



Workplace Sexual Harassment and Me Too Movement in Post-Socialist China¹

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Introduction

On August 6, 2021, a female employee at the Alibaba Company went on social media to accuse her boss and his client of sexual harassment [1]. In her publicized report, she narrated that, during a business trip, she was demanded by her boss to drink with his client. After she became intoxicated, she was first sexually harassed by the client. Later, as revealed by the hotel surveillance, her boss entered her room a total of four times to sexually harass her while she was unconscious in bed. As soon as she became conscious the next morning, she called the police to report the incident. After she returned from the business trip, she reported it again to a number of supervisors and leaders at various high levels of the company, but all to no avail [1]. Finally, she decided to distribute flyers at the company cafeteria for help, which was stopped and threatened by the company security to send her to the police for her disruption of social order. She was subsequently banned from the company's chat group. Out of desperation, she went onto social media to expose the incident. Pressured by the social uproar surrounding this case, the CEO of the Alibaba Company eventually responded and fired her boss.

Even though sexual harassment was forbidden in "The Notice to Increase Civil Affairs Causes" and "Women's Rights and Interests Protection Law of the People's Republic of China" in the Chinese history, it was never properly defined

until the "Civil Law Dictionary" that was passed by the 13th National Congress in 2020 [2]. The 1010th Stipulation in the 2020 "Civil Law Dictionary" provides a dual definition of sexual harassment. First, it is against others' will. Second, it takes on a variety of forms including language, words, images, and physical conduct. Prior to 2020, in February 2018, the Chinese Supreme Court [3] promulgated "The Notice to Increase Civil Affairs Causes," where, for the first time in the Chinese history, "sexual assault dispute" became the legitimate cause for an individual case. Prior to this 2018 Notice, the People's Republic of China's revised "Women's Rights and Interests Protection Law of the People's Republic of China" included a specific stipulation to "Forbid Sexual Harassment to Women" [4]. The comprehensive definition of sexual harassment provided by the 2020 "Civil Law Dictionary" marked a significant step forward since the 2018 Notice and the 2005 Protection Law that left the notion of sexual harassment undefined and ambiguous.

This progress of laws and regulations regarding sexual harassment took place at the wake of the #me too movement in China starting in 2018. Originated in the US in 2017, the #me too movement began in China in the following year, ranging from the academic arena to the political, public media, public interests, as well as religious fields [5]. In 2018, a doctoral graduate from the Beijing University of Aeronautics and Astronautics, Qianqian Luo, reported years of sexual harassment toward her and numerous other female students by the PhD advisor Professor [5,6]. Luo was the first woman in China who came out loudly saying "Me too," a significant action that marked the new era of the #me too

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movement in China.

Ensuing Luo's public accusation of her academic advisor's sexual harassment, the #me too movement spread all over China in universities and schools [5]. Numerous students from a plethora of universities around the country, including Nanchang, Shanghai, Beijing, Gansu, Guangzhou, Xi'an, Hangzhou, and Hunan, came out to report their professors' sexual harassment cases [5]. Some female students such as 19-year-old Yiyi Li in Gansu and 19-year-old Yan Gao in Beijing, due to the non-punishment of the professors who inflicted sexual harassment on them and public slander against their moral reputation, suffered clinical depression and committed suicide [5,7].

When Yiyi Li was 17 years old, she was raped by her teacher [7]. Despite her and her father's report of the rape to the school, the police, and the court, all the authoritarian apparatuses deemed the teacher innocent. Two years later, after no redress was provided to her, Li climbed to the 8th floor of a department store in an attempt to commit suicide. During the four hours while she was standing on the 8th floor ready to jump, spectators on the ground became impatient, waiting for her to jump [8]. They yelled at her from the ground up: "Just jump already! Jump quickly! What are you hesitating about?" Others sent messages to her: "It's too hot down here to watch you up there – just jump quickly already!" [8]. She eventually jumped and committed suicide after staying on the 8th floor for four hours [8]. Another 17-year-old girl Yan Gao was sexually assaulted numerous times by her professor at Beijing University, but her report led to no result from the school, only inviting defamation and public slander against herself as a morally loose and salacious woman [5]. Two years later, then 19-year-old Yan committed suicide.

Despite various schools' repression of students' sexual harassment reports to protect teachers and professors, the #me too movement in China continued to expand from the academic sphere to other arenas. In the political stage, in 2021, the tennis player Shui Peng reported on social media the sexual assault and a decade of forced sexual relationships by Gaoli, Zhao - the previous Vice Premier of the State Council and the Committee Member of the Standing Committee of the Political Bureau of the Communist Party [9]. Her report on social media was subsequently deleted. Peng then disappeared for three weeks before reappearing in public with officials' careful arrangements. Meanwhile, numerous other victims' sexual harassment accusations took place in a variety of fields, from the public interests, athletic, music, to religious circles [10,11].

A recent national survey on workplace sexual harassment in China conducted by the Career Women Legal Hotline revealed that 70.8% of women interviewees

had experienced workplace sexual harassment, indicating that women are the primary victims of workplace sexual harassment [12]. Among these victims, only 29.7% of the women sought help, and the remaining 70.3% chose to keep silent. The overwhelming majority of the women remained quiet because of the hierarchal relationships between them and the perpetrator and the lack of evidence. As illustrated in detail in *Violent Intimacy* [5], the fact that the perpetrator is their boss potentially threatens their job security upon reporting. In addition, the place where sexual harassment takes place is often hidden, leading to the difficulty in collecting evidence. In addition, public slander and the lack of social and legal support for women who are deemed as "unworthy victims" further push women into silence [5].

As shown in the numerous cases from the Alibaba company to various universities, women who bravely voiced "Me Too" and publicly accused their perpetrators of sexual harassment tended to be silenced, ignored, repressed, and even socially shamed, defamed, and reviled as morally indecent or loose [5,12]. In the interviews conducted with victims of sexual harassment in the national surveys and ethnographic work [5], many women decided to quit and leave the job, rather than reporting their perpetrators, as the solution to the issue. As they contended in the interviews [5,12], police would often question their attire or their moral stance as the possible reasons to have triggered the sexual harassment incidents against them. As a result, women were forced to navigate through these cases on their own; often leading them to either voluntarily end the job for other opportunities or lose the job or promotion due to their refusal to their superiors' sexual advances.

As evidenced by the above-mentioned cases where victims have chosen to end their lives, the dearth of social, legal, and cultural support for victims in post socialist China has led to clinical depression, insomnia, psychological suffering, as well as eventual suicide by victims [5]. As illustrated, the existing laws and regulations regarding sexual harassment in China have failed to provide any detailed sentences or penalties for perpetrators of sexual harassment. For companies, schools, and other organizations that have chosen to protect perpetrators and repress the voice of victims, the current laws and regulations are equally deficient in offering pertinent penalties and punishments. To properly advance and protect women's interests and rights from violation and to end victims' continued suffering at workplaces as well as schools, this article calls for an overdue redress to the issue of legal vacuum as well as the social and cultural stigma that blames victims.

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