

**THE CURSE OF THE LECHEROUS SPIRITUAL
CHARLATANS: LAW, MORAL PANIC AND NEWSPAPER
REPORTS OF RAPE BY RELIGIOUS FRAUD IN TAIWAN**

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ABSTRACT

Religious fraudulent sex (i.e., the use of religious-related deceptions to obtain sex) is regularly prosecuted in Taiwan as forcible sex (i.e., rape). This Article contributes to the legal and sociological understanding of this phenomenon. Legally, we highlight the legal peculiarities of the vigorous criminalization of religious fraudulent sex in Taiwan and demonstrate that it is not driven by any concerted or principled protection of sexual autonomy. Sociologically, we provide an explanation through examining newspaper reports of highly publicized religious fraudulent sex in three mainstream newspapers over a five-year period. Thematic and discourse analysis reveals an overarching moral panic narrative. Through the three themes of 1) lurid norm-challenging sex acts, 2) moral condemnation of the perceived outrageous religious falsehood, and 3) defilement of victim's innocence, the newspaper reports vividly depict the religious fraudulent sex phenomenon as lecherous men entrapping naïve vulnerable young women into deviant religious practices. We argue that this moral panic narrative rationalizes and reinforces the vigorous prosecutorial enforcement and the determined judicial innovation that is otherwise absent for other forms of fraudulent sex.

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I. INTRODUCTION

Master Helped Female University Student “Activate Divine Eye”: Twelve Years Imprisonment for Abortion-Resulting Spiritual Practice.¹

¹ Wang Hongjun (王宏舜), *Shifu Bang Nvdasheng Kai Tianyan Lingxiu Dao Duotai Pan 12 Nian* (師父幫女大生「開天眼」靈修到墮胎判12年) [Master Helped Female University Student “Activate Divine Eye”: Twelve Years Imprisonment for Abortion-Resulting Spiritual Practice], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Jan. 3, 2018).

— Lianhe Bao (聯合報) [United Daily News]

Improving Luck Through Taking “Lovers’ Bath”:
Religious Fraudster Sexually Assaulted Naïve
Woman.²

— Zhongguo Shibao(中國時報) [China Times]

Fake Exorcism Real Sexual Assault: “Dragon God”
Earning Money While Lying Down, Ordered to
Compensate 4.09 Million.³

— Ziyou Shibao (自由時報) [Liberty Times]

These headlines are regular occurrences in Taiwanese newspapers. These newspaper reports identify an intriguing social phenomenon. In a modern society with a technologically advanced economy and a highly educated population,⁴ women⁵ continue to be frequently swindled into sex by purported supernatural claims.⁶ Given that these newspaper reports are reporting on actual criminal

² Chen Yuxian (陳育賢), *Xi Yuanyangyu Gaiyun Shengun Xingqin Danchun Nu* (「洗鴛鴦浴改運」神棍性侵單純女) [Improving Luck Through Taking “Lovers’ Bath”: Religious Fraudster Sexually Assaults Naïve Woman], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 12, 2015), at B2, <https://www.chinatimes.com/newspapers/20151212000537-260107?chdtv> [<https://perma.cc/CKS6-7R7A>].

³ Wang Dingchuan (王定傳), *Jia Qumo Zhen Xingqin Longwang Tangzhe Zuan Panpei 409 Wan* (假驅魔真性侵「龍王」躺著賺 判賠 409 萬) [Fake Exorcism Real Sexual Assault: “Dragon God” Earning Money while Lying Down, Ordered to Compensate 4.09 Million], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (July 14, 2016), at B04D, <https://news.ltn.com.tw/news/society/paper/1010853> [<https://perma.cc/2N86-KK8H>].

⁴ *The Republic of China Yearbook 2016*, EXECUTIVE YUAN 10–11.

⁵ The victims are thus far all female. A rare possible exception is *Supreme Court Judgment 102/1180*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 102 Tai Shang Zi No. 1180 (102 台上字第 1180 號刑事判決) (2013) (Taiwan), where the victims of sexual assault involving religious fraud were male. However, that case does not involve fraudulent sex per se. The male victims were given stupefying drugs (under the false pretense of luck-improving rituals). They were not told that the rituals involved sexual acts and were unconscious when sexual acts took place.

⁶ For analysis and discussion regarding the continued flourishing of religion and superstitious beliefs in an increasingly modern and secular social environment, see Dong-Kyu Kim, *Reconfiguration of Korean Shamanism: Tradition and Modernity in the Construction of Korean Shamans’ Self-Identity*, 15(2) ACTA KOREANA 369, 389–390 (2012); Christopher Dole, *Mass Media and the Repulsive Allure of Religious Healing: The Cincinnati Hoca in Turkish Modernity*, 38 INT’L J. MIDDLE E. STUD. 31, 50–51 (2006).

cases in court, these newspaper reports also reveal a curious aspect of the Taiwanese criminal justice system. Religious fraudulent sex (i.e., the use of religious-related deceptions to obtain sex) is a prosecutorial priority with an extremely high conviction rate.⁷

In this Article, we critically examine the legal and social dimensions of this criminalization of religious fraudulent sex and make two contributions.

First, we highlight the legal peculiarities of the vigorous criminalization of religious fraudulent sex in Taiwan and demonstrate that it is not driven by any concerted or principled protection of sexual autonomy. The Taiwanese courts use an innovative interpretation to circumvent a forcible-sex provision (i.e., the equivalence of rape in Taiwan) that does not readily cover fraudulent sex.⁸ This doctrinal maneuver selectively extends the forcible-sex provision to fraudulent sex involving religious elements to the exclusion of fraudulent sex involving verifiable falsehoods. This is notwithstanding that the infringement of sexual autonomy is no less serious for the latter, whether as a matter of general principle or as per actual cases.⁹ Similarly, systematic empirical studies of sexual offenses enforcement find that outdated and legally erroneous expectations of force and resistance continue to permeate the legal process.¹⁰ In such context, the fact that courts have no qualms in sustaining convictions of religious fraudulent sex where no such factors are present is less a departure from the prevailing persistence of rape myths in the Taiwanese criminal justice system,¹¹ but indicates that some other considerations are driving the determined criminalization.

⁷ Jianlin Chen, *Joyous Buddha, Holy Father, and Dragon God Desiring Sex: A Case Study of Rape by Religious Fraud in Taiwan*, 13(2) NAT'L TAIWAN U. L. REV. 183, 200-201 (2018); Chih-Chieh Lin, *Failing to Achieve the Goal: A Feminist Perspective on Why Rape Law Reform in Taiwan has been Unsuccessful*, 18 DUKE J. GENDER L. & POL'Y 163, 185 (2010).

⁸ *Infra* II.C.

⁹ *Infra* II.E.

¹⁰ Marietta Sze-chie Fa, *Rape Myths in American and Chinese Laws and Legal Systems: Do Tradition and Culture Make the Difference*, 2007 CONTEMP. ASIAN STUD. 1, 83-84 (2007).

¹¹ Lin Chih-Chieh (林志潔) & Chin Mong-Hwa (金孟華), "Heli" de Huaiyi? Yi Nuxing Zhuyi Faxue Guandian Jianshi Xing Qin Hai Shenpan zhi Pianjian (「合理」的懷疑? 以女性主義法學觀點檢視性侵害審判之偏見) [What Constitutes 'Reasonable Doubt'? A Feminist's Perspective on Taiwanese Rape Trials], 127 ZHENGDA FAXUE PINGLUN (政大法學評論) [CHENGCHI L. REV.] 117, 144-159 (2012); Lin, *supra* note 7, at 184-85. See *infra* II.D.

The second contribution extends the inquiry to the social dimension to better understand the exceptional treatment of religious fraudulent sex in the Taiwanese legal system. Proceeding on the premise that media reports on crime reflect and contribute to a societal understanding of criminalized conduct,¹² we analyze how religious fraudulent sex is reported in Taiwanese mainstream newspapers. After reviewing three mainstream newspapers for cases that attracted coverage across multiple newspapers and began prior to court verdicts,¹³ we assembled a total of fifty-one reports across seven cases over a five-year period, from 2013 to 2018.

Thematic analysis reveals three themes that emanate from the reports. First, the reports emphasize the lurid details of taboo sex acts (e.g., sperm swallowing, intercourse during menstruation). Second, the reports subject the defendant to harsh moral condemnation for purveying outrageous religious falsehood. Third, the reports adopt a sympathetic, if also somewhat paternalistic, view of the victims whose innocence is defiled by the defendant. Combining these three themes using discourse analysis, we argue that the religious fraudulent sex phenomenon is framed as a moral panic, whereby lecherous men utilize deviant religious practices to entrap naïve, vulnerable young women into perverted sexual exploitation.

Connecting these findings to legal practice, we argue that this moral panic narrative reflects and reinforces the legal enthusiasm towards punishing religious fraudulent sex. By focusing on the perceived uniqueness and gravity of harm posed by the sexually perverted religious fraudsters, this narrative helps readers rationalize what would otherwise be a questionable singling out of religious fraudulent sex to the exclusion of other forms of fraudulent sex. The pervasiveness of such narrative in mainstream newspapers, in turn, reassures the legal actors that vigorous prosecutions (and convictions) of religious fraudulent sex conform with societal sentiments.¹⁴

This Article is organized into six parts. Part II sets out the law on sexual offence and the peculiarity of religious fraudulent sex criminalization in Taiwan. Part III explains the methodology for analyzing the newspaper reports. Part IV presents the three themes that emerge from the newspaper reports and discusses how the themes

¹² IAN MARSH & GAYNOR MELVILLE, *CRIME, JUSTICE AND THE MEDIA* 256-265 (Routledge 3d ed. 2019). *Infra* III.A.

¹³ *Infra* III.

¹⁴ *Infra* Part V.

constitute an overarching moral panic narrative. Part V contextualizes the legal peculiarity with the moral panic narrative. Part VI concludes this Article.

II. THE PECULIARITY OF RELIGIOUS FRAUDULENT SEX CRIMINALIZATION IN TAIWAN

This Part first sets out the sexual offence provisions, the judicial interpretation on religious fraudulent sex, and the pattern of enforcement, before highlighting how the exceptional treatment of religious fraudulent sex cannot be explained by considerations of sexual autonomy.

A. Structure

The Taiwanese Criminal Code was heavily influenced by the Japanese and German criminal codes.¹⁵ For sexual offences, the key distinction from common law jurisdictions is that the Taiwanese Criminal Code specifies the various offending manners of obtaining sex and categorizes them into distinct offences. In addition to the rape (forcible sex) provision that is premised on force and threat (article 221), there are provisions, respectively, for abuse of authority (article 228), taking advantage of physical, mental, or intellectual defects (article 225), and spousal impersonation fraud (article 229).¹⁶ This can be distinguished from the centrality of consent under the common law approach. Through pragmatic interpretation of consent vis-à-vis capacity to consent (e.g., unconsciousness or insanity)¹⁷ and certain types of fraud,¹⁸ the common law courts are able to

¹⁵ TAY-SHENG WANG, *LEGAL REFORM IN TAIWAN UNDER JAPANESE COLONIAL RULE, 1895–1945: THE RECEPTION OF WESTERN LAW 175–82* (University of Washington Press 1999).

¹⁶ 刑法 (XINGFA) [CRIMINAL CODE] ch. 16 (2016) (Taiwan).

¹⁷ See Ralph Sandland, *Sex and Capacity: The Management of Monsters?*, 76(6) MOD. L. REV. 981, 983-86 (2013) (exploring the animal instinct doctrine in the context of consent); see also Janine Benedet & Isabel Grant, *Hearing the Sexual Assault Complaints of Women with Mental Disabilities: Consent, Capacity, and Mistaken Belief*, 52(2) MCGILL L.J. 243, 269 (2007) (suggesting evidence of non-consent should be considered before capacity of consent).

¹⁸ See Karl Laird, *Rapist or Rouge? Deception, Consent and the Sexual Offences Act 2003*, 2014(7) CRIM. L. REV. 492, 495-98 (2014) (discussing the evolution of courts' evaluation of deception in consent for sex); see also Rebecca Williams, *Deception, Mistake*

criminalize sex that is not obtained through force or threat without the need for separate statutory provisions.¹⁹ By contrast, the existence of separate provisions dealing with non-violent and non-threat-based conduct have traditionally served as powerful restraints on any expansive interpretation of the rape provision in Taiwan.²⁰

This state of affairs was disrupted in 1999. The sexual offences portion of the Criminal Code was amended as part of a broader feminist-led reform to advance the legal status and protection of women.²¹ The original provision defined “rape” (強姦) as “engaging in extra-marital/improper sexual intercourse (姦淫) with a woman through force, threat, drug, hypnosis or other means that renders the woman unable to resist.”²² This was amended to “forcible intercourse” (強制性交) for anyone “who has sexual intercourse with a male or female by force, threat, intimidation, hypnosis or other means against the person’s will.”²³ Beyond the changes to outdated patriarchal nomenclature, the core substantive reform is replacing the requirement of “unable to resist” with “against the person’s will.”²⁴

and Vitiating of the Victim’s Consent, 124(1) L.Q. REV. 132, 133–36 (2008) (discussing the scope of the Sexual Offences Act 2003 and sections 74–76 therein).

¹⁹ In England (prior to 2003) and other jurisdictions whose criminal law are based on English law, there is a lesser sexual offence that criminalized all sex that was procured by fraud. The original purpose was to combat sex trafficking. See Peter Alldridge, *Sex, Lies and the Criminal Law*, 44 N. IR. LEGAL Q. 250, 265–66 (1993). However, the provision has since been conceived by scholars and courts as a lesser offence to punish fraudulent sex that did not amount to rape. See Jianlin Chen, *Fraudulent Sex Criminalization in Australia: Disparity, Disarray and the Underrated Procurement Offence*, 43(2) U.N.S.W. L.J. 581, 584–86 (2020) (Austl.). Indeed, the provision has been regularly employed in Hong Kong to punish religious fraudulent sex. See Jianlin Chen, *Lying about God (and Love?) to Get Laid: The Case Study of Criminalizing Sex Under Religious False Pretense in Hong Kong*, 51(3) CORNELL INT’L L.J. 553, 566–70 (2018). For an example of such a lesser offence that may be restricted to certain types of fraudulent sex (e.g., relating to sexually protective devices or sexually transmitted diseases), see Jianlin Chen, *Fraudulent Sex Criminalisation in Singapore: Haphazard Evolution and Accidental Success*, 2020 SING. J. LEGAL STUD. 479, 491–94 (2020).

²⁰ Hsu Tze-Tien (許澤天), *Mianlin Hefa Ehai Weixie Xiade Xing Zizhu (面臨合法惡害威脅下的性自主) [Sexual Autonomy Under Legal Duress]*, 181 TAIWAN FAXUE ZAZHI (臺灣法學雜誌)[TAIWAN L.J.] 120, 124–25 (2011).

²¹ Lin, *supra* note 7, at 169–76; Fa, *supra* note 10, at 92–100. For a discussion of Taiwan’s women’s movement and feminist discourse after the end of martial law, see DORIS T. CHANG, *WOMEN’S MOVEMENTS IN TWENTIETH-CENTURY TAIWAN* 118–55 (2009).

²² 刑法 (XINGFA) [CRIMINAL CODE] art. 221 (1934) (Taiwan).

²³ 刑法 (XINGFA) [CRIMINAL CODE] art. 221 (2016) (Taiwan).

²⁴ 刑法異動條文與理由 (XINGFA YIDONG TIAOWEN YU LIYOU) [LEGISLATIVE REASONS FOR CRIMINAL CODE AMENDMENT] art. 221 (1999). The addition of intimidation (恐嚇) is essentially superfluous since academic commentary and judicial interpretation had

B. Other Means and Fraud

The new qualifier “against the person’s will” to “other means” inevitably generated much debate among scholars and uncertainty in courts as to the extent to which the 1999 reform had changed the substantive law.²⁵ The dispute is framed as the level of compulsion that the defendant has to exert on the victim before it constitutes forcible sex.²⁶ On the one hand, scholars like Jung-Chien Huang²⁷ and Tze-Tien Hsu²⁸ argue that a high level of compulsion akin to force and direct threat (“*high-level compulsion*”) is required. On the other hand, scholars like Da-Wei Lin contend that there is no requirement of any level of compulsion (“*no compulsion*”).²⁹ It would suffice if the victim subjectively did not wish to have sex with the defendant. Other scholars like Huang-Yu Wang advocate for the middle-ground, where some low-level of compulsion, rendering it “difficult” (but not “unable”) to resist, is required (“*low-level compulsion*”).³⁰

The authoritative judicial interpretations issued by the Supreme Court have explicitly rejected *high-level compulsion* but did not elect between the *low-level compulsion* and *no compulsion*

considered intimidation as the same as threat. See Tsai Sheng-Wei (蔡聖偉), *Lun Qiangzhi Xingjiaozui Weifan Yiyuan Zhi Fangfa* (論強制性交罪違反意願之方法) [*Forcible Means in the Crime of Forced Sexual Intercourse*], 18 ZHONGYANYUAN FAXUE QIKAN (中研院法學期刊) [ACAD. SINICA L.J.] 41, 59–60 (2016).

²⁵ See Lin, *supra* note 7, at 178–80 (discussing the poorly designed legal framework that, instead of selecting from alternative new models that flow from the purported objective of sexual autonomy, chose to retain the existing model with isolated modifications).

²⁶ For general overview of the debate, see Wang Huang-Yu (王皇玉), *Qiangzhi Shouduan Yu Beihanren Shou Qiman de Tongyi: Yi Qiangzhi Xingjiao Weixiezui Wei Zhongxin* (強制手段與被害人受欺瞞的同意：以強制性交猥褻罪為中心) [*Forced Methods and Agreement under Deception: Based on the Sexual Assault Crime*], 42(2) TAIDA FAXUE LUNYE (臺大法學論叢) [N. TAIWAN U. L.J.] 381, 395–98 (2013); Lin Da-Wei (林大為), *Lun Zheshu Xingjiaozui: Jianlun Zongjiao Pianse Anjian Zhi Renshi Yongfa Wenti* (論詐術性交罪：兼論「宗教騙色」案件之認事用法問題) [*A Study on Offense of Fraud-type Sexual Intercourse—Also on the Issues of Identifying Usage of “Sexual Fraud in Religion”*], 59(5) JUNFA ZHUANKAN (軍法專刊) [MIL. L.J.] 108, 111–17 (2013).

²⁷ Huang Jung-Chien (黃榮堅), *2010 Nian Xingshifa Fazhan Huigu Yuwang Niandai Yuwang Xingfa* (2010 年刑事法發展回顧：慾望年代，慾望刑法) [*Developments in the Law in 2010: Criminal Law*], 40(S) TAIDA FAXUE LUNYE (臺大法學論叢) [N. TAIWAN U. L.J.] 1795, 1835 (2011).

²⁸ Hsu, *supra* note 20, at 124–25.

²⁹ Lin, *supra* note 26, at 119.

³⁰ Wang, *supra* note 26, at 398–400.

approaches.³¹ This in turn led to inconsistencies between the Supreme Court and the lower court (*i.e.*, High Court).³² For example, a 2014 Supreme Court decision discussed the three approaches before proceeding to adopt the *no compulsion* view.³³ This reasoning has in turn been replicated in a few subsequent High Court decisions.³⁴ Nonetheless, there are other High Court decisions that continue to state that *low-level compulsion* is required for the purposes of article 221.³⁵ Indeed, one High Court decision acquitted the defendant on the ground that the means employed by the defendant (as alleged by the victim) did not fall into the *low-level compulsion* category.³⁶ Other High Court decisions have sought to avoid the issue altogether by simply, but unhelpfully, stating that forcible sex includes *low-level compulsion*.³⁷

On whether fraud would constitute forcible sex, current case law has thus far rejected the *no-compulsion* compulsion, which would have considered all forms of fraud as a punishable violation of will.³⁸

³¹ Zuigao Fayuan Jiushiqi Niandu Diwuci Xingshiting Huiyi Jilu (最高法院九十七年度第五次刑事庭會議紀錄) [The Resolution of the 5th Criminal Division Conference of the Supreme Court of 2008], 2008 ZUIGAO FAYUAN ZILIAO KE (最高法院資料科) [SUPREME COURT INFORMATION SECTION] (Taiwan). For discussion on the *de facto* precedential effect of these judicial interpretations, and how the bureaucratic nature of Taiwan's civilian court system magnifies their constraints on lower courts, see Kai-Ping Su, *Criminal Court Reform in Taiwan: A Case of Fragmented Reform in a Not-Fragmented Court System*, 27(1) WASH. INT'L L.J. 203, 218–21 (2017).

³² For an outline of the judicial system and hierarchy, see CHANG-FA LO, *THE LEGAL CULTURE AND SYSTEM OF TAIWAN* 11–19 (2006).

³³ *Supreme Court Judgment 103/720*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 103 Tai Shang Zi No. 720 (103 台上字第 720 號刑事判決) (2014) (Taiwan).

³⁴ *High Court Judgment 106/98*: Taiwan Gaodeng Fayuan (台灣高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 106 Qing Shang Su Zi No. 98 (106 侵上訴字第 98 號刑事判決) (2017) (Taiwan); *High Court Judgment 105/179*: Taiwan Gaodeng Fayuan (高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 105 Qing Shang Su Zi No. 179 (105 侵上訴字第 179 號刑事判決) (2016) (Taiwan).

³⁵ *E.g.*, *High Court Judgment 105/13*: Taiwan Gaodeng Fayuan (台灣高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 105 Qing Shang Su Zi No. 13 (105 侵上訴字第 13 號刑事判決) (2016) (Taiwan); *High Court Judgment 104/62*: Taiwan Gaodeng Fayuan (台灣高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 104 Qing Shang Su Zi No. 62 (104 侵上訴字第 62 號刑事判決) (2015) (Taiwan).

³⁶ *High Court Judgment 105/228*: Taiwan Gaodeng Fayuan (台灣高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 105 Qing Shang Su Zi No. 228 (105 侵上訴字第 228 號刑事判決) (2016) (Taiwan).

³⁷ *E.g.*, *High Court Judgment 106/145*: Taiwan Gaodeng Fayuan (台灣高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 106 Qing Shang Su Zi No. 145 (106 侵上訴字第 145 號刑事判決) (2017) (Taiwan). See Chen, *supra* note 7, at 194–199.

³⁸ Lin, *supra* note 26, at 119–23.

The courts have sustained convictions where the fraud involved a threat (*e.g.*, a defendant pretending to be a policeman and threatened to arrest the victim)³⁹ or deception as to the nature of the act (*e.g.*, insertion of a penis instead of a medical instrument).⁴⁰ As recognized by Taiwanese scholars, such convictions are uncontroversial since the fraud in question corresponds to, respectively, *high-level compulsion* and *low-level compulsion*.⁴¹ On the other hand, the courts have acquitted the defendant of forcible sex charges where the fraud relates to consideration (*e.g.*, the promise of money)⁴² or ancillary information (*e.g.*, HIV positive status).⁴³

C. *Religious Fraudulent Sex*

The current state of Taiwanese jurisprudence on fraudulent sex poses an obstacle for punishing religious fraudulent sex. Some religious fraudulent sex involves threat (*e.g.*, the defendant claimed that the victim is possessed by evil spirits and will suffer grave injury without the defendant's ritual) and would result in a guilty conviction even prior to the 1999 reform.⁴⁴ However, it is quite common for victims to take the initiative to seek out luck-improving or exorcism rituals.⁴⁵ Moreover, in all these instances, the victims would know

³⁹ *E.g.*, *Supreme Court Judgment 95/7201*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 95 Tai Shang Zi No. 7201 (95 台上字第 7201 號刑事判決) (2006) (Taiwan).

⁴⁰ *E.g.*, *Supreme Court Judgment 98/3312*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 98 Tai Shang Zi No. 3312 (98 台上字第 3312 號刑事判決) (2009) (Taiwan).

⁴¹ Wang, *supra* note 26, at 422–423.

⁴² *Supreme Court Judgment 102/248*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 102 Tai Shang Zi No. 248 (102 台上字第 248 號刑事判決) (2013) (Taiwan).

⁴³ *High Court (Tainan) Judgment 103/1567*: Gaodeng Fayuan Taizhong Fenyuan (高等法院臺中分院) [High Court Tainan Branch Court], Xingshi 刑事 [Criminal Division], 103 Shang Su Zi No. 1567 (103 上訴字第 1567 號刑事判決) (2014) (Taiwan).

⁴⁴ *Supreme Court Judgment 56/2210*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 56 Tai Shang Zi No. 2210 (56 台上字第 2210 號刑事判決) (1967) (Taiwan); *Supreme Court Judgment 52/1024*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 52 Tai Shang Zi No. 1024 (52 台上字第 1024 號刑事判決) (1963) (Taiwan).

⁴⁵ *E.g.*, *Supreme Court Judgment 106/456*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 106 Tai Shang Zi No. 456 (106 台上字第 456 號刑事判決) (2017) (Taiwan); *Supreme Court Judgment 102/3692*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 102 Tai Shang Zi No. 3692 (102 台上字第 3692 號刑事判決) (2013) (Taiwan).

that the purported religious rituals involved sex. Thus, they are not deceived as to the nature of the act.

In response to this potential doctrinal difficulty, the Taiwanese courts have carved out an approach towards applying the forcible sex provision to religious fraudulent sex. According to the 2013 *Supreme Court Judgment 102/3692*,⁴⁶ there are two elements to consider. First, the victim is in a subjective state of psychological vulnerability, perhaps due to a combination of (a) setbacks in their relationship, health, and/or career; and (b) limitation of the victim's intellect. Second, the defendant induces sexual intercourse through methods that cannot be verified by science (e.g., divine power, supernatural force, religion, or superstition) and which are contrary to prevailing social values.

There are three notable issues relating to this approach.

First, *Supreme Court Judgment 102/3692* did not explicitly require the non-scientific methods to be false. Nonetheless, falsity has emerged as a de facto requirement. As demonstrated in a recent case study, all convictions thus far have premised upon judicial findings that the supernatural/religious claims were false.⁴⁷ Indeed, the conventional label in Taiwanese literature for the criminalized conduct is “religious fraudulent sex” (宗教騙色).⁴⁸

Second, there is, arguably, a constitutional violation of religious freedom. Taiwan ostensibly adopted⁴⁹ the Western liberal

⁴⁶ *Supreme Court Judgment 102/3692*, *supra* note 45. For academic discussion of the seminal nature of the case, see Chen, *supra* note 7, at 201-03; Tsai, *supra* note 24, at 62 n.69. Notably, *Supreme Court Judgment 102/3692* merely provides a more structured and fuller articulation of the doctrinal basis for criminalization, as consistent with increased transparency and accompanying public scrutiny of judicial activity in recent times. Prior to this case, Taiwan courts have simply sustained convictions on religious fraudulent sex with scant and conclusory reasoning. For example, the Supreme Court in *Supreme Court Judgment 98/6301* simply held that the “against the person’s will” element is satisfied when the defendant “use . . . false supernatural claims (怪力亂神) . . . to render another to obey and have sexual intercourse” since this “rob that person’s sexual autonomy, and violate the original will of that person.”: *Supreme Court Judgment 98/6301*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 98 Tai Shang Zi No. 6301 (98 台上字第 6301 號刑事判決) (2009) (Taiwan).

⁴⁷ See Chen, *supra* note 7, at 204-06. The finding of falsity is arguably to satisfy, implicitly, the “contrary to prevailing social values” requirement.

⁴⁸ Tsai, *supra* note 24, at 61; Lin, *supra* note 26, at 111.

⁴⁹ Sifa Yuan Dafaguan Jieshi No. 460 (司法院大法官解釋第 460 號解釋) [Judicial Yuan Interpretations No. 460] (1998) (Taiwan); *Supreme Court Judgment 93/4456*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 93 Tai Shang Zi No. 4456 (93 台上字第 4456 號刑事判決) (2006) (Taiwan). See HWEI-SYIN (陳惠馨),

democratic notions of religious freedom that prohibits the state from assessing the legitimacy of religious beliefs.⁵⁰ This prohibition is contravened when the Taiwanese courts' assessment of the veracity of purported supernatural/religious claims is, in practice, premised on an innate rejection of any purported ritual that involves sex.⁵¹

Third, and most relevantly given this Article's focus on sexual offences, the singling out of methods that cannot be verified by science in *Supreme Court Judgement 102/3692* is highly curious. The problematic exclusion of non-religious fraudulent sex will be discussed below in II.E.

D. Rape Myth Persistence and Exception

In addition to the doctrinal innovation that singled out religious fraudulent sex to the exclusion of other forms of fraudulent sex, there is another legal peculiarity vis-à-vis the judicial treatment of religious fraudulent sex. Religious fraudulent sex is a notable exception to the persistence of rape myths.

Rape myths persistence is the phenomenon where the stereotypical conception of "real" rape—namely rape is only committed by strangers using physical violence on women who are not sexually promiscuous—persists in the legal system despite explicit legislative changes to negate it.⁵² Research studies in U.K.,⁵³

ZONGJIAO TUANTI YU FALU: FEI YINGLI ZUZHI GUANDIAN (宗教團體與法律: 非盈利組織觀點) [RELIGIOUS GROUP AND LAW: A NON-PROFIT ORGANIZATION POINT OF VIEW] 21–23 (2013) (describing Taiwan's attitude towards religious freedom). For an overview of the constitutional and regulatory framework vis-à-vis religion in Taiwan; see generally JIANLIN CHEN, *THE LAW AND RELIGIOUS MARKET THEORY: CHINA, TAIWAN AND HONG KONG* 81–112 (2017).

⁵⁰ Eur. Ct. H.R. Rsch. Div., *Overview of the Court's Case-Law on Freedom of Religion*, at 9 (Oct. 31, 2013); *United States v. Ballard*, 322 U.S. 78, 84–87 (1944); DJ Riddle, Case Note, *Thomas Phillips v. Thomas Monson*, 16(3) ECCLESIASTICAL L.J. 393, 393 (2014). For a discussion on religious fraudulent sex in the broader context of religious fraud, see Jianlin Chen, *Regulating Religious Fraud in Taiwan and Hong Kong: A Comparative Study on the Convergences and Deviations in the Understanding of Religious Freedom*, 7 CHINESE J. COMP. L. 150, 173–75 (2019).

⁵¹ Chen, *supra* note 7, at 206–16.

⁵² For a concise literature review, see Yvette Russell, *Woman's Voice/Law's Logos: The Rape Trial and the Limits of Liberal Reform*, 42 AUSTRALIAN FEMINIST L.J. 273, 277–78 (2016).

⁵³ E.g., OLIVIA SMITH, *RAPE TRIALS IN ENGLAND AND WALES: OBSERVING JUSTICE AND RETHINKING RAPE MYTHS* 59–84 (2018) (discussing how pervasive rape myths are trials in the UK); Kayleigh A. Parratt & Afroditi Pina, *From "Real Rape" to Real Justice: A Systematic Review of Police Officers' Rape Myth Beliefs*, 34 AGGRESSION & VIOLENT BEHAV.

U.S.,⁵⁴ Australia,⁵⁵ continental Europe,⁵⁶ and Asia⁵⁷ have demonstrated how police officers, prosecutors, judges, and juries remained susceptible to these rape myths even after the passage of relevant law reform.

Unsurprisingly, similar findings have been made in the Taiwan context. A survey of 667 decisions over a one-year period immediately after the 1999 reform found that the evidence of physical injury and attempted resistance/escape remain a key driver of outcome despite the explicit removal of the resistance requirement in the 1999 reform.⁵⁸ In subsequent research on rape acquittals in the Taipei, Taichung, and Kaohsiung district courts over a ten year period from 2000 to 2010, Chih-Chieh Lin and Mong-Hwa Chin found that

68, 78–79 (2017) (arguing that high attrition rates in the UK can be explained by rape myth conceptions).

⁵⁴ E.g., Alondra D. Garza & Cortney A. Franklin, *The Effect of Rape Myth Endorsement on Police Response to Sexual Assault Survivors*, 27 VIOLENCE AGAINST WOMEN 552, 552–55 (2021) (examining the extent and impact of rape myth endorsement on police officer preparedness in responding to sexual assault calls for service); Jessica Shaw et al., *Beyond Surveys and Scales: How Rape Myths Manifest in Sexual Assault Police Records*, 7(4) PSYCH. VIOLENCE 602, 605–09 (2017) (finding that rape myth endorsement among police is evidenced in official sexual assault case records because they invoke traditional rape myths in documenting their investigations).

⁵⁵ E.g., Rachael Burgin, *Persistent Narratives of Force and Resistance: Affirmative Consent as Law Reform*, 59 BRIT. J. CRIMINOLOGY 296, 302–11 (2019) (noting that that force and resistance narratives endure in the modern rape trials in Victoria, Australia); Anastasia Powell et al., *Meanings of “Sex” and “Consent”: The Persistence of Rape Myths in Victorian Rape Law*, 22 GRIFFITH L. REV. 456, 476–77 (2013) (finding that although deeply entrenched societal myths or discourses about rape continue to pervade Victorian courtrooms, there is some evidence of a shift towards a legal focus on the accused’s state of mind, in addition to that of the victim-complainant) (Austl).

⁵⁶ E.g., Marisalva Fávero et al., *Rape Myth Acceptance of Police Officers in Portugal*, J. INTERPERSONAL VIOLENCE, Apr. 20, 2020, at 1. (examining rape myth acceptance among police officers in Portugal and its relationship with sociodemographic data, length of service, specific training in the field, and professional experience with victims of rape); Sokratis Dinos et al., *A Systematic Review of Juries’ Assessment of Rape Victims: Do Rape Myths Impact on Juror Decision-Making?*, 43 INT’L J.L. CRIME & JUST. 36, 46–47 (2015) (finding that rape myths impact juror decision-making and continue to be a problem for prosecutors); Ivana Radačić, *Rape Myths and Gender Stereotypes in Croatian Rape Laws and Judicial Practice*, 22 FEMINIST LEGAL STUD. 67, 72–76 (2014) (examining the presence of rape myths and gender stereotypes and the norms of sexuality they reflect and reinforce in Croatian rape laws).

⁵⁷ E.g., Mally Shechory Bitton & Lea Jaeger, *“It Can’t Be Rape”: Female vs. Male Rape Myths Among Israeli Police Officers*, 35 J. POLICE & CRIM. PSYCH. 494, 497–500 (2019) (finding that male Israeli police officers are more likely to subscribe to myths about male and female rape, and that police officers accept myths about female rape more than students of either gender).

⁵⁸ Fa, *supra* note 10, at 83–84.

the reasons for acquittal still regularly include factors such as lack of attempted resistance/escape, lack of immediate complaints, and continued interactions between victim and defendant.⁵⁹ Indeed, in a related article based on largely the same dataset, Chih-Chieh Lin found that “there are few cases resulting in convictions in circumstances where two mentally capable adults engaged in intercourse after the defendant demanded the victim to submit to unwanted sex by non-forcible compulsion.”⁶⁰

However, religious fraudulent sex is one of the three exceptions to the de facto requirement of force and resistance. In addition to circumstances where the defendant used drugs or alcohol to cause the victim to lose consciousness or employed threat-based fraud,⁶¹ religious fraudulent sex is a long-standing special category where “prosecutors are willing to prosecute . . . because of courts’ demonstrated willingness to convict.”⁶² Indeed, searches of the online judgment database⁶³ revealed that there are easily at least three to five religious fraudulent sex cases reaching the final appellate court (i.e., Supreme Court) alone annually, with the vast majority resulting in convictions.⁶⁴

E. *Not Sexual Autonomy . . . What Then?*

In summary, religious fraudulent sex in Taiwan is subjected to an unusually vigorous criminalization that is otherwise not

⁵⁹ Lin & Chin, *supra* note 11, at 144–59.

⁶⁰ Lin, *supra* note 7, at 184–85.

⁶¹ Lin described it as “involves threats, misleading statements, or falsehoods.” Lin, *supra* note 7, at 185. However, the illustrative example cited is where the defendant pretended to be a policeman and demanded that the victim (an illegal sex worker) engage in sexual intercourse with him. *Id.* As discussed above in II.A.2, such fraud is considered *high-level compulsion* given the existence of threat. Indeed, threat is the core element here since as long as the victim believed the threat to be real, the veracity of the threat is immaterial. See Tsai, *supra* note 24, at 60–61.

⁶² Lin, *supra* note 7, at 185.

⁶³ To access the online judgment database, see Sifayuan Faxue Ziliao Jiansuo Xitong (司法院法學資料檢索系統) [*Judicial Yuan Law and Regulation Retrieving System*], <https://law.judicial.gov.tw/FJUD/default.aspx> (last visited Nov. 14, 2021).

⁶⁴ Chen, *supra* note 7, at 200–01. In the rare incident of acquittal, the reason is not because the court doubted the veracity of the defendant’s religious claims, but that inconsistencies in the victim’s testimony cast doubt as to whether the sexual intercourse actually took place: e.g., *Supreme Court Judgment 102/3088*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 102 Tai Shang Zi No. 3088 (102 台上下字第 3088 號刑事判決) (2013) (Taiwan).

extended to other forms of fraudulent sex. Tellingly, this criminalization is not driven by any concerted or principled protection of sexual autonomy.

The persistence of rape myths alluded to in the previous section disappointingly, but unsurprisingly, continue to impede the full realization of sexual autonomy protection that underpinned the 1999 reform. While the willingness to prosecute religious fraudulent sex may be seen as a welcomed exception,⁶⁵ the exclusion of other forms of fraudulent sex indicates that the persistence of rape myths remains a salient factor at play. Fraudulent sex involves neither force nor threat, and the fraudster is typically not a stranger. This renders fraudulent sex essentially the antithesis to the “real” rape that underpinned the rape myths.⁶⁶ Indeed, that fraudulent sex is not extensively considered as rape is the premise of Jed Rubenfeld’s controversial article in 2013. In the article, Rubenfeld argued that rape should be based on self-possession (and the corresponding requirement of force) rather than sexual autonomy.⁶⁷ Rubenfeld based this argument on the perceived “riddle” where progressive law reforms that purportedly seek to advance sexual autonomy protection continue to largely maintain the non-criminalization of fraudulent sex.⁶⁸ From this perspective, the failure to extend the criminalization to non-religious fraudulent sex in Taiwan is consistent with the general reservations towards full sexual autonomy protection.

Similar issues occurred for the doctrinal interpretation in *Supreme Court Judgement 102/3692*. Courts in civil law jurisdictions can, and do, develop judicial interpretations to meet ever-changing social circumstances.⁶⁹ Protecting vulnerable

⁶⁵ See Wang, *supra* note 26, at 409–10.

⁶⁶ Jianlin Chen, *The Hidden Sexual Offence: The (Mis)Information of Fraudulent Sex Criminalisation in Australian Universities*, 42 SYDNEY L. REV. 425, 448 (2020) (Austl.)

⁶⁷ Jed Rubenfeld, *The Riddle of Rape-by-Deception and the Myth of Sexual Autonomy*, 122 YALE L.J. 1372, 1423–42 (2013). Rubenfeld’s argument has been heavily criticized. E.g., Tom Dougherty, Response, *No Way Around Consent: A Reply to Rubenfeld on “Rape-by-Deception,”* 123 YALE L.J. ONLINE 321, 331 (2013); Patricia J. Falk, Response, *Not Logic, But Experience: Drawing on Lessons from the Real World in Thinking about the Riddle-by-Fraud*, 123 YALE L.J. ONLINE 353, 365–66 (2013); Deborah Tuerkheimer, Response, *Sex Without Consent*, 123 YALE L.J. ONLINE 335, 344–46 (2013).

⁶⁸ Rubenfeld, *supra* note 67, at 1392–98.

⁶⁹ For discussion on judicial interpretation in civil law jurisdictions, see Thomas Lundmark & Helen Waller, *Using Statutes and Cases in Common and Civil Law*, 7 TRANSNAT’L LEGAL THEORY 429, 456–59, 469 (2016); Hans-Bernd Schäfer, *The Relevance*

individuals (or at least individuals in a vulnerable state) from sexual exploitation is a legitimate concern. The courts are arguably justified in developing doctrinal avenues to ensure that offending conduct is punishable under the existing sexual offence provisions. However, the key question is why such interpretation is limited only to methods that cannot be verified by science? Insofar as the victim is in a state of psychological vulnerability, the harm to the victim and moral culpability of the defendant does not appear to be qualitatively different in circumstances where scientifically verifiable methods are used. In other jurisdictions, defendants have preyed on vulnerable victims with fraudulent claims such as sexual intercourse is part of medical treatment,⁷⁰ sexual intercourse is part of a mafia initiation ritual⁷¹ and a false promise of gifts.⁷² Furthermore, there is judicial⁷³ and scholarly⁷⁴ support for criminalization on account of the victim's vulnerability in these fraudulent sex cases. Having recognized the need to protect vulnerable victims in scientifically non-verifiable fraud, the exclusion of these scientifically verifiable cases by the *Supreme Court Judgement 102/3692* is arguably arbitrary.

Indeed, the *Supreme Court Judgement 102/3692* can be contrasted with another Supreme Court decision of the same year. In *Supreme Court Judgment 102/248*, the Court held that there was an insufficient violation of will to constitute forcible sex when a defendant used the false promise of payment to obtain sex from a mildly intellectually disabled 12-year-old girl.⁷⁵ By contrast, the psychological vulnerability necessary to sustain a conviction for religious fraudulent sex in *Supreme Court Judgement 102/3692* appeared to be rather trivial. One victim was trying to reconcile with

of Law and Economics for the Development of Judge Made Rules: Examples from German Case-Law, 40 EUR. ECON. REV. 989, 989 (1996).

⁷⁰ *Boro v. Super. Ct.*, 210 Cal. Rptr. 122, 122–23 (Cal. App. 1st Dist. 1985).

⁷¹ *Macfie v The Queen* [2012] VSCA 314 para. 1, para. 4, paras. 7-9 (Austl.).

⁷² *R v Winchester (Old)* [2014] 1 Qd R 44 (Austl.).

⁷³ *E.g., id.* at paras. 86-87, 135. (describing how the victim's vulnerable status merited protections); see also *Kirk v. R* [2008] EWCA (Crim) 434 (Eng.) (discussing English law).

⁷⁴ *E.g., Jonathan Crowe, Fraud and Consent in Australian Rape Law*, 38 CRIM. L.J. 236, 247 (2014) (examining the circumstances in which fraud will vitiate consent to sex for the purposes of Australian rape law) (Austl.); Ben A. McJunkin, *Deconstructing Rape by Fraud*, 28(1) COLUM. J. GENDER & L. 1, 9–12 (2014) (arguing that the rape by fraud doctrine can be seen as codifying existing limits on masculine status transfer).

⁷⁵ *Supreme Court Judgment 102/248*: Zuigao Fayuan (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 106 Tai Shang Zi No. 248 (106 台上字第 248 號刑事判決) (2013) (Taiwan).

her boyfriend, while another victim was facing “some difficulties at work.” Both victims are adults. The inconsistency is glaring and cannot be explained by concern over protecting persons in a vulnerable state.

III. METHODOLOGY

Having identified the legal peculiarities in the previous part, this part sets out the research premise of media representation as to the information source of societal understanding before explaining how the newspaper report dataset is constructed and analyzed.

A. *Media Representation and Societal Understanding*

The legal analysis set out in the previous part is premised on primary legal documents such as statutes, legislative materials, judgements, and trial transcripts. The resulting findings are important, notably given the immediate real-life consequences arising from the legal proceedings, be it non-prosecution, conviction, or acquittal. It also raises an important question: why is there such unique legal enthusiasm towards punishing religious fraudulent sex in Taiwan.

This question guides the extension of this article’s inquiry into the social dimension. Obviously, there is no easy answer to the question of causation. There is a myriad of possible social, cultural, historical, and political factors that underpin the comprehension and enforcement of a particular aspect of law. As the first of such ventures in this area⁷⁶ and given the confines of space, the sociological inquiry in this Article is necessarily preliminary in nature. Thus, this Article focuses on investigating how criminalized conduct is understood by the Taiwanese public.

In this regard, media reports on crime are valuable and readily available data sources. News media is the primary source through which the general public obtains information on the criminal justice

⁷⁶ *C.f.*, Huang Ying-Chieh (黃英捷), TAIWAN DIQU JIN SHINIAN LAI LIYONG ZONGJIAO DE XING FANZUI CHUTAN (台灣地區近十年來利用宗教的性犯罪初探) [A PRELIMINARY INVESTIGATION ON SEX CRIMES UNDER THE GUISE OF RELIGIONS FROM THE PAST TEN YEARS IN THE TAIWAN AREA] (2012) (using a survey of newspaper reports to examine the fact patterns of religious fraudulent sex and analyzing possible reasons why such frauds succeed in duping victims).

process.⁷⁷ Even though readers exercise agency in interpreting the news reports, their interpretations remain influenced by the presentation, framing, and emphasis of media reports.⁷⁸ In a similar vein, editorial decisions on story selection are driven by the perceived public appeal of the stories.⁷⁹ This renders the causative relationship between societal understanding and new media reports dynamic and non-linear chicken or egg first conundrum. Nonetheless, the reports reflect and contribute to the societal understanding⁸⁰ and are sufficient for this article's modest goal.

B. Data Selection

The dataset used in this study is assembled firstly by extracting all newspaper reports on religious fraudulent sex that appeared in *Zhongguo Shibao* (中國時報) [*China Times*] (“*China Times*”), *Ziyou Shibao* (自由時報) [*Liberty Times*] (“*Liberty Times*”), and *Lianhe Bao* (聯合報) [*United Daily News*] (“*United Daily News*”) over a five year period from December 31, 2013, to December 31, 2018. Analysis of Taiwanese newspaper reports typically focused on the four largest newspapers, comprising of the *China Times*, *Liberty Times*, *United Daily News*, and *Pingguo Ribao* (蘋果日報) [*Apple Daily*] (“*Apple Daily*”).⁸¹ This study seeks to investigate how

⁷⁷ MARSH & MELVILLE, *supra* note 12, at 21–22.

⁷⁸ Patricia Easteal, Kate Holland & Keziah Judd, *Enduring Themes and Silences in Media Portrayals of Violence Against Women*, 48 WOMEN'S STUD. INT'L F. 103, 104–05 (2015); see Nicola Mastrococco & Luigi Minale, *News Media and Crime Perceptions: Evidence from a Natural Experiment*, 165 J. PUB. ECON. 230, 242–47 (2018) (using the empirical study to show changes in exposure to crime reporting affect perception of crime).

⁷⁹ Anna Gjika, *News Media, Old Paradigms: News Representations of Technology in Adolescent Sexual Assault*, 16(3) CRIME MEDIA CULTURE 415, 416–417 (2020); see David L. Altheide, *Moral Panic: From Sociological Concept to Public Discourse*, 5 CRIME MEDIA CULTURE 79, 81 (2009) (supporting that while news media provides news coverage, audiences expect certain programming and news material to look a certain way and news media curates its editorials accordingly).

⁸⁰ MARSH & MELVILLE, *supra* note 12, at 256–65.

⁸¹ E.g., Wang Chang-Yi (王章逸) & Chueh Ho-chia (闕河嘉), *Dapu Zhige—Taiwan Zhuliu Baozhi Zhong de Tudi Zhengshou* (大埔之歌—臺灣主流報紙中的「土地徵收」) [*The DaPu Incident and Mainstream Newspaper Coverage of Eminent Domain in Taiwan, 2008-2015*], 38 ZIXUN SHEHUI YANJIU (資訊社會研究) [J. INFO. SOC'Y] 19, 28 (2020); Li Shu-Chun (李淑君), *Gaoxiong Qibao Xinwen Zhong de Zaimin Zhongsheng Yu Zainan Zhongjian: Yi 'Ziyou Shibao,' 'Zhongguo Shibao,' 'Lianhe Bao,' 'Pingguo Ribao' Si Dabao Wei Fenxi Duixiang* (高雄氣爆新聞中的「災民重生」與「災難重建」：以《自由時報》、《中國時報》、《聯合報》、《蘋果日報》四大報為分析對象) [*Ideologies of*

religious fraudulent sex—with its potent mix of religion, fraud, and sex—is portrayed in Taiwanese mainstream media. *Apple Daily* is excluded from this study since it is notorious for sensationalized reporting⁸² and may unduly distort the findings.⁸³ Notably, the three surveyed newspapers still span across the ideological spectrum. *Liberty Times* is considered to support the pan-green coalitions that advocate for Taiwan’s independence and conceive a Taiwanese identity that is markedly distinct from Chinese culture. *China Times* and *United Daily News* are considered to support the pan-blue coalition that is more sympathetic to the Chinese nationalist identity and favors closer cultural and economic linkage with China.⁸⁴

The newspaper reports were retrieved from *Factiva* using the following search terms: “sex” (性) together with any one of “religion” (宗教), “superstitious” (迷信), “fraudulent sex” (騙色) or “religious fraudster” (神棍). The resulting newspaper reports were organized by individual defendants. Since the full names of the defendants are often not stated in the newspaper reports, the process involved identifying and mapping all relevant and distinctive facts (e.g., age and geographical location of the defendant; age and number of victims; specifics of religious claims). Having sorted the newspaper reports, the data point for analysis is selected based on two criteria. First, the case was reported in at least two newspapers. This criterion ensures the focus is on the inquiry about cases that are perceived by Taiwanese media as more representative and salient. Second, the reporting began before a judgment was delivered. This criterion enables analysis as to whether the newspaper reports assumed the defendant’s guilt, as well as the extent to which the themes in the reporting are independent of the court’s judgment. In total, the

Rebirth and Reconstruction News on Kaohsiung Explosion: Focus on “Liberty Times”, “China Times”, “United Daily News” and “Apple Daily”], 12(2) RENWEN SHEHUI KEXUE YANJIU (人文社會科學研究) [HUMANITIES & SOC. SCI. RSCH.] 29, 32 (2018) (stating these four newspapers are the four largest in Taiwan).

⁸² Huang Simin (黃思閔) et al., *Taiwan Yuebao Zuqun de Biandong—Pingguo Ribao Jiaru Hou* (台灣閱報族群的變動—蘋果日報加入後) [*Changes in Taiwan Newspaper Readership After Apple Daily*], 95 TUWEN CHUANBO YISHU XUEBAO (圖文傳播藝術學報) [J. GRAPHIC COMM’N ART] 859, 930–31 (2006) (suggesting that *Apple Daily* is biased and offers sensationalized reports).

⁸³ In a quantitative survey of newspaper reporting on religious fraudulent sex from 2001 to 2011, *Apple Daily* had significantly more frequent and more extensive reporting when compared with the other three newspapers. See Huang, *supra* note 76, at 24–25.

⁸⁴ Chen-Ling Hung, *Media Control and Democratic Transition: Ongoing Threat to Press Freedom in Taiwan*, 9(2) CHINA MEDIA RSCH. 83, 87–88 (2013).

dataset comprises fifty-one newspaper reports over seven cases (Table A).

Table A: Breakdown of Selected Data Points

Defendant	Start Date	China Times	Liberty Times	United Daily News
Ou Yangxian (歐陽顯)	Dec. 31, 2013	3	4	1
Li Junsheng (李俊升)	Mar. 22, 2015	3	3	
Su Jianhua (蘇建華)	Apr. 21, 2015	6	6	2
Chen Xihu (陳西湖)	Dec. 12, 2015	3	3	3
Wu Qirong (吳啟榮)	Dec. 28, 2015	2		1
Huang Junpin (黃睿平)	May 13, 2016	2	1	4
Zhong Zhicheng (鍾志成)	Sep. 19, 2017	2	1	1
	Subtotal:	20	18	13

C. Data Analysis

All articles in the dataset were analyzed inductively using Braun and Clarke's guidelines for thematic analysis.⁸⁵ In accordance with these guidelines, the goal of the analysis is to detect and describe common patterns among the data rather than develop quantifiable results. We read each newspaper report within the dataset closely multiple times before developing codes on how the religious fraudulent sex was reported. We then organized and collated recurring and salient codes into potential themes across the newspaper reports. These initial potential themes were then reviewed,

⁸⁵ Virginia Braun & Victoria Clarke, *Using Thematic Analysis in Psychology*, 3 QUALITATIVE RES. PSYCH. 77, 86-93 (2006). For a recently updated account, see Gareth Terry et al., *Thematic Analysis*, in THE SAGE HANDBOOK OF QUALITATIVE RESEARCH IN PSYCHOLOGY 17, 17-36 (Carla Willig & Wendy Stainton-Rogers eds., 2017).

reorganized, and refined through a rereading of the dataset. Through this process, we identified the three themes of taboo sex, outrageous religious falsehood, and defiling innocence.

We then undertook a discourse analysis that seeks to connect the three identified themes. For the purpose of this analysis, we approached discourse as the routine and social production of knowledge.⁸⁶ This approach conceptualizes discourse in the media reports as a means to provide readers with a connecting framework to meaningfully process the various strands of information contained therein.⁸⁷ We found that the religious fraudulent sex phenomenon is understood and presented in the newspaper reports as essentially a moral panic narrative where lecherous men lured naïve vulnerable young women into sexually deviant religious practices.

IV. Findings

This Part presents the findings from the thematic and discourse analysis.

A. Theme 1: Taboo Sex

A striking and consistent theme across the newspaper reports is the emphasis on the taboo nature of sex that has occurred. There are two related components to this theme.

First, the lurid details of the sexual acts are prominently reported, especially where the sexual acts challenged the generally conservative sexual norms of Taiwan society.⁸⁸

⁸⁶See CAROL BACCHI, ANALYSING POLICY: WHAT'S THE PROBLEM REPRESENTED TO BE? 35 (2009) (“discourses are socially produced forms of knowledge that set limits on what it is possible to think, write or speak about a ‘given social object or practice.’”). For an example of using this type of discourse analysis on news media reports on crime, see Anne Fredrickson et al., “*Devil’s Lure Took All I Had*”: Moral Panic and the Discursive Construction of Crystal Methamphetamine in Australian News Media, 46(1) CONTEMP. DRUG PROBS. 105, 109–16 (2019) (using discourse analysis to examine Australian print media portrayals of crystal methamphetamine from 2014–2016).

⁸⁷CHRIS MCCORMICK, CONSTRUCTING DANGER: EMOTIONS AND THE MIS/REPRESENTATION OF CRIME IN THE NEWS 9–12 (Fernwood Publ’g 2nd ed. 2010).

⁸⁸See Hwong Shu-ling (黃淑玲), Tony Lee Szu-Hsien (李思賢) & Chao Yun-Chin (趙運植), *Taiwanren Xingtaidu yu Xingjiazhi guan Fenxi: Xingbie, Shidai yu Sanzhong Jiqun de Chayi* (台灣人性態度與性價值觀分析：性別、世代與三種集群的差異) [Sexual Attitudes and Values in Taiwan: Differences Among Gender, Cohort, and Three Cluster Groups], 18(1) TAIWAN XINGXUE XUEKAN (臺灣性學學刊) [FORMOSAN J. SEXOLOGY] 83,

Oral sex is an example.⁸⁹ This is particularly so for the *Su Jianhua* case, given that the purported religious doctrine prescribed that the female adherents should swallow the defendant's sperm to receive maximum divine blessing. Eight out of the fourteen reports mentioned this act of swallowing, with one report titled “Earning While Lying Down By Lying About Drinking Sperm: Dragon King Sexually Assaulted Adherents 235 Times” (誑飲精躺著賺 龍王性侵信徒 235 次).⁹⁰ Moreover, six reports further depicted how the female adherents would lick up the sperm that are accidentally ejaculated on the defendant's feet, at times providing vivid imagery of “rushing to lick”⁹¹ or “kneeling down to lick.”⁹²

Another example of the emphasis on oral sex is the reporting of the *Chen Xihu* case. A report led with the title “Religious Fraudster Lied About Improving Luck: Jailed for Bathing Together in Yin-Yang Water and Also Mouth Love” (神棍騙改運 調和陰陽水泡澡還得口愛判刑), before describing in the text that “the victim has to suck thirty-six times to absorb Yang-Qi” (王女必須吸取陽氣口交 36 下).⁹³ Including this one, six of the nine reports on this defendant

97–100 (2012) (concluding that the Taiwanese public is generally conservative in sex attitudes and values, despite the trend being more progressive and diversified).

⁸⁹ See PAN SUIMING (潘绥铭) & HUANG YINGYING (黄盈盈), XINGZHIBIAN: 21 SHIJI ZHONGGUOREN DE XINGSHENGHUO (性之变: 21 世纪中国人的性生活) [CHANGES IN SEX: CHINESE SEX LIFE IN THE 21ST CENTURY] 210-18 (China Renmin Univ. Press 2013) (observing how the emphasis on reproductive sexual penetration in Chinese culture help entrenched oral sex and anal sex as relative sexual taboos in modern Chinese society); see also Courtney L. Crosby, et al., *Six Dimensions of Sexual Disgust*, 156 PERSONALITY & INDIVIDUAL DIFFERENCES, no. 109714, 2002, at 1, 10 (discussing how oral sex is one of the factors—together with taboo, promiscuity, hygiene, BDSM, and same-sex attraction—in the six-factor structure of the fifty most frequently nominated items of sexual disgust).

⁹⁰ Ye Dezheng (葉德正), *Kuangyinjing Tangzhezhuang Longwang Xingqin Xintu 235 Ci* (誑飲精躺著賺 龍王性侵信徒 235 次) [Earning While Lying Down By Lying About Drinking Sperm: Dragon King Sexually Assaults Adherents 235 Times], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Aug. 19, 2015), <https://www.chinatimes.com/newspapers/20150819000544-260107?chdtv> [<https://perma.cc/D4MF-TJMZ>].

⁹¹ *Id.*

⁹² Wang Dingchuan (王定傳) & Xie Junlin (謝君臨), *Chinu Wei Longwang Jiezha Qian 791 Yi Benpiao Dang Hunyue* (痴女為「龍王」結紮 簽 791 億本票當婚約) [Foolish Girl Sterilized for Dragon King: Signed 79.1 Billion Promissory Note for Engagement], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Aug. 19, 2015), <https://news.ltn.com.tw/news/society/paper/907910> [<https://perma.cc/HQM9-GHAD>].

⁹³ Guo Xuanbin (郭宣斌), *Shengun Pian Gaiyun Tiaohe Yinyangshui Paozao Haidei Kouai Panxing* (神棍騙改運 調和陰陽水泡澡還得口愛判刑) [Religious Fraudster Lied

similarly mentioned the thirty-six times that the victim was made to suck.⁹⁴ Nonetheless, what is notable about this framing of the title is that the defendant in question did proceed to have sexual intercourse with the victim after the bath and oral sex. Thus, the title is arguably misleading by suggesting that the defendant was punished for the bath and oral sex when the core *actus reus* was the sexual intercourse thereafter.⁹⁵

It is worth noting that the mention of bathing together in the title adheres to the theme of emphasis on taboo sexual acts. Not only did all of the reports on the *Chen Xihu* case mention and often provide detailed descriptions of the act of bathing together,⁹⁶ but a majority (five) also mentioned it in their titles, including the use of sexual

About Improving Luck: Jailed for Bathing Together in Yin-Yang Water and also Mouth Love], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Jan. 25, 2018).

⁹⁴ The exceptions are: Lin Weixing (林偉信), *Xi Yangqi Gaiyun Youjian Nudasheng Minglishi Pan 4 Nian* (吸陽氣改運 誘姦女大生 命理師判4年) [*Suck Yang-Qi to Change Luck, After Seducing Female University Student, Fortune Teller Sentenced to Four Years Imprisonment*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Jan. 23, 2018); Yang Guowen (楊國文), *Xingqin Nudasheng Xiabai "Xi Yangqi Gaiyun"* (性侵女大生 瞎辦「吸阳气改运」) [*Sexually Assaulted Female University Student: Nonsensical Fabrication of "Improve Luck Through Absorbing Yang Qi"*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 26, 2016); Wang Minxu (王敏旭), *Qi Ta Shilian Shengun Pian Gaiyun Xingqin Nudasheng* (欺她失戀 神棍騙改運 性侵女大生) [*Taking Advantage of Her During Break Up, Religious Fraudster Lied about Changing Luck, Sexually Assault Female University Student*], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (June 5, 2016).

⁹⁵ *High Court Judgment 105/176: Taiwan Gaodeng Fayuan* (台灣高等法院) [Taiwan High Court], Xingshi 刑事 [Criminal Division], 105 Qing Shang Su Zi No. 176 (105 侵上訴字第 176 號刑事判決) (2016) (Taiwan).

⁹⁶ See, e.g., Cai Zhangshen (蔡彰盛), *Paozao Gaiyun? Shiliannu Shishen* (泡澡改運? 失戀女失身) [*Improve luck Through Taking Bath?: Lovelorn Woman Loses Chastity*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 12, 2015), <https://news.ltn.com.tw/news/society/paper/939968> [<https://perma.cc/G7UA-U5FT>] (“The victim followed Chen’s instruction, first poured hot and cold water into the bathtub to produce ‘Yin Yang water’, before stripping off her clothes and soaked together with Chen” [小惠依其指示,先至浴室內放熱水與冷水調和成「陰陽水」,再將衣服脫光與陳男一同泡澡]).

euphemism, “lovers’ bath” (鴛鴦浴).⁹⁷ Other examples of the lurid details of the sexual acts include threesomes⁹⁸ and striptease.⁹⁹

The second component focuses on the taboos associated with reproductive sex.¹⁰⁰

For example, in the *Li Junsheng* case, where the victim happened to be pregnant at the time of the offence, her pregnancy was prominently highlighted in the newspaper reports. Of the six reports, five used “pregnant woman” as the descriptor of the victim, with three mentioning the pregnancy status in the title itself.¹⁰¹ Indeed, the

⁹⁷ Chen Yuxian (陳育賢), *Xi Yuanyangyu Gaiyun Shengun Xingqin Danchun Nu* (洗鴛鴦浴改運 神棍性侵單純女) [*Improving Luck Through Taking Lovers’ Bath: Religious Fraudster Sexually Assault Naïve Woman*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 12, 2015), <https://www.chinatimes.com/newspapers/20151212000537-260503?chdtv> [<https://perma.cc/7ZQH-K4KM>]; Guo Zhihan (郭芝函), *Nushilian Shengun Jingchen Pao Yuanyangyu Chaofan Neng Gaiyun* (女失戀 神棍竟稱泡鴛鴦浴、炒飯能改運) [*As a Woman Had a Break-Up, the Religious Fraudster Claimed that Lover’s Bath and Humping Can Improve Her Luck*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (June 4, 2016), <https://www.chinatimes.com/realtimenews/20160604004774-260402?chdtv> [<https://perma.cc/T2UQ-ETKN>].

⁹⁸ Qian Lizhong (錢利忠), *Bi Nuer Xianshen 3P Yinjiaozhu Meimoma Shouya* (逼女兒獻身3P 淫教主 美魔媽收押) [*Forced Daughter to Give Body for Threesome: Religious Leader and MILF Detained*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 31, 2013), <https://n.yam.com/Article/20131231020256> [<https://perma.cc/B3M3-WQCV>]; Yang Guowen (楊國文), *11 Sui Nu Beibi 3P Guizhensheng Qimmuyu Yinjiaozhu* (11歲女被逼3P 蒐證「聲」擒母與淫教主) [*Eleven-Year-Old-Girl Forced Into Threesome, Collected “Sound” Evidence to Catch Mother and Lecherous Religious Leader*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Aug. 15, 2014), <https://news.ltn.com.tw/news/society/paper/804741> [<https://perma.cc/W5Z2-3YLC>].

⁹⁹ Wang, *supra* note 3; Ye, *supra* note 90; Wang Dingchuan (王定傳) & Chen Weici (陳慰慈), *Xingqin Nuxintu Tangzhezhuang Feilongwang Fuqi Zhongpan* (性侵女信徒「躺著賺」肥龍王夫妻重判) [*Sexually Assaulted Female Adherents and “Earning While Lying Down”*: *Fat Dragon King Couple Received Severe Sentence*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Jan. 9, 2016), <https://features.ltn.com.tw/https://features.ltn.com.tw/japanese/article/paper/947610> [<https://perma.cc/S63G-XAY7>].

¹⁰⁰ For a general discussion about reproductive sexual taboos in the U.S. and around the world, see Karen Ericksen Paige, *Sexual Pollution: Reproductive Sex Taboos in American Society*, 33(2) J. SOC. ISSUES 144, 145–52 (1977).

¹⁰¹ Wang Dingchuan (王定傳) & Huang Jie (黃捷), *Limian Youshen Guizhe Qiaomen Eshengun Yunfu ye Xingqin* (「裡面有神 跪著敲門」惡神棍 孕婦也性侵) [*“God Resides Here, Kneel When Knocking”*: *Despicable Religious Fraudster Sexually Assaulted Pregnant Woman*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 31, 2015), <https://news.ltn.com.tw/news/society/paper/945115> [<https://perma.cc/S4PT-QUKG>]; Xie Xingen (謝幸恩), *Kuangchen Zhenduan Guitou Shengun Xingqin Huaiyunnu Panpei 50 Wan* (誣稱「斬斷鬼頭」神棍性侵懷孕女判賠50萬) [*Lying About “Decapitating Ghost”*: *Religious Fraudster Ordered to Compensate NT 500,000 for Sexually Assaulting Pregnant Women*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 30, 2015), <https://www.chinatimes.com/realtimenews/20151230003353-260402?chdtv>

newspaper reports' titles framed the victim's pregnancy as an aggravating factor, at least in the moral sense. For example, one report is titled "Pretending She Cannot Move During An Exorcism: Defilement of Pregnant Woman" (誑驅魔不準動 玷污孕婦).¹⁰² Another report is titled "'God Resides Here, Kneel When Knocking': Despicable Religious Fraudster Sexually Assaults *Even* Pregnant woman" (「裡面有神 跪著敲門」惡神棍 孕婦也性侵) (emphasis added).¹⁰³

Another example is menstruation.¹⁰⁴ In the *Wu Qirong* case, the victim was menstruating during one of the multiple exorcism sex rituals. Out of the three reports on the case, two reports alluded to this fact as an aggravating factor, with language such as "did not spare the victim even during her period" (連月事來時也不放過).¹⁰⁵

Similar treatment is accorded to sterilization and abortion. For the *Su Jianhua* case, a newspaper report led with the title "Foolish Girl Sterilized for Dragon King: Signed 79.1 Billion Promissory Note

[<https://perma.cc/US98-KGAY>]; Wang Dingchuan (王定傳), *Kuangqumo Buzhundang Dianwu Yunfu* (誑驅魔不準動 玷污孕婦) [*Pretending She Could Not Move During Exorcism: Defilement of Pregnant Woman*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Mar. 22, 2015), <https://news.ltn.com.tw/news/society/paper/865037> [<https://perma.cc/G5TN-N7L7>].

¹⁰² Wang & Huang, *supra* note 101.

¹⁰³ Wang, *supra* note 101.

¹⁰⁴ The prevalent taboo against sex during menstruation has been given judicial notice in *District Court (Ciaotou) Judgment 107/9*: Qiaotou Difang Fayuan (橋頭地方法院) [Qiaotou District Court], Xingshi 刑事 [Criminal Division], 107 Qing Su Zi No. 9 (107 侵訴字第 9 號刑事判決) (2018) (Taiwan). It is also relied upon in fact-finding. For example, the fact that the victim was having her period is a factor that supports her contention that she did not consent to the sexual intercourse in *District Court (Tainan) Judgment 107/16*: Tainan Difang Fayuan (臺南地方法院) [Tainan District Court], Xingshi 刑事 [Criminal Division], 107 Qing Su Zi No. 16 (107 侵訴字第 16 號刑事判決) (2018) (Taiwan). On the flipside, where there is dispute as to whether there had been sexual intercourse, that the victim was having her period would support that the defendant did not have sexual intercourse because a "men will not be interested in engaging in sexual intercourse with a woman during her period." Lin, *supra* note 7, at 184.

¹⁰⁵ Shao Xinjie (邵心傑), *Kuangchen Nutongxue Zangdongxi Fushen Senan Pinashangchuang Quxie* (誑稱女同學髒東西附身 色男騙上床驅邪) [*Lying to Female Classmate About Her Being Possessed by Dirty Things: Lecherous Man Deceptively Used Exorcism to Get Sex*], LIANHEBAO (聯合報) [UNITED DAILY NEWS] (Sept. 22, 2017). The other report is by Zheng Binzhang (程炳璋), *Ni Beishang Beizhe Jigeren Kuangqumo Elang Xingqin Nutongxue* (「你背上背著幾個人」誑驅魔 惡狼性侵女同學) [*You Are Carrying A Few People on Your Back*]: *Lying about Exorcism, Lecherous Predator Sexually Assaulted Female Classmate*, ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 28, 2015), <https://www.chinatimes.com/newspapers/20151228000398-260106?chdtv> [<https://perma.cc/G5TN-N7L7>].

for Engagement” (痴女為「龍王」結紮 簽 791 億本票當婚約) and further detailed how out of the four “dragon girls,” two voluntarily sterilized while the other two used oral contraception to fulfill the “dragon covenant of forgoing dragon offspring.”¹⁰⁶ Similarly, for the *Huang Junpin* case, a newspaper report lead with the title “Master Helped Female University Student ‘Activate Divine Eye’: Twelve Years Imprisonment for Abortion-Resulting Spiritual Practice” (師父幫女大生「開天眼」靈修到墮胎判 12 年) and alluded to how the aborted pregnancy aggravated the harm to the victim.¹⁰⁷

B. Theme 2: Outrageous Falsehood by Reprehensible Man

The second theme that emerges from the newspaper reports is the outrageous religious falsehood purveyed by the clearly reprehensible defendants.

The purported religious claims used by the defendant are consistently treated by the newspaper reports as outrageously false. This intense skepticism can be implicit, such as when a particular claim is used in the title to capture the reader’s attention. For example, in the *Wu Qirong* case, the titles read, “‘You Are Carrying a Few People on Your Back’: Lying about Exorcism, Lecherous Predator Sexually Assault Female Classmate” (「你背上背著幾個人」誑驅

¹⁰⁶ Wang & Xie, *supra* note 92. For other mentions of sterilization, see Gan Yuwei (甘育玮), *Quanluo Huafu Kegaiyun Shengun Fufu Chongpan* (「全裸畫符可改運」神棍夫婦重判) [“Charm Writing While Naked Can Change Luck”: Religious Fraudster Couple Received Severe Sentence], LIANHEBAO (聯合報) [UNITED DAILY NEWS] (Jan. 9, 2016); Ye Dezheng (葉德正), *Qi Xichen Fu Tangzhezhuang Ledang Pian Caise Gongfan Guhuo Xingqin 13 Nu Jia Longwang Pan 27 Nianban* (妻戲稱夫「躺著賺」樂當騙財色共犯 轟惑性侵 13 女假龍王判 27 年半) [Wife Teased Husband “Earning While Lying Down”: Happy to be Accomplice in Fraud and Fraudulent Sex, Tricked and Sexually Assaulted Thirteen Women, Fake Dragon King Sentenced to 27 ½ Years], ZHONGGUO SHIBAO 中國時報 [CHINA TIMES], (Jan. 9, 2016); Ye, *supra* note 90.

¹⁰⁷ Wang, *supra* note 1. For other mentions of abortion, see Lu Kaiduan (呂開瑞), “*Ni Shi Wo Sanshi Fuqi*” *Miaogong Dai Nudasheng Huandao Xingqin Lingru* (「你是我三世夫妻」廟公帶女大生環島性侵凌辱) [“You are My Wife of Three Past Lives”: Head Abbot Brought Female University Student around Island for Sexual Assault and Humiliation], LIANHEBAO (聯合報) [UNITED DAILY NEWS] (Aug. 11, 2018); Yang Guowen (楊國文), *Chumo Hu Jiaren, Nudasheng Canzao Shengui Xingqin Duotai, Bengkui Songyi* (除魔、護家人 女大生慘遭神棍性侵墮胎崩潰送醫) [Exorcised, Protect Family: Female University Student Sexually Assaulted by Religious Fraudster till Abortion, Broke Down and Sent to Hospital] ZIYOU SHIBAO (自由時報) [LIBERTY TIMES], (Jan. 4, 2018), <https://news.ltn.com.tw/news/society/paper/1165687> [<https://perma.cc/Y8RF-RXE5>].

魔 惡狼性侵女同學)¹⁰⁸ or “Must Have Sex to Exorcise Lecherous Ghost!: Female High School Student Sexually Assaulted Three Times by Real ‘Lecherous Ghost’” (要性交才能驅趕色鬼! 女高中遭真「色鬼」性侵 3 次).¹⁰⁹ For the *Huang Junpin* case, the title read, “‘You Are My Wife of Three Past Lives’: Female University Student Sexually Assaulted by Religious Fraudster all Around the Island” (「你是我三世夫妻」 女大生遭神棍環島性侵).¹¹⁰

The perceived outrageous nature of these religious claims may also be more explicit. For example, the statement of the specific claims in the title may be coupled with a question mark or a connector to emphasize the ridiculous nature of the claim. In the *Chen Xihu* case, in addition to the title “‘Improving Luck Through Taking Lovers’ Bath’: Religious Fraudster Sexually Assaults Naïve Woman” (「洗鴛鴦浴改運」神棍性侵單純女),¹¹¹ newspaper reports have led with titles such as “Improve Luck Through Taking a Bath?: Lovelorn Woman Loses Chastity” (泡澡改運? 失戀女失身)¹¹² or “Woman had a Break-Up, Religious Fraudster Actually Claimed that Lovers’ Bath and Humping Can Improve Luck” (女失戀 神棍竟稱泡鴛鴦浴、炒飯能改運).¹¹³

The newspaper reports may also directly call out the outrageousness of the claims. This is achieved by descriptors such as “nonsensical fabrication” (瞎掰),¹¹⁴ “preposterous reasoning” (歪

¹⁰⁸ Zheng, *supra* note 105.

¹⁰⁹ Zhang Guoxin (張國欽), *Yao Xingjiao Cai Neng Qugan Segui! Nu Gaozhong Zao Zhen “Segui” Xingqin 3 Ci* (要性交才能驅趕色鬼! 女高中遭真「色鬼」性侵 3 次) [Must Have Sex to Exorcise Lecherous Ghost!: Female High School Student Sexually Assaulted Three Times by Real “Lecherous Ghost”]. ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Mar. 7, 2018), <https://www.chinatimes.com/realtimenews/20180307001947-263201?chdtv> [https://perma.cc/9CY6-9EKK].

¹¹⁰ Lu Kaiduan (呂開端), *Ni Shi Wo Sanshi Fuqi Nudasheng Zao Shengun Huandao Xingqin* (「你是我三世夫妻」 女大生遭神棍環島性侵) [“You Are My Wife of Three Past Life”: Female University Student Sexually Assaulted by Religious Fraudster All Around the Island], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Oct. 2, 2017).

¹¹¹ Chen, *supra* note 97.

¹¹² Cai, *supra* note 96.

¹¹³ Guo, *supra* note 97.

¹¹⁴ Wang Dingchuan (王定傳), *Shoujing Yu Shengun Yujin Zhelien Zao Xingqin* (收驚遇神棍 浴巾遮臉遭性侵) [Encountered Religious Fraudster While Retrieving Soul: Sexually Assaulted with Towel Covering Face], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (July 25, 2015), <https://news.ltn.com.tw/news/society/paper/900906> [https://perma.cc/VVZ6-F3YH]; See Yang, *supra* note 94; Wang & Chen, *supra* note 99.

理),¹¹⁵ “absurd” (荒謬),¹¹⁶ “bizarre supernatural claims” (怪力乱神)¹¹⁷ and “ridiculous to the extreme” (誇張至極).¹¹⁸ There may also be vivid expressions such as “so shocking that one would spurt out one’s food” (令人噴飯),¹¹⁹ or even direct appeal to readers “never believe nonsenses such as ‘I need to touch your body to catch ghosts’!” (「碰觸你的身體,我才能抓鬼...」這類鬼話,千萬別信!).¹²⁰

This emphasis on the perceived outrageous nature of the claims is best epitomized by the newspapers’ consistent presumption of guilt when reporting the cases prior to the trial verdict (i.e., during the investigation or prosecution phase of the case). Of the twenty pre-verdict reports across the seven cases, only one report properly acknowledged that the defendant should not be considered guilty prior to conviction with the title “Dragon King Allegedly Indecent Assault: Dragon Queen Suspected as an Accomplice” (龍王涉猥褻龍后疑為共犯).¹²¹ For the remaining nineteen reports, the newspaper depicted the defendant in question as guilty through using phrases such as “sexual assault” (性侵), “lied about” (誣), and/or “religious fraudster” (神棍). For example, a report on the *Li Junsheng* case was titled, “Thought She Encountered Ghost: Sexually Assaulted upon Seeking Exorcism from Religious Fraudster” (自認卡到陰 找神棍驅魔遭性侵).¹²² Another example would be the

¹¹⁵ Yang, *supra* note 114; Lin, *supra* note 94.

¹¹⁶ Chen Yijia (陳宜加), *Huangmiu Longwang Yingao Yifa Songban* (荒謬龍王硬拗依法送辦) [*Ridiculous Dragon King Blatantly Denies: Referred to Prosecution in Accordance with Law*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Apr. 22, 2015), <https://www.chinatimes.com/newspapers/20150422000698-260107?chdtv> [<https://perma.cc/MGC7-TJWN>].

¹¹⁷ Chen, *supra* note 97.

¹¹⁸ Ye, *supra* note 106; Ye, *supra* note 90; Wang & Xie, *supra* note 92.

¹¹⁹ Zeng Jianming (曾健銘), *Qi Ding Longnu Shouze Mudu Longwang Xingqin Nuxintu* (妻訂龍女守則 目睹龍王性侵女信徒) [*Wife Drafts Rules for Dragon Girl: Witness Dragon King Sexually Assault Female Adherents*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Apr. 22, 2015), <https://news.ltn.com.tw/news/society/paper/873837> [<https://perma.cc/D48B-N5TG>].

¹²⁰ Wang & Huang, *supra* note 101.

¹²¹ Zhou Yuxiang (周毓翔) et al., *Longwang She Weixie Longhou Yi Wei Gongfan* (龍王涉猥褻 龍后疑為共犯) [*Dragon King Allegedly Indecent Assault: Dragon Queen Suspected as Accomplice*], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Apr. 21, 2015), <https://www.pressreader.com/search?query=%E9%BE%8D%E7%8E%8B%E6%B6%89%E7%8C%A5%E8%A4%BB%20%E9%BE%8D%E5%90%8E%E7%96%91%E7%82%BA%E5%85%B1%E7%8A%AF> [<https://perma.cc/7S9Y-FL95>].

¹²² Ye Dezheng (葉德正), *Ziren Kadao Yin Zhao Shengun Qumo Zao Xingqin* (自認卡到陰 找神棍驅魔遭性侵) [*Thought She Encountered Ghost: Sexually Assaulted*

report on the *Su Jianhua* case that was titled, “Fabricating Miracle, Sexually Assaulted Thirteen Women, Conned Three Million” (虛構神蹟 性侵 13 女 詐騙 3 百萬).¹²³ This inherent tendency to regard the defendant as guilty, notwithstanding the journalistic ethics, is best epitomized by a report for the *Zhong Zhicheng* case, titled, “[R]eligious Fraudster Detained for Allegedly Sexually Assaulting and Indecently Assaulting Female Adherents” (神棍涉性侵、猥褻女信徒被收押),¹²⁴ with the otherwise correct use of “allegedly” undercut by labeling the defendant as a “religious fraudster.”

Indeed, “religious fraudster” (神棍) is a particularly popular descriptor, with eighteen newspaper reports using it to describe the defendant in the title, and more neutral occupational terms of “fortune teller” (命理師),¹²⁵ “spirit medium (乩童)”¹²⁶ and “wizard”(術士)¹²⁷ used sparingly in isolated instances.

C. Theme 3: Defiling Innocence

The third theme revolves around the defilement of innocence.

Consistent with the perceived outrageous nature of the religious falsehood, the newspaper reports would depict the defrauded victims as naïve. For example, the victim in *Chen Xihu*

upon Seeking Exorcism from Religious Fraudster, ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Mar. 22, 2015), <https://www.chinatimes.com/realtimenews/20150321002711-260503?chdtv> [<https://perma.cc/3P7B-X3Z8>].

¹²³ Xie Junlin (謝君臨) & Wang Dingchuan (王定傳), *Xugou Shenji Xingqin 13 Nu Zhapian 3 Bai Wan* (虛構神蹟 性侵 13 女 詐騙 3 百萬) [*Fabricating Miracle, Sexually Assaulted Thirteen Women, Conned Three Million*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Aug. 19, 2015), <https://news.ltn.com.tw/news/society/paper/907911> [<https://perma.cc/YH29-TYBP>].

¹²⁴ Lu Suli (呂素麗), *Shengun She Xingqin, Weixie Nuxintu Bei Shouya* (神棍涉性侵、猥褻女信徒被收押) [*Religious Fraudster Detained for Allegedly Sexually Assaulting and Indecently Assaulting Female Adherents*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Sept. 20, 2017), <https://www.chinatimes.com/newspapers/20170920000606-260107?chdtv> [<https://perma.cc/VV7P-NAQ8>].

¹²⁵ Lin, *supra* note 94.

¹²⁶ Lin Baoguang (林保光), *Yaoqiu Nuxinzhong Tuoyi Chenji Weixie Jitong Zao Jian Jiya Zhenban* (要求女信眾脫衣趁機猥褻 乩童遭檢羈押偵辦) [*Required Female Adherents to Strip and Took Opportunity to Indecently Assault: Spirit Medium Detained and Investigated by Prosecutor*], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Sept. 19, 2017).

¹²⁷ Cai Zhangshen (蔡彰盛), *Shushi Damiao Qian Kaidian Guai Nudasheng Paozao Gaiyun* (術士大廟前開店 拐女大生泡澡改運) [*Wizard Opened Shop in Front of Big Temple: Lure Female University Student Into Luck Change Through Bath*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (June 5, 2016).

case, an adult university student, was described in three newspaper reports as “simple-minded” (心思單純),¹²⁸ one of which was titled, “Religious Fraudster Sexually Assaulted Naïve Woman” (神棍性侵單純女).¹²⁹ The victims in *Wu Qirong*, *Su Jianhua*, and *Ou Yangxian* cases have also been variously described as “naïve and awkward” (憨拙),¹³⁰ “silly” (痴女),¹³¹ “foolish” (糊塗),¹³² and “ignorant” (無知).¹³³ However, this portrayal of the victim’s naivety is not simply about explaining why the victim would fall for the perceived ridiculous lies. It emphasizes that the victim’s innocence has been defiled.

This emphasis on innocence defilement can manifest through explicit language. The newspaper reports may, at times, explicitly convey the idea of defilement through language such as “(sexually) humiliated” (凌辱),¹³⁴ “ravaged” (蹂躪),¹³⁵ “defiled” (玷污),¹³⁶ and “lose chastity” (失身)¹³⁷ in the titles and main text.

The emphasis is also reflected in how the newspaper reports essentialized the victim as a student—a status that connotes unpolluted innocence when compared to those in the “real”

¹²⁸ *Id.*; Chen, *supra* note 97; Cai, *supra* note 112.

¹²⁹ Chen, *supra* note 97.

¹³⁰ Zheng Binzhang (程炳璋), *Kuang Qumo Elang Xingqin Nu Tongxue* (誑騙魔 惡狼性侵犯女同學) [*Lying about Exorcism, Lecherous Predator Sexually Assaulted Female Classmate*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 28, 2015), <https://www.chinatimes.com/newspapers/20151228000398-260106?chdtv> [<https://perma.cc/G5TN-N7L7>]; see also Shao, *supra* note 105 (describing a victim as “simple-minded” (憨厚)).

¹³¹ Wang & Xie, *supra* note 92.

¹³² Yang, *supra* note 98.

¹³³ Wang Jiyou (王己由), *Jia Lingxiu Xingqin Mumu Jiaozhu Zhongpan Shiba Nian* (假靈修性侵母女 教主重判18年) [*Sexually Assault Mother and Daughter Through Fake Spiritual Practice: Religious Leader Subject to Harsh 18 Years Imprisonment*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 27, 2014), <https://www.chinatimes.com/newspapers/20141227000412-260106?chdtv> [<https://perma.cc/QT5D-XF63>].

¹³⁴ Lu, *supra* note 107; see also Lu, *supra* note 110 (discussing the humiliation the victim faced).

¹³⁵ Wang Hongxun (王宏舜), *Pian Ta Kai Tianyan Jiu Quanjia Shen Gun Roulin Nu Dasheng Zhi Bengkui* (騙她「開天眼救全家」神棍蹂躪女大生致崩潰) [*Deceived Her with “Activate Divine Eye to Save Whole family”: Religious Fraudster Ravaged Female University Student Until She Broke Down*], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Dec. 4, 2018); Xie, *supra* note 101.

¹³⁶ Wang, *supra* note 101.

¹³⁷ Cai, *supra* note 112.

world¹³⁸—through the frequent and unnecessary reporting on the victim being a student. Terminologies such as “female university student” (女大生)¹³⁹ or “female classmate” (女同學)¹⁴⁰ are commonly used in the titles of the newspaper reports. Indeed, the usage of such terminology is the norm for cases where the victims happened to be students at the time of the offense, namely *Chen Xihu*, *Huang Junpin*, and *Wu Qirong*.¹⁴¹ Moreover, the terminology is repeated throughout the text whenever the victim is referred. An example is the following paragraph:

The *female university student* was screaming for help, but her mother and family thought that she was really possessed, and Huang was helping to improve her bad luck; later Huang even lied to the family of the *female university student* that ‘she is my wife of three past lives,’ that the *female university student* was possessed by a ghost, and he had to bring her around the island to pray. Huang thereby took the opportunity to sexually assault her in Twelve motels in Taoyuan, Hualian, Taichung, Miaoli, and other parts of Taiwan at a rate of one to three times per location. The *female university student* was pregnant and forced to abort.

(當時女大生曾尖叫哭喊，但母親等家人都認為她真的被鬼附身，而黃男正在幫她消災解厄；事後黃男更對女大生家人誣稱：「她是我的三世夫妻。」指女大生被鬼纏身，要帶她去全台過境拜拜，趁機在桃園、花蓮、台中、苗栗等全台 12 處摩鐵，每處以 1 至 3 次頻率性侵得逞，女大生一度懷孕、被迫墮胎。)¹⁴²

Tellingly, the persistent emphasis and references to “female university student” for *Chen Xihu* and *Huang Junpin* is unwarranted

¹³⁸ Chen Tingyu (陳婷玉) & Zhang Zhiyuan (張志遠), *Shiweisucan de Daxuesheng?: Daxuesheng Xingxiang de Meiti Zaixian Yu Yue Ting Ren Jiedu Yanjiu* (「尸位素餐」的大學生?: 大學生形象的媒體再現與閱聽人解讀研究) [*The College Students Who Are “Lazy Good for Nothings?”: The Media Representation of the Image of College Students and the Interpretation Research of the Readers*], 13(1) CHUANBO YU GUANLI YANJIU (傳播與管理研究) [COMMUN & MGMT. RSCH.] 73, 77–79 (2013).

¹³⁹ Lin, *supra* note 115 (“Sexually assault female university student: nonsensical fabrication of ‘improve luck through absorbing Yang qi’” (“性侵女大生 瞎掰「吸陽氣改運」”)).

¹⁴⁰ Zheng, *supra* note 105 (“Lying about exorcism, lecherous predator sexually assault female classmate” (誣驅魔 惡狼性侵女同學)).

¹⁴¹ There were thirteen newspaper reports over the three cases. That is a clear majority of the total nineteen newspaper reports on those three cases.

¹⁴² Lu, *supra* note 107.

given that the defendants and the offending conduct are devoid of any connection to the university context. Similarly, while the allusion to the “female classmates” in the title may be explained by the fact that the defendant (*Wu Qirong*) was the victim’s classmate in her polytechnic class,¹⁴³ it does not justify the subsequent referral of the victim as “female student” in the text.

Where the victims have graduated from university, as were the multiple victims in the *Su Jianhua* case, the newspaper reports instead used “young women” (年輕女子),¹⁴⁴ or even “woman of fine young age” (妙齡女子).¹⁴⁵ The emphasis of the latter is not isolated and is part of a broader pattern of alluding to the victim’s physical attractiveness in the report, with descriptors such as “beautiful” (貌美),¹⁴⁶ “delicate and pretty” (清秀),¹⁴⁷ “good looks” (姿色不錯),¹⁴⁸ “charming look” (美色),¹⁴⁹ “beautiful sisters” (姊妹花)¹⁵⁰ and even “milf” (美魔媽).¹⁵¹

Indeed, the beauty of the victims is often contrasted with the physical unattractiveness of the defendant. For example, in reporting

¹⁴³ Shao, *supra* note 105.

¹⁴⁴ Ye, *supra* note 90; Ye, *supra* note 106; Lin Weixing (林偉信), *Xingqin Shisan Nu Jia Longwang Fuqi Ershen Huo Qingpan* (性侵13女 假龍王夫妻二審獲輕判) [*Sexually Assaulted 13 Women: Fake Dragon King Couple Received Light Sentence on Second Instance*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Oct. 28, 2016), <https://www.chinatimes.com/newspapers/20161028000559-260107?chdtv> [<https://perma.cc/L2AR-4KNZ>]; Lin Weixing (林偉信), *Xingqin Shisan Nu Jia Longwang Fuqi Zhongpan Shijiu Nian Ban yu Shisan Nian Ban* (性侵13女 假龍王夫妻重判19年半與13年半) [*Sexually Assaulted Thirteen Women: Fake Dragon King Couple Severely Punished with Nineteen-and-a-Half Years and Thirteen-and-a-Half Years' Imprisonment, Respectively*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Mar. 29, 2017), <https://www.chinatimes.com/realtimenews/20170329003017-260402?chdtv> [<https://perma.cc/22JG-5WML>].

¹⁴⁵ Gan, *supra* note 106.

¹⁴⁶ Lu, *supra* note 110; Guo, *supra* note 113.

¹⁴⁷ Zheng, *supra* note 105; Shao, *supra* note 105.

¹⁴⁸ Wang, *supra* note 135.

¹⁴⁹ Yang, *supra* note 107.

¹⁵⁰ Wang & Xie, *supra* note 92; Ye, *supra* note 106.

¹⁵¹ See Yang, *supra* note 98; Chen, *supra* note 98; Chen Lizhong (錢利忠), *Shiqi Du Xingqin Shaonu, Yin Jiaozhu Pan Shisi Nian* (17度性侵少女 淫教主判14年) [*Sexually Assaulted Teenage Girl 17 Times, Lecherous Religious Leader Was Sentenced to 14 Years Imprisonment*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Jan. 1, 2014), <https://news.ltn.com.tw/news/society/paper/743159> [<https://perma.cc/JYA6-UDLY>]. The woman described as a “MILF” in the report is the mother of the underage victim. The woman was charged and convicted as a co-defendant for facilitating the sexual abuse of her daughter. The newspapers reports do portray the woman as a victim who was deceived by the religious fraudster.

the *Ou Yangxian* case, a newspaper reported that the defendant “looked old and fragile” (盡顯老態) as compared to the defrauded woman, who was “fair and elegant” (她皮膚白皙、氣質出眾).¹⁵² Similarly, in reporting the *Su Jianhua* case, not only did some newspaper reports note that the defendant was fat,¹⁵³ one directly referred to the defendant as “fat dragon king” (肥龍王) in the title itself.¹⁵⁴

D. Overall Narrative: Moral Panic of Lecherous Religious Fraudsters

The three themes identified in the above analysis can be understood as the typical sensationalized news reporting that has long plagued Taiwanese news media. In particular, the vivid emphasis on sexualized details and the presumptuous judgment of the defendants reflect the much-lamented failings of Taiwanese news media. In sharp contrast to the pervasive state control of speech and media under the martial law that was lifted in 1987, the press in Taiwan currently enjoys a very high degree of freedom.¹⁵⁵ However, the corresponding cut-throat competition for readership, in turn, induced the prevalent practices of sensationalized news reporting that while recognized as contrary to journalistic standards, are deemed necessary to boost circulation.¹⁵⁶ In particular, this problematic sensationalization pervades reporting on sexual offenses.¹⁵⁷

¹⁵² Qian, *supra* note 98.

¹⁵³ Zhang Jingting (張靜婷), *Longwang Pian Cai Se Mo Xiong Gaiyun Guai Liushi Nu* (龍王騙財色 摸胸改運拐60女) [*Dragon King Defrauding Money and Sex: Touch Breast and Cheat Sixty Women by Alleging Changing Luck*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Apr. 21, 2015), <https://www.chinatimes.com/newspapers/20150421000455-260503?chdtv> [<https://perma.cc/ZW4P-WMBN>]; Zeng, *supra* note 119.

¹⁵⁴ Wang & Chen, *supra* note 99.

¹⁵⁵ For a concise account of the history and evolution of media regulation in Taiwan, see Hung, *supra* note 84, at 83–84.

¹⁵⁶ H. Denis Wu & Cheryl Ann Lambert, *Impediments to Journalistic Ethics: How Taiwan's Media Market Obstructs News Professional Practice*, 31 J. MEDIA ETHICS 35, 43–44 (2016).

¹⁵⁷ For discussions on the questionable practices and corresponding legal issues relating to media reporting on sexual offences in Taiwan, see generally Wong Hsiao-Ling (翁曉玲), *Xing Qin Hai Fanzui Xinwen Baodao Zhi Falu Jiexian Wenti* (性侵害犯罪新聞報導之法律界限問題) [*The Legal Problem on the Media Reports of Sexual Assault Crime*], 12 ZHONGZHENG DAXUE FAXUE QIKAN (中正大學法學集刊) [NATIONAL CHUNG CHEN U.L.J.] 145 (2003).

Nonetheless, when the three themes are combined, they constitute a distinct narrative that can be understood as a moral panic, where lecherous men utilized deviant religious practices to entrap naïve vulnerable young woman into perverted sexual exploitation.

The classic definition of moral panic, as articulated by Stanley Cohen, is as follow:

A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible.¹⁵⁸

David Garland further observed the symptomatic moral dimension of the threat distinguished moral panic from other widespread concerns about distinct sources of a dangerous threat.¹⁵⁹ As such, the repulsive and deviant conduct as practiced by a marginalized group (sometimes called “folk devils”) often form the core of the moral panic.¹⁶⁰

We argue that this dynamic is the connecting thread among the three themes. There is an identified dangerous protagonist of the religious charlatan, as typified by the widespread use of the derogatory label of “religious fraudster” (神棍). The charlatan clearly violated acceptable religious norms through ridiculous supernatural claims that must be false. Crucially and wretchedly, the charlatan’s religious falsehood involved perverted sexual acts, simultaneously corrupting the purity of religion¹⁶¹ and the prevailing sexual norms. Further aggravating the moral reprehensibility and societal threat, the charlatan targets young, naïve and vulnerable

¹⁵⁸ STANLEY COHEN, *FOLK DEVILS AND MORAL PANICS: THE CREATION OF THE MODS AND ROCKERS* 1 (Routledge 3d ed. 2011). For a discussion of a research framework premised on moral panic, see SARAH WRIGHT MONOD, *MAKING SENSE OF MORAL PANICS: A FRAMEWORK FOR RESEARCH* 7-10 (Palgrave Macmillan 2017).

¹⁵⁹ David Garland, *On the Concept of Moral Panic*, 4 *CRIME MEDIA CULTURE* 9, 10–11 (2008).

¹⁶⁰ *Id.* at 14.

¹⁶¹ See *Supreme Court Judgment 102/4174: Zuigao Fayuan* (最高法院) [Supreme Court], Xingshi 刑事 [Criminal Division], 102 Tai Shang Zi No. 4174 (102 台上字第 4174 號刑事判決) (2013) (Taiwan). (finding that the purported claim of curse-removal ritual involving sex acts is against the “chaste” nature of religions (宗教純潔性)).

women, whose innocence enabled the exploitation but is also the subject matter of the exploitation.

V. MORAL PANIC AND THE LAW

The usual implication from a narrative of moral panic is that drastic state action is perceived as necessary and desirable.¹⁶² In particular, criminal law is a popular tool to punish and deter the reprehensive and dangerous group that is the source of the grave societal threat.¹⁶³ Indeed, the fear underlying the moral panic may justify and drive the employment of enhanced penalties, streamlined procedures, targeted new offences, and other legal mechanisms.¹⁶⁴

This dynamic is played out in Taiwan. As discussed in Part II, the criminalization of religious fraudulent sex in Taiwan stood out for the vigorous prosecutions and high conviction rates, which are facilitated by creative doctrinal interpretations that are applicable only to scientifically unverifiable methods. The exclusion of other forms of fraudulent sex and the general persistence of rape myths excludes sexual autonomy protection as the driving force behind this determined criminalization. Instead, the singling out of religious fraudulent sex is consistent with the moral panic narrative prevalent in the newspaper reports.

The villain in the narrative, the licentious religious fraudster, is a dangerous and reprehensible sexual predator. Harsh legal sanctions are required to punish the villain for the deep transgression of social moral order, and to protect the naïve vulnerable victims from sexual exploitation.¹⁶⁵ This grave threat justifies the innovative

¹⁶² MARSH & MELVILLE, *supra* note 12, at 79–80.

¹⁶³ Jennifer L. Klein & Danielle Tolson Cooper, *Punitive Attitudes Toward Sex Offenders: Do Moral Panics Cause Community Members to Be More Punitive?*, 30(6) CRIM. JUST. POL'Y REV. 948, 962–64 (2019).

¹⁶⁴ E.g., Sarah Tosh, *Drugs, Crime, and Aggravated Felony Deportations: Moral Panic Theory and the Legal Construction of the "Criminal Alien,"* 27 CRITICAL CRIMINOLOGY 329, 337–41 (2019) (discussing the development and use of aggravated felony as a deportation tool to combat the perceived threat of criminal aliens); Mary Katherine Huffman, *Moral Panic and the Politics of Fear: The Dubious Logic Underlying Sex Offender Registration Statutes and Proposals for Restoring Measures of Judicial Discretion to Sex Offender Management*, 4 VA. J. CRIM. L. 241, 244–53 (2016) (discussing the media-fueled politics of fear that drive the draconian and at times misguided legislative actions on sex offenders).

¹⁶⁵ See also Jianlin Chen & Phapit Triratpan, *Black Magic, Sex Rituals and the Law: A Case Study of Sexual Assault by Religious Fraud in Thailand*, 37(1) UCLA PAC. BASIN L.J. 25, 43–45 (2020) (describing how in Thailand where the rape offence is similar to pre-1999

interpretation of a statutory provision that did not expressly punish sex procured by fraud. In addition, this conceptualization of the defendant as a dangerous villain that is capable of manipulating victims with outrageous and obviously false religious claims renders religious fraudulent sex less of a departure from the myths of “real rape” that persist in the legal system.

Specifically, we argue that this moral panic narrative in newspaper reports supports the legal practices in two related—indeed mutually reinforcing—ways.

First, this moral panic narrative helps rationalize the targeted criminalization of religious fraudulent sex (but not other forms of fraudulent sex) for the public. This rationalization is particularly important given how the legal peculiarity is aggravated by the cursory representation of the law. The newspaper reports typically adopt a conclusory approach that directly connects the defendant’s fraudulent conduct with the convictions. For example, “the high court determined that [the defendant] lied by using the victim’s deep unquestioning religious and spiritual belief to persuade her that sex was necessary for luck improvement in order to sexually assault her” (高等法院認定陳男說謊，利用被害人對宗教等民俗信仰深信不疑心理，告以性交始能改運加以性侵，造成被害人身心受創).¹⁶⁶ In another example from another case, “the judge found that the [defendant] used the deeply held supernatural and religious belief, lied to the victim so as to sexually assault her, causing great harm to her sexual autonomy and dignity” (法官認為，李男利用小美深信宗教法術，誑騙小美並性侵，對她的性自主權及人格尊嚴戕害甚鉅).¹⁶⁷

Because the courts chose to emphasize the “fraud” element of the defendant’s conduct without explaining the underlying doctrinal approach, readers may be triggered by the inconsistent treatment between religious and non-religious fraudulent sex, including the common understanding that fraudulent sex is not rape *per se*.¹⁶⁸

Taiwan, the court interpreted “condition of inability to resist” as including victim’s naivety to facilitate punishment of fraudulent sex).

¹⁶⁶ Cai, *supra* note 127.

¹⁶⁷ Wang & Huang, *supra* note 101.

¹⁶⁸ See David P. Bryden, *Redefining Rape*, 3 BUFF. CRIM. L. REV. 317, 470–73 (2000) (discussing a survey of students, staff and faculty in 13 U.S. law schools that found that there is only limited support for a general principle of criminal liability for sex obtained by deception).

However, the moral panic narrative encourages the readers to overlook such issues since “justice” has been duly meted out against the dangerous and reprehensible villain. This in turn reduces the risks of any public push-back or query regarding the legal practices.

Second, this persistent and unchallenged moral panic narrative reassures prosecutors and judges that there is a widespread public acquiescence for the criminalization of religious fraudulent sex. There is well-established literature demonstrating that police, prosecutors, and judges are not immune to extra-legal considerations.¹⁶⁹ In the realm of criminal law, there is a particular concern about “trial by media”, whereby legal outcomes are influenced by the media’s portrayal of the alleged crime.¹⁷⁰ Taiwan is no exception, especially when the news media is not shy about levying harsh criticisms on judges (e.g., “dinosaur judge” (恐龍法官)) who deliver judgments that are perceived to depart from societal expectations.¹⁷¹ Unsurprisingly, empirical research on the perceived impact of media reporting on legal decision-making reveals that Taiwanese judges and prosecutors have significant concerns that the handling of cases by their fellow judges and prosecutors would be affected by media reports. This is especially true for media reports that play up the moral reprehensibility of the defendant and the

¹⁶⁹ Christina L. Boyd & Michael J. Nelson, *The Effects of Trial Judge Gender and Public Opinion on Criminal Sentencing Decisions*, 70 VAND. L. REV. 1819, 1832-35 (2017); Jordi Blanes i Vidal & Clare Leaver, *Are Tenured Judges Insulated from Political Pressure?*, 95 J. PUB. ECON. 570, 571-72 (2011).

¹⁷⁰ Chris Greer & Eugene McLaughlin, *Media Justice: Madeleine McCann, Intermediatization and ‘Trial by Media’ in the British Press*, 16 THEORETICAL CRIMINOLOGY 395, 397-98 (2012); John W. Wright II & Susan Dente Ross, *Trial by Media: Media Reliance, Knowledge of Crime and Perception of Criminal Defendants*, 2 COMM. L. & POL’Y 397, 399-403 (1997). See Claire S. H. Lim, James M. Snyder Jr. & David Strömberg, *The Judge, the Politician, and the Press: Newspaper Coverage and Criminal Sentencing Across Electoral Systems*, 7 AM. ECON. J.: APPLIED ECON. 103, 112-33 (2015) (finding in an empirical study in the United States that while media coverage does increase sentencing length, the influence is significantly more pronounced for nonpartisan elected judges than partisan elected or appointed judges).

¹⁷¹ E.g., Chen Zhixian (陳志賢), *Quefa Jiabao Tonglixin Faguan Lun Konglong (缺乏家暴同理心 法官淪恐龍)* [Lacking Empathy to Domestic Violence, Judges Relegated to Dinosaurs], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Jan. 28, 2019), <https://www.chinatimes.com/newspapers/20190128000602-260106?chdtv> [<https://perma.cc/MNZ5-5T33>]; Yang Guowen (楊國文), *Xingqin Huaiyun Kongjie Konglong Faguan Pan Miansu (性侵懷孕空姐 恐龍法官判免訴)* [Sexually Assaulted Pregnant Air Stewardess, Dinosaur Judge Ruled No Prosecution], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Mar. 31, 2017), <https://news.ltn.com.tw/news/focus/paper/1090457> [<https://perma.cc/TWY2-9DN6>].

vulnerable/sympathetic circumstances of the victims,¹⁷² which incidentally correspond to the reporting on religious fraudulent sex.

In such contexts, the prosecutors and judges could take solace in the media's moral panic narrative that the criminalization of religious fraudulent sex is consistent with the societal sentiment. Indeed, it is telling that the moral panic narrative is adopted in all three surveyed newspapers regardless of their respective ideological inclination. Media analysis has demonstrated how the different reporting, framing, and emphasis among the newspapers in Taiwan reflect their respective ideological stance.¹⁷³ However, there is no such divergence for religious fraudulent sex. This is notwithstanding that one might expect the *Liberty Times* would be less judgmental and presumptuous about the allegation of religious fraud,¹⁷⁴ given its persistent condemnation of China's suppression of "evil cults" and other perceived false religions.¹⁷⁵ Thus, this consensus among the

¹⁷² Peng Weng-Jeng (彭文正) & Hsiao Hsien-Wen (蕭憲文), *Fanzui Xinwen Miaoshu Shoufa Yu Yingxiang Renzhi Zhi Shizheng Yanjiu* (犯罪新聞描述手法與影響認知之實證研究) [An Empirical Study of the Relationship Between the Descriptive Methods Used in Crime Reporting and the Perception of Influences], 19 DONGWU FALÜ XUEBAO (東吳法律學報) [SOOCHOW L. REV.] 27, 51-52 (2007); Peng Dennis Weng-Jeng (彭文正) & Hsiao Hsien-Wen (蕭憲文), *Fanzui Xinwen Baobao Duiyu Sifaguan "Renzhi", "Zhuisu" Ji "Panjue" de Yingxiang* (犯罪新聞報導對於司法官"認知," "追訴," 及"判決"的影響) [The Effects of the Media's Coverage of Criminal Events and Trials on Prosecutors' and Judges' "Perceptions," "Litigation," and "Rulings"], 35 TAIDA FAXUE LUNCONG (臺大法學論叢) [N.T.U. L. REV.] 107, 176-77 (2006).

¹⁷³ Shyue-Shuo Huang (黃學碩), 2008 Nian Zongtong Daxuan Qianhou Baozhi Dui Zhou Meiqing Baodao de Lunshu Fenxi: Chengyuan Leishu Fenxi de Guandian (2008 年總統大選前後報紙對周美青報導的論述分析: 成員類屬分析的觀點) [Discourse Analysis of the News Reports About Mei Chin Chou During the 2008 Taiwan Presidential Campaign: A Membership Categorization Analysis Viewpoint], 136 XINWEN XUE YANJIU (新聞學研究) [MASS MEDIA RSCH.] 135, 175-76 (2018); e.g., Li, *supra* note 81, at 32-33 (examining how the ideologies of four major newspapers affected their coverage).

¹⁷⁴ The one newspaper report out of twenty that did not presume guilt is from *United Daily Times*. See *supra* text accompanying note 121.

¹⁷⁵ See Editorial, *Shangdi de Gui Shangdi Kaisa de Gui Kaisa* (上帝的歸上帝 凱撒的歸凱撒) [Give Back to God What is God's, and to Caesar what is Caesar's], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES], Mar. 16, 2013, at A02, <https://talk.ltn.com.tw/article/paper/662349> [https://perma.cc/6HZM-R3SN]; Editorial, *Xiyibu Huiba Falungong Liewei Xiejiao Taobao Zhongguo* (下一步會把法輪功列為邪教討好中國) [Next Step is to List Falungong as Evil Cult to Pander to China], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES], Oct. 14, 2009, at A02, <https://talk.ltn.com.tw/article/paper/342918> [https://perma.cc/FKN2-WLVC]. For a critical discussion of a similar disconnect between a vigorous critique on China's religious policy but a support for aggressive and discriminatory state regulation of perceived religious fraud in Hong Kong, see Jianlin Chen, *Hong Kong's Chinese Temples Ordinance: A Cautionary*

three newspapers on the moral panic narrative is particularly reassuring for legal actors in a society that is otherwise deeply divided on various social and political issues.¹⁷⁶

VI. CONCLUSION

The potent mix of sex, fraud, and religion inevitably ensures that religious fraudulent sex would receive prominent and sensationalistic media coverage. This is indeed reflected in the three themes that emerge from the article's thematic analysis of Taiwanese newspapers reports. The newspaper reports emphasized the lurid taboo sex that occurred in the purported religious ritual. The religious rituals were contemptuously depicted as obvious and ridiculous religious falsehood from the media. In the process, the victims—vulnerable and deserving of protection—had their innocence defiled. Beyond representing shortcomings in journalistic ethics relating to crime reporting, these three themes constitute a moral panic narrative whereby the lecherous fraudster is a dangerous societal threat who corrupts naïve young women with sexual pervasion under the guise of religion. Tellingly, this narrative helps to explain the legally questionable practice of religious fraudulent sex criminalization that is not driven by a genuine desire to safeguard sexual autonomy. Rather, the vivid imagery of the repulsive religious fraudsters provides a rationalization avenue to the public and reassurance to the legal actors. Both can now ignore the otherwise unprincipled exclusion of other forms of fraudulent sex—fraudulent sex where the corresponding folk devils have yet to be constructed.

Case Study of Discriminatory and Misguided Regulation of Religious Fraud, 33 J.L. & RELIGION 421, 435–36 (2018).

¹⁷⁶ John F. Cooper, *Taiwan's 2016 Presidential/Vice Presidential and Legislative Election: Reflections on the Nature of Taiwan's Politics and Shifts Therein*, 2016(1) MD. SER. CONTEMP. ASIAN STUD. No. 224, 2016, at 1, 5–12; Jinhyeok Jang, *The Dimensional Structure of Legislative Politics in Taiwan: An Exploratory Analysis of Bill Cosponsorship Networks, 1992–2012*, 51 ISSUES & STUD. 119, 136–38 (2015).

ANNEX: LIST OF DATAPOINTS

Chen Xihu (陳西湖)

[Chen][2015-12-12][CT]: Chen Yuxian (陳育賢), Xi Yuanyangyu Gaiyun Shengun Xingqin Danchun Nu (「洗鴛鴦浴改運」神棍性侵單純女) [Improving Luck Through Taking “Lovers’ Bath”: Religious Fraudster Sexually Assault Naïve Woman], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 12, 2015).

[Chen][2015-12-12][LT]: Cai Zhangshen (蔡彰盛), Paozao Gaiyun? Shilian Nu Shishen (泡澡改運? 失戀女失身) [Improve Luck Through Taking a Bath?: Lovelorn Woman Loses Chastity], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 12, 2015).

[Chen][2015-12-12][UT]: Cai Xinying (蔡昕穎), Suanmingshi Shi Lang Gaiyun Gaidao Chuangshang Qu (算命師是狼 改運改到床上去) [Fortune Teller is Lecherous: Change Luck Change Onto Bed], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (December 12, 2015).

[Chen][2016-06-04][CT]: Guo Zhihan (郭芝函), Nu Shilian Shengun Jing Chen Pao Yuanyangyu Chaofan Neng Gaiyun (女失戀神棍竟稱泡鴛鴦浴、炒飯能改運) [As a Woman Had a Break-Up, the Religious Fraudster Claimed that Lover’s Bath and Humping Can Improve Her Luck], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (June 4, 2016).

[Chen][2016-06-05][UT]: Wang Minxu(王敏旭), Qi Ta Shilian Shengun Pian Gaiyun Xingqin Nudasheng (欺她失戀 神棍騙改運 性侵女大生) [Taking Advantage of Her During Break Up, Religious Fraudster Lied about Changing Luck, Sexually Assault Female University Student], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (June 5, 2016).

[Chen][2016-06-05][LT]: Cai Zhangshen (蔡彰盛), Shushi Damiao Qian Kaidian Guai Nudasheng Paozao Gaiyun (術士大廟前開店 拐女大生泡澡改運) [Wizard Opened Shop in Front of Big Temple: Lure Female University Student Into Luck Change Through Bath], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (June 5, 2016).

[Chen][2016-12-26][LT]: Yang Guowen (楊國文), Xingqin Nudasheng Xiabai Xi Yangqi Gaiyun (性侵女大生瞎掰「吸阳气改运」) [Sexually Assaulted Female University Student: Nonsensical Fabrication of “Improve Luck Through Absorbing Yang Qi”], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 26, 2016).

[Chen][2018-01-23][CT]: Lin Weixing (林偉信), Xi Yangqi Gaiyun Youjian Nudasheng Minglishi Pan 4 Nian (吸陽氣改運誘姦女大生 命理師判4年) [Suck Yang-Qi to Change Luck, After Seducing Female University Student, Fortune Teller Sentenced to Four Years Imprisonment], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Jan. 23, 2018).

[Chen][2018-01-25][UT]: Guo Xuanbin (郭宣彬), Shengun Pian Gaiyun Tiaohe Yinyangshui Paozao Haidei Kouai Panxing (神棍騙改運 調和陰陽水泡澡還得口愛判刑) [Religious Fraudster Lied About Improving Luck: Jailed for Bathing Together in Yin-Yang Water and also Mouth Love], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Jan. 25, 2018).

Huang Junpin (黃睿平)

[Huang][2016-05-13][CT]: Cai Yizhen (蔡依珍), Xingqin Nudasheng Shengun Bei Qisu (性侵女大生神棍被起訴) [Religious Fraudster Prosecuted for Sexually Assaulting Female University Student], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (May 13, 2016).

[Huang][2017-10-02][UT]: Lu Kaiduan (呂開瑞), Ni Shi Wo Sanshi Fuqi Nudasheng Zao Shengun Huandao Xingqin (「你是我三世夫妻」女大生遭神棍環島性侵) [“You Are My Wife of Three Past Life”: Female University Student Sexually Assaulted by Religious Fraudster All Around the Island], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Oct. 2, 2017).

[Huang][2018-01-03][CT]: Lin Weixin (林偉信), Jia Sanshi Fuqi Zhen Xingqin Shengun Zao Panxing 12 Nian (假「三世夫妻」真性侵 神棍遭判刑12年) [Fake “Wife of Three Past Life” Real Sexual Assault: Religious Fraudster Sentenced to Twelve Years

Imprisonment], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Jan. 3, 2018).

[Huang][2018-01-03][UT]: Wang Hongjun (王宏舜), Shifu Bang Nudasheng Kai Tianyan Lingxiu Dao Duotai Pan 12 Nian (師父幫女大生「開天眼」靈修到墮胎判 12 年) [Master Helped Female University Student “Activate Divine Eye”: Twelve Years Imprisonment for Abortion-Resulting Spiritual Practice], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Jan. 3, 2018).

[Huang][2018-01-04][LT]: Yang Guowen (楊國文), Chumo Hu Jiaren, Nudasheng Canzao Shengui Xingqin Duotai, Bengkui Songyi (除魔、護家人 女大生慘遭神棍性侵墮胎 崩潰送醫) [Exorcised, Protect Family: Female University Student Sexually Assaulted by Religious Fraudster till Abortion, Broke Down and Sent to Hospital] ZIYOU SHIBAO (自由時報) [LIBERTY TIMES], (Jan. 4, 2018).

[Huang][2018-08-11][UT]: Lu Kaiduan (呂開瑞), “Ni Shi Wo Sanshi Fuqi” Miaogong Dai Nudasheng Huandao Xingqin Lingru (「你是我三世夫妻」廟公帶女大生環島性侵凌辱) [“You are My Wife of Three Past Lives”: Head Abbot Brought Female University Student around Island for Sexual Assault and Humiliation], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Aug. 11, 2018).

[Huang][2018-12-04][UT]: Wang Hongxun (王宏舜), Pian Ta Kai Tianyan Jiu Quanjia Shen Gun Roulin Nudasheng Zhi Bengkui (騙她「開天眼救全家」神棍蹂躪女大生致崩潰) [Deceived Her with “Activate Divine Eye to Save Whole family”: Religious Fraudster Ravaged Female University Student Until She Broke Down], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Dec. 4, 2018).

Li Junsheng (李俊升)

[Li][2015-03-22][CT]: Ye Dezheng (葉德正), Ziren Kadao Yin Zhao Shengun Qumo Zao Xingqin (自認卡到陰找神棍驅魔遭性侵) [Thought She Encountered Ghost: Sexually

Assaulted upon Seeking Exorcism from Religious Fraudster], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Mar. 22, 2015).

[Li][2015-03-22][LT]: Wang Dingchuan (王定傳), Kuangqumo Buzhondong Dianwu Yunfu (誑驅魔不準動玷污孕婦) [Pretending She Could Not Move During Exorcism: Defilement of Pregnant Woman], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Mar. 22, 2015)

[Li][2015-07-24][CT]: Ye Dezheng (葉德正), You Handi Zai Shenshang Furen Jingjue Zao Shengun Xingqin (「有汗滴在身上」 婦人驚覺遭神棍性侵) [“Sweat Dripped on Body”: Woman’s Startled Realization of Being Sexually Assaulted by Religious Fraudster], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (July 24, 2015).

[Li][2015-07-25][LT]: Wang Dingchuan (王定傳), Shoujing Yu Shengun Yujin Zhelien Zao Xingqin (收驚遇神棍浴巾遮臉遭性侵) [Encountered Religious Fraudster While Retrieving Soul: Sexually Assaulted with Towel Covering Face], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (July 25, 2015).

[Li][2015-12-30][CT]: Xie Xingen (謝幸恩), Kuangchen Zhenduan Guitou Shengun Xingqin Huaiyunnu Panpei 50wan (誑稱「斬斷鬼頭」 神棍性侵懷孕女判賠 50 萬) [Lying About “Decapitating Ghost”: Religious Fraudster Ordered to Compensate NT 500,000 for Sexually Assaulting Pregnant Women], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 30, 2015).

[Li][2015-12-31][LT]: Wang Dingchuan (王定傳) & Huang Jie (黃捷), Limian Youshen Guizhe Qiaomen Eshengun Yunfu ye Xingqin (「裡面有神 跪著敲門」 惡神棍 孕婦也性侵) [“God Resides Here, Kneel When Knocking”: Despicable Religious Fraudster Sexually Assaulted Pregnant Woman], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 31, 2015).

Ou Yangxian (歐陽顯)

[Ou][2013-12-31][LT]: Chen Lizhong (錢利忠), *Bi Nuer Xianshen 3P Yinjiaozhu Meimoma Shouya* (逼女兒獻身 3P 淫教主 美魔媽收押) [Forced Daughter to Give Body for Threesome:

Religious Leader and MILF Detained], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 31, 2013).

[Ou][2013-12-31][CT]: Xiao Bowen (蕭博文), *Mu Gong Nu Gei Jiaozhu Xingqin Shouya* (母供女給「教主」性侵收押) [*Mother Detained for Providing Daughter to “Religious Leader” for Sexual Assault*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec. 31, 2013).

[Ou][2014-01-01][LT]: Chen Lizhong (錢利忠), *Shiqi Du Xingqin Shaonu Yin Jiaozhu Pan Shisi Nian* (17度性侵少女淫教主判14年) [*Sexually Assaulted Teenage Girl Seventeen Times, Lecherous Religious Leader Was Sentenced to Fourteen Years Imprisonment*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Jan. 1, 2014).

[Ou][2014-01-01][CT]: Linxiu Xingqin Ouyangxian Pan 14 Nian Mu Bi Nu Dang Jiaozhu Xingnu Qinzi Shifan (靈修性侵歐陽顯判14年母逼女當教主性奴親自示範) [*Sexual Assault Through Spiritual Practice, Ou Yangxian Sentenced to Fourteen Years Imprisonment, Mother Forced Daughter to Be Sex Slave of Religious Leader And Personally Demonstrate*]. ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Jan. 1, 2014).

[Ou][2014-08-15][UT]: Deng Guifen (鄧桂芬), *Xingqin Shaonu Linxiu Jiaozhu Gai Zhongpan 18 Nian* (性侵少女靈修教主改重判18年) [*Sexually Assault Teenage Girl, Spiritual Practice Religious Leader Sentenced Changed to Eighteen Years*], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Aug. 15, 2014).

[Ou][2014-08-15][LT]: Yang Guowen (楊國文), *11 Sui Nu Beibi 3P Guizhensheng Qinmuyu Yinjiaozhu* (11歲女被逼3P蒐證「聲」擒母與淫教主) [*Eleven-Year-Old-Girl Forced Into Threesome, Collected ‘Sound’ Evidence to Catch Mother and Lecherous Religious Leader*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Aug. 15, 2014).

[Ou][2014-12-27][LT]: Xiang Chengzhen (項程鎮), *Bi Younu Dang Jiaozhu Xingnu Mu Pan 12 Nian* (逼幼女當教主性奴母判12年) [*Force Young Daughter to Be Sex Slave of Religious Leader: Mother Sentenced to Twelve Years Imprisonment*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Dec. 27, 2014).

[Ou][2014-12-27][CT]: Wang Jiyou (王己由), *Jia Lingxiu Xingqin Munu Jiaozhu Zhongpan Shiba Nian* (假靈修性侵母女教主重判18年) [*Sexually Assault Mother and Daughter Through Fake Spiritual Practice: Religious Leader Subject to Harsh Eighteen Years Imprisonment*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Dec.27, 2014).

Su Jianhua (蘇建華)

[Su][2015-04-21][CT]: Zhang Jingting (張靜婷), *Longwang Pian Cai Se Mo Xiong Gaiyun Guai Liushi Nu* (龍王騙財色摸胸改運拐60女) [*Dragon King Defrauding Money and Sex: Touch Breast and Cheat Sixty Women by Alleging Changing Luck*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Apr. 21, 2015).

[Su][2015-04-21][LT]: Xie Junlin (謝君臨) & Chen Weici (陳慰慈), *Cuoru Huazhou Guai 60 Nu “Longwang” Laopo Shi Zhuli* (搓乳畫咒拐60女「龍王」老婆是助理) [*Caress Breast Draw Runes Cheat Sixty Women: “Dragon King” Wife is Assistant*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Apr. 21, 2015).

[Su][2015-04-21][UT]: Zhou Yuxiang (周毓翔) et al., *Longwang She Weixie Longhou Yi Wei Gongfan* (龍王涉猥褻龍后疑為共犯) [*Dragon King Allegedly Indecent Assault: Dragon Queen Suspected as Accomplice*], LIANHE BAO (聯合報) [UNITED DAILY NEWS] (Apr. 21, 2015).

[Su][2015-04-22][CT]: Chen Yi-Jia (陳宜加), *Huangmiu Longwang Yingao Yifa Songban* (荒謬龍王硬拗依法送辦) [*Ridiculous Dragon King Blatantly Denies: Referred to Prosecution in Accordance with Law*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Apr. 22, 2015).

[Su][2015-04-22][LT]: Zeng Jianming (曾健銘), *Qi Ding Longnu Shouze Mudu Longwang Xingqin Nuxintu* (妻訂龍女守則目睹龍王性侵女信徒) [*Wife Drafts Rules for Dragon Girl: Witness Dragon King Sexually Assault Female Adherents*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Apr. 22, 2015).

[Su][2015-08-19][CT]: Ye Dezheng (葉德正), *Kuangyinjing Tangzhezhuang Longwang Xingqin Xintu 235 Ci* (誑飲精躺著賺龍

王性侵信徒 235 次) [*Earning While Lying Down By Lying About Drinking Sperm: Dragon King Sexually Assaults Adherents 235 Times*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Aug. 19, 2015).

[Su][2015-08-19][LT][1]: Xie Junlin (謝君臨) & Wang Dingchuan (王定傳), *Xugou Shenji Xingqin 13 Nu Zhapian 3 Bai Wan* (虛構神蹟 性侵 13 女 詐騙 3 百萬) [*Fabricating Miracle, Sexually Assaulted Thirteen Women, Conned Three Million*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Aug. 19, 2015).

[Su][2015-08-19][LT][2]: Wang Dingchuan (王定傳) & Xie Junlin (謝君臨), *Chinu Wei Longwang Jiezha Qian 791 Yi Benpiao Dang Hunyue* (痴女為「龍王」結紮 簽 791 億本票當婚約) [*Foolish Girl Sterilized for Dragon King: Signed 79.1 Billion Promissory Note for Engagement*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Aug. 19, 2015).

[Su][2016-01-09][CT]: Ye Dezheng (葉德正), *Qi Xichen Fu Tangzhezhuang Ledang Pian Caise Gongfan Guhuo Xingqin 13 Nu Jia Longwang Pan 27 Nianban* (妻戲稱夫「躺著賺」樂當騙財色共犯 蠱惑性侵 13 女假龍王判 27 年半) [*Wife Teased Husband “Earning While Lying Down”: Happy to be Accomplice in Fraud and Fraudulent Sex, Tricked and Sexually Assaulted Thirteen Women, Fake Dragon King Sentenced to 27 ½ Years*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES], (Jan. 9, 2016).

[Su][2016-01-09][LT]: Wang Dingchuan (王定傳) & Chen Weici (陳慰慈), *Xingqin Nuxintu Tangzhezhuang Feilongwang Fuqi Zhongpan* (性侵女信徒「躺著賺」肥龍王夫妻重判) [*Sexually Assaulted Female Adherents and “Earning While Lying Down”: Fat Dragon King Couple Received Severe Sentence*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (Jan. 9, 2016).

[Su][2016-01-09][UT]: Gan Yuwei (甘育玮), *Quanluo Huaifu Kegaiyun Shengun Fufu Chongpan* (「全裸畫符可改運」神棍夫婦重判) [*“Charm Writing While Naked Can Change Luck”: Religious Fraudster Couple Received Severe Sentence*], LIANHEBAO (聯合報) [UNITED DAILY NEWS] (Jan. 9, 2016).

[Su][2016-07-14][LT]: Wang Dingchuan (王定傳), *Jia Qumo Zhen Xingqin Longwang Tangzhe Zuan Panpei 409 Wan* (假

驅魔真性侵 「龍王」 躺著賺 判賠 409 萬) [*Fake Exorcism Real Sexual Assault – ‘Dragon God’ Earning Money while Lying Down, Ordered to Compensate 4.09 Million*], ZIYOU SHIBAO (自由時報) [LIBERTY TIMES] (July 14, 2016).

[Su][2016-10-28][CT]: Lin Weixing (林偉信), *Xingqin Shisan Nu Jia Longwang Fuqi Ershen Huo Qingpan* (性侵13女假龍王夫妻二審獲輕判) [*Sexually Assaulted Thirteen Women: Fake Dragon King Couple Received Light Sentence on Second Instance*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Oct. 28, 2016).

[Su][2017-03-29][CT]: Lin Weixing (林偉信), *Xingqin Shisan Nu Jia Longwang Fuqi Zhongpan Shijiu Nian Ban yu Shisan Nian Ban* (性侵13女假龍王夫妻重判19年半與13年半) [*Sexually Assaulted Thirteen Women: Fake Dragon King Couple Severely Punished with Nineteen-and-a-Half Years and Thirteen-and-a-Half Years’ Imprisonment, Respectively*], ZHONGGUO SHIBAO (中國時報) [CHINA TIMES] (Mar. 29, 2017).

Wu Qirong (吳啟榮)

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