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Zkušenosti Japonek se sexuálním obtěžováním na pracovišti
Experience of Japanese Women with Workplace Sexual Harassment

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I hereby declare that I have written this master's thesis independently under the supervision of Mgr. Renáta Sedláková, Ph.D., and all the sources have been cited and acknowledged in the bibliography section of this paper.

Prohlašuji, že jsem magisterskou práci vypracovala samostatně pod odborným dohledem Mgr. Renáty Sedlákové Ph.D., a použila jen prameny v seznamu bibliografických citací.

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Anotace

Cílem této práce je analyzovat zkušenosti sedmi vysokoškolsky vzdělaných japonských žen se sexuálním obtěžováním na pracovišti. Sexuální obtěžování je sice všeobecně známé, ale v japonské společnosti se o něm často příliš nemluví. Proto se v této diplomové práci zaměřuji na zkušenosti účastnic, se kterými jsem vedla rozhovory, a porovnávám je s předchozími studii (například Nemoto 2016, Uggen, Shinobara 2009) V teoretické části práce představuji historii ženských práv a společenského postavení, definice sexuálního obtěžování na pracovišti podle japonské, britské a americké vlády. V analytické části práce představuji předchozí studie a jejich zjištění týkající se zacházení se ženami v japonských firmách. Na základě těchto zjištění analyzuji přepsané rozhovory, které proběhly v roce 2022, a porovnávám je s předchozími studii, přičemž vyvozují závěry pro možné zlepšení politiky japonských firem.

Klíčová slova: sexuální obtěžování, ženy, pracoviště, Japonsko, ženská práva, rozhovor

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Editorial Note

All Japanese terms and names are written in English transliteration using modified Hepburn Romanization, the most used style of transliteration worldwide, including in Japan. This involves using special letters such as *ā*, *ē*, and *ō*, which denote the prolonged pronunciation of vowels. Japanese terms are first mentioned in English translation, then written in their original Japanese characters, and finally transliterated in italics. All titles of Japanese sources in the bibliography section are written in English transliteration. Except for Kankan and Shōko, all the attached interviews were conducted in Japanese, then translated into English and edited by me. The interviews conducted in English were transcribed as closely as possible to the original voice recording. This includes grammatical and stylistic mistakes made by the speakers. In the interview transcripts, the interviewer's lines are marked as **A** in bold, while the participant's lines are marked by the participant's initial capitalized in bold. The sources are cited using the Chicago Author-Date style.

Introduction

I have worked many part-time jobs in my 20s and have experienced sexual harassment many times. Sometimes, it came from customers of restaurants or cafes where I worked, and sometimes, it came from my co-workers or supervisors. There was even a time when I was stalked by a former customer, who followed me around the city where I lived for hours as I walked on errands. The experience I have with sexual harassment is the primary reason I chose this topic for my diploma thesis. I understand how powerless it makes one feel and how humiliating it is to be asked whether I invited such behavior of the harassers. I am also aware that countless women and men worldwide have experienced the same, and many are afraid or ashamed to speak up. Furthermore, as I have been studying Japanese for 6 years, I naturally became interested in the experiences of Japanese people, how they deal with problems compared to Western people, and how their social behavior came to be.

Therefore, in this thesis, I chose to observe how Japanese women in their 30s and 40s deal with sexual harassment, as I can relate to it. In the first third of the thesis, I describe the history of women's rights in Japan and the problematic situation regarding Japanese society's views on sexual harassment. This part of the thesis also includes the classification of sexual harassment in Japan and the ramifications that the parties involved face when reporting it.

In the second third of this thesis, I discuss the legislative measures taken against workplace sexual harassment by the Japanese, British, and U.S. governments. I study the laws and countermeasures of each government. I focus on what each government's laws cover, what the definition of sexual harassment is, and what the possible punishments for the perpetrators are.

The third part of the thesis concerns the analysis of the in-depth interviews, which includes the set of questions the participants were asked and segments of the transcribed interviews. The lengthy interviews are attached separately. The interviews are analyzed based on the content of the participants' answers and their semantic choices. I discuss the participants' backgrounds and how they affect their work experience. Where and when did sexual harassment occur, who was the harasser, what were the details of each participant's experience, and what were the resolution methods in case the participants decided to report the incident? I further describe the participant's testimonies as to why are sexual harassment incidents often underreported in Japanese companies and the way the awareness of appropriate and inappropriate behavior in the workplace is taught at their offices. Finally, I include a brief overview of what changes the participants would appreciate in handling workplace sexual harassment and how the situation has changed since the start of their careers.

History of Women's Rights in Japan

In this chapter, I attempt to outline the rapid increase in women's rights since the Second World War and bring to attention that having rights equal to men is in itself a relatively new concept in Japan. I believe that to understand the current state of events, one must also understand what transpired beforehand for the current events to come to be. The lack of respect in the social sphere that Japanese women endured for centuries persisted as they were fundamentally considered "lesser."

I would like to introduce a woman who heavily influenced women's rights in Japan after the Second World War. Beate Sirota Gordon (1923–2012) was a Jewish Austrian-born American performer and advocate for women's rights who played a pivotal role in forming the new Japanese constitution during the post-war occupation of Japan by the Allied forces in 1945–46. Mrs. Sirota Gordon was just five years old when she moved with her parents to Japan, where she attended a German school until the age of 12 when she was transferred to an American school. In 1939, Mrs Gordon moved to Oakland, where she studied at Mills College and graduated in 1943 with a bachelor's degree in Modern Languages and became a naturalized US citizen in January 1945. (Fox 2013) In December 1945, Gordon returned to Japan to search for her parents, who stayed behind while she was in the US, where she began to work under Douglas MacArthur. Gordon, who, at the age of twenty-two, almost singlehandedly drafted the language for women's rights in the "Civil Rights" section of the constitution.¹ The constitution now, for the first time in history, includes:

"Marriage shall be based only on the mutual consent of both sexes, and it shall be maintained through mutual cooperation with the equal rights of husband and wife as the basis. With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce, and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes." (Gordon, Pharr, Molony, and Hastings 1998, 73)

The newly added Article 24. Now, the list includes words such as consent and gender equality. It also put into words, for the first time in the history of Japan, that women had to consent to be married. If they did not consent, the marriage would be invalid. However, though the article was revolutionary in Japan, it still did not cover all of the problematic areas. For example, the relationship between a man and a woman was specified only in the terms of

¹ When dividing the work with her colleagues, Colonel Roest and Dr. Wildes, on the civil rights section of the constitution, it was Gordon, who was tasked with the women's rights with the words: "You're a woman, so why don't you write about the women's rights?" (Gordon, Pharr, Molony, Hastings 1998, 70)

marriage. One could be tempted to blame Gordon for these issues; however, Gordon was tasked only with writing the draft of Article 24. of the Constitution. Her draft was edited, and much was left out. The original draft is as follows:

“The family is the basis of human society and its traditions for good or evil permeate the nation. Hence, marriage and the family are protected by law, and it is hereby ordained that they shall rest upon the undisputed legal and social equality of both sexes, upon mutual consent instead of parental coercion, and upon cooperation instead of male domination. Laws contrary to these principles shall be abolished and replaced by others viewing choice of spouse, property rights, inheritance, choice of domicile, divorce, and other matters pertaining to marriage and the family from the standpoint of individual dignity and the essential equality of the sexes.” (Gordon, Pharr, Molony, and Hastings 1998, 72)

The original draft also included the prohibition of male domination and parental coercion in family and marriage but stated that relationships should be formed upon mutual cooperation. This did not stop the occurrence of arranged marriages by the parents and completely omitted the patriarchal system of family 家制度 *ieseido*, where the man holds the highest position and has the right to decide his children’s future spouses. Furthermore, the Japanese politicians strongly opposed the Article, and it is safe to assume that it was not readily accepted by the patriarchal society of the time. (Gordon, Pharr, Molony, and Hastings 1998, 74)

Although the amendment to the Constitution was a tremendous step forward for Japanese society, it would be a mistake to assume that there were no attempts to advance the position of women in Japanese society prior to the amendment. Although not as active as in the West, Japan too had its share of suffragette movements, whose focus was mainly on inclusion in the state and civil society, such as voting rights for women and inclusion of women in political parties, which was outlawed by Article 5 of the Meiji era constitution. Any political assembly of women was illegal until 1922, and even after that, many women chose to pursue inclusion in the decision-making of their future and well-being through civil societies such as groups to provide birth control, patriotic groups, savings and frugality movements, etc. It may seem strange, but in the 1920s, human rights and civil rights were strictly separated, and women were forbidden to insert themselves into the civil or political matters of that time. (Gordon, Pharr, Molony, and Hastings 1998, 80)

The efforts of feminist organizations continued in the early 1930s; however, now they opposed the growing militaristic efforts of the Japanese government. Yet, many feminist groups

chose to compromise with the militaristic policies of the government, as the groups would be forced to disband under the National Mobilization Law if they maintained their opposition to the war. The right to vote was given to women during the occupation in 1945 thanks to the efforts of the League of Women Voters of Japan, a coalition of suffragists who argued that the occupation would require women's suffrage, as well as the fact that Japanese women earned their right to vote through their cooperation during the war. When the Constitution granted full civil rights to women in 1947, suffrage rights ceased to be the centerpiece of feminist discourse. (Gordon, Pharr, Molony, and Hastings 1998, 80–81)

Feminism in the 1950s and 1960s could be described as relatively understated compared to the feminist movements of previous years. As stated in *Celebrating Women's Rights in the Japanese Constitution*, the 1950s and 1960s were relatively quiet years, and feminist groups focused mainly on the general well-being of women. Their focus was, for example, on maternity leave and health provision. In short, feminist movements in this era focused on policies that would allow them to raise children without having to work to feed them, to eliminate licensed prostitution, for peace, for citizenship rights, and for workplace equality. The struggle for citizenship, previously inherited only through the father, continued until the mid-1980s when they finally changed the Nationality Law so that Japanese citizenship would be inherited through mothers just as it was inherited through fathers. (Gordon, Pharr, Molony, and Hastings 1998, 81)

The word sexual harassment did not come into play until the late 1980s when it was borrowed from English to produce its Japanese form セクハラ *sekuhara*. While the term itself was new, the problem itself was not. In fact, in 1989, the Tokyo Section Bar Association, which is a female lawyers' organization, held a one-day hotline that women who had been victimized by workplace sexual harassment would use -138 calls were received that day. (Morley 1999, 119) Although sexual harassment was deemed a problem, it was not explicitly outlawed by Japanese law until the late 1990s. (Huen 2007, 812)

I attempted to outline the rapid increase in women's rights since the Second World War and brought to attention that having rights equal to men is in itself a relatively new concept in Japan. Women had been, for the longest time, the property of the family to do as the head of the family pleased. Whether it was to strengthen the family prestige to secure future business cooperation or to be sold off to pay family debts. Even Mrs Beate Sirota Gordon stated that while in the German school that she attended, there were some of her friends who were preparing to marry a man whom they had never met. (Gordon, Pharr, Molony, and Hastings

1998, 66) Their consent for the marriage was unnecessary; only the prospects the marriage would have for the family were. What I mean to argue is that while archaic, the history of Japan's strong patriarchal system is so long that it is understandable that some of it influences Japan's society even today since Japan's lifelong employment system is built on the principle of seniority, which strongly favors men. (Horiguchi 2004, 34) It is not at all unreasonable to expect a high company position to be held by a man in his 50s or even 60s, as most politicians and presidents of Japanese companies seen on TV do fit this description, who have lived through times when words such as sexual harassment were not used.

Japanese Society Concerning Women in the Workforce

In the aftermath of World War II, Japan's transition from an insular, ethnocentric society to a more diversified and international one brought profound changes in social values, family structures, and working conditions. This subchapter explores the impact of these changes on gender roles within Japanese workplaces, focusing on the emergence of the "new middle class" and the professional housewife. Japan, despite societal advancements, traditional corporate practices, such as lifetime employment and seniority-based pay, continued to perpetuate significant gender inequalities. Women were often confined to lower-paying, less secure roles, and the culture of after-work social gatherings frequently tolerated sexual harassment. By examining these entrenched practices and cultural norms, this chapter highlights women's enduring challenges in pursuing workplace equality in Japan.

After the Second World War, Japan slowly transformed from an insular, ethnocentric society emphasizing a commonly shared ethic and family structure into a more diversified and international society with a greater variety of social values, moral guidelines, family patterns, and working conditions. This shift gradually forced individuals to find a way to live in these new circumstances. With the restructuring of education and workforce, a "new middle class" emerged, and along with them, salaried husbands and their professional housewives 専業主婦 *sengyoushufu*. (Vogel 1963, 4–22)

The life of a professional housewife would be integrated into the traditional household *ieseido*. In such a household, multiple generations of the family would have been living together, and there would be a strict division of labor between the sexes. In the middle-class household, the wives would be in charge of the household and subservient to their husbands and the family elders. Before and during the Second World War, in well-to-do households, the wives would not do all the work alone; a young maid would accompany them. However, this trend began to disappear by the Tokyo Olympics in 1964, and along with it, mothering and domestic skills as

the factory work took over. Middle-class daughters entered colleges, pursuing their education instead of going through bridal training 花嫁勉強 *hanayomebenkyou*. (Vogel 2012, 688)

Employers were given more freedom to modify their hiring and firing procedures when the employment structure was weakened following the collapse of the "bubble" economy and the protracted recession in the 1990s. The number of full-time, permanent employees 正社員 *seishain* decreased due to seniority systems and modifying lifetime employment 終身雇用 *shuushin koyou*, while the number of freelancers and part-timers increased. Between 1990 and 2010, the proportion of non-regular workers (temporary employees and others lacking job security) rose from 20.2% to 33.7% of the workforce. "Freeters," short for "free workers," are the terms used to describe some non-regular employees. People who freelance without benefits or job security are typically men under 35, live with their parents, and do not have full-time jobs. (Vogel 2012, 688)

Maria Charles and David B. Grusky observe that sex segregation is the primary indicator of gender inequality in employment and work. Vertical segregation means that women are concentrated at the lower end of the employment hierarchy, and horizontal segregation refers to women's concentration in traditionally female jobs. (Charles, Grusky 2004 in Nemoto 2016, 2) Specifically, Japan has a high level of vertical sex segregation in professional and administrative roles. This is due mainly to the influence of age hierarchies, a fundamental aspect of Japanese management. (Brinton and Hang-Yue 1993, 94)

In theory, the most developed nations have recognized the need for gender equality and have adopted egalitarian policies encouraging women to enter the workforce to balance work and family life. The intention is to shift from the male-breadwinner model towards an egalitarian dual-earner model. These countries have also adopted modernization, democratization, and globalization. (Gottfried and Reese 2003, 5) According to the 2013 Global Gender Gap Report, Japan came in at position 105 out of 136 nations, with Scandinavia, Finland, Norway, and Sweden ranking first through fifth. The US came in at number 23, while the UK at number 18. Japan's low position is due to the country's deficient proportion of female legislators and corporate executives, which is indicative of the country's high levels of sexism in both politics and the economy. (Ito 2012 in Nemoto 2016, 3)

Japan's strong vertical sex segregation, or low proportion of women in positions of leadership, is frequently attributed to the nation's institutional and ideological upholding of conventional gender standards. Ordinary Japanese people's attitude is still dominated by the

male-breadwinner model, which has been reinforced by family formation, government tax and pension programs, and other factors. The well-being of the average Japanese family has always depended on its strong ties to Japanese businesses. With the understanding that women will take care of the family, a company's lifelong employment policy and guarantee of financial security for men have helped the government save significant money on welfare and fuelled post-war Japan's economic growth. (Nemoto 2016, 3)

Japan's corporate system prioritizes male workers' lifetime employment to maintain stable industrial relations, maintain an insider-oriented management mindset, and support families that rely on male wage earners. Employees' development of "in-firm" talents is valued by employers above non-firm capabilities, and the labor market is not very competitive or mobile. The phrase "Japanese management" typically refers to a collection of practices that provide an employee with job security and family benefits, such as lifetime employment and seniority-based pay and promotion regulations. Employees may move positions within a company but do not change employers or firms; this is known as the "internal labor market." An employee's long-term financial stability is made possible by his company's close relationship and reliance on a major bank. Because the employer relies on bank financing, the business can choose long-term profitability over rivalry and quick profits. Employers cannot fire employees under the lifetime employment system, even if they prefer to save money. Instead, they can fire new hires, offer early retirement to existing employees, or hire temporary help. A traditional male-breadwinner household is linked to lifetime employment as it assumes that the man will dedicate his life to the business and that the woman will take full responsibility for the family. (Nemoto 2016, 6–7)

Because Japanese management practices like track hiring and seniority pay discourage women from continuing their employment and being promoted to higher positions, Japanese corporations can use women as a primary supply of inexpensive labor. Nemoto claims that it is clear how businesses use women employees as labor cost-savers by comparing the pay and benefits of the men and women she spoke with in comparable age groups. The vast wage disparity between men and women is shaped by traditional enterprises' continued tendency to give home perks primarily to males. Due to their limited opportunities for advancement in the labor market and the focus placed solely on internal capabilities by many companies, women at lower levels are unlikely to find better roles outside of their current employers. (Nemoto 2016, 98)

As noted by Mary Brinton, women's representation declines as one moves up the promotion ladder in Japanese companies, and sex segregation levels rise with age. Due in large

part to women quitting their careers after getting married or having children, there were historically few women in middle and high-management positions in Japanese businesses. (Brinton 2023, 66–67) Traditionally, Japanese management has relied heavily on hiring women as cheap labor. In many Japanese companies, the custom remains the main reason for vertical sex segregation. Women are classified into various subcategories, including career-track workers, non-career-track workers, area-career workers, temporary or contract workers, and part-time workers. At the same time, some companies employ men in an unnamed (though career-track) category. Employers can save money on labor expenses while maintaining gendered pay disparities and sex segregation through the use of multiple-track hiring. (Nemoto 2016, 103)

The traditional symbol of emphasized femininity in Japan is the housewife, who lacks social and economic independence. (Charlebois 2013, 5) In Japan, housewife femininity is so prevalent that it permeates the workforce, showing up as carers, assistants, and helpers. The core of Japanese business management has always been using women as low-paid assistants to reduce corporate expenditures. The tradition has given legitimacy to the ideas of misogyny, forced heterosexuality in the workplace, and masculine superiority. Furthermore, a protracted lack of female leaders and authoritative figures has strengthened the stereotype of male dominance and increased workers' mistrust of the rise of female workers. Men find it more difficult to abandon their mistrust of women employees and to shift their traditional gender stereotypes when there are not enough female bosses around. This is because they do not think women are as capable as men. (Nemoto 2016, 133)

Below is an excerpt from one of Nemoto's interviews in her book *TOO FEW WOMEN AT THE TOP*. In it, she interviews numerous men and women working in Japanese companies. The excerpt includes a statement by Eiji, who works in a bank, regarding the hiring and promotion process of women in management.

“I support the idea of gender equality, but I don’t understand the logic that women should be paid the same as men when they don’t do the same work as men. (...) Women workers take maternity and parental leave . . . if, say, a woman works only from ten to four, we suffer from it. This person goes home at four when we are still dealing with clients and need something by tomorrow. So, as long as she goes home at four, we can’t ask her to do important jobs. If she is a non-career-track worker and we pay her about \$30,000 annually, we can still incorporate her. But if we pay \$100,000 per year as a career-track worker, it is a waste of money even to hire her. Therefore, it is better to invest in a man than in a woman. . . . But a single

woman is as useful as a man. Single women have the same chances to get promoted as men.” (Nemoto 2016, 134)

In the excerpt above, Eiji first states that he supports equal pay for men and women. However, that is limited to single women, presumably childless and willing to work longer hours. Since family obligations often cause women not to work overtime or to reduce their hours, it is ideal for a company to hire women as assistants, who can be paid less than half of what men are paid.

Eiji insisted that women’s place is at home, not work: *“It is not that workers who are mothers are disrespected in Japan. They get tremendous respect at home from their kids and their husbands. The system just doesn’t pay for the work of these women. Such a contradiction should be resolved at the welfare level or by the government, not by corporate management. The corporations should not be responsible for it.” (Nemoto 2016, 135)* Another excerpt introduces Ryo, a forty-year-old male general manager at Shijo Asset Management, who thinks that women are fleetly and do not have as broad of a perspective as men do. The statement shows the view that what Japanese women should and should not do shifts dramatically after they are married.

“I don’t think men and women are equal. . . . I have always worked with women. When I was in the previous securities firm, many women there never wanted work with too much responsibility. They would say, “I am not paid for such work.” Many of them were very immature. . . . I mean, women are sensitive and speedy, and men cannot be like that. Men are slow, but they have larger perspectives and better networks. Women, in general, have narrower perspectives. They have a hard time listening to what others say. Men and women have different thinking patterns and perspectives. . . . I am not saying that women should just do assistant work . . . but, maybe, they should do what they like after marriage.” (Nemoto 2016, 134–135)

I included the excerpt above to highlight that women and their work quality are not seen as equal to men. Even if women have the same level of education as men, the company does not value them because a) they can go on maternity leave or leave altogether, b) even if they do not leave, they do not get as many successive years in a company because of breaks to have children so they have lower salaries on that alone, c) they are reluctant to do overtime because someone needs to watch their children at home, which leaves them unable to take on fulltime jobs so they often do part-time jobs. Therefore, they are hired on lower salaries and with fewer benefits than their male counterparts. In other words, they are seen as not as valuable as their male counterparts.

Drinking Culture and Sexual Harassment

Power imbalances based on gender shape workplace culture, providing a set of informal rules that determine sexual interactions and behaviors. (Wilson and Thomson 2001, 67) For instance, women who work in low-status positions or feminized industries, such as temporary labor, are frequently sexually objectified. (Rogerts and Henson 1997, 234) At the same time, the probability and severity of sexual harassment rise when women enter fields where men predominate or where women have not historically held positions. (Collinson and Collinson 1996) In Japanese companies, employees frequently engage in sexual behavior during drinking gatherings after work. Drinking after work in pubs, restaurants, and hostess clubs has long been a staple of Japanese corporate culture. According to Kazue Muta, drinking-based organizational events—like banquets, overnight trips, and outings that Japanese businesses frequently plan to foster “group harmony” among their employees encourage male employees to act foolishly, even absurdly, including engaging in sexual harassment. (Muta 2008, 57–58) As Allison explains, the particular gender dynamic that exists in hostess clubs means that male empowerment, camaraderie, and entertainment drive sexual interactions between men and women. Women are expected to satisfy men's desires and mediate their relationships with other men. (Allison 1994, 177)

Different workers view sexual behaviors and interactions in different ways, and not all sexual encounters should be classified as harassment or as detrimental. While some people find particular interactions entertaining or engaging, others might see the same interactions negatively. “*Sexual harassment and sexual consent are not polar opposites, in contrast to the assumption of much legal theory,*” as Christine Williams, Patti Giuffre, and Kirsten Dellinger contend; instead, how employees recognize sexual harassment and draw boundaries depends on the specifics of their workplace. (Nemoto 2016, 203)

The women in Nemoto’s study defined “obligatory” workplace sexual interactions as follows: (1) accompanying clients to hostess clubs, which female employees frequently view as “a part of their job;” (2) serving as the host at after-work drinking gatherings, where some men's touching and groping is accepted as “joking around” or as standard behavior; and (3) persistent or threatening sexual approaches made during regular business hours, which are viewed as harassment and frequently prompt women to take corrective action. (Nemoto 2016, 202) According to Japanese feminists, sexual harassment in Japan frequently follows one (or more) of the following patterns: (1) a man imposes the wife role on a woman worker; (2) a man deludes himself into believing that a woman worker has personal affection for him; (3) a man feels envy and resentment towards a woman who has superior talent or refuses to take roles

subordinate to him; or (4) a man seeks vengeance on a woman who does not accept his sexual desire for her. (Suzuki 1994 In Nemoto 2016, 204)

According to certain studies, harassers who are reported in Japan are typically supervisors, but harassers who are reported in the US are primarily co-workers or subordinates. (Uggen, Shinobara 2009, 206) Several court cases demonstrate the prevalent pattern of sexual harassment involving a male supervisor. The Japanese Ministry of Health, Labour, and Welfare provides some examples of prominent cases of sexual harassment claims for damages towards employers and harassers. In 2003, A female employee claimed that her supervisor, Company Y employee Z, sexually harassed and abused her. She sought reimbursement for damages from Z under Article 709 of the Civil Code and Company Y under Article 715 of the same statute. The female employee won the Civil suit as it was proven before the Tokyo District Court that her supervisor was taking advantage of his position to harass her. However, the punishment of the supervisor is not listed. (Ministry of Health, Labour and Welfare 2003) A compensation claim was filed in Fukuoka in 1992 against Company Y and the Editor-in-chief Z. The claim stated that the Editor-in-chief had made disparaging remarks to individuals both inside and outside the company regarding the sexual relations of his subordinate, X, with whom he had a contentious relationship. As a result, female employee X was compelled to resign. Viewing this scenario as a personal dispute between editor-in-chief Z and X, Company Y's senior managing director A concentrated on pressuring Z to have a conversation with X. The company was found liable for mishandling the issue; however, compensation for the claimant is not listed. (Ministry of Health, Labour and Welfare 2003)

The male worker–hostess woman script has long been utilized in Japanese businesses to uphold organizational order and group cohesiveness. This is not to say that drinking establishments are a terrible location for Japanese women employees; it is possible for both sexes to enjoy small talk with co-workers. However, the gendered script frequently places female employees in a role that requires “emphasized femininity.” (Nemoto 2016, 205)

Previous research has shown that because women perceive sexual encounters as a necessary aspect of their jobs, they are hesitant to classify and report their co-workers’ advances as sexual harassment. To put it another way, because intrusive sexual contact is customary in the “man's world,” women strive to adjust to or become accustomed to them out of a need to fit in. (Dellinger and Williams 2002, 247). In summary, it can be challenging to draw clear lines between acceptable and harassing behavior, particularly when workplace culture normalizes it.

Workers socialize informally, chat, play karaoke, and undertake stunts such as singing corporate songs, performing magic tricks, or chugging a bottle of beer or other drinks during

After-work drinking meetings in Japan last from dinnertime till midnight in restaurants or bars. New or young employees are frequently made to participate in these acts, which is considered hazing. Female employees are sometimes expected to sit next to their male managers or employers. Furthermore, women and the youngest workers are expected to “pour alcohol” on the senior personnel. Workers and managers on a section or floor may call these meetings as frequently as three or four times each week. The usual goal of such sessions is to strengthen group cohesiveness. (Nemoto 2016, 210)

Women workers frequently drew borders between sexual behavior in drinking environments and during regular work hours. However, in legal terms, invasive and dangerous sexual behaviors during these after-hours encounters are viewed the same as similar behaviors during working hours. (Nemoto 2016, 210)

In 1998, an Osaka court ordered a male worker and his employer to pay compensation after the man forced a female worker down on a sofa, kissed her hands, and placed his hands beneath her skirt during an after-work drinking rendezvous. The court alleged that the male employee took advantage of his superior position, so his behavior was tied to his job. The man's actions were characterized as violating the woman's rights. However, in 1998, a Tokyo district court denied a woman's allegation that she suffered as a result of being compelled to attend drinking meetings after work, ruling that while forcing workers to attend drinking meetings is inappropriate, it is not illegal. (Japan Institute for Labour Policy and Training In Nemoto 2016, 210)

The following is an excerpt from one of the interviews featured in Nemoto's book *TOO FEW WOMEN AT THE TOP*. The sample includes a statement from Yuka, the twenty-nine-year-old woman who worked at Hanakage in marketing and would drink after work at nine or ten p.m. about three times a week.

“They often force younger workers to perform some stunts and sing a company’s song. The women pour alcohol for the men. I enjoy it. It’s fun. . . . I knew one woman who didn’t like such events, and she eventually quit the company.”
(Nemoto 2016, 211)

The statement above illustrates that while some female workers may enjoy the after-work events, others find them uncomfortable. This is further supported by Rika, a 37yo manager at Shijo Asset Management, who recalls the older male workers calling her “Hey, girl” 姉ちゃん *Nēchan* as if she were a club employee.

“These senior men would see us the same as some girls in the clubs. I saw so many non-career-track women who were touched and groped by their bosses who called such behaviors “massage.” That was just so normal in the past. . . . I am a career-track worker, so nobody has touched me.” (Nemoto 2016, 211)

The dividing line was determined based on women's professional standing, with lower-ranking women considered more acceptable to touch sexually. Rika believed that men avoided sexual encounters with the few career-track female employees.

Young workers and those new to the organization thought attending drinking gatherings and getting recognition from their co-workers was vital. Some believed that sexual and nonsexual relationships on such occasions could promote mutual acceptance, acknowledgment, and understanding among employees. (Nemoto 2016, 211)

Misa, a 24yo career-track employee at Daigo Life Insurance, attended after-work drinking gatherings three or four times per week. While she enjoyed the drinking meetings, she was dissatisfied with the hostess role she was required to perform, which involved touching and even guys laying their heads on her lap.

“The men usually ask me to sit next to them. I don’t mind doing that... but then, I feel like I am a hostess in a club. They want me to listen to them. I have to constantly say, “Wow, that’s great” or “I understand,” and nod to whatever they say. Then they touch my knees. I try to remove their hands from my body without offending them. Those who are in their forties and fifties are usually the ones who touch me, hold my shoulder, and put their faces on my knees... Nobody helps me. (...) I am usually not allowed to sit next to women workers. I can’t talk with other women. The men are having fun. I don’t share in the fun with these men. I just sit there and smile. I think that’s just part of my job.” (Nemoto 2016, 212)

The excerpt above illustrates the experience of Misa, who felt pushed into the role of a hostess. She is to entertain her male co-workers and superiors. The excerpt further illustrates the age group who, in her experience, are most likely to harass her. The fact that the men were in their forties and fifties indicates that they were already established at their job at the time while Misa was still in her twenties – reasonably new at her job. This disparity in the power balance would have made it hard for her to take a resolute stance, as she could have faced repercussions that would halt her career.

Earlier research found that women report experiences of sexual harassment when there is violence or the threat of violence, when the offensive behavior increases or persists, or when a third party endorses the woman's assessment that an encounter has exceeded the line. (Giuffre

and Williams 1994, 379). Confronting a harasser directly or having a third person mediate her request to change a harasser's behavior can be dangerous for a woman because it may lead to counter-accusations against her. (Denissen 1995, 317–318)

Because most people in Japanese companies work until they retire, female employees who are anxious about being perceived as a problem are unlikely to report harassers to their employers. Furthermore, because Japanese legislation did not penalize employers until recently for failing to provide counseling services, training, and preventative programs for sexual harassment, many women may have felt it was pointless to report events to management. Finally, because a sense of shame and embarrassment is used far more forcefully in Japanese organizations to control workers than it is in the United States, female employees may perceive reporting objectionable sexual behaviors as humiliating and embarrassing and hence avoid doing so. (Nemoto 2016, 224)

The Japanese corporate system, known as “Japanese management,” emphasizes lifetime employment, seniority-based pay, and an internal labor market, aiming to support stable industrial relations and male wage earners' families. While promoting job security and firm-specific skill development, this system results in significant gender inequality. Women face barriers to career advancement due to practices favoring men, such as seniority-based promotions and the expectation that men will commit their lives to their employers. Women are often placed in lower-paying, less secure roles and are seen as temporary workers likely to leave for family reasons. This leads to significant wage disparities and limited advancement opportunities for women. Sexual harassment is widespread in Japanese workplaces, exacerbated by after-work drinking gatherings where women are expected to play hostess roles. The culture of group harmony and hierarchical structure makes it difficult for women to report harassment without facing negative repercussions. The legal framework has historically been insufficient in protecting women from harassment, fostering a culture of silence and acceptance. Overall, traditional employment practices and cultural norms in Japan perpetuate gender inequality, reinforcing stereotypes of male dominance and female subordination, making it challenging for women to achieve workplace equality.

Sexual Harassment in Japan

As stated in the previous chapter, the question of sexual harassment did not come to the minds of the Japanese until the 1980s. It could even be argued that the idea that there might be something wrong with how women were treated in the workplace was influenced by one particular feminist group named The Santama Area Concerned with Work and Sexual

Discrimination 働くことと性差別を考える三多摩の会 *Hataraku koto to sei o kangaeru Santama no kai*. In 1988, the group published a translation of the handbook *Stopping Sexual Harassment*, brought back to Japan by a group member who resided in the United States. This was likely the first handbook published in Japan that addressed the issue of sexual harassment and also included legal aspects related to the right of women to work. Although the number of published copies was not large, and the handbooks were not sold in regular bookstores, the information within them spread from woman to woman, leading to the handbooks being reprinted many times. The handbook contained a clearly stated definition of sexual harassment, which the Japanese government had not previously defined. Therefore, it is for the first time that Japanese women could decipher the feelings of humiliation, anger, and shame that they would have felt in their workplace. (Tsunoda and Yokokawa 1993, 52)

In addition to Japanese women being outraged that the treatment they have been receiving in the workplace for centuries is being actively persecuted in the West, the Japanese government was also facing several socio-economic problems, which are threatening Japanese society to this day. As stated in *Government Approaches to Gender Equality in the mid-1990s*, the issues are the aging population, the low birth rate, and the slowing economy. The government sought to solve these problems by increasing the workforce and promoting a gender-equal society, as stated by then prime minister Hashimoto Ryūtarō in his speech to the Council for Gender Equality; chairperson Iwao Sumiko 男女共同参画審議会 *Danjo Kyōdō Sankakushingikai*. (Osawa 2000, 4)

“私が目指す社会は、国民の一人一人、とくに二十一世紀を担う子供たちが、将来に夢や目標を抱き、努力次第でそれを実現できる社会、言い換えれば創造性とチャレンジ精神を存分に発揮できる社会、そして世界の人々と分かち合える価値を創り出すことのできる社会です。現在の社会を個人の選択の自由と自己責任を基礎とする社会に改革していくためには、抜本的な規制の撤廃・緩和と財政構造改革を断行し、民間活力を牽引車とする経済の活性化を進めなければなりません。これに対応して行政のスリム化を進めることも必要です。また、年金受給者が毎年百万人以上増加する状況の下で、医療・年金・福祉を通じた社会保障全体の構造改革を進め

なければなりませんし、次の世代を育てる教育についても大胆な見直しが必要でです。” (Official statement of Hashimoto Ryūtarō, May 1997²)

“My vision is a society in which each citizen, especially the children who will lead the 21st century, can have dreams and goals for the future and achieve them through hard work. To reform today's society based on individual freedom of choice and self-responsibility, we must carry out radical deregulation and fiscal structural reform and revitalize the economy with the private sector as the driving force. Consequently, it is also necessary to streamline public administration. Furthermore, in a situation where the number of pensioners is increasing by more than a million every year, we must promote structural reform of the entire social security system, including health care, pensions, and welfare, and a bold review of education to nurture the next generation.” (Translated by the author)

The reforms to which Hashimoto refers were the administrative reform, the financial system reform, the reforms of the fiscal, economic, and social security structures, and the educational reform to which Hashimoto’s administration swore to concentrate its full strength. The reforms were also referred to as Hashimoto’s Six Great Reforms 橋本六大改革 *Hashimoto roku dai kaikaku*. (Prime Minister’s Office, n.d.) (Osawa 2000, 3)

One must understand that Japan was facing a steadily falling birth rate crisis, which would not be reversed until women had a sense of financial security that would allow them to have larger families. Another aspect of the situation was the decline of the active working population, meaning that women’s labor would have to be utilized more effectively, allowing them to participate fully in the national economy. (Osawa 2000, 4) In other words, women should have equal opportunities to men, as they will strengthen the economy by significantly increasing the working population and potentially increasing the declining birth rate by increasing women’s financial stability.

One of the significant changes was the reorganization of the government ministries and agencies. In June 1998, the Diet passed The Basic Law for Reforms in Central Government Ministries and Agencies. The law calls for the establishment of the Cabinet Office, a new bureaucratic organ designed to strengthen and expand the functions of the Cabinet and the Prime Minister's office. The Cabinet Office, which was set to be established in January 2001,

² Can be found on the official website of the Prime Minister’s Office. <http://www.kantei.go.jp/jp/kaikaku/message.html>

would coordinate economic and fiscal policies, comprehensive science and technology policy, disaster prevention, and most importantly, gender equality and Okinawan problems. The Cabinet Office has greater power than the ministries. It has four consultative organs: the Economic and Fiscal Advisory Congress, the Comprehensive Science and Technology Congress, the Central Disaster Prevention Congress, and the Congress for Gender Equality. In 1998, gender issues were given further recognition when the government announced a bill for a fundamental law to facilitate the realization of a gender-equal society. This bill was submitted to the 1999 ordinary session of the Diet and passed as the Basic Law for a Gender-Equal Society. (Osawa 2000, 13)

Another significant change in the area of employment and labor was the removal of ‘protections for women provisions’ from the Labor Standards Law 労働基準法 *Rōdōkijunhō* in 1997. The provisions included total overtime work not exceeding 150 hours/year, no work on holidays, and the prohibition of night work from 10 p.m. to 5 p.m. The Equal Opportunity Law for Men and Women Law 男女雇用機会均等法 *Danjokoyōkikaikintōhō* was revised at the same Diet meeting as the Labor Standards Law. It shows clear progress in areas such as the prohibition of discrimination against female workers, settlement of disputes and complaints, punishment of corporations that violate the regulations, measures to promote equal treatment actively, and measures against sexual harassment. (Osawa 2000, 14)

Sexual Harassment According to the Japanese, British, and U.S. Governments

In the subchapters below, I will analyze how different governments define sexual harassment, what behaviors their definitions include, and to what extent the companies are held liable in conflict resolution by law. I will describe the similarities and differences in each country’s definition and coverage. I will also list the resources each government provides in these cases, the disciplinary actions the companies are to take toward the perpetrators, and what happens if they fail to punish them.

Sexual Harassment According to the Japanese Government

The subchapter below concerns the definition of workplace sexual harassment in Japan. It also includes an overview of possible punishments for the perpetrator and the investigation process. Additionally, it examines the cultural framework that shapes the response to such incidents.

According to the Equal Employment Opportunity Law Article 11, which came into effect in 2007, workplace sexual harassment is displayed if:

“職場において行われる性的な言動に対するその雇用する労働者の対応により当該労働者がその労働条件につき不利益を受け、又は当該性的な言動により当該労働者の就業環境が害されること。” (Workplace Harassment Research Institute, n.d.)

“The worker's response to sexual behavior in the workplace causes the worker to be disadvantaged in terms of working conditions, or the sexual behavior harms the worker's working environment.” (Translated by the author)

The definition may seem straightforward initially, but if one were to take a closer look, a reasonably significant problem would appear. While sexual harassment is defined, sexual behavior is not. Furthermore, the definition omits harassment based on the sex of the injured party. This leaves a grey area in which women are left open to being treated as less than their male colleagues by being assigned lesser tasks and generally treated as assistants, making the promotion of one's career harder.

Furthermore, according to the Equal Employment Opportunity Law amendment, employers must take measures to prevent sexual discrimination and harassment in employment management. (Workplace Harassment Research Institute, n.d.) This means that sexual harassment itself is not to be persecuted by law enforcement but by the company. Only if the company fails to persecute the offending party should the injured party raise the issue with law enforcement, but not concerning sexual harassment itself, with the company's failure to resolve the issue as its duty as stated by the law. Sexual harassment becomes a secondary matter if persecuted by law enforcement.

However, a positive aspect of this law is the inclusion of places where sexual harassment can take place. By including a broad term such as workplace 職場 *shokuba*, the law also includes sexual harassment in areas designated for work other than the company office, such as a car, be it a company car, a personal car or a taxi, restaurants or other places, which the injured party and offending party used or company business. This includes traveling for errands, meetings, company parties, etc.

Another definition of sexual harassment is provided by the National Personnel Authority Regulations Article 2.1 人事院規則 第2条1項 *jinji'inkisoku dainijō ikkō*.

“他の者を不快にさせる職場における性的な言動及び職員が他の職員を不快にさせる職場外における性的な言動。”

“Sexual behavior that is against the wishes of the other person and which causes them certain disadvantages at work or worsens the working environment.”

(Workplace Harassment Research Institute n.d., Translated by the author)

As seen in the above excerpt, the two definitions of sexual harassment provided by two different laws are almost the same, with one exception. Article 11 of the Equal Employment Opportunity Law also includes the “worker *to be disadvantaged in terms of working conditions.*” (Workplace Harassment Research Institute, n.d.) This section implies various disadvantages, including denying leave, salary rises, and the workload assigned to the injured party. Including the two definitions is necessary as they are directly tied into distinguishable types of workplace harassment.

Television drama entitled *Harassment Game* poked fun at the vagueness of the then *White Paper*³ released by the country's Ministry of Health, Labour and Welfare (henceforth “MHLW”) in 2012, which was later enacted as *The Comprehensive Labor Policy Promotion Act* (henceforth “CLPPA”) in June 2020. CLPPA mainly requires companies to implement policies to prevent workplace bullying and harassment and to take measures to avoid recurrences. However, CLPPA does not serve as a standard for establishing lawsuits or claims in a legal battle. These are administrative measures for employers to implement standards of behavior in the office. (Obata 2021 In Ho 2024). Victims and their families could sue for damages for workplace harassment as torts, but power harassment is also not defined as an act of tort that could be judged in a civil court (Takahara 2020, 12). CLPPA does not make any provision for punishing perpetrators or employers who fail to implement preventative measures beyond the possibility of a fine, with the maximum being about \$25,000, and the risk of being publicly named and shamed for failure to abide by the law. (Ogawa et al. 2023).

Sexual Harassment According to the British Government

The subchapter below provides a detailed understanding of the legal definition and treatment of workplace sexual harassment according to the British government. It outlines the legal definition of unwanted conduct and the legal protection against it and emphasizes the potential serious repercussions for the perpetrator/s and the employer if the employer fails to protect the victim.

The Equality Act 2010, which legally protects people from discrimination in the workplace and broader society, defines sexual harassment as “*unwanted conduct of a sexual nature which*

³ The White Paper, entitled *Recommendations for prevention and resolution of workplace power harassment*, was released on 15 March 2012. For more information, see MHLW's website at URL: <https://www.mhlw.go.jp/stf/houdou/2r98520000025370.html>.

has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.” (GOV.UK n.d.)

Unwanted conduct is further described by ACAS, The Advisory, Conciliation and Arbitration Service, a non-departmental public body of the Government of the United Kingdom, as follows:

- *a serious one-off incident*
- *repeated behavior*
- *spoken or written words, imagery, graffiti, gestures, mimicry, jokes, pranks, and physical behavior that affects the person* (ACAS n.d.)

The list above includes a brief overview of ways sexual harassment may present in the workplace. What is notable is the fact that it states not only instances of overt sexual harassment but also nuanced areas such as gestures, mimicry, jokes, and pranks. This covers the areas when sexual harassment may be passed off as “mere jokes made in good fun.”

While this law does not explicitly state whether companies are liable in case of sexual harassment occurring outside company premises or outside working hours, Croner, a UK-based outsourcing company providing services for over 11,000 businesses, clarifies that companies are still liable for handling such cases. However, disciplinary actions are taken on a case-by-case basis. (Croner 2022) If the victim of sexual harassment chooses to take the case to court, the government may provide financial aid for the legal fees of the court proceedings. This financial aid is available to victims who qualify based on their income and if they live with a partner, their partner's income, savings, and material possessions. (GOV.UK n.d.) There are two groups that this law does not protect: marriage and civil partnership, as well as pregnancy and maternity cases. (ACAS n.d.)

UNISON, the largest union in the UK with over 1,3 million members, provides resources for both employers and employees regarding harassment at work. The brochure “*Sexual harassment is a workplace issue,*” published in February 2020, provides an overview of the definition and examples of workplace sexual harassment, policies against it, and steps for resolving the issue. The document states that the employee can bring a claim to the employment tribunal in case of workplace sexual harassment. There is no limit on how long the employee needs to be employed in the company where the harassment occurred; however, there is a three-month time limit from the time of the harassment in which the employee may file the claim. The brochure describes the tribunal proceeding as follows.

“Proceedings are started by the employee sending a claim form called the ET1 to the tribunal. The employer must then file a response form called an ET3 within 28 days of receiving a copy of the claim. If a tribunal hears the claim, and facts are

to be considered in the case, the burden of proof will fall on the employer to explain that the harassment did not take place.” (Unison 2020)

The paragraph above states that after the employee files the ET1 form, the employer has 28 days to file ET3 as a response. The employer further must provide proof to counter the employee’s claim. ET1 and ET3 are available online. An employer can defend a harassment claim by showing that all reasonable steps were taken to prevent harassment. If an employer has not done either, the employment tribunal may find the employer liable for a claim. (Percy Huges & Roberts Solicitors n.d.)

The employee is expected to discuss the issue with the employer before filing the complaint with the tribunal. The employee is further encouraged to seek legal help in case of continuous harassment where the dates of separate, distinct acts, such as the time limit for the application, may be affected. (Unison 2020)

Sexual Harassment According to the U.S. Government

The subchapter below consists of a brief overview of how workplace sexual harassment is defined and treated according to the U.S. government. The overview includes the legal definition and description of sexual harassment and a breakdown of legal repercussions for both the perpetrator (employee) and the employer (the company) according to U.S. federal and state law. The U.S. Equal Employment Opportunity Commission states the following definition of sexual harassment.

“It is unlawful to harass a person (an applicant or employee) because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general.

Both the victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex.

Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.” (U.S. Equal Employment Opportunity Commission n.d.)

The definition above clearly states that both men and women can become victims of sexual harassment and further describes who can become the harasser. However, the definition does not include where the sexual harassment can occur for it to be considered workplace sexual harassment. However, Impactly, a Vector Solutions company, which provides state-compliant sexual harassment prevention training and Diversity, Equity, and Inclusion training for large and midsize employers, states that the company is still liable for sexual harassment resolution even if the incident happened outside working hours as long as such an employment relationship does exist. (Impactly, a Vector Solutions company n.d.)

The paragraph below is cited from Swartz Swidler, LLC., a New Jersey and Pennsylvania-based attorney office specializing in employment law. Swartz Swidler categorizes applicable lawsuit claims into the following areas: Fair Labor Standards Act (FLSA), Minimum Wage, Unpaid Overtime, Discrimination, Sexual Harassment, Racial Discrimination, Employment Discrimination, Disability Discrimination, Age Discrimination, etc.

“When employers are found guilty of not stopping sexual harassment that they know or should have known about, the following penalties may be imposed:

***Payment of lost wages to the victim**—These are the benefits and wages that the victim would have earned from the date the harassment occurred to the date of the settlement or trial.*

***Payment of future lost wages to the victim** – These are payments to the victim of the wages and benefits that the victim would have earned if the sexual harassment had never happened.*

***Compensatory damages** – These are payments that the employer may be ordered to pay to the victim for the emotional pain and anguish that the victim has suffered.*

***Punitive damages**—These are payments that are above and beyond the economic and noneconomic losses suffered by the victim and are designed to punish the employer.*

Legal fees are payments to the victim for the court fees and attorney costs incurred due to the sexual harassment case.

Job reinstatement or promotion – This is an order to reinstate the victim to his or her job or to give the victim a promotion.

Under federal and state law⁴, employers must take action to stop or prevent sexual harassment. If an employee is found during an investigation to have committed sexual harassment, the employer may institute discipline against the employee. In most cases, the punishment will be proportionate to the seriousness of the conduct. Potential job penalties against a sexual harasser might include the following:

Reprimands or warnings

Mandatory training and counseling

Transfers or demotions

Reductions in salary

Suspensions or terminations” (Swartz Swidler, LLC n.d.)

The text above indicates the difference in repercussions that the employer and the employee may face in case of workplace sexual harassment. The employer is incentivized to attempt to resolve the issue internally by punishing the perpetrator. However, if they fail to do so, the case may be brought to legal court, causing the company to face possible monetary losses.

Types of Sexual Harassment.

Sexual harassment in the workplace has been typified many times since the word was introduced to the Japanese public. With society evolving and constantly changing, it is understandable that the number of types of distinguishable sexual harassment is also increasing. For example, Associate Professor Horiguchi Etsuko of Meiji University, who specializes in Law and Women's Studies, has in her article On Sexual Harassment セクシュアル・ハラスメントについて *Sekushuaru harasumento ni tsuite* described three significant types of sexual harassment at work.

- ① Quid Pro Quo Sexual Harassment / Position Utilizing Type 対価型・代償型・地位利用型 *Taika gata / Daishō gata / Chiiriyō gata*

⁴ Title VII of the Civil Rights Act of 1964, the New Jersey Law Against Discrimination and the Pennsylvania Human Relations Act

② (Hostile) Environment Type 敵対的環境型 *Tekitaiteki kankyō gata*

③ Gender-based Discrimination Type 男女差別型 *Danjosabetsugata*

The common identifier for all three subtypes is that they all contain some transaction, be it financial or in the form of favors. Horiguchi also provides an example of Quid Pro Quo Sexual Harassment:

“言うことをきけば、昇進させてやろう/給料を上げてやろう。”

“*If you do what I say, I will give you a promotion/salary increase.*” (Horiguchi 2004, 33, Translated by the author)

The reason I am including this example is that it illustrates one of the main aspects specific to sexual harassment at work in Japan, which is the use of power dynamics. In Japan, sexual harassment that takes advantage of the perpetrator's position (e.g., boss) is more common than sexual harassment that takes advantage of a promotion or salary increase. (Horiguchi 2004, 33)

(Hostile) Environment Type

In Japan, this type of sexual harassment is called the Environmental type of sexual harassment 環境型 *Kankyōgata*; in the United States, this type of sexual harassment is called the Hostile environment type of sexual harassment. Environmental harassment is sexual harassment that degrades the working or learning environment. For example, at work, school, or university. Alternatively, whether the harassment makes working or studying in a safe environment difficult. (Horiguchi 2004, 33)

Gender-based Discrimination Type

Western companies introduced this type of sexual harassment due to the gray zones in previous definitions. In considering preventive measures, it is important to eliminate the “gray zones.” If a state free of sexual harassment is “white,” then sexual harassment itself is “black.” However, in workplaces and other settings where people interact, it is not always possible to clearly distinguish between black and white, forming “gray zones.” This is particularly true in Japan, where workplace customs are closely tied to these “gray zones.” Even if the “gray zones” are not illegal, as long as they exist, the environment remains susceptible to sexual harassment.

A significant issue with Japanese workplace customs is that tasks like making copies or serving tea are implicitly assigned to female employees. This creates a work environment where female employees are not considered equal partners. Practices such as referring to female employees as “Miss,” “young lady,” or even “auntie” also contribute to the formation of these “gray zones.” Eliminating these “gray zones” is essential for eradicating sexual harassment in

Japanese workplaces. The “gray zones” themselves can potentially constitute sexual harassment. (Horiguchi 2004, 33–34)

Analysis

In this chapter, I endeavor to evaluate the answers I received during the interviews and compare them to the previously studied topics discussed in the Japanese Society Concerning Women in the Workforce subchapter. The objective of this thesis is to analyze women’s experience with workplace sexual harassment and, more precisely, to determine whether their experiences match the previous research. I further focus on each participant's company's reporting and resolution methods and the general awareness of sexual harassment at their workplace. Below, I list the main research questions of this thesis.

- Research sample and their backgrounds
- Where and when the sexual harassment incidents happened
- Who was the perpetrator?
- What happened?
- How was the incident resolved?
- What are the outcomes for the perpetrator?
- What are the reasons for underreporting sexual harassment incidents?
- Anti-sexual harassment training the participants received
- Changes in the last decade

Methodology

In this subchapter, I outline the research methodology used for this thesis. I illustrate the process of establishing the target group, gathering participants, establishing the structure of the interview, the key topics that I wanted to focus on, and the process of the interview analysis. Additionally, I discuss the challenges encountered during the research and the strategies employed to overcome them.

In the qualitative field, the researcher is almost left to their own devices to decide how to deal with the data and its processing. The results cannot be predictable, as they are fundamentally dependent on the data obtained in the field. The work with the data consists mainly of repeated browsing, reading, sorting, grouping, categorizing, rethinking, and rearranging the data to uncover hidden meanings and structures and formulate new insights. (Sedláková 2014, 395)

Before I left for Japan to study at *Gakushuin Joshi Daigaku*, I started laying the groundwork for the thesis. I wanted to interview women with a university education and around 10 years of work experience. I focus on such a specific sample of working women because they possess a higher level of education, making them more likely to work in an office environment than in labor professions. Additionally, the higher level of education means that these women would be more open to freely expressing themselves in an interview arranged by a foreigner they meet for the first time. Further, the 10 years or more of working experience allows them to compare how they were treated as new hires in their early 20s and how they are treated now as women established in their careers.

I first started attending sociology classes at *Gakushuin Joshi Daigaku*, building a foundation for a deep understanding of the intricacies of Japanese workplace politics and unspoken rules about women. Combined with my knowledge at the Palacky University of Olomouc, this provided an understanding of key concepts influencing the office climate. The concepts are as follows: 和 *Wa* (Harmony), 年功制度 *Nenkouseido* (Principle of Seniority), 我慢 *Gaman* (Enduring), 躰 *Shitsuke* (Discipline), 改善 *Kaizen* (Change for the better). This is not a complete list of all concepts pertaining to the Japanese work climate. However, the list includes the major concepts relative to this thesis.

Once the approximate age group of women in their 30s and 40s was set, I started considering how to find women willing to participate in the interviews. However, this was complicated by the fact that Japan closed its borders for 2 years due to COVID-19. There was no guarantee that it would be possible to travel to Japan in early 2022 as the borders were still closed, and I attended *Gakushuin Joshi Daigaku* online. Therefore, I searched for methods of gathering participants online. I visited forums, chat groups, and Facebook groups for Japanese living abroad and in Tokyo, Japan. There, I wrote a message outlining the aim and the scope of the interviews and the general topic of the interview. I stated that I was looking for willing participants who would like to share their experiences and discuss the subject in general. In this post, I stressed that all interviews are anonymous, and the participants are free to refuse any question they deem too personal or uncomfortable. I also stated that the interviews would be voice-recorded. However, the recording will not be shared anywhere and will be used solely for this thesis.

The topics discussed their experience of first entering the company; any initial and annual training the participants underwent; sexual harassment training; the participants' experience with workplace sexual harassment; a way of reporting the sexual harassment within the

company; whether the participant's reported the sexual harassment or not; the process of investigation of such incidents; punishment if the perpetrators; how the situation changed in the last 10 years and why; the ideal manner of sexual harassment training within the company. Then, I had the list of questions checked by native speakers, namely by Matsumoto Nakako 松本中子 and Noguchi Naoko 野口直子, Japanese language lecturers at *Gakusguin Women's College*. Utilizing their feedback, I made a final version of the questionnaire.

I then moved on to searching for interview participants. The aim was to find at least 7 participants working in Japanese corporate job/s for at least 10 years. I first started with Mrs. Momoko, who was introduced to me by Mrs. Noguchi. Next, due to COVID restrictions in Japan, I moved to an online search of willing participants, utilizing Facebook groups and Twitter. I made a post outlining the research and stressing the anonymity of the interview. I was then contacted by several women, and the chosen participants were sorted based on their education level and length of employment. This left the participant with the following 7 participants: Konparu, Fukuda, Nakagawa, Rihito, Shōko, Momoko, and Kankan. The sampling method was snowball sampling with multiple "seeds"⁵ that introduced me to their acquaintances. All participants except Momoko and Konparu stated they did not wish to reveal their relationship to each other as it could identify them.

In private messages, I reiterated the interview's aim and scope. After the participants were satisfied with my explanation, we set up a date for the interview. This took place in July 2022, when I was notified that it would be possible for me to go to Japan; therefore, the first interviews were set for October 2022. Meanwhile, I drafted a one-sided NDA⁶, which can be found in attachment no.8. The NDA binds the interviewer from releasing any personal information about the participants unless the participants allow the interviewer to do so. Further, the NDA states that the voice recordings made during the interviews shall not be used for any other purpose than this thesis. On a similar note, the NDA forbids the interviewer from sharing or using the transcripts of the interviews for any other purpose than this thesis. For further transparency and the participants' comfort, I ensured that the NDA had 2 paragraphs of identical text in English and Japanese, which I had proofread by Professor Noguchi of *Gakushuin Joshi Daigaku*. The NDA was signed solely by me with the date and location of the signing and sent to the participants separately approximately 1 week before the interview was to take place. This ensured the participants' comfort and safety as I was not free to share the recorded or transcribed

⁵ Initial participants.

⁶ Non-disclosure agreement.

material or discuss their details and experiences outside this thesis. They, however, are free to do so.

The Interviews themselves were held in 2 formats: online and in-person. I met the participants who, at the time, lived in Tokyo in person in a café they selected for further comfort and a feeling of safety. I interviewed participants who lived overseas via Zoom. Each interview took from 45 minutes to approximately an hour and a half and was voice-recorded with the participants' explicit consent. During the interview, I played the role of a listener, letting the participants freely express themselves and share their experiences in their own words without feeling restricted to yes and no answers.

The interviews were held as an open conversation. I approached the participants with a set of questions. However, the participants were free to discuss a topic they watched within the framework of workplace sexual harassment. Participants who wanted to skip any question could do so if they thought that the question was too personal. Further, the list of questions did not have to be strictly followed if the participant chose to elaborate on matters not listed in the set of questions, which is attached separately.

The participants were asked to introduce themselves briefly. Their background, age when they first entered the workforce, and why they decided to participate in the research. Then, they described their workplace and the work environment when they first entered the company. How long did the participant work at the company in question? Have they ever witnessed or experienced sexual harassment? In what environment did the incident happen? Who was the perpetrator? Whether they chose to report the incident and what happened. Why did they decide not to report the incident and the perpetrator? Does the company provide employees with appropriate and inappropriate workplace behavior training, and what does it look like?

With this framework, I aimed to observe workplace sexual harassment from the moment it occurred until its resolution. Sexual harassment is highly relative to the environment in which it happens, so it is necessary to include the context of each workplace's office politics. Furthermore, I scoped out each participant's understanding of sexual harassment and whether their workplace encouraged sexual harassment awareness. I also asked whether the participants felt empowered to report sexual harassment and whether they trusted the company structure.

Further, I enquired about the company's resolution method in case the participant decided to report the incident. The reasoning behind this is that, as previously stated, sexual harassment is seldom reported in Japanese companies. I aimed to find out whether these particular companies' investigation and resolution methods discourage the victims from reporting sexual

harassment cases or whether the companies supported the victims. Finally, what would be each participant's ideal incident resolution method for such incidents?

All recordings were transcribed in the original language of the interviews. I translated all the interviews that were held in Japanese into English. The common denominators concerning each participant's background and the company structure are further studied. The findings are further summarized and compared to previously mentioned sociological studies.

In this subchapter, I described the thorough methodology of finding participants with a university education, 10 years or more of work experience in a Japanese company, and the way the interviews were conducted. This group was chosen to gather perspectives from women who are more likely to work in offices and feel at ease expressing themselves. I looked for volunteers through online groups and forums because of COVID-19 travel restrictions. Both in-person and online interviews were used in the study, and participants' privacy and comfort were carefully taken into account, including by using a multilingual NDA. The 45-minute to 90-minute interviews covered various topics, including workplace cultures, sexual harassment experiences, and harassment policies at the organization. The participants shared information on their backgrounds, first experiences at work, instances of harassment, and opinions on reporting and addressing such problems. I sought to ascertain if corporate policies encouraged or discouraged the reporting of harassment and how workplace politics affected harassment.

Anchored Theory by Strauss and Corbin (1999)

Qualitative data processing consists of two subsequent steps - analysis and interpretation. Analysis means the process of data classification, whereby data sets (e.g., transcribed interviews) are structured and broken down into sub-sections that become the basis for subsequent interpretation. The role of the researcher is primarily to find and establish adequate criteria to divide the data (by content, language, or form), to specify the characteristics of the resulting subsets of data, and to reveal their meaningful value for the research. Subsequently, in the process of interpretation, the researcher seeks to reconstruct and explain the meaning of the data, considering the context of their context of the data or the personality of the informant. Interpretation does not mean speculating or guessing what the informant meant to say but did not express it enough. (Sedláková 2014, 397)

The Participants and Their Backgrounds

While in Japan, I interviewed 7 university-educated women who entered their respective companies intending to become career-track employees. Some of the women I interviewed in

person, and some, due to COVID-19 limitations, I interviewed online via Zoom. Approximately 1 week before each interview, I provided each participant with a one-sided NDA, ensuring that their personal information, recordings, and later transcripts will remain confidential and be used only for this thesis. The participants will be referred to by aliases approved in the interview. The list of participants is as follows: Fukuda, Kankan, Konparu, Momoko, Nakagawa, Rihito, and Shōko.

At the time of the interview, Fukuda was a 33yo woman currently in Tokyo who joined the company on July 1, 2014, just after she graduated from university at 22. Fukuda, working for an advertisement agency, entered an entirely male office. She worked as a back-office worker and slowly climbed the ladder toward more senior positions. Fukuda was 30 when she finally left the company after working there for about 7 or 8 years. She became dissatisfied with the working environment as she had direct experience with workplace harassment, and the company did not resolve the issue effectively. Fukuda grew up assuming that sexual harassment is something that one hears about, but it would not, could not happen to her. Unfortunately, her experience once she entered an office did not match her expectations.

Kankan, at the time of the interview, was a single 37yo woman living in England and working freelance in the entertainment industry. The company she entered at 22 is a large entertainment company, with over 1500 employees, based in Tokyo, Japan, mainly focused on music. She worked as a middleman between musicians and their potential bookings and recordings. During her 15-year-long career, she had an opportunity to work with various musicians, their agents, assistants, and potential clients. Kankan was both the observer and the victim of workplace sexual harassment at the hands of clients and her colleagues. Kankan chose to participate in the English version of the interview.

On the other hand, Konparu, a married working mother who was 35yo at the time of the interview, started her career in the countryside. She entered the workforce at 20 as a fresh university graduate and was hired by a remote branch of a large trading company. After a few years, Konparu moved from the remote branch to the main branch in Tokyo, where she worked alongside her husband. She and her husband work in different departments and have different supervisors. However, it is common knowledge between the two departments that they are married and have 2 children together. Konparu mentions sexual harassment by her work colleagues during the after-work outings and subtle sexual harassment towards both her and her husband at the office.

Momoko, likewise a 35yo married working mother at the time of the interview, entered the workforce at 20, as soon as she graduated from university. She also worked a largely male-

dominated job as a back-office clerk at a large trading company based in Tokyo. Likewise, she and her husband work at the same company but in different departments. Momoko and Konparu are close acquaintances and friends, as their children often play together at the park.

Nakagawa, a 45yo married working mother at the time of the interview, has worked at the same company for 25 years. She entered the company after graduating from university and settled into a back-office position. Nakagawa chose not to disclose further details about her work position or family life. However, she experienced a male-dominated office environment in the late 1990s and experienced firsthand how differently men and women were treated at the time.

Rihito, a 32yo married woman living in Tokyo at the time of the interview, entered the company at age 20, right after she graduated from college. Around the time of the interview, she chose to quit her job and travel to the Czech Republic as her husband was being transferred there. Contrary to the experience of the previously named participants, the office Rihito entered an office dominated mainly by women. While she did not experience any sexual harassment herself, she observed sexual harassment from both her male and female coworkers.

Shōko, a 32yo single woman living in Tokyo at the time of the interview, grew up in Fukuoka and entered the workforce as an office worker at 22yo. Her career started in a large trading company in Tokyo, where she worked for close to 10 years before changing her career path to freelance web UX director. Notably, Shōko is the only participant who disclosed the name of her former employer, the Itochu Corporation Shōko, to participate in the English version of the interview. Notably, the participants, aside from Momoko and Konparu, requested that their relationship with each other not be revealed.

Why Did They Decide to Participate in the Interviews?

All participants were informed about the purpose of the interviews and were provided a summary of the discussed topics beforehand. The answers were consistent when I asked each participant why they decided to participate in the interview. After the participants learned about the subject of the thesis, they agreed that they would like to share their experiences and, by doing so, help shed light on the problem of workplace sexual harassment and hopefully contribute towards improving the situation. Fukuda, a 33yo office worker from Tokyo, stated the following.

“So, the reason I agreed to participate in the interview is, well. Actually, before entering the workforce, I thought that sexual harassment was something or someone else's story. Still, once I started working, I realized that...it could happen

to me as well, and while I was uncomfortable with it at first, I gradually came to accept it as the norm. I gave up. I've been working for almost 8 years now, and part of me is simply letting it go and putting up with it, but I believe it's not good if things continue this way. (Attachment no.1 Fukuda, 1)

At first, Fukuda was aware of the sexual harassment, but as time went on and such occurrences became a norm, she became less and less aware and sensitive towards remarks from her co-workers and clients. The first thing her colleague, who had been with the company for a few years before she entered and was in charge of training her, said was the following. “*Don't expect me to be nice to you just because you are a woman.*” (Attachment no.1, Fukuda, 4) The statement suggests that the male coworker assumed that Fukuda expected preferential treatment because of her gender. That was one of many times Fukuda was judged because of her gender.

Another participant, Shōko, a 32-year-old woman, described her previous job, where she worked for 10 years before deciding to switch to free-lance, as follows:

“I was born in Fukuoka, a little bit far from Tokyo, but I started my career in Tokyo. It was in the Itochu corporation, which is a leading trading company. I spent 10 years at that company, so it was a very traditional Japanese company. The sexual harassment situation was really bad because of the traditional mindset.” (Attachment no.7 Shōko, 1)

Shōko stated that she worked for one of the biggest trading companies in Japan, namely Itochu Corporation. Shōko's statement further indicates that the harassment at Itochu was either standard or the incidents were of great gravity. This directly contradicts the pledge Itochu lists on their official website. In their Code of Ethical Conduct, section 2, Respect and Consideration for Human Rights, Itochu states the following: “*We will not discriminate in employment or the workplace on such grounds as race, sex, religion, political opinion, national extraction, body, illness, age or other irrational grounds.*” (Itochu n.d.)

When I asked Shōko to elaborate on the company's traditional mindset, she described it as one operating on equal parts work and work culture, with men in the center of the social group. It was expected that women would fall pregnant in a few years, and she further implied that women would not stay at the company for long, limiting their career growth prospects.

“That's a hard question. The company is really big. Basically, the company operated 50% on work and 50% on work culture, but the inner social circle of the workers was only for men. Sometimes, there was this thought of, “Oh, you're a girl, so you will have kids after 2 or 3 years, so you can't go abroad for that work position

you want.’ So, the choices were limited for women in the company regarding their careers. I don’t think that’s fair.’⁷ (Attachment no.7, 2)

The excerpt above illustrates Shōko’s employer's view of their female employees. The employer saw the female employees as temporary workers who would leave the company in 3 years or as soon as they got pregnant. This led to limitations in career advancements, such as transferring to foreign branches. The men were seen as the center of the social group, which means that they discussed the most critical work matters and new projects, further hindering equal work opportunities for female workers.

This ties into the concept of vertical segregation previously introduced by Brinton and Hang-Yue. In the case of Shōko’s workplace, women were seen as members of the lower tier in terms of hierarchy than men. One can assume, by the statement of Shōko’s supervisor, that men were not held to the same practices as women. Many men in her company were presumably married and had children, but there was no expectation that they would quit or take time off from work as soon as their child was born. This is supported by the male-breadwinner model with the understanding that women will take care of the family, which Nemoto introduced.

However, to illustrate that the way sexual harassment manifests is heavily dependent on the workplace environment, I wish to introduce the case of Rihito, a 32yo married woman, who was at the time of the interview preparing to move to the Czech Republic with her husband. Women dominated her previous workplace with only one male worker who was a fresh graduate. The female workers were sexually harassing the male employee by having him do ‘traditionally masculine’ tasks for them, even if it was not necessarily his responsibility.

“In the environment where I worked, women were not sexually harassed, but on the contrary, men were in a weak position, and there were fewer of them. There was a precedent that it was natural for them to do things like carrying luggage, and I didn't like that. I don't know if my new graduate, the one at the time, didn't like that, but I don't have a specific reason. He didn't like the environment, so she quit.”⁸

(Attachment no.6 Rihito, 1)

The excerpt above demonstrates the way the gender minority, which in this case was a man, was treated by the majority of the office. The male was a foreign object in the social group, whereas women were at the center and the top of the office hierarchy. That, combined with the fact that he was new at the company and had yet to find his footing, led to him being

⁷ Gender-based Discrimination type.

⁸ Gender-based Discrimination type.

treated as women are in male-dominated workplaces. The male office worker was so dissatisfied with the workplace environment that he decided to leave the company. This is the direct opposite of the stereotype of male dominance in the workplace; rather, it illustrates the treatment of the 'other' in the social group who does not fit the previously established status quo.

In this subchapter, I introduced all seven participants and summarized their family status and educational background. The participants decided to allow me to interview them because they felt that sharing their experiences could help shed some light on the state of sexual harassment awareness in Japan and further contribute to educating the general population on the issue. The participants stated that they hope that educating the people in Japan, as well as overseas, will gradually aid in eliminating the problem of sexual harassment in Japanese workplaces.

Where and When?

When interviewing the participants, I came to realize that the situations the participants described were similar environments of the most common places or events where sexual harassment most commonly took place. Therefore, in this subchapter, I analyze the participants' experiences and describe the common denominators and the differences in their testimonies.

In the case of Konparu, at the time of the interview, a 35yo married woman with children, the office environment was perfectly professional; however, once the office went on an after-work outing, the professionalism disappeared. *"The situation in the office was mostly by the rules, and everyone behaved well, but when it came to going out after work, the professionalism was completely gone."* (Attachment no.3 Konparu, 1)

This is further supported by the experience of Fukuda, who likewise experienced workplace sexual harassment during an after-work outing with her colleagues. In her case, the incident happened when they were returning from the outing in a taxi. The group split into pairs and got in the cab to return home. *"I was new at the company, but when we took a cab on the way home from a drinking party, and since there were many people, we had to split up into cabs. I was paired with one of my male colleagues, and he touched my thighs and tried to kiss me."* (Attachment no.1, 6) The incident occurred in a secluded space, where the assailant was close to Fukuda with nobody else who could serve as a witness, making it easy to claim that he was too incapacitated to remember what happened or if anything even happened, which

ultimately did.⁹ Furthermore, it was when Fukuda was new at the company, and her position had not yet been solidified.

To contrast this, I introduce the case of Momoko and her husband. Momoko likewise experienced sexual harassment when she was still relatively new at the company and had just given birth to her second child. In this case, Momoko's husband's supervisor came to her supervisor and essentially encouraged him to reduce Momoko's working hours or to let her go since her husband's team was busy because of a large project. Therefore, she should take care of the family since her husband will be busy. Her boss relayed this to Momoko.

“Also, at the same company, when my husband's work was very busy, his boss told my boss, “Right now, our group is doing very important work, and we are very busy, you know? Your Momoko doesn't work so much. Let's let her take care of the house.” My boss relayed that to me.”¹⁰ (Attachment no.4 Momoko, 5)

The excerpt above illustrates how Momoko was seen as a married couple who recently had a child. While it was true that the child was the responsibility of both parents, Momoko was seen as dispensable enough for her husband's supervisor to her supervisor to limit her work schedule to ease her husband's burden at home. This was not initiated by either Momoko or her husband; on the contrary, the situation was prompted solely by the assumption of the husband's supervisor.

In the case of Fukuda and Momoko, the incidents happened when their position was unstable, and it would not be odd if either of them quit. Fukuda was a new employee in a taxi with an intoxicated male employee with no witnesses, making the situation word against word. Momoko was still new at the company and had recently taken time off to recover from birth, making her position likewise unstable. In Japanese society, where it is not uncommon for a woman to leave the company after having a child, it would not be surprising for Momoko to quit and support her husband from home.

The trend of workplace sexual harassment happening when the victim's employment position is unstable further continues in the case of Rihito's male coworker, who was put into the position of an errand boy for his female coworkers. As stated above, the male coworker was a fresh graduate who had newly entered an office dominated by female employees. The male employee, being outside the core social group and given tasks based on his gender, eventually chose to quit the company after a year.

⁹ Discussed in the subchapter “Resolution of the Incident.”

¹⁰ Gender-based Discrimination type, Hostile environment type.

Kankan, at the time of the interview 37yo single woman, described the following experience of an after-hours drinking party. She went drinking with two male seniors. They all went to the apartment of the younger of the two seniors, where they drank alcohol and talked. While one of the seniors blacked out, the other started making sexual advances towards her.

*“We had an after-office hours meeting, so we went drinking. It was a casual drinking night. After that, we went to an apartment for one of the younger seniors. It was a very casual occasion... and... one of the seniors tried to cuddle and kind of like touch... he was not being very obvious about it, but you could tell that he was trying to pet my body while another young senior was blackout drunk.”*¹¹

(Attachment no.2 Kankan, 1–2)

The excerpt above describes a situation similar to Fukuda’s experience: an enclosed space with no one to serve as a witness, as one person out of three was asleep. Like Fukuda, Kankan was also out drinking with her colleagues after work. Kankan notes that the senior’s actions were subtle but noticeable. Since there were no witnesses to the inappropriate behavior and Kankan did not mention any tangible evidence of the incident, the sexual harassment claim would be complicated to prove if filed.

Kankan mentions another experience where she met a potential work partner for a meeting during office hours in the lounge of a hotel where he was staying. The meeting, which the potential work partner proposed, was supposed to be regarding future business cooperation between him and Kankan’s company, as the man recently opened a club where he would organize meetups between industry insiders and models, musicians, and young women who wanted to progress in their careers.

“(...) the guy asked me to have a business meeting with him later. It was during the office hours. I expected a serious meeting, so I went to the hotel lounge, he indicated. It was an established hotel, not like a love hotel or anything.

*So, we had a coffee and a chat, and then he suddenly...He didn’t explain about the business in detail, he just suddenly dropped the key to his room. And asked me something of effect, “Why don’t we have sex after this?” So, this really an obvious case of sexual harassment.”*¹² (Attachment no.2, 2)

The excerpt above illustrated Kankan’s experience, where she was invited to a presumed work meeting with a valuable industry contact who was established and well-connected. She was

¹¹ Position Utilizing Type.

¹² Position Utilizing Type, Quid Pro Quo Sexual Harassment.

invited into the man's space alone during working hours. However, instead of discussing work opportunities, the man sexually propositioned her.

Nakagawa's narrative includes an incident from an after-hours drinking party with her colleagues. The female staff were expected to assume the role of hostesses, serving their male coworkers and supervisors. These gatherings were intended to foster camaraderie and informal communication. However, the situation took a turn for the worse when male colleagues made specific requests for women to pour their drinks or inquired about the relationship status of their female coworkers, actions that were inappropriate and indicative of gender-based expectations.

“Yes, yes, I have experienced that, for example, drinking parties, communication, and drinking parties in order to communicate with others. There is a culture of chatting, eating dinner, drinking alcohol, and chatting. When drinking, a large bottle of beer is served, and when the drinks arrive, the women pour. There was a man who said, “If it's not a woman, it doesn't taste good.” There was a man who said, “If it's not a woman pouring the beer, it doesn't taste good.” Some poured beer for a party, and then some kept asking about the women's relationship status at work. At work, it was common to hear things like, “Do you have a boyfriend?””¹³ (Attachment no.5 Nakagawa, 2)

This cultural context of the drinking parties, where women were expected to serve, and men felt entitled to make inappropriate comments, is crucial to understanding the environment in which the harassment occurred.

The account provided by Nakagawa is a poignant example of workplace sexual harassment. It is the sole incident she shared during the interview, indicating a lack of overt occurrences during official hours. However, it underscores the imperative for vigilance and implementing suitable measures to combat inappropriate conduct in informal work environments.

Shōko also stated that she had observed no apparent instances of workplace sexual harassment in the office during working hours. However, she does list instances where a female colleague's gender was used against her or instances when the length of the female coworker's skirt was mentioned in a manner that was shameful to the coworker. Shōko further emphasized the significant shift in the employees' behavior in an informal setting, such as 飲み会 *nomikai* drinking party, highlighting the urgent need for vigilance and appropriate measures.

“Japanese people always act “correctly” while in the office. There were never any big incidents at the office, but sometimes you could hear people say, “It's

¹³ Gender-based Discrimination Type

because she is a woman.” “Did you see her skirt? It’s so short.” Things like that. There are instances of verbal sexual harassment. It is very impolite. For us, for girls especially. For example, the behavior completely changes when there is a drinking time, like a Nomikai. People start acting differently. People get touchy-feely, and their way of speaking gets pretty personal. The topics get a bit uncomfortable at times. 10 years ago, this was pretty normal in Japan.”¹⁴ (Attachment no.7, 4)

The excerpt above illustrates Nakagawa’s experience with workplace sexual harassment. She noted no prominent incidents during office hours but mentioned instances of verbal harassment, such as comments about women's appearance. During social events like Nomikai, behavior often becomes more personal and uncomfortable, with people acting differently and becoming tactilely intrusive. This behavior was considered normal in Japan 10 years ago.

In this subchapter, I analyzed some instances of workplace sexual harassment that participants shared with me. I focused mainly on each incident's time, place, and background. The overwhelming majority of the incidents occurred during an informal setting and after hours in the presence of alcohol when the rationale of all parties was lowered. During office hours, the incidents were of a lesser degree, limited to verbal harassment. However, the situation significantly worsened in the informal settings as likely the incident would have been easier to blame on alcohol, or there would be no witnesses to support the victim’s story. Furthermore, most incidents happened in situations with significant power imbalance between the parties, with the victim in a lower position than the perpetrator. The victims were often newly employed and could be easily let go, or new mothers who were indirectly pressured to lower their hours. Therefore, it can be concluded that workplace sexual harassment is likely to happen in case the victim has an unstable standing with the company and in an informal setting.

Who Was the Harasser?

Previous research by Uggen and Shinobara (2009) mentions that harassers are typically supervisors. Therefore, in this subchapter, I analyze the harassers introduced by the participants and compare the findings with the studies described in the Japanese Society Concerning Women in the Workforce chapter. This comparison aims to highlight commonalities and discrepancies in the patterns of harassment experienced by women workers in different contexts.

In Konparu’s case, there were two perpetrators. The incident occurred during an after-work drinking party where all workers had to play team-building games. The workers had to pair with the opposite gender. However, they were not free to choose the partner; the boss of

¹⁴ Gender-based Discrimination Type.

their section chose the partner. The boss in question knew that one of Konparu's seniors was interested in her and decided to become a matchmaker for him. Konparu was not interested in the senior, and the situation was uncomfortable for her. The first harasser was Konparu's boss, who, without any discussion with her, pushed her into a situation where she would have to touch a male coworker for whom she had no feelings. The boss put her into an uncomfortable situation for his entertainment and to build a closer bond with the male worker. The second harasser, 10 years older than Konparu, who had feelings for her. He accepted the boss's offer to pair up with Kankan, likely hoping that she would return his feelings or just hoping to get close to her and touch her. Neither of the men was concerned about Konparu's opinion on the matter.

Fukuda experienced numerous cases of sexual harassment during her career at the company. All of the harassers she mentioned were either male coworkers or guests from other departments/companies who were invited to the drinking parties. Japanese companies treat guests from outside the department's social group more respectfully.¹⁵ In the case of the harassment she experienced in the taxi, the perpetrator was her coworker, who was 7 or 8 years older than her and married with children. Fukuda, who is incidentally the only participant who reported the harasser, felt that the coworker was more valuable to the company than her, who was just a new employee at the time. The statement from the HR personnel in charge of the sexual harassment complaint caused this feeling. "*Fukuda-kun is an important employee, but he (the perpetrator) is also an important employee.*" (Attachment no.1, 10) While it is true that both Fukuda and the perpetrator are supposed to be seen as equally essential employees, the HR personnel stated this in the sense that the perpetrator should be shown some leniency, diminishing Fukuda's experience after she was physically harassed, implying that Fukuda should not further escalate the issue to protect the company and the harasser, making her value lower than the harasser in the eyes of the company.

Kankan likewise listed numerous instances of being sexually harassed by her senior coworkers. However, she also shared an experience with a significantly older business insider with whom she was to build a business relationship. In both cases, the perpetrators were over 10 years older than her and established in their respective fields. Her work senior had a long-standing working history, and the business insider was a well-known business owner who organized socializing events for the people in the entertainment industry who wanted to make new contacts or advance in their careers. The insider opened a club and invited the management

¹⁵ Uchi-soto refers to the distinction between in-groups (内, *uchi*, "inside") and out-groups (外, *soto*, "outside"). This differentiation is a fundamental aspect of Japanese social customs and sociolinguistics, directly reflected in the Japanese language. (Ashby 2013)

personnel of Kankan's company to meet up, which was supposed to be to make new connections. This alone illustrates the power imbalance between Kankan and her harassers. One, while a coworker, had more work experience and a longer history with the company. The other was a business owner with valuable connections in the industry who could ruin her career if he chose to.

The trend continued with Nakagawa, who likewise experienced sexual harassment at company drinking parties. While she did not specify the age of the harasser, she stated that if she had been approached with the same remarks by a colleague who was at the company longer than her or her boss, she would have had a hard time telling them that what they are doing is sexual harassment. "*It's likely to be a demerit.*" (Attachment no.5, 3) Nakagawa clearly states that she would if she talked back to them about what they had been doing; it would likely reflect poorly on her and could hinder her career.

This ties to Shōko's experience, as her boss sexually harassed her. The boss would approach her with the gossip he heard about her sexual and dating life. While this could be seen as friendly banter between friends, that would have been true if Shōko had been close to her boss. Shōko said she did not want to discuss her personal life in the office. Specifically, she did not want to discuss these matters with her boss.

Momoko's case is more complicated in the sense that she was sexually harassed indirectly by her husband's boss, who was then related to her by her supervisor. Meaning that both supervisors were aware of what was happening, but it did not occur to them that the behavior was inappropriate. Another instance Momoko mentioned was verbal harassment she received from her male coworker, who was displeased with her being more educated than him. The harasser, in this case, was a high school-educated coworker who felt inferior to Momoko and took his frustration out on her.

The treatment Rihito's male coworker received is an outlier because the women in the office harassed the male worker. Being a new employee, he was also harassed by more senior employees in the office; the difference is that he was harassed collectively by the core social group of women. The male worker was disadvantaged in terms of numbers and work experience. Additionally, the women also did not see what they were doing to the male employee as sexual harassment, and they were not reprimanded or reported.

Previous research by Uggen and Shinobara identifies supervisors as typical harassers, and this subchapter analyzes participants' experiences with harassment compared to these findings. Konparu faced harassment from her boss, who forced her into an uncomfortable situation at a team-building event, and from a senior coworker who took advantage of the arrangement.

Fukuda reported multiple incidents of harassment by male coworkers and external guests, noting that HR's lenient response to her formal complaint made her feel undervalued. Kankan experienced harassment from senior coworkers and a powerful business insider, illustrating the power imbalance. Nakagawa hesitated to report harassment by senior colleagues or bosses, fearing career repercussions. Her boss harassed Shōko through unwanted discussions about her personal life. Momoko encountered indirect harassment from her husband's boss and verbal harassment from a less-educated coworker. Rihito's case was unique as a male harassed by female coworkers who did not recognize their behavior as inappropriate. These findings align with Uggen and Shinobara's study, which highlights supervisors as common harassers while revealing broader patterns of power dynamics and the significant reluctance to report harassment due to potential negative impacts on careers. However, this subchapter also reveals a new common sub-type of the harasser: a senior employee, approximately 10 years older than the victim. A person higher in the hierarchy based on work experience but not in terms of official work position.

What happened?

To understand just how serious the situation is for women in Japanese companies, it is necessary to introduce what the participants went through. Therefore, this subchapter will present the incidents the participants chose to share with me. These personal accounts provide insight into women's everyday challenges and systemic barriers in the corporate environment.

Harassment at the Office

All participants agreed that Japanese people generally act professionally at the office. However, that does not mean that no incidents occurred during working hours. Momoko, Shōko, Nakagawa, and Rihito all shared incidents involving verbal harassment at the office, ranging from inquiries regarding their romantic lives, age, menstruation, ability to take care of their children while working, denial of work opportunities, and verbal abuse by their co-workers and supervisors.

As stated above, Momoko worked at the same company as her husband. After she gave birth to their 1st child, her husband's boss started putting pressure on her husband to reduce Momoko's hours so that she could take care of the family, freeing up the husband's time to focus more on his team's projects.

“But I believe that when I had my first child? My husband was asked by the company, “Are you sure you can raise a child if your wife doesn't quit her job?”

Can you raise a child properly?” Like, “You’re so busy at work... are you going to be okay?””¹⁶ (Attachment no.4, 4–5)

The situation escalated further after she gave birth to their 2nd child. The husband’s boss, unhappy with the fact that Momoko would not reduce her hours to stay at home, started suggesting to Momoko’s supervisor that her hours and involvement should be reduced since her husband’s team was in the middle of a busy period. The boss likely wanted Momoko’s husband to do longer hours, and he reasoned that if Momoko stayed home and cared for the children, the husband would have fewer home obligations and would stay longer.

“Well, now that you have a second child, why don't you let your wife take it easy? Also, at the same company, when my husband's work was very busy, his boss told my boss, “Right now, our group is doing very important work, and we are very busy, you know? Your Momoko doesn't work so much. Let's let her take care of the house.” My boss relayed that to me. ”¹⁷ (Attachment no.4, 5)

The husband’s boss did not care whether Momoko wanted to be a stay-at-home wife or whether their family could sustain their lifestyle on a single income. Instead, the boss conformed to societal pressures, expecting women to leave their jobs to care for the family regardless of individual preferences or financial feasibility.

Momoko was an educated, competitive woman who strived to advance in her career as much as possible; this irritated some of her male co-workers, who felt intimidated by her. She mentioned instances when she was told by her male co-workers, *“Even though you are just a woman.”* or *“Don’t order me around, you are just a bitch with a degree.”¹⁸* (Attachment no.4, 5) a male co-worker with lower education than her. It is hard to imagine that the male employee would say the same to another male employee with higher education than him. His attitude indicates that he felt that he should automatically have a higher position than her and was threatened by her, which is why he lashed out at her.

Shōko experienced similar treatment when she entered the company. She entered the trading company specifically because she wished to transfer overseas to broaden her work experience and further her career. However, the company expected her to have children in a few years and discouraged her from applying for the overseas position after her training period, which lasted 3 years. Notably, Shōko did not share her relationship status or her plans for children.

¹⁶ (Hostile) Environment Type, Gender-based Discrimination Type.

¹⁷ (Hostile) Environment Type, Gender-based Discrimination Type.

¹⁸ Gender-based Discrimination Type. (Hostile) Environment Type.

*“Oh, you’re a girl, so you will have kids after 2 or 3 years, so you can’t go abroad for that work position you want.” So, the choices regarding careers were limited for women in the company. I don’t think that’s fair.”*¹⁹ (Attachment no.7, 2)

The same treatment did not apply to men, who were commonly transferred overseas with their whole families, regardless of whether they had children or not. This disparity illustrates the limits set on women in Japanese companies purely based on their gender and the societal pressure they face to focus on raising children and taking care of the household. Consequently, women are often denied the same professional opportunities and career advancement that men receive.

Sexual harassment Shōko experienced was not limited only to the work advancement opportunities but also translated into the way she was treated by her superior and her older male colleagues. Shōko’s boss, likely to nurture a closer relationship with Shōko, approached her regarding her relationship status. *“So, I heard that you were dumped by your boyfriend yesterday.”*²⁰ (Attachment no.7, 7) This is something one could ask their friend or someone who is, at the very least, in the same position within the company. However, being asked something like this by one’s supervisor is bound to make one uncomfortable. *“He thought that this was just normal small talk, but for me, it was very uncomfortable.”* (Attachment no.7, 7)

Nakagawa’s experience was similar to Shōko’s when she first entered the company. There was a clear difference in how men and women were treated regarding how many hours they could work and how they were spoken to. This disparity limited her professional growth and perpetuated an environment where women felt undervalued and restricted.

*“When I became a new employee about 25 years ago, a long time ago, there was a rule that male and female employees could work overtime, but there was still a limit for women. It was the first time I felt like “Men and women are treated differently.” But the rules were changed, and equality was achieved after about a year, but it was when those rules were still in place.”*²¹ (Attachment no.5, 1)

While the rule was abolished within a year, it should not have been allowed in the first place. Such a rule was unfair to both men and women in the office. Men were expected to work longer hours, while women had to go home even if they wished to stay longer. This situation bred resentment toward women, who appeared to be less hard-working or dedicated to the

¹⁹ Gender-based Discrimination Type.

²⁰ (Hostile) Environment Type.

²¹ Gender-based Discrimination Type.

company than men. As a result, it reinforced negative stereotypes and further entrenched gender inequality in the workplace.

The issue, however, did not end there, as Nakagawa continued to be harassed because of her gender. Nakagawa's company had special days off women could take during their period. However, Nakagawa was expressly discouraged from taking the period day off by her boss since it could reflect badly on her work performance during the evaluation. *"No, taking menstrual leave will negatively affect your evaluation, so take a normal leave."*²² (Attachment no.5, 8) Menstruation is something that is not openly discussed in Japanese society, and it is still considered a taboo topic. But that was not why Nakagawa was discouraged from taking the special day off. When she later talked about the matter with a senior male employee, she learned that there were instances when women who did not appear to be obviously in pain took a special leave of absence. The other employees assumed that the woman did not want to work that day. Making them look insincere and lazy. *"I heard some people use menstrual leave badly." He told me. "It's not painful. It seems that some people take menstrual leave because they just want to take time off, even though their stomachs don't hurt."* (Attachment no.5, 8). It is possible that women were abusing the system; however, instead of abolishing the rule, the company kept it to keep appearances while internally discouraging the female employees from taking special time off.

Nakagawa and her female colleagues were also harassed verbally by their male counterparts when they were upset. It did not matter what age the woman was. If she were young and appeared upset, the male colleagues would ask them whether they were on their period, making them irritable; if the woman were older, the men would ask her if she was going through menopause. Nakagawa, part of the 2nd group then, was understandably upset. Not only because she was indirectly shamed for her age and her personal space was invaded but also because the men were avoiding responsibility for their actions and blaming her irritation on hormones.

Rihito never experienced sexual harassment at the office. However, she was an observer of the harassment her male colleagues experienced in an office dominated by women. The male employee was assigned traditionally masculine tasks by his female co-workers, who had him carry heavy objects for them. *"There was a kind of precedent that it was natural for them to do things like carrying luggage, and I didn't like that. I don't know if my new graduate, the one at the time, didn't like that, but I don't have a specific reason. He didn't like the environment, so*

²² Gender-based Discrimination Type.

he quit.”²³ (Attachment no.6, 1) The male employee, isolated by the group of women, did not report these incidents; instead, he quit after a year at the company. The employee likely felt emasculated and singled out by the work environment, making it impossible for him to continue working there long-term.

Harassment at Office Drinking Parties

Konparu explained the activities they would have to participate in during the after-work events. Men and women would be paired up during games, holding hands and hugging each other with a balloon in between them, aiming to pop the balloon by firmly hugging each other. What is important to note is that neither male nor female workers could choose with whom they would like to be paired up. That was solely the superior’s decision. I asked her:

“So you didn't choose a partner?

No, and it was a senior whom I had no interest in at all, and he was a single guy more than ten years older than me. He might have been interested in me, but I was not interested in him at all. Then the group leader contacted him (contact: to be considerate of your juniors), and he said, “You want to hold hands with a girl, don't you?” and the leader was like, “I want to set up an opportunity.””²⁴

(Attachment no.3, 3–4)

The excerpt above describes how Konparu was set up with her partner for the company games. Konparu clearly states that she was not interested in the senior; however, she was paired up with him solely because her boss was on friendly terms with Konparu’s senior. The boss was not concerned whether Konparu was interested in the co-worker, as he did not ask her whether she would like to be paired up with the senior.

Fukuda’s experience bordered on sexual assault according to Japanese law as she was touched and almost kissed by her older, married male coworker when they were leaving an office after-hours drinking party. (Tell n.d.) Fukuda did not indicate that there were prior warning signs to be cautious of this coworker. Otherwise, one could assume she would not have joined him in the taxi and would have chosen to ride with her other coworkers instead. This incident highlights the unpredictable nature of harassment and the vulnerability women face in professional settings.

“I was new at the company, but when we took a cab on the way home from a drinking party, and since there were many people, we had to split up into cabs. I

²³ Gender-based Discrimination Type.

²⁴ Gender-based Discrimination Type.

was paired with one of my male colleagues, and he touched my thighs and tried to kiss me. I told the company about it, and they started investigating. I never experienced something like that before. I didn't know what was happening, but it was extremely uncomfortable.” (Attachment no.1, 6)

Both people involved in this incident were drinking with their co-workers before this incident. The harasser later used the fact that both of them consumed alcohol as he claimed that he was too drunk to remember what happened or if anything even happened in the taxi during the company investigation of the matter. The harasser chose a place and time when the situation would become word against word, and he, as the older and more experienced employee, would be more likely to be protected by the company, as observed in the subchapter Resolution of the Incident.

Kankan's experience was similar to Fukuda's as she was likewise touched by an older male co-worker when she went drinking with him and another male co-worker at the apartment of one of them. She felt safe enough to drink with them without anyone else around. However, when one of the male employees drunkenly fell asleep, the male co-worker started touching her. Kankan stated that while the male co-worker was not being obvious, it was apparent what he was trying to do.

Harassment at Out-of-Office Work Meeting

Another incident Kankan mentioned was an out-of-office meeting with a prospective business partner. Kankan was invited to a hotel to meet an older man well-known in the industry, and they were supposed to discuss possible future cooperation. However, instead of discussing potential future projects, the man dropped the key to his room on the table and propositioned her.

*“So, we had a coffee and a chat, and then he suddenly...He didn't explain the business in detail; he just suddenly dropped the key to his room. And asked me something of effect, “Why don't we have sex after this?” So, this really an obvious case of sexual harassment.”*²⁵ (Attachment no.2, 2)

Aside from the fact that this behavior is highly unprofessional, it sheds light on how men in power can use their positions to manipulate inexperienced younger coworkers, exploiting them for sexual favors with the implication that such compliance could aid their career progression. This abuse of power creates a toxic work environment and undermines the meritocratic principles that should govern career advancement.

²⁵ Quid Pro Quo Sexual Harassment.

In this subchapter, I discussed the types of sexual harassment in various environments. It can be deduced from the text above that sexual harassment, while abhorrent, differs significantly based on the environment. The harassment in the office is mainly verbal; here, women are pressured to become stay-at-home wives and mothers, being limited in their career advancements, and harassed because of their bodily functions and their education. The harassment during the company drinking outings turns physical as the harassers can use alcohol as an excuse for their behavior. The account of sexual harassment during an out-of-office meeting with an industry insider also indicates how direct a man in power can become towards a younger female employee who wants to advance in her career, as he propositioned sexual intercourse in a meeting when they were supposed to discuss business matters.

Resolution of the Incident

In this subchapter, I discuss the resolution method utilized by a Japanese company. As Fukuda is the only one of the seven participants who reported her harasser, I focus on the investigation process she shared during the interview, describing the steps taken from the time she reported the incident until the final resolution. This account provides insight into the company's handling of such cases and the effectiveness of its procedures in addressing sexual harassment.

Fukuda reported the incident to the company's HR department, which spent approximately 2 or 3 months interviewing both Fukuda and the harasser. During the investigation, Fukuda had to reiterate what had happened numerous times to different members of HR, and she was repeatedly asked the same set of questions. *“I had to tell the same story at least 3 times, in great detail about when, where, under what circumstances, and what the colleague actually did to me.”* (Attachment no.1, 7) The whole process was exhausting for Fukuda as she felt emotionally drained by constantly reliving what had happened to her. She questioned and prodded to see whether there were any gaps in her retelling of the incident. The HR personnel wrote down Fukuda's account of events and read it back to her, instructing her to tell them in case there were any mistakes. While there were no mistakes in the written version, the situation made Fukuda uncomfortable.

On the other hand, the harasser kept repeating that he did not remember anything from the incident as he was too drunk. *“I don't remember.” “I drank too much, so I don't remember at all.”* (Attachment no.1, 7) Fukuda states that while the harasser was likewise interviewed numerous times, he kept declining any recollection of the incident. That is after he bragged to

his male colleagues that he had high alcohol tolerance and never forgot anything while being drunk. Knowing all of this, Fukuda became increasingly irritated with each session.

During the last session, an HR employee who was interviewing Fukuda, satisfied with the consistency of her answers, stated that the investigation was concluded and that her harasser would come shortly and apologize to her. The HR employee did not ask for her consent or ask whether she wanted to meet the harasser; he simply stated that the harasser would come in 5 minutes. *“Well, in about 5 minutes, the assailant will actually come here to apologize to Ms. Fukuda, so please wait a moment.”* (Attachment no.1, 7) Fukuda, who was not given any prior notice before this announcement, refused to meet with her harasser as he, to that moment, did not confess to any wrongdoing, and the apology was supposed to be the end of the investigation. Fukuda was displeased as she wanted justice, not to be placated.

It is also important to note that Fukuda could only share her story with me because her company forgot to have her sign the NDA regarding the incident. This is the customary end to all sexual harassment investigation cases at her company. This practice effectively silences the victims who are not able to share their experiences with others, further protecting the harasser.

Outcomes for the Perpetrator

After the investigation concluded, the board of directors punished the perpetrator. However, the extent of his punishment was that his salary was reduced for a few months, and he was later transferred to a different department. He was not transferred immediately; on the contrary, he was transferred during a scheduled period used for companywide transfers. By doing this, the personnel in his new department would not be immediately notified of the reason for his transfer. According to Fukuda, his new co-workers would think the man was transferred to their department because it was the scheduled time for intercompany transfers.

Rihito also stated that if sexual harassment is proven to be accurate, the perpetrator will be moved to another department. Nevertheless, she also said she does not remember such a transfer at her job. This could be due to the periodic transfer periods Fukuda mentioned, as the reason for transfers is generally not disclosed.

Shōko stated that an employee would be fired if they repeated such behavior as sexual harassment or adultery numerous times. That is if the incidents get reported. The reason for the firing of the employee would not be that they repeatedly harassed their coworkers but that they were disturbing the group harmony, as Shōko stated. This leads to the conclusion that it is not the gravity of the incident one commits but the impact it has on the work climate of the office. Shōko further stated that she feels that the people who put others into uncomfortable situations

with “just words,” as Shōko stated, are not punished by the company. They do not have to change their careers and can continue their lives.

Fukuda was dissatisfied with the harasser’s punishment. She was further displeased that she had to periodically inform her new supervisors, who changed every few years, that she refused to work with her harasser since the department heads often did not communicate this information to each other. This requirement forced her to relive her experience and essentially put her in charge of maintaining her safety, as the company did not take appropriate measures to ensure a healthy work environment for her.

In conclusion, the handling of sexual harassment case by case highlights the flaws in addressing such a serious issue. The drawn-out investigation process, repeated questioning, and insufficient communication between department heads placed an undue burden on Fukuda, forcing her to relive her trauma multiple times. The standard punishment is a salary reduction and a delayed transfer within the company during a routine transfer period without disclosing the reason for said employee’s transfer. This perpetuates the lack of accountability and transparency. The practice and lack of communication among the supervisors and others in leadership positions leave victims like Fukuda to advocate for safety repeatedly. The advocacy is, however, possible only in case the victim did not sign an NDA regarding the incident, as happened in Fukuda’s case. The emphasis on maintaining group harmony rather than addressing the severity of the occurrences highlights the company's ineffective attitude to ensuring a safe and respected work environment.

Why do Women Not Complain to HR?

While interviewing participants, I noticed the low rate of incidents reported to their companies. Hence, in this subchapter, I discuss the reasons the participants gave for not reporting sexual harassment. Understanding these reasons is crucial for addressing the underlying issues and improving reporting mechanisms.

Most of the above incidents occurred while the participants were in their 20s and had not yet solidified their footing. They felt that since they had no solid evidence about what happened to them, the investigation would be done on word against a word basis. The incident would be hard to prove, and in Momoko’s case, her housing situation could have been threatened because she was living in company housing.

“No, I didn’t report him. I was young. I was 23 or 24, so I was young. If I had been attacked, there wouldn’t have been many people. If it were now, I would say so. I would report it now, but I was young and living alone, and when I was attacked,

I was living alone in the countryside in Tokushima Prefecture, or rather, I was living in a company dormitory, so I was really living alone, in company housing, in residence provided by the company. It could become difficult for me to continue living there. I didn't tell them directly. Now, I would tell them. I would beat them until they fired me.” (Attachment no.4, 5)

The excerpt above highlights Momoko's disappointment and resentment toward the situation and the company. She did not feel safe reporting her harasser, which is common for the rest of the participants as well.

Another part of the issue is that the participants often felt that as long as no physical assault happens, there is nothing to report since it could be taken as friendly banter. This was the case for Kankan. *“First of all, I was never actually physically assaulted. And of course, “teasing” is also already a kind of sexual harassment, but if I could say “no” and they stopped, I didn't want to make further trouble for them.”* (Attachment no.2, 3) Kankan later clarified that she did not report the issue because she did not want to disturb the group's peace. *“(…) culture-wise. We usually don't report.”* (Attachment no.2, 4)

This ties in with the eventuality that if the participants chose to report their harasser, they would be regarded as problem workers who take issue with their coworkers. Shōko stated that 10 years ago when she first joined the company, it was likely that she would be blamed. The company she worked for did have an internal hotline for reporting issues such as this. However, no one used them.

“Yes, there was sort of a hotline we could use, but no one usually used that. If we used that, there would be a big chance of us getting blamed. People would say that it's because of us. Because of the one who reported. People would say it happened maybe because we wore short skirts or acted friendly during nomikai.” (Attachment no.7, 5)

When I followed up on this and asked if she thought people were now using the internal company hotline, she said she was unsure. Partly because of the history of the company blaming women for these incidents and partly because there had been records of people misusing the hotline and making false reports.

“I'm not sure. Because there is a history of women getting blamed. Companies have to have these lines, but sometimes people misuse them. There are times when there are false reports of sexual harassment.” (Attachment no.7, 5)

The record of false reports would make it more likely that Shōko would not be believed if she reported the issue. It is, therefore, likely that women facing sexual harassment at Shōko's

company would feel similarly and, therefore, were not likely to report such incidents. This lack of trust in the reporting system contributes to a culture of silence and perpetuates the problem.

In conclusion, the low rate of reporting sexual harassment incidents at Shōko's company is deeply rooted in a combination of fear, lack of trust, and cultural norms. Participants like Momoko and Kankan illustrate the challenges young women who feel vulnerable and unsupported face. The fear of not being believed, potential repercussions, and the normalization of inappropriate behavior as harmless banter prevent many from coming forward. Furthermore, false reports exacerbate this mistrust, leading to a culture where silence prevails. To combat this, it is essential for companies to create a more transparent, supportive, and reliable reporting system that employees can trust without fear of retaliation or disbelief. Addressing these underlying issues is crucial for fostering a safer, more supportive workplace where all employees feel empowered to report misconduct.

Anti-sexual Harassment Training at Japanese Companies

It is necessary to consider the level of awareness of sexual harassment in Japanese companies. It is possible that the harassers were not aware of the fact that what they were doing was sexual harassment. In this subchapter, I study how Japanese companies teach their employees about proper and improper conduct in the workplace.

All participants I interviewed stated that they were given training regarding workplace sexual harassment. The training took the form of a lecture in a hall, where all attendees were shown a PowerPoint presentation with concrete examples of sexual harassment. However, the presentations did not address the core issue of sexual harassment, which is the lack of consent or forced consent on the part of the victims. Furthermore, since these trainings took place periodically and were held companywide, it was possible for the attendees to become distracted or not pay attention. *“Not really. We found that most employees were not paying attention. We weren't asked anything about the subject matter. Basically, it was a “we did it because we had to, not because we didn't care” kind of situation.”* (Attachment no.3, 1) Essentially, most of the lectures did not require the active participation of the attendees and were not effective in teaching them the core issues of sexual harassment. Rihito's company was the only one with interactive training sessions, which included Q&A and even a quiz to ensure the employees retained information. In Shōko's case, only women had to attend these lectures. One could argue that it was to help women recognize dangerous situations, but would it not be more effective to educate the most common perpetrators?

Notably, the timing of the periodical training differs drastically from company to company.

Nakagawa and Fukuda received training on appropriate and inappropriate workplace behavior only once when they entered the company. Rihito received training on the issue once every 3 years. Shōko, Momoko, and Kankan received training once a year. Though the periods between trainings vary, they do not seem to influence whether participants decide to report the incident. This is proved by Fukuda, who received the training only once during her time at the company, while the rest decided not to report their harassers.

Changes to the System Proposed by Participants

Some of the participants stated a wish to reform the education system. The training should not be mandatory only for women, as was the case with Shōko, but should require the active participation of all attendees to ensure that they retain all the information they have been taught. This could help decrease the verbal and physical harassment men and women face at the office and during company outings.

Fukuda said she would appreciate remedial training for the department heads and upper management. This was mainly due to the way she was treated during the investigation, where she was directly reminded that her harasser was an important employee of the company as well. She felt this emphasized the company's disregard for her well-being and highlighted the need for a more empathetic and equitable approach. (Attachment no.1, 12)

Rihito would like a place where employees could voice their displeasure and start collecting evidence about what they experienced. She would also prefer the training to take the form of an active discussion so that all attendees could voice their opinions and ask questions freely. She would appreciate it if, during the discussion, the attendees discussed anonymous cases and the attendees would discuss each case and try to come to an ideal resolution method as well as analyze the core problems of each case and what precisely was inappropriate about the situation.

Shōko proposed that the training should be mandatory for everyone, not just women. While most cases in this thesis concern only women, as can be seen in the case of Rihito's male colleague, men can become victims of sexual harassment. Therefore, all parties involved in such cases must have equal access to information to get help or to realize faults in their behavior.

In conclusion, the testimonies and suggestions from the participants highlight a pressing need for comprehensive reform in the education and training systems within the workplace. Shōko's proposal underscores the importance of mandatory training for all employees, not just women, to foster a more inclusive and informed environment. Fukuda's experience points to the necessity of remedial training for department heads and upper management to cultivate

empathy and equity, especially during sensitive investigations. Rihito's advocacy for a platform where employees can voice their concerns and engage in active discussions demonstrates the value of a collaborative approach to addressing harassment. These collective insights emphasize that tackling harassment in the workplace requires a multifaceted strategy involving education, open dialogue, and a commitment to equal treatment for all employees. By implementing these changes, companies can create safer and more respectful workplaces for everyone.

Changes in the Last 10 Years

It is important to note that most incidents happened when participants were still in their early 20s and new to their respective positions. Therefore, in this subchapter, I focus on how or if the situation has changed in the last 10 years, according to participants. Additionally, I will explore any ongoing challenges they continue to face and the measures taken to address them.

Shōko was particularly vocal about the changes in awareness regarding sexual harassment. She stated that the topic of sexual harassment became. She did nonetheless say that the changes were not because of company policies. On the contrary, Shōko stated that, in her opinion, the shift in awareness was due to globalization and advances in technology. Shōko stated that there was a general idea in Japanese society that Japan was falling behind the West, making Japan likely to follow Western trends and topics.

“I think it was partly because of globalization. Japan was falling behind society-wise, and it was obvious. For example, there is the #metoo movement in the West. Now, there is no such movement in Japan, but there is this general sense that ‘Japan can’t fall behind, so we better get behind that as well.” (Attachment no.7, 4)

The #metoo movement, originating in 2017, aims to shed light on the problem of sexual violence (Burke n.d.) and has become a global movement that is active to this day. The movement spread mostly via social networks, which brings me to the second point Shōko mentioned. Shōko specifically noted that SNS²⁶ was the main way women spread information about sexual harassment. Women would spread rumors about their harassers, making their actions public and putting societal pressure on them to change as well as warn other possible victims. Shōko also stated that while Japanese society may not be as open-minded as American, it is slowly changing.

²⁶ Social media.

According to Konparu, the most significant changes occurred because of COVID-19. During the three-year period of heightened caution, most companies switched to home offices. Since most places that could be used for after-work activities were closed due to quarantine, the culture of workplace drinking parties faded, making it simpler for employees to excuse themselves from such events.

Even further, Konparu moved to the compliance department and stated that while there were many reports of power harassment, there have not been many recorded reports of sexual harassment. It is questionable whether the number of sexual harassment incidents decreased or whether they were still underreported. This raises concerns about the effectiveness of current reporting mechanisms and the possible need for improved support systems for victims.

Nakagawa stated that there were changes in the way training regarding appropriate and inappropriate sexual harassment was held. She said that the lectures at her current company are held online, provide video examples, and have a Q&A section where attendees can brainstorm ideas. This shift suggests a proactive approach to education and awareness, aiming to foster a deeper understanding and proactive employee engagement.

In June 2022, the Whistleblower Protection Act was also amended. According to this amendment, if a company experiences an incident such as sexual harassment, it must establish a contact person who will report the perpetrator to the authorities. The law stipulates that an external consultation service, such as a lawyer or someone, must be established. A system must also allow employees to contact an external lawyer directly. Large companies with over 3,000 employees are obligated to set up such a system, while smaller companies must try to set up such a system.

In conclusion, the insights shared by participants illustrate a notable evolution in attitudes and practices concerning sexual harassment within Japanese workplaces over the past decade. Shōko emphasized the role of globalization and technological advancements in driving greater awareness of issues like sexual harassment despite the absence of a formal #metoo movement in Japan. The impact of COVID-19 reduced opportunities for after-work social gatherings and potentially influenced workplace dynamics. Nakagawa provided a positive note with her description of enhanced training methods that incorporate online platforms and interactive elements, indicating proactive efforts by companies to educate employees effectively. Furthermore, the recent amendment to the Whistleblower Protection Act, as explained by Momoko, represents a significant legislative advancement aimed at promoting accountability and providing support for victims across organizations of different sizes. In summary, while strides have been made in raising awareness and implementing supportive measures, the

narratives also reveal enduring challenges and gaps in addressing sexual harassment comprehensively. Continued dedication to education, rigorous policy enforcement, and cultural transformation remains essential for fostering safer and more equitable workplaces in Japan.

Findings in Compared to Previous Research

In this subchapter, I compare the findings for each research question from the Analysis part of this thesis to the previous research described in the subchapter “Drinking Culture and Sexual Harassment.” The interviews show commonalities in the participants’ experiences and differences with previous research. These findings align with and extend the insights from earlier studies, highlighting the complex interplay between social behaviors and workplace dynamics.

All the participants above completed their undergraduate education. They entered the workforce in their early 20s. 3 out of 7 participants are working mothers, and 4 out of 7 are married working women in heterosexual relationships. 6 out of 7 women also experienced sexual harassment, and 7 out of 7 witnessed sexual harassment in their career. All the participants work in an office environment. While 3 participants decided to specify their work details, the other 4 chose to keep their work environment vague. The participants who decided to keep the company information vague still worked at the same company, while those who disclosed details about the company changed their workplace.

The narratives of workplace sexual harassment shared by the participants highlight pervasive challenges in Japanese workplaces. These accounts confirm previous research by Uggen and Shinobara identifying supervisors as common perpetrators. However, they also revealed a new subcategory of the harasser: the senior employee who is not the victim’s supervisor. This is someone who has been at the company for approximately 10 years longer than the victim and is likely to face only a transfer within the company and maybe a temporary decrease in salary. Kankan’s experience of implicit *Quid Pro Quo* experience further expands the list of probable harassers to men from outside the victim’s company, who are in higher overall societal standing.

Sexual harassment in the office was limited to the Gender-Based Discrimination type or (Hostile) Environment type as participants such as Shōko, Momoko, or Rihito’s male former coworker experienced harassment based on their sex. Shōko was denied an overseas transfer earlier in her career because of the assumption that she would have children soon. Momoko was pressured by her husband’s supervisor to reduce her hours or quit and become a stay-at-home mother. Rihito’s former coworker was assigned traditionally masculine tasks around the

office. None of the above incidents were reported to the HR department. None of the incidents were violent, which supports the research of Giuffre and Williams (1994) that states that women are more likely to report sexual harassment if violence or the threat of violence is present. While Rogerts and Henson (1997) state that women in low-status positions are likely to become victims of sexual objectification, which could be categorized as Gender-based sexual harassment. The participants' testimonies support this as most commonly, new hires in their early 20s experienced such incidents.

Incidents during or after a company's drinking parties grew in gravity compared to incidents in the office. The female participants commonly had the role of hostesses, pouring drinks for their male co-workers. This matches Nemoto's (2016) "obligatory" workplace sexual interactions., where she, among others, noted the hostess role during after-work outings where a female worker performs the role of a host and touching or banter from their male colleagues is accepted as "joking around" or as standard behavior. Reporting such incidents would go against group harmony, which the events are supposed to foster. On the contrary, the events seem to sow discord between male and female workers as women are put into a subservient position and cannot find it hard to refuse their supervisor's request. The experiences support Muta's (2008) research, where she notes after-work events as likely places where sexual harassment may occur.

Konparu's narration of her discomfort during company drinking parties and Fukuda's frustration with the way her company's HR handled the sexual harassment report sheds light on the ineffectiveness in handling these incidents and the lack of empathy towards the victims. Kankan's experience with a powerful industry insider, which was an incident of implicit quid pro quo sexual harassment, clearly shows how people in powerful positions abuse their authority towards someone who has a lower societal position than them. This is further reflected in Nakagawa's reluctance to confront harassment from colleagues who harassed her because of her bodily functions. Shōko's encounter with intrusive questioning from her boss, as well as Momoko's indirect harassment via her husband's boss, emphasize gendered expectations and power disparities. Fukuda, the only participant who reported the sexual harassment, described the process of investigation and resolution. The whole ordeal left her feeling undervalued, replaceable, and like the perpetrator, a married man 10 years older than her was a more valued employee of the company and, therefore, would be protected. She described how she had to undergo a 3-month long investigation, only for the HR personnel to attempt to pressure her to meet her harasser, who was to apologize. Her testimony is an example of how Japanese companies prefer to keep the group peace at the cost of the victim's protection and comfort.

Fukuda was made to repeatedly narrate her experience by her supervisors as well as HR personnel while being questioned about the accuracy of her account of events. Her ordeal reveals a flawed investigation process that retraumatizes victims and fails to hold perpetrators accountable adequately. The minimal consequences for the harasser and poor communication within the company further exacerbate the problem, leaving victims unsupported and vulnerable. This is also tied to the lifelong employment system introduced by Horiguchi (2004). The employees typically grow within the company, starting at the bottom and climbing the ladder according to the length of their employment. This puts the harasser, in Fukuda's case, in a higher hierarchical position than her, even if they occupy the same position. Since Japanese companies do not follow a merit-based promotion system but a lifelong employment system, her harasser, who entered the company earlier than her, would be promoted earlier.

In the case the reported sexual harassment claim is proven to be accurate, the outcomes for the perpetrators typically entail a delayed transfer within the company and a possible pay cut for a period of time. The perpetrator's new office is not informed of the reason for their transfer, and the perpetrator will not be fired unless they have multiple reports against them. One may argue that this is tied to the idea of "group harmony," as introduced by Muta. If the reason for the perpetrator's transfer was to be announced to the office, the group harmony would be disturbed and may impact the productivity of the team. The perpetrator is further protected by the fact that the victims are often made to sign an NDA regarding the incident after the investigation concludes. The perpetrator does not face any legal precautions, and the punishment they receive from the company is minimal.

When asked about the reasons why the participants chose not to report sexual harassment they experienced, the answers participants' answers included the combination of fear, lack of trust, and cultural norms. They feared they would not be believed and may be blamed or viewed differently by their colleagues. This supports Denissen's study, which states that confronting a harasser directly or having a third person mediate her request to change a harasser's behavior can be dangerous for a woman because it may lead to counter-accusations against her. Most of the incidents the participants mentioned would become a word against a word situation. The few incidents that occurred in a public setting included the supervisor on the side or in the position of the harasser, making the participants fearful of reporting the incidents.

All participants undertook training regarding appropriate and inappropriate workplace harassment. All but one participant stated that they took the role of a passive listener and found the training ineffective. In Shōko's case, the training was mandatory only for women. The number of times one takes the class, however, does not seem to play a role in the likelihood of

the victim reporting the incident, as Fukuda, who took the class only once when she entered the company, was the only one to report the incident to the HR, while Shōko, Momoko and Kankan attended the classes yearly.

The participants stated that the situation improved in the last 10 years with the widespread use of social media, which women use to keep each other informed. Notable is also the way Japan follows Western trends, which pushed the #metoo movement and, with it, opened the topic of sexual crimes against women to public discussion. However, the most significant change occurred because of COVID-19, which drastically decreased company outings and sexual harassment during them.

The comparative analysis between the thesis findings and previous research reveals persistent issues and new dimensions of the problem. Commonalities in participants' experiences corroborate existing studies on the role of drinking culture in facilitating harassment and the typical profiles of harassers. However, the emergence of new subcategories of harassers and the identification of systemic flaws in handling complaints underscore the need for a more nuanced understanding of workplace harassment. Overall, this analysis underscores the complexity of addressing sexual harassment and the necessity for comprehensive strategies that consider cultural, organizational, and individual factors to create safer and more equitable work environments.

Conclusion

In this thesis, I chose to observe the way Japanese women in their 30s and 40s experience and deal with sexual harassment. This thesis aimed to analyze women's experiences with workplace sexual harassment and to determine whether their experiences match previous research. Additionally, it seeks to uncover any new patterns or insights that might emerge from the personal accounts of these women.

Despite legislative efforts and constitutional protection, women in male-dominated fields and feminized industries continue to face sexual objectification and sexual harassment. Studies such as Nemoto's *TOO FEW WOMEN AT THE TOP* and Uggen's and Shinobara's study *Sexual Harassment Comes of Age: A Comparative Analysis of the United States and Japan* identified the after-work drinking parties as a place where boundaries become distorted, and women become more vulnerable towards sexual harassment as seniority, and group harmony principles make it hard for them to refuse, talk back or to report such incidents. Women who are at the beginning of their careers with unstable standing within the companies are the most commonly observed victims of their supervisors, who are more likely to be protected by the company.

While the Japanese Equal Employment Opportunity Law defines sexual harassment, it does not contain any clear enforcement mechanisms. Incident resolution relies on internal company policies mandated by the Comprehensive Labor Policy Promotion Act, which holds employers responsible for preventing sexual harassment in the workplace. The company can be sued if it fails to protect the victims. However, the perpetrator faces no significant repercussions for non-compliance with the above laws.

The main research questions were the Research sample and their backgrounds, the time and place of sexual harassment incidents, the identity of the perpetrator, details of the incidents, the resolution method of the incident, the outcomes for the perpetrator, the reasons for underreporting of sexual harassment in Japanese companies, the way sexual harassment awareness is taught in Japanese companies and how the situation changed in the last decade.

The participants were gathered using the snowball theory with multiple initial participants, "seeds," who referred their acquaintances to me. Aside from Momoko and Konparu, the participants in this thesis expressed their desire not to be linked to each other. I described establishing the target group and searching for participants via online groups and forums. The sample group comprises 7 participants in their 30s and 40s, with 10 or more years of work experience at a Japanese company.

I further described the structure of the in-depth interview, where I played the role of an active listener, letting the participants talk freely. All participants were informed of the

interview topic and provided with a one-sided NDA, ensuring the comfort and protection of their personal information. The interviews took from 45 minutes to 90 minutes, were voice-recorded with the participant's consent, and took place either in a café or a restaurant of each participant's choosing or over Zoom. All recordings of the interviews were transcribed, edited, and attached to this thesis. Kankan and Shoko decided to hold the interviews in English while the remaining 5 were conducted in Japanese.

The data gained from the interviews was analyzed utilizing Strauss and Corbin's anchored theory. The data was grouped according to research questions; all interviews were compared to each other, and from them, I deduced the common trends, which were compared to the previous research. I further describe the similarities and differences of the participants' testimonies and the previous academic studies.

The social standing of Japanese women has changed tremendously since the Second World War. This can be attributed greatly to the new constitution and, more precisely, Article 24, which requires that the mutual consent of both sexes is necessary to enter a marriage. It further stated that the marriage must be maintained by mutual cooperation of both partners and that both the husband and the wife would have equal rights in terms of choice of spouse, property rights, and divorce. However, the gender disparities continued and were perpetuated by the traditional patriarchal values and corporate practices of life-employment and seniority-based pay. Nevertheless, "new middle-class" women and professional housewives entered the workforce alongside their male counterparts. They were commonly relegated to lower-paying positions and were excluded from leadership positions due to their lack of previous experience. The feminist efforts played a notable role in societal changes in Japanese society. However, the economic regression in the 1900s contributed to the marginalization of Japanese women and the perpetuation of the male-breadwinner model of the family unit. While advancements in gender equality were made, the vertical segregation of men and women and patriarchal values continued in the workplace. The undervaluing of women's work and gender biases persist and hinder progress towards a more equal society. The Japanese corporate system, which emphasizes lifetime employment and seniority-based remuneration, benefits male workers while limiting women's professional advancement. This creates major wage gaps and limits prospects for women.

The experiences of 7 university-educated Japanese women provide a window into the evolving situation of sexual harassment in Japanese companies. All participants entered their respective workplaces when they were in their early 20s and have either witnessed or had first-hand experience of sexual harassment. Their experiences in diverse industries highlighted

systemic issues such as unwanted sexual conduct, gender prejudices, discriminatory behaviors, and unequal employment prospects.

The narratives of workplace sexual harassment shared by the participants highlight pervasive challenges in Japanese workplaces. These accounts confirm previous research by Uggen and Shinobara identifying supervisors as common perpetrators. However, they also revealed a new subcategory of the harasser: the senior employee who is not the victim's supervisor. This is someone who has been at the company for approximately 10 years longer than the victim and is likely to face only a transfer within the company and maybe a temporary decrease in salary or someone from a different company who holds a significantly higher position than the victim but is not the victim's direct supervisor.

The participants' testimonies reveal their distrust and dissatisfaction with the inefficacy of HR in handling sexual harassment complaints. This ineffectiveness further discourages victims from reporting incidents, as they often lack proof, and the harasser typically faces minimal repercussions. This situation underscores the need for more robust and effective measures to address and prevent workplace sexual harassment. The companies are underprepared or unwilling to handle sexual harassment cases with empathy towards the victim. On the contrary, due to the Japanese culture, where one must show respect for seniority, the perpetrators are more likely to be protected than the victims.

The participants voiced their displeasure with how sexual harassment awareness training is conducted and their wish for its reform. They would appreciate a more engaging form of learning, as the current method is ineffective, and men are sometimes excluded from the learning process. However, there have been some positive changes in Japanese society in the last decade. Women can use SNS to inform each other of their perpetrators' conduct and put societal pressure on them to change if the company does not do so. Further decrease in company drinking parties due to COVID-19 means that the number of incidents during them decreased, and companies switched to online training methods with more interactive methods. Further improvement is the amendment of the Whistleblower Protection Act, which mandates the company's accountability and victim support. Future studies could follow these recent societal changes and how phenomena such as COVID-19 influence the issue of workplace sexual harassment. One can assume that the situation in Japan will continue to change for the better as Japan continues to be influenced by Western societal movements, and the younger generation will take over positions of men set in their ways.

Resumé

This thesis aims to analyze the experiences of 7 university-educated Japanese women with workplace sexual harassment. Sexual harassment, while widely known, is in Japanese society often underreported. Therefore, in this diploma thesis, I focus on the experiences of the participants I interviewed and compare them to previous studies (for example, Nemoto 2016, Uggem, Shinobara 2009). In the theoretical part of the thesis, I introduce the history of women's rights and societal standing and the definitions of workplace sexual harassment according to the Japanese, British, and U.S. governments. In the analytical part of the thesis, I introduce the previous studies and their findings regarding the treatment of women in Japanese companies. Based on these findings, I analyze the transcribed interviews in 2022 and compare them to previous studies while concluding possible improvements to Japanese company policies.

Keywords: sexual harassment, women, workplace, Japan, Women's rights, interview

Bibliography

- ACAS. 2023. "Harassment." Accessed October 23, 2023. <https://www.acas.org.uk/discrimination-and-the-law/harassment>.
- Allison, Anne. 1994. *Nightwork: Sexuality, Pleasure, and Corporate Masculinity in a Tokyo Hostess Club*. Chicago: University of Chicago Press. <https://archive.org/details/nightworksexuali0000alli>
- Ashby, Dominic. 2013. "Uchi/Soto in Japan: A Global Turn." *Rhetoric Society Quarterly* 43 (3): 256–69. <https://doi.org/10.1080/02773945.2013.792695>.
- Brinton, Mary. 2023. *Women and the Economic Miracle*. 1st ed. University of California Press. Accessed May 6, 2024. <http://www.jstor.org/stable/10.7591/j.ctt1d2dn1q>.
- Brinton, Mary C., and Hang-Yue Ngo. 1993. "Age and Sex in the Occupational Structure: A United States–Japan Comparison." *Sociological Forum* 8 (1): 94, 106. https://scholar.harvard.edu/files/brinton/files/age_and_sex_in_the_occupational_structure_a_united_statesjapan_comparison.pdf.
- Burke, Tarana. "me too." Accessed June 19, 2024. <https://metoomvmt.org/get-to-know-us/history-inception/>.
- Charles, Maria, and David B. Grusky. 2004. *Occupational Ghettos: The Worldwide Segregation of Women and Men*. Stanford: Stanford University Press. In Nemoto, Kumiko. *Too Few Women at the Top: The Persistence of Inequality in Japan*. 1st ed. Cornell University Press.
- Charlebois, Justin. 2013. "Herbivore Masculinity as an Oppositional Form of Masculinity." *Culture, Society, and Masculinities* 5. Accessed May 6, 2024. https://www.academia.edu/77080025/Herbivore_Masculinity_as_an_Oppositional_Form_of_Masculinity.
- Croner. 2022. "Sexual Harassment at Work." November 10, 2022. Accessed October 23, 2023. <https://croner.co.uk/resources/equality-discrimination/harassment/sexual/>.
- Dellinger, Kirsten, and Christine L. Williams. 2002. "The Locker Room and the Dorm Room: Workplace Norms and the Boundaries of Sexual Harassment in Magazine Editing." *Social Problems* 49 (2). <https://www.jstor.org/stable/pdf/10.1525/sp.2002.49.2.242.pdf>.
- Denissen, A. M. 2010. "Crossing the Line: How Women in the Building Trades Interpret and Respond to Sexual Conduct at Work." *Journal of Contemporary Ethnography* 39 (3): 297–327. <https://journals.sagepub.com/doi/10.1177/0891241609341827>.
- Fox, Margalit. 2013. "Beate Gordon, Long-Unsung Heroine of Japanese Women's Rights, Dies at 89." *New York Times*, January 4, 2013. Accessed October 23, 2023.

<https://www.boston.com/news/national-news/2013/01/03/beate-gordon-long-unsung-heroine-of-womens-rights-in-japan-dies/>.

Gordon, Beate Sirota, Susan J. Pharr, Barbara Molony, and Sally Hasting. 1998. "Celebrating Women's Rights in the Japanese Constitution." *U.S.-Japan Women's Journal*. English Supplement, no. 14: 64–83. <https://www.jstor.org/stable/42772126>.

GOV.UK. "Equality Act 2010: Guidance." Accessed October 23, 2023. <https://www.gov.uk/guidance/equality-act-2010-guidance>.

Gottfried, Heidi, and Laura Reese. 2003. "Gender, Policy, Politics, and Work: Feminist Comparative and Transnational Research." *Review of Policy Research* 20 (1): 5. <https://deepblue.lib.umich.edu/bitstream/handle/2027.42/75182/1541-1338.d01-2.pdf>.

Horiguchi, Etsuko. 2004. "Sekushuaru Harasumento ni tsuite." *The Annals of Legal Philosophy* 2003: 32–42. (in Japanese). <https://doi.org/10.11205/jalp1953.2003.32>.

Huen, Yuki W. P. 2007. "Workplace Sexual Harassment in Japan: A Review of Combating Measures Taken." *Asian Survey*, no. 5 (September/October): 811–827. University of California Press. <https://www.jstor.org/stable/10.1525/as.2007.47.5.811>.

Impactly, a Vector Solutions company. 2023. "Sexual Harassment Outside Work: What You Need To Know." Accessed October 23, 2023. <https://getimpactly.com/sexual-harassment-outside-work-what-you-need-to-know>.

Ito, Kazutaka. 2012. "Report: Japan Ranks 101st in the World in Gender Equality." *Asahi Shimbun*, October 25. In Nemoto, Kumiko. *Too Few Women at the Top: The Persistence of Inequality in Japan*. 1st ed. Cornell University Press.

Itochu Corporation. n.d. "Code of Ethical Conduct." Accessed May 29, 2024. https://www.itochu.co.jp/en/about/ethical_conduct/index.html.

Japan Institute for Labour Policy and Training. 2009. "Sexual Harassment." In Nemoto, Kumiko. 2016, p. 210.

Morley, Patricia. 1999. *The Mountain Is Moving: Japanese Women's Lives*. Vancouver: University of British Columbia Press. Accessed October 23, 2023. https://archive.org/details/mountainismoving0000morl_n4z2.

Ministry of Health, Labour and Welfare. 2004. "Josei rōdō ni kansuru omo na saibanrē, 2004." Accessed May 21, 2024. (in Japanese) <https://www.mhlw.go.jp/shingi/2004/10/s1007-6a.html>.

Muta, Kazue. 2008. "The Making of Sekuhara: Sexual Harassment in Japanese Culture." In *East Asian Sexualities: Modernity, Gender and New Sexual Cultures*, edited by Stevi Jackson, Liu Jieyu, and Woo Juhyun, 52–68. London: Macmillan.

Nemoto, Kumiko. 2016. *Too Few Women at the Top: The Persistence of Inequality in Japan*. 1st ed. Cornell University Press.

Obata, F. 2021. "The Law to Prevent 'Power Harassment' in Japan." *Japan Labor Issues* 5 (28): 23–36. In Swee-Lin Ho. Accessed April 2, 2024. <https://www.jil.go.jp/english/jli/documents/2021/028-04.pdf>

Ogawa, Hiromasu, Harold Godsoe, and Moeko Takeda. n.d. "Advice from Japan's Law Against Power Harassment." Accessed April 2, 2024. <https://www.kojimalaw.jp/en/articles/0003>.

Osawa, Mari. 2000. "Government Approaches to Gender Equality in the mid-1990s." *Social Science Japan Journal*, no. 1 (April): 3–19. Oxford University Press. <http://www.jstor.com/stable/30209275>.

Percy Hughes & Solicitors. n.d. "Sexual Harassment and Discrimination in the Workplace – A Guide for Employers." Accessed April 14, 2024. <https://www.phrsolicitors.co.uk/legal-services-for-businesses/for-employers/resources/sexual-harassment-discrimination-in-workplace>.

Prime Minister's Office. n.d. "Henkaku to sōzō: Hashimoto kaikaku no mutsu no kaikaku." Accessed January 28, 2022. (in Japanese) <http://www.kantei.go.jp/jp/kaikaku/index.html>.

Rogers, Jackie K., and Kevin D. Henson. 1997. "Hey, Why Don't You Wear a Shorter Skirt: Structural Vulnerability and the Organization of Sexual Harassment in Temporary Clerical Employment." *Gender & Society* 11 (2): 234. Accessed January 28, 2022. <https://journals.sagepub.com/doi/abs/10.1177/089124397011002005>

Salganik, Matthew J., and Douglas D. Heckathorn. 2004. "Sampling and Estimation in Hidden Populations Using Respondent-Driven Sampling." *Sociological Methodology* 34 (1): 193–240. <https://doi.org/10.1111/j.0081-1750.2004.00152.x>.

Sedláková, Renáta. 2014. *VÝZKUM MÉDIÍ: Nejužívanější metody a techniky*. Praha: Grada Publishing, a.s.

Swartz Swidler, LLC. 2024. "What Are The Penalties for Sexual Harassment?." Accessed March 30, 2024. <https://swartz-legal.com/employment-law-resources/penalties-sexual-harassment/>.

Takahara, Hiromitsu. 2020. "Judgment and Orders: Legal Liability Regarding Power Harassment and the Scope of That Liability: The Fukuda Denshi Nagano Hanbai Case [Tokyo High Court 2017.10.18]." *Japan Labor Issues* 4 (21): 7–13. Accessed April 2, 2024. <https://www.jil.go.jp/english/jli/documents/2020/021-02.pdf>.

TELL Japan. 2024. "Sexual Abuse Resources." TELL In-Person and Online Counseling. Accessed June 25, 2024. [https://telljp.com/resources/sexual-abuse/#:~:text=Sexual%20Assault%3A%20unwanted%20sexual%20contact,\)%2C%20is%20forced%20sexual%20intercourse.](https://telljp.com/resources/sexual-abuse/#:~:text=Sexual%20Assault%3A%20unwanted%20sexual%20contact,)%2C%20is%20forced%20sexual%20intercourse.)

Tsunoda, Yukiko, and Mariko Muro Yokokawa. 1993. "Sexual Harassment in Japan: Recent Legal Decisions." *U.S.-Japan Women's Journal. English Supplement*, no. 5: 52–68. University of Hawai'i Press on behalf of International Institute of Gender and Media. <https://www.jstor.org/stable/42772060>.

U.S. Equal Employment Opportunity Commission. n.d. "Sexual Harassment." Accessed October 23, 2023. <https://www.eeoc.gov/sexual-harassment>.

UNISON. 2020. "Sexual harassment is a workplace issue." Accessed April 14, 2024. <https://www.unison.org.uk/content/uploads/2020/02/25965-1.pdf>.

Vogel, Ezra F. 1963. *Japan's New Middle Class: The Salary Man and His Family in a Tokyo Suburb*. Berkeley: University of California Press. 4–22. <https://archive.org/details/japansnewmiddlec0000voge/page/22/mode/2up?view=theater>.

Vogel, Suzanne Hall. 2012. "Japanese Society under Stress." *Asian Survey* 52 (4): 687–713. University of California Press. Accessed May 1, 2024. <https://www.jstor.org/stable/10.1525/as.2012.52.4.687>.

Wilson, Fiona, and Paul Thomson. 2001. "Sexual Harassment as an Exercise of Power." *Gender, Work, and Organization* 8 (1): 67.

Workplace Harassment Research Institute. n.d. "Sekushuaru harasumento." Accessed January 30, 2022. (in Japanese) <http://www.harassment.jp/sexual.html>.

Yoshino, Kosaku. 2012. *Cultural Nationalism in Contemporary Japan: A Sociological Enquiry*. London: Routledge. Accessed February 15, 2023. <https://www.taylorfrancis.com/books/mono/10.4324/9780203973455/cultural-nationalism-contemporary-japan-kosaku-yoshino>.

Yukihiro, Maruo. 2012. "The Development of Antidiscrimination Law in Japan." In *Gender and Law: Theory, Doctrine, Commentary*, edited by Frances Olsen, Marsha Freeman, and Cathy Albisa, 763–75. Aspen Publishers.

Zainichi Korean Women's Association in Japan. n.d. "Sexual Harassment Cases for Foreign Workers and Responses by the Police and Labor Administration." Accessed May 6, 2024. <http://www.kankoku.or.kr/.Attachments>

List of Attachments

1. Fukuda
2. Kankan
3. Konparu
4. Momoko
5. Nakagawa
6. Rihito
7. Shōko
8. NDA