

CHAPTER II

SEXUAL HARASSMENT IN SOUTH KOREA

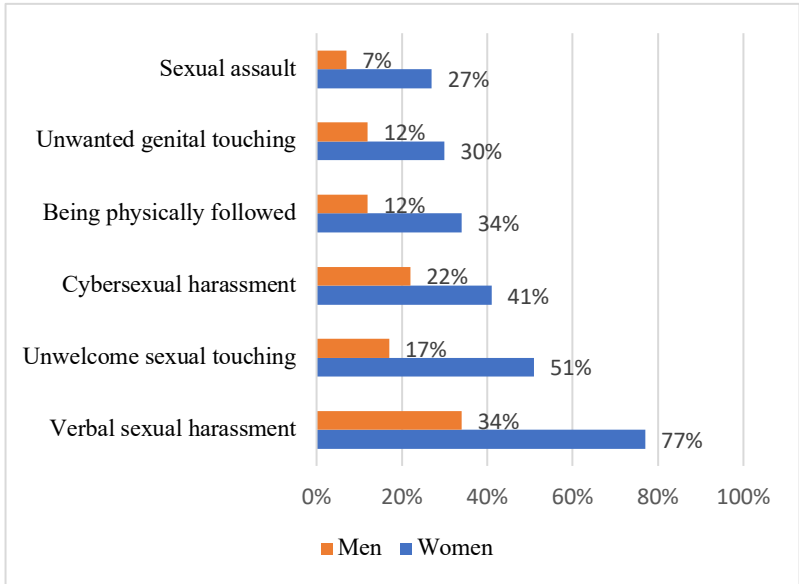
A. Definition of Sexual Harassment

Sexual harassment includes sexualized behavior or conduct that is unwanted or unwelcome. As defined by UN Woman, sexual harassment is a serious crime that compromises the rights of human beings, dignity, and psychological integrity, regardless of sex. It is a violation of gender-based discrimination and may take the form of various acts including rape, other aggressive touching, forced viewing of pornography, taking and circulation of sexual photographs, as well as verbal sexual conduct (Women, 2018).

Committing an act regarding sexual harassment means forcibly seizing a right from someone, it is a kind of sex discrimination, or in other word, a violation of human rights. It can happen to anyone, men or women, young or old, they all have possibility to become the victim of sexual harassment. Besides, the perpetrators not only run their actions in private places, even in the public places surrounded by people the act of sexual harassment is possible to happen. It can occur in a workplace, in the road, at home, in educational institutions such as a university, or even in any area of life without exception.

Although sexual harassment can happen to anyone regardless of sex, however, the most likely to experience sexual harassment are women. Based on the data from World Health Organization, there are 35% of women over the world who are ever experienced sexual harassment or violence from people they know (intimate partner) or from someone else (non-partner) at least once in their lifetime (WHO, 2017).

Figure 1.1: Report of women and men who have experienced some form of sexual harassment



Source: California Association Against Sexual Assault

Sexual harassment can be the form from treating women with pervert jokes, cat-calling, seducing, forcing physical contact such as poke, hug, squeeze body parts, throwing unwanted and demeaning sayings of women, to an extreme consequence of sexual harassment, raping (Gallop, 1997). These act are generally carried out with the effort to force the desire of one party only which the main purpose is to have an intercourse (Ramdhani, 2017). A survey conducted by Stop Street Harassment found that 81 percent of women and 43 percent of men had experienced some form of sexual harassment during their lifetime, including sexual assault, unwanted genital touching, physically followed by strangers, cyber sexual harassment, unwelcome sexual touching, and verbal sexual harassment (Center on Gender Equity and Health;

California Coalition Against Sexual Assault; Promundo; Raliance, 2019).

Table 2.1: Percentage of women who have experienced some form of sexual harassment around the world

Countries	Percentages
Arab States	37%
Australia	17%
Bangladesh	57%
Brazil	86%
Cambodia	77%
Egypt	99%
Fiji	64%
India	79%
Mexico	38%
Nigeria	43%
Papua New Guinea	90%
The United Kingdom	64%
The United States	65%
Vietnam	87%

Source: CNN Health

The data above has shown that sexual harassment is real and it can happen everywhere in any region around the world. According to the United Nations Entity for Gender Equality and the empowerment of Women, almost 4 in 10 women are reported to be sexually harassed by a partner in their lifetime (Senthilingam, 2017).

Although there are many cases of sexual harassment happened in every region and every sector of human beings, however, only a few victims have the courage to report these cases of sexual misconduct. The reasons for not reporting or under-reporting sexual harassment experiences are because, first, most of them are fear that nobody will not trust their story because there was no evidence. Second, the victims fear of social rejection. Women who experienced sexual harassment often suffered negative perceptions from society. Instead of offering an assistance, society would label them as prostitute and blame all the fault to the victims.

Third, it is problematic when the perpetrators are the victim's family members or relatives. The feeling of guilty and shame were disturbing them, a denial within themselves make them do not want to believe it. Fourth, having experienced sexual harassment was an unpleasant memory. The trauma has made them difficult to remember the details of harassment they experienced, so that they are reluctant to discuss it any further. The last, reporting allegations related of sexual harassment to go through the legal process only make them feel re-victimized, it is pointless. At the end, as a result, many sexual harassment are never reported to the authorities.

B. The Cases of Sexual Harassment in South Korea

As explained above, sexual harassment could occur in any forms. In South Korea, several cases are already alarming including the case of surveillance/hidden camera (spycam), sexual harassment in workplace, domestic violence, and

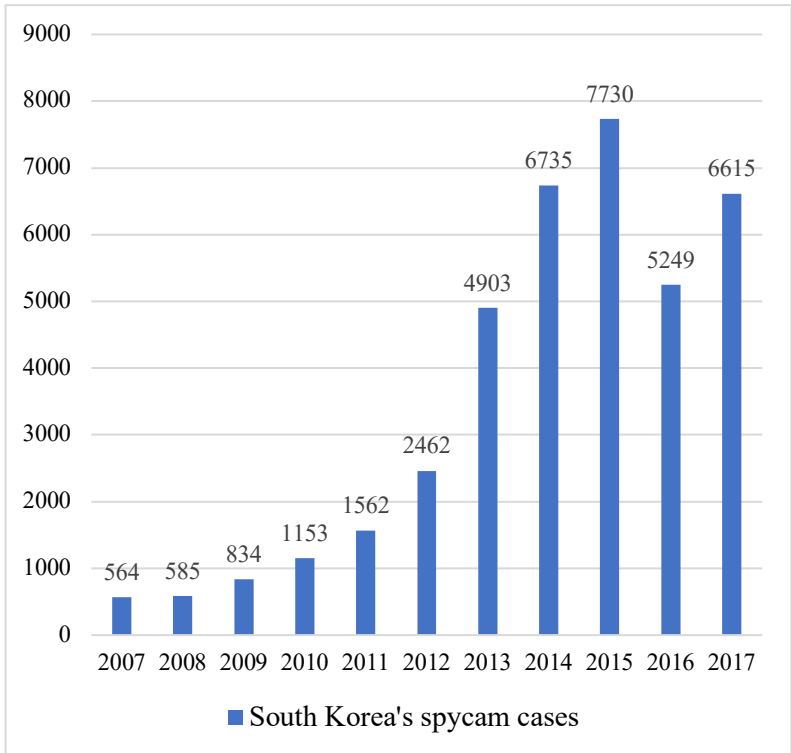
recently happen in society, the abuse of South Korea sport athletes.

1. South Korea's Spy Camera

The spy camera crime in South Korea is agitating, and it has perpetually been increasing in recent years. The Supreme Prosecutors' Office Annual report declared that around 2014 to 2017, over 6,000 spy camera cases are found annually. In Korea, people use the term *molka* to refer to the spycam cases. It comes from the word *mollae* which means hidden and *kamera* which means camera (Pambouc, 2018). This crime is considered as sexual harassment because the perpetrators were taking and circulating pictures or video recording of another person without consent (Teshome, 2019). This spycam can be hidden by the perpetrators in places that were never thought before like in a radio, a clock, or similar device, or one that is built into a very visible object such as a cigarette lighter, package of chewing gum, pen, and other devices.

According to the Supreme Korea's Prosecutors, the number of reported cases rose from 2,462 in 2012 to 7,730 in 2015, meaning that in 2015, an average of 21 cases that are known occurred daily, but less than 2 percent of them end up in prison (Pambouc, 2018). The development of technologies sometimes could also bring negative impacts such as the creation of smaller devices that can be used for inappropriate actions. However, any strict regulation would not give any impact to them because the device they use are considered as daily products.

Figure 2.2: South Korea's spycam cases (2007-2017)



Source: South Korea's Prosecutors' Office (2018)

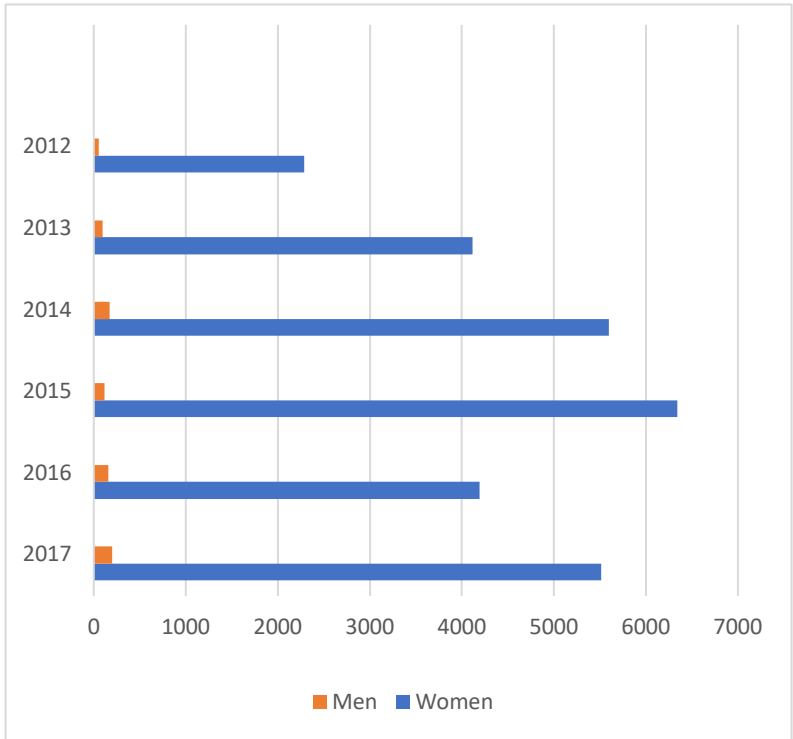
Perpetrators can use spy cameras to take the footage of the victims in any places and environments. Not only the acts of sexual intercourse they recorded but also to pictures an videos in the road, walking on the street, toilets, and others. Anybody can be a suspect, and therefore they can also be a victim.

Subways are the favorite transportation in South Korea. Mostly, people use this transportation to go from one place to another. However, recently subway becomes dangerous

because perpetrators recording the videos and taking pictures of the victims secretly during the rush hours. Following this problem, government cooperated with the police to warn the people by installing multiple sign throughout South Korea's subway network. The caution informed about the prohibition for people to use their smartphones and other types of recording devices during their trip using the subway. Another prevention plan provide by government was by issuing a regulation to obligate the manufacturers of smartphones to sell their products with a compulsory 'click' sound that cannot be turned off while photographing or filming videos. However, this prevention is considered useless because the smartphone manufacturing companies developing new autonomous recording applications that are easy to be found and downloaded (Pambouc, 2018).

Furthermore, women are found as the most affected by these spy camera cases. They were recorded by male perpetrators who subsequently posted the recording of their victims online nationally and internationally. Several websites are managed professionally by groups that specialized in pornographic of hidden cameras porn. This situation has caused a great terrible feeling for women, they constantly feel anxious for thinking that their bodies could be recorded and posted (Kim S. , 2016). This vulnerability is expressed in daily lives of Korean women. Women become more careful while taking subway and try not to be surrounded by men. They will attempt to stand as close as to the doors and keep their bags behind their back to reduce the possibility of men looking at their backside. Also, the myriad cases of spy cameras located in the fitting room have made women prefer to try their clothes at home (Pambouc, 2018).

Figure 2.3 : South Korea' spycam victims



Source: South Korea's National Police Agency

However, in this case, women and men were treated differently. If the perpetrators are women, they likely get more punishment than men. As an example, in May 2018, police arrested a female student from Hongik University in Seoul for photographing and posting a naked picture of a male model in an art class. She was immediately arrested, humiliated, and even, handcuffed to the media. This situation has showed the gender discrimination for South Korean women during police investigations since responsible for the same crimes have never been demonstrated to the public as quickly and efficiently as this female arrest. The data from National Police Agency has showed that out of 30,000 male suspects investigated by police

between 2012 and 2017, however, only less than 3 percent were ended up in conviction (Kang, 2018). It has proven that the woman's punishment was even harsher than in most male cases.

Following these historical events, the police declared that there was no gender-based discrimination in their investigation process, but as vigorously pointed out by protesters and women's rights activists, gender-based discrimination is subconscious in this kind of cases because, in the popular view, women are usually the ones being objectified. Therefore when men become victims of the same offense, people tend to put much more attention into it because it is an unusual circumstance (Kang, 2018). The future for spycam porn victims' demands seems quite hopeful. These historical rallies attracted attention to an issue that was overlooked for a decade by lawmakers that are now being urged to reform laws of the Korean Criminal Act about pornography and invasion of privacy. Women from all over the country are also urging the head of the government to prevent such crimes from occurring in the future, as of now, over 200,000 people have participated in an online petition on the presidential website, arguing for a ban on spycam sales and stricter punishment of criminals (Kang, 2018). As seen in these two stories, the internet became a target of the #MeToo movement in South Korea. A case that is common, but the proportions that have taken these crises are quite unique and reflect a society where the internet is more and more being used in people's everyday life needs of social interaction and entertainment.

Recently, the authorities found spycam installed in 42 rooms in 30 hotels spread across the cities throughout South Korea, and over 1,600 hotel guests become victims. CNN stated that the recorded video is then distributed online via paid live broadcasts. According to the Seoul Metropolitan Police, producing and disseminating pornography is illegal in South Korea. Meanwhile, the site that displays videos of hotel guests has more than 4,000 members with 97 of them paying a monthly

fee of 44.95 US dollars or Rp 630,000 for additional features. Additional features such as the ability to playback streaming in progress. During November 2018 until March 2019 the site has generated 6,000 US dollars or around Rp 84,7 million (Jeong & Griffiths, 2019).

2. Sexual Abuse in South Korea's Sports

South Korea has been better known for its technological advancements and global K-Pop music. On the other hand, South Korea is also known as a great regional sports and has become an Asian country besides Japan which has already held summer and winter Olympics. Despite its relatively small population, South Korea almost always occupies the top 10 positions of the two Olympics. This country is also known to be very dominant in the branches of archery, taekwondo, and several other branches. South Korean female athletes are also known to excel in world golf (Hardoko, 2018).

However, culturally this country is still very patriarchal which means that personal connections are as important as a person's ability to achieve a successful career. In a competitive community where victory is everything, many young athletes sacrifice school and leave the family and live in a dormitory for intensive training. However, this system also opens up great opportunities for sexual harassment, especially for under-age athletes who are truly under the control of their coaches.

Recently, numerous inquiries have been carried out into the issue of sexual abuse and violence in South Korea's sports. The coaches are alleged for committing sexual misconducts towards their athletes. Not only harming the athletes' physical appearance but also their psychological. The authority trying to reveal the scandal within South Korea's sport that happened systematically and continuously (Kim T. H., 2019).

Choi Young-Ae, the Chief of National Human Right Commission of Korea, argued that culture is one of the factors that foster sexual harassment in the South Korean sports world, which called results-oriented culture. The main focus of athletes is to get the medals. In that case, everything that happens in their efforts to get a medal is not really a concern (Kim T. H., 2019). Because of that, the athletes who experienced sexual harassment from their coach mostly remain silence. It is considered as taboo to talk about sexual harassment in South Korea and many people do not discuss that frequently, especially the victims. Besides, another reason why the victims chose to silence is because of their love for their profession, they do not want to be kicked out of the sports they were involved in.

In early 2018, short-track speed skelter Shim Suk-Hee told her stories about sexual misconduct she experienced from her coach which became the turn point of how this case blow up to the surface. Cho Jae-Beom, her coach, was accused of beating and conducting sexual misconduct to her for around four years. As the scandal grabbed headlines, a petition on the presidential office's website calling for harsher sentencing of Cho got more than a quarter of a million signatures (Indriawati, 2018).

Mostly, the accusations reported were not resulted in a conviction. It is believed that there are more victims than the number that has been reported. However, all the threats make the athletes afraid to talk about sexual misconduct they experienced. Another reason is that some of this culture has rooted in South Korea's Confucian traditions, in which a teacher's authority is just like a father's: It must be obeyed and not challenged.

In Korean culture, a coach is like a father figure, this is also one of the reason why the athletes choose to remain silent because it is like accusing a father-like figure as a perpetrator. Sport authorities also have power to protect the abusers. They

choose to keep their good name than heard the voice of the victims. The athletes are suspicious of the help. Another reason is the athletes are afraid of risking their futures by accusing their coach because it will influence their career in the future. The coach is the king. He dictates the life of the athletes from training to when to sleep and the food they eat.

Kim Eun Hee, other victims of sexual harassment in sports in South Korea, said that she has been sexually harassed by her coach since she was 10. The trainer was indeed dismissed after a number of parents complained about her behavior that was "suspicious". However, she was only transferred to another school without ever undergoing any criminal investigation. Many victims of sexual harassment are forced to silence because speaking in public is the same as turning off their dream of being a star (Jung E. J., 2018).

In a poll conducted by the Korea Olympic and Sports Committee in 2014, one in seven female athletes had experienced sexual harassment in 2013. However, 70 percent of those who are victims of sexual harassment do not seek help from any party. Parents of underage victims stopped filing complaints after sports officials, usually friends of abusers said the move could destroy the future of their children (Indriawati, 2018).

Chung Yong-chul, a sport psychologist at Sogang University Seoul, said that this a community where those who dare to speak are judged as traitors who bring disgrace to the world of sports. Sports associations close their eyes as long as the sexual harassers can produce the best athletes and their behavior is considered a minor and insignificant error in this process. They are trying to cover up this problem by moving the alleged perpetrators to new institutions. In addition, the offender is not really punished. If the coach is proven to have committed sexual harassment, they are not truly punished. Choi Min-Suk, coach of the women's curling team for the 2014

Winter Olympics in Sochi, resigned after athletes accused him of sexual harassment. However, later Choi was rehired to train the other team (Jung A. H., 2014).

Government officials and lawmakers promised to get tough on sexual abuse in sports. Sports and Olympics authorities say the government has taken disciplinary action in 124 cases of physical, sexual, and verbal abuse against athletes in the past five years, including 16 incidents of sexual abuse (Jung A. H., 2014).

3. Domestic violence in South Korea

In relationship, quarrels are normal, but not with violence. According to a study conducted by the Korean Institute of Criminology (KIC), nearly 80 percent of men from South Korea have committed acts of violence against their partners. The majority of those who claim to mistreat their partners are found to have a set of restrictions for couples. Up to 71 percent of those who have a record of mistreatment of a partner tell researchers that they regulate partner activity (News, 2019). For example, they determine with whom the couple may spend time, including friends and family. Quoted by the Korea Herald, this regulating behavior also includes calling the couple repeatedly to check their whereabouts. In addition, these men also manage how to dress their partners (Herald, 2013).

About 38 percent of those who claimed to have committed acts of violence against their partners also did not deny that they were sexually harassed. Nearly 37 percent of them categorized the abuse they committed as psychological. While about 22 percent claimed to have committed physical violence. Nearly 25 percent of the men surveyed claimed to hold their partner's breasts, buttocks, or genitals without permission. As many as 18 percent of them committed sexual harassment, while nine percent claimed their actions had resulted in an injured partner (News, 2019).

Table 2.3: Percentage of the acts of domestic violence

Percentage	Actions
38%	Did not deny that they sexually harassed
37%	The abuse was psychological
22%	Committed physical violence
25%	Hold their partner's breasts, buttocks, or genitals without permission.
18%	The other acts of sexual harassment
9%	Claimed their actions had resulted in an injured partner

About 23 percent of the males said they often slam doors and stomp when they are with a partner. About 100 of the 2,000 men claimed physical abuse left bruises and scratches on their partner's skin. The number of violence against women that occurred in South Korea is indeed high. A study conducted by the Korean Women's Hotline revealed that 61.6 percent of the women surveyed claimed to have experienced acts of violence in relationships (News, 2019).

The findings from the KIC study are alarming. It is especially considering that South Korea is the 3rd country with the highest female murder rate in the world according to a report published in 2014 by the U.N. Office on Drugs and Crime (UNODC). In terms of murder rates for women, South Korea is below Hong Kong and Japan. As a reference, in the same survey, the murder rate against women in the U.S. was 22.2 percent, while the worldwide average was 21.3 percent. Researcher Hong Young-Oh from KIC said that the proud position achieved by South Korea was none other than the patriarchal norms that were firmly rooted in South Korea. Another trigger for the behavior of persecuting South Korean men is excessive alcohol consumption affects men, making them so rude and permissive to acts of violence. Hong concluded that the high number of acts of violence shows that the perpetrators

themselves are unaware and that their actions are classified as mistreatment of a partner (News, 2019).

Domestic violence is deemed a personal matter in South Korea. Given its high prevalence, cases that ended up in convictions are still relatively low. According to Seoul Police, between March 2016 and February 2017, the acts of sexual abuse in domestic environment rose by more than a quarter to 54,711 cases (News, 2019).