

Chapter 2

The Commodification of Sex in Modern Japan: Outdated Attitudes and Overdue Reforms

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Abstract

This chapter looks at the sex trade in Japanese society and the manner in which it has been accepted for decades, both socially and legally, as a ‘necessary evil’. This passive and disinterested tolerance of the industry’s quasi-legal state, neither banning prostitution completely nor ensuring that it follows the transparent rules and regulations expected of other industries, means that it fails to satisfy either of the primary views on transactional sex: prohibition or legalisation. The result is that the women involved in the industry are subject to various forms of exploitation and abuse that the Japanese government, by failing to take active steps to reform the industry in either direction, becomes complicit to. Shaped by personal interviews with members of the industry and the NGOs that provide them with support, the chapter provides an examination of the industry’s historical development, its portrayal in popular media and the prevailing social norms regarding the industry. It then assesses the political and legal responses to the industry and the glaring oversights that exist in their failure to provide adequate support. Finally, it considers, based upon the self-expressed interests of the women working in the industry, in what areas meaningful reform might occur.

Keywords: Japan; prostitution; sexual violence; women’s rights; sexuality; sexual norms

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The relationship between prostitution and violence is complex, nuanced and contested and in Japan this is especially true.¹ Perhaps as a result of never succumbing to the sexual stigmatisation that is common in cultures shaped by more puritanical, monotheistic religions, Japan has generally taken a pragmatic view of the commercial elements of sexual relationships. This gives it a distinct variation on what [Mulvihill \(2018, p. 223\)](#) sees as the two primary views of prostitution: one which considers transactional sex as inherently violent and a result of deep-rooted patriarchal structures of gender inequality, and another which considers it a legitimate form of enterprise which should be regulated to guarantee the well-being and rights of those involved. In the Japanese view, negative attitudes also contain an element of the sex industry representing a failure to adhere to the aforementioned Western norms, while positive attitudes consider it a necessity that contributes to broader issues of social harmony and sexual health ([Koch, 2016](#)). In this way, Japanese perspectives are not as solely focused on the effects of the industry on individual women but also on how it relates to society at a broader level.

[Mulvihill \(2018, p. 230\)](#) also refers to what she calls ‘symbolic violence’ as a form of domination embedded in everyday actions that prevents its victims from expressing grievance, due to acceptance that the system that harms them is regarded as natural, unchangeable or in some way beneficial. This is something that applies very strongly to Japan’s particular form of commercialised sex, where long-standing social perception of the industry as a natural, inevitable and even essential element of society both normalises women’s participation in the industry and weakens their ability to critique or reform it. This chapter considers the Japanese sex industry as existing in a specific limbo-state, between illegality and acceptance, that means it satisfies the desires of neither of the two main perspectives on prostitution and cannot claim to be safeguarding the welfare of the women involved.² For those who would seek to protect women by prohibiting prostitution entirely (or at least aspire to implement the Nordic Model),³ its open acceptance can be seen as a disregard for the sexual oppression of women. For those who would rather see those women protected by having the sex industry treated as a legitimate form of employment, its nebulous legality leaves those working in the industry in a tenuous and vulnerable state.

The current, poorly regulated and monitored nature of the industry can be considered to constitute a form of commercial sexual exploitation, which many governments recognise as a form of gender-based violence.⁴ The United Nations

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²Although women make up the overwhelming majority of Japan’s sex workers the industry also contains male and LGBTQ+ members and the points raised in this chapter should be considered to apply equally to these groups.

³The Nordic Model aims at decreasing the overall demand for transactional sex by making the purchase, but not the sale, of sex illegal.

⁴For example, the United States in the Abolish Human Trafficking Act of 2017, S. 1311 (115th): Section 8.3.

also considers gender-based violence to include the imposition of mental and economic harm,⁵ and the failure of the Japanese government to proactively support the mental and economic welfare of those involved in the industry should be viewed as passive and apathetic participation in an ongoing system of systemic exploitation. It has frequently been shown that those involved in prostitution and transactional sexual activities are especially vulnerable to various forms of harm, including suicide, mental and emotional health problems, sexually transmitted diseases, addiction issues, physical violence and economic coercion (Henriksen, 2020). Japan is no different in this regard and those working in the industry are often living in situations of significant precarity, whether as a result of poverty, exposure to danger, or the impact of mental and emotional harm.

Yet, even as the industry has grown in size and financial value, its workers continue to remain in such precarious economic and social states. The events of the COVID-19 pandemic beginning in 2019, in particular the Japanese government's response to the difficulties faced by sex workers, only served to highlight the extent to which their work is treated in a contradictory manner, open and semi-legal, yet held to separate standards of social acceptance. While the government itself does not list prostitution as an element of its campaign to end violence against women, its highlighting of the role of exploitation, sexual violence and stalking within both the AV (adult video) industry and the JK industry⁶ show that it has begun to examine the problems faced by sex workers.⁷ However, as yet, it has taken few steps to generate meaningful reform and it remains to be seen whether its purported support for sex workers will result in more than mere lip service. Regardless of whether such work is seen as inherently harmful to women or the legitimate independent enterprise of people expressing their economic agency, the industry as it exists now cannot be said to properly protect those involved from various forms of exploitation and abuse and those who have the power to intervene to prevent this, yet fail to do so, should be considered culpable or actively enabling any harm done.

Public Attitudes Towards Sex Work

Commodification refers to the process of treating an object purely in terms of its market value, in other words, judging it purely on the basis of what it can be sold for. Other elements of intrinsic worth, such as cultural heritage, aesthetic beauty or, in the case of people, their individual identity and fundamental rights, become relevant only insofar as they influence the potential price of the commodity in

⁵Something clear stated on the website of the UN High Commissioner for Refugees, <https://www.unhcr.org/gender-based-violence.html>.

⁶JK is short for Jyoshi Kousei (high-school girl) and refers to various enterprises related to the sexualisation of high-school girls. Although some prefectures have laws prohibiting those under 18 from such employment, even in these areas younger girls are often exploited by businesses that skirt the law.

⁷As shown on the Japanese Cabinet Office's Gender Equality Bureau page on Violence Against Women, https://www.gender.go.jp/policy/no_violence/.

question. In relation to sex, commodification means that it is stripped of other elements, whether romance, procreation or an element of marital fidelity, and is instead made purely transactional. The formal commodification of sex has a long history in Japan, stretching back to the government-sanctioned *yūkaku* (red-light districts) that included Edo's (modern Tokyo) Yoshiwara area. The sex industry grew from these initial roots to a more dispersed, varied and nebulous modern form that includes both the *mizu-shōbai* (Water Trade), consisting of night-time entertainment via clubs, bars and cabarets featuring, nominally non-sexual, female companionship, and *sei-fūzoku* (Sexual Customs), incorporating the variegated forms of direct sexual exchange. It represents a significant industry, employing hundreds of thousands of women and men, and generating billions of dollars of annual revenue (Ogiue & Iida, 2013)⁸. From love hotels and hostess clubs to soaplands⁹ and delivery health¹⁰ stores, the Japanese sex industry incorporates numerous distinct elements that exist outside of legally prohibited prostitution in a manner significantly different from more clearly delineated understandings of 'sex work' that may exist in the West.

The industry also exists in a quasi-shadow realm, cordoned off but gaudily lit. Red-light districts, such as Kabuki-chō, are clearly demarcated from the surrounding business areas but there is no effort to hide what they sell. Instead, large, colourful posters and neon signs loudly proclaim what is on offer to passers-by and potential customers. Despite its open nature, the sex industry is considered, by most, to be a disreputable career choice and associated with the criminal underworld, though government crackdowns on Japan's organised crime have made their direct influence far less than it was in the past. The sex industry is tolerated, rather than being openly accepted, and those who work in it suffer stigmatisation stemming from these social mores that only compounds the economic and physical hardships they already face (Kamise, 2013).

Public awareness of, and attitudes towards, the industry are often shaped by its representation in popular culture. Over the past century, many directors have examined the issue of sex work through film, such as Kenji Mizoguchi's *Akasen Chitai* (1956) and Shohei Imamura's *Nippon Konchūki* (1963). Imamura also examined the issue in documentary form with *Karayuki-san* (1975) through the recollection of one woman's experiences working as a sex worker in Japanese holdings throughout the Pacific during the early 1900s. Other films framed the changing nature of the sex trade in relation to Japan's shifting economic welfare, with Masato Harada's *Baunsu Ko-garusu* (1997) highlighting the rise in teenage 'compensated dating' that followed the collapse of Japan's economic bubble in the 1990s.

⁸Kindle Edition, Chapter 1, Page 1, Paragraph 2.

⁹A soapland is a sex business that uses the façade of paying to be bathed by another person as a means of evading the prohibitions against explicitly selling sexual intercourse. Any sexual acts that occur are presented as being coincidental and unrelated to the transfer of money for other services.

¹⁰Similarly, delivery health services offer out-call massage services that are presented as being physical therapy rather than the blatantly sexual exchange that they are in reality.

Movies such as these helped show changes in public understanding of the sex industry as it moved from an attitude prevalent in the 1960s which saw it almost as an extension of the male-dominated business world (Norma, 2011) to the post-bubble participation of young women as a form of sexual self-determination or even resistance against patriarchal structures (Ueno, 2003). In the interim, greater nuance has been added by works such as Penelope Buitenhuis' *Tokyo Girls* (2000), which looked at the experiences of foreign women in the industry, Itako's *Baibai Bōizu* (2017) and its examination of 'urisen', the male prostitution industry, and most recently Kana Yamada's *Taitoru, Kyozeitsu* (2019), which provided a dramatic and realistic view of women working in contemporary conditions.

The aforementioned works appeal, however, to a relatively limited audience and popular television dramas, such as *Kiken'na Aneki* (2005), *Joutei* (2007), *Hitsudan Hosutesu* (2010), have a broader reach and a larger impact in shaping public conceptions. In their examination of the reasons why the hostess industry was an attractive career option for many young women, Miura and Yanagiuchi (2008) highlighted the impact of the positive portrayals found in such dramas which frequently showed the industry to be one in which girls from poor backgrounds could find financial success and social status.

The hostess industry portrayed in these programmes is only on the periphery of the broader sex industry and comprises clubs and bars where men, and frequently women, pay to have their more social and emotional desires catered to by attractive members of the opposite sex. Although, as Allison stated, it exists 'primarily at the level of conversation' (1994, pp. 7–8), there is considerable overlap with the more explicit sex industry and workers frequently engage in sexual activity with clients (Takeyama, 2005). As such, the tendency of popular dramas to portray only the glamorous and successful elements of the hostess industry, both undersells the darker elements of the reality of sex work and promotes a distorted understanding of the industry that is only likely to reinforce the public viewpoints that were dominant during the 1980s 'Bubble' era, wherein the primary reason women engaged in sex work was considered to be as a means of acquiring pocket-money and to have fun (JCO, 1985).

It is unclear whether public perceptions have altered significantly in the interim. Thankfully, however, academics and professionals have developed a much clearer and more nuanced view of the industry and of the backgrounds of many of those involved. There is a growing awareness of the precarious existence faced by many sex workers, whether runaway teens, women in debt, single mothers, women with psychological and emotional problems, or older women lacking support networks (Nakamura & Suzuki, 2016). Many are women who have chosen to leave more superficially 'respectable' careers such as kindergarten teaching and nursing due to the low salaries and lack of economic freedom these paths offered, sacrificing stability and security for opportunities to reinvent themselves and potentially achieve a greater degree of long-term economic independence (Nakamura, 2016). The agency of these, and other, workers must be respected. While some have chosen sex work as a response to debt or to support dependents, for many, it is a deliberate rejection of alternative, minimum-salary labour in poor conditions, in favour of an industry they see as a

means of advancement, either because they see a path to success within the industry or because they seek to use it as a stepping-stone to financial independence and the ability to pursue a different, long-term career path (SWASH, 2018)¹¹. In all cases, the key factor must remain that the rights and welfare of the workers themselves remain preeminent.

There is a tendency for studies of sex work to incorporate secondary themes, which can be either negative (portraying the women purely as victims of a social ill) or positive (portraying the industry as an economic boon or as providing a necessary social function) (SWASH, 2018)¹². While these views are all elements of developing a holistic understanding, this examination considers them secondary to providing support for the well-being, whether economic, physical, emotional or professional, of the workers involved in the industry. It is also important to resist instilling the sex industry as a whole with a motive force that would present it as exerting a causative effect on wider society. We must remember that it is wider society that gives rise to the sex industry and which provides the demand for which supply will be generated. Koch (2020, p. 24) quotes a young Japanese woman who sees her work in the industry as providing ‘essential elements’, without which, ‘lots of people would be negatively affected’, and certainly in Japanese society there are clear socio-cultural factors that are deeply connected to the role the industry plays.

It seems to be true at least that there is an increasing trend towards sexless relationships in Japanese society. The Japanese Family Planning Association reported that almost half of all couples are in sexless marriages (Kitamura, 2015), with one of the key reasons given being the pressures of work (Hosokawa, 2017). Suzuki (2013, p. 330) speaks of a traditional viewpoint in Japanese society wherein men view their own wives in an almost asexual manner, while wives considered extramarital sex as being tolerable, especially where it did not threaten the family structure. While such views have no doubt altered considerably in the present day, studies have found that at least 14.6% of Japanese men admit to having used prostitutes, with higher rates among those who reported poor family connections or a lack of intimacy (Ui et al., 2008). The success and broad appeal of the, again nominally, non-sexual elements of the sex industry – such as hostess clubs or the even more mainstream maid cafes – show that this need for intimacy is, if not as strong a factor as the desire for sexual gratification, a significant element of Japan’s sex industry. Therefore, examination of it cannot be done with the narrow focus on penetrative sexual intercourse that is common in many Western studies.

Lest the sex industry be viewed in purely gendered terms, it should be made clear that Japanese women are also perfectly capable of participating as customers of both the Mizu-Shoubai and Fuzoku worlds, if to a lesser extent. Takeyama (2020) examined middle-aged Japanese women’s pursuit of commercialised intimacy as a means of re-establishing their own sexual subjectivity, while

¹¹Kindle edition, Chapter 1, page 4–5.

¹²Kindle edition, Chapter 1, page 8.

Ho (2019, p. 26) described how some young, married women would form groups to visit strip clubs, host clubs or enjoy 'erotic massages'.

The sex industry in Japan, whether considered in positive or negative terms, is clearly a significant element of Japan's social fabric and one with considerable economic heft. The pertinent questions, therefore, are why, legally, it continues to be so poorly defined and, ethically, why it continues to be so poorly regulated in regard to safeguarding the physical and psychological health of its workers.

Legal and Political Views of the Industry

The initial *yūkaku*, the Edo-era pleasure districts of the 1600s, were very tightly regulated and the movement of the workers strictly controlled. This system, whereby prostitution was open and fully legal though restricted to specific areas, continued up to and through the Second World War with the state taking a direct role in the legal management of the sex trade (Lie, 1997). However, in the wake of the post-war Americanised systems of control, calls for criminalisation of the sex industry became stronger. During this period the former *yūkaku* were reclassified as 'red line' areas within which legal prostitution could occur. There were also other 'blue line' areas that were designated as night entertainment areas (including present-day Kabukichō) that were nominally 'sex free'. However, a blurring of the lines between the two soon occurred (Kato, 2009).

In 1956, after hundreds of years of tacit legal acceptance, prostitution was finally criminalised in the Prostitution Prevention Law on the grounds that it 'harms the dignity of the individual, is against sexual virtue and disrupts the proper morals of society' (GoJ, 1956). However, two key factors of the law have continued to have a major impact on the status and nature of the sex industry in intervening years. The first is that prostitution was defined as being, 'sexual intercourse with a non-specified person in exchange for compensation or the promise of such'. This meant that by taking a narrow definition of 'sexual intercourse' to be heterosexual, genital penetration, numerous other sex acts could remain legal. Additionally, the definition of 'stranger' and 'compensation' were vague enough that other ways to bypass these restrictions were quickly found that made determining whether prostitution had indeed taken place a very difficult task. The second factor was that even where prostitution was identified, there was no proscribed punishment. As a result, although prostitution in Japan is technically illegal, a wide variety of perfectly legal stores and services exist that cater to more narrowly defined sexual acts and any legal problems they incur will typically be in relation to breaches of other laws (e.g. the Customs Business Law, The Employment Security Law, or the Worker Dispatch Law). In such cases, they are prosecuted for crimes such as solicitation or brothel-keeping. Although specific prostitution arrests do occur, they dropped from a rate of 24,000 in the year following the establishment of the law, to 447 in 2016 (Maeda, 2018).

Evidence of the decline in efforts to strictly enforce criminalisation can be seen in the role played by the 'Women's Guidance Centres'. Originally introduced in 1958, it was intended that these reform centres would be established throughout

Japan to provide re-education and re-training of women convicted of prostitution. In practice, only one centre was created, in Akishima Tokyo, where the number of 'residents' declined from 400 per year in the 1960s to just 4 during the 2010s, with the expectation that it will soon be shut down permanently (Kihara, 2020). In his analysis of the industry, Yokohama (1995) considers the passive attitude of those in law enforcement as having effectively decriminalised the industry, due to their unwillingness to proactively enforce the laws to their fullest extent. The result is that Japan is a country where prostitution is illegal, yet the government has other laws (GoJ, 1952) that carefully regulate the ways in which sexual services are offered and organised on an industrial basis.

This apparent dichotomy has created a situation where the definition of prostitution, its legal standing, and the status and treatment of those working in the sex industry remain incredibly nebulous. The question of whether sex workers should be treated like other forms of labour under the law, with equal rights and protections, was already being raised in the mid-1990s (Kataiki, 1996). Yet, in the intervening years, not only has little been done to clarify the issue, the precarious conditions of these workers have only been exacerbated.

As previously mentioned, Japan's sex industry is a significant employer. A 2006 government study estimated more than 140,000 people whose sole profession was sex work (Kadokura, 2006). For many, however, sex work is a side job and representatives of the SWASH sex workers support group estimate at least 300,000 workers with almost one third of these having children (Chiba, 2020). With Japan having roughly 70 million working age adults, this would represent 0.4% of this total. The number of these who are considered 'mature', over 26 in the Japanese context, has been steadily increasing and now makes up half of the total number (Nakamura & Suzuki, 2016). For these women in particular, the profession can be highly unstable. As is common in sex work, the older you become, the fewer opportunities will be available to you. Consequently, Nakamura (2016) has collected numerous accounts of such mature women living on the edge of destitution. These include single mothers, women who have been left homeless, and those who had previously worked in the adult video industry but found it increasingly difficult to acquire such work as they grew older. One of his interviewees, a woman he calls Yuko, recounts how her extreme poverty drove her more than once to attempted suicide. She then lists all her friends in the industry who have died from different forms of suicide: hanging, overdose, asphyxiation, jumping in front of trains, drowning and more (Takahashi, 2018)¹³. During the COVID-19 pandemic, these dangers have only become more pronounced with suicide rates among women reaching 1.8 times more than those of the previous year (Konno, 2020).

The increasing popularity of Social Networking Services (SNS) and their growing use as a means of facilitating sexual services has also seen a shift away from the traditional 'shop' system through which sex workers were typically afforded a level of management and oversight that reduced worker's

¹³Kindle Edition, Chapter 1, Section 8, page 3.

independence but provided a safety net of sorts (Shibui, 2019). The unregulated nature of the sites that are used to facilitate meetings means that they are prone to exploitation by men seeking, or actively, grooming underage girls. They also remove any opportunity to vet unstable or violent customers, with the result that girls are frequently assaulted, drugged, or secretly filmed and blackmailed with threats to release the illicit videos (Takahashi, 2018).

The industry had already been experiencing a decline in its customer base due to Japan's ageing population and there had been hopes that foreign tourism, especially surrounding the Olympics, would counterbalance these demographic changes, at least temporarily (Maruyama, 2014). Instead, in 2020 the opposite occurred, with the COVID-19 crisis seeing custom as a whole dropping dramatically and foreign tourism drying up completely. This was, of course, a common pattern internationally as sex workers across the globe were affected economically, physically and psychologically by the negative pressures of both the pandemic and the ensuing lockdowns (Platt et al., 2020).

In Japan, the pandemic has especially impacted women who, compared to men, are significantly more likely to work in part-time, contract or temporary employment. The rate of job loss for women in non-regular employment was 1.8 times more than that of men (Zhou, 2020) and an estimated 900,000 women have been left substantially unemployed as a result of the crisis (Takeda, 2021). Loss of employment and increased levels of borrowing and resulting debt are pushing more and more of the most vulnerable women to turn to sex work as a means of economic survival at the same time as the downturn in the industry makes such work even more precarious and open to exploitation.

In April 2020, comments by a famous Japanese comedian highlighted the callous attitude held by many to such women when he said that the pandemic could be seen as a good thing because it would push more pretty, young women into the sex industry (Shioda & Kamito, 2020). Thankfully, these comments received considerable backlash. Sadly, they were merely crudely insensitive, not inaccurate, and many women have given direct accounts of how the crisis has forced them to enter the sex industry as the only means they had of providing for themselves, supporting their families or of repaying the debt they held (Nakamura, 2020).

One indirect form of exploitation can be seen in the grey areas surrounding what is known as *Papa Katsu* (father activities), an evolution of the previous 'compensated dating' in which young women match with potential sugar daddies, for what are supposedly non-sexual relationships. Again, it can be hard for Western readers to imagine that such exchange could be non-sexual in nature, but many are indeed based upon non-sexual companionship that offers emotional and social satisfaction. Many, of course, does not mean all, and, in the wake of COVID-19, there is even more leeway for young women to be exploited and pressured to provide physical services through such interactions which, conducted as they are through unmonitored and unregulated apps, make it sadly inevitable that many vulnerable young women will fall victim to predatory older men (NHK, 2020).

Throughout 2020 and 2021 there were several cases of politicians being accused of engaging in such *Papa Katsu*, or visiting sex shops, and suffering a career-ending backlash, not because of the activities themselves but because they occurred during the COVID-19 pandemic (Sankei, 2021; Yomiuri, 2020). In other words, politicians can expect to be forced to resign positions for breaking a lockdown curfew but it is clear that at any other period in time, simple engagement in *Papa Katsu* or patronage of elements of the sex industry would have generated negligible outcry on both social and political levels. As such, one might expect such politicians to treat the sex industry and its workers, where they remain within the bounds of the law, along similar standards to any other legal business. Unfortunately for the workers involved, however, that has not been the case; although politicians are happy to make use of the services the sex industry offers, when it comes to the government determining how it should treat those workers, a certain level of hypocrisy soon becomes evident.

Double Standards and Inadequate Support Systems

Sex workers in Japan have long stated that even though their profession is, usually, within the boundaries of legality, they frequently face social stigmatisation. This became more openly evident when, following the initial wave of COVID-19 infections in Japan, sex workers were excluded from a system established to support parents who were forced to leave their work due to school closures (Fujisawa, 2020). Although this exclusion was soon reversed, it made it abundantly clear that there was social and political prejudice at play that significantly affected not only the working conditions of those employed in the industry but also their wider lives.

Tsunehiko Maeda (2020), a former Chief Prosecutor of the Special Investigations Department of Tokyo Public Prosecutors Office, explains that sex workers face additional problems regarding the nature of their work status as their contracts are often indirect compared to those of standard office or factory workers. The wording of the Customs Business Law, which governs the legal sex industry, leaves significant room for interpretation so that workers are unclear whether they are direct employees of stores they work at or indirect, contracted labour. These grey areas have existed for decades but until the COVID-19 pandemic, there was never any pressure to clarify their precise nature.

Now, however, pressure for a clearer definition is increasing from both representatives of the sex industry and those who oppose it. Despite the reversal on parental support, the government continued to exclude sex shops from another subsidy to support small businesses impacted by the pandemic and, as a result, they are being sued by at least one sex shop manager who claims that their business is being discriminated against (Osaki, 2020). The government has its supporters though, among those who argue that the sex industry, due to perceived ties to organised crime, frequent cases of tax evasion, and, for some, the threat it represents to public morals, does not deserve to benefit from public taxes. Additionally, ‘abolitionists’ – who perceive the sex industry as being inherently

exploitative – hope to use the public fear of direct interaction as an opportunity to call for greater restrictions on the industry.

Prior to the beginning of the pandemic, discussions had already begun to revise the Prostitution Prevention Law, which has remained unchanged for over 60 years. While they are still ongoing, it is unlikely that they will result in a dramatic change to the industry. So far, the focus has been upon abolishing Chapter 4 of the law, which introduced the aforementioned reform centres and provided greater support for women in the industry who are in distress – whether due to age, family status, debt, violence or other problems (GoJ, 2019). While such changes are needed and may do considerable good, it is unlikely that the revisions will adequately address all the problems that exist.

The changes are certainly unlikely to appease the abolitionist groups and activists who might hope to see such revisions lead to the introduction of the Nordic Model of sex laws, wherein the purchase of sex, but not its sale, is criminalised (a format which activists argue protects the agency of sex workers and reduces demand, but which many workers see as making their work less safe and more economically precarious). Such changes are incredibly unlikely to occur in Japan though, as they would upend a multi-billion-dollar industry that has a deeply entrenched position, no matter how vaguely defined, in Japanese society. Reforms to the existing law, and changes in the way in which women in the industry are treated, are far more likely to take place on a slow and incremental basis which only increases the importance of understanding the various factors that might positively impact the lives of the women involved.

One of the most important things for women in the industry is their anonymity. Typically, they work far from their own home areas to avoid what some call the danger of ‘social suicide’ and the work is seen by some as a means of addressing economic problems without exposing their identity to public scrutiny (Sakatsume, 2018)¹⁴. Shingo Sakatsume, director of the White Hands NGO, which provides various support systems for women in the industry, including the Fu-Terasu counselling service, highlighted the fact that in his own hometown the minimum hourly wage was ¥830, whereas women would expect to earn at least ¥5,000–6,000 at a ‘delivery health’ store. They also have considerable flexibility over when and for how long they are willing to work, something that appeals to students who might have debt, or single parents who need to provide for children. What these women lack, however, is business knowledge. Much of the advice that Fu-Terasu provides relates to issues of budgeting, contract advice and dealing with debt or bankruptcy (Hojo, 2020).

Despite having hundreds of thousands of workers, Japan’s sex industry lacks any formal union for those it employs. Since 2009, the *Kyabakura Yunion* (Cabaret Club Union) has acted as a subcommittee to the *Friitaa Zenpan Rōdō Kumia* (Freeter General Labour Union) to represent the interests of men and women in the subsidiary hostess industry but they appear to have both limited membership and bargaining power. Some NGOs exist to support the wider sex

¹⁴Kindle edition, Chapter 4, page 9, paragraph 2.

work industry, with some such as White Hands offering outreach; and others, such as *Nihon Fūzoku Joshi Sapōto Kyōkai* (Japan Sex Workers Support Association) and SWASH, made up of women involved in the industry themselves. The former focuses more on support for women within their workplace, while the latter looks more at how society can change in order to provide broader support for the difficulties and challenges faced by sex workers. SWASH in particular seeks full decriminalisation of the sex industry, similar to what occurred in New Zealand in 2003, and argues that no policy reform should occur without first gathering broad survey data on the opinions of officials, lawyers, researchers and sex workers (SWASH, 2018)¹⁵.

Among the key targets SWASH have highlighted as being priorities for safeguarding the welfare of the sex workers themselves are the following: (1) Improving Sexual health and prevention of STDs, (2) protection of workers' right to privacy, (3) reducing trouble with and danger from customers, (4) improving work conditions, (5) providing counselling and support for psychological problems, (6) offering assistance with contractual issues and matters of economic exploitation, (7) providing assistance to address debt and other financial problems (SWASH, 2018)¹⁶.

These problems are not, however, matters that require purely legal remedies; for some, a change to the law will make little difference and broader social changes are required in the way that people view the sex industry and the women and men who work in it. Significant adjustments of both attitudes to and the conditions of the sex industry could result in improvements to the health, safety and quality of life of the hundreds of thousands of people in Japan who depend upon it for their economic survival. At present, however, many misconceptions and harmful stereotypes still remain and it is necessary to have a more open, holistic view of the industry, both good and bad, if reforms are to be properly applied. The sex industry is not the glamorous path to riches that it is often portrayed as in television dramas, nor is it a thoroughly criminal system existing only to exploit those in poverty. To differing extents, both of these might at times be true but the industry is made up of many types of people with a very wide and varied set of problems. All of them, however, suffer from some level of stigmatisation associated with the work they are involved in. All-encompassing stereotypes that portray the whole as either victims in need of saving, or immoral, anti-social forces, do a disservice to the complexity and importance of the problem at hand. Far more study is required that will allow policy to be shaped by examination of the working conditions of those in the industry, the full extent of the problems they face and their opinions on which reforms are of most urgency and benefit to the people directly affected by the industry's negative factors.

¹⁵Kindle edition, Chapter 6.

¹⁶Kindle edition, Chapter 7.

Conclusion

Like any large institution, Japan's sex industry needs to be examined in a methodical manner, its problems carefully analysed and solutions drafted in a scientific and socially responsible manner. It is without question that the industry is deeply flawed and significant poverty and exploitation does exist within it. It is also self-evident that the economic opportunities that it provides are a vital lifeline for many people who are living in precarious states. While the subject of sex work can have a polarising effect on people, it is vital that extreme positions are set aside and holistic study is carried out in an academically neutral manner, guided by empathetic concern and free from moral judgement.

It is equally important to examine the industry within the context of its national culture and history. Japan's value systems and cultural mores are unique and distinct from those of Western countries, and the modern sex industry is the product of a long and complex history and many waves of social and political influence. There are commonalities to be found. But to think that Western conceptions of 'pimps', 'brothels', 'prostitutes' and 'selling sex' translate directly into Japanese language or thought in the same way they do in other countries, displays a lack of cultural awareness that will hamper effective responses to the issues that exist.

In one way, however, the fact that the sex industry in Japan is such an open part of the social fabric and that it already enjoys a certain legal status means that the potential exists for reforms to be enacted in a broader and more complete way than in countries where the status of the sex industry is publicly and legally far more opaque. If political will is sufficiently harnessed, and the problems of the industry given the necessary level of study and analysis, the potential exists for Japanese reforms to act as a model for the ethical and effective restructuring of the sex industry in ways that safeguard the welfare, rights and agency of those involved. To do so though, the requisite first step will be to adjust political and public attitudes to prioritise the needs of the industry's workers over the services that they provide.

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