

## Original Paper

# Research on Related Problems of Adult Doll Experience Store

Cong Yujun<sup>1</sup>

<sup>1</sup> College for Criminal Law Science, Beijing Normal University, Beijing 100875, China

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### **Abstract**

*The establishment of adult doll experience hall has aroused great controversy. Objectively speaking, this kind of experience hall has certain positive effects, but also has certain potential risks. According to the current laws and regulations, operating an adult doll experience store does not constitute a crime, nor does it constitute a general offense. In practice, the health problems of experience stores are not prominent, which can be avoided through daily business activities and supervision activities; Basically, there is no physical or psychological damage to minors. Relevant departments should treat this new industry correctly, perfect legislation and implement administration according to law.*

### **Keywords**

*Adult doll, Masturbation, The under-age*

### **1. The Question is Raised**

In the past, when it comes to adult products, most people, because of their conservative attitude towards sex, must have changed their conversation and often associated them with “obscenity” and “pornography”. With the development of economy and the improvement of science and technology, who would have thought that the design, production and sales of adult products have formed a certain scale, and even experienced this service mode. By the beginning of 2020, a large number of adult doll experience halls have appeared in many cities in China, and there are more than 50 in Shenzhen. This kind of experience hall provides the guest with the service of experience simulation doll to meet the guest’s physiological or psychological needs. Of course, the development of this industry has aroused different voices in the society.

Some people think that this service mode can help specific groups such as long-term single or long-term separated to meet their physiological needs, and to a certain extent, it can avoid many uncertain factors, such as interpersonal conflicts caused by sex, unintended pregnancy, infectious diseases and even criminal cases, which is conducive to maintaining social stability. At the same time, this industry, which seems to be in a gray area, has attracted many questions. For example, some people

questioned the legitimacy of its opening from the perspective of public order and good customs; Some people have raised concerns from the perspective of health status, fearing that they will spread diseases; Others believe that opening such stores will have adverse effects on minors. The attitude of government departments is relatively clear, and it is not illegal to open such experience stores. The public security law enforcement department said that it is not illegal to operate such experience stores, and the market and quality supervision and management departments said that they knew the existence of these businesses, and when they approved the operation, they issued business licenses according to “adult products sales” because there was no licensing option for “adult experience”. So what kind of legal status does this adult doll experience point have, and why is there such a big controversy?

## 2. Types and Functions of Adult Products

Adult doll experience stores have mushroomed, reflecting the rapid development of adult products industry and the opening of people’s sexual concept. By searching for “adult products” in several online shopping malls, asking customer service product features, applying for viewing product photos and videos, and visiting online adult products stores and sex doll(is same as “adult doll”) experience stores (the author investigated six adult doll experience stores in a city, and only the owner of one store was willing to be interviewed), the author found that the adult products sold in China are mainly divided into three categories:

First, family planning products, including condoms, contraceptives, etc., are also the most sold commodities. Second, sexual health products, including various aphrodisiac drugs. These two categories are difficult to consider as “obscenity” (which refers to the specific depiction of sexual behavior or explicit promotion of pornography) and should be regulated by medical devices or food and drug regulations, so they are beyond the scope of this article. It is worth noting the third category: utensil-type articles, which can help arouse sexual desire, increase sexual interest and achieve masturbation. According to the different objects used, it can be divided into male supplies and love women supplies. Male supplies include airplane cups (masturbation cup) and female sex dolls, etc. Love women supplies include vibrators, dildos, and a small number of male sex dolls. Among them, there are differences in the appearance of male aircraft cups, some of which are similar to ordinary cups in appearance, and can not be seen as adult products; Others design the appearance to imitate female genitalia, oral cavity and other forms. Love women’s vibrator is generally not an adult product in appearance, but it has a vibration function and can stimulate sexual desire; The dildo is a product imitating the male genitalia, which is very similar in appearance to the male genitalia.

Sex dolls are toys that are made with real people in a certain proportion, retain male or female sexual characteristics (the adult doll experience shop in this paper mainly serves men, so the sex doll in the later article refers to the doll of female image), arouse others’ sexual desire or be used by others to masturbate. The price difference of sex dolls is very large, ranging from tens of yuan to tens of thousands of yuan, and the price is related to the production materials, simulation degree and other

factors. In the current adult products market, inflatable sex dolls are gradually replaced by silicone sex dolls, which are more simulated and favored by customers. When investigating sex dolls in depth, we found that some sex dolls not only have the most basic functions, but also can heat up to make the temperature reach the body temperature of real people. Some of them are even implanted with obscene sound and VR technology of adult movies, which makes sex dolls not only close to real people in image and function, but also increases the “interaction” between users and dolls.

By summing up the characteristics of sex dolls, we can see that sex dolls belong to utensil-type adult products in form, and are essentially masturbation tools. The price of dolls provided by the sex doll experience hall is generally more than 5,000 yuan, with exquisite workmanship and high degree of simulation. Some dolls look even sexier than women (see Interview record (2)). Compared with masturbation cups with relatively simple structure, sex dolls are more likely to stimulate sexual excitement.

### **3. Dispute over the Problem of Adult Doll Experience Store**

The production and sale of family planning products, sexual health care products and utensil-type products, which are subject to the privacy of their use environment, have not caused widespread controversy, and so have sex dolls. The problem lies in the high price of sex dolls, which are difficult to take care of, making them easy to integrate into the sharing economy and enter the public domain, so the related problems will be magnified. In fact, there are many different voices questioning the new industry, but in the final analysis, there are mainly the following problems: legal problems of adult products experience stores, health and environmental problems, illegal activities such as inducing crimes and causing adverse effects on minors. The following is a review of all the problems.

#### *3.1 Legal Issues*

With the establishment and operation of experience centers around the country, from this perspective, the act of opening a doll experience center does not violate the criminal law. Of course, it cannot be determined to constitute a crime in theory for the following reasons:

##### **3.1.1 Does not Constitute A Crime of Pornographic Materials**

On December 28, 1990, the Standing Committee of the National People’s Congress “Decision on Punishing Criminals Who Smuggling, Produce, Sell and Spread Obscene Articles” (hereinafter referred to as “the Decision”) disclosed obscenity as “obscene books, periodicals, films, videotapes, tapes, pictures and other obscene articles that specifically depict sexual acts or explicitly publicize pornography.” Scientific works on human physiology and medical knowledge are not obscene articles. Literary and artistic works of artistic value that contain pornographic content are not considered pornographic. “Obscene articles stipulated in Article 367 of the Criminal Law of the People’s Republic of China are consistent with those stipulated in the Decision”.

From the definition of pornographic materials, we can find that pornographic materials in the sense of criminal law must have the characteristics of specifically depicting sexual acts or explicitly promoting

pornography, which is the essential attribute of pornographic materials. Without this attribute, they cannot be regarded as pornographic materials. As a kind of adult products, sex dolls can't describe sexual behavior like words or pictures. Sex dolls with complete packaging and meeting sales standards can't show explicit pornography. In addition, the carriers of obscene articles are books, films, pictures and other forms, and anthropomorphic sex dolls do not belong to the carriers listed in the Criminal Law.

Therefore, sex dolls do not belong to the obscene articles regulated by the criminal law. As mentioned above, a sex doll is only a masturbation product. Since sex dolls cannot be assessed as obscene articles, the act of leasing sex dolls cannot be assessed as a crime of making, selling or spreading obscene articles. The opening of adult doll testing shops certainly does not constitute a crime.

### 3.1.2 Does not Constitute the Crime of Illegal Business Operation

The crime of illegal business operation refers to the act of a natural person or an entity intentionally engaging in illegal business operation activities in violation of the state regulations, disturbing the market order, if the circumstances are serious. The main manifestation of this crime is to operate the articles that are monopolized, monopolized or restricted by laws and administrative regulations without permission. The core feature of the crime constituted by such acts is that the business activities are not permitted.

According to the author's interview and investigation, all the adult doll testing shops in the market have business licenses, which cannot even constitute administrative violation, let alone illegal operation. We cannot "incriminate" certain behaviors based on the likes and dislikes of individual value orientation, and do not limit the abuse of "illegal business operation crime". This will make some market opening behaviors of business operators full of unpredictable legal risks, which will stifle the creativity of business operators and is not conducive to the relaxation of social contradictions.

### 3.1.3 Does not Constitute an Administrative Offence

In order to carry out administrative management, administrative organs must administer according to law, which is the first principle of administrative law and the important foundation of ruling the country according to law. At present, only a business license with the business scope of selling adult products and leasing entertainment products is required to open an adult products testing store, and no other license such as a hygiene license is required (the specific regulations of other provinces and cities may be different). As long as the business license is obtained through legal procedures, it does not constitute an illegal operation and does not constitute an administrative violation. If other illegal acts are involved in the operation of the physical examination store, the relevant provisions shall be followed.

## 3.2 Health and Environmental Problems

The main reason against opening a sex doll experience hall is the hygiene problem. Health problems are reflected in two aspects. The first is the transmission of diseases to used dolls; The second is the dirty environment in the store, including the cleaning of stains on the doll's appearance and bedding.

According to the adult doll experience stores investigated by the author, all of them are equipped with

condoms for customers. According to the scientific verification data of American scholars, the probability of spreading AIDS through vaginal intercourse with condoms is only 1/500, and after every customer finishes consumption, the staff will clean the doll's whole body with medical alcohol and special disinfectant, and focus on cleaning the private parts, and then put them into a disinfection cabinet for unified disinfection. Almost all consumers in the experience store use condoms for their own safety. Even if there are customers who do not wear condoms, the daily disinfection behavior will greatly reduce the risk of disease transmission (alcohol can kill in vitro STD virus, HIV in alcohol will be inactivated in a few minutes.).

In-store environmental problems can also be solved through daily management activities. The dolls provided to customers are made of silicone, which is elastic and realistic, and is more popular with customers. However, this kind of material is also easy to stick with dirt and dust, and it is not easy to take care of without professional cleaning facilities, which is one reason why individuals seldom buy adult dolls. Adult doll experience stores buy multiple dolls in a unified way, and the relevant supporting care tools are relatively complete, so the problems of disinfection and dust cleaning can be solved. Bedding is also a customer-for-customer exchange, which is equivalent to the hotel's hourly room business model. Most adult doll experience stores provide overnight services. Under this business model, they also have some hotel functions, and daily hygiene maintenance is also operable.

### *3.3 Influence on Minors*

Sex-related topics are always inseparable from minors, and opponents are used to pointing the finger at the harm of experience stores to minors, specifically involving the following issues.

#### *3.3.1 Accept Experience Service*

The adult doll is nothing more than a masturbation tool, while the experience hall provides a private place. Adult products can only be used by adults as the name implies, and all the packages of adult products sold in the market are marked with the words "18 forbidden". However, it is interesting that the author searched all the laws and regulations, but did not find any laws or regulations that expressly stipulate that "minors are not allowed to use adult products".

There is no legal basis for the statement that minors are not allowed to use adult products, and there is no support in biology. The Encyclopedia of Medical Knowledge (1929) holds that masturbation will not cause harm to the body, and only "constant" masturbation can be regarded as excessive masturbation, thus damaging health. Masturbation is the most common among single men. In life, the incidence of masturbation under 16 years old is 85.4%, and the highest incidence is between 16 and 20 years old, with 88.4%. In the current Internet context, masturbation is no longer a topic that the public avoids talking about, and there are more and more popular science videos to support the view of Encyclopedia of Medical Knowledge. Masturbation of minors is neither legally prohibited nor morally condemnable in China.

Article 28 of the Law of the People's Republic of China on the Prevention of Juvenile Delinquency stipulates that "bad behavior" as mentioned in this Law refers to the behavior of minors that is not

conducive to their healthy growth, including “entering a place where minors are not allowed to enter according to laws and regulations”. However, there are no clear laws and regulations that stipulate whether minors can enter the adult doll experience hall. According to the general idea of society, minors should not enter such places, even if they need masturbation.

### 3.3.2 Inducing Juvenile Delinquency

According to the investigation, minors rarely care about such adult doll experience stores, and even if they do, the boss will prohibit minors from entering (see Interview record (1)). From the root, minors rarely enter the experience hall. Therefore, the experience hall has little influence on minors, but it can't rule out the influence of adult dolls on minors, because adult dolls can be easily bought by anyone online (although many online stores prohibit minors from buying adult products, there is no relevant audit mechanism. It is easy for anyone to buy adult products, including sex dolls.). Therefore, instead of suspecting that the adult doll experience hall will have adverse effects on minors and even induce crimes, it is better to consider regulating the sales of adult products.

However, the problem lies in the fact that it is difficult to prevent juvenile delinquency by reducing or putting an end to minors' contact with pornographic information. Even limiting minors' access to adult products can't prevent them from committing crimes, not to mention the experience hall that is difficult for minors to enter can increase their risk of committing crimes.

Some psychologists say that such experience stores lack data support to reduce sexual crimes and prostitution, and it is difficult to prove that they have a positive effect. But in the same way, what evidence is there to prove that such experience stores have increased sexual crimes and prostitution? The judgment based entirely on speculation lacks scientific basis and obviously cannot be used as the basis for policy making. Since an act of “freedom without prohibition of law” cannot be proved illegal, it should be allowed to exist.

Masturbation won't cause minors to go on the road of no return, and masturbation in adult doll experience hall can hardly cause juvenile delinquency. When the public has prejudice against masturbation, adult products and adult doll experience hall, the greatest harm lies in the fear and shame brought by young people's guilt, which is much more harmful than masturbation itself, and even the greatest harm to children's psychological balance.

## 4. Conclusion

The results of the seventh national census show that the male population is 723.34 million, accounting for 51.24%; The female population is 688.44 million, accounting for 48.76%. The sex ratio of the total population (100 females, the ratio of males to females) is 105.07. Sexual needs will not disappear because of the difference between men and women, and the adult doll experience industry may be a legal flood outlet.

Adult doll is a kind of masturbation toy. Providing rental experience service is just renting a kind of toy. As long as the operation is standardized, there will be no potential risk. Emerging industries moving

forward in embarrassment are bound to face challenges and challenges, and the adult doll experience industry in its infancy can hardly cope with complex public opinion by itself. At this time, the administrative department of the government should change the concept of supervision, adhere to administration according to law, implement the legal basis of “freedom without prohibition of law”, improve the relevant administrative licensing system, pay attention to the guidance of public opinion, and not enforce the law beyond its authority because of public criticism.

Caesar once said: masturbation is a companion to lonely people; It is a friend to the abandoned person; For those who are broke, they are still rich; Because he still has this magnificent pastime. Adult doll experience hall provides a haven for lonely people, hoping that they will vent their worries with dignity without being disturbed.

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## Appendix

### Interview record (1)

Interview time at 15: 00 on November 21, 2020

Interview location: An adult doll experience store in X city.

Interviewer: Cong Yujun, Master of Criminal Law, College for Criminal Law Science of Beijing Normal University.

Interviewee: Di's experience store owner

Cong: Hello, boss. I saw that your home received quite a lot of praise on the Internet, and there were many repeat customers. Business is good!

Di: Well, our food is of good quality and good service.

Cong: Yes.

Di: Let's see which one you want to try.

Cong: Haha, this is the boss. I am a graduate student of Beijing Normal University. I saw this kind of experience store on the Internet, and I think this thing is good, so that our single dog has a place to vent. The more such stores, the better. Therefore, I have been paying close attention to this industry recently, but at the same time, I have heard some voices of opposition, worrying whether these voices of opposition will force the government to shut down these experience stores. So I want to talk to you about this industry, hoping that I can provide you and other people engaged in this field with some legal help. This is because my classmates have been to your house and said that your house is good, so I have come here. I don't think there are many guests now. Would you like to have a chat?

Di: Oh, a graduate student.

Cong: Our interview is very simple, that is, we have a simple chat and ask a few small questions, which are completely anonymous. Your personal information will not be recorded, and my classmate is also a frequent visitor to your home. Is it convenient for you to take a few minutes?

Di: Won't it make any difference?

Cong: It doesn't have any impact. This conversation we have may also promote the development of this industry.

Di: That's good.

(Then we entered the boss's lounge)

Cong: Boss, how long has your store been open?

Di: It's been nearly half a year.

Cong: It was there at that time. It's too late to meet each other. I wish I had known your home earlier.

Di: ...

Cong: Business should be good.

Di: Not bad.

Cong: I think five or six rooms can be full every day?

Di: It's about the same when business is good.



Cong: There should be more college students like me.

Di: I will talk to you. To tell you the truth, my industry is a little sensitive. When guests come, they are more or less deliberately not exposed too much. I don't communicate much with guests, and everyone has a good understanding with each other. If he asks for the price, show me and I will understand that some guests bought it online. I will write it off when he gives me his mobile phone. If there is nothing superfluous, I won't ask too much. However, according to my observation, there may not be too many students like you, but there are more middle-aged people, most of whom are dressed in ordinary clothes, so there should be more office workers.

Cong: That's good. It can protect privacy.

Di: This kind of service industry is the most basic thing to do. When you come, everyone is relaxed and embarrassed. Who will come?

Cong: Yes, I'm still afraid of being recognized.

Cong: Have you noticed some younger people coming?

Di: If the guests come, I won't ask their age. From the height and appearance, none of them are too small. If I knew there were minors coming, I would definitely refuse them to come in.

Cong: You said you would not provide services to minors. Is there any law or regulation?

Di: I don't know. Nobody told me not to let minors in. I just don't think it's appropriate to be a minor.

Cong: If I were a child, I might be embarrassed to come. However, although today's children are not 18 years old, there are still some minors who are quite mature in mind and body. I feel that I know more than I did at that time.

Di: That's much better than I knew at that time. I was too open-minded.

Cong: Since children are developing so fast now, can't you experience it?

Di: We really don't dare to let minors come. What if some parents report it?

Cong: The legal provisions are quite vague, but we don't have a business license, do we have restrictions that can't be experienced by minors?

Di: There must be a business license, and you didn't tell me any restrictions.

Cong: It's really not easy to stipulate clearly the words of emerging industries, and it's also crossing the river by feeling Stone. Have any related departments come to trouble since the operation?

Di: It's not too much trouble. There have been several fire inspections and one frontispiece inspection.

Cong: The fire inspection in Beijing is quite strict. There are always accidents. Haven't you ever had a health inspection?

Di: No.

Cong: Maybe health is not the main problem in this industry?

Di: Every time our customers experience it, they will change the sheets and covers. The doll is cleaned with alcohol disinfectant every time it is used up, and it will be put in a large disinfection cabinet after washing.

Cong: This disinfection bacteria and virus can't survive, can it?

Di: That's for sure. It's absolutely safe.

Cong: After every customer has experienced it, even the bedding has to be washed. Is it a heavy workload?

Di: This must be washed. I thought the previous person in the hotel had to get a new one after sleeping. We have to wash this one even more.

Cong: I see. In this case, there should be no customers to respond to your health problems.

Di: There are no such health problems. There are other problems. For example, some guests will smoke. After smoking, the cigarette ends will be thrown into the cracks of the bed, and the ash may also drop on the ground and bedside table. We have to focus on cleaning these places every time when we clean them.

Cong: Is smoking allowed in the room?

Di: There is a sign "no smoking" in every room, but you have seen our environment. It's a single room. We don't know if the guests smoke inside. Even if we know, we won't stop it.

Cong: That's true. What if the customers do something wrong in the room? Such as vandalism of dolls.

Di: We can't do anything about that. Customers leave on their own after consumption, and we won't monitor them. Based on trust, I didn't take a deposit and tried to reduce the communication with customers. I just marked "don't destroy" at the head of the bed. Up to now, there have been several times when the baby's limbs were broken. It's convenient to send it back to the manufacturer for repair. It's not a big problem.

Cong: How about the quality of dolls in your shop?

Di: The daily using of it can't be broken. I wholesale with the doll manufacturer. The wholesale price is more than 5000 yuan. The most expensive one is 30000 yuan.

Cong: So it's quite convenient to send a broken doll to the manufacturer for maintenance.

Di: Yes.

(At this time, there are guests outside)

Cong: Thank you for telling me so much. I also learned it. Thank you very much! I think people are coming outside, so I won't bother you. I wish you a prosperous business!

Di: Thank you. Bye!

## **Interview record (2)**

Interview time at 18: 00 on December 19, 2020

Interview location: a western restaurant and a teahouse.

Interviewer: Cong Yujun, Master of Criminal Law, College for Criminal Law Science of Beijing Normal University.

Interviewee: Liu's adult doll experience store customers

Cong: Is the store you found online reliable?

Liu: It should be reliable.

Cong: How do you know? Look at the evaluation, or do you know the truth through practice?

Liu: It's OK, but it's still a little far from the imagination.

Cong: Why is there a gap?

Liu: It looks good to you, even sexier than women, and it feels soft and lifelike. However, it is very heavy, so it must be 30-40 pounds. It is not easy to change positions. And that kind of material is easy to be stained with ash, so it is not too clean to wash.

Cong: I caught up with the fitness.

Liu: It's not so bad. It's quite tiring after finishing.

Cong: Do you think you have lost?

Liu: To be honest, a few hundred is a bit expensive, although it feels quite real.

Cong: That's fine. At least there is such a place. Then again, if you have hundreds of dollars, why don't you buy one by yourself and use it many times?

Liu: It cost thousands, and it's so big. Where can I put it? It's embarrassing to be found. It's not easy to wash every time it's finished.

Cong: You went to the experience store and the boss washed it?

Liu: It seems that it can't be washed away with a little Mao Mao ash.

Cong: Is the sanitary condition OK? Is the bedding newly changed?

Liu: Hygiene is OK. Condoms and bed sheets should also be replaced.

Cong: Did you see any other customers?

Liu: I can't see anyone. I don't care what others do.

Cong: Indeed, the privacy of others should be respected. I'm curious. Is the child allowed to go?

Liu: if you ask this question, can the child be tough? Are you kidding.

Cong: the child I'm talking about is not a primary school student, but a minor under the age of 18. Can't you be tough when you're 18?

Liu: minors, I remember I went to the door and wrote "no minors". But it's hard for me to say whether the minors are in or not, and the boss doesn't look at the ID card.

Cong: I'm not sure. Today's children can entertain themselves better than we did at that time.

Liu: Indeed. We were too honest at that time. We were not smart at all.

Cong: hahaha, eat the food quickly. It's almost cold.