
Abolishing Scarlet Letters: A Frame Analysis of Adultery News Coverage in Korea, 1990-2015

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Abstract: Marital infidelity is considered to be abnormal around the world and often becomes an object of social stigma. In South Korea, the criminal penal code prohibited sexual activity outside of marriage to preserve social stability. However, in February 2015, the Constitutional Court abolished the adultery law. This study uses a frame analysis to examine how the Korean news media reported on adultery between 1990 and 2015. Research found that adultery news stories increased with celebrity involvement in extra-marital affairs, as well as during the constitutional deliberations to remove the adultery law in the Korean Penal code. The current study also found that morality and human-interests frames were frequently employed in the articles.

Keywords: news frames, adultery, de-criminalization, South Korea

“From this intense consciousness of being the object of severe and universal observation, the wearer of the scarlet letter was at length relieved, by discerning, on the outskirts of the crowd, a figure which irresistibly took possession of her thoughts” (Hawthorne, 1850).

Introduction

Adultery has long been an object of social stigma throughout the world. Beyond social stigmatization and moral criticism, it is treated as an object of criminal punishment in some countries. In South Korea, for instance, the criminal penal code prohibits sexual activity outside of marriage to preserve social stability. However, in February 2015, the Constitutional Court abolished the adultery law. Korean society has a long history of sexual double-standards in both their criminal and civil codes, as have many Asian countries. Extramarital sex on the part of a male was excusable unless the sexual relations involved another man’s wife. However, female extramarital affairs were subject to legal punishments (Black & Jung, 2014; Cho, 2002; Fuess, 2014).

Supporters for the abolishment of the criminalization of adultery argue that adultery laws promote blackmail and extortion (Feinberg, 2012). They further argue that the laws are outdated, sexist, ineffective, and an unconstitutional regulation of private consensual behavior (Jones, 1998; McKinney, 2005). In spite of the social outrage against criminal punishment for extra-marital sex, Korean courts continued to support the criminal code in the name of social

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stability and protection of vulnerable females. The Korean Constitutional Court has considered the constitutional legality of adultery law five times in the last three decades, but the Court repeatedly dismissed all prior petitions on the grounds that abolishing the adultery penalty challenged the social order and the family system (Black & Jung, 2014; Cho, 2002).

Not only did the courts maintain the existing social status quo, but the news media played the role of “agents of social control” (Althusser, 1971; Altschull, 1984). As a social institution, the media contributed to both sharing stability and shaping morality, which are the core values of any dominant culture. Through a process of recurring selection, emphases, and omission, media frames are transferred to the public (Entman, 1993; Gamson, 1992). Therefore, it is important to examine news frames because they reflect how the media and its journalists think about issues.

By employing frame analysis techniques, the current study examines how Korean news media reported the issues of adultery from 1990-2015 when the Korean Constitutional Court engaged in discussions on the decriminalization of adultery regulations in the Criminal Act (Cho, 2002; Lee, 2016). Specifically, the Court deliberated the issue in 1990, 1993, 2001, 2008, and 2015; they dismissed efforts to repeal in all but 2015. Conducting a frame analysis of adultery is an ideal method to examine how Korean society and the Korean media treated the issue. This study analyzes the news coverage of adultery from six major Korean newspapers in terms of their ideological stances: two conservative newspapers, two liberal papers, and two religious-affiliated papers.

Stoning Adulterer in a Korean Context

Although sexual desire is a basic human instinct, many societies enforce adultery laws that protect sexual morality and maintain the family system. Issues related to sexual morality, such as adultery and prostitution, are examined in terms of social and cultural norms within a society. Adultery has been a criminal act in many countries where religious traditions are influential in society. Specifically, many Asia-Pacific countries have criminal sanctions on adultery, including Burma, Cambodia, China, Indonesia, Korea, Laos, Malaysia, Papua New Guinea, Philippines, and Taiwan (Black & Jung, 2014).

Adultery is legally defined as “consensual heterosexual intercourse between a married person and non-spouse others” (Frank, *et al.*, 2010; 875). However, recent legislation on same-sex marriage in Western countries demands that same treatment for same-sex marriage and opposite-sex marriage, which extends the definition of adultery beyond hetero-sexuality (Hosie, 2017; Volokh, 2015). Considering that adultery laws punish all extramarital sexual relationships, the term ‘adultery’ seems to be a gender-neutral concept. Although the penal code encompasses the crime being committed to either sex, this practice unequally treats male and female adulterers in many societies. Specifically, females are punished for adultery more harshly than males (Fuess, 2014).

Punishing adultery in a Korean context may trace back to the Chosun Dynasty (1392-1897) which punished both male and female adulterers. Husbands were allowed to kill the adulterous wife and her partner if the husband caught them engaged in adulterous acts (Black & Jung, 2014; Cho, 2002). Paradoxically, the fact that society acknowledged concubines shows that they imposed the majority of sanctions on married females and unmarried males. Thus, the transgressions of married women were subject to scrutiny, while married men became subject to chastisement only when having relations with the wife of another man (Fuess, 2014).

The Japanese Empire ruled the Korean peninsula from 1910 to 1945. According to the Japanese Penal Code, married female adulterers and their partners could be punished based on the husband’s accusations (Cho, 2002). After their emancipation from Japan and experiences

of the Korean War, the adultery law in the Korean Penal code (KPC) was reinstated in 1953. In spite of arguments to de-criminalize adultery, the Korean National Assembly maintained adultery as a criminal act citing the protection of women and morals in society as the cause. Specifically, emphasizing the criminalization of adultery stabilized the sexual morals in Korean society and protected marriage and family institutions (Cho, 2002). To some extent, the criminalization of adultery also reflected on Korea's wish to expel Japanese lewd sexual mores established under Japanese colonial era (Delman, 2015).

Similarly, Korean feminist groups favored the punishment of extramarital affairs in Article 241 of the KPC in the name of minority protection. Since women were considered a social and economic minority, abolishing criminal adultery was a symbolic and psychological shield to protect helpless women (Cho, 2002). To some extent, the adultery law was effective. In a male-dominated society like Korea, divorced women were disgraced, while their male counterparts were not. In this vein, a fear of imprisonment prevented many husbands from philandering (Hailji, 2015).

Ironically, together Confucianism and women's rights advocates in Korea opposed abolishing adultery laws (Black & Jung, 2014). The constitutionality of Article 241 of the KPC has been challenged five times in the past 30 years for its alleged violations of the rights of sexual freedom and to pursue happiness. However, the Constitutional Court repeatedly declared that the crime of adultery fitted the spirits of the Korean Constitution in 1990, 1993, 2001, and 2008 and dismissed efforts to have it repealed. Upon the fifth deliberation on the issue, the adultery code as the traditional conservative norm was removed in 2015. The Court's decision in 2015 reflects a shift in social trends. In a 1991 survey, 73.2% of respondents favored keeping the adultery law in the name of preserving family, social order, and family safety (Cho, 2002). Another survey conducted in 2008 found that 69.5% of the 500 respondents disagreed with abolishing the adultery law (Lee, 2008). However, 63.4% of 2000 respondents objected to jailing adulterers, and 36.6% supported imprisonment for adultery in a 2014 survey (Park *et al.*, 2014). Moreover, the survey found that 36.9% male and 6.5% female respondents had extramarital sexual relations in their marriages. Korean societal mores have changed, and people are more tolerant of their spouse's adultery, and punitive sanctions are no longer in the majority.

In 2015, the Constitutional Court announced that the public conception of adultery was not in line with the penal code, and "Maintaining a marriage and family should depend on individuals' free will and love" (Kim & Lee, 2015). Even though the abolition of the adultery law exempts adulterers and adulteresses from criminal conviction, this does not mean they can avoid all legal responsibility. Namely, they are still subject to civil damage suits. To some extent, removing adultery from the criminal punishment might reflect a global trend to protect the individual rather than the collective (Frank *et al.*, 2010).

Adultery often draws attention from the media. The media's attention to extramarital affairs involving celebrities, political figures and in crimes has increased. Journalists tend to follow the newsworthiness of adultery according to social impact, timeliness, negativity, unexpectedness, human interest, celebrities, and so on (Galtung & Ruge, 1965; Harcup & O'Neill, 2001). Constitutional deliberation of adultery is regarded as an event with social impact and timeliness. In this vein, the news media pays special attention to adultery when constitutional deliberations of adultery are underway.

Frames in News Media

In reporting, journalists employ certain frames that present events and issues in a particular way (Neuman, Just, & Crigler, 1992; Tuchman, 1978). At the same time, audiences'

interpretation of the events and issues depends on how the news is framed (Entman, 2004). Thus, the news media defines frames as “persistent patterns of cognition, interpretation, and presentation, of selection, emphasis, and exclusion, by which symbol-handlers routinely organize discourse, whether verbal and visual” (Gitlin, 1980, p. 7). Similarly, Gamson and Modigliani (1987) argued that the frame is “a central organizing idea or story line that provides meaning to an unfolding strip of events, weaving a connection among them” (p. 143). In order to provide meaning in a simplistic way, highlighting and excluding some facets of events or issues is inevitable (Entman, 2004).

In encoding and decoding frames, cultural and social factors should be considered (Goffman, 1974; Ettema, 2005). Goffman (1974) believed that news messages consist of a set of beliefs shared by the members of a society. Thus, frames are “a central element of its culture” (p. 27), which renders something meaningless into something meaningful. Ettema (2005) also considered news framing as a process of crafting cultural resonance. He further determined that “News must be framed not only to make certain facts and interpretations salient but also to resonate with what writers and readers take to be real and important matters of life” (p. 131). Thus, the definition of media framing is a way for the media to present issues and help the audience, as a cultural entity, to understand, interpret, and evaluate the issue. Specifically, social and cultural contexts are associated with framing when the issues relate to a public nuisance or a moral topic, such as prostitution or adultery (Van Brunshot, *et al.*, 1999; Slattery, 1994). By reporting the issue as a form of sensational news, news media conveys the morals of a community and plays a role in the maintenance of a community’s moral boundaries (Slattery, 1994).

Whose frame?

Framing begins with selecting sources and defining an issue (de Vreese, 2005). Since a journalist cannot observe every event firsthand, they must rely on others for information. Therefore, the description of facts and the interpretation of reality is dependent on the sources, and since the messages are inevitably consistent with the sources preferred frames (Hallahan, 1999), journalists often follow the frames of those sources. In this perspective, the source often becomes a frame provider (Gamson, 1992).

Furthermore, the sources often strategically attempt to maneuver the frames to attain their political and communication goals (Gamson, 1992; Pan & Kosicki, 1993). Specifically, if an event relates to a legal dispute, the corresponding parties make every effort to report their frames to the media. Although journalists function as the gatekeepers, they often play passive roles as transmitters (Campell, 2004). Thus, Tankard (2003) regarded the selection of sources and quotations as the key elements in the identification of frames. Similarly, Shal *et al.* (2002) argued that sources could be cues for the dominant frames. Thus, the relationship between the sources and the frames puts forward the following question:

RQ1: Who are main sources of the adultery reports and how were they different depending on news outlets and news frames?

Thematic and episodic presentation

An emphasis on the role of the sources does not mean that the role of the journalist and editor is passive. As a result, the role of the media is more active because they can choose the ways to present the news. As general news presentation devices, the thematic and episodic frames closely connect with the attribution of responsibility (Iyengar, 1990). Defining responsibility for a social problem is central to the news making process because it shapes public concern which shapes laws and policies. Iyengar (1990) determined that the function of the news media is to shape people's perceptions about who is responsible for specific social problems.

A dichotomized view of an individual problem versus a social problem describes a social problem. After analyzing the U.S. metropolitan news media, Kim and Willis (2007) found that personal causes and solutions significantly outnumbered the societal attributes of the responsibility to report public moral issues. Likewise, the media prefers to approach the reporting of prostitution as an individual persons' problem rather than a societal problem (Kovaleski, 2006). By criticizing problematic individuals, the media regards society as healthy in general with the exception of those involved in adultery. Thus, the following question can be put forward:

RQ2-1: Between thematic and episodic frames, which frame was more frequently employed in reporting adultery?

RQ2-2: who were the main sources in thematic and episodic frames?

The dominant frames regarding Adultery

Beyond news presentations, it is important to explore the general constructs of news story content. Several dominant news frames are discussed as representative examples of generic frames, which are applicable to any topic (de Vreese, 2005). By contrast, context or issue-specific frames indicate those which are pertinent to only specific contexts or issues. Neuman, Just and Crigler (1992) identified four dominant frames in U.S. news coverage: conflict, economic consequences, human impact, and morality. These four frames closely associate with traditional news values: conflict, deviance, consequence, and human-interest (Price, Tewksbury, & Powers, 1997; Shoemaker, Danielian, & Brendlinger, 1991). Likewise, Semetko and Valkenburg (2000) confirmed that the prevalence of the four frames in European media dealt with European meetings composed of governmental heads of the EU countries. They further analyzed the "attribution of responsibility" to Neuman and friends' (1992) frame categories.

The frame analysis relies on a single type of frame that may not reveal the media biases used to report certain issues (de Vreese, 2010). Thus, the combinational analysis of two or more types of frames more effectively illustrates the media's portrayal of issues. Since the generic frames for both the thematic and episodic frames deal with news story presentation, they combine easily with other frames. For example, An and Gower (2009) found that among the five generic frames suggested by Semetko and Valkenburg (2000), morality, human interest, and attribution of responsibility frames were used more with episodic frames rather than with thematic frames. Based on these studies, the researcher puts forward the following research questions:

RQ3-1: Among the five generic media frames, which ones are most frequently employed in reporting adultery?

RQ3-2: How does the frequency of main frames in reporting adultery correspond to the frequency of the thematic and episodic frames?

Valenced news frames

News frames are utilized when journalists have a certain slant or bias on an issue and induce others to see from their point of view (Entman, 2007). Thus, another important examination of news coverage relates to the media's attitude toward a certain issue. In this vein, de Vreese and Boomgaarden (2003) suggested using *valenced news frames* which analyze whether media frames are "indicative of 'good and bad' and (implicitly) carry positive and/or negative elements" (p. 363). They also illustrated how the European media portrayed consequences of EU summits as either advantageous or disadvantageous and the relationship between the valenced news frames and public support for EU enlargement.

Similarly, Shah and his colleagues (2002) discovered three frames used to document the Clinton's sex scandal with Lewinsky in 1998: 'Clinton behavior scandal (Clinton's efforts to avoid discussing his relationship with Lewinsky)', 'Conservative attack scandal (the actions of Republican elites)', and 'Liberal response scandal (the defense of Clinton and Democrats).' These frames inherently valenced and took the sides of both Republicans and Democrats. In making judgments, the manner in which the information is framed is important, because people's evaluations tend to be more favorable when a key attribute of an object or people is framed positively rather than negatively (Levin & Gaeth, 1988).

Similarly, Uysal and Inac (2009) examined the Turkish media's news coverage of adultery disputes in 2004 from three stances: positive, negative, and neutral perspectives on banning adultery. In 2004, Turkey pushed to join the European Union by removing the adultery penal. Uyal and Inac (2009) found that the Islamic media had a more favorable attitude toward banning adultery than the mainstream media because of their religious convictions. Similarly, Schuck and de Vreese (2006) coded *valenced news frames* of EU enlargement with 'positive', 'negative', and 'neutral' or 'balanced' in order to examine the effect of *valenced news frames*.

As a result, this study discusses whether news reports criminalizing adultery in Korean slanted toward a certain perspective.

RQ4: How are valenced news frames regarding adultery presented between positive or negative stances?

Frame changes in a longitudinal scheme

One interesting question is: how have Koreans' public perceptions changed over the last 26 years? If media is a reflection of social and moral trends in a society, the media may report the issues in line with public trends. Downs (1972) determined that media and public attention to issues cycles through 3 stages: emerge, gain public interest, and fade away. Brimeyer, Muschert, and Lippman (2012) found that the volume and core frames of layoffs in the U.S. were different from 1980-2007. Similarly, Trumbo (1996) found that the media salience and framing of climate change fluctuated over time. As a result, public perception of global warming as a serious issue differs due to the volume and framing of news coverage. Specifically, media coverage more powerfully affects policy makers, rather than the public in general (Trumbo, 1996). Thus, it is important to understand how the valenced news frames of adultery in Korean news media evolved and changed over time. Based on the preceding information, the following question can be posed for this study:

RQ5: Have the valenced news frames concerning adultery changed over the 26 years from 1990-2015?

Methods of Research

Sample selection

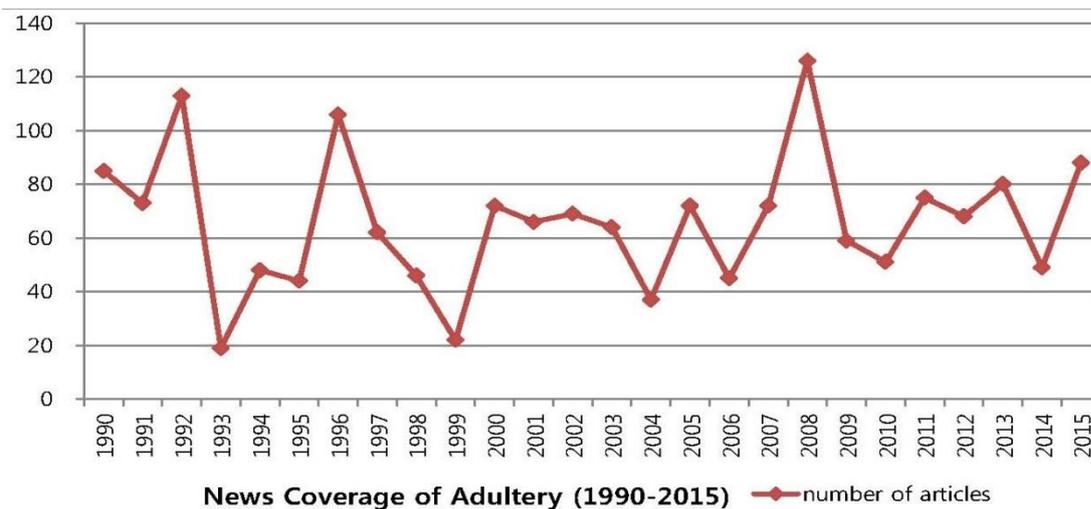
The current study began by selecting newspapers to identify news frames regarding adultery coverage. South Korea has ten nationwide newspapers and all ten newspapers have been published in Seoul metropolitan area (Korean Press Foundation, 2016). Among them, the researcher selected four newspapers for content analysis due to their ideological differences: *The Chosun Daily*, *The Joongang Daily*, *The Hankyoreh Daily*, and *The Kyunghyang Daily*. Based on the ideological spectrum, *The Chosun Daily* and *The Joongang Daily* are representative of conservative papers, while *The Hankyoreh Daily* and *The Kyunghyang Daily* are representative of left-leaning papers (Korea Press Foundation, 2016; Kwak, 2012). Additionally, two newspapers (*The Koomin Daily* and *The Segye Daily*), closely related to religious groups, were chosen because marital infidelity or committing adultery is inversely associated with religiosity (Burdette, et al., 2007). The Full Gospel Church, one of Korea's mega churches with 480,000 members, publishes *The Koomin Daily*. The Unification Church and the late Reverend Moon founded *The Segye Daily*. Moon's family currently owns the newspaper company.

Samples and unit of analysis

Using the newspapers' websites, the current study searched for adultery-related newspaper articles from these papers, limiting the news stories to those that appeared after January 1990 and before March 15, 2015. The search included articles using the terms: "adultery," "extramarital sex," "love affair," and "sexual infidelity." The period was set because of the Korean Constitution Court deliberated by the constitutionality of the adultery regulations from 1990 to 2015 (Cho, 2002; Lee, 2016). The search results yielded 1711 stories used for analysis. Since the unit of analysis is the individual news article, 1711 analysis units composed this study.

As Figure 1 indicates, news coverage of adultery fluctuated during the study period of 1990- 2015. Surges of more than 100 adultery articles in a year occurred three times within the period of 1990- 2015 (See, Figure 1). The first surge of media coverage began in 1992, the second in 1996, and the last was in 2008. Considering the constitutional deliberations of the adultery law in the Korean Penal code were processed in 1990, 1993, 2001, 2008 and 2015, the figure 1 shows that the legal disputes of adultery criminal law itself did not much explain the adultery-related article surges.

Figure 1: The Volume of Adultery News Coverage from 1990-2015



Coding categories

The current study coded articles for several different variables. For the first variable, *news format*, the coders determined whether the article was a news report or opinion piece. The coder considered the article as opinion piece if the article appeared in an op-ed section or editorial section. Coders also determined whether the stories were about a *criminal case*, *civil case*, *legislation disputes*, *social trends*, and *the others*.

Next, the coder determined the types of adultery, decided by the sex and marital status of the adulterer and his/her partner. Finally, the coders carefully examined the articles and determined whether adultery related to other crimes such as violence, homicide or murder, blackmail, sexual crime including prostitution, and the others. This study categorized the sources as: 1) adulterer herself or himself; 2) spouse or family members of adulterer; 3) partner of adulterer; 4) police officer; 5) prosecutor; 6) court or judges; 7) lawyer or legal experts; 8) non-governmental organization; 9) man on the street; 10) professors or researchers; 11) private detective agency; 12= etc.

The study employed several categories to help identify news frames in adultery articles. As proposed by Ivengar (1990), the articles were categorized into one of two types of presentations: episodic or thematic frames. The operational definition of episodic frame is a story presented with concrete instances or specific events. Journalists employ episodic frames to make a story more compelling and to draw the readers' attention by offering a specific examples or anecdotes. The following article in *The Chosun Daily* provides an example of an episodic frame.

Actress Kim Ye-bun has been arrested on charges of adultery, the Seoul Central District Prosecutors Office said Friday. Kim is charged with three counts of extramarital intercourse with a Korean-American businessman identified as Kim at his home between April and June 2004. Kim Ye-bun started her career when she was crowned Miss Korea in 1994 (Feb. 11, 2005).

On the other hand, the thematic frames explain the issues in a broader context. Thematic frames included articles with general or abstract context. An example of this is found in a story in *The Hankyoreh Daily*:

The Constitutional Court has declared the law allowing for the prosecution of adultery cases constitutional once again. The "adultery law" has existed since 1953, for what is now more

than half a century. Many observers think its days are numbered since five justices, a majority, found the law to be constitutional, but the 5 to 4 decision does indicate that there is still considerable opposition to abolishing it. In 1990 and 1993 the vote was 6 to 3, and in 2001 it was 8 to 1 in favor of finding the adultery law constitutional (Oct.31,2008).

Based on journalistic news values, reporters tend to employ the five dominant frames identified and analyzed by Semetko and Valkenburg (2000): *conflict, human-interest, economic consequence, morality, and responsibility*. The following is the description of each of the five frames as they were used in the Semetko and Valkenburg (2000) study:

Conflict frame. News is framed as a conflict. The frame indicates the competition and conflicts among individuals, groups, or institutions, or nations (Neuman *et al.*, 1992).

Human-interest frame. News describes the individuals and groups affected by an issue. In order to capture the audience's interest, this frame personalizes, dramatizes, or emotionalizes the news.

Economic consequence frame. Reporting economic gain or loss inherently draws public attention. Thus, the media tends to the economic consequences of an individual, group, institution, or nation.

Morality frame. Through religious tenets or moral prescriptions, the media stigmatize an individual or group. This may even include the government.

Attribution of responsibility frame. This frame questions whether the responsibility of a cause or solution is attributed to the government or to an individual or group. In a context of the legal disputes about adultery, the attribution of responsibility frame is often associated with cause of divorce.

The current study also examined valenced news frames toward criminalizing adulterers: positive or negative. Positive valenced frame which is against crime of adultery can be discussed with 1) maintaining spousal fidelity and 2) a shield for protecting women. In contrast, abolishing criminal adultery can be favored in terms of 1) the general trend in the developed world, 2) worries over excessive state intervention into private matters, 3) criminal adultery often being associated with other crimes, and 4) skepticism on protecting the family system and protecting women with adultery law (Cho, 2002).

Inter-coder reliability

Two graduate students majoring in journalism participated in coding the 1711 stories. The coders first trained on detailed code protocol (*see* the Appendix). Next, they coded 20 articles and compared their coding sheets, checking for discrepancies. The coders repeated the procedure twice until the minimum coefficient of the inter-coder reliability reached over 0.80 before coding the real sample. They conducted content analysis of 120 stories (7%) among 1711 stories. The inter-coder reliability using *Cohen's Kappa* statistic yielded a coefficient of 0.88 (main sources), 0.89 (types of adultery), 0.95 (adultery-related crimes). In addition, the coefficients of frames were 0.84 (the dominant frames), 0.88 (thematic and episodic frames), 0.86 (valence frames on adultery), 0.86 (rationale for negative valence), and 0.85 (rationale for positive valence). The overall inter-coder reliability was 0.88, and lowest coefficient was found in the five generic frames (0.84) and the highest one was found in adultery-related crimes (0.95).

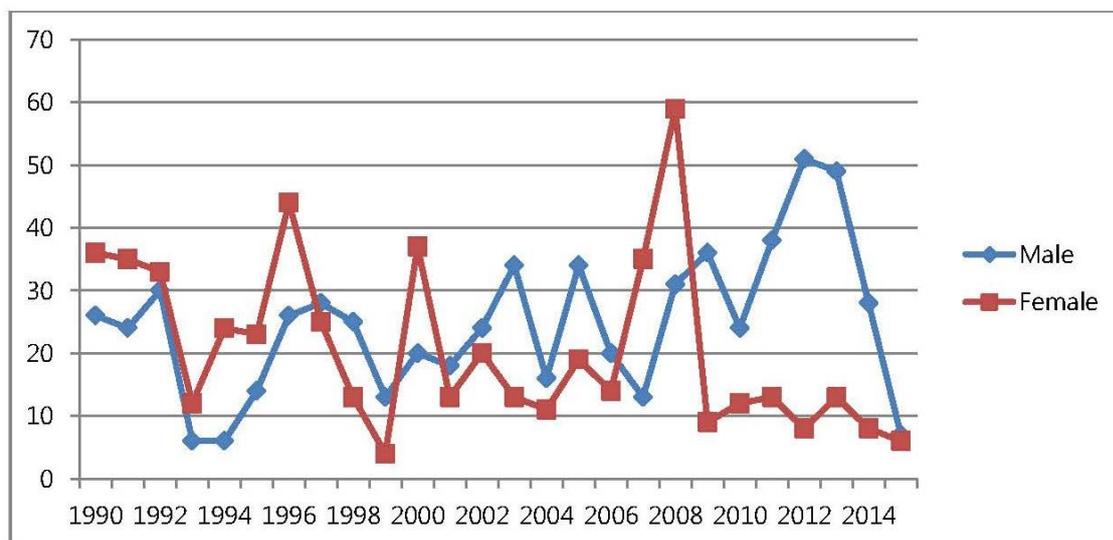
Findings

Characteristics of adultery news coverage

Among 1711 adultery-related stories, 1161 stories (67.9%) were news reports and 550 (32.1%) stories were opinion or editorials. The majority of the adultery's patterns concerned married-males and unmarried females, 379 stories (22.2%). The researchers assessed 260 articles concerning married females and unmarried males (15.2%). Then 160 cases involved both married males and married females (9.4%). Finally, 864 cases (50.5%) did not contain information describing the sex or nature of the relationships between the individuals involved. Moreover, 482 stories (28.2%) were related to other crimes such as homicide (10.5%), blackmail (8.9%), violence (2.7%), prostitution (0.6%), and others (5.5%).

The question of who committed adultery in news coverage may disclose how media consider the issue. Among the 1711 adultery-related articles, adultery committed by a married-male (641 articles, 37.5%) was more frequently reported than adultery committed by married-female (539 articles, 31.5%). Additionally, 531 articles (31.0%) did not identify the sex of the adulterer. Interestingly, the first half of the study period (1990-2002) had more frequent female-adulterer articles than male. On the contrary, second half period (2003-2015) contained more male-adulterer reports than female ($\chi^2 = 40.629$, $p < .001$, See, Figure 2).

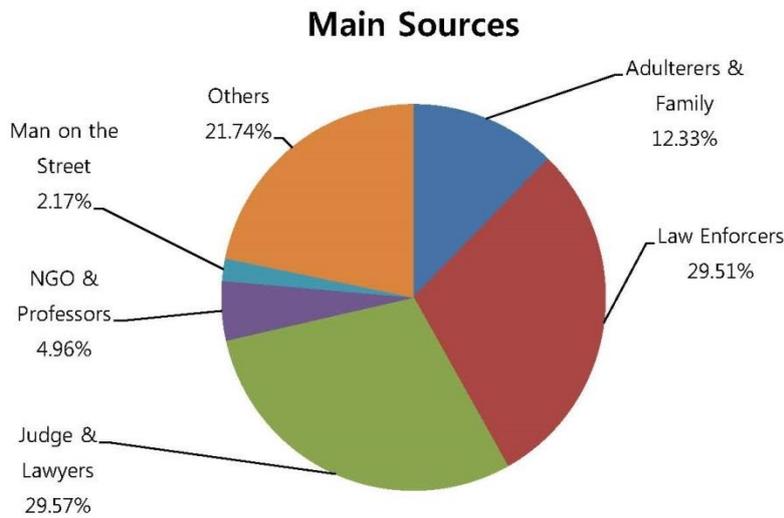
Figure 2: The Adulterers in News Coverage from 1990-2015



The Main sources of stories

The first research question addressed the main sources. Results of the main sources from each news story are in the Figure 3. As expected, law enforcers (29.51%) or courts (29.57%) as main sources dominated over other sources. Six of the ten stories were in the process of legal sanctions from sources such as police officers, prosecutors, lawyers, and judges. This may reflect that reporters identified extramarital affairs in the process of criminal punishment. By contrast, the adulterers, their partners, and family members, including spouses, amounted to 12.33% of total main sources.

Figure 3: Main Sources



Although news outlets depend heavily on law enforcement such as policemen and prosecutors and judges and lawyers, their percentages ranged from 52.5% (*The Chosun Daily*) to 67.3% (*The Segye Daily*). Specifically, *The Segye Daily* had a high percentage of law enforcers as their main sources than did other newspapers. At the same time, *The Joongang Daily* and *The Kyunghyang Daily* had more quotations from NGOs and professors at universities than did the other newspapers.

Episodic and thematic frames

The second research question inquired about the application of episodic and thematic frames in news presentation. Table 2 indicates that although 82.1% of the reports employed episodic frames ($x^2 = 21.922$, $df = 5$, $p < 0.01$), the use of episodic frames increased in certain media outlets such as *The Chosun Daily*, *The Kookmin Daily*, and *The Segye Daily*. By contrast, the proportion of thematic frames was higher in *The Joongang Daily*, *The Hankyoreh Daily* and *The Kyunghyang Daily*. Iyenger (1990) suggested that the prevalence of episodic frames may relate to individual solution by punishing the individual committers. In contrast, the thematic approach often suggests social remedies.

Table 1: *Episodic and Thematic Frames among Korean Newspapers*

	<i>Conservative Papers</i>		<i>Liberal Papers</i>		<i>Religion-related Papers</i>		Total
	The Chosun Daily	The Joongang Daily	The Hankyoreh Daily	The Kyunghyang Daily	The Kookmin Daily	The Segye Daily	
Episodic Frames	262 (86.5%)	197 (76.4%)	197 (81.1%)	302 (77.6%)	212 (87.6%)	235 (85.1%)	1405 (82.1%)

Thematic Frames	41 (13.5%)	61 (23.6%)	46 (18.9%)	87 (22.4%)	30 (12.4%)	41 (14.9%)	306 (17.9%)
Total	303 (17.7%)	258 (15.1%)	243 (14.2%)	389 (22.7%)	242 (14.1%)	276 (16.1%)	1711 (100%)

$$x^2 = 21.922, df = 5, p < 0.01$$

Interestingly, articles employed their sources differently, according to the thematic or episodic frames used ($x^2 = 304.443$, $df = 5$, $p < 0.01$). News articles with episodic frames used law enforcers as their most frequent sources. Specifically, the episodic frames were frequently observed when the main sources were law enforcers (98.4%), adulterers or family members (89.6%), and judges or lawyers (81.6%). For instance, out of 505 articles, which employed law enforcers as sources, 497 articles (98.4%) used episodic frames. In contrast, episodic frames were least used when the main articles sources were Non-government organization (NGO) or professors (30.6%). Similarly, when the main sources for adultery-related articles were ‘man on the street’, 53.1% of the articles used episodic frames.

Table 2: *Episodic and Thematic Frames in Terms of Main Sources*

	Adulter-er	Law Enforcer	Judges & Lawyer	NGO &	MOS	Others	Total
Episodic Frames	189 (89.6%)	497 (98.4%)	413 (81.6%)	26 (30.6%)	17 (53.1%)	263 (70.7%)	1405 (82.1%)
Thematic Frames	22 (10.4%)	8 (1.6%)	93 (18.4%)	59 (69.4%)	15 (46.9%)	109 (29.3%)	306 (17.9%)
Total	211 (12.3%)	505 (29.5%)	506 (29.6%)	85 (5.0%)	32 (1.9%)	373 (21.7%)	1711 (100%)

(NGO = Non-Government Organization; MOS = Man on the Street)

$$x^2 = 304.443, df = 5, p < 0.01$$

The Dominant frames

The third research question sought to determine a difference among newspapers in terms of dominant frames. A mix of *the morality* frame and *the human-interest* frame dominated news coverage of adultery in Korean newspapers. Table 4 shows the hierarchy of frames in terms of frame frequency, $x^2 = 37.648$, $df = 25$, $p < 0.05$. The most frequent frame was morality frame (36.3%), followed by *human-interest* frame (29.5%), and *conflict* frame (15.5%). The least frequently used frame referred to *economic consequences* (3.0%) of adultery. Notably, religion-related newspapers, such as *The Kookmin Daily* (38.8%) and *The Segye Daily* (43.5%), used *morality* frames most frequently.

Table 3: *Main Frames According to Newspaper Titles*

	Conflict	Human Interest	Morality	Responsibility	Economic Consequence	Others	Total
The Chosun Daily	38 (12.5%)	94 (31.0%)	105 (34.7%)	46 (15.2%)	17 (5.6%)	3 (1.0%)	303 (17.7%)
The Joongang Daily	45 (17.4%)	73 (28.3%)	92 (35.7%)	37 (14.3%)	9 (3.5%)	2 (.8%)	258 (15.1%)

The Hankyoreh Daily	43 (17.7%)	78 (32.1%)	83 (34.2%)	31 (12.8%)	4 (1.6%)	4 (1.6%)	243 (14.2%)
The Kyunghyang Daily	73 (18.8%)	123 (31.6%)	127 (32.6%)	58 (14.9%)	8 (2.1%)	0 (0%)	389 (22.7%)
The Kookmin Daily	32 (13.2%)	67 (27.7%)	94 (38.8%)	37 (15.3%)	7 (2.9%)	5 (2.1%)	242 (14.1%)
The Segye Daily	35 (12.7%)	69 (25.0%)	120 (43.5%)	41 (14.9%)	6 (2.2%)	5 (1.8%)	276 (16.1%)
Total	266 (15.5%)	504 (29.5%)	621 (36.3%)	250 (14.6%)	51 (3.0%)	19 (1.1%)	1711 (100%)

$\chi^2 = 37.648$, $df = 25$, $p < 0.05$

Table 5 demonstrates that the proportion of episodic frames varied among the five dominant news frames, $\chi^2 = 38.343$, $df = 5$, $p < 0.01$. Indeed, *responsibility* and *conflict* frames were mostly presented with episodic frames, 94.4% and 82.8%, respectively. In contrast, the number of episodic frames decreased when paired with *economic consequence* frame (76.5%) and *human interest* frame (77.0%).

Table 4: Main Frames According to Episodic and Thematic Frames

	Conflict	Human Interest	Morality	Responsibility	Economic Consequence	Others	Total
Episodic Frames	220 (82.7%)	388 (77.0%)	504 (81.2%)	236 (94.4%)	39 (76.5%)	18 (94.7%)	1405 (82.1%)
Thematic Frames	46 (17.3%)	116 (23.0%)	117 (18.8%)	14 (5.6%)	12 (23.5%)	1 (5.3%)	306 (17.9%)
Total	266 (100%)	504 (100%)	621 (100%)	250 (100%)	51 (100%)	19 (100%)	1711 (100%)

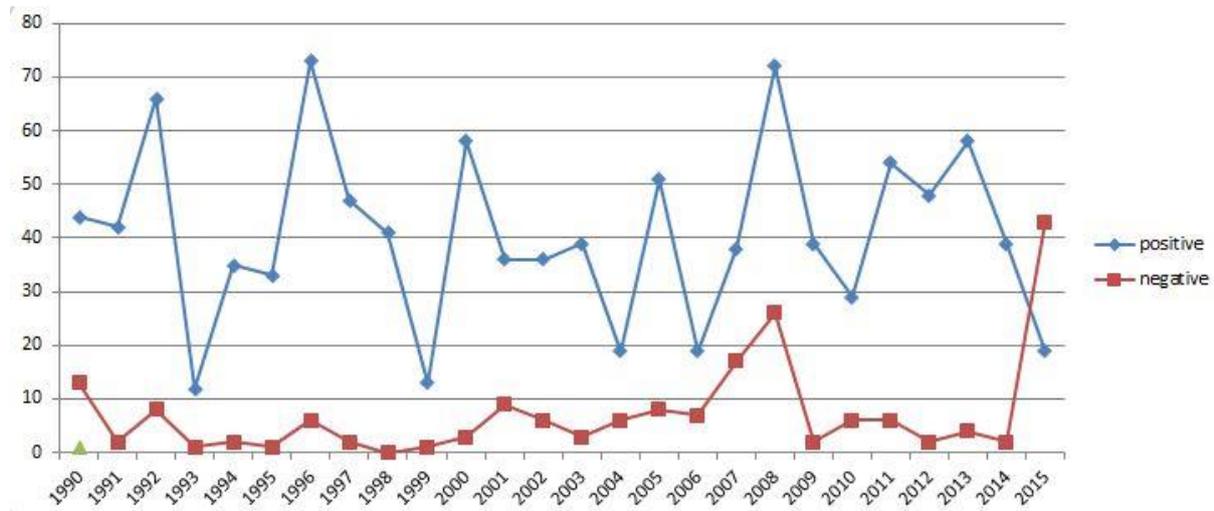
$\chi^2 = 38.343$, $df = 5$, $p < 0.01$

Valenced news frames on criminalizing adultery

Approximately one fourth (26.8%) of the total articles in this study did not express a media slant on the criminal punishment of adultery in Korean Penal Code. With the exception of 457 balanced stories, 1,246 articles (73.2%) disclosed their stances on the criminal punishment of adultery in either a positive or negative light. Among the articles, 1,060 news articles (89.1%) favored criminal punishment and 186 articles (10.9%) opposed it. Among the 1,060 positively valenced frames toward criminalizing adulterers, there were supporting criminal punishment for moral responsibility (80.8%), protection of minority in a society (7.4%), maintain social order or monogamy (11.8%) including religious belief. In contrast, among the 186 articles with negative stances toward criminal punishment, there were apprehension over public force's abuse (34.0%), privacy invasion and sexual freedom (45.4%), world trends and doubt over effectiveness (20.6%) including criticism over male dominant society.

Figure 4 shows that the valenced news frames surged in the year of 1993, 1996, 2001, 2008, and 2015 when the deliberation on criminal code was processed. In addition, the graph demonstrates that the valenced news frames on criminalizing adulterers were mostly positive until 2015 when the adultery law was abolished by the Korean Constitutional Court.

Figure 4: The fluctuations of the valenced news frames on criminalizing adultery, 1990-2015



Discussions and Conclusion

Regardless of gender, race, culture, or nationality, married people expect sexual exclusivity of their spouse. Marital infidelity is deemed bad around the world and the object of harsh criticism. Nonetheless, adultery is a widespread phenomenon in every society (Zare, 2001). In South Korea, the criminal penal code prohibited sexual activity outside of marriage to protect women as a social minority and to maintain social order. The news media serves as an agent of social maintenance, but over the last generation, Korean society witnessed the empowerment of women's rights and the dilution of sexual mores (Black & Jung, 2014).

The number of people indicted for adultery has dramatically decreased since 1985, when the Korean government first started tracking the figures. Over 53,000 Koreans were indicted on adultery charges and 35,000 jailed for the crime in 1985. The figures are down to three adultery charges and 198 individuals jailed for this offense in 2006 (Lee, 2008). In 2014, only 892 people were indicted on adultery charges and no one was jailed for this offense (Rush, 2015). Thus, the research expects that news coverage about adultery will show how the media treats the issue as well as how society views the issue. Specifically, the media frames are directly linked with how the news media defines issues, diagnoses causes, makes moral judgments, and suggests solutions (Entman, 1993). Based on frame analysis, the current study explores how Korean newspapers reported the issue of adultery from 1990-2015.

Although extramarital sex itself often becomes an intriguing story, the current study found that the volume of news stories about adultery has fluctuated over the period from 1990-2015. It is difficult to determine why journalists pick up on such stories, as there is no formula to predict news value with the exception of the "hunches" upon which journalists conventionally depend (Gans, 1979). The fluctuation of articles may relate to the Constitutional Deliberation of adultery-related criminal laws, which were highly debated at the time. At the same time, increased adultery news may be involved with famous people such as politicians, actors, and sports stars. For example, the famous actress Ock So-ri was indicted for the criminal offence of adultery and her lawsuit dominated the Korean nation's newsstands (Lee, 2008; Park, 2008).

To some extent, the criminalization of sexual intercourse between a married person and non-spouse other is characteristic of a pre-modern society, which opens up the possibility for the government to intervene in private sexual activities between individuals (Feinberg, 2012).

Nonetheless, criminal laws regulating extramarital sexual activity remain important to maintaining social order and the family system across many cultures. In Korea, even women's rights advocates have argued to maintain adultery-related criminal laws to provide vulnerable women with protection under the 'umbrella' of the law. Considering that Confucianism, which rigidly contains male-dominated philosophy, has structured Korean society over 500 years, it would appear in this instance that Confucianism and women's rights advocates are 'strange bedfellows' (Black & Jung, 2014).

The current study found that the amount of news stories about adultery increased when celebrities were involved in extra-marital affairs and constitutional deliberations of the adultery law in the Korean Penal code were processed. Specifically, valenced news frames on criminalizing adulterers surged when the legal disputes of adultery law were underway. Moreover, newspapers' slants over punishing adulterous crimes were mostly positive until 2015, at which time adultery committed by females was highly newsworthy compared to adultery committed by males. This tendency may reflect a double standard in Korean society and Korean journalists' tendency to chastise female adulterers more harshly than males.

Entman (2004) argued that framing is a process of issue selection and issue salience. Specifically, the main sources often become the framers of the news articles themselves. The main source in the study was law enforcement, such as policemen or attorneys. The fact that more than half of the main sources used in news coverage are law enforcers indicates that most adultery-related news stories come from legal proceedings, such as legal punishments or divorce suits. Considering the characteristics of adultery includes personal intimacy and secrecy, news reports may not reflect the prevalence of adultery in a society, as their documentation is only the "tip of the iceberg."

Among the five dominant frames suggested by Semetko & Valkenburg (2000), the *morality* and *human-interest* frames dominated the period of 1990-2015. Specifically, religious newspapers were more likely to employ the *morality* frame than other news outlets. Furthermore, most of the Korean news media favored the episodic frame to report issues on adultery. Iyengar (1990) determined that the high number of episodic frames reflected how the media attributed adultery to individuals rather than society. As a result, the remedy is sought at individual levels instead of societal levels. Indeed, the media has attempted to single out individuals to be blamed for adulterous acts.

Although the news media labels any involvement in adultery as bad, they blame the females involved more often than the males. Moreover, according to the news stories women were more likely involved in other crimes, such as blackmail or homicide, because the adultery committed by a husband is an ignorable deviance unless related to a crime. Additionally, attitudes toward abolishing adultery laws in the KPC changed from a negative to a positive during the period of this research. The six decade lifespan of criminal law regarding adultery ended in 2015.

Regardless of the findings, the current study has limitations. First, frame analysis is highly subjective. Although the study secured a high level of coder agreement, the inter-coder reliability does not guarantee objectivity; rather, it demonstrates that the coders meticulously followed instructions. Second, the findings demonstrate a descriptive explanation for how the news media reports on the issue of adultery. Thus, the findings do not present a direct causal relationship between the news stories and public attitudes toward adultery. Finally, the current study did not include television news stories about adultery, in spite of its vast societal and cultural influences. As a result, the portrayal of adultery in Korean newspapers only describes a small representation of news reporting. A future study must include how television news reports on the issue of adultery.

Adultery laws serve as an expression of the ideal behavior and embody social values that nations and states are willing to endorse or enforce (Fuess, 2014). In this view, Korean

criminal legislation contained effective penalties for adulterers that changed in the early 2000s when sexual liberation was widespread in Korean society, owing to globalization and the proliferation Internet technology. While rapid modernization frequently clashed with traditional conservative norms (such as Confucian philosophy) in the 1990s, Korean family and societal values continue to stabilize. As a result, the abolishment of the adultery law is a good indicator of modernization in Korean society. At the same time, the news media plays a pivotal role in redefining the issue of adultery and reconstituting societal mores related to marriage and extra-marital sex in Korean society (Frank, *et al.*, 2010).

References

- Altschull, H.J. (1984). *Agents of power: The media and public policy*. New York: Longman.
- Althusser, L. (1971). Ideology and ideological state apparatuses. In L. Althusser (Ed.), *Lenin and philosophy and other essays*. New York: Monthly Review Press.
- An, S-K. & Gower, L.L. (2009). How do the news media frame crises? A content analysis of crisis news coverage. *Public Relations Review*, 25, 107-112. [CrossRef](#)
- Black, A. and Jung, K-S. (2014). When a revealed affair is a crime, but a hidden one is a romance: An overview of adultery law in the Republic of Korea. In B. Atkin (Ed.), *The International Survey of Family Law* (pp. 275-308). Bristol, United Kingdom: Jordon Publishing.
- Brimeyer, T., Muschert, G. W., and Lippmann, S. (2012). Longitudinal modeling of frame changing and media salience: Coverage of worker displacement, 1980-2007. *International journal of communication*, 6, 2094-2116.
- Burdette, A. M., Ellison, C.G., Sherkat, D.E., Gore, K. A. (2007). Are there religious variations in marital infidelity? *Journal of Family Issues*, 28(12). 1553-1581 [CrossRef](#)
- Campbell, M. C. and Docherty, J. S. (2004). Framing: What's in a frame (That which we call a rose by any other name would smell as sweet). *Marquette law review*, 87, 769-781.
- Cho, K. (2002). Crime of adultery in Korea: Inadequate means for maintaining morality and protecting women. *Journal of Korean law*, 2, 81-99.
- de Vreese, C. H. (2005). News framing: Theory and typology. *Information design journal + document design* 13(1). 51-62. [CrossRef](#)
- de Vreese, C. H. (2009). Framing the economy: Effects of journalistic news frames. In P. D'Angelo & J. A. Kuypers (Eds.). *Doing News Framing Analysis: Empirical and Theoretical Perspectives* (pp. 187-214). New York: Routledge.
- Delman, E. (Mar 2, 2015). When adultery is a crime. *The Atlantic*, Retrieved from <http://www.theatlantic.com/international/archive/2015/03/south-korea-adultery-law-repeal/386603/>
- Downs, A. (1972). Up and down with ecology: The "issue-attention cycle." *The Public interest*, 28, 38-50.
- Entman, R. (2007). Framing bias: Media in the distribution of power. *Journal of communication*, 57. 163-177. [CrossRef](#)
- Entman, R. (2004). *Projections of power: Framing news, public opinion, and U.S. foreign policy*. Chicago: University of Chicago Press.
- Ettema, J. S. (2005). Crafting cultural resonance: Imaginative power in everyday journalism. *Journalism*, 6(2), 131-152. [CrossRef](#)
- Feinberg, J. (2012). Exposing the traditional marriage agenda. *Northwestern journal of*

- law & social policy*, 7(2). 301-351.
- Frank, D. J., Camp, B.J., and Boutcher, S. A. (2010). Worldwide trends in the criminal regulation of sex, 1945 to 2005. *American sociological review*, 75(6). 867-893. [CrossRef](#)
- Fuess, H. (2014). Adultery and gender equality in modern Japan, 1868–1948. In S. L. Burns & B. J. Brooks (Eds.). *Gender and law in the Japanese imperium* (pp. 109-135). Honolulu: [University of Hawaii Press](#).
- Gamson, W. A. (1992). *Talking politics*. New York: Cambridge University Press.
- Gamson, W. A., and Modigliani, A. (1987). The changing culture of affirmative action. In R. G. Braungart and M. M. Braungart (Eds.). *Research in political sociology* (pp. 137-177). Greenwich, CT: JAI Press.
- Gans, H. J. (1979). *Deciding what's news*. Evanston, IL: Northwestern University Press.
- Gitlin, T. (1980). *The whole world is watching*. Berkeley, CA: University of California Press.
- Goffman, E. (1974). *Frame Analysis*. New York: Harper & Row.
- Hailji (Apr 1, 2015). South Koreans and adultery. *The New York Times*, Retrieved from http://www.nytimes.com/2015/04/02/opinion/south-koreans-and-adultery.html?_r=0
- Hallahan, K. (1999). Seven models of framing: Implications for public relations. *Journal of public relations research*, 11(3), 205-242. [CrossRef](#)
- Hosie, R. (Jan. 19, 2017). Why you can't legally commit adultery if you have a gay or lesbian affair. *The Independent*. Retrieved from <https://www.independent.co.uk/life-style/love-sex/divorce-adultery-law-rules-gay-lesbian-same-sex-affairs-why-dont-they-count-a7533766.html>
- Iyengar, S. (1990). Framing responsibility for political issues: The case of poverty. *Political behavior*, 12(1). 19-40.
- Iyengar, S. and Kinder, D. R. (1987). *News that matters: Television and American opinion*. Chicago: The University of Chicago Press.
- Jones, J. (1998). Fanning an old flame: Alienation of affections and criminal conversation revisited. *Pepperdine Law Review*, 26(1), 61-88.
- Kim, R. and Lee, K-M. (Feb 26, 2015). Adultery law abolished. *The Korea Times*, Retrieved from http://www.koreatimes.co.kr/www/news/nation/2015/02/116_174228.html
- Kim, S. H. and Willis, L.A. (2007). Talking about obesity: news framing of who is responsible for causing and fixing the problem. *Journal of Health Communication*, 12(4). 359-376 [CrossRef](#)
- Korea Press Foundation (2016). *Korea Press Yearbook 2016*. Seoul: Korea Press Foundation
- Kovaleski, S. F. (2006). Speculation about foot fetishist in killings, *The New York Times*, December, 14, 2006.
- Kwak, K-S. (2012). *Media and Democratic Transition in South Korea*. New York: Routledge.
- Levin, I. P. and Gaeth, G. J. (1988). How consumers are affected by the framing of attribute information before and after consuming the product. *Journal of consumer research*, 15, 374-378 [CrossRef](#)
- Lee, B. (Mar 12, 2008). Is hanky-panky a crime? *Korea Joongang Daily*, Retrieved from http://koreajoongangdaily.joins.com/news/article/article_print.aspx
- McKinney, M. (2005). Sex or lies: A reconsideration of adultery laws. *Carceral notebooks*, 1. 111-131
- Neuman, R. W., Just, M. R., and Crigler, A. (1992). *Common knowledge: News and the construction of political meaning*. Chicago: University of Chicago Press.
- Pan, Z. and Kosicki, G. M. (1993). Framing analysis: An approach to news discourse. *Political Communication*, 10, 55-75.
- Park, S., Song, H., Ku, M., Kim, J. and Yoo, H., (2014). *Depth analysis of adultery in South*

- Korea*. Seoul: Korean Women's Development Institute.
- Park, S. (Dec 17, 2008). Actress avoids jail term for adultery. *The Korea Times*, Retrieved from http://www.koreatimes.co.kr/www/news/nation/2008/12/117_36270.html
- Rush, J. (Feb 26, 2015). South Korea abolishes 62-year-old law banning adultery- shares in condom manufacturer surge. *The Independent*, Retrieved from <http://www.independent.co.uk/news/world/asia/south-korea-abolished-62-year-old-law-banning-adultery-shares-in-condom-manufacturer-surge-10071217.html>
- Semetko, H. A. and Valkenburg, P. M. (2000). Faming European politics: a content analysis of press and television news. *Journal of communication*, 50(2), 93-109. [CrossRef](#)
- Shah, D. V., Watts, M. D., Domke, D., and Fan, D. P. (2002). News framing and cueing of issue regimes: Explaining Clinton's public approval in spite of scandal. *Public opinion quarterly*, 66(3), 339-370. [CrossRef](#)
- Slattery, K. L. (1994). Sensationalism versus news of the moral Life: Making the distinction. *Journal of mass media ethics*, 9(1). 5-15. [CrossRef](#)
- Tankard, J. W. Hr. (2003). The empirical approach to the study of media framing (pp. 95-105). In Reese, S. D., & Gandy, O. H. Jr., and Grant, A. E. (Eds.) *Framing public life*. Mahwah, NJ: Lawrence Erlbaum.
- Tuchman, G. (1978). *Making news: A study in the construction of reality*, New York: Free Press.
- Trumbo, C. (1996). Constructing climate change: claims and frames in US news coverage of an environmental issue, *Public understanding of science*. 5(3). 269-283. [CrossRef](#)
- Uysal, A. and Inac, H. (2009). The media framing of the adultery dispute in Turkey (2004). *Akademik arastirmalar dergisi*, 42, 161-179.
- van Brunshot, G. E., Sydie, R. A., and Krull, C. (1999). Images of prostitution. *Women & criminal justice*, 10(4). 47-72. [CrossRef](#)
- Valokh, E. (May 27, 2015). Adultery and same-sex marriages. *The Washington Post*. Retrieved from <https://www.washingtonpost.com/news/volokh-conspiracy/wp/2015/05/27/adultery-and-same-sex-marriages>