

Intrinsic Control by Invisible Hand: Economic Incentive of Rape Causes in China

ภัยเงียบจากมือที่มองไม่เห็น : เหตุจูงใจทางเศรษฐกิจที่นำไปสู่การช่มขืนในประเทศจีน

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Abstract

The objective of this article is to analyze the incentive causes of rape crime with the perspective of economy in China. Utilized and integrated many official Statistics and Reports, states that mainly economic phenomena play the role on rape crimes: During economic migration, peasant workers have aggravated sexual repression, who became a highly concerned potential rape crime group. Under heavy economic burden, delayed marriage age, falling marriage rate and rising divorce rate had led to prolonging asexual period for the young blood. With infections of economic exploitation, the celebrities' sexual games have diffused imitation effects, while the poor's sexual helpless will accelerate the social frustration and masculinity loss which cannot compensate the sexual psychology development healthily. This article proposes that lessons from Franz von Liszt' Criminology Theory, social policy represents the best and effective crime policy, deduces the solutions including Poverty Alleviation Policy and Reducing Gap in Wealth Policy which maybe reduce the occurrence rate of rape in China. These best economic policies will be able to loosen the hand which halted necks of those souls' libido.

Keywords: Migrant Workers; Rape offenders; Poverty Alleviation

บทคัดย่อ

บทความนี้มีวัตถุประสงค์ที่จะวิเคราะห์ถึงสาเหตุที่เป็นปัจจัยในการกระตุ้นให้เกิดอาชญากรรมทางเพศ ฐานความผิดข่มขืนกระทำชำเราในบริบทสภาวะเศรษฐกิจของสาธารณรัฐประชาชนจีน จากการศึกษาและ ค้นคว้าในเชิงบูรณาการข้อมูลเชิงสถิติและรายงานของทางการในหลายประเภท พบว่า สภาวะทางเศรษฐกิจ เป็นปัจจัยหลักที่ส่งผลให้เกิดการก่ออาชญากรรมทางเพศฐานความผิดข่มขืนกระทำชำเราในหลายกรณี อาทิ กรณีการย้ายถิ่นเชิงเศรษฐกิจของกลุ่มแรงงานภาคเกษตรกรรมจึงไม่มีโอกาสสร้างความสัมพันธ์หรือมีเพศ สัมพันธ์ได้ ทำให้ต้องอดทนอดกลั้นต่อความต้องการทางเพศ ทั้งนี้หากขาดความยับยั้งชั่งใจเมื่อใดย่อมมีความ เป็นไปได้ที่กลุ่มแรงงานเหล่านั้นจะไปก่ออาชญากรรมทางเพศฐานความผิดข่มขืนกระทำชำเรา นอกจากนี้ยัง มีปัจจัยเสริมอีกหลายประการที่ทำให้เกิดการก่ออาชญากรรมดังกล่าว ได้แก่ การบีบคั้นทางเศรษฐกิจที่รุนแรง การแต่งงานช้ากว่าช่วงวัยที่เหมาะสม อัตราการแต่งงานลดลงและอัตราการหย่าร้างเพิ่มสูงขึ้น จึงเป็นการประวิง เวลาในการเข้าสู่การมีเพศสัมพันธ์ในวัยเจริญพันธุ์ประกอบกับมีการเผยแพร่รสนิยมการเปลี่ยนคู่นอนไม่ซ้ำ หน้าในแวดวงคนดังของสังคมซึ่งส่งผลกระทบให้เกิดการเลียนแบบในวงกว้าง ในขณะที่ชนชั้นแรงงานที่ฐานะ ทางเศรษฐกิจไม่ดีไม่สามารถมีความสัมพันธ์และมีคู่นอน ตลอดจนไม่สามารถเปลี่ยนคู่นอนไม่ซ้ำหน้าตาม รสนิยมที่ได้กล่าวไปแล้วเนื่องจากไม่มีทุนทรัพย์เพียงพอเพื่อใช้จ่ายในเรื่องดังกล่าว จึงก่อให้เกิดความคับข้องใจ จนนำไปสู่การก่ออาชญากรรมทางเพศ ดังนั้น บทความนี้จึงได้เสนอให้นำทฤษฎีอาชญาวิทยาของ Franz von Liszt ซึ่งเป็นนโยบายด้านสังคมที่เป็นทางออกของการลดอาชญากรรมดีที่สุดหากนำมาใช้ร่วมกันกับนโยบาย บรรเทาความยากจนและนโยบายลดความเหลื่อมล้ำทางเศรษฐกิจ ซึ่งส่งผลให้สามารถลดจำนวนการก่อ อาชญากรรมทางเพศฐานความผิดข่มขืนกระทำซำเราในสาธารณรัฐประชาชนจีนได้ดีและเกิดผลสัมฤทธิ์ที่เป็น รูปธรรมทำให้เกิดการป้องกันการกระทำที่ไม่เหมาะสมเมื่อมีความต้องการทางเพศ และส่งเสริมให้ผู้หญิงมี ความปลอดภัยจากอาชญากรรมดังกล่าวมากขึ้น

คำสำคัญ: แรงงานข้ามชาติ; ผู้กระทำความผิดข่มขืน; บรรเทาความยากจน

Introduction

The invisible hand describes the unintended social benefits of an individual's self-interested actions. Adam Smith first introduced the concept in The Theory of Moral Sentiments, written in 1759. (Smith, 2010) Interpretations of the term have been generalized beyond the usage by Smith. Here the expression is used only as a metaphor. According to Keynesian theory, the macroeconomic trend will restrict the specific behavior of individuals. Macroeconomics teaches us that individual choice can be rendered powerless as a result of the presence of macroeconomic constraints. (Korajczyk & Levy, 2003) It is self-evident that economic conditions affect individual behavior. Rape is one of serious sexual violence behaviors in modern. Whether the rape be controlled by Economism's hand, it is the mainly discussed issue of this paper.

Rape, which the etymology originates from the Latin rapere, (Saunders, 2001) its definition and typologies have been inconsistency in most jurisdictions and contexts. Some experts reflect on whether the rape epidemic in India has certain associated with the impact of colonialism legacy. (Chitnis & Wright, 2007). The hormones in depressed economic status maybe vent by against female who weaker than them or by retaliated ones who superior to them for keeping Physical and psychological balance. In Chinese Criminal law, rape refers to the intercourse that the penis penetrates the vagina by violence, coercion or any other means, who they have not marital relationship. As the improvement of women's status and strengthened consciousness of feminist, the amount of rape cases in China which be Initiated the criminal proceedings per year have been steady declined from 40,976 in 1998, then 30,248 in 2007, to 27,664 in 2017. (Bureau, 2018) Whether economic factors play a role in

rape cases in China, it is as one research perspective of econ-geographical characteristics. Research suggests that a combination of factors likely contribute to sexual offending behavior. (Susan Faupel, 2015) This paper does not analyze the complex etiology causes of rapists, only for presentation of economic factors' effect on the occurrence of rape, prospects for recommendations for socio-economic policies in China at present.

The Aggravated Sexual Repression During Economic Migration

Peasant Workers or Migrant Workers refers to migrant urban labor force in China that mass peasants go to urban from rural for non-agricultural work without local urban identity. They have made great contributions for economic developing. The Migrant Workers Monitoring Survey Report (2017) shows that the amount of peasant workers had reached 286.52 million in 2017, an increase of 1.7% over 2016. The trans-provincial migrant rate of peasant workers in central China exceeded 61.3 %, with the male accounting for 65.6 %. Meanwhile, the female rate has been declined. Most peasant workers are young blood, which the group under 40 years old accounts for over 50%. (Bureau, 2018)The problem on sexuality of migrant workers has been widely concerned by scholars for a long time. Most of them travel to cities by themselves, even if they are married and live apart from their wives for a long time.

Migrant Workers been Isolated from Spouses

One Report on the Sexuality of Migrant Workers even shows that 83. 93 % of migrant workers are reunited with their spouses within a year, while 16.07 % of migrant workers have not been reunited for more than a year, and very few have not returned home for more than two years. (Wenwei, 2007) Another Report figures out 23.9% of migrant workers have sexual repression constantly. With sexual repression, 26.18% transfer to other activities, 16.8% relieve by masturbation, 11.62% substitute by sexual fantasy, 10.91% let off by out of temper, part of them have an affair with other migrant workers or go whoring, even have homosexual behaviors. When they cannot live in normal sexual conduct, more than 64.71% have negative emotion and substituted abnormal behaviors. (Xinhua, 2007)

Migrant Workers been As the Potential Rapist Group

From Big Data Observation of rape cases in China, Guangzhou, Shenzhen, Shanghai have been the top 3 metropolises in terms of rape incidence, which all have the largest migrant population for labor. (Science, 2019) As the metropolis sample of Shanghai, there were 508 rape offenders which account for 3.9% of all prisoners in jail in January,2014. As can be seen from the following table 1, the Peasant-Workers (Migrant Workers) who were single or separated

marital status, used to live at suburban or Urban-rural fringe area, are potential sexual offenders principally.

 Table 1: Demographic Distribution of Rape Criminals in Shanghai prison (2014)

Census Register	Local registers in Shanghai: 25.6%						
	Registers in other provinces :73.2% Foreigners: 1.2%						
Marital Status	Married: 35.8% (Therein registers in other provinces, account for 91.7%)						
	Single: 54.4% Divorced: 9.3% Widowed: 0.5%						
Age Range	Under 25: 27.3% 26-30: 28.4% 31-35: 13.4% 36-40:11.9%						
	41-45: 8% 46-50 :5.7% over 50: 5.4%						
Occurrence	Urban-rural fringe area :19%						
Location	Suburban :52% Downtown :29%						

Note : From Cheng Ying, Duowen Chen. (2014). The Quantitative Research on Rape crimes in Shanghai. (Shanghai Prison). Retrieved from May12,2019, https://jyj.sh.gov.cn/Attach/Attaches/month/1511/20151125045042701.doc.

Main Characteristics of Sexual Assault Cases in China

According to Judicial Big data Special Report by the Supreme Court issued in 2016. Rape accounts for majority of sexual violence, then is child molestation, indecency, force prostitution and lure the girl into prostitution. The defendants were mainly aged between 18 and 35, accounting for 53%. The proportion of juvenile delinquency is 9%. It's important to emphasize that Guangdong Province and Henan Province are the top two in terms of the number of rape cases in the statistics, which Guangdong is just the largest province of migrant works input and Henan is the largest province of migrant works output. About the other characteristics of the accused in the sexual assault cases are as following: (1) The profession characteristics——52.5% are peasant, 30.2% are rolling stone. (2) Criminal motive——Most defendants had drunk alcohol before committing sexual assault, accounting for 66%. (3) Conduct location——The number of sexual assault cases carried out in hotels is the highest, accounting for 61.3%. (4) The relation with victims——The unsub usually hunts the victim through the cyber chat APP.

Diagram 2: Main Types of Sexual Assault Diagram 3: Age Distribution of Sexual Assault

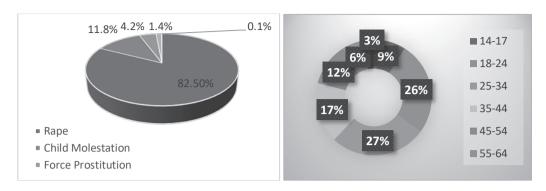
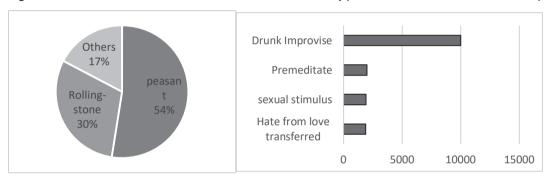


Diagram 4: The Professional Characteristics and Typical Criminal Motives of Rape



Data Resource : China Justice Big Data Service Platform. Retrieved May 3, 2019, fromhttp://data.court.gov.cn/pages/index.html.

Diagram 5: Conduct Location of Rape



Diagram 6: Relation with Victims of Rape

Note: From China Justice Big Data Service Platform. Retrieved May 3, 2019, fromhttp://data.court.gov.cn/pages/index.html.

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The Prolonging Asexual Period under Heavy Economic Burden

Having stable sexual partner can greatly reduce the sexual crime rate. Marriage, undoubtedly, it is the best way to be stabled the sexual partner. What's the essence of marriage? This is an antiquity, controversial, evolutionary and modern issue. In the oldest of civilizations such as in Ancient Egypt, marriage was a purely social event initiating cohabitation, without any legal consequence or religious association essentially. Jesus taught in Sermon that nothing other than adultery can end a marriage. In other words, a certificate of divorce does not and cannot end a marriage, any marriage, no matter who issues the certificate of divorce. This means that the sexual bond is the originating root or essence of marriage. In the modern law prospective, the essence of marriage is an identity contract that "Marryme?" as an offer, "I DO" as an acceptance, the solemn rite and indispensable registration is due to the importance of the special contract. Although cultural differences were noticeable in the legal limits on whom one could marry, sex and love are eternal. In Chinese traditional culture, marriage also has strong functions on continuity of a clan and strengthen family, therefore, the economic and political elements also play the important role in marriage. Choosing spouse lays on properly matched "Door to door as the same height".² With the marriage freedom of modern civilization, the hierarchical idea in marriage has been still haunting. Bride Price³ is the heavy preserved marriage tradition, which developed more and more monetization. In recent years, one suit of house or apartment has been kidnapping Chinese marriage, while the real estate' bubble is driving up. The abnormal tendency makes the cost of marriage more and more unaffordable, the relationship of marriage more and more brittle.

Diagram 7: Marriage Rate and Divorce Rate (United %)



Index	2010	2011	2012	2013	2014	2015	2016	2017
Marriage Rate	9.3	9.7	9.8	9.9	9.6	9	8.3	7.7
Divorce Rate	2	2.1	2.3	2.6	2.7	2.8	3	3.2

¹ See Matthew 5:32 ,19:9.

² "Door to door as the same height" (Men dang hu dui in Chinese) means the new couple family should be the same economic and social status. 3 Bride Price refers to betrothal gifts from the bridegroom to the bride's family.

³ Bride Price refers to betrothal gifts from the bridegroom to the bride's family.



Note: From Ministry of Civil Affair of the People's Republic of China. (2017). statistical bulletin on social service development. Retrieved May 3, 2019, from http://www.mca.gov.cn/.

Delayed Marriage Age

From the Statistical Database of the National Civil Affair Ministry, Chinese citizens universally delayed marriage registration in 2005-2015. The statuary marriage age is not less than 22 for male, and 20 for female. but only 26.3% of the group-young get marry at 20-24 years old, which the proportion was 47% a decade ago. Meanwhile, the interval of over 40 years old who get primary marriage climbed up 16.2% from 3.9%. The marriage age varies greatly in different locations. The young who live at the developed urban delay currently their marriage age, such as, Beijing and Shanghai have the lowest rate of marriage among their aged 20-24, only at 7% and 8% respectively. They used to delay their marriage about 15 years, which get marriage after 35 years old. (Affairs, 2019) "Young blood, Why-late marriage?", a survey conducted by The People's Daily in 2018 show that economic dominates the main reason absolutely: (1) Haven't met Mr. Right or Miss Right. (29.5%). Making Detailed inquiry, having no time to date due to extra work is the upmost excuse. (2) Inability to take on family responsibilities. (23.4%). The subtext is "I cannot purchase one apartment and car on my own". (3) Enjoy single life. (16.5%). Young Girls who have independent finance and stable higher income make up 80% among the answer.(4) Instability of life.(12.3%).Almost all of them who come from the rural or other province have higher expectation for the stability of workplace in a metropolis.(5)Heavy work pressure.(5.1%).At present, young people in China are facing increasing competition and challenge.(6) Too late for graduation from university.(5.1%). The higher education level of the group-young has been improving, many of them choose to study at university for more than 10 years. (7) Strong opposition or nonsupport from parents. (0.4%). Parents who intervened in their child's marriage mostly have the subconsciousness of Door to door as the same height, or they cannot sponsor their children's wedding. (8) Other reasons. (3.9%).(T. P. s. Daily, 2018-8-16)

Falling Marriage Rate

In 2017, there were 10.631 million marriage registrations, down 7% from the previous year at 1,217 marriage registration offices and 4,877 registration sites nationwide.(China, 2017) Another Survey Report on the single population in 2018 random sampling conducted by Zhenai.com⁴ from its 140 million members also shows the economic impacts on falling

⁴ Zhenai.com refers to the cyber company which Founded in 2005, with the online recruitment and artificial matchmaking service mode in China.

marriage rate. This survey could also be called "why are you still single?" The specific results are summarized below: (1) Parents' desire to see their child get married. 84.78% of single people have the experience of be urged by their parent, over 80% can understand parent's desire, and 44% who be forced to go on blind date. The single people at over 30 years old were urged at maximum risk who live at Beijing, Shanghai, Shenzhen. (2) More than 60% of the single have hierarchy obsession of "Door to door as the same height" on marriage, which Wuhan, Beijing, Shenyang are the top 3 cities.(3) 48% of China-one⁵ family hope to match the same China-one family, difference of optimal marriage age is 3-5 years.(4) More than 80% of single ladies believe that the new house or apartment which the bridegroom fulfilled the down payment at least should be a necessary condition for marriage.(5) 72% of single ladies insisted that the "Bride Price" should be over ¥100,000, the most expensive of "Bride Price" appears in Henan and Fujian Province.(6) 81% believed that the wedding cost should be around ¥100, 000, and the bridegroom should pay the bill unilaterally.(7) Who will holds the finance power of new family? 53.95 % depends on future situations, 32.73% believed that the female should hold, "AA" (Algebraic Average) accounted for 11.14%, only 2.18% believed that the male should hold. (8) 75.66% of single ladies do not agree to live with parents, but 57.22% of single man hope to live with his parent. 75.97% of parents were needed to take care of their grandchild.(Zhenai.com, 2018)

Rising Divorce Rate

The Chinses divorce rate had risen 6.53 times in three decades. In 2017, a total of 4.374 million couples was divorced, an increase of 5.2% over the previous year. Among them, 3.704 million couples were registered for divorce by civil affairs departments, and 669,000 couples were divorced by litigation. The divorce rate is 3.2%, which increased 0.2%.(China, 2017)Taking the divorce cases by litigation, the Supreme Court's Big Data show that: (1) 73.4% of plaintiffs are wives. (2) The greatest age gap was 0-3 years old. (3) The high incidence of marital breakdown is 2-7 years after marriage. (3) The domestic violence is the reason of 14.86% cases, which 91.43% of them is by male.(Science, 2019) In China, the top divorce rate cities are still Beijing, Shanghai, Shenzhen, Guangzhou, Xiamen, which are the top developed cites. The research on the reasons of divorce concluded the 6 main marital-killers, sexual infidelity account for 74.6% is the worst killer. The risky professions for male

⁵ The term "China-one" refers to the child who was born after the 1980s, when China launched the one-child policy.

⁶ The others are, as following, Domestic violence, Incompatibility of temperament, The conflict of wife-mother, bad addiction and Housing needs. The Symposium on Marriage Consulting in 2015. Chinese Marriage Safety Report.

on sexual infidelity are IT managers (10.6%), finance businessman (8.2%), educator (6.5%), doctor (4.6%), lawyer (3.8). Andtherisky female professions are stay-at-home-Mom (18.6%), Teacher(13.8%), doctor (8.6%), secretary (7.2%), stylistordesigner (6.1%).(Institute, 2017) From career distribu -tions, it is not difficult to conclude that the economic status gap in family is more likely to lead to one part's sexual infidelity, either one part is too powerful or too weak, maybe reduce the resistance of sexuality lures from others.

The Roaring Rape with Infections of Economic Exploitation

Who are the potential rape offenders? The offenders do not have fangs in vicious looks, on the contrary, most rapists have benevolent faces hidden around us. The related research shows that acquaintance rape accounts for a high proportion of rape cases in the world. Examples of acquaintances include blind date victim, a classmate, co-worker, employer, family member, spouse, counselor, therapist, religious official, or medical doctor. (Chancellor, 2012) Although the data obtained by different research institutions are not completely consistent, the results are basically more than 50% in China. In what is now the Post-Weinstein era, victims of sexual assault and harassment are finally being believed. As much as this is overdue, in the context of rape, simply believing victims will not be enough to fix endemic problems arising in how rape is defined, prosecuted, and punished. (Hong, 2018) The booming rape cases which have been influenced by MeToo Movement attracts the public's eyes, but the celebrities' rapes that cannot easy to report have been hidden, while the poor as the sexual offenders are always on the cutting board. In fact, the highest occurrence of sexual assault is compressed at these two population groups that stand the extreme poles of economic status in society in China.

The Celebrities' Sexual Games

A doubted issue that the celebrities are unlikely to conduct the sexual assault. They believe that the celebrities have the highest status in society and superiority in sexual partner. The celebrity's charm is the irresistible chips for most woman, and the purchasing power is their last ace. Is that true? In fact, it is not certain that the treasure degree be in direct proportional to the moral level. The lust is endless, the greed maybe the subordinate characteristics of their personality, the celebrities used to live without barriers, the sexuality is just a game in which only request for their own desire, not respect or think more partner's consents. Once be refused or unsatisfied, it is easier to transfer the assault or violence by power. In recent years, many typical cases on rape or other sexual assault have been mainly in the following occupational celebrity groups in China: (1) The famous Actor and TV

⁷The narrow definition scope of rape in China is the main reason of lower figure than other countries.

Host. The television and movie Actor Yunxiang Gao had been charged with two counts of aggravated sexual assault in the company of a woman in March,2018. The case against the Chinese film star has attracted hordes of fans and media at courthouses in Sydney. (Cormack, 2018). Mr. Deon Zhu, who is the top TV host in China, be involved in a sexual assault case in 2019.(Hernández, 2019)Although the case is still pending, it is undoubtedly a bomb among Chinese TV Audiences.(2)TherespectedProfessor tutors. There are more than 14 exposed cases on sexual assault which the offenders were the respected professor tutors by in Chinese University between 2014 and 2017. The Survey on Sexual Harassment in Chinese universities shows that nearly 75% of the 6,531 respondents have various sexual harassment at campuses. (Center, 2017) For appealing to severe penalties for sexual assault at universities, 56 professors from different famous universities sponsored a Declaration Against Sexual Harassment by tutors in university in January, 2018. The victims feel helpless and fearful, professors should stand up and give a hand for protecting them. This proposal has been supported by more and more professors in China.(H. Daily, 2018)(3) The Well-known entrepreneurs. A University of Minnesota student accused Richard Liu, the billionaire founder of the Chinese e-commerce giant JD.com, of rape in a lawsuit filed in Minneapolis in 2019.(Hsu, 2019)Although this case has been pendingand controversial, the chief editor of Global Times, Mr.HuXijinreminded that the Chinese entrepreneurs should keep low-profile and wakefulness. Gaining powerful rights afteraccumulated wealth means having more responsibility, especially should be a moral and good-manner examples in public scope.(Xijin, 2019)Indeed, the celebrities' rape not only form the terrible example for common citizens, but also tends to affect the Misoaffluence mentality--- jealously look upon the rich with hostility.

The Poor's Sexual Helplessness

There's not deny the fact that most rape cases occurred among the poor in China. Perhaps, the poor rapists are vulnerable to being reported and exposed. According to the Diagram 4, 53% of rapist are peasants, 30% of rapists are loafers in 2016. These 2 groups are the lowest layers of economic hierarchy in China. That's to say, the poor rapist accounts for at least 83%. The poor does have natural personality flaws and disorders? Clearly, the pseudo-proposition has strong economic discrimination and prejudice on rape. In China, peasants which more than 900 million proportion makes up 3/4 of the population. Therefore, the figure distribution of rapist is also reasonable. Poverty is linked to both the perpetration and victim of sexual riskily. Several authors argued that this relationshipis mediated through forms of crisis of masculine identity.(Jewkes, 2002)Prof. Philippe Bourgois analyzed by ethnographic fieldwork in 5 years that traditional working-class patriarchy has been thrown

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into crisis by the restructuring of the global economy and the expansion of women's rights. Unable to replicate the rural-based models of masculinity and family structure of their grandfathers' generation, a growing cohort of marginalized men in the de-industrialized urban economy takes refuge in the drug economy and celebrates a misogynist, predatory street culture that normalizesgang rape, sexual conquest, and paternal abandonment. Marginalized men lash out against the women and children they can no longer support economically nor control patriarchally. Bourgois, 1996) This phenomenon what Philippe Bourgois described has been evident in rural of China. Masculinity loss and family structure's instability seriously affect the growth of children's sexual psychology.Left-Behind Children⁸ who mainly distributed in underdeveloped provinces has be estimated more than 61,025,500, accounting for 37.7% of rural children and 21.88% of all children nationwide. 9 30% of these children can only see their parents once or twice a year, 15% even less than once a year, 10% of the left-behind children can only contact their parents once or twice a year, 10% once or twice a year, and even 4.3% of them have no contact with their parents for a whole year. In total, 15.18 million students have no contact with their parents less than 3-4 times a year. (Xinwen, 2008) One research shows that 37% of Left-Behind Children who aged 14-16 years old had the idea of suicide, 12% of them once planned suicide, 6.3% of them once had suicide conducts. If both of parents went to migrant work, Left-behind children are more than 60% likely to have suicidal thoughts. (Guangyou Li, 2009) The long-term lack of their parent' accompany will seriously affect their mental health development when they grow up. On the sexuality psychology, the father image is obscure for the left-behind boy, this effect will maximumly obstacle the masculinity formation. In addition, scarcely any male staff in kindergartens, and the male proportion of teachers in primary schools is very small. The gender drawback of educational care cannot compensate the masculinity loss on their development of sexual psychology.

Conclusion: Best Economic Policy Represents the Effective Crime Policy on Rape

The German criminologist Franz von Liszt stated over 100 years ago that social policy represents the best and most effective crime policy.(Von Liszt, 1905) Carina Gallo and Mimi E. Kim' s researching on criminal policy also concluded that underscores the significance of economic and social inequality in the production and outcomes of crime and welfare policies. (Gallo & Kim, 2016)In Frances Fox Piven and Richard Cloward's classic work on the U.S welfare system, the very function of social welfare is not to benefit the nation's poor or

⁸The left-behind children in China (liúsh**Ŏ**u'értóng in Chinese) are children who remain in rural regions of China while their parents leave to work in urban areas..

⁹ According to the 6th population Census in 2010.

vulnerable, but rather to alleviate the most untenable consequences of capitalism in order to maintain civil order and uphold the system of class oppression. (Piven & Cloward, 2012) From the analysis above, the rape occurrence rate has been correlation with social economic situations in China. How to improve the living condition and economic satisfaction, is an effective path to the more safety and peaceful in sexual relationship among individuals.

Poverty Alleviation Policy

For Poverty reduction, Chinese authorities have been given top priority to oriented development in the philosophy of governance, the extreme poverty rate has dropped significantly 94%, the proportion of the poor (according to the U.N' poverty standard) had reduced from 61% in 1990 to 4% in 2015. China alone accounts for almost two thirds of the total reduction in the number of undernourished people in the developing regions since 1990.(Information, 2015)For further eradicating poverty, the Targeted PovertyAlleviation (TPA)¹⁰ policy in poor rural areas has been launched from 2013, and it has achieved benign effects: the amount of the poor in China decreased by 70 million in half decade, equivalent to at least 26 people per minute had get rid of poverty. The poverty rate dropped from 10.2% to 3.1% from 2012 to 2017.(Jie, 2018)In fact, China's poverty reduction program has promoted the development of human rights, and the achievements are important not only to China but also to the world. (Webster, 2012). When most get rid of poverty, the sexual physiology desire naturally won't be hindered at least because of economic reasons. Particularly, rape case among migrant workers will be greatly reduced. Frankly, as the well-done progress of Chinese poverty alleviation for remote rural areas, the rate of trafficking women and rape women in rural have been obviously reduced gradually.

Reduce Gap in Wealth Policy

The poverty eradication as a social economic policy against rape is far from enough. Obviously for examples, the white-collar rape and the celebrity rape in urban areas are not simply a matter of economic poverty. The Gini coefficient is a measure of statistical dispersion intended to represent the income or wealth distribution of a nation's residents, and is the most commonly used measurement of inequality.(Gini, 1997) The Gini coefficient is a relative measure. Its proper use and interpretation are controversial.(Garrett, 2008) According to the analysis of UNDP (The United Nations Development Program), 0.4 is usually taken as the warning line of income distribution gap. When the warning line is exceeded, the polarization of the rich and poor will easily lead to social class opposition and social

¹⁰ The TPA was first raised by Chinese President Xi Jinping in November 2013.



unrest. The Gini coefficient in China has been beyond the index 0.4 in 2006-2017, even reached up the 0.73 in some time. (Bureau, 2018) In addition to income, the property which citizens' ownership has more and more important factor influenced for gap in wealth. In recent years, the property gradually has been gathered to the rich group, and the inequality of property that being further deepened is also widening the gap in wealth. Top 1% of families possess more than 2/3 nationwide treasures, but the bottom 25% of families only possess less than 1% wealthy of the total country.(DRC, 2015) This gap between the rich and the poor also leads to a paranoid crime mentality against the rich (Be called "Chou Fu") in China. Back to the rape issues, the inequality of economic status has been deepened the hostility and antagonism between different economy hierarchies. The White-collars and blue-collars men had lots of hostility towards the rich girls, there are many different malicious nicknames for them as Bitch, Material Girl, Flaunt Girl on line. These rich girls call these male peer loser- Diaosi as the hostility response usually. In the same way, many rich men have full alert and little respect for the beautiful girls who live at lower economic level, even discrimination against them in public. This inequality of economic status results in the gender's inequality in the sexual relationship. As the effect, the forcible intercourse gets more and more universal and widespread among spouses with greater gap in wealth. So, the Chinese Government has paid great attentions and taken measures to reduce the gap in wealth in society at present. Such that, Increasing the proportion of labor remuneration in the primary distribution, strengthening the regulatory role of the tax system in income distribution, improving the social security system.

Libido, (Sex Drive) was defined as the energy, regarded as a quantitative magnitude... of those instincts which have to do with all that may be comprised under the word 'love'. (Freud S.1954). Everyone cannot get away from the control of libido, why not face up and constrain its inundation reasonably? Thosepoor soul, once behalted necks by the hand of Economism, nobody cannot escape. Only best economic policywill be able to loosenthe hand, it can greatly reduce sexual offends including rape and buffer the social conflicts effectively. As if Freud's whisper that reminding us, caution on the repressed sex desire which be encage in the unconscious, be uncontrol of civilization rules which flee from the moral and law' cage, just likes savage monsters.

References

Affairs, C. C. (2019). Statistical Yearbook. (2019,11 May) Retrieved from http://tongji.cnki.net/. Bourgois, P. (1996). In search of masculinity: violence, respect and sexuality among Puerto Rican crack dealers in East Harlem. The British Journal of Criminology, 36(3), 412-427.

- Bureau, N. S. (2018). *National Economic and Social Development Statistics Bulletin*. (2019, 2 May) Retrieved from http://www.stats.gov.cn/tjsj/zxfb/201902/t20190228_1651265. html.
- Center, G. G. a. S. E. (2017). *The Survey on Sexual Harassment in Chinese universities.* (2019, 21 March) Retrieved fromhttps://posts.careerengine.us/.
- Chancellor, A. S. (2012). *Investigating Sexual Assault Cases*. Massachusetts, U.S.A.: Jones & Bartlett Publishers.
- China, M. o. C. A. o. t. P. s. R. o. (2017). *statistical bulletin on social service development*. (2019, 18 March) Retrieved from http://www.mca.gov.cn/.
- Chitnis, V., & Wright, D. (2007). Legacy of Colonialism: Law and Women's Rights in India. Wash. & Lee L. Rev., 64, 1315.
- Cormack, L. (2018). *The Sydney Morning Herald is Newspaper from Sydney, Australia*. (2018, 9 November) Retrieved from https://www.smh.com.au/nation/nsw/yunxiang-gao-chinas-hugh-jackman-to-face-7new-charges has-over-sex-assault-20181108-p5euu. html.
- Daily, H. (2018). A group of 56 professors has called for severe punishment of sexual harassment in universities. (2019, 2 April) Retrieved from http://www.syiptv.com/article/show/ 27115.
- Daily, T. P. s. (2018). The Chinese marriage data in 31 years: Young people are marrying later, and the divorce rate has risen for 15 years in a row. (2019, 16 June) Retrieved from https://www.weibo.com/rmrb?is_hot=1.
- DRC, R. T. o. (2015). *Research Report on China's Livelihood Index*. Beijing : Peking University Press.
- Freud, S. (1954). *The Interpetation of Dreams, edited and translated by J.* Strachey. In: London: George Allen and Unwin.
- Gallo, C., & Kim, M. E. (2016). Crime policy and welfare policy. Oxford Handbook Online, 171.
- Garrett, T. A. (2008). US income inequality: it's not so bad. *The Regional Economist*, (Oct), 4-5.
- Gini, C. (1997). Concentration and dependency ratios. *Rivista di politica economica*, 87, 769-792.
- Guangyou Li, F. Y. (2009). Analysis on the mental state and suicidal tendency of left-behind children aged 14-16 years. *Chinese Journal of Public Health*, 25(8), 905-907.
- Hernández, J. C. (2019). *She's on a # MeToo Mission in China.* (2019, 4 June) Retrieved from https://www.nytimes.com/2019/01/04/world/asia/china-zhou-xiaoxuan-metoo.html.
- Hong, K. (2018). A New Mens Rea for Rape: More Convictions and Less Punishment. *Am. Crim.L. Rev.*, 55, 259.

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- Hsu, T. (2019). *JD.com's Chief, Richard Liu, Is Accused of Rape in Lawsuit*. (2019, 15 May) Retrieved from https://www.nytimes.com/2019/04/16/business/jdcom-ceo-richard-liu rape-lawsuit.html.
- Information, U. N. D. o. P. (2015). *Millennium Development Goals Report 2009*. Includes the 2015 Progress Chart: United Nations Publications.
- Institute, C. B. R. (2017). *The Report on Professions of Sexual Infidelity*. (2019, 11 May) Retrieved from http://www.askci.com/reports/.
- Jewkes, R. (2002). Intimate partner violence: causes and prevention. *The lancet.* 359(9315), 1423-1429.
- Jie, Z. (2018). The Historic Achievements of targeted poverty alleviation program in past five years. *China Daily*, 2018(6), 23.
- Korajczyk, R. A., & Levy, A. (2003). Capital structure choice: macroeconomic conditions and financial constraints. *Journal of financial economics*, 68(1), 75-109.
- Piven, F. F., & Cloward, R. (2012). *Poor people's movements : Why they succeed.* how they fail : Vintage.
- Saunders, C. J. (2001). Rape and ravishment in the literature of medieval England. Suffolk, England: Boydell & Brewer.
- Science, B. D. o. L. (2019). *Big data analysis platform for law science and technology*. (2019, 18 May) Retrieved from http://www.gtcom.com.cn/en/index.php?c=yeesight&a=index.
- Smith, A. (2010). The theory of moral sentiments. London U.K.: Penguin.
- Susan Faupel, M. S. W. (2015). *Etiology of Adult Sexual Offending*. (2019, 16 March) Retrieved from https://www.smart.gov/SOMAPI/sec1/ch2 etiology.html.
- Von Liszt, F. (1905). Strafrechtliche Aufsätze und Vorträge. J. Guttentag. (Vol. 1), 211.
- Webster, T. (2012). China's Human Rights Footprint in Africa. Colum. J. Transnat'l L., 51, 626.
- Wenwei, Z. (2007). The Report on Sexuality of Migrant Workers. *Chinese Journal of Human Sexuality*, 8, 7-16.
- Xijin, H. (2019). The comments on Richard Liu's sexual assault case: Chinese entrepreneurs must keep a low profile. (2019, 1 May) Retrieved from http://k.sina.com. cn/ article _6440518907_ 17fe284fb00100gznj.html?from=job.
- Xinhua, J. (2007). The latest survey report on migrant workers in China. *Chinese Population Resource and Environment*, 17, 1-8.
- Xinwen. (2008). A nationwide survey of left-behind children in rural areas. *Chinese Journal of Reproductive Health*, 19(4), 232.
- Zhenai.com. (2018). *Survey report on the single population in 2018.* (2019, 8 June) Retrieved from https://36kr.com/p/5148641.