

**Sexworkers, Regulation, and “Right to the City”:  
The Streets in a Red Light District of Tokyo**

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## Abstract

This paper addresses the intersections of the local government, police, landowners, and various occupations involved with the sex industry in the most “notorious” red light district of Tokyo, Japan. The cardinal point the paper poses is a constructive criticism to the “resident-centrism” in urban studies. Having chosen the research site strategically, this paper unpacks the question, “Who are the ‘legitimate’ addressees deserving ‘right to the city’?” The paper is based on various methods of empirical research including interviews, participant observations in various sex industry shops, and document surveys. The red light district as the research site is introduced in historical, local, and national contexts. Next, the logic and interaction of agencies on the street in the district is described. Finally, a detailed analysis of the streets as the most common public space in this somewhat peculiar district is presented. The analysis delivers rich material that provides clues to relativize and expand the discussion about the “Ideal City,” and proposes a viewpoint, “plurality of legitimacy,” to advance the discussion.

## Introduction

This paper addresses the intersections of the local government, police, landowners, and various occupations involved with the sex

industry in the famed “notorious” red light district, “Kabukicho” in Tokyo, Japan.

The basic constellation of the field is as follows: the middle class coalition of the local government, police and landowners regard it as undesirable that people in the occupations involved with the sex industry openly carry on their “business” on the streets (a substantial description of “business” is below). However, there are few inhabitants in Kabukicho. The landowners do not live in their property, notwithstanding that people involved with the sex industry are there on a daily basis. The local economy is heavily depending on the sex industry as well.

The cardinal point the paper poses is a constructive criticism of the “resident-centrism” in urban studies. It is not uncommon in urban studies that a researcher regards residents *a priori* as legitimate subject having “right to the city” (Lefebvre 1968). There are plural currents in the argument on right to the city, such as regarding it as one of basic human rights (Harvey 2003, 2008) or as a process in the struggle for democracy (Purcell 2013). The argument has been expanded by considering various components such as “DIY urbanism” (Iveson 2013) or “‘positive’ gentrification,” (Chaskin & Joseph 2013). Nevertheless, they share a common viewpoint in that inhabitants are contrasted to villains such as local authorities or huge firms.

The picture of opposition between inhabitants and villains is no less important especially in the urban situation of “post-democracy”

(MacLeod 2011). Still, it is easy to name exemplars showing the ambiguity of authenticity posed in these discussions, such as street vendors pushed aside by gentrification (Zukin 2010), gang inhabitants shooting guns and selling drugs (Venkatesh 2000), homeless people in parks, etc.

With respect to red light districts, it is an open question for sociologists whether sex work has local legitimacy or not. There are numerous studies on sex work, but there underlies a fundamental “antinomy.” That is, is sex work a right for women or exploitation of women? One aspect of the endless argument about this contradiction is, “Is doing sex work rational or not?” If it is rational, sex work can be an active choice by women. If it is not rational, sex workers are victims of various factors.

What is important for urban researchers is whether something is rational or not depends on the local context. One study considered this and concluded that limited labor opportunity in the locality, peer pressure and “the community context” legitimizes the sex work (Rosen & Venkatesh 2008). In the community where sex work is not uncommon, women can easily obtain a role model from peers and think it feasible, due in part to the experience of being propositioned by passers-by on the street. Another paper shows that sex work initially begins as a rational choice by women but some gradually get into it as their career, which makes the exit from sex work difficult (Murphy & Venkatesh 2006). This “careerist” orientation is also the consequence of the local context in

that sex work has to be done indoors, as authors analyzed.

This literature shows that whether sexworkers have right to the city or not cannot be generally determined. It depends on local context, i.e., the local character of sex work and its interaction with the local community.

Having chosen the research site strategically, this paper opens the question, “Who are the ‘legitimate’ addressees who deserve ‘right to the city’?” The underlying hypothesis is that the “resident-centrism” can be overcome by making “people” multiple, i.e. taking account of occupations relevant to the area. This viewpoint relativizes some arguments about right to the city and poses an alternative image of the “ideal city” based not only on the co-residence of residents in the locality but also people’s co-presence in the urban space. The paper is based on various methods of empirical research including interviews, participant observations, and document surveys.

The structure of the paper is as follows. First, the red light district as the research site is introduced in some contexts. Secondly, the logic and interaction of agencies on the street in the district is described. How do they earn money and how much? For whom? Under what regulation? What do police regulate and based on what legal grounds? What does the local government think about lawmaking for sexwork? Finally, a detailed analysis is given of the streets as the most common public space in this somewhat peculiar district.

## Historical, local, and legal contexts

### History

Kabukicho was a planned downtown expected to accommodate theaters and other cultural facilities on the land devastated by WWII. Kabukicho is located near Shinjuku station, known as for having the largest number of users in the world today (more than 3 million people per day in 2015). In the decades that followed the 1950s, Kabukicho developed like a rocket. During the 1950s, throughout Japan a variety of novel sex industries flourished, with Kabukicho as one of the centers of them. Post-1970s, the presence of sex industries boomed in Kabukicho and people began referring to Kabukicho as “the center of the sex industry in Japan.” In the 1980s, Japanese mafia group, the *yakuza* were foregrounded in the image of Kabukicho as “dangerous.” How infamous Kabukicho was can be seen among media and various discourses. For example, Junichiro Koizumi, the Prime Minister at the time, expressed in a policy speech in 2005, “I will make downtowns with high numbers of crime, such as Kabukicho, a safe and enjoyable place for all the people.” The name of Kabukicho still calls up images of the mafia and the sex industry in people today.

### Local context

The shape of Kabukicho is roughly a square 600 meters on each

side. It has 2492 residents and 852 buildings (each in 2010 and 2014), but a number of residents are just a person on paper, and hardly anyone actually lives there. On paper, most of the residents are in single-person households. The average number of persons per household is 1.3 in Kabukicho.

Among 852 buildings, only 36 are categorized as any kind of housing. The officially estimated number of workers in Kabukicho is about 20,000, or about 8 times as many workers as residents, even though far more people must be working “off the books”.

## Legal context and the Japanese situation of sex work

In the Edo Period (1600–1866), prostitution was authorized by the government and enclosed in “special boroughs.” This situation did not change much in Japan until 1956, the year the law prohibiting prostitution caused bizarre effects. The “without intercourse” sex industry flourished because the law prohibited only prostitution including “vagina–penis intercourse.” Other types of sexual acts, such as massage, hand jobs, and blowjobs remained relatively uncontrolled. Curiously, people not willing to run the risk of being arrested also avoided the sex industry including intercourse. As a result, “illegal” street prostitution is minor in Japan and in contrast various “legal,” sex industries are major.

Even in regard to “without-intercourse” sex industries, many regulations have been posed. I will point out only three relevant points

here. First of all, sex industry clubs have to follow the permit and notification system managed by the police. Secondly, sex industry clubs are under architectural regulation standards about visibility. The law says, “The inside of the rooms [of sex industry clubs] must not be visible from the outside.” This means that the clubs’ walls must not have transparent windows. This regulation leads to the distinctive nature of sex industry in Japan, which is very different from the Amsterdam model (Figure 1, Figure 2). In the third place, while not prohibited, advertisements are severely restricted.

To put it in an international context, the Japanese sex work situation has the characteristics of “indoor” and “on-site.” In fact, all types of Japanese sex industry activities are carried on indoors; street prostitution is fairly rare.<sup>1</sup> There is also a “call girl” type (i.e., “off-site” type) of sex work too in Japan, but at the same time various sex industries giving services in fixed places in buildings are also common. The police permit these industries to run business there.

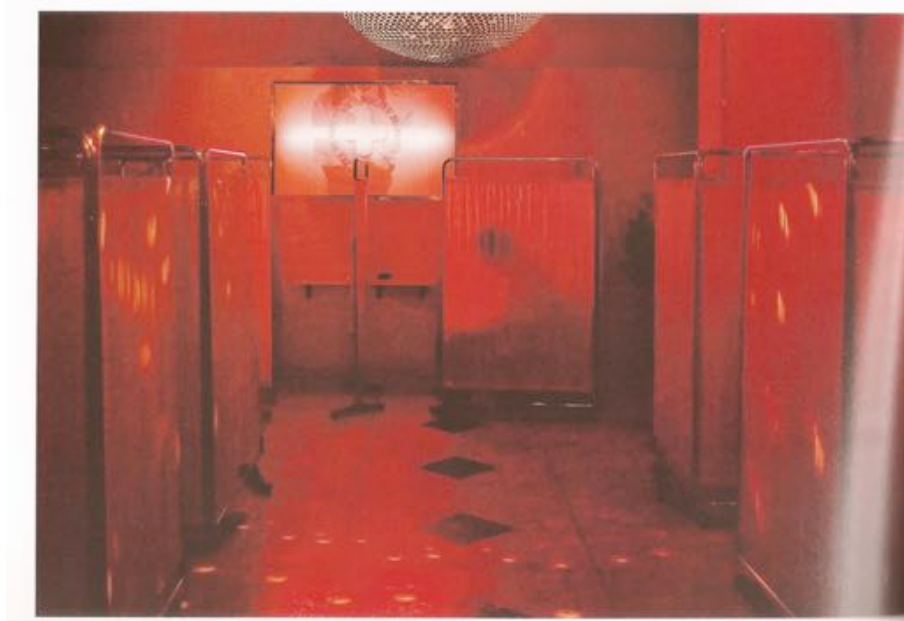
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<sup>1</sup> As Murphy and Venkatesh point out, there have been few studies on the indoor sex industry (Murphy & Venkatesh 2006: 135). In contrast, there is a relatively rich accumulation of research on street prostitution and the pimps who work on the street (e.g., Ahlburg & Jensen 1998; Edlund & Korn 2002; Moffatt & Peters 2004; Norton-Hawk 2004; Phoenix 1999; Williamson & Cluse-Tolar 2002; Zhang 2011).





**Figure 1. Amsterdam type (visible)<sup>2</sup>**



**Figure 2. Japanese “Massage Parlor” (invisible)<sup>3</sup>**

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<sup>2</sup> Photo taken by the author in Amsterdam, 2010.

<sup>3</sup> Photo reprinted from Sinclair (2006).

## **Logic and interaction on the streets**

At first, types should be introduced. In what follows, I describe three categories of people on the streets of Kabukicho: (1) passers-by, (2) people engaged in occupations related to the sex industry, and (3) private patrol undertaken by landowners.

### **Passers-by**

Passers-by, pedestrians on the streets, are all potential customers for the town because of the inconvenience of reaching the district by car. They are expected to spend some money by both sex-industry-related people and others. They are “resources.” It is noteworthy that they are also potential workers. The sex industries are always in need of more workers. This is because the turnover rate is high and, being labor-intensive, sex industries need many workers although sex work is stigmatized. Under this worker shortage, passers-by are sometimes expected to become workers, especially when they are women.

Herein lies the basic conflict for Kabukicho between the sex industry and the middle class coalition of the local government, the police and landowners. Both regard passers-by as resources, but the coalition sees the resources need to be protected from the sex industry. In the coalition’s viewpoint, people in the occupations related to the sex industry make passers-by uncomfortable and even terrified because the sex industry is not immune to all sorts of “cheating,” such as rip-off prices. However, there is no doubt about the dominance of the local

economy by sex industries in Kabukicho. As it turns out, passers-by are the focus of the conflict in Kabukicho.

## Occupations among sex industries

Here I describe two important sex-work-related occupations working on the street. They are the street-advertiser and the recruiter. Both work on the street in and around red light districts and similarly appear in a suit. Almost all of them are male, but one man seldom doubles both as street-advertiser and recruiter. In what follows, descriptions are detailed and they enable us to see occupations as rational (it might be “bounded rationality”, of course), which cannot be treated merely as criminals or “nuisance.”

### **Street-advertiser**

The street-advertiser occupation involves soliciting people into various places ranging from restaurants and bars to sex industries. They wear a suit instead of the “sandwich man” style. In red light districts of Japan, a number of street-advertisers work on the street.

I interviewed one street-advertiser in his 40s who was a member of the Japanese mafia in the past. The following description is based on the interview with him and observations of interaction between passers-by and advertisers.

Their basic working style is to call to passers-by on the street, such as “Have a look at good boobs for 50 dollars! Drinks for free!” or “Very

reasonable hostess club!” They have their own “turf” assigned by the mafia. They pay three to five hundred dollars a month to the mafia for their authorization.

All this stems from their vulnerability against law enforcement. Advertising sex industries is prohibited and illegal. Street-advertising work is completely “off-the-books” despite having high visibility on the streets. This illegality allows the mafia to assault street-advertisers when they do not pay authorization fees.

A street-advertiser has a network of relationships among three to four hundred places ranging from massage parlors to hostess clubs. Street-advertisers have “contracts” soliciting for sex industry shops. The “contracts” roughly fall into two categories. One is a constant rate system and another is a commission system. For example, one hostess club pays a street-advertiser 40% of the amount paid by customers (commission system). Another example is that a massage parlor constantly gets a hundred dollars and the street-advertiser gets the remainder of what the customer pays (constant rate system). They earn about 10 thousand dollars a month on average.

Street-advertisers have several techniques to generate benefits. One is called the “pass.” This is a technique where street-advertisers and other advertisers, sex industry clubs, restaurants, and bars introduce customers to each other and share the money from that. They “pass” customers to each other in a town like passing a ball in a football game. The street-advertiser who is generous with this share can get more

“passes” from other people by winning their trust. The informant proudly said, “All types of places in this town ranging from massage parlors to sushi restaurants give me the ‘pass’, and introductions to customers. I never cheated them and won their trust.”

Another technique customer-pimps acquire is the hand-out (*tedashi*). This is a technique where a street-advertiser gives some money out of his own pocket to a customer, to win the trust of the customer. The availability of this pocket money is the benefit the street-advertiser gets from soliciting. The informant (a street-advertiser) said that when a customer spends big money, the pimp offers taxi fare for the customer. Customers who get a “hand-out” not only feel an affinity and trust toward the pimp but also often become his regular customers. Some regular customers always seek their favorite advertiser when they go to sex industry clubs.

### **Recruiter**

Men recruiting female employees (sexworkers) are called scout (*sukauto*). They earn income by introducing women to various sex industry clubs.

Their working style is very similar to “jocking.” They call to female passersby on the streets, saying “Aren’t you interested in working at a hostess club?” or “Just give me a second here. Let me explain about a money-making job.” Recruiters do not have any “turf” and can work anywhere.

They also have “contracts” for soliciting with sex industry shops.

The “contracts” fall roughly into two categories. One is called buying-out (*kaitori*) and another is called forever (*eikyu*). The “buying-out” type corresponds to the “entertaining business,” i.e., the industry without sexual service, such as hostess clubs. When a female employee (hostess) has worked for a month, the shop pays a thousand dollars to the recruiter who recruited her, aside from her revenue. In other words, the shop “buys out” the hostess from the recruiter for a thousand dollars. In contrast, the “forever” type corresponds to “sexual business” such as massage parlors and escort services. In this “forever contract,” the recruiter gains 15% of the remuneration of the sexworker as long as she remains working, “forever.” The recruiter earns 20 to 30 thousand dollars per month on average.

Recruiters introduce not only sexworks but also hair salons, nail salons, and real-estate agents to women. Recruiters get intermediate charges for each reference, but the charge is not their primary objective. Their aim is to win the woman’s trust by “looking after” her in various aspects of life and to have her work in the sex industry. Recruiters can maximize their income by getting women to work in the “sexual business” such as in a massage parlor. Women have more feelings of resistance toward working in the “sexual business” rather than in the “entertaining business”; they resist being a call girl as opposed to being a hostess. Recruiters always try to get past women’s feeling of resistance by winning their trust and dragging them into “sexual business” so as to maximize their benefit.

## Private patrol

The association of landowners since around 2000 has conducted private patrol in Kabukicho. The first half of this section introduces and outlines this association. The second half describes the logic and “unintended consequences” of the private patrol.

### The landowners association

Landowners in Kabukicho have some other attributes aside from being mere landowners. First of all, they are absentee landlords. In the second place, landowners are owners of buildings too. Thirdly, they are the one and only “locals”. These attributes the landowners possess make the local government treat them as though they are the representatives of Kabukicho. When the local government tries to implement policies in Kabukicho, it has to obtain “democratic” authenticity by mobilizing cooperation from landowners, as no one else is available.

This makes it possible for landowners and the local government to form a coalition. However, they are not necessarily in the same boat. On the one hand, landowners are eager to promote the local economy and “legal” sex industries that they regard as the chief industry in Kabukicho. On the other hand, the local government thoroughly omits the presence of any sex industries. The local government thinks that doing something about sex industries is unfit for the “public servant”. The coalition is unstable and tense.

### **Private patrol**

The landowners' interest lies in the local economy and local revitalization. Landowners have been thinking that street-advertisers and recruiters are the main factors in the local economic decline for they frighten passers-by away from Kabukicho. Whether it is true or not is not obvious, but some of them actually are rude, aggressive, and persistent, and have similar appearances to the mafia. The landowners also assume advertisers and recruiters to be oppressing "legal" sex industries because "legal" ones do not deal with advertisers or recruiters, who are illegal by definition.

Around 2000, landowners first asked the police to enforce tighter control in vain. Although there have been laws and bylaws forbidding street-advertisers and recruiters, the police were reluctant to tighten the enforcement. Actual law enforcement is temporal and intermittent in Kabukicho.

Landowners finally donated a pre-fabricated police station at a cost of 60 thousand dollars to the police for tightening up enforcement, but this was also ineffectual (Figure 3). This small police station was abandoned on a street corner of Kabukicho and was seldom used.





**Figure 3. The pre-fabricated police station in Kabukicho**

At the same time, the local government has been reluctant to make stricter bylaws because the law already exists. If there was any problem, it is with the police, not the local government, they argued. The landowners could not move the police by making the local government revise bylaws<sup>4</sup>.

Under these conditions, landowners initiated the private patrol in an attempt to remove street-advertisers and recruiters from the streets.

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<sup>4</sup> Additionally, planners and officials are relatively powerless in local contexts of Japan where mayors are rather powerful.

However, this was not an easy task. First, landowners are just “good old men” (Figure 4). They are lay people and it is difficult for landowners to warn away from their businesses advertisers or recruiters who are younger and resemble the mafia. This sense of uneasiness was enforced after quarrels and skirmishes broke out. Secondly, the police would not arrest advertisers or recruiters even if landowners had trouble with them. Of course, the police are on the side of the landowners, but the scheme of law enforcement never changed. Thirdly, patrol by landowners is limited to specific time periods, in contrast to that of advertisers and recruiters who work through throughout the night on the streets.



**Figure 4. Landowners in green jackets**

These difficulties of patrol made for a peculiar equilibrium between landowners and advertisers (and recruiters). They gradually came to remember each other's faces and started to exchange casual greetings on the street. Advertisers and recruiters who remembered the rhythm of patrol (6pm to 8pm on the same days in a week) began to avoid working at that time. This caused "switching" on the street. Around 6pm, when landowners start patrol, advertisers and recruiters temporarily withdraw from the street. Then when patrol finish, they come back. They are "switching" with each other on the street, so to speak.

For advertisers and recruiters, patrols were annoying for carrying on with their businesses. It is less well known that law prohibits advertising and recruiting related to the sex industry. Even though private patrol failed to warn them, the existence of landowners on the streets appealed against the illegality of businesses conducted there. This had the effect of raising consciousness against illegality among people who visit Kabukicho.

Even among landowners, this switching is evaluated positively. They describe the situation as getting better and the impression of passers-by was that advertisers became better. One day, an arrest of a street-advertiser in another city was reported in the newspapers. The comment a landowner gave to this was "I'm relieved hearing that nobody has been arrested in Kabukicho this time." This sounds strange when we recall the initial purpose of the private patrol: removing advertisers and recruiters from the streets. If they continued to desire their removal,

they should hope that more persons would be arrested.

This showed that in the process of patrol the value and meaning structure of landowners experienced changes. The goal of the landowners was to promote and revitalize the local economy. They started to think that if only the image of Kabukicho is protected, advertisers and recruiters themselves would not harm the local economy very much. The landowners' "relief" put in the comment on the arrest in other cities came from this shift of the structure of value and meaning. If someone was arrested in Kabukicho, it damaged the local image, landowners supposed.

In my participant observation of private patrol, a symbolic interaction was observed. One street-advertiser approached a landowner and asked him, "What time will the patrol end today?" The landowner replied, laughing, "Eight o'clock." On another day, another street-advertiser asked *me* the same question, and I replied the same, with some hesitation. This episode shows the atmosphere of the balance or equilibrium on the street.

These relationships among agencies in Kabukicho are summarized in Figure 5.

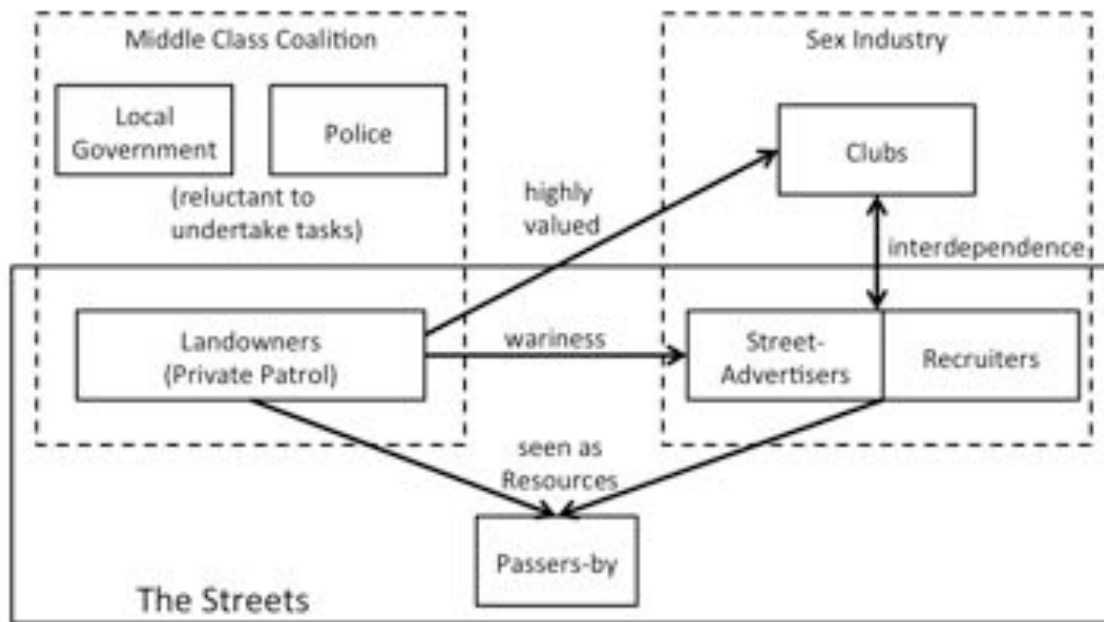
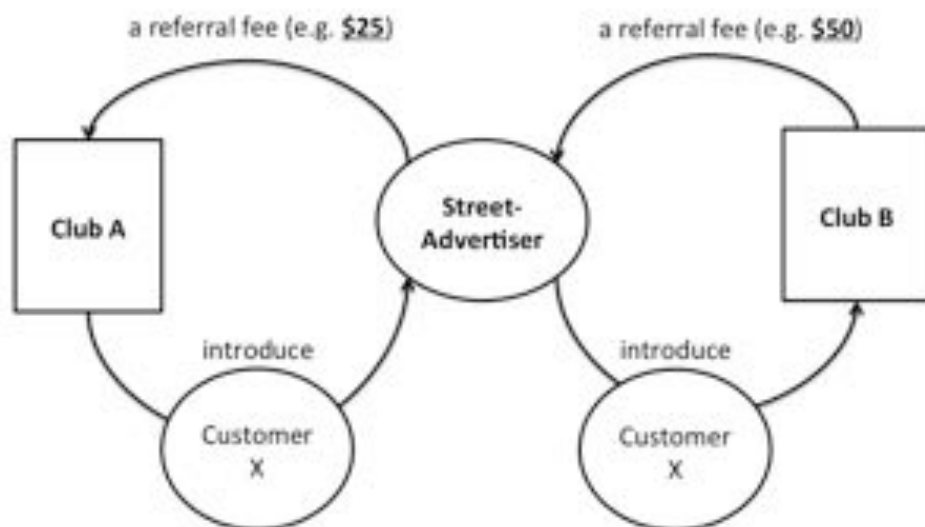


Figure 5. Relationships among agencies in Kabukicho

**(Latent) positive / negative functions of advertisers /  
recruiters**

In Japan, advertisements for the sex industry are strongly restricted both in formal and informal ways. In such situations, sex industry clubs highly appreciate the role that street-advertisers play. Street-advertisers obviously have an advertising function and a fee is paid by the job. Clubs and street-advertisers stay in close contact with each other and

advertisers often play the role of “demand and supply adjustment.” For example, a club calls an advertiser and says, “We seem to have few customers tonight, so you can discount ten dollars if you give prior soliciting to us.” Moreover, when a club introduces its customer to a street-advertiser, the club can acquire a referral fee from him (Figure 6). The introduced customer then goes to another shop and spends more money, mediated by street-advertisers.



**Figure 6. Relationships mediated by a recruiter**

Street-advertisers also bring some benefits to customers. First, customers can go to the clubs that they want. Kabukicho accommodates more than five hundred sex industry clubs in a 600 square meter area. Clubs have various characteristics, fees, services, and women. Street-

advertisers are providing services to match the tastes of customers. Furthermore, some street-advertisers use a “hand-out” technique to give a discount to the customers. Accordingly, the customer who uses a street-advertiser can, as a result, go to sex industry clubs for a more reasonable fee.

Of course, this is not always the case. The majority of street-advertisers frequently overcharges and colludes with overcharging clubs in sharing the benefit. Overcharging in red light districts is well known throughout Japan; sex industry clubs have failed to keep the trust of customers because of widespread overcharging by street-advertisers and clubs.

As mentioned above, remunerations to recruiters are relatively high in red light districts. Their annual incomes often reach three to five hundred thousand dollars. This notably high income shows how recruiters play an important role in the industry. An owner of an escort service says that recruiters introduce 60% of female employees (sexworkers). Sex industry clubs always put out many help-wanted ads, but they say, “Girls who see the ads are not always glamorous.” The glamor of women is an essential component for sex industries. Recruiters make a stable supply of “excellent human resources” possible.

For female employees, recruiters also have positive aspects. Recruiters often screen women from vicious clubs that abuse employees. This is a rational act for recruiters because they can maximize their income when women work steadily for longer. Under a similar principle,

recruiters help a woman to maximize her income by offering to move her to another club. This is because the income of the recruiter changes depending on the woman's income (15% on average). In sum, women can work more safely in a higher paying shop intermediated by recruiters.

This is also a Janus-faced situation. As mentioned above, getting women to work for longer terms is a rational choice for the recruiters; therefore, recruiters overtly and covertly prevent the exit of women. Needless to say, sex work lacks longitudinal financial stability. Aging makes it more difficult for women to profit in the trade. As the literature has pointed out, despite its instability, the money earned in the sex industry tends to be seen as "fast cash" or "easy cash" (Jeffrey & MacDonald 2006; Phoenix 1999). This is also the case in Japan. Recruiters exploit this weakness, i.e., the woman's need for "fast cash." Recruiters not only make an exit difficult but also make a return to the industry nearly inevitable (Murphy & Venkatesh 2006).

In their narratives, informants of street-advertiser and recruiter share the phrase "supply and demand." They legitimized their businesses as "supply" corresponding to the "demand" of both the sex industry and customers.

An informant (recruiter) noted, "They (recruiters) don't exit from the trade even after being arrested. Some of them have been arrested again and again. But they never quit." Two informants (a street-advertiser and a recruiter) regard themselves as a "necessary evil." Their positive evaluations of themselves cannot be dismissed as mere states of



mind. These evaluations in turn provide a disobedient frame of mind towards law enforcement and reconfirmation of self-affirmation from their high revenues, which they translate into the “needs” from the community.

### **From a Red Light District toward the “Ideal City”**

From observing these intersections on the streets in Kabukicho, what should we understand about this space, “streets”? From descriptions and analysis above, two different aspects can be drawn out.

Firstly, the streets are “infrastructure” through which resources (passers-by) flow. Street-advertisers and recruiters regarded themselves acting as catalysts for vitalization of the local economy. From their viewpoint, they make the flow of resources smooth. In contrast, the landowners’ patrol targeted them as obstacles for the flow.

Secondly, the streets are “media” through which the local image and vision are expressed. The shift of the goal of private patrol was related to this. Landowners who undertook patrol chose the maintenance of the streets not as infrastructure but as media. As long as streets indicate the locality is in good condition, landowners do not complain.

It is no less important, especially in Kabukicho, that the space of streets is open and therefore visible. This visibility gives streets special meaning that the space inside buildings does not acquire. Owing to this visibility, advertisers and recruiters can act as the catalyst on the

streets. Owing to the visibility, streets can indicate the images to the outside world.

In the red light district under discussion, there are extremely complex relationships inside, even while the discussion is limited to one on the streets. What then should be sought about “right to the city” in the red light district without inhabitants? Do we have to be the relativist who treats all agencies equally when thinking upon the area without inhabitants?

I cannot propose a simple answer here, but can propose an organized viewpoint. That is, the various agencies in the locality are regarded as possessing various legitimacies. In other words, the key for the “Ideal City” is the plurality of legitimacy. Occupations related to the sex industry (sex workers, street-advertisers and recruiters) have *a* legitimacy related to working in the city, spending more time there than others, and contributing to the local economy. Especially in Kabukicho, the sex industry is providing a unique and unsubstitutable character to the city. The legitimacy they have can be described as economic, occupational, and perhaps even cultural. Landowners have *another* legitimacy related to being there as long as half century or so, possessing land, and representing “the local” from the “prudent” standpoint. This legitimacy can be called historical, legal, and possibly moral. It also cannot be dismissed that some landowners, even if only a very few and as exceptions, are living in Kabukicho, while at the same time, some people related to the sex industry are living there as well.

Under the term of “right to the city” or the “Ideal City,” what we should consider is this plurality of legitimacy. The next step to take is an agnostic one that analyzes different legitimacies of different agencies engaged in controversy, and not only committing to inhabitants.

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