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WOMEN WHO PARTICIPATE IN ILLEGAL PYRAMID SELLING: VOICES FROM FEMALE RURAL MIGRANT OFFENDERS IN CHINA

Introduction

Organised crime has drawn increasing attention of academics, enforcement agencies, policymakers, journalists and the general public, although what organised crime really is, remains contested (Wright, 2006). Much work has been done to investigate criminal groups and networks typically in the context of transnational organised crime, because there appears to be a linkage between transnational organised crime, modernity and globalisation (see Allum & Gilmour, 2012). Organised crime research has also focused on criminal enterprise and the criminal markets (e.g. Antonopoulos, 2016; Hobbs, 1988). Existing literature suggests that the scope of organised crime is broad and continues to expand, and that organised crime is diverse, multifaceted and fast changing, encompassing traditional organised criminal activities – such as protection rackets, extortion and loan sharking – to modern day criminal enterprise. Organised crime, in whichever form, requires a degree of organisation, coordination and exchange of money and services between criminal players.

Past research on organised crime typically neglected women as perpetrators, despite that women are not invisible in planning criminal activities and conducting serious crimes with accomplices (e.g. Brownstein, Spunt, Crimmins & Langley, 1995; Miller, 1998). The neglect of women in organised crime research is not surprising because criminology has long been ‘androcentric’ (Chesney-Lind, 1989), dominated by male offenders and ignoring women. In recent decades, there has been increasing work examining women in crime as perpetrators. Along with this trend, academic research started to pay attention to women in criminal groups and organised criminal activities. Focuses include females’ role in youth gangs (e.g. Aldridge & Medina, 2008; Batchelor, 2009; Chesney-Lind, 1993; Miller, 2001), Mafias (e.g. Dino, 2012; Fiandaca, 2007) and transnational organised crime (see e.g. Special Issue in 2014 on women

in transnational organised crime in *Trends in Organised Crime*). Notably, organised crime research is often based on the experiences of women in the North of the Globe (major countries in North America, Western Europe and Britain) whilst women in the Global South are typically underrepresented. The problem is not unacknowledged. An ambitious project was conducted in 2000, which aimed to map out the role of women in organised crime over a 20-year period across the globe (Fiandaca, 2007). It concluded with publication of research findings in some countries participated in the study but left ‘gaping holes’ in the ‘map’, in which China was not included (Pizzini-Gambetta, 2008).

English language literature about Chinese women’s involvement in organised crime is sparse. In transnational settings, past research has remarkably investigated women in human smuggling from China to the United States, both as smugglers and ‘trafficked victims’ (Chin & Finckenauer, 2012; Zhang, Chin & Miller, 2007). In regard to mainland China, previous studies have looked at internal migrant women in the sex industry mainly as sex workers (e.g. Liu, 2012; Zheng, 2009) and women as victims in internal human trafficking (Chu, 2011; Zheng, 2014). More recent research (see AUTHOR 2) has paid attention to Chinese women as perpetrators in the black-society style criminal organisations, sex work management and internal children trafficking. These studies highlight the visibility of women in organised crime. It is pointed out that given their socioeconomic conditions – resource deficiencies in particular – rural-to-urban migrant women tend to be susceptible to deviance and crime (Liu & Peng, 2012). However, existing research on women in organised crime is rather limited, and thus more nuanced and in-depth analysis is needed. The present study is hoped to make a contribution to the literature in this area.

Mainly through a case study, this article examines Chinese women’s involvement in one form of organised crime – illegal pyramid selling – which appears to be increasingly prevalent among female offenders in China (see AUTHOR 3). Following an introduction, which provides

the background and rationale of the research, it discusses the socioeconomic context in the reform era in China, to situate the empirical findings about women's participation in criminal enterprise. Next, it introduces the research method and data. It then details the case study discussing: first, the nature of pyramid schemes and the Chinese law concerning the illicit business; second, migrant women's entry into illegal pyramid selling and their motives; and third, the role that women played in the criminal operations. In addition, women's gains and losses as a result of their lawbreaking is explored. Finally, the article concludes by highlighting the empirical evidence presented and offers several implications of the research. The article aims primarily to exhibit women's participation in criminal enterprise and thus is essentially a Chinese case study concerning gender dynamics presented in organised crime. To a lesser extent, it explores the impact of social exclusion, and class and gender inequalities on rural migrant women. Due to the global nature of organised crime and migration, the regional context, in which this study took place, has a broad international significance in the fields.

We will see later that the participants in this study were recruited for a different research project, who were convicted female migrant offenders. I therefore provide some background information in the following pages, to explain social identity of rural migrant women to help a better understanding of some of the findings.

Internal Migration, Inequality and Female Rural Migrants in China: Some background

Internal mass migration is an inevitable movement in China, following the economic reforms started in the late 1970s, which began market economy in the world's largest socialist country. In the reform era, China is undergoing unprecedented urbanisation and industrialisation. Millions of people, mainly surplus rural labourers, move from the countryside into economically developed urban areas every day (Miller, 2012). According to the China Labour Bulletin (2018), as of the end of 2017, there were officially over 286.5 million migrant peasant-workers (*nong-min-gong*), who were registered as rural residents, living in urban China (see

also *Xinhua News*, 2018a). Internal mass migration has profound implications for the urban social structure and economy. Two points are relevant to deviance and crime: first, public policy that results in the exclusion and discrimination against rural migrants in society; second, structural factors that make individuals in disadvantaged socioeconomic groups susceptible to lawbreaking.

First, the policy that institutionalised the rural-urban divide started in Mao's socialist China and remains effective today. In the context of international migration, immigration law and enforcement are mechanisms of control in the host countries. In a similar vein, to respond to the potentially massive human movement in China, *hukou* – the household registration system – was introduced as a form of migration control. The *hukou* system has rendered considerable differences between villagers and urbanites, with urban *hukou* holders enjoying the state sponsored benefits, rights and privileges, to which the rural Chinese are not entitled (Rofel, 2007). It is clearly a root cause of the rural-urban inequality. Consequently, rural migrants suffer from multi-dimensional exclusion in cities (Xu, 2014). At the same time, the rural-to-urban migration is viewed as a cause of tremendous pressure in urban China, especially social unrest and the rise of crime (Li, 1996; Zhang, 2001). Like international immigrants (see e.g. Pratt & Valverde, 2002), internal migrants in China are often depicted as criminals and security threats, and thus subject to criminal prevention strategies. Internal migration was, and remains, 'a live issue' (Davin, 1999). Rural migrants, as a socioeconomic group, are systematically underprivileged.

Second, capitalism, on the one hand, may have attributed to China's remarkable economic success in the past forty years, but on the other, has also made it an ever-polarised society (Yan, 2009). For Wang (2003), the traditional urban-rural inequality has transformed into disparities in income among different classes, with a small number of super-rich at the top, and millions of migrant workers and the rural population at the bottom, some of whom are in

impoverished conditions (Naughton, 2007). Migrant offending may be a manifestation of social inequality in today's neoliberal China. In free market economy, people are increasingly mobilised, and individuals are encouraged to engage in all kinds of entrepreneurial activities to generate wealth, whilst resources are unevenly distributed in society (Bakken, 2018; Harvey, 2005). The under- and working- classes, to which rural migrants belong, are disadvantaged in the money-making process and left behind by their fellow urban citizens. While opportunities are shut down to them in the legitimate world, doors are readily open in the criminal markets (Shen & Antonopoulos, 2016). This is in fact not new, and Merton (1938) would call it 'deviance innovation' which involves (socially disadvantaged) individuals who attempt to achieve a culturally approved goal (monetary success) by unconventional means (criminal offending).

Women, of course, are part of the internal migration movement, who flow into cities to look for opportunities among thousands of migrant workers. In the city, plentiful jobs with low rates of pay await them, who typically have no qualification, particular skills and social capital. They often find jobs in low-wage employment sectors (Cartier, 2001), including labour-intensive industries (Ngai, 2007), domestic services (Rofel, 2007) and the sex industry (Liu, 2012; Zheng, 2009). Often, because of their socioeconomic status, female migrants are subject to the super-exploitation of labour power (Harvey, 2005).

The reality for Chinese women appears to be contradictory. China proclaimed gender equality as its state policy from the early days of the founding of the People's Republic, and Mao himself promoted radical feminism in the socialist era (Freitag, 2010). As a result, women are expected to go out to work and make an equal contribution to family income. In market economy, they are increasingly expected to compete with men in wealth generation (Shen & Winlow, 2013). However, Chinese women's emancipation is not without conditions. The fact is that inequalities for women are not only gendered, but also classed and generational: in the

job market, compared with men, women have fewer opportunities (Attané, 2012), and compared with their better qualified and well-resourced urban sisters, rural women are much less competitive. The gendered and classed social conditions generate enormous pressure on women, and migrant women in particular (AUTHOR 1, 2; Sun *et al.*, 2016) whom, in urban society, are profoundly marginalised. It is suggested that marginalisation makes individuals vulnerable and prone to criminal offending (Bakken, 2005).

Connection between migration and crime is not new (see e.g. Marshall, 1997; Melossi, 2015; Palidda, 2011; Tonry, 1997). In international research, there is a long history of linking migrants to disorder and crime. Migrant criminality is often analysed for the purpose of shaping national policy on immigration (Aliverti, 2013); academically, the subject matter is rigorously studied to advance scholarship on inequalities, social exclusion and crime control (see Aas & Bosworth, 2013). In China, past research in regard to migration, deviance and crime has examined drug problems among migrant youths (Liu, 2011), as well as inadequacy in public policy in response to rural migrants' problems which are viewed as structural factors for migrant offending (Lo & Jiang, 2006; Zhao & Kipnis, 2000). Moreover, previous studies have also applied existing theories to examining migration and crime in China, to test the established propositions or to make sense of the change of crime patterns in the reform era (e.g. Cheng, Liu & Wang, 2017; Liu, 2005; Xu, 2009, 2014; Zhang, Messner & Liu, 2007). So far, little has been done to explore the subjective experience of migrant offenders; and, migrant women's involvement in urban crime is largely neglected. This study – which investigates female migrants' participation in criminal enterprise – is hoped to fill in some of the gaps.

Methods and Data

The data used in this article was drawn from a larger project on internal migration, crime and punishment in China (see AUTHOR 4), which took qualitative approaches to the collection of original data. That was because qualitative research focuses on the subjective meaning of

individual experiences and thus helps to gain rich exploratory insights into women's life stories (Hesse-Biber, 2007). The sample was recruited from a large prison in a southeast region in China, with which a female unit was affiliated but operated by female staff in a separate locality.

The fieldwork was undertaken in the female unit in May 2016. Semi-structured interviews were conducted to gain *female migrant* offenders' narratives and biographies. 11 women prisoners who were rural-to-urban migrants participated in the interviews. Each of them was fully informed of the voluntary nature and confidentiality of the research. Interviews were undertaken in a large activity room within the female unit, where confidentiality was guaranteed. The interviews lasted between thirty minutes and around one hour and were recorded by note-taking. The fieldnotes were word-processed and simultaneously translated from Chinese into English after the interviews on the same date. Data was manually processed, and the 11 interviews were analysed one by one to identify emerging themes presented by the participants.

The female migrant offenders in this sample ranged in age between 23 and 51, of who the majority were in their twenties. The women's educational status is remarkably diverse: from high to low, four women were senior college graduates who had an adequate qualification; one was junior college graduate and thus had basic education; five were undereducated – being primary school graduates and dropouts – and one was illiterate. As to employment, among the eleven participants, five were employed, including three employees of the 'criminal firms' (which are ostensibly legitimate companies but conduct systematic criminal activities in the commercial setting) and two service workers in the entertainment industry; two women were self-employed; and four were unemployed. As Table 1 illustrates, the female participants were involved in six types of crime. None of them had a criminal record previously.

Table 1. Type of Offences involving Female Participants (n = 11)

Type of crime	Participant	Representation in female participants (%)
Personal Crimes	1	9.0
<i>False imprisonment (illegal pyramid selling related)</i>	1	
Property Crimes	4	36.4
<i>Fraud</i>	3	
<i>Theft</i>	1	
Regulatory Crimes	6	45.6
<i>Leading and organising illegal pyramid selling</i>	1	
<i>Prostitution related offences¹</i>	3	
<i>Sheltering others for drug use</i>	2	
Total	11	100

This article is mainly based on data drawn from a case study, as well as secondary data (knowledge and information gathered from published materials and open sources). Case study is often recognised as a research design that targets no particular data collection method (Yin, 2009). For Hartley (2004), case study is a research method and also a design of its own right. Case study research typically allows for in-depth review of new or unclear phenomena whilst ‘retaining the holistic and meaningful characteristics of real-life events’ (Yin, 2009: 4). Robert Yin (2009) – a world-renowned authority in case study research design – points out that rigorous data can be obtained through case study; there is no hard rule as to how many cases are sufficient for case study research to be rigorous or valid. In fact, a body of outstanding feminist research has drawn from case study, such as Ngai (2007) in which the case of a few factory female workers was employed.

In this article, I chose the case of women involved in pyramid selling for further analysis for two major reasons. First, it is observed that women today may play a leading role in economic crimes, such as pyramid selling and illegal fund-raising (see e.g. AUTHOR 3). Typically, illegal pyramid selling is operated by criminal enterprises and thus a form of organised crime. At the same time, we know little about women’s involvement in it. The case study was considered allowing a detailed inquiry. Second, it is quite telling that two women were convicted of or in relation to pyramid selling in this random but small sample of 11 female

participants. They were engaged in two different pyramid schemes but played a similar role. There was thus a ‘typical case sample’ (Withrow, 2014) which enables some insights to be gained (Layder, 2013).

There are two types of limitations in this study. The first is ‘internal validity’ in relation to interview data in general (Jacques & Wright, 2014). In addition to ‘impression management’ (Goffman, 1959), participants may lie or provide reconstructed, vague or seemingly distorted accounts (see, Sharpe, 2012; AUTHOR 1) for various reasons. This limitation should be offset by the fact that the participants did not participate in the same pyramid scheme, but their accounts of the type of criminal enterprise and their involvement in it were largely consistent and thus support each other. The methodological triangulation (Denzin, 1978) was also of assistance. As we will see shortly, the secondary data was used to verify what was said by the participants in the case. The limitation should be minimised also by ensuring and reassuring confidentiality and anonymity before and during each interview. To fulfil this obligation, all names of participants and places in this article are pseudonyms. It is worth noting that peer review – as an important measure – should be adopted to ensure reliability and accuracy of data. However, the interviews, from which the original data was drawn, were undertaken in the prison environment where what an external researcher can do is considerably restricted. The reality is that interviewing could be terminated at any point of time for various reasons (AUTHOR 1). Consequently, peer review was not practically possible.

In interview research, biases may, of course, come from researchers themselves (Willis, 2007). Previously, academic researchers, such as Hall, Winlow and Ancrum (2008), have considered what interpretivists claim. For these established scholars, the reality as we know it is socially constructed and the researchers’ own pre-existing thoughts and views about the research subject inevitably influence and shape research itself. Glaser (2007) went further and argued that there is no such thing as bias, or objective or subjective, and so on; data is what the

researcher is receiving as a human being. Learning from Hall and colleagues (2008), I attempted to remain true to the data as it was spoken and report the findings as accurately as possible to maximise the validity and credibility of the research.

The second limitation is the ‘generalisability issue’, with qualitative studies based on a smaller number of participants. Jacques and Wright (2014) convinced us that while qualitative research – as compared with typical quantitative studies – may naturally raise questions about the validity and generalisability of findings, it does have its own merits. In the current study, a sample of 11 participants does appear to be small. And given the small sample size to generalise about all female offenders in illegal pyramid selling is a risk. However, the focus here is on the participants in the case, to aim to understand in great detail their experiences to gain an insight into women’s involvement in the criminal enterprise. In addition, the participants and their experiences in the illicit business are by no means atypical. In this context, the use of data here should be valid and the findings should have wider value and applicability, which obviously can be tested in future studies.

It is worth repeating that the interviews were conducted in the prison environment in a country where access to prisoners is extremely difficult and where fieldwork is restricted with conditions. The evidence gathered in this exploratory study should serve as a starting point to inspire future even more rigorous research.

Case Study: Migrant women who are involved in illegal pyramid selling (*chuan-xiao*)

Media sources reveal that pyramid selling (also known as ‘pyramid schemes’ or ‘chain selling’) is rampant in China (e.g. *Caixin*, 2017; *Xinhua News*, 2018b). It was illustrated that around 280,000 cases involving illegal pyramid selling were sanctioned by the Administrative Authorities for Industry and Commerce in 2014 (Zhi & Hong, 2015), and 2,826 pyramid schemes were investigated by the police in 2016 (*Global Times*, 2017). On 8

May 2018, a criminal group running *Yun-lian-hui* – a large-scale pyramid scheme operated in *Guangzhou* – was cracked down by the authority and a number of arrests were made (*Xinhua News*, 2018c). Therefore, pyramid selling is a contemporary, questionable business practice and may amount to serious crime in China.

Nature of Pyramid Schemes and the Chinese Law Concerning Illegal Pyramid Selling

The law that criminalises *chuan-xiao* was created in 2009, as part of the Amendment VII of the *Chinese Criminal Law 1997*. It was asserted in Article 224 in Section 8 ‘Crimes of Disturbing the Order of the Socialist Market’:

It is a criminal offence that a person organises or leads pyramid selling to cheat the members of the pyramid scheme over their property and disturb the economic and social order, in which the person, in the name of marketing goods, offers services or any other business and requires potential members – by paying a fee or any other means – to obtain the eligibility to participate in purchasing the goods or services; in which the members are classified into multiple levels in accordance with a certain order, and obtain remunerations or kickbacks that are calculated directly or indirectly based on the number of new members whom they recruit.

A person, who induces or coerces the members to continue recruiting others to participate in pyramid selling, is punishable with under 5 years imprisonment or criminal detention *and* a fine; in serious circumstances, 5 years or a longer fixed-term imprisonment [emphasis added].

This provision specifies *modus operandi* and the deceitful and collective nature of the criminal act. The law reads awkward even in its original form, due to the complexity of the illicit business. ZJ – a 23-year-old young woman originally from a village in *Shaanxi* – offered a detailed illustration:

Our project was called *zi-ben-yun-zuo* (capital operation) and was a kind of investment product. It was imported from a foreign country, and now similar schemes are running in almost all of the provincial capitals [in China]. Simply speaking, it involved capital accumulation and then reallocation. What it was intended for was to keep the proceeds within an enclosed circle and eventually all members would get rich ... Newcomers must pay an entry fee of 70,000 *yuan* to join and were then paid a fixed amount of salary for the first month. Once the entry fee was paid, you could start to recruit *xia-xian* (lower level members) and get *fen-hong* (dividends). Our company adopted a three-layer system, which meant that you could get dividends from up to three levels of members below you. Obviously, the more you recruited, the more dividends you got, and the higher your position would be in the leadership.

...

The ultimate goal of everyone in the scheme was to *chu-ju* (exit) because once you were out, you could take your money and go. There were two ways of exiting the scheme. First, you could *zi-ran-chu-ju* (natural exit) once you have earned ten million *yuan*. That was the best way out. The second was *ti-chu-ju* (being kicked out). This would happen when, for example, members had sexual affairs or the creditor-debtor relationships between them, which was strictly prohibited in our company. Natural exit meant that you had made a lot of money, with which you could start up a business, say, to open a shop, or you might become one of the scheme organisers if you were invited...

This extract of the record of interview with the female migrant offender shows the complexity of a pyramid scheme, as well as how seemingly legitimate and appealing it may look. As we can see, ZJ's company operated chain-selling of an 'investment product', of which high returns were expected. It is in fact a scam virtually identical to that C. Shen (2016: 81) identified. It is

pointed out that the operation of a pyramid scheme is often described as fair, transparent and economically viable to potential members (investors). Consequently, many people voluntarily join chain selling and they often deny being tricked when law enforcement intervenes (Yang, 2011).

ZJ was one of these people. She willingly joined the pyramid scheme, fairly successfully persuaded others to participate in, and denied the illegality of the criminal market activity, even at the time of interviewing after having been convicted of lawbreaking. Clearly, the young woman was employed by a criminal firm, which appeared to be legitimate, with usual corporate governance in place – including formal organisational rules and procedures – but in fact systematically carried out illicit business operations. For ordinary members of a pyramid scheme, such as ZJ, business practices in these companies may look absolutely normal. ZJ's account was supported by ZYY – another young woman who worked in a company running a similar scheme for over a year, which she did not find different from any other (legitimate) firm. It appears that the migrant women were involved in a type of 'corporate crime' which is enacted by collectivities (Gottschalk, 2011: 364) *in the criminal markets*. However, compared with criminal opportunities and practices typically proliferating in the *criminal underworld* (Steffensmeier, 1983), pyramid selling is more disguised of its real nature; and, like financial crime, it is profit-driven.

As noted earlier, illegal pyramid selling is a newly created crime in China. It is defined by legislation which, as any other regulatory crime (see Ashworth, 1991), may not be regarded as 'real' crime. Thus, the law concerning it may be breached by those otherwise law-binding citizens who do not, or may not be able to, comprehend the nature of the criminal operation. Here, ZJ insisted in the interview that had the police not had interfered, she would possibly have got the money and naturally exited. Although the knowledge of legality is irrelevant as far as the law is concerned, this explains why the female lawbreakers in the case study did not

show much remorse, nor did they admit guilt, as women offenders usually do (Steffensmeier & Allan, 1996).

The fact is that a pyramid scheme involves ‘capital operation’ that cannot last for long. Only a few on the top of the pyramid may gain, whilst the vast majority of the members will lose at some point (Zhi & Hong, 2015). Unfortunately, this is not usually understood by those participating in pyramid schemes, who typically want to make quick money by doing little (Nie, 2016; Yang, 2011). Failure to identify the harm that follows illegal pyramid selling often renders the ‘economic cult’ (Yang, 2011) to attract people – often rural migrants (Shi & Cao, 2013) – as a money-making mechanism, or a career opportunity, or both. This is taken advantage of by ‘the few’ – criminal organisers – on top of the pyramid. Ordinary members of pyramid selling – including the rural migrant women in this case study who performed an active role in the pyramid schemes – were *de facto* victims and often made substantial losses, as we shall see later in this article.

Migrant Women’s Entry into Illegal Pyramid Selling and Their Motives

In the interviews, I asked the female participants how they got involved in pyramid selling in the first place. Here was the answer from ZYY, who was 26-year-old, originally from a village in *Fujian* and a junior college graduate:

... I initially had a job in a factory making magnet boards. It was low-paid, and I did babysitting in my spare time to earn a little more. The factory job had absolutely no prospect and I left after being there for three years. Then I worked as a sales assistant in a small shop selling ladies’ underwear... There I befriended a man in 2014, who told me that he was working at a large corporation in the fashion industry in a provincial capital and that I’d have a better job there. I went with him... I found that they were actually doing pyramid selling... The friend convinced me that I would have loads of money after

several years... It was tempting... The situation in my family was not good: my mum was severely injured a few years ago and is unable to work...

It appears that ZYY joined the pyramid scheme as a result of misrepresentation and later was motivated by the potential gain to take part in it. ZJ, who a college graduate with a certificate in computerised accounting, found the job advertised online, which was recruiting a qualified accountant. These are common experiences of individuals who are involved in illegal pyramid selling (see *Xinhua News*, 2018b). For ZJ, the post, which required a suitable candidate to be able to assist with accounting and finance, training and general management within the company, was ideal: ‘these are what I dreamed to do...’, and ‘it’s a kind of job that it is not usually available to someone like me, who does not have a university degree’. She was probably right. In China, a senior college certificate is certainly not enough for a white-collar job that may potentially take the candidate to a higher management floor.

The interviews with the rural migrant workers reveal that to find an office job with career prospects is difficult for women who have only basic qualifications. Young women from rural China – who have made much effort to become better qualified, such as ZJ and DH (another female participant) in the sample – tend to find themselves *gao-bu-cheng, di-bu-jiu* (unable to get a higher post but unwilling to take a lower one), due to a lack of elite qualifications and necessary local social capital. Consequently, for rural migrant youths (Nie, 2016), and young women in particular, ostensibly legitimate companies, such as those running illegal pyramid schemes, present them with rare money-making and career opportunities (Shi & Cao, 2013). Previous research (see e.g. Shen & Antonopoulos, 2016) and the data in this study seem to suggest that women’s involvement in criminal enterprise – pyramid selling here – links with the gendered and class marginalisation.

Notably, the migrant women in this case study were motivated by economic gain, rather than particular or immediate financial need, for engaging in the illicit business, but they had other incentives. ZJ explained that the job in the criminal firm did provide her with opportunities for personal and professional development, which gave her a sense of responsibility, achievement and self-worth:

For me, money was not everything. The company gave me career opportunities... Before it was shut down [by the authority], I was already a *jing-li* (manager) above 29 *ye-wu-yuan* (ordinary members)... There were many, many good things about this job... I think it could undoubtedly change you and make you a better person. For example, it trained us to be polite, and the job has improved my overall *suzhi* (quality). I've certainly developed my managerial, communicational and leadership skills there. Often, I thought that the job attracted me largely because I was learning so much from it... Many of us in the company saw it as a career, rather than a job, because we young people wanted to grow, but there are not many opportunities... [In the company] Every step up made you feel advanced and empowered... In the beginning, you only cared about yourself, but gradually, you started to learn to look after those below you. I felt a strong sense of responsibility and achievement. The higher position you were in, the more sophisticated you felt you were. That was amazing... While working in the company, I carried on studies. Actually, I got my chartered accountant qualification just before that [crackdown by the police]. I loved the company also because everybody was the same... and only *xiao-shou-ye-ji* ('sales figures', here referring to commissions) mattered...

This self-reflection is striking for two reasons. First, quite clearly, the migrant woman did not seem to have intended to engage in criminality. This makes it difficult to classify some women in criminal enterprise, such as ZJ, as female 'organised criminals', despite the fact that they actively participated in business practices that are outlawed. It appears that in a free market

economy, there are increased opportunities for women, albeit many are in the grey and criminal sectors (Shen & Antonopoulos, 2016) which increase women's opportunities to be involved in crime (Alder, 1975; Simon, 1975).

Second, illegal pyramid selling, by definition, is predatory and 'organised'. Often, the criminal firms provide training, support and 'career' packages to their employees, for long-term survival, expansion and the maximising of illicit gain. This fact further blurs the line between legitimate and illegitimate businesses. The difference, however, is that in the illegitimate commercial world, promotion and high status tend to go primarily with 'sales figures', as ZJ remarked. Consequently, the usual barriers for rural migrant women in mainstream society – gender and class inequalities – may not effectively apply: whoever achieves a higher sales figure would be in a better position. This means that career advancement becomes achievable for ambitious and able females, who are otherwise disadvantaged in career pursuits due to gender discrimination and a lack of resources. Here, *xiao-shou-ye-ji* pronounces on the migrant women's personal value and capability. In this context, their employment in the criminal firms gave the migrant women a sense of purpose, career prospects, and raised high their self-esteem, which in turn became a drive and motivated them to work harder to recruit more participants, increase sales figures and learn more to become more competent career women. However, they mistakenly comprehended the realistic outcome for ordinary members in illegal pyramid selling (including themselves) – namely, the harm of the illicit business.

Rural Migrant Women's Role in the Illicit Business Practices

Illegal pyramid selling is often operated by organisations in criminal enterprise. In a previous study on women in the Chinese judiciary (AUTHOR 3), the female judges noted that illegal pyramid selling, *inter alia*, was prevalent among women offenders who performed actively, and some held leading positions in criminal enterprises. In the case study, both ZJ and ZYY might be active players in the pyramid schemes, who – in legal term – 'induced' or 'coerced'

others to participate in the illicit trade. In the course of doing so, ZYY committed a physical crime.

In the scheme that ZYY was involved in, the participants were living in a compound and not allowed to get out. This is an operational model which is not uncommon in pyramid selling in China (*Caixin*, 2017; *Xinhua News*, 2018b). To perform her role as a supervisor within the scheme, the migrant woman once locked up a newly recruited *ye-wu-yuan* to prevent him leaving, for which she was later convicted of false imprisonment. For her, ‘It was a company practice... I was doing my job and did not know that was a crime’. Given the circumstances, the migrant woman, while active, did not seem to be a ‘female violent offender’, as those in serious criminal groups in China (AUTHOR 1, 2).

Unlike ZYY, ZJ was a member, as well as a manager, who ‘looked after’ 29 ordinary members. According to herself, she was capable of doing the job and enjoyed doing it. The court found ZJ to be an ‘organiser’ of the pyramid scheme, which she denied. In Chinese law, ‘leading’ and ‘organising’ pyramid selling are specifically defined. However, what exactly constitutes ‘organising and leading an illegal pyramid scheme’ has not reached consensus in Chinese academic circles (see e.g. Chen, 2016; C. Shen, 2016; Yang, 2011).

ZJ may be a ‘leader’, according to the *Opinion on the Application of Criminal Law regarding Activities in Pyramid Selling* (a statutory interpretation jointly issued in 2013 by the Supreme People’s Court, the Supreme People’s Procuratorate and the Ministry of Public Security). She admitted that as an operational manager, she had some managerial and coordinative responsibilities. Thus, it could be argued that she knew, or ought to have known, that measures, such as recruiting participants and demanding entry fees, are fraudulent (Huang, 2009; Yang, 2011). However, this view is disputed by other commentators. For example, Zhi and Hong (2015) contended that some higher-level managers, who have 30 or more *ye-wu-*

yuan below them, may have no impact on the running of the scheme, are most likely to make a loss in the end, and therefore should not be classified as ‘organisers’ or ‘leaders’. ZJ may well fit in this category. In practice, however, the role that a ‘manager’ played in a pyramid scheme seems to be assumed, rather than assessed on facts. As a result, ZJ – who, admittedly, played a managerial role as a part of her job in the criminal firm – was found by the court to be an ‘organiser’, convicted and sentenced accordingly.

It appears that the criminal firms, which ostensibly carry out normal business practices, are different from criminal organisations engaging in obvious illegalities in the *underworld* that Steffensmeier (1983) defined. Accordingly, migrant women’s engagement in illegal pyramid selling in China may not be comparable with female penetration of the upper reaches of organised crime (Simpson, 1987) or female participation in transnational organised crime (Siegel, 2014); nor do they seem to comfortably fit in with women in ‘pink-collar crime’ (Daly, 1989; see also Haantz, 2002), given the roles they play in lawbreaking and their motives. In this regard, the case study here serves as a manifestation of complex gender dynamics presented in organised crime.

Gains and Losses of Migrant Women in Illegal Pyramid Selling

In the case study, migrant women who engaged in the supposedly get-rich-quick business practice found themselves to have lost enormously as a result, as ZJ illustrated:

What was the bad thing about it [the pyramid scheme]? I saw people who became homeless because they sold their homes to get money to join... When our *tuan-dui* (literally ‘team’, referring to the company) was dismantled, we [ordinary members] had absolutely nothing... One day after our company was stopped running, one of my *yewuyuan* robbed me. He punched me on the head and forced me to take around 8,000 *yuan* overdraft to give to him. He also aggressively forced me to write him an i. o. u. (I

owe you) in lieu of cash for 50,000 *yuan*. Thinking about this now still makes me shake and feel sick... I did not report this to the police because it was me who recruited him, when his father was critically ill, and he needed quick money. He borrowed a lot to join...

Earlier, we saw how much this young woman appreciated what she gained from her job in the criminal firm, which confirms the claim that the pyramid schemes tend to attract young people who have limited career opportunities (Nie, 2016). The fact is that they may suffer tremendous losses as a result of participation in the illicit business. For ZJ, in addition to conviction, incarceration and a criminal record which will have a huge negative impact on her in the future, there were debts, as well as undesirable emotional encounters – a trauma of being a victim of violent crime and a guilty conscience about some of her previous behaviours, as we have seen in her self-reflection.

In fact, neither ZJ, nor ZYY, made any monetary gain in pyramid selling. Their salary and commissions did not even offset the fees that they paid to join the schemes. ZJ borrowed 70,000 *yuan* from her parents, who were low-paid migrant workers, and she still owed them more than 40,000 *yuan* when the company was shut down before she was robbed. ZYY had debts, too. After the scheme collapsed, she returned to work as a sale assistant in a clothing shop prior to her arrest. Clearly, female offenders in pyramid selling in this case were in a worse position than their counterparts in the ‘wage-earning employment’ elsewhere in a different cultural setting (Daly, 1989). In this sense, they were not organisers – the few earners on the top of the criminal pyramid.

Furthermore, it is suggested that without local social ties in cities, rural migrants tend to recruit members through their personal networks (Shi & Cao, 2013). This was confirmed in the current study. The data shows that for the migrant women, their losses also included the close

relationships that they previously had with their families, relatives and friends, whom they recruited or borrowed money from.

Discussion and Conclusion

This article concerns female offenders in China, who came to be rural migrant women in the case study, and their experiences in one form of organised crime: illegal pyramid selling. It is worth repeating that the analysis in the article relied largely on data drawn from a small sample; the case study was introduced to illustrate some characteristics of women's criminal behaviour, women's entry into and the role they play in criminal enterprise. The purpose is not to generalise women in organised crime, nor illegal pyramid selling, in China, but to make contributes to a better understanding of the 'variable nature of crime' involving women (Daly, 1989), to assist any theoretical efforts. The data presented in this article – the case study in particular – have enabled a number of important findings and implications.

First, female migrant offenders, who share the same socioeconomic and household registration statuses, are diverse in terms of age, education, employment and level of ambition. However, they seem to be 'ordinary' Chinese women who conform to the mainstream gender role: to go out to work in the legitimate, grey or criminal business sector, to support themselves and their families.

Second, the data has suggested that the women offenders in this study more typically committed crime jointly with others, including working in the criminal firms. As we have seen, in the criminal sector, illegalities are sometimes (mis)presented as normal business practices. Criminal enterprise provides not only money-making opportunities, but also easy access, to women – here rural migrant women – who often have limited resources and are disadvantaged in the job market and the legitimate business world. The findings also bring to light a link

between (migrant) women's entry into criminality and some regulatory crimes that are created to tackle organised criminal operations in technically complex financial and business settings.

Third, and relatedly, economic gain appears to be a primary incentive for migrant women to involve in lawbreaking – often organised activities – that brings ‘quick money’, but different rationales, for example, advancement of social status, were cited by the female migrant workers who participated in criminal enterprise. The case study has suggested that women's problems include, not only financial need, but also everyday frustration as a result of the glaring gap between their ambition and the reality. Women, like men, acquire ‘the full respectability’ package (Ciordana, Cernkovich & Rudolph, 2002) which is difficult for female rural migrants, who do not have competitive qualifications, nor special skills, to obtain through legitimate channels. Thus, this study lends support to Daly (1989) who argued that women offenders are often motivated by a combination of motives for participation in crime.

Furthermore, the case study presented in the article illustrated migrant women's active agency. As we have seen, female migrants in criminal enterprise were motivated and competent ‘modern women’ (Wylie, 2004), rather than ‘sad, pathological’ women offenders (Kruttschnitt, 2016). It may be said that they made rational choice (Becker, 1968) to engage in lawbreaking. On the one hand, ‘independent rational agents’ (Anderson, 2001) are ‘able and responsible for taking care of their own needs’ (Strassmann, 1993: 60). In other words, these women could have rationally chosen not to involve in criminality. On the other hand, they were making choice out of no choice, and their rationalities are gendered. Women's ‘rationality’ in decision-making may be impacted on by various conditions, including their desire for social approval (England, 1989), gender roles, and the ‘broader dynamics of gender inequality’ (Driscoll & Krook, 2012).

Finally, this article has demonstrated the active roles that women may play in criminal enterprise. Although the empirical data does not allow a fuller profile of women's position in organised crime to be drawn, it has showed that women do seem to have a place in organised criminal activities and therefore are not merely passive players (Clarke, 2014; Siegel, 2014). This may be understood as women's reaction to the social conditions they are in and their gendered experience in the internal migration process. To a certain extent, this article, primarily through the case study, provides a manifestation of complex gender dynamics in organised crime.

It is true that a specific group in one geographic context – such as migrant women in China here – cannot define the struggles of women and the cause of female criminality (Arsovska & Allan, 2014), nor can they fully demonstrate women's roles and positions in criminal enterprise. Nonetheless, the more local data and analysis, the better we understand the multifaceted, complex and dynamic nature of female lawbreaking, and women's involvement in organised crime in particular.

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Conflict of Interest

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Compliance with Ethical Standards

All procedures performed in studies involving human participants were in accordance with the ethical standards of the institutional and national research committee, and with the 1964 Helsinki declaration and its later amendments or comparable ethical standards. Informed consent was obtained from all individual participants included in the study.

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Author 1

Author 2

Author 2

Author 4