (Bell et al., 2021; Shapiro, 2000; Spohn & Beichner, 2000). For instance, available statistics on death sentences and executions in the U.S. suggest women were far more likely to be spared from this extreme punishment: while women accounted for 10% of murder arrests, they represented only 2.3% of all death sentences, 2.12% of death row inmates, and 1.12% of executed offenders (Death Penalty Information Center, 2024). Death sentences for women are thus not only rare but also represent a 'system-wide bias based upon the sex of the offender' (Streib, 2006, p. 613).

CJPs' gender and sentencing

Compared to research on offenders' gender, research on CJPs' gender and sentencing is scarcer and much less settled. Empirical examinations of the effect of CJPs' gender on their decision-making are relatively limited and have produced mixed results. Some studies suggest that female judges demonstrate greater empathy and leniency in sentencing (Muhlhausen, 2004). Others find female judges more likely to impose harsher penalties in certain crime types (especially gender-sensitive ones such as rape, Peresie, 2004) for both male and female offenders as they are more likely to weigh offender characteristics such as prior record (Steffensmeier & Hebert, 1999). Still, other studies find no such correlations between judges' gender and sentencing severity (Gruhl et al., 1981). Studies that involve more complex designs (e.g. interactive effect of gender) found that the presence of female judges may reduce gender-based sentencing disparities in serious cases (Schanzenbach, 2005). Overall, while gender disparities in punishment often favor women offenders who tend to be incarcerated less frequently and for shorter periods of time (Philippe, 2020), the influence of CJPs' gender on sentencing remains inconsistent and inconclusive.

Despite inconclusive findings, theory highlights the potential value of integrating male and female perspectives within the justice system. From a psychological standpoint, women and men may bring distinct worldviews: males are often associated with masculinity, logic, hierarchy and justice, whereas females may emphasize obligations, relations, and personal communication (Gilligan, 1993). These differences, shaped by socialization, can foster complementary approaches to decision-making. Female professionals' collective experiences and empathy may help mitigate patriarchal tendencies and diversify the culture of legal practice (Johnson, 2014; Menkel-Meadow, 1989).

At the same time, organizational theory argues that all judges, male and female, undergo the same professional training before joining the bench and rely on the same laws and norms in their decision-making (Boyd & Nelson, 2017). Both pre-entry (e.g. via recruitment) and post-entry socialization (e.g. via institutional instruction, indoctrination and exemplification) instill new officers with the codes of the organization (Ostroff & Kozlowski, 1992). Additionally, organizational constraints such as sentencing guidelines and courtroom workgroup could further reduce sentencing disparities between male and female judges (Gruhl et al., 1981; Steffensmeier & Hebert, 1999). The organizational theory would thus predict minimum gender differences for sentencing.

Overall, criminal justice is one of the rare social arenas in which gender disparities apparently advantage women offenders (Philippe, 2020). Regarding the effect of CJP's gender on sentencing, however, the results are far from being consistent or conclusive.

Gender and sentencing in China

Studying gender and sentencing in China presents unique challenges. To date, no systematic, detailed crime or case processing data is available to the public, making it difficult to discern any potential gender disparities in the criminal justice system. Scholars thus relied heavily on published judicial judgments for their analysis (e.g. Xin & Cai, 2022). Studying gender and sentencing in China nevertheless sheds significant light on the extant literature given China's unique political, legal, and cultural context. Specifically, it could affect both how offenders' gender is contextualized and interpreted in certain crimes in China (e.g. drug trafficking, corruption) and whether and how judicial officers' gender might exert a role within the confines of the Chinese criminal justice system.

Regarding *the impact of offenders' gender*, empirical studies in China produced mixed results. On one hand, multiple studies found offenders' gender exerting no significant effect on various decisions such as pre-trial decisions (Wang, 2023) and sentencing (Jiang & Kuang, 2018; Lu et al., 2013). Lu et al.'s study (2013) highlighted a notable absence of offenders' marital status and whether they have children in judicial documents, which suggested that offenders' family ties and duties exerted little impact on judicial sentencing. This is especially evident in capital cases where the impact of legal factors outweighed that of extra-legal factors including offenders' gender in sentencing (Li et al., 2018; Liang et al., 2009).

On the other hand, some studies found evidence of significant preferential treatment toward women within the Chinese criminal justice system. For example, Lin et al. (2021) analyzed 509 criminal cases from a county-level court in China and found that women were more likely to be released or receive more lenient pre-trial treatment, particularly when they had family obligations such as taking care of the young and the elderly at

home. Moreover, women were more likely to receive shorter sentences and be granted probation (Lin et al., 2022; Peng & Cheng, 2022; Song, 2021). In a separate analysis of 172 legal cases involving a new online romance fraud known as the Pig Butchering Scam, Wang (2023) found that gender was the only significant factor influencing sentencing outcomes. Specifically, female offenders received significantly lighter sentences than their male counterparts, although they represented only 12% of the sample.

Moreover, existing studies have found that the gender effect varies by crime types and crime circumstances. Similar to definitions used in Western countries, crimes in China are classified as 'minor' or 'major' based on factors such as the degree of social harm (e.g. serious bodily injury, death, large-scale economic damage, or threats to national security), the method of crime commission (e.g. use of violence), and the severity of punishment (e.g. fines or short-term detention vs. long-term imprisonment or the death penalty). Research has shown that female offenders are more likely to receive lenient dispositions for minor drug offenses. However, in cases involving major drug trafficking crimes where mandatory death sentences are imposed, gender disparities in sentencing tend to disappear (Liang et al., 2009). In child trafficking cases, guardians of trafficked children (typically women) are more likely to receive probation or shorter sentences compared to strangers (Xin & Cai, 2022). Lenient dispositions were also found in homicide cases in which female offenders suffer domestic violence (Said et al., 2025). In contrast, women tend to be treated more harshly for fraud and drug trafficking, both of which traditionally do not align with female gender roles and norms. In extremely heinous cases such as murder, Chinese judges are typically limited in their discretion to consider extra-legal factors, including gender, in rendering sentences (Yan & Lao, 2022). Again, evidence from the existing studies is inconclusive and sometimes conflicting with one another. For example, while Yan and Lao (2022) found harsher punishment for female drug offenders, Liang et al. (2009) found more lenient sentences for females compared to their male counterparts for comparable drug offenses.

Overall, the Chinese data provided some evidence for both the chivalry/paternalist perspective and evil women hypothesis. Women are often perceived as occupying special roles (e.g. caregivers), being more vulnerable, and posing less danger to communities (Lin et al., 2019; Lin et al., 2021). When committing crimes traditionally dominated by men or when their behavior violates societal expectations of femininity such as drug trafficking and murder (Jiang, 2023; Lu et al., 2013; Shen, 2020), they could be labeled as 'evil' and no longer enjoy the benefits of lenient sentencing dispositions. From a comparative perspective, research in China displayed both similarities and differences from other nations. For instance, Chinese female offenders who victimized acquaintances were more likely to receive a harsher sentence (Lu et al., 2013), similar to data from the U. S. (Rapaport, 1991). A comparison of female and male capital offenders in China and the U. S., however, suggests more severe sentencing dispositions for Chinese female offenders in serious crimes. Women account for approximately 10% of offenders receiving the death penalty in China (Li et al., 2018), compared to approximately 2% in the U.S. (DPIC, 2004), even though the proportion of female murderers in both countries is similarly around 10% (FBI 2020-2022; Lu et al., 2013).

Studies examining *the effect of CJPs' gender on sentencing* in China are rare. Available research using court documents suggests that female judges do not rule differently from their male counterparts, and both genders make rulings primarily based on legal

factors such as crime severity and prior record (Shen, 2020; Wei & Xiong, 2020). For instance, Xin and Cai (2022) analyzed rape cases from 2012 to 2015 and reached similar conclusions, despite the fact that the collegiate bench with more female (lay) judges tends to prefer mediation over adjudication and grant more lenient sentences (Wei, 2021; Wei & Xin, 2013).

Qualitative interviews provide a different angle to gauge potential gender differences. For instance, interviews with 25 judges (Shen, 2020) suggested that Chinese female judges prioritized objectivity and legal guidelines over personal biases and believed in strict commitment to the law. They were mindful of gender stereotypes but refused to bring gender roles and perceptions into their work. In another study, Shen (2017) revealed a more nuanced approach by female judges: on one hand, they attempted to maintain professional standards by focusing on offense characteristics (e.g. motives, crime circumstances); on the other hand, they showed differential attitudes toward women offenders, expressing more sympathy to those who committed crime due to socio-structural factors (e.g. financial hardship), but not to those who violated gender norms (e.g. engaging in prostitution, child abuse, and drug trafficking). Whether and to what extent these various attitudes translate into judicial actions remains unknown (Wei, 2021).

Consistent with Western organizational theory discussed above, several unique politico-legal characteristics and features of professionalization may provide some clues to the uniform decision-making by Chinese CJPs regardless of their gender. First, despite the influence of traditional patriarchal and patrilineal values in China's long history, contemporary China witnessed fundamental societal changes that empowered women to be self-reliant, independent and equal with men (Leung, 2003). Chinese female CJPs are thus expected to function as competently as males. Second, the close-knit courtroom workgroup, known as the 'iron triangle', manifests a strong coalition of the police, procuratorate, and court in daily operation (Liang et al., 2014), evident in an extremely high prosecution rate, conviction rate, and affirming rate by appellant courts (Li, 2014). Without judicial independence, meaningful checks and balances, and effective criminal defense (Li, 2010), collective decisions, shaped both by prevailing Party policies and practices of the 'iron triangle', may transcend individuals' preferences and potentially negate any gender differences. For example, a unique institutional design, the Adjudication Committee, established at all levels of Chinese courts, constrains or guides individual judicial officers' judgments and makes critical decisions on complex and high-profile cases (e.g. capital cases) in lieu of the collegial bench that tries the case, thus leaving little room for individual judges to exercise their own judgment (Li, 2012). Third, the twenty-first century witnessed the implementation of sentencing guidelines that aim to institutionalize and standardize judicial decisions (Lin et al., 2022; Wang, 2016; Xiong et al., 2014), although the guidelines do not necessarily result in sentencing uniformity (Lin et al., 2022). Lastly, given China's vast socio-cultural and regional differences, laws and policies are often adapted to cater to local conditions and norms. Patriarchal values remain a stronghold in rural and inland China, and female legal professionals could still face a glass ceiling professionally (Becker, 1985; Zheng et al., 2017). How to better assess and understand the competing values and gender roles in critical criminal justice decisions remains a challenge to socio-legal scholars.

While studies of gender and criminal justice decision-making are rare in China, such studies focusing on death penalty cases are scarcer. As reviewed, most studies relied

on data drawn from judicial documents, which may not fully capture the motives and drives of CJPs' decision-making. Opinion surveys of CJPs thus provide an invaluable source to understand CJPs' attitudes, beliefs, and values. To our best knowledge, besides a few studies that surveyed CJPs' death penalty opinions in China (e.g. Jiang, 2008), the most comprehensive work on this topic was done by the Max Planck Institute and its collaborators in China in 2007 and 2008. Relying on multistage stratified sampling, this study surveyed 4,472 residents in Beijing, Hubei, and Guangdong and contrasted opinions by CJPs with that of the general public (Oberwittler et al., 2010). Nevertheless, none of the published studies based on this data focused on the impact of gender. This study adds to the ongoing efforts to address this gap.

Current study

Using survey data of 516 CJPs from one southern Chinese city, this study explores the potential impact of both offenders' and CJPs' gender on capital sentencing in five hypothetical cases (detailed below). Specifically, we focus on two related research questions: (1) Does offenders' and CJPs' gender make a difference in CJPs' death sentence decisions? (2) Does such impact (if it exists) vary based on various capital offenses (five types tested)?

Data and analytical strategy

Data in this research were collected from one southern Chinese city with a population of three million registered residents as of 2020. We conducted surveys by targeting key CJPs including police, prosecutors, judges, lawyers¹, correctional officers, and others (e.g. bailiffs and forensic experts). Through our local connections, we reached out to administrative liaisons within each participating agency (e.g. public security bureau, people's procuratorate, people's court, correctional institutions, local bar association). The administrative liaisons invited all on-duty staff in relevant divisions to participate in this study. Realizing that random sampling is impractical, we worked with administrative liaisons to increase the representativeness of their subsamples. Nevertheless, being purposive sampling in nature, the sample of this study was not representative of the city (let alone the whole nation).

Given that IRB is *not* a standard institution in criminal justice organizations in China, our research team went through reviews by the research ethical committee of one local research institute affiliated with one of the authors. We made full effort to comply with general principles of IRB reviews (see disclosure in the 'Ethical approval and informed consent statements'). Alongside a copy of the questionnaire, an introduction letter and a confidential and anonymous agreement letter were provided to respective administrators and applied for permission and help with survey distribution. All surveys were distributed through workplaces (except lawyers), as the administrators circulated the questionnaires to eligible staff and collected completed ones. For the lawyers, invitations were sent to all registered attorneys initially and surveys were disseminated to lawyers who accepted invitations voluntarily. Per agreement with the research team, the administrative staff of each institution obtained approval and conducted the surveys independently between April 15 and May 10, 2021, the distributed questionnaires were returned

to the researchers in four days, and both the anonymity of the institutions and respondents were protected.

The Chinese questionnaire contained two parts. The first part covered respondents' demographic information, their death penalty opinions, and other criminal justice related issues; the second part tapped their personal opinion on five hypothetical cases with the offenders' gender being assigned as either 'male' or 'female' (A or B version). To ensure randomness, both versions were randomly distributed to the administrative staff of each institution. Granted, our research suffered from non-random sampling, and the researchers did not have direct control over the data collection, limitations we acknowledge below. About 700 questionnaires were distributed among six institutions and a total of 516 completed questionnaires (with 271 version A surveys and 245 version B surveys) were returned (73.7% return rate). Among them, 219 (42.4%) were female CJPs and 297 (57.6%) were males.

Analytically, we first tested bivariate correlations between respondents' preferred punishment and genders of both CJPs and capital offenders. Second, we utilized regressions to assess the independent and net effect of respondents' and offenders' gender on sentencing after controlling for other demographic and death penalty justification variables. Our data analyses were conducted with both SPSS (version 29) and STATA (version 18).

Dependent, independent, and control variables

Dependent variables were measured by survey respondents' preferred punishment in five hypothetical cases, which covered (1) murder (Article 232 of the Criminal Law in China), (2) drug trafficking (Article 347 of the Criminal Law), (3) sexual assault of minors (Articles 236–237 of the Criminal Law), (4) abducting and trafficking children (Article 240 of the Criminal Law), and (5) bribetaking (Articles 385–386 of the Criminal Law) respectively (see Appendix 1 for the details). Offenders in all five hypotheticals are potentially subject to capital punishment, and respondents were given a wide range of sentencing options. Based on frequency distributions, we collapsed respondents' preferences into four groups, including death sentence with immediate execution, suspended death sentence, life imprisonment without possibility of parole (LWOP), and others (various terms of imprisonment). As mentioned, two versions of the survey were randomly distributed. In version A, offenders in scenarios of murder and sexual assault of minors were designated as 'male', and offenders in drug trafficking, abducting and trafficking children and bribetaking were assigned 'female'; in version B, the gender of offenders was reversed accordingly. Therefore, each respondent had both male and female offenders to work with, allowing the test of both offenders' and respondents' genders.

Our primary variables of interest were genders of both respondents and offenders (dummy-coded). Besides respondents' gender, our questionnaire contained a number of demographic variables (see Appendix 2), including age (measured in years), one's career length (in years), education level (recoded in three groups), whether one received a law degree (dichotomized), residence location (recoded in three groups), household registration (dichotomized as either local or non-local registration), marital status (recoded in three groups), ethnicity (dichotomized as Han people or ethnic minorities), and annual income (recoded in three groups). We tested correlations between respondents' gender and other demographic variables in Appendix 2, and the results showed

that on average, male respondents had a longer career (8.9 years vs. 6.3 years for females) and were significantly older (34.9 years old vs. 31.5 years old for females), less educated (e.g. 26.9% without a bachelor's degree vs. 16.9% for females), and more likely to have a local household registration (87.2% vs. 79.9% for females), and to be married (60.3% vs. 42.9% for females).

Given suggestions from the literature (Jiang et al., 2009; Jiang et al., 2007; Liang et al., 2006; Oberwittler & Qi, 2009; Wu et al., 2011), our questionnaire contained a series of questions that solicited respondents' justifications for their support or disapproval 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 justification indexes as control variables after their coding was reversed, including deterrence, just deserts, (maintaining) law and order, (death penalty being) inhumane punishment, inadequacy of the LWOP (as the alternative punishment), and sentencing unfairness (concerns about disparities and unfairness of death sentencing). Each of these indexes, made of two or three survey questions, measured respondents' beliefs on corresponding death penalty justifications and the reliability coefficient (Cronbach's alpha) of these indexes ranged from .567 to .759 (see Appendix 3 for survey questions included in each index and corresponding alpha coefficient). Being mathematical means of included variables, the index values represented respondents' agreement to each index: the higher the value is, the stronger one's belief is in an index. Theoretically, the stronger one's belief is in deterrence, just deserts, law and order, or inadequacy of the LWOP, the more likely one would favor the use of the death penalty; in contrast, the stronger one's belief is in (death penalty being) inhumane punishment or sentencing unfairness, the less likely one would favor the death penalty. We tested correlations between justification indexes and respondents' gender in Appendix 4, and the t-test results showed that males held a significantly stronger belief in deterrence and law and order indexes.

Bivariate analyses

In Tables 1 and 2, we tested correlations between CJPs' sentencing preferences and CJPs' and offenders' gender, and Pearson's chi-square tests were utilized to indicate statistically significant results.

Past studies showed that Chinese CJPs are more punitive than the Chinese general public in supporting the death penalty (see research done by the Max Planck Institute and its Chinese collaborators, e.g. Oberwittler et al., 2010). Their punitive stance was displayed in our data. As shown in Table 1 (column 1), in all five cases, the majority of CJP respondents chose death sentences (including immediate and suspended death sentences) as their preferred punishment (ranging from 50.6% in bribetaking to 70.5% in drug trafficking). In the meantime, over one-fifth of respondents chose 'others' in the scenarios of homicide, sexual assault of minors, abducting and trafficking children, and bribetaking. The polarizing results could stand out when we see the breakdown data by the effect of gender. For example, for abducting and trafficking children, 40.4% of CJPs chose immediate death sentences against male offenders but 27.3% chose 'others'. While the 'get-tough' mentality of the CJPs is not surprising, the reason(s) for the CJPs' (polarizing) support of 'others' in all crimes (except drug trafficking) is not readily clear.

Table 1. Death sentencing by respondents' gender.

All respondents (n = 516)	Females (n = 219)	Males (n = 297)	Pearson χ^2
Homicide			
Death sentences w/ immediate execution 37.2%	32.4%	40.7%	11.348**
Suspended death sentences 23.4%	20.1%	25.9%	
LWOP 11.4%	15.1%	8.8%	
Others 27.9%	32.4%	24.6%	
Drug trafficking			
Death sentences w/ immediate execution 40.7%	36.1%	44.1%	11.530**
Suspended death sentences 29.8%	26.9%	32.0%	
LWOP 16.1%	18.7%	14.1%	
Others 13.4%	18.3%	9.8%	
Sexual assault of minors			
Death sentences w/ immediate execution 30.2%	27.9%	32.0%	1.575
Suspended death sentences 25.2%	24.7%	25.6%	
LWOP 16.7%	18.3%	15.5%	
Others 27.9%	29.2%	26.9%	
Abducting and trafficking children			
Death sentences w/ immediate execution 36.6%	31.1%	40.7%	7.169
Suspended death sentences 19.0%	18.7%	19.2%	
LWOP 22.5%	23.7%	21.5%	
Others 21.9%	26.5%	18.5%	
Bribetaking			
Death sentences w/ immediate execution 22.3%	18.3%	25.3%	17.338***
Suspended death sentences 28.3%	33.3%	24.6%	
LWOP 23.8%	17.4%	28.6%	
Others 25.6%	31.1%	21.5%	

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

The results in Table 1 also indicated variations by both capital offenses and respondents' gender: as seen, CJPs' support for immediate execution ranged from 18.3% to 36.1% for females and from 25.3% to 44.1% for males; support for suspended death sentences ranged from 18.7% to 33.3% for females and from 19.2% to 32% for males; LWOP support rates ranged from 15.1% to 23.7% for females and from 8.8% to 28.6% for males, while the 'Others' support rates ranged from 18.3% to 32.4% for females and from 9.8% to 26.9% for males. Drug trafficking and homicide generated the highest support rates for all death sentences for both females and males; in contrast, bribetaking generated the lowest support for all death sentences, indicating its less severe nature perceived by both male and female CJPs.

Regarding the impact of CJPs' gender, male respondents were more likely to favor both immediate and suspended death sentences in almost all scenarios, except in bribetaking where the female support rate for suspended death sentences (33.3%) was higher than that of males (24.6%). In contrast, female respondents were more likely to choose LWOP and 'Others' in almost all scenarios, with one exception in bribetaking where the female support rate for the LWOP (17.4%) was lower than that of males (28.6%). Significant gender differences were found for homicide, drug trafficking, and bribetaking, but not for sexual assault of minors and abducting and trafficking children.

Table 2 displayed the bivariate results on the impact of offenders' gender. Given the design of our questionnaire, the offender's gender was directly contrasted by versions A and B in each hypothetical case. Significant differences were found for homicide, drug trafficking, sexual assault of minors, and the abducting and trafficking of children, but not for bribetaking. Specifically, while harsher penalties were significantly more likely to be imposed on male offenders in cases of homicide, sexual assault of minors,

Table 2. Death sentencing by offenders' gender.

All respondents (n = 516)		Version B	Version A	
Offenders' gender		Female offenders (n = 245)	Male offenders (n = 271)	Pearson χ^2
Homicide				
Death sentences w/ immediate execution	27.3%		46.1%	34.815***
Suspended death sentences	24.9%		22.1%	
LWOP	9.0%		13.7%	
Others	38.8%		18.1%	
Sexual assault of minors				
Death sentences w/ immediate execution	22.4%		37.3%	39.340***
Suspended death sentences				
LWOP	24.1%		26.2%	
Others	13.1%		19.9%	
		40.4%	16.6%	
All respondents (n = 516)		Version A	Version B	
Offenders' gender		Female offenders (n = 271)	Male offenders (n = 245)	Pearson χ^2
Drug trafficking				
Death sentences w/ immediate execution	44.3%		36.7%	14.282**
Suspended death sentences				
LWOP	31.7%		27.8%	
Others	15.9%		16.3%	
		8.1%	19.2%	
Abducting and trafficking children				
Death sentences w/ immediate execution	33.2%		40.4%	21.234***
Suspended death sentences				
LWOP	20.3%		17.6%	
Others	29.5%		14.7%	
		17.0%	27.3%	
Bribetaking				
Death sentences w/ immediate execution	21.0%		23.7%	3.762
Suspended death sentences				
LWOP	30.6%		25.7%	
Others	25.5%		22.0%	
		22.9%	28.6%	

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

and abducting and trafficking children, a harsher penalty was more likely to be imposed on female offenders in drug trafficking.

Exploring the potential interaction between CJPs' and offenders' genders, we retested the impact of offenders' gender after controlling for respondents' gender in Table 3. As shown, for female respondents (n = 219, main column 2), a significant impact of offenders' gender was found in all five hypotheticals: female respondents fixed harsher penalties for male offenders in all cases except drug trafficking, in which harsher punishment was fixed on female offenders. For male respondents (n = 297, main column 3), significant impact of offenders' gender was found for homicide, sexual assault of minors, and abducting and trafficking children: in all three, harsher penalties were fixed on male offenders. For drug trafficking, a higher proportion of male CJPs fixed immediate and suspended death sentences for female offenders (79.7%) than for male offenders (71.4%), although the numerical differences were not significant.

Regression analyses

To test if genders of CJPs and offenders have a net, independent impact on CJPs' sentencing preferences, we turned to regression analyses to control demographic variables and

Table 3. Death sentencing by offenders' gender after controlling for respondents' gender.

Respondents	Females (n = 219)			Males (n = 297)		
	Females (n = 116) ^b	Males (n = 103) ^a	Pearson χ^2	Females (n = 129) ^b	Males (n = 168) ^a	Pearson χ^2
Capital offenders						
Homicide						
Death sentences w/ immediate execution	19.8%	46.6%	30.385***	34.1%	45.8%	9.945*
Suspended death sentences						
LWOP						
Others	25.0%	14.6%		24.8%	26.8%	
	10.3%	20.4%		7.8%	9.5%	
	44.8%	18.4%		33.3%	17.9%	
Sexual assault of minors						
Death sentences w/ immediate execution			16.232***			22.827***
Suspended death sentences	21.6%	35.0%		23.3%	38.7%	
LWOP						
Others	23.3%	26.2%		24.8%	26.2%	
	14.7%	22.3%		11.6%	18.5%	
	40.5%	16.5%		40.3%	16.7%	
Capital offenders						
	Females (n = 103) ^a	Males (n = 116) ^b	Pearson χ^2	Females (n = 168) ^a	Males (n = 129) ^b	Pearson χ^2
Drug trafficking						
Death sentences w/ immediate execution	41.7%	31.0%	12.228**	45.8%	41.9%	3.080
Suspended death sentences						
LWOP						
Others	28.2%	25.9%		33.9%	29.5%	
	21.4%	16.4%		12.5%	16.3%	
	8.7%	26.7%		7.7%	12.4%	
Abducting and trafficking children						
Death sentences w/ immediate execution			13.900**			8.581*
Suspended death sentences	28.2%	33.6%		36.3%	46.5%	
LWOP						
Others	19.4%	18.1%		20.8%	17.1%	
	34.0%	14.7%		26.8%	14.7%	
	18.4%	33.6%		16.1%	21.7%	
Bribe-taking						
Death sentences w/ immediate execution	15.5%	20.7%	8.820*	24.4%	26.4%	.321
Suspended death sentences						
LWOP						
Others	40.8%	26.7%		24.4%	24.8%	
	20.4%	14.7%		28.6%	28.7%	
	23.3%	37.9%		22.6%	20.2%	

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$; ^a: Version A respondents (n = 271); ^b: Version B respondents (n = 245).

death penalty justifications. As our dependent variables were ordinal level variables, we ran ordinal regressions initially (via the PLUM program in SPSS). Nevertheless, the assumption of parallel lines was violated at the .05 significance level in several models. As a result, we turned to generalized ordered logit models (GOLOGIT). Presenting a new program (gologit2) in STATA for ordinal dependent variables, Williams (2006, 2016) recommended generalized ordered logit/partial proportional-odds models over either proportional-odds models that violate the proportional-odds assumption (the parallel line assumption in SPSS) or multinomial models that fail to use the information about the proper order of

various categories contained in ordinal dependent variables and often generate less parsimonious results. GOLOGIT is able to cope with violations of the proportional-odds assumption, identifying predictors that violate the assumption and allowing these predictors to fit without constraints, and keeping intact predictors that do not violate the assumption at the same time.

The results of GOLOGIT models were presented in [Table 4](#). Given the nature of GOLOGIT, for each ordinal dependent variable, three comparisons were generated between a lower ranked category and a higher ranked category in our case, including (1) the 'immediate execution' group (lower ranked) vs. the combined group of three other categories (higher ranked), (2) the combined 'immediate execution' and 'suspended death sentences' group (lower ranked) vs. the combined 'LWOP' and 'Others' group (higher ranked), and (3) the combined group of 'immediate execution', 'suspended death sentence', and 'LWOP' (lower ranked) vs. the 'Others' (higher ranked). These comparisons were labeled 'Model 1', 'Model 2', and 'Model 3' accordingly in [Table 4](#).

For two gender variables, the 'males' group was set as the reference group. An interaction term ('interaction of genders') was also added to test the potential interaction effect of both respondents' and offenders' genders. Among other demographic variables, besides continuous variables (age and career length), the *last* category of all categorical variables in Appendix 2 was set as the reference group (that is, 'male', 'below bachelor', 'with a law degree', 'rural villages', 'non-local household registration', 'singles', 'Han (people)', and 'below 60,000 yuan' respectively). All death penalty justification indexes were continuous variables. Our examination focused on full models when all variables were entered. A positive significant result of a variable (or a category of a variable) would indicate its correlation with the higher-ranked category of the dependent variable (thus, being significantly *less* likely to support harsher penalties given the coding of our variables); in contrast, a negative significant result would indicate one's association with the lower-ranked category of the dependent variable (thus a *higher* likelihood to support harsher punishment).

Regarding our primary interest in gender, after all variables were controlled for, respondents' gender was *not* significant in any model across all five cases. The results suggested that the observed differences based on respondents' gender in bivariate analysis were likely explained by the influence of other variables. In comparison, offenders' gender displayed significant results in three of the five hypothetical cases and the results reaffirmed the bivariate results above: specifically, after controlling for other variables, female offenders were more likely to receive more lenient penalties compared to male offenders for homicide and sexual assault of minors, but harsher punishment for drug trafficking. Note that the results also depended on the specific models tested. For example, for homicide, significant results were found in Models 1 and 3; for sexual assault of minors, significant results were found in Model 3 only; for drug trafficking, significant results were found in Models 2 and 3. These variations indicated that besides specific crime types, the choices of punishment (various death sentences, LWOP, or Others) mattered in producing potential gender differences. Similar to that of respondents' gender, the interaction of genders failed to produce any significant results in any of the models after controlling for other variables. In other words, the apparent interaction effect observed in the bivariate results in [Table 3](#) was due to the influence of other demographic variables and death penalty justification indexes.

Table 4. Generalized ordered logit regression on five hypothetical cases.

	Homicide			Drug trafficking		
	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)
Female offenders	1.10(.34)***	.15(.32)	1.51(.39)***	-.52(.30)	-.60(.30)*	-1.21(.36)***
Female respondents	.88(.72)	-.75(.69)	.41(.77)	-.24(.55)	-.24(.55)	-.24(.55)
Interaction of genders	.53(.43)	-.68(.43)	.51(.51)	-.25(.35)	-.25(.35)	-.25(.35)
Age	-.01(.02)	-.01(.02)	-.01(.02)	-.06(.02)*	-.06(.02)*	-.06(.02)*
Career length	-.03(.03)	-.04(.03)	-.08(.03)**	.02(.03)	-.02(.03)	.06(.04)
Education						
Graduate	.03(.39)	.03(.39)	.03(.39)	.11(.39)	.11(.39)	.11(.39)
Bachelor	.39(.23)	.39(.23)	.39(.23)	.07(.25)	.35(.27)	1.00(.37)**
No law degree	-.21(.24)	.40(.24)	.05(.28)	-.43(.20)*	-.43(.20)*	-.43(.20)*
Location						
Cities	1.34(.40)***	1.01(.44)*	-.44(.50)	-.08(.33)	-.08(.33)	-.08(.33)
Suburbs	1.05(.40)**	.99(.43)*	-.39(.48)	.13(.33)	.13(.33)	.13(.33)
Local registration	.45(.27)	.45(.27)	.45(.27)	-.06(.25)	-.06(.25)	-.06(.25)
Marital status						
Others	.06(.28)	.06(.28)	.06(.28)	.62(.26)*	.62(.26)*	.62(.26)*
Married	-.19(.25)	-.19(.25)	-.19(.25)	.57(.26)*	.93(.28)***	-.06(.36)
Ethnicity minorities	.26(.28)	.26(.28)	.26(.28)	-.43(.30)	.53(.31)	-.48(.38)
Income						
>100K	.44(.31)	.44(.31)	.44(.31)	-.49(.31)	-.49(.31)	-.49(.31)
60-100K	-.13(.24)	.23(.26)	-.85(.32)**	-.51(.21)*	-.51(.21)*	-.51(.21)*
Deterrence	-.97(.23)***	-.97(.23)***	-.97(.23)***	-.61(.26)*	-1.5(.30)***	-1.7(.36)***
Just deserts	.51(.23)*	.52(.23)*	-1.5(.29)***	.67(.21)***	.78(.23)***	-.61(.30)*
Law & order	-.19(.31)	-.25(.32)	1.98(.41)***	-.61(.32)	-.56(.34)	.64(.46)
Inhumane punishment	-.75(.16)***	-.75(.16)***	-.75(.16)***	-.02(.15)	-.02(.15)	-.02(.15)
Inadequacy of LWOP	.46(.22)*	-.17(.24)	.70(.29)*	.62(.18)***	.62(.18)***	.62(.18)***
Sentencing unfairness	.03(.21)	.32(.21)	-.68(.25)**	.03(.18)	.03(.18)	.03(.18)
Constant	1.5(1.36)	3.5(1.37)**	-2.35(1.49)	2.9(1.20)*	4.1(1.16)***	3.9(1.27)**
Observations		516			516	
LR chi2		258.89***			189.17***	
McFadden R ²		.191			.142	

Z score test: * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$; Note: Model 1, 'immediate execution' vs. the three other categories; Model 2, 'immediate execution' and 'suspended death sentences' vs. 'LWOP' and 'Others'; Model 3, the first three categories vs. 'Others'.

	Sexual assault of minors			Abducting and trafficking children		
	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)
Female offenders	.43(.31)	.27(.29)	.88(.30)**	.41(.29)	.30(.28)	.36(.31)
Female respondents	.06(.58)	.06(.58)	.06(.58)	-.10(.54)	-.10(.54)	-.10(.54)
Interaction of genders	-.02(.36)	-.02(.36)	-.02(.36)	-.19(.35)	-.19(.35)	-.19(.35)
Age	-.07(.03)*	-.09(.03)**	.02(.03)	-.05(.02)*	-.05(.02)*	-.05(.02)*
Career length	.06(.04)	.05(.03)	-.06(.04)	.003(.03)	.003(.03)	.003(.03)
Education						
Graduate	-.23(.43)	.12(.42)	-1.1(.50)*	.07(.43)	.07(.41)	-.04(.43)
Bachelor	.06(.23)	.06(.23)	.06(.23)	-.00(.22)	-.00(.22)	-.00(.22)
No law degree	-.45(.25)	-.02(.23)	-.42(.26)	-.85(.24)***	-.22(.22)	-.50(.26)
Location						
Cities	.73(.43)	-.24(.40)	-.02(.43)	-.12(.34)	-.12(.34)	-.12(.34)
Suburbs	1.2(.44)**	.43(.40)	.07(.42)	.39(.34)	.39(.34)	.39(.34)
Local registration	-.12(.35)	.47(.30)	-.99(.34)**	-.13(.31)	.27(.29)	-.35(.31)

(Continued)

Table 4. Continued.

	Sexual assault of minors			Abducting and trafficking children		
	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)
Marital status						
Others	.34(.33)	-.16(.30)	.84(.34)*	.62(.31)*	.40(.29)	-.23(.34)
Married	.24(.24)	.24(.24)	.24(.24)	.06(.26)	.48(.26)	.21(.29)
Ethnicity	-.43(.27)	-.43(.27)	-.43(.27)	-.34(.31)	-.03(.30)	.83(.33)*
minorities						
Income						
>100K	-.20(.30)	-.20(.30)	-.20(.30)	-.47(.30)	-.47(.30)	-.47(.30)
60-100K	-.70(.21)***	-.70(.21)***	-.70(.21)***	-.42(.21)*	-.42(.21)*	-.42(.21)*
Deterrence	-.01(.26)	.16(.23)	.88(.25)***	.28(.23)	-.24(.23)	-.45(.26)
Just deserts	.16(.23)	.30(.21)	-.14(.21)	-.23(.18)	-.23(.18)	-.23(.18)
Law & order	-.95(.28)***	-.95(.28)***	-.95(.28)***	-.64(.28)*	-.64(.28)*	-.64(.28)*
Inhumane	.71(.21)***	.06(.20)	-1.3(.23)***	.80(.17)***	.28(.17)	.05(.19)
punishment						
Inadequacy of	.25(.18)	.25(.18)	.25(.18)	-.11(.19)	.48(.19)*	.85(.23)***
LWOP						
Sentencing	-1.2(.26)***	-.62(.22)**	.10(.21)	.10(.18)	.11(.18)	.11(.18)
unfairness						
Constant	5.7(1.39)***	4.5(1.35)***	2.59(1.55)	2.4(1.17)*	2.17(1.12)	2.50(1.18)*
Observations		516			516	
LR chi2		241.60***			175.03***	
McFadden R ²		.172			.126	

Z score test: * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

	Bribetaking		
	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)
Female offenders	-.002(.27)	-.002(.27)	-.002(.27)
Female respondents	-.01(.55)	-.49(.53)	.008(.54)
Interaction of genders	-.15(.34)	-.15(.34)	-.15(.34)
Age	-.008(.02)	-.008(.02)	-.008(.02)
Career length	-.045(.03)	-.045(.03)	-.045(.03)
Education			
Graduate	.61(.37)	.61(.37)	.61(.37)
Bachelor	.41(.27)	.22(.23)	.83(.27)**
No law degree	.03(.24)	.22(.21)	-.29(.24)
Location			
Cities	-.28(.36)	-.39(.34)	-.90(.35)*
Suburbs	-.30(.33)	-.30(.33)	-.30(.33)
Local registration	-.23(.25)	-.23(.25)	-.23(.25)
Marital status			
Others	.21(.26)	.21(.26)	.21(.26)
Married	.37(.23)	.37(.23)	.37(.23)
Ethnicity minorities	-.41(.26)	-.41(.26)	-.41(.26)
Income			
>100K	-.003(.36)	-.18(.31)	-.84(.37)*
60-100K	-.24(.20)	-.24(.20)	-.24(.20)
Deterrence	-.51(.21)**	-.51(.21)*	-.51(.21)*
Just deserts	-.26(.17)	-.26(.17)	-.26(.17)
Law & order	.18(.27)	.18(.27)	.18(.27)
Inhumane punishment	-.08(.19)	-.59(.17)***	-.05(.19)
Inadequacy of LWOP	1.27(.23)***	.39(.20)	.35(.23)
Sentencing unfairness	-.80(.27)**	.21(.21)	.11(.23)
Constant	2.9(1.13)**	3.06(1.08)**	-.67(1.08)
Observations		516	
LR chi2		152.65***	
McFadden R ²		.107	

Z score test: * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Death penalty justification indexes played significant roles in the regression results. The tested justifications can be categorized into two groups: the first group (deterrence, just deserts/retribution, and law and order) included the 'core' beliefs that directly buttress people's death penalty support (at least theoretically): out of 15 full models, deterrence was significant in ten models: holding everything else constant, respondents who had a stronger belief in deterrence were more likely to fix a harsher penalty (as expected) for homicide, drug trafficking, and bribetaking; nevertheless, they were more likely to fix a more lenient penalty unexpectedly for sexual assault of minors in Model 3. Just deserts was significantly correlated with sentencing options only in homicide and drug trafficking (six models), and the direction of its impact was inconsistent: when the combined group of 'immediate execution', 'suspended death sentence', and 'LWOP' was contrasted with the 'Others' in Model 3s, respondents with a stronger belief in just deserts were more likely to fix a harsher penalty as expected; in the other models, however, respondents with a stronger belief in just deserts were more likely to fix a lesser severe penalty unexpectedly. Law and order was significant in seven models: for sexual assault of minors and abducting and trafficking children, respondents with a stronger belief in law and order were more likely to fix a harsher penalty as anticipated; in Model 3, in the homicide case, however, respondents with a stronger belief were more likely to fix a more lenient penalty unexpectedly.

The second group of death penalty justifications included inhumane punishment, inadequacy of LWOP, and sentencing unfairness, and their mean values were lower than those of the first group, indicating people's weaker belief in these indexes (Appendix 4). Inhuman punishment was significant in seven models: in five of them, the (negative) results showed that respondents with a stronger belief in the inhuman nature of the death penalty would be more likely to prefer harsher punishment, contrary to our expectations. The inadequacy of LWOP was significant in eight models, all with a positive effect, indicating that respondents who questioned the adequacy of LWOP were more likely to prefer more lenient punishment (which is also unexpected). Sentencing unfairness was significant in four models, all with negative results, indicating that respondents who had more concerns about death penalty sentencing unfairness were more likely to prefer harsher punishment; again, this was an unexpected result.

Demographic variables also played significant roles in regression results, but the outcomes were model-specific: being older in age (in eight models), having no law degree (in four models), and having an annual income of 60–10 K (compared to those with an annual income below 60 K, in ten models) were significantly correlated with one's preference for harsher penalties, while marital status being 'others' and 'married' (compared to the 'singles', in seven models) and living in cities and suburbs (compared to living in rural areas, in five out of six models) were significantly correlated with one's preference for more lenient penalties. Additionally, some others showed only sporadic significant results (in one or two models), either positively (e.g. having a bachelor's degree, being ethnic minorities) or negatively (e.g. career length, holding a graduate degree, having a local household registration).

In sum, after controlling for other variables, respondents' gender did not exert any significant impact on their preferred punishment. In contrast, offenders' gender exhibited a significant effect in five models, in which female offenders were more likely to receive more lenient penalties for homicide and sexual assault of minors, but harsher punishment

for drug trafficking, consistent with the corresponding bivariate results. In the meantime, death penalty justification indexes and demographic variables played significant roles in CJPs' choices of punishment, albeit the results depend upon both the capital offense and specific model tested.

Discussion and conclusion

Based on survey data of 516 Chinese CJPs, this study focused on the potential impact of both CJPs' and offenders' gender on capital sentencing in five hypothetical cases and generated two key findings. First, although the bivariate results indicated some effects (Table 1), Chinese CJPs' gender produced no significant, net impact on their capital decisions in any of the regression models after controlling for other variables (Table 4). Second, consistent with the bivariate results (Tables 2 and 3), offenders' gender significantly impacted CJPs' capital decisions in three of the five hypothetical cases in the regressions (Table 4). Specifically, female offenders were more likely to receive more lenient punishment than their male counterparts in homicide and sexual assault of minors, but they received harsher punishment in drug trafficking. We further tested the potential interaction between CJPs' gender and offenders' gender: while the bivariate results (Table 3) seemed to indicate a more prevalent and stronger offenders' effect for female CJPs compared to their male counterparts (indicated by the total number of significant results and Pearson's chi-square scores), the regression results (Table 4) found no significant interactive effect after controlling for other variables.

Before discussing theoretical and policy implications, readers are cautioned with data and methodological limitations. First, the findings of this research were based on CJPs' assessment of appropriate punishment in hypothetical cases. Besides judges and prosecutors, other CJPs surveyed in this study may never get a chance to render capital decisions. Moreover, our data focused only on sentencing decisions but not on CJP decision-making at other stages (e.g., arrest and charging decisions). The sentencing roles played by non-judge or non-prosecutor CJPs, based on our survey design, thus could *not* be replicated in reality, albeit their attitudes toward capital offenders in sentencing may spill over to other stages of the criminal processing. Second, our survey covered five major capital crimes but did not reveal the potential impact of CJPs' and offenders' genders for less severe cases where there is likely more room for discretion. Given their severe nature, all five crime scenarios could subject offenders to capital punishment. Nevertheless, the specific narratives of our hypothetical cases might have had an impact on CJPs' decision-making (see our discussion of some mitigating/aggravating factors below). The killing triggered by domestic violence in the homicide case, for example, is more likely to generate sympathy for female offenders, as they constitute the supermajority of domestic violence victims. The results could have been different had the homicide nature changed. While our study did not test how narrative framing and priming makes a difference to survey respondents, future studies should explore such potential. Third, this study drew a non-random sample from only one southern Chinese city. Being explorative and non-generalizable, the results of our study should be interpreted with caution, although this limitation is a common challenge for all past studies given limited access to CJPs. Given China's vast socio-cultural and regional differences, we encourage future research to examine potential regional variations in judicial

decision-making. Furthermore, we relied upon the administrative staff to distribute and collect questionnaires. This 'top-down' approach made our survey study feasible logistically, but the researchers lost direct control over the survey administration.

With these limitations acknowledged, this study represents one of the few surveys involving Chinese CJPs and their attitudes toward capital sentencing and is the only one that explored the potential impact of both CJPs' and offenders' gender in this process. Our examination, expanding coverage from judicial officers to other CJPs, had the benefit of gauging the overall sentiment of the criminal justice system given the close-knit courtroom workgroup in China. It is virtually impossible to account for all selection processes that operate in the criminal justice system. Our survey nevertheless provided invaluable information about Chinese CJPs' attitudes toward capital sentencing.

Specifically, our study contributed to the extant literature in several important ways and generated theoretical and practical implications as follows.

First, compared to past research in China that was largely based on judicial judgments and focused on the judiciary, our data provided a rare opportunity to discern whether and how various CJPs would make capital decisions. The null effect of CJPs' gender on sentencing in regressions, however, seemingly supported the organizational theory. Through professionalization (e.g. recruitment screening and post-entry training and indoctrination), Chinese CJPs are trained to develop attachments to their roles, workstyles, and organization culture (e.g. the 'iron triangle'). As suggested in the Taiwan experience, the top-down, intense socialization model does not foster individuality in developing independent and critical thinking skills, which are viewed as less desirable in an inquisitorial legal system (Chien, 2019). Besides running an inquisitorial system, China's authoritarian political system relies on state-led professional socialization to craft narratives about what good legal professionals entail. For example, Stern and Liu (2020) documented how the Party-state channels the Chinese lawyering organizations through the bar exam, administrative rules governing lawyering, and rewards (e.g. awards) and punishments (e.g. disciplinary sanctions). Similar top-down mechanisms are employed administratively in managing judges and prosecutors. As suggested by Western literature, such organizational factors and arrangements may impact individual CJP's motivations and attitudes (including negating gender disparities) (Goldberg, 1984). Future studies should further examine the impact of professionalization in a communitarian and socialist context and its connection with legal decision-making, particularly pertaining to CJPs' gender and professional experiences.

Second, regarding the impact of offenders' gender, the results are threefold, depending upon specific capital offenses examined. Specifically, the results supported the chivalry/paternalism hypothesis in homicide and sexual assault of minors cases, the evil women hypothesis in drug trafficking cases, but neither theory applied to abducting and trafficking children and bribetaking cases. A closer examination indicated that the results varied, depending upon the (gendered) nature of the specific capital crime and crime circumstances (e.g., mitigation and aggravating circumstances). On one hand, the regression results showed that female capital offenders were more likely than male offenders to receive lenient sentencing dispositions in homicide and sexual assault of minors. In our case narratives of homicide and sexual assault of minors, sentencing mitigation was possible (e.g., being a domestic abuse victim and providing financial compensation to crime victims respectively; see Appendix 1). Importantly, both crimes are

traditionally, and still predominantly, committed by male offenders. The finding that female offenders received sentencing leniency in these capital crimes suggested that gender-based sentencing disparities may be more prevalent in less serious cases in China, where there is more room for discretion and organizational constraints are weaker (e.g. no mandatory approval required by an Adjudication Committee as in capital cases).

Both bivariate and multivariate results, on the other hand, showed a consistent evil women effect for drug trafficking where harsher punishment was rendered for women. This finding is consistent with Yan and Lao's study (2022), which is also based on hypothetical cases. In contrast, Liang et al. (2009) found more lenient sentences for female drug offenders based on data collected from judicial judgments, which often lacked information on potential mitigating factors. Besides the huge drug amount, our drug trafficking narrative contained two potential 'aggravating' factors: having a prior record and being a parent of a young child (Appendix 1), both of which were likely viewed negatively for women as indicators of transgression of proper gender norms, thus tilting toward the evil women effect.

After controlling for other variables, no significant offender gender effect was found for abducting and trafficking children and bribetaking. For abducting and trafficking children, there is increasing evidence that the crime involves significant participation by female offenders (e.g. Jiang & Sánchez-Barricarte, 2013) who may face the extreme punishment of death (e.g. see Huang Qinghen case cited in Liang & Liu, 2021). The crime nature against the minors also challenges the traditional roles for women (e.g. being caregivers), which may negate any potential chivalry effect. Regarding bribetaking, the fact that it is viewed as the least severe capital offense among the five (Tables 1 and 2) may leave more room for CJPs' discretion. Although it is proposed that women, being more ethical and responsible, are less corrupt and less tolerant of corruption, the evidence is much more complicated (e.g., Wang & Min, 2015) and often contingent upon specific contexts (e.g. clientelism in China, Tu & Guo, 2023). The null effect of offenders' gender for bribetaking could be due to a few reasons: first, official corruption has become a huge problem in contemporary China and draws significant public condemnation from people from all walks of life (e.g. Liang & Liu, 2021). Corrupt officials are perceived to be evil, breaching public trust and causing tremendous damage to the nation. This strong sentiment is manifested and reinforced by President Xi Jinping's ongoing anti-corruption campaign with a 'zero-tolerance' approach (e.g. Jiang et al., 2023). Such a political context and sentiment could thus leave little room for 'gender' sympathy among Chinese CJPs. Second, although female corruption appears to be lower than that of males, stories about Chinese female corrupt officials have been widely circulated in the media, including evidence of them demanding sexual services from subordinates (Wang & Min, 2015). The effect of such reporting would challenge the expected gender roles for (good) women and could downgrade them to evil women, who do not deserve preferential treatment. Finally, our bribetaking case narrative was rather dry and revealed no information for mitigation regarding gender (Appendix 1).

In sum, the results showed that the impact of offenders' gender on capital sentencing is rather complicated and could vary depending upon how the (gendered) nature of a particular capital crime and the crime circumstances (mitigating and aggravating circumstances) were perceived, all of which are situated within the unique Chinese context.

Besides our main findings on the effect of respondents' and offenders' genders, a few other lessons can be drawn from the regression results. First, respondents' choices of punishment varied depending not only upon the type of capital offenses but also on the choices of punishment offered. In our study, we collapsed respondents' preferred punishment into four groups. The multivariate results indicated that the outcomes varied depending upon the specific models tested. Representing various combinations of comparisons among the four punishment options, model-testing can be viewed as comparisons of alternative punishments offered to respondents. The results thus confirmed that viable alternative punishments matter when measuring people's support for the death penalty (e.g. Bowers et al., 1994; McGarrell & Sandys, 1996). Second, while their gender exerted no significant impact, respondents' beliefs (or disbeliefs) in various death penalty justifications were significantly correlated with their preferred punishment. What is perplexing, however, is that the directions of many significant results were contrary to what we predicted, particularly for inhumane punishment, inadequacy of LWOP, and sentencing unfairness. While we cannot explain such results with certainty, it may indicate that the meanings of these justifications are subject to different interpretations by respondents in specific contexts. For instance, Liang and Liu's qualitative study of Chinese netizens' death penalty opinions in real cases (2021) showed that Chinese citizens often expressed their dissatisfaction with offenders who 'escaped' death sentences. To them, a death sentence (as long as the capital crime justifies its use) leaves little room for abuse of power (e.g. in corruption cases), thus being fair. Non-death sentences, on the contrary, are viewed as unfair punishment as they leave too much room for discretions leading to sentencing disparities. If Chinese CJPs rationalized sentencing unfairness in a similar way, it would help explain the results in this study. More studies should be devoted to testing how death penalty justifications could be viewed and interpreted differently in various contexts in the future. Last but not least, respondents' demographic background was also significantly correlated with their preferred punishment, but the results produced no clear patterns and were crime and model-specific. While the null effect of CJPs' gender seemingly supported the organizational theory, the fact that other demographic variables were significant in regressions suggests that individual-level differences remain relevant in people's choices of punishment, thus complicating the organizational account.² The discrepancies between our survey results (showing significant variations based on CJPs' personal background) and the outcomes recorded in judicial documents (showing little impact of CJPs' background), however, may lend support to the organizational theory: while CJPs express their preferences to impose differential dispositions on offenders in varying crime scenarios (as indicated in the survey results), such preferences are often constrained by organizational structures in China as indicated in the official judgements. We also noted the correlations between CJPs' gender and other demographic variables (and death penalty justification indexes) (Appendixes 2 and 4), which indicated that one's gender could interact with other personal background factors to influence one's decision-making, likely due to the impact of the very complex process of one's socialization (including professionalization).

In conclusion, this study offers a unique context for examining the impact of both CJPs' and offenders' gender on capital sentencing. Because the five case narratives all involved serious capital offenses and the survey captured CJPs' opinions rather than actual sentencing decisions by judges, the findings were not entirely consistent with prior research (e.g.

the finding that female murderers received more lenient treatment in this study contrasted with earlier evidence showing either no gender effect or harsher punishment for women). Nevertheless, this study provides a rare opportunity to evaluate competing theoretical perspectives on the role of gender in capital sentencing. The findings suggested that offenders' gender may still exert influence, with the magnitude and direction of the effect varying by specific crime type, crime circumstances, and punishment options. While organizational theory offers limited explanatory power for (lack of) variations of CJPs' gender, patriarchy provides a more compelling lens through which to understand gendered expectations, roles, and responsibilities in contemporary China. The persistence of patriarchal values across political, social, and economic domains underscores the need for further research to capture and assess the contextual and institutional factors shaping gendered sentencing decisions.

Notes

1. Lawyers sampled were all licensed attorneys registered in the city that we studied. They were involved in active practices at the time of the survey. In China, few lawyers completely devote themselves to criminal law practices. As a result, lawyers we sampled were from a variety of diverse practice backgrounds.
2. We'd like to thank one anonymous reviewer for offering this insight.

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References

- Atwell, M. W. (2007). *Wretched sisters: Examining gender and capital punishment* (Vol. 19). Peter Lang.
- Batton, C., & Wright, E. M. (2019). Patriarchy and the structure of employment in criminal justice: Differences in the experiences of men and women working in the legal profession, corrections, and law enforcement. *Feminist Criminology*, 14(3), 287–306. <https://doi.org/10.1177/1557085118769749>
- Becker, G. S. (1985). Human capital, effort, and the sexual division of labor. *Journal of Labor Economics*, 3(1, Part 2), S33–S58. <https://doi.org/10.1086/298075>
- Belknap, J. (2020). *The invisible woman: Gender, crime, and justice*. Sage Publications.
- Bell, C., Lee, G., Pazzani, L., & Vuk, M. (2021). If looks could kill: Do characteristics of female offenders influence death penalty sentencing decisions? *Women & Criminal Justice*, 31(2), 87–107. <https://doi.org/10.1080/08974454.2019.1688223>
- Bowers, W., Vandiver, M., & Dugan, P. (1994). A new look at public opinion on capital punishment: What citizens and legislators prefer. *American Journal of Criminal Law*, 22(1), 77–150.
- Boyd, C. L., & Nelson, M. J. (2017). The effects of trial judge gender and public opinion on criminal sentencing decisions. *Vanderbilt Law Review*, 70(6), 1819–1844.

- Chesney-Lind, M. (1978). Chivalry reexamined: Women and the criminal justice system. In L. H. Bowker (Ed.), *Women, crime and the criminal justice system* (pp. 197–223). Lexington Books.
- Chesney-Lind, M. (2006). Patriarchy, crime, and justice. *Feminist Criminology*, 1(1), 6–26. <https://doi.org/10.1177/1557085105282893>
- Chien, S. (2019). *Making the prosecution: Professional socialization of prosecutors in Taiwan*. [doctoral dissertation. Stanford University].
- Crew, B. K. (1991). Sex differences in criminal sentencing: Chivalry or patriarchy? *Justice Quarterly*, 8(1), 59–83. <https://doi.org/10.1080/07418829100090911>
- Curry, T. R., Lee, G., & Rodriguez, S. F. (2004). Does victim gender increase sentence severity? Further explorations of gender dynamics and sentencing outcomes. *Crime & Delinquency*, 50(3), 319–343. <https://doi.org/10.1177/0011128703256265>
- Daly, K., & Bordt, R. L. (1995). Sex effects and sentencing: An analysis of the statistical literature. *Justice Quarterly*, 12(1), 141–175. <https://doi.org/10.1080/07418829500092601>
- Death Penalty Information Center (DPIC). (2004). “Women and the Death Penalty in the United States” (updated 2024).
- Evans, K. D. (2005). *The impact of victim-offender familial relationships on capital sentencing outcomes [thesis]*. University of South Florida].
- Farnworth, M., Teske, J., & Raymond, H. C. (1995). Gender differences in felony court processing: *Women & Criminal Justice*, 6(2), 23–44. https://doi.org/10.1300/J012v06n02_02
- Feld, B. C. (2009). Violent girls or relabeled status offenders?. *Crime & Delinquency*, 55(2), 241–265. <https://doi.org/10.1177/0011128708330629>
- Franklin, T. W., Franklin, C. A., & Fearn, N. E. (2008). A multilevel analysis of the vulnerability, disorder, and social integration models of fear of crime. *Social Justice Research*, 21(2), 204–227. <https://doi.org/10.1007/s11211-008-0069-9>
- Gibson, J. L. (1983). From simplicity to complexity: The development of theory in the study of judicial behavior. *Political Behavior*, 5(1), 7–49. <https://doi.org/10.1007/BF00989985>
- Gilligan, C. (1993). *In a different voice: Psychological theory and women’s development*. Harvard university press.
- Goldberg, S. L. (1984). Judicial socialization: An empirical study. *Journal of Contemporary Law*, 11(2), 423–452.
- Grabe, M. E., Trager, K. D., Lear, M., & Rauch, J. (2006). Gender in crime news: A case study test of the chivalry hypothesis. *Mass Communication and Society*, 9(2), 137–163. https://doi.org/10.1207/s15327825mcs0902_2
- Gruhl, J., Spohn, C., & Welch, S. (1981). Women as policymakers: The case of trial judges. *American Journal of Political Science*, 25(2), 308–322. <https://doi.org/10.2307/2110855>
- Huff, J., Clinkinbeard, S. S., Rief, R. M., Dunlap, B., Zamouri, I., Goodijohn, L., Meenagh, C., Champenstein, C., Townsley, J., Fernandez, M., & Swanson, J. (2024). Recruiting, retaining, and advancing women in policing: Lessons learned from the IAWP gender-responsive policing summit. *Policing: A Journal of Policy and Practice*, 18, 1–11. <https://doi.org/10.1093/police/paee013>
- Jiang, J. (2023). Casting gender light on authoritarian legality in China: an inquiry of sentencing and punishment in rape cases. *The Albert Hirschman Centre on Democracy series Law and Authoritarianism* (<https://ssrn.com/abstract=4767766>)
- Jiang, J., & Kuang, K. (2018). Hukou status and sentencing in the wake of internal migration: The penalty effect of being rural-to-urban migrants in China. *Law & Policy*, 40(2), 196–215. <https://doi.org/10.1111/lapo.12101>
- Jiang, L. (2008). Popular visual angle for setting up death penalty charge. *Journal of Kunming University of Science and Technology*, 8(7), 75–83. In Chinese.
- Jiang, Q., & Sánchez-Barricarte, J. (2013). Child trafficking in China. *China Report*, 49(3), 317–335. <https://doi.org/10.1177/0009445513502268>
- Jiang, S., Lambert, E., & Nathan, V. (2009). Reasons for death penalty attitudes among Chinese citizens: Retributive or instrumental? *Journal of Criminal Justice*, 37(3), 225–233. <https://doi.org/10.1016/j.jcrimjus.2009.04.002>

- Jiang, S., Lambert, E., & Wang, J. (2007). Capital punishment views in China and the United States. *International Journal of Offender Therapy and Comparative Criminology*, 51(1), 84–97. <https://doi.org/10.1177/0306624X06294138>
- Jiang, X., Cui, S., Liang, B., & Liu, J. (2023). Tigers vs. Flies: Impact of official ranks on judicial trials in PRC's anti-corruption campaign. *Crime, Law and Social Change*, 80(1), 51–78. <https://doi.org/10.1007/s10611-022-10072-9>
- Johnson, B. D. (2014). Judges on trial. *Criminal Justice Policy Review*, 25(2), 159–184. <https://doi.org/10.1177/0887403412463933>
- Krohn, M. D., Curry, J. P., & Nelson-Kilger, S. (1983). Is chivalry dead?. *Criminology; An interdisciplinary Journal*, 21(3), 417–437. <https://doi.org/10.1111/j.1745-9125.1983.tb00269.x>
- Kruttschnitt, C. (1984). Sex and criminal court dispositions: The unresolved controversy. *Journal of Research in Crime and Delinquency*, 21(3), 213–232. <https://doi.org/10.1177/0022427884021003003>
- Kruttschnitt, C., & Green, D. E. (1984). The sex-sanctioning issue: Is it history? *American Sociological Review*, 49(4), 541–551. <https://doi.org/10.2307/2095467>
- Kruttschnitt, C., & Savolainen, J. (2009). Ages of chivalry, places of paternalism. *European Journal of Criminology*, 6(3), 225–247. <https://doi.org/10.1177/1477370809102166>
- Leung, A. S. (2003). Feminism in transition: Chinese culture, ideology and the development of the women's movement in China. *Asia Pacific Journal of Management*, 20(3), 359–374. <https://doi.org/10.1023/A:1024049516797>
- Li, E. (2010). The Li zhuang case: Examining the challenges facing criminal defense lawyers in China. *Columbia Journal of Asian Law*, 24(1), 129–170.
- Li, L. (2012). The “production” of corruption in China's courts: Judicial politics and decision making in a one-party state. *Law & Social Inquiry*, 37((04|4)), 848–877. <https://doi.org/10.1111/j.1747-4469.2012.01285.x>
- Li, L. (2014). High rates of prosecution and conviction in China: The use of passive coping strategies. *International Journal of Law, Crime and Justice*, 42(3), 271–285. <https://doi.org/10.1016/j.ijlcj.2014.02.002>
- Li, Y., Longmire, D., & Lu, H. (2018). Death penalty disposition in China: What matters? *International Journal of Offender Therapy and Comparative Criminology*, 62(1), 253–273. <https://doi.org/10.1177/0306624X16642426>
- Liang, B., He, N., & Lu, H. (2014). The deep divide in China's criminal justice system: Contrasting perceptions of lawyers and the iron triangle. *Crime, Law and Social Change*, 62(5), 585–601. <https://doi.org/10.1007/s10611-014-9545-3>
- Liang, B., & Liu, J. (2021). *Chinese netizens' opinions on death sentences: An empirical examination*. University of Michigan Press.
- Liang, B., Lu, H., Miethe, T. D., & Zhang, L. (2006). Sources of variation in pro-death penalty attitudes in China. *The British Journal of Criminology*, 46(1), 119–130. <https://doi.org/10.1093/bjc/azi048>
- Liang, B., Lu, H., & Taylor, M. (2009). Female drug abusers, narcotics offenders, and legal punishment in China. *Journal of Criminal Justice*, 37(2), 133–141. <https://doi.org/10.1016/j.jcrimjus.2009.02.007>
- Lin, X., Liu, S., Li, E., & Ma, Y. (2022). Sentencing disparity and sentencing guidelines: The case of China. *Asian Journal of Criminology*, 17(2), 127–155. <https://doi.org/10.1007/s11417-021-09357-0>
- Lin, X., Ma, Y., & Gu, Z. (2019). The predictors of pre-conviction decisions in China. *China Review*, 19(2), 151–176.
- Lin, X., Zhou, C., & Ma, Y. (2021). Social status, equal treatment, and pretrial detention: Evidence from China and its implications. *European Journal on Criminal Policy and Research*, 27(2), 239–263. <https://doi.org/10.1007/s10610-019-09421-7>
- Lu, H., Liang, B., & Liu, S. (2013). Serious violent offenses and sentencing decisions in China—Are there Any gender disparities? *Asian Journal of Criminology*, 8(3), 159–177. <https://doi.org/10.1007/s11417-012-9155-x>
- Luke, K. P. (2008). Are girls really becoming more violent? A critical analysis. *Affilia*, 23(1), 38–50. <https://doi.org/10.1177/0886109907310461>
- McGarrell, E. F., & Sandys, M. (1996). The misperception of public opinion toward capital punishment. *American Behavioral Scientist*, 39(4), 500–513. <https://doi.org/10.1177/0002764296039004012>

- Menkel-Meadow, C. (1989). Exploring a research agenda of the feminization of the legal profession: Theories of gender and social change. *Law & Social Inquiry*, 14((02|2)), 289–319. <https://doi.org/10.1111/j.1747-4469.1989.tb00063.x>
- Muhlhausen, D. (2004). *The determinants of sentencing in Pennsylvania: Do the characteristics of judges really matter?* The Heritage Foundation.
- Nagel, I. H., & Hagan, J. (1982). The sentencing of white-collar criminals in federal courts: A socio-legal exploration of disparity. *Michigan Law Review*, 80(7), 1427–1465. <https://doi.org/10.2307/1288555>
- Nagel, I. H., & Hagan, J. (1983). Gender and crime: Offense patterns and criminal court sanctions. *Crime and Justice*, 4, 91–144. <https://doi.org/10.1086/449087>
- Oberwittler, D., & Qi, S. (2009). *Public opinion on the death penalty in China. Results from a general population survey conducted in three provinces in 2007/08 (forschung aktuell/research in brief 41)*. Freiburg, Germany: Max Planck Institute for Foreign and International Criminal Law.
- Oberwittler, D., Qi, S., Kuang, L., Zeng, Y., Li, K., Liu, S., Chen, X., Dai, Y., & Zhang, S. (2010). *Opinion survey report on China's death penalty*. Yuanzhao Press. [In Chinese].
- Ogle, R. S., & Batton, C. (2009). Revisiting patriarchy: Its conceptualization and operationalization in criminology. *Critical Criminology*, 17(3), 159–182. <https://doi.org/10.1007/s10612-009-9081-0>
- Ortner, S. B. (2022). Patriarchy. *Feminist Anthropology*, 3(2), 307–314. <https://doi.org/10.1002/fea2.12081>
- Ostroff, C., & Kozlowski, S. W. (1992). Organizational socialization as a learning process: The role of information acquisition. *Personnel Psychology*, 45(4), 849–874. <https://doi.org/10.1111/j.1744-6570.1992.tb00971.x>
- Peng, Y., & Cheng, J. (2022). Ethnic disparity in Chinese theft sentencing. *China Review*, 22(3), 47–71.
- Peresie, J. L. (2004). Female judges matter: Gender and collegial decision making in the federal appellate courts. *Yale Law Journal*, 114(7), 1759–1790.
- Philippe, A. (2020). Gender disparities in sentencing. *Economica*, 87(348), 1037–1077. <https://doi.org/10.1111/ecca.12333>
- Rapaport, E. (1991). The death penalty and gender discrimination. *Law & Society Review*, 25(2), 367–383. <https://doi.org/10.2307/3053803>
- Rodriguez, S. F., Curry, T. R., & Lee, G. (2006). Gender differences in criminal sentencing: Do effects vary across violent, property, and drug offenses? *Social Science Quarterly*, 87(2), 318–339. <https://doi.org/10.1111/j.1540-6237.2006.00383.x>
- Said, M., Yu, L., Rahman, N., Kadir, N., & Li, Y. (2025). Women who kill abusive men: Reform and restrictions in China. *Pakistan Journal of Life & Social Sciences*, 23(1), 5917–5926.
- Savolainen, J., Applin, S., Messner, S. F., Hughes, L. A., Lytle, R., & Kivivuori, J. (2017). Does the gender gap in delinquency vary by level of patriarchy? A cross-national comparative analysis. *Criminology: An interdisciplinary Journal*, 55(4), 726–753. <https://doi.org/10.1111/1745-9125.12161>
- Schanzenbach, M. (2005). Racial and Sex disparities in prison sentences: The effect of district-level judicial demographics. *The Journal of Legal Studies*, 34(1), 57–92. <https://doi.org/10.1086/425597>
- Shapiro, A. (2000). Unequal before the law: Men, women and the death penalty. *American University Journal of Gender, Social Policy & the Law*, 8(2), 427–470.
- Shen, A. (2017). *Women judges in contemporary China: Gender, judging and living*. Springer.
- Shen, A. (2020). Women judges who judge women offenders: A Chinese case study on gender and judging. *International Journal of the Legal Profession*, 27(1), 63–79. <https://doi.org/10.1080/09695958.2020.1733580>
- Song, D. (2021). Sentencing disparity in China: A descriptive research on auxiliary cybercrime stipulated by amendment IX of criminal law. *Iustum Aequum Salutare*, 17(2), 209–240.
- Spohn, C., & Beichner, D. (2000). Is preferential treatment of female offenders a thing of the past? A multisite study of gender, race, and imprisonment. *Criminal Justice Policy Review*, 11(2), 149–184. <https://doi.org/10.1177/0887403400011002004>
- Spohn, C., & Spears, J. W. (1997). Gender and case processing decisions. *Women & Criminal Justice*, 8(3), 29–59. https://doi.org/10.1300/J012v08n03_02

- Stacey, A. M., & Spohn, C. (2006). Gender and the social costs of sentencing: An analysis of sentences imposed on male and female offenders in three US district courts. *Berkeley Journal of Criminal Law*, 11(1), 43–76.
- Steffensmeier, D., & Demuth, S. (2006). Does gender modify the effects of race-ethnicity on criminal sanctioning? Sentences for male and female white, black and hispanic defendants. *Journal of Quantitative Criminology*, 22(3), 241–261. <https://doi.org/10.1007/s10940-006-9010-2>
- Steffensmeier, D., & Hebert, C. (1999). Women and men policymakers: Does the judge's gender affect the sentencing of criminal defendants? *Social Forces*, 77(3), 1163–1196. <https://doi.org/10.2307/3005975>
- Steffensmeier, D., Kramer, J. H., & Streifel, C. (1993). Gender and imprisonment decisions. *Criminology; An interdisciplinary Journal*, 31(3), 411–446. <https://doi.org/10.1111/j.1745-9125.1993.tb01136.x>
- Stern, R. E., & Liu, L. J. (2020). The good lawyer: State-led professional socialization in contemporary China. *Law & Social Inquiry*, 45(1), 226–248. <https://doi.org/10.1017/lsi.2019.55>
- Streib, V. L. (2006). Rare and inconsistent: The death penalty for women. *Fordham Urban Law Journal*, 33(2), 609–641.
- Tu, W., & Guo, X. (2023). Gendered clientelism and corruption: Are women less corrupt than men in China? *International Feminist Journal of Politics*, 25(2), 223–243. <https://doi.org/10.1080/14616742.2021.1936117>
- Wang, F. (2025). Sentencing disparity and focal concern: An assessment of judicial decisions on *Sha Zhu Pan* Cases collected from China judgements online. *Crime & Delinquency*, 71(6–7), 1845–1877. <https://doi.org/10.1177/00111287231158571>
- Wang, Q., & Min, D. (2015). Bringing gender in: Women and corruption in China. *Women, Gender & Research*, 24(1), 98–109. (<https://tidsskrift.dk/KKF/article/view/28516>)
- Wang, Y. F. (2016). *Research on sentencing procedure*. Peking University Press. [In Chinese].
- Wei, S. (2021). Gendered justice in China: Victim–offender mediation as the “different voice” of female judges. *International Journal of Offender Therapy and Comparative Criminology*, 65(4), 346–372. <https://doi.org/10.1177/0306624X20936202>
- Wei, S., & Xin, X. (2013). Does gender play a role in divorce mediation?: Working pattern of women judges in China. *Asian Journal of Women's Studies*, 19(3), 149–171. <https://doi.org/10.1080/12259276.2013.11666160>
- Wei, S., & Xiong, M. (2020). Judges' gender and sentencing in China: An empirical inquiry. *Feminist Criminology*, 15(2), 217–250. <https://doi.org/10.1177/1557085119842660>
- Williams, R. (2006). Generalized ordered logit/partial proportional odds models for ordinal dependent variables. *The Stata Journal: Promoting Communications on Statistics and Stata*, 6(1), 58–82. <https://doi.org/10.1177/1536867X0600600104>
- Williams, R. (2016). Understanding and interpreting generalized ordered logit models. *The Journal of Mathematical Sociology*, 40(1), 7–20. <https://doi.org/10.1080/0022250X.2015.1112384>
- Wu, Y., Sun, L., & Wu, Z. (2011). Support for the death penalty: Chinese and American college students compared. *Punishment & Society*, 13(3), 354–376. <https://doi.org/10.1177/1462474511404337>
- Xin, Y., & Cai, T. (2022). Cooperative guardian offenders and sentencing outcomes: Evidence from criminal sentencing documents of child trafficking crime in China. *Child Abuse & Neglect*, 124, 105449–105460. <https://doi.org/10.1016/j.chiabu.2021.105449>
- Xiong, M. L., Zhao, Y., & Cheng, Y. F. (2014). Sentence justice and sentence deviation – empirical study based on five grassroots courts in deyang city. *Chinese Criminology Review*, 6, 20–44. In Chinese.
- Yan, S., & Lao, J. (2022). Sex disparities in sentencing and judges' beliefs: A vignette approach. *Victims & Offenders*, 17(4), 597–619. <https://doi.org/10.1080/15564886.2021.1947427>
- Zheng, C., Ai, J., & Liu, S. (2017). The elastic ceiling: Gender and professional career in Chinese courts. *Law & Society Review*, 51(1), 168–199. <https://doi.org/10.1111/lasr.12249>