Exploring the bottom-up reform of sex offender registration in China: Carceral feminism and populist authoritarianism

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Abstract

In 2017, the Minhang District of Shanghai introduced sex offender registration. This reform attracted positive reactions on social media. Local governments in Jiangsu, Guangdong and Chongqing quickly followed the precedent. In 2019, the central government announced that it will establish national sex offender registries by 2022, although it limited the scope of registration to paedophiles. This study explores how this bottom-up reform unfolded and what implications it has in theory and practice. Based on qualitative and quantitative analysis of 2261 posts on Weibo, the Chinese version of Twitter, this study reveals two major players in the current reform: the Chinese feminists who are pursuing a punitive agenda online (a phenomenon known as 'carceral feminism'), and the local governments that are eager to win the public's trust, although such trust is mainly reserved for the central authority in the Chinese political culture (a culture known as 'populist authoritarianism'). Drawing on the findings, this study pushes the discussion about Chinese penal policy beyond the dichotomy of 'penal professionalism' and 'penal populism'. It argues that while the influence of professionalism is evident in central-level policy making, local penal policies can be easily led by populist punitiveness. The latter deserves more academic attention. This study also takes a non-partisan approach to the feminist movements on Chinese social media. It reveals the class conflicts and regional inequality underlying the gender schism. The polarisation effect in online discussion is also highlighted, which alerts policy makers to the reliability of 'public opinion' online. (246 words)

Keywords: sex offender registration, social media, community measures, feminism, populism, authoritarianism

Introduction

In August 2017, the Minhang District of Shanghai introduced local sex offender registries (Ding and Wei, 2017). Advocated by the Minhang People's Procuratorate[1], the registries include the personal information of all sex offenders convicted by the local court in the latest five years. The term 'sex offender' is broadly defined by the local authorities. It includes

[1] People's Procuratorates are the prosecution authorities in China.

offenders who committed rape[2] or sexual assault[3] against adults or children (under 14), *and* offenders who organised prostitution or forced others to be prostitutes[4]. The registries are accessible to local criminal justice agencies and government authorities that have the responsibility of overseeing child-related organisations[5]. Registered offenders are not allowed to take jobs that involve close contact with children. Relevant government authorities have the duty to ensure that organisations under their supervision have no convicted sex offenders as employees. By the end of 2018, the local registries in Minhang have recorded the information of more than 3,800 sex offenders. About 14, 000 existing staff and 1,000 new staff in child-related organisations have been checked against the registries (Minhang People's Procuratorate research office, 2019).

The legal grounds for this local experiment are unclear. The 1997 Criminal Code of China makes no mention of offender registration. According to Article 37A of this Code, employment ban can be applied to offenders who abused their occupational power in crime; the application is at the judge's discretion and the term of such bans should not exceed five years. This section is mainly written for white collar crime (Sun and Zheng, 2019), but it can be stretched to cover sex offenders who approach their victims at work. However, the local authorities in Shanghai have done more than just stretching the law. They imposed a blanket ban on all sex offenders regardless of the circumstances in individual cases. They also prolonged the term of employment bans to, *potentially*, forever. The legality of this local reform is thus in doubt. Nonetheless, local leaders justified this reform by referring to 'tremendous public support' (Li, M. 2017), mainly expressed by netizens online.

It seems that 'tremendous public support' matters to Chinese local governments. In December 2017, the Huaiyin District of Huai'an introduced similar registration and employment ban for offenders who raped or sexually assaulted children (referred to as paedophiles hereafter). It went further by releasing the personal information of convicted paedophiles to the general public (Tang, 2017). Almost simultaneously, the Huadu District of Guangzhou established its own registration-plus-employment-ban system, but it only allows government authorities to access the local paedophile registries (Luo and Hua, 2019). The central government responded quite quickly, but in a conservative way. In November 2018, the Supreme People's Procuratorate (SPP) sent an official advisory letter to the Ministry of Education, stating that more attention should be paid to sexual offences against children at school. The letter did not make explicit mention of sex offender registration. Nevertheless, more radical local reforms unfolded. The local government of Chongqing introduced the first province-level offender registries in China (Sun, 2019). The registries cover *all* offenders who have received prison sentences since 2013. Universities, schools and nurseries are not allowed to employ recorded offenders.[6] Following these local experiments, the SPP eventually announced that a national database of sex offenders will be established by 2022, but it

[2] Article 236 of the 1997 Criminal Code of China. The crime carries a punishment of three to ten years' imprisonment. If aggravating circumstances are present, the punishment can increase to life imprisonment or death.
[3] Article 237, *ibid*. The crime carries a punishment of up to five years' imprisonment.
[4] Article 358, *ibid*. The crime carries a punishment of five to ten years' imprisonment.
[5] 'Child-related organisations' include but are not limited to schools, nurseries, libraries, private tutoring institutions, sports centres and other places of entertainment. In the local governance of China, schools and nurseries (both private and public) are supervised by the Bureau of Education (*jiaoyu ju*). Sports centres and other similar facilities are usually overseen by the Bureau of Sports (*tiyu ju*) and the Bureau of Culture (*wenhua jue*).
[6] As teachers or in other roles such as cleaners, drivers and security guards.

cautiously restricted the scope of registration to paedophiles. A bottom-up reform is thus completed, *not* through direct interactions between the grassroots and the central authority, but through the intermediate role of local governments: grassroots activism first pushes local governments to act; consecutive local reforms then prompt the central authority to give a formal response.

It is difficult to say whether sex offender registration is a justified reaction to the realities of sex crime in China. Statistics recorded by the China Law Yearbook series suggest that the number of rape (including child rape) cases has *decreased* from over 33,000 to around 27,000 per year between 2011 and 2017. Also, although the current reform mainly targets sexual offences committed by school staff against children, national statistics suggest that this kind of offences accounts for less than 20% of all reported paedophilia cases in China (Girls' Protection, 2018). At local level, the percentage can be as low as 10% (Lin, J. 2019).[7]

Should the current reform be attributed to penal populism? China's close neighbour seems to be undergoing a punitive turn under populist pressure, which features the radicalisation of rape law (Fenwick 2013). A straightforward 'yes' would be a rushed answer. In Bottoms' (1995) original writing, penal populism mainly applies to the situation where politicians use punitive penal policies to win floating voters. As Li (2015) rightfully points out, there are no voters to 'win' in China due to the absence of competitive elections. An alternative explanation is needed for the responsiveness of Chinese governments in the current case, especially the hyper-responsiveness of local governments.

In later criminological writings, 'penal populism' was given a broader meaning. It is often used to denote the situation where elites' advice is disregarded while penal policies become led by highly emotionalised public opinion (Pratt and Clark, 2005). This broad definition does not sit well with the Chinese context either, because penal policies in China are usually elite driven and top-down imposed. The infamous 'strike hard' (*yanda*) campaigns in the 1980s were launched by central leaders because they were overwhelmed by the soaring crime rates following the 'Reform and Open up' policy (Liang, 2005). Public sentiments were manipulated by political elites to justify the harsh penal policy (Li, E.S. 2017), but eventually these campaigns were still top-down imposed.

In recent decades, central leaders have come to realise that compared to indiscriminate punitiveness, flexible penal policies can better serve the Party's agenda of building a harmonious society (Trevaskes, 2010). There is also a strong central will to promote China as a rule-of-law regime that respects human rights (Li, E.S. 2017). As a result, the new strategy of 'Balancing Harshness and Leniency' (*kuanyan xiangji*) was introduced. Political elites and academics have played an important role in the policy change. They are steering the Chinese penal policy to a less punitive direction at least in some areas. For example, in 2015, the Ninth Amendment to the Criminal Code 1997 abolished the death penalty for organising prostitution and forcing others to be prostitutes. Also, prior to the reform of sex offender registration, two types of community measures have been introduced to China: the community supervision of probationers and parolees (*shequ jiaozheng*) and the community rehabilitation for drug addicts (*shequ jiedu*). Both were initiated by elites; both underwent years of piloting, and both

[7] One might be cautious with these statistics, as it is well known that the reported number of sexual offences might not mirror the number of crimes happened in real life. However, without further proof, the author cannot disregard the existing statistics.

developed slowly without attracting much public attention (Pang, et al. 2007; Chen, 2018). In this sense, Li, E.S. (2017) is right in arguing that it is penal professionalism, not penal populism that shapes the penal policy in contemporary China. It seems that an authoritarian regime does *not* necessarily welcome populist punitiveness, although western authors frequently argue that populist punitiveness contributes to more authoritarian governance in liberal regimes (Simon, 2007; Lacey, 2008)[8]. Pratt and Clark's (2005) work provides a possible explanation for this paradox. Based on the study of New Zealand, they found that populist punitiveness can be used by grassroots citizens and organisations to challenge the state establishment, such as the courts, the parliament and the existing democratic procedure. In other words, populist punitiveness is a vehicle for *political mobilisation*. In this light, it is understandable why the central authority in China is cautious about populist punitiveness. After all, in an authoritarian regime, any element that can initiate important socio-political changes must be controlled, for the sake of regime stability.

So, what social forces have successfully broken the controls and pushed the bottom-up reform of sex offender registration in China? Based on the theories of carceral feminism and populist authoritarianism, the author argues that it is the generation of 'urban daughters' who are pushing their feminist agenda online, and the local governments that are eager to change their negative image in the Chinese political culture. In the literature review, the author will examine the two theories and their relevance in the current reform.

Literature Review: Carceral Feminism and Populist Authoritarianism

Sexual offences are a special category of crime, because they reflect the very injustice and cruelty of the patriarchal society, thus often provoking confrontation between the two sexes. Various authors have argued that feminists' fight against male domination can lead them to support the radical use of state power against sexual offences (Snider, 1998; Bumiller, 2008; Phillips and Chagnon, 2020). Among them, Bernstein (2012) coined the term 'carceral feminism'. By using this term, Bernstein (2012: 235-236) does *not* mean that all feminists support an expanding carceral state; instead, she is referring to 'a culture and political formation in which previous generations' justice and liberation struggles are recast in carceral terms.' Focusing on American feminists' campaigns against the trafficking of women, Bernstein exposed how the narratives of these campaigns featured a strong demand for harsh law and severe punishment, in the name of victims. Bumiller (2008) offers a broader and more detailed examination of how the feminist movement against sexual violence got assimilated by the culture of control. She argued that although the feminists' 'gender war' is not as influential as the 'war on drugs', it contributed to the mass incarceration in the U.S. by diffusing the fear of crime and shaping an image of habitual and monstrous criminals (Bumiller, 2008: 7). Worse still, this image tends to have a black face (Bumiller, 2008: 9-10). The racist undertone of the anti-violence campaign eventually transpired as tightened control of dark-skinned men. This consequence hurts women from ethnic minority backgrounds, because the dark-skinned men, who are now subject to stronger control and more discriminating handling by the criminal justice system, are often *their* men. Snider (1998) made similar arguments about the *intersectionality* in carceral feminism. She argued that the anti-violence campaigns in the U.S.

[8] By legalising the expansion of state coercion and by taking away the empathetic and tolerant elements from social culture, for example.

have benefited the white middle class women at the expense of women from ethnic minority backgrounds.

There is no writing about carceral feminism in China, but the rise of feminism during the recent years has attracted some academic attention. This new trend is led by a social group that Fong (2002) terms as 'urban daughters.' In Fong's writing, 'urban daughters' refers to young females born to the urban one-child families in China. Thanks to the economic prosperity in recent decades and the one-child policy, urban daughters tend to be the only child of their successful parents. Without having to compete with brothers, this young generation of females enjoyed unprecedented family support in education and housing. The economic advancement gained by this social group motivates it to pursue greater liberty and equality. The strong consumerism in contemporary China, which targets the young females as main customers, also boosts their confidence and pushes their desire to express themselves. In short, these urban daughters are the driving force behind the rise of 'digital feminism' (Chang, et al 2018) in China. By using social media as the main platform of fighting, these young females have campaigned for a wide range of causes (Han, 2018). Some of these campaigns are heavily influenced by the young females' urban, middle-class backgrounds. For example, recently there is a petition online against Spring Buds (*Chun lei*), a charity that mainly helps young girls in rural areas to receive education. The protestors are not happy that the funds of this charity are used to help both boys and girls. Their outrage is not only driven by the breach of trust, but also by the contempt for the boy-favouring culture in rural China (Cui, 2019). The charity's explanation that some boys are also in need of help does not convince the protestors, because they believe that in rural areas daughters are always sacrificed for sons, therefore the charity must only fund girls. Partisan as it might sound, the protestor's demand highlights the gender tension in China, *and* the underlying conflict between the urban middle class and rural underclass. The author presumes that if there is one social group that would push the agenda of sex offender registration determinedly, it must be the urban daughters. This hypothesis will be tested in later discussions.

However, only a grassroots social force is not enough for making bottom-up changes. As O'Brien and Li (2005) point out, grassroots actions rarely succeed in China without the help or intervention of elites. In the current the case, the reform of sexual offender registration proceeded quickly, mainly because of local leaders' swift responses to the public sentiments online. Why would they do so? A simple answer would be that all powers need legitimisation (Beetham, 2013), therefore even authoritarian governments have to answer public demands at times. An alternative explanation that better captures the situation in China is the 'populist authoritarianism' (PA) theory. Tang (2016) argues that China has a political culture of populist authoritarianism. Tang did not give a definition of PA, but he traced the historical origins of this political culture. He argues that PA dates back to the 1920s when the Chinese Communist Party (CCP) was not yet in power. To fight against the Nationalist government led by Chiang Kai-shek, CCP had to mobilise the rural population for its cause. In order to do so, the CCP leadership invented the Mass Line (*qunzhong luxian*) ideology, which requires the leadership to listen to the masses, understand their thinking, turn their thinking into systematic ideas, and then go back to the masses and explain these ideas until the masses embrace them as their own (Mao, 1967: 119, quoted in Tang, 2016: 6). This process is called 'from the masses, to the masses.' The Mass Line ideology was proved to be successful in the revolutionary era. It won the support of Chinese peasants and paved the way to Beijing for the CCP. Since then, the

central leadership has always adhered to this ideology. The political tradition shaped a close relationship between central leaders and the masses. Mao and his Red Guards are a typical example of such a relationship.

In the post-reform era, such examples become rare, but the *implicit contract* between the central authority and the masses still exist: the former promises to serve the interest of the latter, while the latter grants support for the former in return. As a proof, Tang (2016: 83) finds that mainland China outperforms the democratic Taiwan in every respect of political trust. Other studies also highlight the strong populist belief in the benevolence of *central* leaders (Guo, 2003; Lü, 2014; Li, 2016; Chen, 2018: 61-64). Of course, such trust needs maintenance, therefore the central authority must constantly demonstrate that it listens to the public, cares about the public and responds to public demands. Thus, Tang (2016) argues that PA makes the Chinese government highly responsive. He even points out that the Chinese regime *has to* be more responsive than democratic regimes, because for the latter, once the election is won, the government gains the legitimacy, it no longer needs to please everyone; but for the former, as its legitimacy almost solely depends on the trust of the masses, it has to constantly respond *or pretend to be responding*, because 'a PA regime can feel insecure even when it sees a single protestor on the street' (Tang 2016: 158). Tang made no direct comment on penal policies, but it is not hard to spot that even the top-down imposed penal policies in China are wrapped up with populist names, such as the 'people's war on drugs' (Trevaskes, 2013). The strike hard campaigns were also justified as a war between 'the people' and 'the enemies' (Trevaskes, 2007). Moreover, because the direct interaction between the central authority and the grassroots is so important in the PA culture, intermediate institutions are often ignored and underdeveloped, such as civil society organisations, trade unions and professional associates (Tang 2016: 156-157).

What Tang does not say explicitly is that local governments are also a kind of intermediate institution, and they are left in a difficult position in the PA culture. PA confers *cultural legitimacy* on the central government, but this benefit does not apply to local governments. The Chinese citizens have much lower trust in local governments and officials (Tang, 2016: 34-35). When things go wrong, they are more likely to blame the local governments even if the central government is also at fault (Lü, 2014). When disputes arise, they are more likely to bypass local authorities and petition provincial governments or even Beijing directly (Minzner, 2006; Tang 2016: 107). To summarise, in a PA regime, local governments are often seen as untrustworthy and incompetent. Sometimes citizens would even view local authorities as an obstruction between the central leadership and themselves. In other words, local governments lack the basic public legitimacy. To make the situation worse for them, the central authority of China sometimes allows or even manipulates populist protests against local governments, because this is an effective way of exposing local corruption and keeping the officials in check (Lorentzen 2013). This central strategy can further undermine the image of local governments.

But this is not to say that the local governments themselves are not to blame. In the past decades they have constantly relied on police oppression to solve disputes with grassroots citizens. This oppressive strategy only stimulated more resistance, thus creating a vicious circle (Chen, 2013; Chen, 2018: 90-92). In recent years local elites have realised this problem. Various innovations have been introduced to reshape the image of local governments. These measures include transparency initiatives, village and township elections, collaboration with

NGOs, and stronger involvement of courts in solving local disputes (He, 2013; Teets, 2015; He, 2016; Chen, 2018). However, no research has explored how the local government's legitimacy crisis would affect their reactions to populist punitiveness. The author's hypothesis is that the legitimacy crisis facing local governments makes them susceptible to public pressure, thus easy to follow populist punitiveness. This hypothesis will also be tested in later discussions.

Methods

Without competitive elections, the Chinese public influences policy making mainly through collective actions on social media. The government tests public reactions to new policies via the same Channel. Among all the social media brands, Weibo is widely recognised as the primary tool of grassroots activism (Gleiss, 2015; Fedorenko and Sun, 2016). The posts on Weibo and the interactions between bloggers can offer crucial insights on how bottom-up reforms unfold in China. The question is how to select and collect data from this platform.

Twitter-based studies often adopt two strategies. One is hashtag search, where authors search a specific hashtag on Twitter and analyse the results coming up (Coulling and Johnston, 2018; Powell et al., 2018). This approach is not applicable to Weibo, because Chinese bloggers do not use hashtags as frequently as their western counterparts. The other approach is to use web crawling software such as the APIs (Stieglitz and Linh, 2013). Specialised software can collect enormous posts automatically, but it tends to take away a post from the original *context*, for example, the thread or conversation it belongs to. This drawback renders the second approach inappropriate for this study, because the author is interested in the 'microcontexts*'* of belief and behaviour (Kleinman, 1992: 172; Busher and Morrison, 2018) on Weibo.

Based on these considerations, the author eventually decided to adopt the case study approach, where researchers select several cases of interest surrounding the same topic they are investigating (Bowman-Grieve and Conway, 2012; Salter, 2013; Gies, 2017). In this study, the author has chosen two cases: the introduction of sex offender registration by the Minhang District of Shanghai, and the introduction of paedophile registries by the Huadu District of Guangzhou. The former is often reported as the first pilot project in China,[9] therefore blogger's reactions to it must have had crucial impact on the following reforms. The latter attracted most public attention; when first announced, it reached the daily trending list on Weibo.

The author also adapted the case study approach for greater rigidity. Instead of reading any relevant posts that scattered over the web space, she crawled two complete threads of posts from Weibo. The purpose is to minimise personal bias. When a researcher reads and selects posts surrounding a topic, she decides which posts are important based on her own judgement, which is inevitably biased. By contrast, in a complete thread of 1000 posts, the bloggers decided themselves which posts are important by upvoting a post or responding to it. In other words, the two threads constitute 'naturalistic interactional materials' (Potter, 2004) that are ideal for qualitative discourse analysis. For the same purpose, the two threads were taken from corporate news accounts instead of personal accounts. Personal account owners' views can affect how the discussion unfolds under their posts; they may even delete the comments of

[9] In fact, it is not. But the earlier attempt in Cixi is not well known.

disagreement, thus twisting the information presented to the researcher. Using corporate news accounts can at least reduce such risks.

The account that reported the reform in Shanghai is Caijing Wang. It has over 20 million followers. On the 25th of August 2017, Caijing Wang posted the following news, '*The first in China: Shanghai introduces sex offender registries to ban offenders from taking kids-related jobs*'. A detailed report about this reform was provided via a link. By the 26th of September 2017, the post attracted 1556 comments. After deleting advertisements, irrelevant comments and comments that do not convey a clear attitude (for example, '*Repost*'), 1090 posts were recorded, including conversations and individual entries. This thread is denoted as Thread One. The account that reported the reform in Guangzhou is Toutiao Xinwen. It has over 60 million followers. Toutiao Xinwen posted the following news '*Guangdong: checking the records of sex offenders in one click*' on the 30th of March 2019. A summary of the reform was provided after the title, which reads: '*The Huadu District of Guangzhou introduced the first sexual offender database in Guangdong Province. The database includes the information of 106 adult offenders who have committed sexual offences against children and received conviction in Huadu. Just enter a person's name or other identification information, the system will find the match.*'[10] By the 1st of May, the post attracted 1642 comments. After filtration, 1171 posts were recorded. This thread is referred to as Thread Two. Both reporters are clearly positive about the local reforms, but they did not use sensational words to stir their readers. The author cannot say for sure that the commentators were not influenced by the reporters' attitudes, but there does not seem to be deliberate attempts to manipulate public emotions. Also, judging by the content of comments, the readers' thinking was clearly *not* restricted by original reports. A wide range of socio-political issues were raised. The topics discussed went far beyond the reforms per se.

Qualitative discourse analysis is the main method used in this study. It takes all the recorded posts in the two threads (N=2261) into account, no matter they are individual entries or contributions to conversations. Quantitative analysis was also used, first for descriptive purpose. An overview is needed to describe the composition of commentators and the distribution of their opinions. Moreover, as the author presumes that urban daughters are the main driving force for the sexual offender registration reform, any gender differences would be of interest. For this purpose, t-test was used to compare the level of punitiveness between the male and female bloggers. Levene's test was used to compare the level of conformity within each group. For quantitative analysis, the author discarded all the posts made in a dialogic context. Only individual entries were recorded. Bloggers who made multiple comments were only counted once. The purpose is to ensure the independence of data. Under this standard, 992 (N_1) posts in Thread One were counted, as conversations were quite limited in this thread. In contrast, Thread Two contains more conversations. After data trimming, 763 (N_2) posts were recorded. The author wishes to stress that quantitative analysis was mainly used as a triangulation tool and descriptive tool in this study, *not* a tool for prediction. The validity of quantitative results should, *in principle*, be limited to the two populations (N_1, N_2) examined, and they should be read together with the qualitative findings.

The final methodological issue that needs to be addressed is potential media censorship. It is known that the Chinese government censors posts on Weibo (Lee, 2012), but the author

[10] Unlike Twitter, Weibo does not limit a post to 280 characters.

found that only a few posts were taken down by the government during the 22 months of data collection. It seems that public discussions about penal matters are not classified as 'sensitive', thus not subject to strict screening. As a result, the posts complaining about bureaucratic Beijing and government corruption survived the censorship. Some posts may have been taken down because they explicitly mentioned genitals. A few others were eliminated potentially because they contained 'sensitive' words such as 'courts' and 'procuratorates'. But generally speaking, the deletion of these posts does not seem to have affected the direction of online discussions.

Findings

In this section, the author first gives an overview of the bloggers' responses to the local reforms. Based on discourse analysis, she then reports findings about the supporters' perspectives. In the final part, the author explores the dissenting voices and the social schisms underlying them.

An overview

Table 1 and Table 2 below give an overview of the bloggers' attitudes towards the local reforms. In both threads, the majority of bloggers (66.4%; 64.6%) support sex offender registration either explicitly or implicitly. However, this result does *not* mean that the general public in China would necessarily give the same reaction, because Weibo has a very young customer base. About 80% of its users are under the age of 30 (Weibo Data Centre, 2017). This age bias needs to be stressed. Moreover, females are the dominating contributors in both threads. They account for 64.2% of the commentators in Thread One and 72.1% in Thread Two. This is overrepresentation, as the overall ratio of females to males on Weibo is 43.7 to 56.3 (Weibo Data Centre, 2017). Clearly females have taken a stronger interest in the reform of sexual offender registration, as the author presumed. Also, many of these female bloggers are from the developed regions in China. Although not all bloggers reveal their residence, among the females who have done so in Thread One, 57.7% are from the major economic centres[11] in China. In Thread Two, the percentage is 51.8%. In other words, it is the typical 'urban daughters' who have made the most contribution to the online discussions about sex offender registration.

Insert Table 1 here

Insert Table 2 here

There is strong conformity in the female bloggers' attitudes, which helped shaping the image of 'tremendous public support'. In both threads, females are disproportionately observed in the groups of explicit supporters (70.6%; 75.9%) and implicit supporters (72.3%; 100%). In comparison, males tend to have more divergent opinions about sex offender registration. Levene's test confirms that this difference in variances is significant between the female and

[11] Major economic centres here refer to municipalities that have an annual GDP of 900 billion yuan or above. According to the China National Bureau of Statistics, in 2017, 17 cities reached this threshold: Beijing, Shanghai, Guangzhou, Shenzhen, Chongqing, Tianjin, Suzhou, Chengdu, Wuhan, Hangzhou, Nanjing, Qingdao, Wuxi, Changsha, Ningbo, Foshan, and Zhengzhou.

male group. Also, although t-test rejects the presumption that males are less punitive than females regarding sexual offences, in Thread One, male bloggers constitute 84% of the implicit opponents and 84.6% of the explicit opponents of sex offender registration. The overrepresentation is not so obvious in Thread Two (43.9%), but considering that only 27.9% of the commentators in Thread Two are men, the male dissent is still worth attention. In later discussions, the author will examine the gender schism under the qualitative lens. But before that, it is necessary to discuss the reasons why Chinese bloggers support sex offender registration.

Supporters' Perspectives: The Digital Crowd and its Political Demands

French psychologist Le Bon (2014) once argued that the crowd is intellectually inferior to the isolated individual. The crowd cannot reason, except in the simple form of analogical thinking. This description seems to suit the digital crowd on Weibo. Many bloggers applauded the reform of sex offender registration simply because 'other countries have got it':

> Blogger 976 (Thread One, female): Should have done so long before. In other countries, special signs are put outside these people's (sex offenders')[12] homes, we should have these in China too. (879 likes)
>
> Blogger 3 (Thread Two, male): Yeah, well done. South Korea has the same policy. (791 likes)

Emotional condemnation of sexual offenders and strong sympathy to victims are also present:

> Blogger 1045 (Thread One, male): Yeah, raise the price of crime, let the freaks bear the mark for life! (2983 likes)
>
> Blogger 314 (Thread Two, female): Great! These people do not deserve to be treated as humans. (857 likes)
>
> Blogger 760 (Thread One, female): Great. Children must be protected! Behind each child there are three families.[13] The more protection the better!

Fuelled by violate and contagious emotions, the condemnation soon expanded to cover all offenders:

> Blogger 378 (Thread Two, male): Yep! That's the spirit. We despise the ex-cons and they need to know it. The low lives should live in the dirt for life! (114 likes)

Sometimes the violent emotions would transpire as pure authoritarianism and intolerance of different voices:

> Blogger 679 (Thread One, female): Totally support (the reform). Don't even bring up human rights. The criminal's 'human rights' worth nothing compared to the victims' sufferings.

[12] Unless otherwise stated, words in the brackets are added by the author.

[13] Three families refer to the nuclear family (child and his or her parents), and the families of grandparents. Blogger 760 made this comment because in China grandparents are often involved in the upbringing of their grandchildren.

> Blogger 906 (Thread Two, male): I'm here to see which smart *ss will first stand up and say this (registration) violates individual privacy.

These emotional comments echo Le Bon's (2014: 15) deindividualization theory: being part of the crowd generates a feeling of 'invincible power'; the feeling makes individuals lose self-restraint and rationality. Radicalised behaviour are the common consequences of such deindividualization. This phenomenon is not peculiar to China. Many studies have pinpointed how populist punitiveness can generate a sense of togetherness, a feeling of triumph and the pleasure of revenge which the crowd easily indulges (Mead, 1918; Durkheim, 2013; Carvalho and Chamberlen, 2018). Neither females nor males are immune to this psychological transformation.

However, females certainly have a stronger cause to fight in the case of sexual offences. The empathy for victims and the shared experience as the oppressed sex tend to stimulate stronger reactions from them (Snider, 1998; Coulling and Johnston, 2018). For some of the Chinese urban daughters, the punitive agenda seems to have become an end in itself. Justifications are not needed; it is a 'crusade', a 'all or nothing' game for them. This attitude can be seen in their reactions to dissenting comments:

> Blogger 17 (Thread Two, male): What if offenders and potential offenders get radicalised by this (sex offender registration), since they know that they will be excluded from the society anyway?
>
> Blogger 57 (female) in response to 17: Why do you find excuses for offenders?
>
> Blogger 17 in response to 57: I didn't. I'm just talking about possibilities.
>
> Blogger 16 (female) in response to 17: What the h*ck are you talking about, kid?
>
> Blogger 89 (Thread Two, male): The government only has so much money. Should it be spent on poverty alleviation or sex offender registration?
>
> Blogger 86 (female) in response to 89: Do you have to raise a different voice, smart *ss?

These comments can be easily related to the slogans used by American feminists in their anti-trafficking campaigns: '*What do we want? A strong trafficking law! When do we want it? Now!'* (Bernstein, 2012: 240). They both reflect the blindness in carceral feminism.

Having said that, there is something special about the Chinese bloggers' reactions: many of them were *not* approving the reform per se; instead, they were praising the local governments. For them, the demand for sex offender registration is not only a demand for punitiveness; it is also a political demand for a responsive local government that lives up to the standards set by governments in more developed regions. Such an attitude can be seen clearly in the popular posts of Thread One:

> Blogger 1053: Other regions please follow Shanghai. (634 likes)
>
> Blogger 1002: Shanghai is always the most advanced in social management, unlike a certain northern town (referring to the municipal government of Beijing), which is full of crap. (230 likes)

> Blogger 1040: Shanghai is undoubtedly the most civilised city in China. Bravo! (189 likes)
>
> Blogger 901: The government of Shanghai is the most competent local government in China, it's much better than the government of Guangzhou. (17 likes)

In Thread One, similar words were repeated by 214 bloggers from rich *and* poor regions. Given the public sentiment, it is no surprise that the local government of Guangzhou quickly followed Shanghai's step. This move proves to be rewarding, judging by the posts in Thread Two:

> Blogger 353: Yes Guangzhou, keep moving forward. (172 likes)
>
> Blogger 370: That's Guangzhou the pioneer! (127 likes)
>
> Blogger 793: Unbelievable, my local government is trending for doing something good?!
>
> Blogger 1030: To be honest I'm expecting a scandal again. So my local government can do the right thing. Impressive.
>
> Blogger 361: That's what a responsive government should be like! (6 likes)
>
> Blogger 357: I want my Zhejiang to be a pioneer too!
>
> Blogger 61: Chongqing will follow soon!

These posts highlight why local governments in China are susceptible to populist punitiveness. As mentioned in the literature review, local governments are left with a negative image in the PA culture. For the Chinese public, local governments are less trustworthy and less legitimate compared to the central government. The posts above clearly reflect average netizens' attitude towards local governments. However, by demonstrating the ability to monitor and control offenders, local governments easily won approval among the netizens. No wonder Chongqing quickly followed Shanghai and Guangdong, and it expanded the registration policy to *all* offenders. It seems that political opportunism can exist without competitive elections, and it might lead to a 'penal race' between local governments. This concern will be further explained in the discussion part.

Despite the majority's support, there are disapproving voices on Weibo. In the following section, the author reports the findings about the opposition.

Dissenting Voices: Gender and Regional Schisms

As mentioned above, opponents are the minority on Weibo, but they did raise some relevant questions about sex offender registration. Following are examples from Thread One:

> Blogger 508: Are there legal grounds for the employment ban?
>
> Blogger 619: It is already hard enough for ex-cons to get a job, let alone sexual offenders. Aren't jobless ex-cons a greater threat to the society?
>
> Blogger 597: I don't think this (registration) is useful. We have such a high ratio (of males to females) in China. Why treat the symptom?

> Blogger 158: Sex offender registration will fuel the fear of crime. It will reduce people's sense of security and entrench the distrust and isolation between individuals. Eventually everybody will be seen as a potential threat. Everybody will feel the constant risk of being raped. This impact can do more harm to the society than sexual offences per se.

These commentators have made some valid points. As previously discussed, the legality of Shanghai's penal experiment is in doubt. The social exclusion of offenders and their families is also a recognised concern in China (Chen, 2018: 169; Gao, 2019). Blogger 597 highlighted the gender imbalance in the Chinese population. This problem, co-shaped by the one-child policy and the boy-favouring culture, has made significant impact on the Chinese society, especially the life of underclass men (Li et al., 2007; Attané et al., 2013; Yu and Xie, 2015). Although there is no direct evidence to prove that gender imbalance has caused more sexual offences in China, this concern may have contributed to the public fear of sexual offences. As Blogger 158 suggests, sometimes fear can have a bigger impact on people's actions than the actual crime. While most Chinese bloggers praised the Megan's Law in the U.S., Simon (2000) expressed similar criticism about it as Blogger 158 did in her comment.

Nevertheless, these posts received no likes. Nor did they attract any responses. They went completely ignored by the digital crowd. The only opposition comment that attracted responses in Thread One is as follows:

> Blogger 178 (male, Guizhou[14]): Crap. Shanghai is full of crap and snobs.
>
> Blogger 970 (female, Shanghai) in response to 178: You angry? Feel being targeted?
>
> Blogger 178 in response to 970: Nope, but I don't think this is fair. If sex offenders are going to be on a list, then cheaters should be on a list too. How is it fair if a desperate single man attacks somebody and ends up on the list, while a cheating scumbag can steal other people's girlfriends without worrying at all?
>
> Blogger 1042 (female, Guangzhou): 'A desperate single man ends up on the list'? So anybody who can't get a girlfriend should be allowed to rape? Relationship is consensual, therefore cheating is immoral but not illegal. Rape is not consensual, therefore it is illegal. Get it clear in your head.
>
> Blogger 1041(female, Shanghai): By the way, cheating has a price too. You're going to suffer in divorce if you are the cheating side.

This conversation exposes the gender tension online and the class conflict underlying it. Blogger 178 is from the least developed region in China. He naturally views sex offender registration from the perspective of underprivileged young men, who are experiencing involuntary bachelorhood due to economic polarisation and gender imbalance. In his opinion, sex offender registration is a 'snobbish' policy, because it tends to criminalise the poor. This perception is *not* necessarily true, as acquaintance rape is increasing in China (Chen, 2015), which means that a growing number of sex offenders are not 'desperate single men' who attack victims in a dark alley. However, it is not the discrepancy between reality and perception that concerns the commentators. Instead, bloggers 970, 1041 and 1042 confronted 178 from typical

[14] An underdeveloped, interior province in China. It has the third lowest GDP per capital in China in 2019.

feminist perspectives. They stressed women's sexual autonomy and the gender equality in relationship and marriage. The conversation above is just one example of the confrontation between 'chauvinist deadheads' (*zhinan ai*) and 'feminist bi*tches' (*nvquan biao*) on Weibo.

Such schism evolves into a total war in Thread Two, when Blogger 215 (female, Chengdu) made the following comment:

> We should also have a database where people can check if a person is single, married or divorced. You know, to prevent marriage fraud and deter irresponsible players. (1455 likes)

This post attracted 126 responses, making it one of the longest conversations in the two threads. Following is a selection of the responses:

> Blogger 225 (male, residence unknown): Excuse me? Are we talking about offender registration here? How does it have anything to do with marriage and divorce? It's your own fault if you can't recognise a player. It's not the government's responsibility to deal with your sh*t.
>
> Blogger 273 (male, residence unknown): Isn't usually the feminists who care most about privacy? So privacy is suddenly unimportant when it's not convenient for them?
>
> Blogger 226 (female, Guangzhou) in response to 273: Why do you try so hard to keep your marital status private? Aren't there any dirty secrets? Why not just confess that you are a liar? (20 likes)
>
> Blogger 228 (male, Heilongjiang): I think we should have a database of virgins. (11 likes)
>
> Blogger 310 (female, residence unknown): I think we should have a database of virgin men.
>
> Blogger 276 (Female, residence unknown): I think the divorcees can be exempted. The discrimination against divorcees is already strong. No need to make it worse for them.

The responses present a dramatized example of the paradox in carceral feminism: when women seek to escape from the 'bad men' (marriage fraudsters), they often have to rely on the coercive state power (national database and compulsory registration); but the expansion of carceral state can eventually reinforce the patriarchy (stronger discrimination against divorced women), thus hurting women instead of helping them. Previous studies have identified this loop. For example, Bumiller (2008:11) argued that the feminist anti-rape campaigns have led to more active prosecution policy, however, prosecutors tend to focus on cases with 'good victims', while women whose behaviour do not conform to traditional values are often ignored by the criminal justice system.

Moreover, the Chinese bloggers' demands for registries of human traffickers ('*Add traffickers to the database please!*'), wife beaters ('*There should be another database for domestic violence!*') and even divorcees highlight another feature of the PA culture. In a PA regime, the public does *not* fear the expansion of state control. Instead, it demands stronger and broader control so that the state can respond to their demands more efficiently and protect them

more effectively from criminals, deviants and non-conformists. Although researchers have repetitively warned that a surveillance state is merging in China (Liang et al., 2018; Xiao, 2019), the Chinese netizens do not seem to be concerned. To the contrary, they demand that '*everybody should have a QR code on their identity card; one switch will tell the public everything about the person*'; and '*the databases should be turned into APPs so that people can check the information more conveniently*'. While Chinese local governments demonstrated the readiness and willingness to utilise the populist demands for their own cause, the central government seems to be more cautious. It exercised stronger deliberation in the current reform. The central-local dynamics will be further explored in the discussion part.

Dissenting posts that involve *regional discrimination* (diyu qishi) also tend to stir the debate between bloggers. Following is an example from Thread One:

> Blogger 986 (male; Henan, Zhoukou[15]): What? Is Shanghai so special that it is no longer part of China? Has Beijing (referring to the central government) approved this (reform)? (12 likes)
>
> Blogger 994 (female; Shanghai) in response to 986: (Shanghai is) Not special, just more civilised. (15 likes)
>
> Blogger 987 (male, Shanghai) in response to 986: Let's be clear, are you a paedo? (3 likes)

The confrontation between bloggers from developed regions and those from less developed regions is also obvious in Thread Two:

> Blogger 179 (female, Guangzhou): The database must be made national; what if paedophiles from other regions sneaking into Guangzhou? (3312 likes)
>
> Blogger 212 (female; Guangxi, Guigang[16]) in response to 179: Hey, what if paedophiles from Guangzhou sneaking into other localities? (116 likes)
>
> Blogger 203 (female; Guangzhou) in response to 212: Think before opening your mouth. Don't talk as if there are no paedos in Guangxi! Guanxi is famous for paedos.
>
> Blogger 191 (male; Guangdong, Dongguan) in response to 212: Well, as these immigrants have to burger off and go home someday, it is quite difficult to ensure that no paedophiles leave Guangzhou. (3 likes)

These conversations highlight the anti-immigrant sentiments among bloggers from developed regions. Such discrimination is the consequence of persistent regional inequalities in China (Wan, 2007; Liu et al., 2017). Regional inequalities drive massive internal migration, which caused considerable tension between native residents and the newcomers. China's household registration (*hukou*) system, which denies immigrants the same rights as locals (Chan, 2010; Afridi, et al., 2015) only fuels the mutual hatred. The immigrants often see the locals as privileged and arrogant, while the locals tend to label the immigrants as criminals. For example, in 2005, the police in Shenzhen[17] made the following statement in its official propaganda:

[15] A small, underdeveloped in-land city in Central China.
[16] A small, underdeveloped city in Southwest China.
[17] An economic centre in the Southern coastal region.

'*Report fraudsters from Henan*[18] *and get 500-yuan rewards*'. Two citizens from Henan province sued the Shenzhen police on the grounds of discrimination and unfair labelling (Cai and Feng, 2010). The schism is also present in the online discussion about sexual offender registration, although it is largely covered up by 'tremendous public support'. But if one looks at the origins of supporters, the effect of polarisation becomes evident. In both threads, about 60% of bloggers with recognised residence are from major economic centres, or in other words, major migration destinations. To what extent is their support for sex offender registration driven by the criminal stereotyping of immigrants? This study cannot give a direct answer, but the 3,312 endorsements of Blogger 179's comment can be seen as a strong indicator.

Discussion and Conclusion

So far, the author has reported the findings of this Weibo-based study. The findings revealed who are the main supporters of sex offender registration online, why do they support the reform and how the supporters clash with the opponents. These findings generally confirm the two hypotheses mentioned earlier. First, the main driving force underlying the sex offender registration is the urban daughters. Their blind support for state surveillance echoes Bernstein's theory of carceral feminism. Secondly, Chinese local governments, which are stuck with a negative image in the PA culture, also play an important part in this bottom-up reform. To regain public legitimacy, local governments catered to the public sentiments online. The political opportunism makes them more susceptible to populist punitiveness, compared to the central government.

This study also raises issues beyond the two hypotheses. The findings first call for a rethinking of the 'punitive public'. There are two pitfalls in the phrase. To start with, who is the 'public'? In the era of internet, people making a noise online are not necessarily the representatives of the general public. Previous studies have highlighted that the internet does not give people equal voices (Albrecht, 2006; Salter, 2013). Although such biased representation is a common problem in contemporary societies, it is worth more attention in China, because this regime lacks other resources of public opinion. Policy makers almost solely rely on social media to understand public reactions to social problems. However, as this study exposed, offline inequalities can be reproduced or even amplified in online discussion. In the current case, the supporters of sex offender registration are mainly people from developed regions, but the surveillance measures they advocate tend to most affect the urban underclass, or in other words, the immigrant workers from less developed regions. This is class oppression in its contemporary form. Similar conflicts can also be seen in the clash between middle-class urban daughters and underprivileged males. As Lynch (2015) points out, criminology without class is quite meaningless. It is a shame to see that the relevance of class politics is often disregarded in a regime built upon Marxist ideology.

The public's 'punitiveness' also needs more close examination. Although previous studies have attributed punitive reactions to anger, fear, bigotry and other emotions (De Haan and Loader, 2002; Johnson, 2009; Hartnagel and Templeton, 2012; Carvalho and Chamberlen, 2018), this study rediscovers the importance of the 'base'. At least in the case of China, economy is a very influential factor in shaping people's reactions to penal matters. As discussed earlier,

[18] Henan is a relatively underdeveloped interior province in China.

many Chinese bloggers support sex offender registration because they want their local government to meet the standards set by governments in more developed regions. Meanwhile, the opposition of sex offender registration also derives from regional inequality: some bloggers dismiss the local reforms because they see them as symbols of regional privilege; others criticise the reforms because they sense the criminal stereotyping of immigrants. In either case, it is *not* the crime or criminals per se that concern the bloggers; it is the socio-economic consequences of regional inequality that dominated the Chinese blogger's thinking and determined their judgement. In other words, what *appears* as 'punitiveness' is the discontent with deeper-rooted injustice. Once this point is clarified, it is easy to see the illogicality in the Chinese local governments' strategy. It is not only that they divert the public attention from real social problems and use punitiveness as the 'cure' (Carvalho and Chamberlen, 2018). It is also that the 'cure' they provide can make the real problem worse: as stronger surveillance measures might fuel the confrontation between the locals and the immigrants, they may entrench the injustice caused by regional inequality.

Theoretically, this study also casts some critical light on 'penal populism'. The theory of penal populism has been widely used to interpret the translation of punitive public sentiments into formal penal policies. Although outcomes can be the same in different societies, the process of translation, and the elements that enable such translation often *vary* between societies. To combat penal excess, it is worthwhile to *distinguish* the micro-level elements in each society, instead of fitting everything under the umbrella of 'penal populism'. For instance, when tracing the emergence of the American penal state, Simon (2007) emphasised the role of prosecutors. As elected officers, prosecutors in the U.S. played an important part in politicising criminal justice issues and stir up the public dissatisfaction with existing penal policies. The successful election of some attorneys as state governors lead the country into a 'prosecution complex'. In a similar fashion, this study reveals the Chinese local governments' role in pushing bottom-up penal reforms. Although traditionally local governments are not big players in penal policy (Qu, 2002), the situation is changing as the rise of community control in China gives local governments more flexibility in enforcing punitive measures outside the prison. They also have the motivation to utilise these measures for stronger public support.

Moreover, this study offers some refinement of the carceral feminism theory. Bumiller (2008) and Bernstein (2012) give their own account of how the feminists' pursuit of liberation evolves into the support for carceral state and the embrace of more authoritarian governance. Bumiller stresses the symbolic function of the gang rape trial, which convinced the American public (including the feminists) that more aggressive law is necessary to protect 'deserving' victims and target 'dangerous' perpetuators. The cultural representation of sexual violence also turns the feminist anti-rape campaigns into 'moral crusades' (Bumiller 2008: 22). In contrast, Bernstein attaches emphasis to the collapse of the social welfare state. She argues that the dissolving of the welfare state leads mainstream feminists to re-embrace the middle-class family values. Unlike the previous generations of feminists who demanded radical liberation from families, homes and husbands, the 21st century feminists request protection of women, children and the family. 'This commitment to the home as safe heaven', Bernstein (2012: 247) argues, transformed 'female' into the 'gender of security'. Both explanations can find support in the Chinese urban daughters' campaign for sex offender registration. As mentioned earlier, the urban daughters fight for the punitive agenda like 'crusaders'. The protection of children and families is one of their big arguments for sex offender registration.

However, as online activism becomes a major feature of contemporary feminist movements (Rapp et al., 2010; Salter, 2013; Phillips and Chagnon, 2020), it is important to understand why *digital* feminism can easily adopt a carceral agenda. This study provides a possible explanation. As mentioned earlier, although the author has deliberately chosen two corporate news accounts that facing the general public, polarisation was observed in Threads One and Two. Female bloggers from developed regions dominated both threads. This outcome supports the selective exposure theory, which argues that people with similar viewpoints tend to be attracted to the same materials (Stroud, 2010). It seems that instead of facilitating democratic conversations, the internet is likely to enable partisan gatherings. The echo chambers and information cocoons online can only breed narrow-minded prejudice and intolerance (Margolis and Moreno- Riaño, 2009); both are fertile grounds for blind punitiveness. These tendencies are observed in the posts discussed before. This dark side of digital feminism is disturbing and uncomfortable to raise. But make no mistake, the risk exists for all kinds of online activism, *not* only feminism. For China, the conclusion is perhaps even more disturbing, because there is almost no space for civic activism (including feminism) other than the internet.

Finally, the study offers some critique of the populist authoritarianism theory. Tang (2016) is right in arguing that the Mass Line ideology has shaped a special political culture in China. The PA culture cultivates strong political support among the Chinese public, but it also requires a highly responsive government to maintain such trust. Tang (2016: 160) argues that here lies the biggest weakness of the CCP's rule, because '[r]egime legitimacy and political trust based on the government's hyper-responsiveness cannot be easily sustained'. It is simply too costly and too exhausting to satisfy everybody's demands. However, this study suggests that the pressure of responding to the public largely falls on the local governments. The central authority is in a relatively detached position. For example, in the current case, the SPP eventually decided to restrict the scope of registration to paedophiles, although local reforms have been more radical. The central resistance to populist pressure can also be seen in the SPP's recent decision to *not* lower the age of criminal responsibility, despite the public outcry online (Lin, P. 2019). The progressive abolition of the death penalty is another example, although the central authority introduced life imprisonment without parole to calm potential public discontent (Smith and Jiang, 2019). This finding may not be good news for the supporters of democratisation, but it offers some assurance to criminologists. It seems that the central authority in China will continue to be the counter-balancing force against populist punitiveness. It is the local governments that need more academic scrutiny, because the lack of legitimacy makes them more susceptible to public pressure.

Bibliography

Afridi, F., Li, S.X. and Ren, Y. (2015), 'Social identity and inequality: The impact of China's hukou system', *Journal of Public Economics*, 123: 17-29.

Albrecht, S. (2006), 'Whose voice is heard in online deliberation?: A study of participation and representation in political debates on the internet', *Information, Communication and Society*, 9(1): 62-82.

Attané, I., Zhang, Q.L., Li, S.Z. and Yang, X.Y. (2013), 'Bachelorhood and Sexuality in a Context of Female Shortage: Evidence from a Survey in Rural Anhui, China', *The China Quarterly*, 215: 703-726.

Beetham, D. (2013), *The Legitimation of Power* (2nd Edition), Basingstoke: Palgrave Macmillan.

Bernstein, E. (2012), "Carceral politics as gender justice? The 'Traffic in women' and neoliberal circuits of crime, sex, and rights', *Theory and Society*, 41(3): 233-259.

Bottoms, A. (1995), 'The Philosophy and Politics of Punishment and Sentencing', in Clarkson, C. and Morgan, R. (eds), *The Politics of Sentencing Reform*, 15–49. Oxford: Clarendon.

Bowman-Grieve, L, and Conway, M. (2012), 'Exploring the form and function of dissident Irish Republican online discourses', *Media, War & Conflict*, 5(1): 71-85.

Bumiller, K. (2008), *In an abusive state: How neoliberalism appropriated the feminist movement against sexual violence*. Durham and London: Duke University Press.

Busher, J. and Morrison, J. (2018), 'Micro Moral Worlds of Contentious Politics: A Reconceptualization of Radical Groups and Their Intersections with One Another and the Mainstream', *Mobilization: An International Quarterly*, 23(2): 219-236.

Cai, H. and Feng, J. (2010), 'Thinking of the First Case of Geographical Discrimination according to Administrative Law' (authors' own translation), *Research on the Rule of Law* (*fazhi yanjiu*), 1: 61-65. [in Chinese].

Carvalho, H. and Chamberlen, A. (2018), 'Why Punishment Pleases: Punitive Feelings in a World of Hostile Solidarity', *Punishment & Society*, 20(2): 217–234.

Chan, K.W. (2010) 'The Household Registration System and Migrant Labour in China: Notes on a Debate', *Population and Development Review*, 36(2): 357.

Chang, J., Ren, H. and Yang, Q. (2018), 'A Virtual Gender Asylum? The Social Media Profile Picture, Young Chinese Women's Self-empowerment, and the Emergence of a Chinese Digital Feminism', *International Journal of Culture Studies*, 21(3): 325–340.

Chen, Q. (2018), *Governance, Social Control and Legal Reform in China: Community Sanctions and Measures*. Basingstoke: Palgrave Macmillan.

Chen, T. (2015), 'A Study of the Victimization in Acquaintance Rape Based on Five Years' Statistics of City H', *Criminal Research (fanzui yanjiu)*, 4: 67–72. [in Chinese].

Chen, X. (2013), 'China at the Tipping Point?: The Rising Cost of Stability', *Journal of Democracy*, 24(1): 57-64.

China Law Yearbook Editorial Committee (2012), *The China Law Yearbook 2012*, Beijing: China Law Yearbook Publishing House. [in Chinese].

China Law Yearbook Editorial Committee (2018), *The China Law Yearbook 2018*, Beijing: China Law Yearbook Publishing House. [in Chinese].

Coulling, R. and Johnston, M.S. (2018), 'The criminal justice system on trial: Shaming, outrage, and gendered tensions in public responses to the Jian Ghomeshi verdict', *Crime, Media, Culture*, 14(2): 311-331.

Cui, X.T. (2019), '40% of the students sponsored by Spring Buds are male? Charity promises that it will remain focusing on female education', *China Times*, http://www.chinatimes.net.cn/article/92820.html. Accessed 03/01/2020.

De Haan, W. and Loader, I. (2002), 'On the emotions of crime, punishment and social control', *Theoretical Criminology*, 6(3): 243-253.

Ding, X.W. and Wei, C.F. (2017), 'Minhang District of Shanghai introduces sex offender registries; registered offenders will face employment ban', *China Women's News*, http://www.nwccw.gov.cn/2017-09/06/content_175527.htm. Accessed 14/10/2017.

Durkheim, E. (2013), *The Division of Labour in Society* (2nd Edition, edited by Steven Lukes and translated by W.D.Halls). Basingstoke: Palgrave Macmillan.

Fedorenko, I. and Sun, Y.X. (2016), 'Microblogging-Based Civic Participation on Environment in China: A Case Study of the PM 2.5 Campaign', *International Journal of Voluntary and Nonprofit Organizations*, 27(5): 2077-2105.

Fenwick, M. (2013), '"Penal Populism" and Penological Change in Contemporary Japan', *Theoretical Criminology*, 17(2): 215–231.

Fong, V.L. (2002), 'China's One-child Policy and the Empowerment of Urban Daughters', *American Anthropologist*, 104(4): 1098–1109.

Gao, Y. (2019), 'The Behind-door Discussions about the Sex offender Registration in Shanghai', *Legal Weekly*, https://baijiahao.baidu.com/s?id=1636735368383793925&wfr=spider&for=pc. Accessed 12/07/2019.

Gies, L. (2017), 'Miscarriage of justice in the age of social media: The Amanda Knox and Raffaele Sollecito innocence campaign', *British Journal of Criminology*, 57(3): 723-740.

Girls' Protection (2018), *Investigation Report on Sexual Offences Against Children in 2017*, http://www.sohu.com/a/224728229_99996733. Accessed 13/12/2019.

Gleiss, M.S. (2015), 'Speaking up for the suffering (br)other: Weibo activism, discursive struggles, and minimal politics in China', *Media, Culture & Society*, 37(4): 513–529.

Guo, B.G.(2003), 'Political Legitimacy and China's Transition', *Journal of Chinese Political Science*, 8(1-2): 1-25.

Han, X. (2018), 'Searching for an Online Space for Feminism? The Chinese Feminist Group Gender Watch Women's Voice and its Changing Approaches to Online Misogyny', *Feminist Media Studies*, 18(4): 734–749.

Hartnagel, T.F. and Templeton, L.J. (2012), 'Emotions about crime and attitudes to punishment', *Punishment and Society*, 14(4): 452-474.

He, X. (2013) 'Judicial Innovation and Local Politics: Judicialization of Administrative Governance in East China', *The China Journal*, 69: 20-42.

He, Z.K. (2016), 'Local Governance Innovation and Revealed Ideas of Political Legitimacy: a Comparative Study between the United States and China', *Journal of Chinese Political Science*, 21:1-19.

Johnson, D. (2009), 'Anger about crime and support for punitive criminal justice policies', *Punishment and Society*, 11(1): 51-56.

Kleinman, A. (1992), 'Pains and Resistance: The Delegitimation and Relegitimation of Local Worlds', pp.169-197 in Good, M.J.D., Brodwin, P., Good, B.J. and Kleinman, A. (eds) *Pain as Human Experience: An Anthropological Perspective*. Berkeley: University of California Press.

Lacey, N. (2008), *The Prisoners' Dilemma: Political Economy and Punishment in Contemporary Democracies*. Cambridge: Cambridge University Press.

Le Bon, G. (2014), *The Crowd: Study of the Popular Mind*, St. Petersburg: Aristaeus Books.

Lee, J. (2012), 'Regulating Blogging and Microblogging in China', *Oregon Law Review*, 91: 609–620.

Li, E.S. (2015), 'The Cultural Idiosyncrasy of Penal Populism: The Case of Contemporary China', *British Journal of Criminology*, 55(1):146-163.

Li, E.S. (2017), 'Penological developments in contemporary China: Populist punitiveness vs. penal professionalism', *International Journal of Law, Crime and Justice*, 51: 58-71.

Li, L., Morrow, M. and Kermode, M. (2007), 'Vulnerable but feeling safe: HIV risk among male rural-to-urban migrant workers in Chengdu, China', *AIDS Care Psychological and Socio-medical Aspects of AIDS/HIV*, 19(10): 1288-1295.

Li, L.J. (2016), 'Reassessing Trust in the Central Government: Evidence from Five National Surveys', *The China Quarterly*, 225: 100-121.

Li, M. (2017), 'Minhang District of Shanghai imposes employment ban on sex offenders', *The Beijing News*, http://www.xinhuanet.com/local/2017-08/29/c_1121558769.htm. Accessed 11/09/2018.

Liang, B. (2005), 'Severe Strike Campaign in transitional China', *Journal of Criminal Justice*, 33: 387–399.

Liang, F., Das, V., Kostyuk, N. and Hussain, M.M. (2018), 'Constructing a Data-Driven Society: China's Social Credit System as a State Surveillance Infrastructure', *Policy & Internet*, 10(4): 415-453.

Lin, P. (2019), 'SPP: The age of criminal responsibility needs more close scrutiny', *The Paper*, https://www.thepaper.cn/newsDetail_forward_5294482. Accessed 24/01/2020.

Lin, J. (2019), '400 Criminals listed in the Sex Offender Registries in Guangzhou', *China Youth Daily*, http://edu.sina.com.cn/zxx/2019-06-24/doc-ihytcitk7301250.shtml?cre=tianyi&mod=pcpager_news&loc=7&r=9&rfunc=100&tj=none&tr=9. Accessed 17/12/2019.

Liu, Y., Martinez-Vazquez, J. and Wu, A.M. (2017), 'Fiscal decentralization, equalization, and intra-provincial inequality in China', *International Tax and Public Finance*, 24(2): 248-281.

Lorentzen, P.L. (2013), 'Regularizing Rioting: Permitting Public Protest in an Authoritarian Regime', *Quarterly Journal of Political Science*, 8: 127-158.

Luo, Z.L. and Hua, X. (2019), 'One click away from sex offenders' records', *Guangzhou Daily*, http://news.sina.com.cn/c/2019-03-30/doc-ihsxncvh6741570.shtml. Accessed 07/04/2019.

Lü, X.B. (2014), 'Social policy and regime legitimacy: the effects of education reform in China', *American Political Science Review*, 108(2): 423-437.

Lynch, M.J. (2015), 'The classlessness state of criminology and why criminology without class is rather meaningless', *Crime, Law and Social Change*, 63: 65-90.

Mao, Z.D. (1967), 'Some Questions Concerning Methods of Leadership', *Selected Works of Mao Tse-tunq*, Vol.3. Beijing: Foreign Language Press.

Margolis, M. and Moreno- Riaño, G. (2009), *The Prospect of Internet Democracy*. Farnham: Ashgate.

Mead, G.H. (1918), 'The Psychology of Punitive Justice', *American Journal of Sociology*, 23(5): 577–602.

Minhang People's Procuratorate (2019), 'Study on the Mechanism of Prohibition of Employment for Criminal Personnel of Sexual Assault of Minors', *Journal of Shanghai Police College*, 29(5): 22-28. [in Chinese]

Minzner, C.F. (2006), 'Xinfang: An Alternative to Formal Chinese Legal Institutions', *Stanford Journal of International Law*, 42: 103.

O'Brien, K. and Li, L.J. (2005), 'Popular contention and its impact in rural China', *Comparative Politics Studies*, 38(3): 235-259.

Pang, Li. Hao, Y., and Mi, G. et al. (2007), 'Effectiveness of first eight methadone maintenance treatment clinics in China', *AIDS*, 21(8): S103-7. DOI: 10.1097/01.aids.0000304704.71917.64.

Phillips, N.D. and Chagnon, N. (2020), "'Six Months Is a Joke': Carceral Feminism and Penal Populism in the Wake of the Stanford Sexual Assault Case', *Feminist Criminology*, 15(1): 47-69.

Potter, J. (2004), 'Discourse Analysis' in Hardy, M. and Bryman, A. (eds.) *Handbook of Data Analysis*, Chapter 27, pp.607-624. London: Sage.

Powell, A., Overington, C. and Hamilton, G. (2018), 'Following #JillMeagher: Collective meaning-making in response to crime events via social media', *Crime, Media, Culture*, 14(3): 409-428.

Pratt. J. and Clark, M. (2005), 'Penal Populism in New Zealand', *Punishment and Society*, 7(3): 303–322.

Qu, X.J. (2002), *An analysis of the powers in criminal policy*. Beijing: China University of Political Science and Law Press. [in Chinese]

Rapp, L., Button, D.M., Fleury-Steiner, B., and Fleury-Steiner, R. (2010), 'The Internet as a Tool for Black Feminist Activism: Lessons from an Online Antirape Protest', *Feminist Criminology*, 5(3): 244–262.

Salter, M. (2013), 'Justice and Revenge in Online Counter-politics: Emerging Responses to Sexual Violence in the Age of Social Media', *Crime, Media, Culture*, 9(3): 225–242.

Simon, J. (2000), 'Megan's Law: Crime and Democracy in Late Modern America', *Law & Social Inquiry*, 25(4): 1111-1150.

Simon. J. (2007), *Governing through crime: How the war on crime transformed American democracy and created a culture of fear*, Oxford: Oxford University Press.

Smith, T. and Jiang, S. (2019), 'Making sense of life without parole in China', *Punishment and Society*, 21(1) 70–88.

Snider, L. (1998), 'Towards Safer Societies: Punishments, Masculinities and Violence Against Women', *British Journal of Criminology*, 38(1): 1–39.

Stieglitz, S. and Linh, D. (2013), 'Emotions and Information Diffusion in Social Media-Sentiment of Microblogs and Sharing Behaviour', *Journal of Management Information System*, 29(4): 217-247.

Stroud, N.J. (2010), 'Polarization and Partisan Selective Exposure', *Journal of Communication*, 60: 556–576.

Sun, F.C. and Zheng, L.L. (2019), 'Judicial application of criminal prohibition of employment', *Journal of Liaoning Administration College of Police and Justice*, 5: 37-43. [in Chinese]

Sun, M.T. (2019), 'China's first province-level criminal record database launched in Chongqing', *Chongqing Daily*, http://difang.gmw.cn/cq/2019-07/09/content_32983465.htm. Accessed 17/07/2019.

Supreme People's Procuratorate (2019), *Strategic Plan for the People's Procuratorates 2018-2022*.

Tang, W. (2017), 'New Legislation Should be Introduced to Justify the Disclosure of Paedophiles' Records', *China Youth Daily*, http://opinion.people.com.cn/n1/2017/1206/c1003-29688252.html. Accessed 27/01/2019.

Tang, W.F. (2016), *Populist Authoritarianism: Chinese Political Culture and Regime Stability*, Oxford: Oxford University Press.

Teets, J.C. (2015), 'The Politics of Innovation in China: Local Officials as Policy Entrepreneurs', *Issues and Studies*, 51(2): 79-109.

Trevaskes, S. (2007), 'Severe and Swift Justice in China', *British Journal of Criminology*, 47: 23-41.

Trevaskes, S. (2010), "'The Shifting Sands of Punishment in China in the Era of 'Harmonious Society', *Law and Policy*, 32(3): 332-361.

Trevaskes, S. (2013), 'Drug Policy in China' in Rahman, F. and Crofts, N. (eds.) *Drug Law Reform in East and South Asia*, Chapter 15, pp.221-232. Lanham: Lexington Books.

Wan, G. (2007), 'Understanding regional poverty and inequality trends in China: Methodological issues and empirical findings', *Review of Income and Wealth*, 53(1): 25-34.

Weibo Data Centre (2017), *Report on the Development of Customer Base on Weibo*, https://data.weibo.com/report/reportDetail?id=404. Accessed 04/08/2018.

Xiao, Q. (2019), 'The Road to Digital Unfreedom: President Xi's Surveillance State', *Journal of Democracy*, 30(1): 53-67.

Yu, J. and Xie, Y. (2015), 'Changes in the Determinants of Marriage in Post-Reform Urban China', *Demography*, 52(6): 1869-1892.

Table 1 The Distribution of Opinions about the Reform in Shanghai (N_1=992)

Examples of posts	**Punitiveness score***	**Frequency and Weighing**		
		Total Group	Female	Male
'Why let them (sex offenders) out in the first place?' 'Just shoot them all.'	5 Very punitive	153 .154	82 .536	71 .464
'Registries plus electronic monitoring would be nice.'	4 Punitive	143 .144	83 .580	60 .420
'Well done Shanghai.' 'Make it national.'	3 Explicit support	575 .580	406 .706	169 .294
'I watched a Korean film about paedophilia. It's sad. Poor kids'	2 Implicit support	83 .084	60 .723	23 .277
'An ex-con without a job can do more harm to the society.'	1 Implicit objection	25 .025	4 .160	21 .840
'I don't think this (registration) is useful. We have such a high ratio of males to females in China. Why treat the symptom?'	0 Explicit objection	13 .013	2 .154	11 .846
		992 1.000	637 .642	355 .358
Mean (M)		3.28	3.27	3.29**
Standard Deviation (SD)		.993	.849	1.211***

***** Grading criteria are as follows: posts that advocate very radical punishments such as the death penalty, life imprisonment without parole, castration or chemical castration, corporal punishment, exile and tattooing on the face are given five points; posts that regard the pilot project in Shanghai as insufficient but do not advocate radical punishments as the ones mentioned above are given four points; posts that support sex offender registries without making more radical suggestions are given three points; posts that do not explicitly support the idea of sex offender registries, but express sympathy to the victims or fear of sexual violence are given two points; posts that do not explicitly oppose the idea of sex offender registries but raise some doubts or criticism are given one point; posts that explicitly object to the idea of sex offender registration on grounds other than 'it is not severe enough' are given zero point. If a person gives multiple comments that achieve different scores, the higher (or highest) one will be recorded.

** T-test suggests that the difference in mean is not significant between the female and male group (t=0.296, p=0.768>0.01).

*** Levene's test suggests that the difference in variances is significant between the female and male group (F=44.346, p=0.000<0.01).

Table 2 The Distribution of Opinions about the Reform in Guangzhou (N_2=763)

Examples of posts	**Punitiveness score***	**Frequency and Weighing**		
		Total Group	Female	Male
'What's all the hassle for? Just give them (paedophiles) castration'	5 Very punitive	45 .059	25 .556	20 .444
'Add life-long electronic monitoring to registration please'.	4 Punitive	168 .220	114 .679	54 .321
'I'm so proud of Guangzhou'.	3 Explicit support	474 .621	360 .759	114 .241
'My uncle never lets my cousin go to school alone due to the fear of sexual assault'.	2 Implicit support	19 .025	19 1.000	0 .000
'Potential privacy infringement needs to be considered'.	1 Implicit objection	57 .075	32 .561	25 .439
None	0 Explicit objection	0 .000	0 .000	0 .000
		763 1.000	550 .721	213 .279
Mean (M)		3.16	3.15	3.21**
Standard Deviation (SD)		.868	.797	1.030***

* The same grading criteria have been used as in Table 1.

** T-test suggests that the difference in mean is not significant between the female and male group (t=0.757, p=0.450>0.01).

*** Levene's test suggests that the difference in variances is significant between the female and male group (F=17.903, p=0.000<0.01).