

Research on the Gender-Neutralization of Rape Crime

Yujun Cong

School of Law, Beijing Normal University, Beijing 100875, China

How to cite this paper: Cong, Y. J. (2025). Research on the Gender-Neutralization of Rape Crime. *Literature, Language and Cultural Studies*, 2(2), 55-66. ISSN Print: 3079-5095; ISSN Online: 3079-5109. <https://doi.org/10.63313/LLCS.9076>
Published: 2025-08-18

Copyright © 2025 by author(s) and Erytis Publishing Limited.
This work is licensed under the Creative Commons Attribution International License (CC BY 4.0).
<http://creativecommons.org/licenses/by/4.0/>



Abstract

Currently, China's criminal legislation stipulates that the object of rape crime is limited to adult women and underage girls, and the perpetrator is generally male, except in cases of joint crimes or indirect perpetrators. This understanding is gradually becoming outdated in the context of social practice. In addition to males and females, the increasing visibility of intersex and transgender individuals in public life means that their rights also need to be protected. The severe sexual violations of males and other genders, which are not recognized as rape, are inadequately addressed by the crime of forced indecency, leading to a mismatch between crime and punishment. The protection of only female sexual autonomy by the crime of rape no longer meets the needs of reality and lags behind the regulations of other typical countries or regions. Gender differences should not be a prerequisite for excluding the crime of rape. Any gender can be both the perpetrator and the victim of rape. This is a necessary reflection of the principle of equality and the protection of human rights.

Keywords

Rape; Intersex; Transgender

1. Introduction

In China's current criminal legislation, there are roughly two types of provisions regarding rape crimes. The first is the general concept of rape, which involves the use of violence, threats, intimidation, or other means to have sexual intercourse against the victim's will. The second type is sexual intercourse with underage girls under the age of 14. In such cases, the victim's consent is irrelevant, and the act is directly classified as rape. It is evident from these provisions that the victims of rape are limited to women, including adult women and underage girls. The law does not recognize males and other genders as potential victims. Based on existing legal provisions, forced anal intercourse between males and forced sexual intercourse by females on males do not constitute rape. Such cases are often handled under the crime of forced indecency, which has a lighter punishment than rape. Before the enactment of the Ninth Amendment to the Criminal Law, "raping" a male was hardly punishable un-

der Chinese criminal law, leaving the victims' rights unprotected and the purpose of criminal law unfulfilled. After the enactment of the Ninth Amendment, violent sexual crimes against males were categorized under the crime of forced indecency, providing some legal basis for such acts. However, the statutory punishment for rape is heavier than that for forced indecency. In reality, when males are sexually assaulted and injured, courts often only address the injury as intentional harm, while ignoring the sexual assault aspect. In such cases, the perpetrator's primary intention is sexual assault, although there may also be an intention to cause injury. However, the weight of these two intentions is entirely different. Ignoring the sexual assault fact while only evaluating the injury is a significant imbalance in the trial process. This judgment result is against legal principles, fails to achieve proportionality between crime and punishment, and is not convincing. It should be said that the legislative amendment to the crime of forced indecency is somewhat commendable, but as society develops and reality becomes more complex, such amendments are merely a stopgap measure. They neither compensate for the victims' harm nor adequately punish the perpetrators. This is essentially a compromise with the social reality at the time of the legal amendment. Therefore, many scholars have called for a comprehensive revision of the crime of rape to expand the scope of the perpetrator and the protected objects[1].

Moreover, when intersex or transgender individuals become the perpetrators or victims of sexual crimes, it is difficult to determine their legal status under existing laws, causing considerable confusion in judicial practice. Therefore, it is necessary to study the gender-neutralization of the crime of rape in China's criminal law to strengthen the full and comprehensive protection of sexual autonomy.

2. Reasons for the Gender-Based Dilemma in Rape Crime

From the current provisions in China, it is evident that the sexual rights of females are relatively well-protected, while there is a significant lack of protection for males and other genders. This is also reflected in judicial practice, where a large number of sexual crime cases against non-female victims suffer from misjudgments and imbalances in the trial process. The main reasons are as follows:

2.1. Influence of Traditional Concepts and Culture

Firstly, China's two-thousand-year feudal society has deeply ingrained the concept of male dominance, where males have a much higher social status than females. To some extent, females' sexual autonomy has been almost entirely deprived by males. Males, using their social status and physiological advantages, have firmly grasped the initiative in sexual intercourse, while females are in a completely passive position regarding sex[2]. This social phenomenon has led to the almost exclusive male perpetrators in sexual crimes. Therefore, this tradition has led to conservative legislation in China, which only recognizes male perpetrators and ignores or is even

unwilling to acknowledge that females can also commit rape. Secondly, in traditional Chinese concepts, sexual intercourse is considered solely for procreation. Traditional society generally believes that true sexual intercourse refers only to the combination of reproductive organs between opposite sexes for the purpose of reproduction. Therefore, sexual acts such as anal intercourse between same-sex individuals or sexual organ combinations with intersex individuals are not recognized as sexual intercourse. At the same time, due to the different structures of male and female sexual organs, female sexual organs are often considered to be passively combined. Therefore, the protection of sexual crimes is limited only to the non-infringement of female sexual organs, while the protection of male and intersex individuals is neglected.

2.2. Insufficiency of Legislative Protection for Gender Equality

China's criminal law tends to provide special protection for vulnerable groups in legislation. This differentiated protection is beneficial for maintaining substantive equality and is also reasonable from the perspective of legal restraint and saving legislative resources. However, it should be noted that this differentiation should be maintained within a certain degree. Once it becomes unbalanced, it will lead to significant problems in judicial practice. Focusing on sexual crimes, legislators, based on the fact that the vast majority of victims in practice are female groups and that females lack self-rescue and self-protection capabilities against violent males, have focused on protecting females. The victim of rape is limited to females, and the recognition of females as perpetrators is only limited to joint crimes and indirect perpetrators. In a specific stage of development, this recognition has a certain rationality, but with the development of society, it has gradually become unsuitable for the current situation. Firstly, China has a large number of homosexual groups, and in recent years, the number of same-sex sexual assault cases has also increased. The existing legislative provisions cannot effectively respond to such cases.

Secondly, economic and social development has led to the gradual evolution of people's sexual concepts. The traditional criminal law's view that the protected interest of rape is the female's sense of sexual shame is extremely one-sided. Protection of sex should not be limited to the sense of shame and should not be confined to females. Therefore, it is more reasonable to recognize the protected interest as sexual autonomy and the physical and mental health of children[3]. Sexual autonomy should be a right of all citizens, not limited to female groups. In practice, there have been many cases where females force males to have sexual intercourse. In these cases, the sexual autonomy of males is deprived. If the traditional view of female sexual shame is still used to measure, then the thinking process for such cases should be first recognized as a sexual crime, and then because the victim is male and does not have a sense of sexual shame, rape is excluded. Such a conclusion is absurd. At the same time, the development of medical technology has also made gender

transformation possible. A large number of transgender individuals have emerged. Some males, after gender transformation, psychologically consider themselves females, and their attitude towards sex is no different from that of ordinary females. Therefore, legislation should also make special provisions for these special groups. In summary, the existing legal provisions on gender equality protection are increasingly inadequate, and legislation should respond to this. Otherwise, it will lead to indulgence of criminals and denial of legitimate rights, harming victims and the public's faith in the law[4].

3. Examination of Foreign Legislation on Gender-Neutral Rape Crime

In the United States, the definition of sexual intercourse is not limited to the traditional combination of reproductive organs but also includes oral and anal sex[5]. Joshua Dressler advocates replacing the traditional crime of rape with "sexual assault" or "sexual violence" and proposes that the core of constituting such a crime must be non-consensual penetration. There is no distinction between the perpetrator and the contact organs are not limited to the combination of reproductive organs but also include the combination of reproductive organs with the mouth and anus[6].

In Russia, the criminal legislation on violent sexual crimes stipulates that "using violence or threatening to use violence against a male or female victim, or taking advantage of the helpless state of a male or female victim to engage in homosexual intercourse or other sexual acts with them[7]." It can be seen that Russia has already gender-neutralized the recognition of victims of rape crimes, and the methods of implementation are not limited to sexual intercourse but expanded to all sexual acts. The focus of the country's recognition of such crimes is whether the will is violated. Japan has also undergone a series of amendments to its rape crime provisions. The latest legislative expression is "using violence or coercion to engage in sexual intercourse, anal sex, or oral sex with a person over the age of thirteen[8]." It can be seen that Japan's provisions are similar to the above two countries, both reflecting the trend of gender-neutralization of rape crimes.

In summary, the legislative provisions of various regions in the United States are the most open in the recognition of violent sexual crimes, expanding the scope of perpetrators, victims, and methods of action. In terms of perpetrators and victims, the United States previously limited the recognition of rape crimes to violent acts by males against females. However, with the development of society, some states have expanded the scope of application of rape crimes in legal reforms, increasing the number of female perpetrators and male victims. Russia, Japan, and Taiwan have replaced "male" and "female" with "others" in the description of rape crimes, or listed "others" alongside "male" and "female," which to some extent provides a basis in criminal law for other genders to become perpetrators or victims. In terms of

methods of action, the provisions of various countries are basically consistent. The methods of rape crimes are not limited to traditional sexual intercourse but expanded to include anal and oral sex. From the combination of opposite-sex reproductive organs to sexual insertion, that is, as long as the sexual organ enters the sexual organ, anus, or mouth of another person, it constitutes the behavior of rape crimes. Taiwan's provisions are more avant-garde, and the behavior is not limited to "sexual insertion" but also includes "foreign object insertion," expanding the scope of protection and punishment of rape crimes.

4. Justification for Gender-Neutral Rape Crime

4.1. Further Reflecting Equality and Protecting the Rights of Males and Other Genders

China's fundamental law demonstrates the state's positive attitude towards the protection of human rights. For the legitimate rights enjoyed by citizens, the state respects and equally protects them. One of the connotations of equality is gender equality. The law should equally protect males, females, and even transgender, intersex, and non-binary individuals. The protection of human rights by the constitution is not limited to female citizens but should also protect the human rights of other genders. Sexual rights are also a basic part of human rights. The protected interest of rape crimes is sexual autonomy, which is not exclusive to females. Males also have sexual autonomy, and even other genders have sexual desires and sexual autonomy. Of course, there are certain special considerations for the establishment of rape crimes in the criminal law. However, when the factors considered at the time of legislation are no longer suitable for social reality with the development of society and the change of public concepts, the criminal law should be adjusted to be consistent with the content of the constitution. In rape cases where the victim is female, the female victim often suffers great psychological harm. It seems that such victims will be labeled with the "rape victim" tag, which is not conducive to the psychological recovery of the victim. In fact, in sexual assault cases where males are victims, males also suffer psychological harm. Since the crime of rape, a serious crime, cannot protect male victims, male victims are exhausted in asserting their claims and can only bear it in silence. Therefore, to further reflect equality and protect the rights of males and other genders, rape crimes should be gender-neutralized to break down the barriers of gender discrimination and equally protect all gender subjects. This will allow people of all genders to feel that their sexual rights are valued and that they can actively seek legal protection when their sexual rights are violated to protect their legitimate rights and interests.

4.2. Resolving Conflicts Between Medical and Judicial Judgments and Improving Judicial Efficiency

In sexual assault cases, if the biological gender and social gender of the parties are

consistent, there is no difficulty in determining their gender in the judiciary. However, if the parties are intersex or transgender, there will be disputes in determining their gender in the judiciary. In rape cases involving intersex individuals, judicial authorities must first conduct biological judicial identification of third-gender individuals, and then combine their growth environment, lifestyle, and social relationships to determine their social gender. Finally, they analyze the gender that should be recognized in the judiciary based on the above judgments. However, it is worth thinking about that in such cases, the perpetrator has already inserted the male reproductive organ into the female reproductive organ. According to the "penetration theory," the perpetrator's behavior fully meets the elements of consummated rape. To some extent, proving the victim's gender is nothing more than removing the conceptual obstacles to sentencing for rape. In addition, if the intersex victim in this case is determined to be female by the judiciary, and if he/she becomes a perpetrator of sexual assault in another case, using violence to forcibly insert the male reproductive organ into the female reproductive organ of another person, how should the nature of his/her behavior be determined? If the previous gender determination result is followed, the gender of the perpetrator is female, then a female cannot be a direct perpetrator of rape. Although the perpetrator has committed the act of inserting the male reproductive organ into the female reproductive organ, it is excluded from the recognition of rape because it does not meet the subject element. If the focus is on the perpetrator's act of forcibly inserting the male reproductive organ into the female reproductive organ to commit an infringement, from a sexual function perspective, the perpetrator is no different from a male, and his/her behavior fully meets the act of rape. In individual cases, it is not unreasonable to evaluate him/her as a male. Even if the social gender of the perpetrator is female, he/she also constitutes rape. However, this leads to the strange conclusion that the same natural person is determined to be female as a victim and male as a perpetrator in different cases. Therefore, when rape crimes are gender-neutralized, regardless of the gender of the perpetrator, as long as he/she forcibly commits a sexual insertion act against another person, it can be recognized as rape. There is no need to conduct gender identification on the perpetrator, only sexual function identification is needed. In this way, there will be no contradictory conclusions regarding the same natural person in different cases.

4.3. Ensuring Consistency of the Criminal Law System

China's current legislation clearly differs in its attitude towards the rape of young children. The law focuses on protecting the rights of underage girls, and sexual intercourse with underage girls is recognized as rape, with a heavier punishment than ordinary rape. In contrast, the rape of underage boys, regardless of whether the perpetrator is male or female, is recognized as the crime of indecency towards children. From a sentencing perspective, the sentencing range for rape is much higher

than that for indecency towards children, meaning that the severity of the two crimes is completely different. In addition, if an underage girl who has not reached the age of consent has sexual intercourse with an adult male, the adult male generally constitutes rape. However, if an underage boy who has not reached the age of consent has sexual intercourse with an adult female, the adult female is generally recognized as committing the crime of indecency towards children. As mentioned earlier, there are differences in the protection of adult males and females by rape crimes, and there are also differences in the protection of underage girls and boys. This neglects the protection of the sexual rights of underage boys. As mentioned earlier, the existing provisions on rape crimes cannot protect the rights of underage boys, resulting in the term "indecent" having different meanings in different crimes, creating contradictions between crimes and violating the stability of criminal law. Including anal sex in the methods of rape crimes clarifies the scope of regulation between rape and forced indecency crimes. The combination of sexual organs with sexual organs and the insertion of sexual organs into the anus belong to the objective aspects of rape crimes. Oral sex and foreign object insertion belong to the objective aspects of forced indecency crimes, thereby achieving proportionality between the severity of the crime and the nature of the behavior.

5. Construction of Gender-Neutral Rape Crime

5.1. Gender-Neutralization of the Perpetrator

The focus of rape crimes on protecting females is closely related to the social and cultural concepts and social conditions at the time of legislation. The different physiological structures of males and females and the traditional cultural stereotype of "male strong and female weak" make females a relatively "weaker" party, and their sexual autonomy is more easily violated by the stronger party. Therefore, criminal law focuses on protecting the sexual autonomy of females. In the past social practice, rape cases were often committed by male perpetrators against female victims, and it was rare to hear of cases where males were victims. Even if such cases existed, they were often difficult to resolve through legal means due to the victims' reluctance to speak out or the neglect of judicial authorities. In cases where females sexually assault males, influenced by traditional culture, males seem to have "taken advantage" and are unlikely to be seen as "victims" in the eyes of the public. With the development of society, the number of cases where people other than females become victims of sexual crimes is increasing, and it is no longer possible to rely solely on administrative penalties or private settlements to deal with the situation. In fact, in cases where females sexually assault males, males can also become victims.

Currently, in China's legislative provisions, the perpetrator of rape crimes is limited to males. In other words, the law believes that females cannot commit the act of rape and can only be accomplices or indirect perpetrators. In practice, the act of forcibly inserting the anus of a male against his will can only be recognized as the crime of

forced indecency. This actually poses a significant problem. Whether from the perpetrator's subjective malignancy or from the victim's suffering, such sexual crimes are no different from traditional male-on-female rape. Therefore, for such acts, only the lighter crime of forced indecency is imposed, which violates the principle of proportionality between crime and punishment. In the sensational case a few years ago where a young man was sexually assaulted by three women and lost his sexual function[9], according to the existing criminal law provisions, the three women cannot constitute rape but only forced indecency. Since a serious injury was caused, they also constituted the crime of intentional injury. It should be recognized as an imagined competition between forced indecency and intentional injury. In terms of sentencing, intentional injury is more serious, so it should finally be determined as intentional injury. However, is this judgment result really reasonable? I believe there are many problems. First, the evaluation is not comprehensive. It is reasonable to impose a sentence for the serious injury result as intentional injury, but the sexual crime is absorbed in the final sentencing. The court did not fully evaluate it. In other words, the infringement of the right to health is reflected in the crime of intentional injury, but the infringement of sexual autonomy is not matched by a crime name. This is extremely unreasonable. Secondly, in this case, the three perpetrators committed a gang rape against the victim. Objectively speaking, it fully meets the elements of the aggravated constitutive requirements of rape, namely "two or more people gang rape." If rape is handled according to the crime, it should at least be sentenced within the aggravated sentencing range. This can fully evaluate the perpetrator's infringement of the victim's sexual autonomy and physical health, and impose an appropriate sentence to achieve proportionality between crime and punishment. If the perpetrator is excluded from the application of rape only because of the ineligibility of the subject, it is not appropriate.

Females raping adult males can also cause physical and psychological harm to the victim, not to mention the harm caused by females having sexual intercourse with underage boys. In the Jiangsu case where a female teacher had sexual intercourse with a male student[10], it is a fact that Huang and Wang had sexual intercourse multiple times. Their behavior already meets the "sexual intercourse" in the criminal law, but because Wang is not female, the crime of rape is excluded. If the genders of the perpetrator and the victim in this case are reversed, then the perpetrator will undoubtedly constitute rape and will be punished more severely. Similarly, it is sexual intercourse. Why is the crime different because of the different genders of the victim? Or in such crimes, when the victim is a male child, the connotation of "indecent" should be expanded, that is, including the meaning of sexual intercourse; when the victim is a female child, the connotation of "indecent" should be narrowed to exclude the meaning of sexual intercourse. In this way, the meaning of "indecent" in the criminal law system is unstable, which does not conform to the unity of criminal law. At the same time, such provisions cannot well protect the sexual rights of male

children. In the case of sexual intercourse between an adult female and a male child, it is also difficult to say that the male child is the party that benefits, thereby reducing the responsibility of the adult female.

One aspect of the gender-neutralization of rape crimes is the expansion of the perpetrator. At this time, gender is no longer an obstacle to blocking females from the crime of rape. The perpetrator should include females. In addition, intersex and transgender individuals who have male or female sexual function organs (penis or vagina) can also become the perpetrators of rape crimes because their physical structure enables them to naturally commit the act of rape.

5.2. Gender-Neutralization of the Object of Rape Crimes

In China, the protected interest of rape crimes, that is, the right to sexual autonomy, is limited to females, and the sexual autonomy of males is excluded. Therefore, the victim of this crime is also limited to females, and other genders are not included. In practice, there have been cases where intersex individuals were sexually assaulted and recognized by the court as rape crimes. However, the judgment was also based on the determination that the intersex individual was female, and then the conclusion of consummated rape was drawn. However, sexual rights are an extremely important part of human rights, and the right to sexual autonomy is not exclusive to females. Males also have the right to sexual autonomy, and even other genders have the right to sexual autonomy. Although there are differences in sexual organs between different genders, intersex and transgender individuals also have sexual desires and impulses. When they are sexually assaulted, the degree of physical and psychological injury is not less than that of females, and their rights are equally worthy of attention and protection.

In the famous Nan'an case of raping an intersex individual[11], the court abandoned the biological gender of the victim and adopted the victim's social gender, thereby reaching the conclusion of consummated rape. On the one hand, I strongly agree with the court's judgment. This judgment result is accepted by the public in terms of social public opinion and is in line with the principle of proportionality between crime and punishment in terms of legal principles. It punishes the crime and protects the rights and interests of intersex individuals.

However, this case also raises some thoughts. Generally speaking, the "woman" in criminal law is based on biological females. In this case, the biological gender of the victim is male, which may lead to opposite gender judgments for the same natural person in individual cases according to different gender judgment standards. If an intersex individual is a victim of rape, he/she is recognized as a woman. If he/she is a perpetrator of rape and rapes a woman, should he/she be recognized as a male or a female? Moreover, in this case, the way the perpetrator rapes the victim also clears the way for the court to recognize rape in traditional concepts. The perpetrator's act of rape is the combination of male and female reproductive organs. According to the

"penetration theory," this also meets the elements of consummated rape in traditional rape crimes. Therefore, in terms of concepts, there is no obstacle to recognizing rape. But suppose the perpetrator satisfies his/her sexual desire by anal sex. In that case, is it necessary to conduct biological and social gender identification on the victim at this time because, according to the current provisions of the criminal law, the consummation standard of rape is "penetration theory," that is, the combination of male and female reproductive organs. Therefore, no matter what gender a person is, anal sex can be recognized as the crime of forced indecency. The act of a woman being forcibly anally penetrated cannot be recognized as rape. Therefore, adhering strictly to the current provisions of the criminal law may not be conducive to the judicial work and the protection of victims. There is no obstacle in criminal law to including anal sex in the meaning of sexual intercourse. There are only conceptual obstacles[12]. Therefore, the object of the crime should not be limited to females. Any natural person can be the object of this crime. In terms of legislation, the provisions on the object of rape crimes should also abandon the gender-based approach and treat all genders equally to protect their sexual rights.

5.3. Expansion of the Recognition of the Methods of Rape Crimes

The expansion of the subjects and objects of rape crimes will inevitably lead to the expansion of the methods of action. The meaning of sexual intercourse as "the combination of male and female reproductive organs" is too narrow and can no longer adapt to sexual invasion behaviors other than male-on-female. In fact, the core of sexual intercourse is not the "combination of male and female reproductive organs" but should be "sexual insertion," that is, the insertion of the perpetrator's or victim's reproductive organ into the other party's body. However, the "inside" of the other party should be appropriately limited in this context. In this scenario, the "inside" should only include the vagina and anus. Although the legislation of other countries and regions includes oral sex and even foreign object insertion in the meaning of "sexual intercourse," it is not appropriate to directly apply this concept in China. Such a concept has a significant impact on traditional Chinese sexual concepts, and the practical recognition is also more difficult. Therefore, the appropriate method should be based on China's actual situation, including anal sex in the meaning of sexual intercourse. At the same time, given China's traditional understanding and acceptance of sexual intercourse, it is not appropriate to expand the concept of sexual intercourse to "oral sex" and "foreign object insertion." On the other hand, the increase in methods of action will also expand the scope of application of rape crimes. Some scholars believe that this will make it difficult to reflect the restraint of criminal law and is not conducive to coordination with the crime of forced indecency[13]. The way to deal with this is to include forced "oral sex" and "foreign object insertion" in the scope of adjustment of the crime of forced indecency. Such provisions are conducive to further protecting the sexual rights of females and can also

protect the sexual rights of males and third-gender natural persons. From the trend of social development, it is also more acceptable to the public and more in line with China's actual situation.

In summary, "sexual intercourse" includes the following situations: anal sex between males and other natural persons; vaginal sex between males and other natural persons with female sexual organs; vaginal sex between females and other natural persons with male sexual organs. The "natural persons" here include males, females, and intersex and transgender individuals with the corresponding organs.

6. Conclusion

Rape crimes, as one of the more common types of sexual crimes in China, have always been a hot topic in practice and a focus of academic research. Traditionally, rape has been defined in China as the act of a male having sexual intercourse against a female's will. This definition was reasonable in a specific historical stage. However, with the development of society and the evolution of sexual concepts, there have been many cases of "raping" the same sex, "raping" intersex individuals, and females "raping" males in recent years. This has led us to rethink whether the application of rape crimes should be adjusted accordingly. It can be said that the gender-neutralization of rape crimes is a trend. The gender-neutralization of the subjects and objects of rape crimes and the expansion of methods of action are the inevitable results of the law adapting to social development.

References

- [1] Liu Changqiu and Wang Yong, "The Protection of Male Sexual Autonomy in Criminal Law - Suggestions for the Improvement of Rape Legislation," *Journal of Henan Police College*, 2019, Issue 3, p. 63.
- [2] Li Yinhe, *Gender Relations*, East China Normal University Press, 2005, p. 18.
- [3] Gao Mingxuan and Mark Chang, *Criminal Law*, Higher Education Press, 2016, p. 463.
- [4] He Hongchao, "Legal Reflections on Several Issues of Sexual Offense Legislation in China," *Journal of Wuhan University of Technology (Social Sciences Edition)*, 2005, Issue 18, p. 113.
- [5] American Law Institute, *Model Penal Code and Commentaries*, translated by Liu Renwen et al., Law Press, 2005, p. 140.
- [6] Joshua Dressler, *Understanding Criminal Law*, translated by Jiang Min, China Legal System Press, 2016, p. 309.
- [7] *Criminal Code of the Russian Federation*, translated by Huang Daoxiu, Peking University Press, 2008, p. 61.
- [8] *Criminal Code of Japan*, translated by Zhang Mingke, Law Press, 2018, p. 67.
- [9] "Young Man Sexually Assaulted by Three Women Loses Sexual Function," available at http://k.sina.com.cn/article_6971391939_19f86ffc300100oqt7.html (accessed May 10, 2022).
- [10] Liu Guoqing, "Female Teacher in Jiangsu Sentenced to 3 Years for Sexual Relationship with Male Student," available at <https://news.qq.com/a/20170601/011937.htm> (accessed May 10, 2022).
- [11] Mei Xianming, Zhang TaiZhou, and Li Bingnan, "Rape of Intersex Individual Can Consti-

tute Consummated Rape," *People's Justice*, 2014, p. 80.

[12] Zhang Mingke, *Criminal Law*, Law Press, 2016, p. 869.

[13] He Hongchao, "Legal Reflections on Several Issues of Sexual Offense Legislation in China," *Journal of Wuhan University of Technology (Social Sciences Edition)*, 2005, Issue 1, p. 112.