

CHAPTER 3

THE CHANGING FACE OF PROSTITUTION: FROM TACIT ACCEPTANCE TO ABOLITION

Even before the question of labor conditions was added to the equation, prostitution presented multiple challenges to reformers and regulators alike. The laws concerning prostitution were contradictory and poorly enforced. With much fanfare, SCAP had ended licensed prostitution and freed prostitutes from bonded contracts in January 1946. Tempering the progressive impulse behind SCAPIN-642, police officials and Home Ministry bureaucrats reassured bar owners that it targeted only involuntary and licensed prostitution. They also introduced a new, euphemistic vocabulary for the industry. In January 1946, houses of assignation (*kashizashiki*) became “places for waitress service” (*settaijo*) and prostitutes (*shōgi*) became “serving women” (*settaifu*). Then in September, the police introduced terms even more ambiguous than before: “special restaurants” (*tokuinshokuten*), “cafés,” and “waitresses” (*jokyū*). The brothel keeper with whom a prostitute lived became her “landlord.”⁵⁴ Lest there be any doubt in the minds of brothel keepers where the Japanese government stood, in November 1946, the Vice Ministers declared prostitution a “necessary evil” best kept in districts far from the public eye.⁵⁵ When the directive was promulgated as Imperial Ordinance Number 9

⁵⁴Yutaka Fujino, *Sei no Kokka Kanri* (Tokyo: Fuji Shuppan 2001), 178-180. See the Home Ministry Memorandum to the Superintendent General of the Metropolitan Police and the prefectures, issued on 20 August 1946. “Kōshō Seido no Haishi ni Kansuru Shidō Torishimari no Ken,” in *Baishun ni Kansuru Shiryō*, 21-22. Akira Murase, “Sengo Baishun Koshi,” in *Tōkyō-tō no Fujin Hogo*, ed. Tōkyō-tō Minsei Kyoku Fujinbu Fukushima (Tokyo: Tokyo-tō Minsei Kyoku, 1972) 10-11.

⁵⁵“Shishō no Torishimari Narabi ni Hassei no Bōshi Oyobi Hogo Taisaku ni Kansuru Jikan Kaigi Kettei,” reprinted in *Jinken*, Vol. 7 of *Nihon Fujin Mondai Shiryō Shūsei (FMSS)*, ed. Ichikawa Fusae (Tokyo: Domesu Shuppan, 1976-1980) 555.

in early 1947, a year's worth of maneuvering by the Japanese police and Home Ministry had rendered it meaningless.⁵⁶ Brothel keepers got a green light to operate largely as they had before.

By issuing carefully worded instructions and ever more euphemistic designations for businesses trading in sex, the Japanese authorities might have been subverting the letter of the law. They were not, however, misleading the Americans, who were concerned primarily with the spread of disease. In August 1946, Alfred Oppler of the Government Section wondered to his diary whether SCAP should ban prostitution altogether because “to impose puritan morality on this oriental nation was beyond the objectives of the Occupation and may even expose us to some ridicule.” He believed the most sound policy was to “intensify our measures for the protection of our men from venereal diseases and severely act against forced prostitution.”⁵⁷ As the Occupation progressed, SCAP did, in fact, focus on disease prevention, while responses to “forced prostitution” fell by the wayside.

In this way, the sex industry grew with tacit acceptance from both the Japanese and SCAP. To keep track of the expansion of this sector, the police began drawing colored lines around known pleasure quarters on their maps. Police generally avoided harassing “red-line” districts, which had long-standing connections to the authorities, and concentrated instead on the goings-on of the upstart “blue-line” districts.⁵⁸ Although

⁵⁶Fujino, *Sei no Kokka Kanri* 178-180.

⁵⁷Alfred C. Oppler, *Legal Reform in Occupied Japan: A participant looks back* (Princeton, NJ: Princeton University Press, 1976) 157-58.

⁵⁸Yoshikazu Nagai, *Fūzoku Eigyo Torishimari* (Tokyo: Kodansha Sensho Mechie, 2002) 71-73; Kimiya, *Tokubetsu* 28.

prostitution technically lost its legal status in 1946, the prewar licensed/unlicensed distinction lived on, courtesy of the patchwork regulations. By the mid 1950's, several hundred thousand women were thought to be working in the sex industry.⁵⁹

The year 1948 was an important milestone in the history of bondage and prostitution in Japan. As many have pointed out, the Justice Ministry introduced the first postwar legislation prohibiting prostitution in this year. But that was not all. The year witnessed developments with more immediate and arguably lasting consequences. In September the “Law to Regulate Adult Entertainment Businesses (Fūzoku Eigyō Torishimari Hō, hereafter, Adult Entertainment Law)” went into effect, replacing an assortment of police orders that had governed public morals until 1947. These had granted the police extensive powers of oversight and therefore conflicted with the guarantees of 1946 Constitution. The concept of “adult entertainment (fūzoku eigyō)” narrowed the scope of oversight to businesses that featured “waitress service (settai),” dancing, and gambling. The first two usually led to sex. Inns and public baths, enterprises connected with prostitution in the public imagination and often in fact, avoided the “adult entertainment” label. Separate legislation, also passed in 1948, dealt with these businesses.⁶⁰ By the end of the year, many of the venues for prostitution had secured legal recognition.

⁵⁹Both pro-industry and abolition supporters claimed the rather spectacular number of 500,000. More sober estimates came in closer to 100,000, excluding base town prostitutes. The true figure likely lies somewhere in between. Nihon Minshutō, “Baishuntō Shōbatsu Hōan ni Nihon Minshutō wa Naze Hantai Shita ka?,” reprinted in *FMSS*, 661; Toshikazu Yamashita, “Baishun Gyōsha no Ugoki,” *Fujin to Nenshōsha* 5, No. 11 (1957) 7-8; Fujin Shōnen Kyoku, ed., *Baishun ni Kansuru Shiryo* 14.

⁶⁰Fūeihō Nagai 64, 73; Masayoshi Honda, “Fūzoku Eigyō Torishimari hō Kaisetsu,” in Vol. 1 of *Sei Bōryoku Mondai Shiryo Shūsei Henshū Fukkokuban* (Tokyo: Fuji Shuppan, 2004) 145.