

Japanese government's substantial role as a leading figure in establishing the  
Anti-Prostitution Act:  
Focusing on the original source material entitled  
“The Third Proposal of the Outline of Measures (Taisaku Yoko)”

Yousei Kajiwara

Faculty of Social Welfare, Japan College of Social Work

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**Abstract**

The bill for Japan's Anti-Prostitution Act was submitted to the Diet on May 2, 1956. The bill was passed and enacted on May 21 of the same year. It was officially announced on May 24 and put into effect on April 1, 1957. The female Diet members, who were the leading figures in initiating the legislation, had advocated for the protection of the human rights of women who were being preyed upon. Therefore, I reviewed a series of literature on this period to deepen the understanding of the legislative process and obtained a “confidential” source material which was presented by the Ministry of Health and Welfare and the Ministry of Labor in 1954 (“the document”). The present study summarizes the document and uses it as a main source. This paper is a report that examines the roles played by the central government ministries, such as the Ministry of Health and Welfare and the Ministry of Labor, as government agencies before and after the enactment of Japan's Anti-Prostitution Act. It is done through careful examination of the document, which was created 65 years ago, was labeled confidential at that time and has never been examined in previous research, as well as integration of the findings into the infor-

mation from other records. The document, originally created as a material for a joint meeting by the two ministries regarding countermeasures of prostitution problems, has never been examined in any research although it has been kept in a national educational facility. The present study finally sheds light on and closely examines the document, which can make a significant contribution to further understanding of the situations that substantially led to the establishment of the Anti-Prostitution Act. Moreover, as we now see a growing interest in sexual violence and sexual exploitation against women at an international level, this report, addressing this critical theme while focusing on women with disabilities, is expected to be referenced by a number of readers within and outside Japan to deepen discussion on the theme in the academic community.

**Introduction**

The bill for the Japanese government's Anti-Prostitution Act was submitted to the Diet on May 2, 1956, and it was passed and enacted on May 21 of the same year after only three days of discussion in the Committee on Judicial Affairs of the House of Representatives and the Council on

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Corresponding author: Yousei Kajiwara

Faculty of Social Welfare, Japan College of Social Work, 3-1-30 Takeoka, Kiyose city, Tokyo 204-8555, Japan

Judicial Affairs of the House of Councilors. The Act was officially announced on May 24 and put into effect on April 1, 1957, with the exception of Chapter 2. The female Diet members and activists, who played a leading role in enacting the legislation, had been advocating for the protection of the human rights of women who were being preyed upon in a male-dominated society. Sueyoshi (1981) records the movement for the enactment of the Anti-Prostitution Act under the title, *The Burning Women* [1]. Fusae Ichikawa recollects that she felt that her life was in danger because of the movement against the Act, carried out by those procuring prostitution [2]. Regarding this period, Hirai (2009) examines interview records at a women's rehabilitation consultation office in Kanagawa Prefecture and unearths cases of women losing their parents in air raids, becoming street children, and fleeing from brothel quarters [3]. In a sense, the break of dawn had finally come for Japanese women with the enactment of the Anti-Prostitution Act at that time [4]. However, although several studies can be found, including "Research on the Supreme Court Ruling on October 7, 1955, Regarding Invalidation of Operating and Loan Agreements in a Contract with a Geisha or a Prostitute" [5] and a study discussing legislative activities, such as the Diet disputes and social struggles [6], not many studies examine Japan's history in that regard. Moreover, among the studies that do exist, there is a dearth of research related to the administrative process [7]. Since a number of similar bills had failed to pass since the end of World War II in Japan, one study looks at this long process while focusing on the action taken by the Minister and Ministry of Justice [8]. However, another study presents a perspective that captures a substantial role played by the Women's and Young Workers' Bureau of the Ministry of Labor, which worked toward conception of a "legislative system" while bringing together Diet members from ruling and opposition parties [9]. Therefore, literature research had been long awaited to clear-

ly illustrate this administrative process, and I had reviewed a series of literature on this period. As a result of this effort, I obtained a "confidential" source material which was presented by the Ministry of Health and Welfare and the Ministry of Labor in 1954 ("the document"), and decided to use it as a main source of the present study. The aim of this paper is to explore roles played by the central government ministries as government agencies before and after the enactment of the Anti-Prostitution Act. In Japan, the Outline called "Yoko," created by central government ministries, has served as a historic monument, symbolically capturing the national administrative process itself. Hence, unveiling its proposal should have a significant impact. The document, labeled confidential at that time and originally created as a material for a joint meeting by the two ministries, has never been examined in any research although it has been kept in a national educational facility for 65 years. The present study finally sheds light on and closely examines the document, further clarifying the situations that substantially led to, enabled and set a direction for the establishment and administration of the Anti-Prostitution Act.

## Materials and Methods

I would like to focus on an original source material entitled "The Proposal of the Outline of Measures for the Protection and Rehabilitation of Girls and the Prevention of the Degradation of Girls (29. 8. 23): The Ministry of Health and Welfare and the Ministry of Labor (The Third Proposal)." Subsequently, I would like to explain the integral role played by the government as another leading figure in aiming for the establishment of the Anti-Prostitution Act. This viewpoint will serve as a hint for deciphering the domestic situation after the enactment of the bill. Moreover, regarding the writing of laws and the examples of the industry terminology of this period, owing to the nature of this research, which seeks to secure the reproducibility of historical facts, it was neces-

sary to retain the same expressions that were present in the original texts. Thus, discriminatory and offensive terms, notably those such as “mental deficiency,” “degradation,” “institutionalization,” “target,” and “defect” have been retained as they are in the descriptions as expressions that reflect historical reality. Generally, when writing the names of ministries and agencies, the names used at that time have been used in this research. This original source material exists in the Information Center for Women’s Education of the Independent Administrative Institution, the National Women’s Education Center, and was included as an “attachment” in the framing of “The 10th General Meeting and Conference of the Prostitution Countermeasures Committee (Proposal).” It was created by handwritten mimeograph printing, and it has been stamped by a seal that identifies it as “Confidential.” This thin book has now been classified as a cataloged library book; its Nippon Decimal Classification number is “368.4” and its library book number is “B14.”

## Results

The Prostitution Countermeasures Committee was established in the Cabinet in 1953 as an institution based on the cabinet agreement. Its function was to discuss establishment of a new law and other measures regarding prevention and control of prostitution as well as protection and rehabilitation of women. The Committee was organized by the Ministry of Health and Welfare’s Chief of the Public Health Bureau, the Chief of the Social Welfare Bureau, the Chief of the Child Welfare Bureau, and the Ministry of Labor’s Chief of the Women’s and Young Workers’ Bureau. It submitted a report “Regarding What Are Referred to as Prostitution Countermeasures” on September 2, 1955, and dissolved on October 6, 1955. While this report recognizes the need to establish a new law and details its essential points, the report also argues that a new mechanism should be set up for probation and temporary protection of women. This report is known

as a basis for the Anti-Prostitution Act. The Minister of Justice at that time also stated repeatedly in the Diet that he would like to draft a bill with the conclusions provided by the Committee. What is unveiled in the present research is the fact that the Ministry of Health and Welfare and the Ministry of Labor, in 1954, created an outline proposal, which is the original source material examined in this paper. Under the entry of “1. Target” (i.e., those whom the legislation is intended to target) in the original source material, the expression indicating women was not the usual term for “women” (*fujin* in Japanese) but rather “girls” (*joshi*). After the establishment of the law, the Administrative Vice-Minister of Health and Welfare and the Administrative Vice-Minister of Labor jointly sent out a notice entitled “Regarding the Strengthening of Measures for the Protection and Rehabilitation of Women and the Prevention of the Degradation of Women” to all prefectural governors and the Heads of the Women’s and Young Workers’ Offices on July 12, 1956. Furthermore, there was a notice from the Ministry of Health and Welfare’s Chief of the Social Welfare Bureau on July 16, 1956 called the “Implementation Guidelines of the Measures for the Protection and Rehabilitation of Women and the Prevention of the Degradation of Women.” The following statement, emphasizing cooperation, was written in this notice: “Furthermore, as an additional measure, there has been a meeting with the Ministry of Labor regarding this matter.” In November 1957, the Ministry of Health and Welfare established the “Women’s Protection Work Research Society” in the Social Welfare Bureau’s Life Division and founded the monthly magazine, *The Protection of Women*.

The following question then arises: how did the Ministry of Labor tackle this issue? Since 1948, the Ministry of Labor had handled prostitution-related problems from the perspective of respecting women’s human rights and improving women’s status. Especially, regarding the protection, rehabilitation, and prevention of degradation of women, the Min-

istry of Labor responded to various consultations and took steps to deal with any challenging problems. It also provided lifestyle guidance alongside other measures, while maintaining contact with various institutions. In October 1949, the Women's and Young Workers' Bureau of the Ministry of Labor created a document called "The General Conditions of the Protection of Girls Seen from the 'Implementation Status of the Protection of Girls.'" The expression, "girls," had been used in the past in issues relating to labor and jobs, and the vocabulary of "girl worker" (*joshi rodosha*) can be found within the materials and reports of that time. With regard to labor problems, employees would also sometimes refer to themselves as "girls." On January 12, 1956, the women working in the red-light districts of the Tokyo metropolitan area formed a union called the "Tokyo Metropolitan Girl Employees Union." On March 26, 1956, the "National Alliance of Service Girl Employees Unions" was formed. In a Japanese white paper, the Prostitution Countermeasures Committee is said to have been centered on the Ministry of Labor [10]. A woman who was the Manager of the Women's Division of the Women's and Young Workers' Bureau of the Ministry of Labor recalls that she "worked hard" to "protect human rights" [11]. This woman touches upon how there were many men who thought that prostitution was "unavoidable" when she compiled the "Public Opinion Survey Related to Public Morals," which was conducted by the National Public Opinion Survey Office of the Prime Minister's Office in 1953 [12]. She recalls that, in actuality, the sentiment that prostitution was a "necessary evil" was extremely prevalent among government officials as well, and she states that it would not have been possible to change these conditions had it not been for government officials such as her [13]. The speaker in these public documents was a government administrator at that time and later became a Diet member, contributing to the legislation. The present study should further reinforce the relevance of her testimonies as oral history. Her

testimonies are so vivid as if she were speaking to us right now at this moment. The results of the present study suggest the potential to pave the way for further understanding of the process toward the enactment and administration of the Act, including who had what kind of discussion within and around government agencies, which led to the submission of the proposal, as well as how the Outline called "Yoko" in Japan, created by the central government ministries, substantially led a series of the administrative process, such as giving the strong push for the enactment of the Act and setting its administrative direction.

In this regard, with what kind of awareness can it be said that the government itself as a leading figure, centered on the Ministry of Labor, collaborated on this issue? On December 27, 1952, the "Report Related to the Countermeasures of Prostitution Problems," sent by the Chairperson of the Women's and Young Workers' Problems Council to the Minister of Labor, stated the following: "There are unique reasons for becoming a prostitute, such as economic reasons like the lack of a 'girl's' own ability to support herself due to hardships of life at home and the existing education of 'girls,' psychological reasons like self-abandonment and a lack of moral sense, and psychological and physical defects." Further, the following appeal was made: "Those with psychological and physical defects should be permanently institutionalized in protective facilities." The Council was set up in the Ministry of Labor around that time, with functions to promote prevention of prostitution and its legislation as well as to educate the public. The document introduced in this paper serves as a reminder of the historical path, where the government played an integral role as a leading figure, enabling the establishment of Japan's Anti-Prostitution Act in a substantial way. The document seems to reinforce the impression that the Ministry of Labor was working in earnest and being quite active in this area around that time because its argument was consistent with other relevant documents of the Ministry, such as

the aforementioned report by the Council. Other relevant materials on this issue also suggest that the Women's and Young Workers' Bureau of the Ministry of Labor was having consultations on various matters with related ministries, confirming the consistency of these materials as Japanese historical facts. For example, there is a document that records the relevant process in this regard: "We had the people in charge of relevant government offices gather at the Ministry of Labor on September 1, 1953," "only the Ministry of Justice's Criminal Affairs Division, the Life Division of the Ministry of Health and Welfare's Social Welfare Bureau, the Crime Prevention Division of the Criminal Affairs Department of the National Rural Police, and the Women's and Young Worker's Bureau of the Min-

istry of Labor gathered," "afterward, the Social Education Division of the Ministry of Education's Social Education Bureau, the Infectious Disease Prevention Division of the Ministry of Health and Welfare's Public Health Bureau, and the Ministry of Justice's Human Rights Bureau" also gathered, and had "nearly 10" meetings [14]. Such a document deserves renewed attention. The future research seems essential to further examine the efforts by the Ministry of Labor at the level of these meetings with relevant ministries. Informed by this perspective, the close attention put on the measures of women's consultation offices by the government is evident when we reread "The Proposal of the Outline of Measures for the Protection and Rehabilitation of Girls and the Prevention of the Degra-

Table 1. Chronology of events related to the Anti-Prostitution Act in Japan.

Year	Events related to the Anti-Prostitution Act in Japan
1948	Women's and Young Workers' Problems Council was established.
1949	The Women's and Young Workers' Bureau of the Ministry of Labor created "The General Conditions of the Protection of Girls Seen from the 'Implementation Status of the Protection of Girls.'"
1952	The Chairperson of the Women's and Young Workers' Problems Council sent "Report Related to the Countermeasures of Prostitution Problems" to the Minister of Labor.
1953	The National Public Opinion Survey Office of the Prime Minister's Office conducted "Public Opinion Survey Related to Public Morals." The Prostitution Countermeasures Committee was established in the Cabinet in 1953 as an institution based on the cabinet agreement.
1954	The Ministry of Health and Welfare and the Ministry of Labor created the proposal of the Outline, as introduced in this report.
1955	The Prostitution Countermeasures Committee submitted a report "Regarding What Are Referred to as Prostitution Countermeasures." The Supreme Court ruling regarding invalidation of operating and loan agreements in a contract with a geisha or a prostitute.
1956	The bill for the Anti-Prostitution Act was submitted to the Diet and enacted. The Administrative Vice-Minister of Health and Welfare and the Administrative Vice-Minister of Labor jointly sent out a notice "Regarding the Strengthening of Measures for the Protection and Rehabilitation of Women and the Prevention of the Degradation of Women" to all prefectural governors and the Heads of the Women's and Young Workers' Offices.

dation of Girls (29. 8. 23): The Ministry of Health and Welfare and the Ministry of Labor (The Third Proposal)” of 1954, which is the original source material in question. It states “(4) Those Needing Protection Due to Having Notable Psychological and Physical Defects” will be “handed over to relief facilities that are under the jurisdiction of the Ministry of Health and Welfare.” Such ideas were being developed by 1954, two years after the aforementioned “1952 Report.” I was able to sort out these situations and summarize them in Table 1. As mentioned above, while the present study reports what roles the central government ministries played before and after the enactment of the Anti-Prostitution Act, it also reports the focus on disabilities of the target population when setting the concrete direction of the Act.

## Discussion

In this research, I was able to focus on the original source material, which was the outline proposal from 1954. With this historic monument of the administrative process finally being unveiled, I was able to report the symbolic understanding of the integral role played by the government in the establishment of Japan’s Anti-Prostitution Act. It seems that the contents of this proposal also had an influence on the administration of the Anti-Prostitution Act after its enactment, making a substantial contribution to its direction while defining basic and fundamental internal administration in the government. In actuality, the notice “Regarding the Strengthening of Measures for the Protection and Rehabilitation of Women and the Prevention of the Degradation of Women,” sent on July 12, 1956, immediately after the enactment of the legislation by the Administrative Vice-Ministers of both the Ministry of Health and Welfare and the Ministry of Labor to prefectural governors and the Heads of the Women’s and Young Worker’s Offices, stated that it would establish “Implementation Guidelines of the Measures for the Protection and Rehabilitation of Women and the

Prevention of the Degradation of Women” during the time leading up to when the Anti-Prostitution Act that had been established in the Diet would be put into effect. Consequently, the following three countermeasures were enacted: “women’s consultation offices” were created to “conduct necessary assessment as well as medical, psychological, and vocational evaluation, and provide necessary guidance;” “women’s consultants” were created to “perform tasks such as interviews, assessment, visits, and guidance, and contact and mediate between related institutions;” and Women’s and Young Workers’ Offices were created to “increase the number of Women’s and Young Workers’ Office assistants and newly allocate Women’s and Young Worker’s Office women’s problems consultants, and provide assessment, education, and consultation.”

Moreover, as a new direction generated by the results of the present research, the administrative focus on disabilities as the target, the idea particularly shared among central government ministries, should be taken up for discussion. As of 1954, the Ministry of Labor, along with the Ministry of Health and Welfare, paid close attention to “those who had defects in the body or the mind.” Here, there exists the possibility of debate on whether Japan’s Anti-Prostitution Act had an aspect of the legislation in relation to labor for those with intellectual disabilities. To further comment on the domestic situation after the enactment of the bill, in terms of the psychological conditions of individuals residing in Women’s Guidance Homes from May 15, 1958 to March 31, 1959, 55 of 121 individuals had intellectual disabilities [15]. These Homes were institutions newly established by the Act, under the jurisdiction of the Ministry of Justice. There is also a former women’s consultant who recollects that time, stating that individuals appeared such as those who had been admitted to what were referred to as “facilities for mentally deficient individuals” [16]. In fact, regarding the direction of such administrative process which

was set after the establishment of the Act, even Fusae Ichikawa, who is said to be a representative leading figure, made the following statement: “Many institutionalized people are mentally deficient individuals and individuals with mental illnesses, and using the Anti-Prostitution Act for that reason may help those people, but I feel that to do so would be quite absurd” [17]. However, Minami (1949) states that the main factors relating to prostitution are not intelligence; instead, prostitution’s main factors “should be examined in relation to family circumstances, romantic life, and fundamentally, the poor quality of social conditions” [18]. As we now see a growing interest in sexual violence and sexual exploitation against women at an international level, it is essential to examine the history and discuss future legislation in this area. I hope this report, addressing the critical theme while focusing on women with disabilities, will be referenced by a number of readers within and outside Japan to deepen discussion on the theme in the academic community.

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