

Perceiving Sexual Harassment in Chinese Higher Education

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ABSTRACT

In recent years, gender harassment in higher education has become a serious problem in China. This paper reviews the causes of sexual harassment, including structural factors and personal factors. The features of sexual harassment on campus in China and its reasons mainly stem from three aspects: the silence of victims, school management and legislation. Also, the effects of sexual harassment are mainly observed from three perspectives: psychological, physical, and social view. Through analyzing all these previous researches, this paper tries to find out the ways to reduce the incidence of sexual harassment in higher education in terms of victims, the school management, the law, and traditional gender role values. This paper also considers how do the policies and regulations on sexual harassment in the United States help empirically mitigate sexual harassment in China. This is also the importance of analyzing the condition of sexual harassment in higher education in China from different perspectives.

Keywords: Sexual harassment, Higher education, Gender role value.

1. INTRODUCTION

Sexual harassment has always been an obscure topic in China. Sexual assault in college is rarely talked about, but there are numerous cases of college students being vulnerable victims of sexual harassment. A survey about sexual harassment on campus shows that the occurrence rate of sexual harassment in Chinese universities is 6.6%, while the recurrence rate is 51.4% [1]. These statistics show that sexual harassment in higher education in China needs to be concerned and studied. However, there is no standard definition of sexual harassment in the Chinese academic community [2]. Meanwhile, there is seldom research on sexual harassment on campus, which is a research gap.

Compared to China, there are more studies of the sexual harassment in the U.S.. MacKinnon raised sexual harassment as an issue of gender discrimination and she proposed that "sexual harassment is the unpleasant sexual demands imposed by one unequal party on the other party, including sexual innuendo and banter" [3]. The U.S. Department of Education defines school sexual harassment as any unwelcome behavior of a sexual nature that interferes with a student's ability to learn,

study, work, or participate in school activities [4]. Sexual harassment is also thought to present a kind of violence [3]. It shows a continuum of behaviors and attitudes that arise based on sex and gender, which can be seen as a system of violence [3]. It refers to the different degrees of sexual harassment from the slightest to the most serious: from verbal teasing to rape. It also includes touching other's sensitive body parts, intentional exposure of sexual organs, sending pornography through social media, staring at the other's sensitive body parts for a long time, etc.

According to the statistics from World Health Organization, 30% of people in the world experience sexual harassment or violence [5]. It could be inferred that sexual harassment has become a more widespread phenomenon in higher education of the whole world than before. Koss conducted pioneering research that 25% of females in college had experienced some type of sexual violence since they were 14 [6]. Another report showed that only the military has a higher rate of reported sexual harassment than higher education [6].

Evidence from Institutions of Higher Education shows that nowadays majority of undergraduate female

students have experienced sexual harassment. In detail, nearly 43% of female undergraduate students reported that they had experienced sexual harassment [7]. The study also concluded that the rate of sexual harassment was faced with elevated harassment rates, which depended on the victim's age, gender, and sexual orientation [7].

2. CAUSE OF FORMATION

Mackinnon proposes a "Domination theory" of sexual harassment in higher education, in which teachers' harassment of underage girls is caused by both "structural" and "personal" causes [3].

Structural factors refer to the patriarchal mode of teacher-student ethics and the stratified characteristics of gender relations [8]. Teachers have the same authority over students as fathers treat their children, or men treat women [8]. In the context of unequal rights, teachers are more likely to abuse the power of education, and then put forward inappropriate demands on immature minor girls. In other words, sexual harassment in higher education is characterized by the "power relationship between teachers and students." In some cases, due to the inappropriate exchange of interests, disadvantaged students will be forced to submit to teachers who are in a strong position to get higher grades or other resource opportunities. Another situation is that the disadvantaged students offer sexually related activities to powerful teachers in exchange for benefits on their initiative. It will facilitate the teachers who have done sexual harassment to students continue harassing others, even motivate teachers who have not done it start to do some sexual harassment.

Personal factors refer to the psychological abnormalities and mental deviation of some teachers. Further speaking, most of those teachers who sexually harass students are in lack a moral sense and sense of responsibility. The need structure of sexual harassment perpetrators is too single, and the sexual need is absolutely dominant [9]. The lack of responsibility makes these teachers easy to trigger impulses so that they will become out of the control, which is harmful to others. To sum up, there are multiple causes of sexual harassment, in which both "structural" causes and "personal" causes affect the sexual harassment phenomenon a lot directly or indirectly.

3. THE FEATURES OF SEXUAL HARASSMENT

According to the survey conducted by Wang et al., in China, the incidence of sexual harassment at the undergraduate level is higher than at the postgraduate level [1]. The most common perpetrators of sexual harassment are teachers who have academic resources or control over academic power and the most common

victims are students [9]. There are significant gender differences in the perpetrators of sexual harassment, with a higher proportion of teachers being male [1]. Meanwhile, there are no gender differences in the victims of sexual harassment on campus [1]. The most common locations are the more secluded or private areas on campus, which are hard to be found by others [1].

4. REASONS FOR THE PREVALENCE

The reasons for the prevalence of sexual harassment on campus mainly stem from three aspects, which are: 1) silence of victims; 2) inadequate relevant laws, prevention and control mechanisms; 3) traditional gender role values.

4.1. *The Silence of Victims*

In China, sexual harassment victims often choose to be silent and are less likely to report the experience or search for help through formal ways. Based on a survey conducted in five universities, nearly half of victims of sexual harassment on campus remain silent and do not actively seek resolution [10]. The survey also concludes that sexual harassment victims on campus are silent. The reason for it is that these victims consider there are more cons than pros about reporting this to the school. Their considering factors include institutional limitations, students' information gap about sexual harassment prevention mechanisms in their schools, cultural norms, and the constraints of others' responses to sexual harassment [10]. The victims' silence leads to the missing attention of the public on sexual harassment on campus and the perpetrators are taking advantage of it. This leads to sexual harassment going unaddressed, allowing perpetrators to go unpunished and even continue their immoral behaviors. Besides, the silence of bystanders in China when facing cases of sexual harassment on campus also contributes to the prevalence of sexual harassment, but it is less studied in China.

4.2. *Inadequate Relevant Laws, Prevention and Control Mechanisms*

The lack of relevant laws, prevention and control mechanisms are the other major reasons. They can be divided into two main aspects. There are deficiencies in the internal mechanisms for preventing and dealing with sexual harassment in college. There is a lack of clarity in the structures and rules dealing with sexual harassment complaints and a lack of professional skills of the staff involved [9]. The punishment for the perpetrators of sexual harassment is light, which is the reason why the cost of it is too low. In addition, there are loopholes in the legal regulations and supporting measures as the external mechanism for sexual harassment in China as well [9]. China still lacks a specialized institution to receive complaints of sexual harassment and to deal with such

incidents. With the development of the network, social media in China often pushes the legislation system to overtly reconsider the justice of some cases, including sexual harassment on campus. Nowadays, the judiciary in China has also continually improved the relevant laws because of the increasing concern of the public on women's issue, which is a good sign.

4.3. Traditional Gender Role Values

In China, a patriarchal society, people are more tolerant of male sexual harassment but extremely harsh on women [9]. Gender stereotypes, gender role values, and gender inequality are deeply rooted in Chinese society. In ancient China, men took charge of the family and society while women often obey to their father or their husband who had power and authority [10]. Women are required to remain virgins until marriage and maintain fidelity to their husbands [11]. Men do not take sexual harassment as a big deal, while women do not dare to tell it to others because of the loss of virginity which is shameful in Chinese culture. They are worried about their future boyfriend or husband's thoughts about their suffering and that others would treat them differently due to the sexual harassment. What is even worse is that some of them would take the loss of virginity as their fault because of the traditional gender ideology. Under such patriarchy, women have been and continue to be subjugated and this also leads to "victim-blaming," the act of blaming the victims. Some people hold the view that women are supposed to use all means to resist sexual harassment or rape and failing to do so, which will result in the immorality of victims [12]. They even threaten the victims and compel them to be silent. Moreover, society tends to blame victims for their dresses or other so-called mistakes and believes that it is not the perpetrators' fault but men's nature that makes them commit it. Some of our traditional gender role values are far away from gender equity and cause a lot of bad results in our society, which includes sexual harassment in higher education.

5. THE EFFECTS OF SEXUAL HARASSMENT

This paper argues that the relationship between students' perception of school safety and the frequency of sexual harassment on campus can be explained from the perspective of "crime victim anxiety." Some empirical studies show that:

"The fear of becoming a victim of crime (especially at night) is an individual's daily sexual experience. Some surveys in the United States, the European Union and Australia have found that about 30% of respondents believe that it is unsafe to walk at night, while about 15% of respondents never walk at night because of safety concerns [10]."

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This study found that female victims are more likely to have negative emotions such as depression and depression, which is consistent with other studies [11][12][13]. On the one hand, it may be due to women's more sensitive perception of injury and their more frequent sexual harassment [14]. On the other hand, victims may incur a psychological burden due to their fear of damage to their reputation [15]. Schaeffer also found that both men and women victims suffered equal harm in sexual assault [16].

6. WAYS TO REDUCE THE INCIDENCE

In terms of laws on the treatment of sexual harassment, the U.S. is a sample of protecting the victim's rights. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is one of the critical pieces of legislation employed by the American government to supervise schools to solve the problem of sexual harassment. Another important piece of law is Title IX of the Education Amendments. It says that "no person ... shall, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance" . Under Title IX, sexual harassment is defined as unwanted sexual behavior that becomes an obstacle for students to receiving an equal education. Title IX has successfully been used to address ten areas of gender equality in education containing access, athletics, career education, education for pregnant and parenting students, employment, learning environments, math and science, sexual harassment, standardized testing, and technology under the language "on the basis of sex" [17]. Laws in terms of sexual harassment offer protections for students who report sexual harassment and students who are accused of sexual harassment.

Vice versa legislation concerning sexual harassment in China is inadequate and does not provide concrete regulations and penalties. When victims resort to the police, they are requested to provide convincing evidence, which is often time-consuming with less effective outcomes. Prevention and punishment are hard because

of the lack of related laws [18]. Thus, China should draw lessons from the USA and learn to reform its legal system. Then, victims, as well as the accused, can have a relatively fair judicial environment to protect and defend themselves.

After legal reform, there are still lots of problems in the process of law enforcement. The concept of consent included in some sexual violence and sexual harassment policies is inadequate, which makes students become more confused to reporting the issue [17]. Different standards and actions taken by different schools, teachers, and people around relevant people make things more complicated.

To prevent the sexual harassment of students, schools should take on the responsibility. Past studies have shown that a positive climate can not only prevent sexual harassment from occurring, but also comfort and cure those who experience it. Statistics show that compared to those who do not feel positive at school, students in a positive environment have fewer internalizing problems, lower use of illicit substances, and fewer suicidal thoughts and behaviors [18]. In addition, a zero-tolerance environment for sexual harassment at school is proven to be useful to push teachers to deal with the issue. Also, it is important to have sex education, including sexual harassment. Otherwise, the risk of normalizing sexual violence will become higher, leading to a reduction in people's sensitivity to sexual harassment [19]. Only with a positive environment and related education at school can it be possible for preventing sexual harassment in higher education.

Teachers are encouraged to use several simple approaches to help solve sexual harassment. It is important for teachers to react to sexual harassment at any time and any place [20]. Otherwise, students will no longer believe in teachers will support them when they face sexual violence [20]. Teachers can also serve as role models for students through respectful behaviors in their daily life and prevent discriminatory comments or behaviors exhibited by anyone in school, including gender stereotyping and offensive jokes [21]. Students must be taught that there is no fun in making jokes about gender or sexuality.

The social and cultural environment is another momentous element that needs to be changed to prevent sexual harassment. Instead of considering "saying no" to sex is a shame, the idea that "saying no" means "disagreeing with sex" should be widely accepted. Moreover, the gendered social practices constructed by masculinity and femininity are closely connected to the views that men are sexually aggressive while women are objects that can be sexualized, which will increase the risk of sexual harassment of girls by boys is considered to be a normal behavior [19]. People need to create a de-gendering environment where all people are treated

equally, regardless of their gender, sexual orientation, or any other characters.

Overhauling the structures of power is another key point to solving the problem of sexual harassment in higher education. Sexual harassment thrives in extreme gender imbalanced environments, strong hierarchies and dependencies, and leaders who tolerate or worse encourage sexism and misogyny. This is an institutional problem that requires institutional interventions, pushing innovation within institutions. In other words, leaders who support equality and are brave enough to challenge the system to prevent sexual harassment are needed at school and in various departments related to this issue [22].

Overall, there is still a long way to solve the problem of sexual harassment in higher education, which requires efforts from the government, society, schools and other institutions.

7. CONCLUSION

This review presents some aspects of the alarmingly frequent occurrence of sexual harassment in higher education in China, including the causes, features, the reasons for the prevalence, and the influences on the victims by concluding and analyzing relevant previous studies. This paper identifies that sexual harassment in higher education in China is a complex problem involving psychological, school, legal, and social causes. It contributes to the formation and prevalence of sexual harassment in universities. However, the legislation and traditional gender values are multifaceted, as a large number of factors could influence their formation, which can be studied in greater detail. Future research could focus on the current and latest condition and changes in sexual harassment on campus in China. At the same time, sexual harassment has many negative effects on the victims and on other people involved. It even has some lifelong negative influences on victims with both emotionally and physically traumatic. Therefore, this paper calls on all parties to take appropriate measures in this matter, to learn from the corresponding experience of other countries, to reconstruct the legal system, and believe that with the joint efforts of institutions. A healthy campus environment for students in higher education is within reach.

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