

**A Chronological Study of Discourse on Prostitution Policy, Anti-Prostitution
Feminist Movements, and Sex Workers' Rights Movements in South Korea**

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Abstract

This research examines the history of sex workers' agency and resistance to prostitution policies and anti-prostitution feminist movements in defense of their rights in South Korea based on a transnational feminist approach. I first analyze the violent impacts of government prostitution policies and anti-prostitution feminisms on sex workers' human rights, showing how they reinforce social stigma and discriminate against sex workers. The nature and content of prostitution policies throughout history share the characteristics of regulating and managing sex workers. In the name of national interests, public health, and sexual ethics, these regulatory and control policies have exploited sex workers' labor and violated their rights. In response to government prostitution policies, mainstream anti-prostitution feminists have criticized and/or collaborated with government prostitution policies that violate the human rights of sex workers by strongly advocating for the prohibition of prostitution. Since the early 20th century, anti-prostitution women's movements have claimed universal women's rights. By ignoring and denying the long history of sex workers identifying themselves as laborers, mainstream feminists reinforce anti-trafficking and anti-prostitution logics.

I argue that sex workers are professionals with unique perspectives and experiences in the prostitution sector. This research demonstrates how they have resisted stigma and discrimination, government policies to control and prohibit sex work, and campaigns by mainstream feminists and their allies in government policy. Sex workers understand not only their work and the nature of labor in a patriarchal and capitalist society, but also how state systems and mainstream feminist initiatives violate their rights. The way to defend the human rights of sex workers must come from sex workers themselves.

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I. Introduction

A. Thesis Statement

In 2014, former South Korean sex workers who had worked at U.S. military bases sued the South Korean government, claiming that the government had condoned, supported, and regulated the U.S. military sex trade from 1945 to 1996. The plaintiffs won their case in 2019, and they and their supporters—notably including mainstream anti-prostitution feminists—contend to this day that the Korean and U.S. military governments have exploited women’s sexuality for purposes of national security, economic gain, and the maintenance of U.S. hegemony in the post-Cold War era (K. H. S. Moon, 1997; C. M. Choi, 1998; H. A. Yang, 1998; N. Y. Lee, 2007). Meanwhile, in 2023, when Paju City attempted to unilaterally close one of the U.S. military base brothels, Yongjugol, sex workers formed an association to resist it. On June 29th, 2023, Sex Workers’ Day in South Korea, the association, along with the Sex Workers’ Liberation Movement Scarlet Solidarity Chacha (hereafter, Chacha)—currently the only sex workers’ rights movement in South Korea—held a rally in front of Paju City Hall to demand their survival and labour rights and to prevent the brothel’s closure. More than 150 activists from reproductive rights groups, groups advocating for the abolition of immigration detention centres, climate justice movements, and others joined them (Chacha, 2023). Mainstream feminist organisations, however, have demonstrated no solidarity, instead supporting and cooperating with Paju City’s decision to shut it down (S. Y. Woo, 2023). The plaintiffs fighting against the South Korean government’s exploitation of women vis-a-vis U.S. military base brothels and those resisting the shutdown of Yongjugol share common ground in that they are sex workers resisting the government’s violation of sex workers’ rights at U.S. military bases. Why, then, is the

mainstream feminist response to these two struggles so different?

This study seeks to interrogate this dissonance by asking: Who, in actuality, endangers sex workers, and how do sex workers respond to such threats? Understanding sex worker resistance necessitates an integrative approach to analyzing historical discourses and policies that have shaped institutionalized threats to sex worker rights, rather than a fragmented analytical approach. This dissertation thus investigates the historical development of the South Korean government's regulatory management of sex workers and concurrent, often intersecting mainstream feminist anti-prostitution movements. It specifically focuses on mainstream feminist constructions and representations of sex workers and their impact on sex workers' human rights in South Korea. Further, this research examines and animates the history of sex workers' agency and resistance to prostitution policies and anti-prostitution feminist movements in defence of their rights.

In the 1980s, feminist studies of prostitution emerged in South Korea. The studies produced by mainstream anti-trafficking feminists view prostitution as an indicator of women's oppression, concerned about the commodification of sex—which they view as human trafficking—and likening prostitution to the slave trade. Such scholarship can be categorized as follows: studies that criticize the Korean government's management of the sex industry for national interests (Korea Church Women United, 1983; Y. S. Kang, 1989; H. Cho & P. W. Jang, 1990; K. H. S. Moon, 1997; J. M. Hwang, 2001; N. Y. Lee, 2006, 2007, 2013; J. M. Park, 2014, 2015; H. Y. Lee & N. Y. Lee, 2015); studies that view prostitution as violence against women and sex trafficking under patriarchy (Women's Hotline, 1985; Gunsan Fire Disaster Committee, 2000; M. R. Kim, 2001; M. R. Jung, 2002; N. Y. Lee, 2016; H. J. Park, 2020); studies that look at the licensed prostitution system introduced by the Japanese colonial regime as the root of systems

for managing modern sex work and correlated exploitative industrial infrastructure (Yamishita, 1992; Y. O. Song, 1994; J. S. Kang, 1998A; Y. S. Ahn, 2003); and historical studies of mainstream feminist movements against prostitution (K. J. Min, 1999; D. S. Yang, 2001; H. J. Eum, 2006; E. S. Yoon, 2007; D. J. Lee, 2008; N. Y. Lee, 2009; Y. M. Park, 2010). These studies all consist of anti-prostitution feminist research that focus on a specific time period or are limited to a specific geographical area.

Jung Mi Park (2011) produced the only study to address the development of mainstream anti-prostitution feminist movements and related sex worker resistance through the lens of South Korean prostitution policies between 1945 to 2005. However, in terms of terminology and perspectives on prostitution, she defers judgment on prostitution as “labour” versus as “violence” and concludes ambiguously on the emergence of the sex workers’ rights movement as “an attempt to re-theorize prostitution and the agency of women who sell sex,” which “has opened up new debates around prostitution” (p. 415, my translation). Also, by focusing on policy analysis, this paper fails to excavate the roots of the Korean anti-prostitution feminist movement and its relationship to international anti-prostitution and anti-trafficking discourses. Without a historical and transnational approach to the ways in which the anti-prostitution feminist movement constructs and represents sex workers, understandings of anti-prostitution discourses in feminist scholarship focused on different time periods and issues as disconnected events can lead to superficial or incomplete discursive analyses. While such studies may provide fragmentary understandings of the phenomenon at hand, they fail to adequately interpret the agency and resistance of sex workers from diverse backgrounds, simplifying and othering the experiences of women of colour from the global South.

It is noteworthy that the research landscape took a turn in 2004 with the introduction of a

new law prohibiting prostitution that was informed by mainstream feminists who aimed to eradicate prostitution. While mainstream feminists demanded a crackdown on prostitution and stronger enforcement of the anti-prostitution law, sex workers and pro-sex work feminist scholars, claiming labour and survival rights, emerged to critique the anti-prostitution laws and the arguments of hegemonic feminists, arguing for the need for a theory of sex work (H. Y. Lee, 2005; G. H. Ko-Jung et al., 2005; G. H. Ko-Jung & H. Y. Lee, 2005; E. M. Moon, 2005, 2009; S. Y. Oh-Kim, 2005, 2008, 2013; N. Y. Lee, 2005; S. S. Lee, 2006; K. M. Kim, 2008; H. J. Lee, 2008A; E. J. Cho, 2008; G. H. Ko-Jung, 2009; S. M. Bae, 2013) and for the significance of the issues brought forward by the sex worker movement (J. E. Kim, 2006; H. J. Lee, 2009; H. Y. Lee, 2011; Milsa, 2013; S. Y. Oh-Kim, 2016). While studies have been conducted on the resistance of prostitutes in the 1920s-1930s (J. Y. Seo, 2005; J. S. Noh, 2016) and the history of sex worker resistance near U.S. military bases in the 1970s-1980s (K. J. Min, 2002; N. Y. Lee, 2010), the majority of sex work research has focused on analyzing the sex workers' rights movement that emerged after the enactment of the 2004 law prohibiting prostitution.

To group sex workers' resistance and claims in a diachronic way and to analyze their significance is to see their agency and resistance beyond immediate and fragmented responses to individual threats, and to understand the movement in a historical continuum of ongoing activism and manifestations of their agency. Just as government policies and anti-trafficking feminist movements are framed within a specific context, the resistance of sex workers must also be understood in the context of the history of their struggles for rights. Everyday manifestations of agency and resistance to stigma, collective action against workplace rights violations, and acts of solidarity by members of grassroots organizations are not isolated events but are made possible by and produced through the subjectivities expressed by sex workers, based on their lived

experiences within the sex work environment.

B. Research Questions

This study presents a chronological overview of factors that have contributed to the violation of sex workers' rights and reinforced social stigma, and a historical analysis of how sex workers have resisted these threats and injustices. It explores arguments about the social and institutional requirements for ensuring sex workers' rights that are based on the experiences and expertise of sex workers themselves. It further examines the genealogy of state sex work management policies and concomitant mainstream feminist anti-prostitution movements, their impacts on sex workers' human rights, and the resistance to such oppression by sex workers themselves. I draw on the following three sets of questions in my analysis:

1. How have policies that promote state regulation of sex work defined sex work and workers, and what social and cultural perspectives are they based on? What forms of management have sex workers been subjected to through such policies, and how has this affected sex workers' experiences, labour, and rights? For what ultimate purpose were the government's policies on sex workers implemented? How does this relate to both national and international interests? What influenced these policy changes and their maintenance, and for what aims?

2. How have mainstream women's movements constructed and represented sex workers, and where can we locate the roots of their discourses? How have they defined their relationship with sex workers, and how has this relational orientation affected their attitudes towards sex workers? How do mainstream women's movements position themselves in relation to labour rights, survival rights, and the social stigma of sex workers? How has the anti-trafficking women's movement engaged with other feminist campaigns, and how has this engagement

impacted their movement?

3. How have sex workers resisted government regulation and mainstream women's movements? What claims have sex worker resistance movements made? How has sex workers' collective resistance been historically constructed? How has the sex workers' rights movement evolved in relation to other social movements?

C. Methodology and Methods

My experiences and connections with Magdalena's House, a sex worker support grassroots organization, have been a major influence in shaping my analysis of the hegemonic anti-trafficking feminist discourse of this thesis and the sex worker rights movements. Magdalena's House is an organization that supports sex workers from a Catholic religious perspective and does not advocate a pro-sex work perspective or use the term sex work. However, it also distances itself from mainstream anti-prostitution women's organizations that view prostitution as sex trafficking and sexual exploitation, and offers an alternative approach to sex worker rights advocacy from a community of practice perspective. From spring 2008 to winter 2010, I worked at an outreach center for sex workers run by Magdalena's House. The outreach center was located in Itaewon, where the sex industry for foreigners and foreign troops had developed since the Japanese colonial era, and the Yongsan area, where brothels had developed around the train station.¹ During my time at the center, I met sex workers in a variety of settings, including Korean and migrant sex workers serving the U.S. military and foreign tourists, trans sex workers, and sex workers serving domestic clients. I also interacted with a variety of actors in and around the sex industry, including family members and neighbors of sex workers, business owners, and

¹ Yongsan brothel was shut down in 2011 in the name of urban cleanup and anti-prostitution policies.

moneylenders. These connections continue to this day, as I have participated in various projects at Magdalena's House as an independent researcher and met with sex workers and activists in the field since 2019, when I began my dissertation fieldwork. My experiences and observations have a very important impact on the formulation of my research ideas and questions, as well as my support for sex workers' rights movements and perspectives on hegemonic anti-prostitution feminist movements. My analysis therefore owes a great deal to my work at Magdalena's House and my interactions with sex workers.

Based on my experience and observation, this research project primarily relies on a transnational feminist qualitative methodology that decenters and decolonizes North American-Western European white feminist epistemologies based on white supremacy, racism, and coloniality. This challenges such productions of non-Western women as a singular, monolithic subjects, instead respecting racialized women's agency and praxis by centring non-Western women subjects in knowledge making (Grewal & Kaplan, 1994; Mohanty, 2003; Alexander & Mohanty, 2013; Falcon & Nash, 2015). Euro-American white feminists represent the Third World woman as a unified and stable subject, situating themselves as "Western" and others as non-Western "victims" (Mohanty, 2003a), which elides diverse Third World/Global South women's agency and establishes a "universalized western model of women's liberation" (Grewal & Kaplan, 1994, p. 17). Women's rights as human rights projects by international feminists reinforce "universal norms of gender equality" (Collins et al., 2010, p. 305) by centring Eurocentric human rights and their assumptions and goals. This fixes Third World/Global South women as objects of charity by the West within the binary of donor and recipient countries (Grewal, 2005; Blackwell et al., 2015). In this vein, human rights and development have become "the governmentality of human rights" (Grewal, 2005, p. 122) by increasing local NGOs'

dependency on international organizations and reinforcing the agenda-setting power of the West, thereby reifying a white international feminist notion of “universality and sisterhood within many transnational connectivities” (Grewal, p. 126; also see Blackwell et al., 2015; Naple 2002). Thus, transnational feminisms aim to avoid the “old sisterhood models” (Grewal and Kaplan 1994, p. 19) of white international feminism that regard homogenous Third World/Global South women as victims who need to be saved by the West (Collins et al., 2010; Mohanty, 2003b;). Instead, this feminist perspective guides me toward alternative feminist solidarity, centring Third World/Global South women subjects and agencies (Mendoza 2002; Swarr & Nagar 2010).

Through a “decolonial epistemic perspective” (Grosfoguel, 2007, p. 212) that recognizes and reflects on coloniality, racism, and white supremacy, transnational feminisms have always been particularly concerned with how Third World/Global South women’s racially gendered experiences are formulated in different groups through migration, globalization, and global capitalism. This approach focuses on the racially gendered processes of globalization and ideologies that justify globalization, critically acknowledging globalization as a continuum of Western imperialism (Mohanty, 2003b; Mendoza, 2011; Alexander & Mohanty, 2013). This scholarship claims that Third World/Global South women’s migration is restricted, controlled, monitored, and criminalized by and through national borders and focuses on how such processes are racialized and gendered (Bhattacharjee, 2012; Blackwell et al., 2015; Parreñas, 2001). This approach allows me to centre racialized gender as a key analytical focus for a comprehensive analysis of globalization and the struggles against it, as well as of the impacts of globalization on racialized women, particularly sex workers (Mohanty, 2003b).

Based on a transnational feminist approach, this project will be conducted with a feminist interdisciplinary methodology that provides a critical interpretative framework to challenge the

barriers of conventional disciplines and to understand how women's lived experiences intertwine with social structures in a more integrative way (Hesse-Biber et al., 2004). Rather than just adapting and combining distinct disciplinary analytical and methodological tools, feminist methodology develops integrative critical research tools and approaches (Allen & Kitch, 1998; Sandoval, 2000).

The study employs discourse analysis and literature review as the research methods. To analyze prostitution policy, I utilize resources such as prostitution-related laws and regulations, police data, newspapers and magazines, and academic data written by scholars. Research on statutes is derived from information provided on the Korean Law Information Centre website. The English translation of the law and related terminology primarily follows the website. Any statutes without translations originally have been translated by me. In the case of Japanese colonial-era laws, information was gathered through newspaper searches and secondary literature, as no information exists about that period on the website. In the case of amended laws, I focus on the law as it was enacted and exclude cases where the amendments did not make a significant difference. For the analysis of prostitution policy, this dissertation relies on parliamentary minutes, government documents, government reports, academic studies, and newspaper articles. For less accessible documents and government documents written in Chinese characters, secondary sources are used.

Finding accurate statistics posed a great challenge in this research, as most statistics relating to the sex industry are estimated or confined to specific timeframes. Therefore, the statistical and numerical data presented are not intended to provide an accurate estimate of the size of the sex industry but rather to indicate its characteristics and trends at a specific moment in time. For this purpose, I rely on government statistics and research publications, newspapers, etc.

To contextualize this data in relation to the state of the government and sociocultural milieu of the country at any given time, I depend on academic sources created by historians, sociologists, and political scientists. For secondary sources, I refer to the Korean history database, which is provided by the National Institution of Korean History, and the Encyclopedia of Korean Culture.

To analyze feminist discourses on prostitution since the 1980s, I examine magazines and newspapers produced by feminists, publications of women's organizations, academic literature, and mainstream newspaper articles and magazines. For pre-1980s material that is less accessible, I rely on secondary sources. Much of the literature is limited by the inability to capture the history of individuals excluded from official records, including sex workers. Representations of sex workers in newspaper and magazine articles, government reports and statistics, and research papers, albeit written by others, provide clues to recovering their agency and resistance. The search for newspaper and magazine articles was based on the newspaper archives provided by the portal site Naver, the archive services provided by each newspaper, and Korean News Archive provided by the National Library of Korea, and the Korean History Database provided by the National Institute of Korean History.

However, there are exceptions, including magazine articles written by sex workers in the 1920s-1930s, particularly by kisaengs. In particular, the magazine *Janghan*, which was published twice in 1927 by kisaengs, is a valuable source of information about their lives and claims. Therefore, the analysis of sex workers' activism and resistance during this period is mainly based on an edited volume published in 2019, which compiled articles written by kisaeng from *Janghan*, *Sisa Pyeongron*, *Samchully*, *Bipyeong*, and other magazines.² However, writings by

² The magazine *Yeoseong* was founded in 1934 with the aim of promoting women's pride in the waitressing profession and combating social prejudice. It is not known whether the magazine continued to be published. The first issue is currently held by the Seoul National University Library (Encyclopedia of Korean Culture,

sex workers are limited to kisaengs due to limited media access and the high illiteracy rate of the Joseon public at that time,³ meaning that analyses of sex worker articulations of agency are limited as such.

Regarding terminology, this dissertation uses the terms prostitution (*seongmaemae*, in Korean), and sex work (*seongnodong*), and the terms prostitutes and sex workers are used interchangeably to refer to sexual service labour and people who provide sexual services. In government policy and anti-prostitution feminist movements there is the exclusive use of the terms prostitute and prostitution, and that use is reflected here when referencing the policies and movements. The terminology for sex workers, which has been constructed differently over time and according to the content of their services, is complex, and the category of sex worker is further complicated by the working conditions, environments, stigmas, and hierarchies of the workers who provide sexual services. The terms sex work and sex worker, first introduced in the U.S. by Carol Leigh, are associated in South Korea with the resistance of brothel sex workers to the introduction of the Special Law on Prostitution in 2004, where some academics, witnessing the resistance, began to advocate for a theory of sex work and stood in solidarity with the sex worker movement. In this thesis, I use the term sex work and sex workers as an umbrella term to refer to the labour of providing sexual services and people who have historically worked in the sex industry since before the term sex work and sex worker existed, such as kisaeng, changgi,

<https://encykorea.aks.ac.kr/Article/E0079763>, retrieved August 4, 2023) but is not included here due to limited access to the data.

³ There is no data on literacy rates by occupation during the Japanese occupation, but the illiteracy rate among Korean women was very high. According to a 1930 survey by the Governor General's Office, out of a total female population of 10,294,626, only 197,312 women (1.9%) could read and write both Korean and Japanese, 179,753 women (1.7%) could read only Japanese, 605,656 women (5.9%) could read only Korean, and 9,311,905 women (90.5%) could not read or write both (Korean Statistical Information Service, https://kosis.kr/statHtml/statHtml.do?orgId=101&tblId=DT_1IN3015&conn_path=I2, retrieved January 7, 2024). To become a kisaeng, one had to attend a kisaeng school where literature was a required subject, so it is expected that the literacy rate of kisaeng was higher than that of women in other professions.

barmaid, waitress, U.S. "comfort woman," brothel sex workers, migrant sex workers, and so on. The active use of the terms sex work, sex workers, and the sex workers' rights movement is intended to clarify the perspective of this thesis, which argues that their work is labor, by differentiating the terminology from mainstream feminist and anti-prostitution policies that do not recognize sex work as labor, but instead view it as sexual exploitation. In a similar vein, this thesis uses collective actions by sex workers as a sex workers' rights movement from the perspective that sex workers are the ones who have the best understanding of their working environment and conditions and can best determine what is needed to advocate for their rights (Smith & Mac, 2018/2022).

Since the 2000s, with the rise of the sex workers' rights movement and the development of internet media, there are relatively more materials written by sex workers themselves. Therefore, I use academic articles, blog posts, manifestos, speeches, and webpages written by these sex workers for my analysis. The theoretical background on sex work includes not only the arguments of English-language scholars and sex workers but also the arguments of Korean sex worker activists and pro-sex work feminists. Despite the dominance of Western elite intellectual power, in addition to English-language texts and arguments, sex workers and researchers of various nationalities, races, and classes are working to critically examine and record sex worker rights movements in a variety of languages. My dissertation is possible because I speak Korean as my first language. I hope that my work is not used to reinforce Western power in the Western-centric knowledge complex but rather to contribute to breaking down this paradigm of knowledge-power relations.

D. Chapter Outlines

This dissertation examines discourses surrounding sex workers in three arenas: policy, mainstream feminist movements, and sex workers' activism and resistance. In Chapter 2, I review existing literature on discourses of prostitution and related theoretical perspectives. The first section explores the state's system of managing and regulating sex workers, and feminist political and intellectual challenges to it. It examines the correlation between managing and regulating the sex industry and those working in it, and the imperialistic expansion, militarisation, and nationalism of imperial powers. The second section examines the genealogy of anti-prostitution and anti-trafficking discourses in mainstream feminism. This part traces the evolution of anti-trafficking and anti-prostitution discourses into dominant anti-sex trafficking discourses. The final section reviews the arguments of the Korean sex workers' rights movement, which is sex worker-led, through the activities and arguments of sex workers themselves.

Chapter 3 provides an overview of prostitution policies on the Korean Peninsula from the pre-modern to modern periods. This is when certain types of prostitution were "authorized" by law. Section 1 looks at the kisaeng system of the Joseon Dynasty (1392–1908). It outlines the pre-industrialization of the sex trade, sex workers as a class, state policies towards kisaeng, and the labour of kisaeng. Section 2 examines the system of management of and regulatory policies for the sex industry and sex workers, which were introduced by the Japanese government during the modern period (1908–1945). This was a time when the sex trade began to be commercialized, Japanese imperialism expanded, and the Korean peninsula was colonized by Japan. It examines the impact of imperialist expansion and militarization on military sex workers and wartime sex slaves—the so-called "comfort women"—through domestic systems for

controlling prostitution across the Korean peninsula and through systems for controlling migrant prostitution in Manchuria during this period.

Chapter 4 explores changes in sex industry policy in contemporary South Korea since the end of Japanese colonization to the present and the impacts of those changes on the sex industry and sex workers. This is a time when policies against prostitution have coexisted with policies to manage sex workers and control STIs. Section 1 examines sex worker management policies from the U.S. military government after the end of Japanese colonization to around the Korean War (1945–1960). This section analyzes how, with the arrival of the U.S. military and the Korean War, the policies governing brothels under the Japanese licensed prostitution system became the basis for regulatory policies governing sex workers in South Korea, and how the “comfort women” system was revived in this. Section 2 looks at the processes by which the government, acting on national interests, fully legalized prohibition and strengthened its policies to manage sex workers (1961–2003). It explores the processes by which the government’s management of sex workers is maximized within the dual national discourses of sex workers as both “women of loose morals” and as “patriots”. Section 3 examines the Special Act on Prostitution, which was enacted as a result of the initiatives of anti-prostitution feminist forces (2004–present). It examines how the Special Act on Prostitution, which consists of the Protection Act and the Punishment Act, dichotomizes sex workers into simultaneously voluntary sex workers and victims of prostitution. It investigates whether punitive and regulatory policies toward sex workers violate their human rights and reinforce stigma and discrimination against them.

Chapter 5 analyzes the representation of sex workers by anti-prostitution and anti-trafficking women’s groups and their responses to prostitution policy. This chapter aims to explore the ways in which mainstream anti-prostitution feminism assumes universal human

rights for women and, in the name of these rights, violates the labour and human rights of sex workers. The first section depicts the prostitution abolitionist movement during the Japanese and U.S. military regimes (1919–1948). This section explores how the abolitionist movement, influenced by the Christian women’s movement, colluded with the right-wing regime to outlaw changgi. The second section examines the processes of enacting and enforcing laws aimed at eradicating prostitution led by hegemonic feminists, which has been in full swing since the 1980s (1980s–present). With its roots in the Christian feminist movement, the anti-prostitution movement in mainstream South Korean feminism has become a major force in enacting laws to eradicate prostitution based on a radical feminism that has mainstreamed an anti-prostitution and anti-trafficking discourse. The final section examines the discourses of mainstream anti-prostitution feminist movements on Japanese military “comfort women,” U.S. military “comfort women,” and migrant sex workers in U.S. military base camps. This section analyzes how mainstream feminism, while critiquing patriarchal purity, has deployed discourse in ways that victimize and other sex workers through binaries of female sexuality and the hierarchization of sex work.

Chapter 6 examines the stigma and discrimination against sex workers and the history of sex worker activism and resistance that has been rendered invisible by the anti-prostitution feminist movement. The first section explores the agency exercised by Joseon kisaengs despite the gender and caste restrictions on their status. It argues that the multi-layered positionality of kisaeng acted as a key to cracking and subverting patriarchy and puritanical ideologies. The second section examines the resistance of sex workers to social stigma and to securing labour and human rights in the 1920s and 1930s. It argues that their rights activism led them to join grassroots organizations as members of society. The third section provides a history of sex

workers' rights movements from the late 1940s to the present day that have challenged regulatory management policies and the anti-prostitution feminist movement and the history of collective resistance to the U.S. military and government by military base camptown sex workers at the bottom of the sex work hierarchy. The final section analyzes the subjectivities and agency of migrant sex workers, drawing on reports from the government and women's organizations. This chapter argues that sex workers' rights activism has been exercised by sex workers for at least 100 years.

II. Theoretical Background: Unpacking Discourses on Sex Work

Unpacking discourses on sex work is central to understanding how South Korea's prostitution policies and anti-prostitution feminists have endangered sex workers, as well as to understanding how sex workers have resisted such threats. In this chapter, I examine the discourses surrounding sex work and their underlying theoretical perspectives. This chapter is divided into three sections. First, I look at the systems through which the state manages and regulates sex workers and how feminists analyze and challenge them. It examines how government management and regulation of sex workers have always been linked to imperialist expansion. It also explores how feminists have critiqued militarized sex work and how their arguments are rooted in nationalist and postcolonial perspectives. The second section reviews studies that explore how mainstream feminist anti-prostitution and anti-trafficking claims are white supremacist, racist, and colonial by exploring the roots and genealogies of their discourses. The third and final, but most important, section summarizes the arguments of the sex worker-led sex workers' rights movement. Organizing discourses around sex work in this way offers an epistemological framework on which transnational feminist research on sex work can rely.

A. The Relationship between Prostitution Management Policies, Militarized Sex Work, and Nationalism

In exploring prostitution management policies and their impacts on sex workers in modern and contemporary South Korea, this section is divided into two parts. First, I examine the relationship between management policies towards sex workers and imperialist expansion through country-specific examples: the case of France, which initiated a system of managing sex workers; the case of the United Kingdom, which became the prototype for feminist discourses

and campaigns against prostitution; and the case of Japan, which introduced modern prostitution management policies in Korea and became the prototype for comparable Korean-style policies.

The second part explores feminist reflections on militarized sex work and nationalism.

1. The Modern Management and Control Policy for Sex Workers

The first attempt at modern and medical administrative control over sex workers took place in France at the beginning of the 19th century (Harsin, 1985). France had banned prostitution, but the police, seeing it as a necessary evil, tolerated it. Prostitutes were required to have a license issued by the police and were subject to regular STI tests. Prostitutes who refused to be tested for STIs were punished. An infected woman was deprived of her license and sent to a prison ward for infected prostitutes for treatment. Prostitutes arrested for selling sex without a license and diagnosed with the infection were also sent to the prison ward for forced treatment. As this was prior to the discovery of a cure, it is more accurate to say that infected sex workers were effectively quarantined rather than treated (Harsin, 1985; Corbin, 1990). In addition, working-class women were subject to arbitrary and widespread surveillance in the name of cracking down on unregistered prostitutes (Harsin, 1985). As the state sought to control the sex industry and sex workers in the name of STI control, prostitutes were targeted. Regarded as carriers of sexually transmitted diseases, sex workers were subject not only to control but also to stigma as immoral and promiscuous women, based on an ideology that dichotomized female sexuality into the Virgin Mary and the whore (Baldwin, 2004). The French management policy remained in force until it was abolished in 1946. This policy towards sex workers spread to European, South American, and Asian countries and their colonies, where colonized women were used and managed as objects of sexual pleasure for soldiers and bureaucrats (Limoncelli, 2010). This became the prototype for the creation of nation-states and the means for imperialist

expansion.

Following the Crimean War (1853–1856), the British government passed, extended, and strengthened the Contagious Diseases Acts (CDA): in 1864, 1866, and 1869. The law was intended to prevent STIs among soldiers, but it only targeted sex workers, citing low morale as the reason. STI screening was made mandatory for women suspected of prostitution and for “common prostitutes.” In practice, the CDA functioned as a means of cracking down on the indecency of all working-class women because of its vague and arbitrary targeting. Every sex worker had to undergo vaginal examinations every two weeks, and women infected with STIs were locked up in a lock hospital for nine months. Registered common prostitutes whose clients were mostly military personnel were not illegal but instead regulated by law (Walkowitz & Walkowitz, 1973). As the CDA expanded and strengthened, the Ladies’ National Association for the Repeal of the Contagious Disease Acts (LNA) was founded. The CDA was completely abolished in Britain in 1886, and the LNA’s abolitionist movement spread internationally.⁴

Japan’s prostitution policy was based on a licensed prostitution system. In Japan, a sex worker in a red-light district, a changgi, belonged to the same owner for life through a system of licensed quarters established during the Edo period (1603–1868). In response to international criticism that the system was based on human trafficking, Japan’s modernization at the end of the 19th century led to the prohibition of human trafficking and the Changgi Emancipation Decree in October 1872. Following the promulgation of the Changgi Emancipation Decree, the Tokyo Metropolitan Government implemented the licensed prostitution system in December 1873, which required prostitutes to obtain a license to operate but that did not impose residency restrictions. In 1876, the city established a licensed prostitution system with regulations to crack

⁴ The CDA’s abolitionist movement is discussed in more detail in Section B.

down on unlicensed prostitution, imposing restrictions on where changgi in brothels could live. The reason that the Japanese government introduced the licensed prostitution system was because the need to control sex workers increased due to the spread of STIs in the military. With the opening of the port, brothels targeting whites began to appear in foreign settlements in Japan, and foreign military forces demanded STI examinations for sex workers in those settlements. At the request of the Russian Navy, prostitutes in Nagasaki were tested for STIs for the first time, and a hospital for sex workers was opened at the suggestion of the British Navy. Implementing licensed prostitution was part of Japan's "civilization and enlightenment policy," a means to becoming a member of the "international community" (J. A. Park, 2009, p. 28, my translation).

In order to become changgi, they had to provide parental consent and pay taxes, had to be over 16, and had to be tested for STIs twice a month. As international public opinion on human trafficking prompted the implementation of the licensed prostitution system, it was important to the Japanese government that changgi be a form of free-will contract. Therefore, a contract had to be drawn up between the owner and changgi, specifying the duration of the contract, the way in which the debt would be repaid, and the reasons for becoming changgi. As many of the people who became changgi did so to make a living, they often went into debt to the business owners to get out of poverty, and it was difficult to stop working until the debt was paid. This made it difficult for Japan's licensed prostitution system to avoid criticism from anti-trafficking women's groups, who argued that the system was based on human trafficking (J. A. Park, 2009).

Regulations on unlicensed prostitution were also introduced. In 1875, unlicensed prostitution was made punishable by a fine, and waitresses and geisha—women who danced, played music, and entertained customers—were banned from selling sex. Japan's licensed

prostitution system was one of the ways in which the Japanese government, through sexual comfort, sought to control its military forces and the labour of male workers as it pursued imperialist expansion and capitalist development. In order to provide them with safe sex, both licensed and unlicensed sex workers were subject to control and regulation. The licensed prostitution system was also implemented in Japanese settlements and colonies such as Korea, Manchuria, and Shanghai as Japanese imperialism expanded (J. A. Park, 2009).⁵

2. Feminist Interventions in Militarized Sex Work and Nationalism

Since the early 1980s, feminist scholars such as Cynthia Enloe have called attention to the gendered, sexualized, and racialized dimensions of national security, militarization, and international relations (Enloe 1983, 1990; K. H. S. Moon, 1997). This scholarship has not only criticized heteropatriarchal international politics, national security, and diplomatic policy but has also catalyzed feminist discussions on women's roles in militarism. For instance, arguing that militaries are often defined as all-male terrains by male militarists, Enloe, in her book *Does Khaki Become You?: The Militarisation of Women's Lives* (1983), reveals women's roles in militarization. While focusing on the experiences of "woman camp followers" (p. 2) as sex workers, military wives, military nurses, official soldiers, maids, and cooks throughout European history and contemporary reality, she argued that women camp followers were kept ideologically marginalized from the main function of militaries: combat. Thus, to ensure women camp followers are readily accessible labour there must be control over women, the core component of such control being to keep women peripheral to the military's dominant identity.

⁵ The implementation of the licensed prostitution system in the colonies and occupied territories by Japan is discussed in more detail in Chapter 3.

Based on critiques of the gendered ideology of militarism, the scholarship has expanded to explore the relationship between militarized sex work and militarism (Enloe 1990; Sturdevant & Stoltzfus, 1993; K. H. S. Moon; N. Y. Lee, 2007). Within a hetero-patriarchal society that considers only male sexual desires as human nature, scholars have argued that the military relies on a particular type of masculinity to maintain soldiers' morale and discipline (Sturdevant & Stoltzfus, 1993), and that militarized sex work is used as a tool to maintain hyper-sexual, heterosexual masculinity (S. S. Moon, 2010). They point out that militarized masculinity is impossible without sexualized Rest and Recreation (hereafter, R&R) in the host nation, emphasizing attention to everyday interactions between the military and the local community as a way of understanding the militarization of politics and society (Sturdevant & Stoltzfus, 1993). In her book *Bananas, Beaches, and Bases: Making Feminist Sense of International Politics* (1990), Enloe suggests that personal militarized sex work is closely related to international politics. According to her, international relations between nation-states have appropriated, mobilized, and exploited local women's sexuality. She argues that militarized sex work must be traced back to gendered ideologies, such as male sexual dominance over women and masculinity's close association with militarization.

Enloe further claims that military governments have been regulating the sexuality of local women, particularly sex workers, through sexually transmitted infection testing. She demonstrates that for the sake of the needs of the Victorian British military, the British government introduced compulsory STI tests—the Contagious Diseases Act—near the military stations. The military government controlled male soldiers' sexuality by controlling the sexuality of local women who had sexual relationships with them. She also explains that in the 1940s, during the Asia-Pacific War (1931-1945), compulsory STI testing was not only enacted by the

British military but also by the militaries of the U.S., Japan, and France, as described above (Enloe, 1983). Inspired by Enloe's work, other scholars have illustrated how the control and exploitation of women's sexuality have been practiced in and through militarization (Enloe, 1983, 1990; Dery 1991; K. H. S. Moon, 1997; Tanaka, 2002; N. Y. Lee, 2007; S. S. Moon, 2010; Takeuchi, 2010; Kramer, 2011). For instance, Kramer (2011) demonstrates how military occupation forces' governments have controlled local policies on sex workers to protect male military personnel and satisfy their sexual desires. To "protect" military personnel from local women who were considered the "source" of venereal illness, they've designed exclusive brothels, mandated STI testing for local women, and interned "infected women" at detention centers. Thus, a key aspect of gendered and sexualized militarism is the control and exploitation of the sexuality of local women, especially militarized sex workers.

Expanding on military occupation forces' governments controlling and exploiting local women's sexuality, some scholars have focused on the role of local government and male elites in the regulation of militarized sex work (Enloe, 1983, 1990; Dery, 1991; N. Y. Lee, 2007; K. H. S. Moon, 1997; S. S. Moon, 2010; Tanaka, 2002; Takeuchi, 2010). For example, Enloe (1983, 1990) argues that local police and judges have had the power to compel women to take STI tests. In a slightly different vein, Katharine H. S. Moon (1997) has revealed how in South Korea, the local government mobilized militarized sex workers' bodies and the gendered ideologies assigned to them in international relations policies and agendas to achieve domestic economic growth and enhance national security. She argues that the institutionalization and operation of sexualized R&R have been entangled with the interests of not only the U.S. military government but also the South Korean government. According to Moon, regulating R&R areas and controlling sex workers at U.S. military bases was a critical strategy for the South Korean

government to guarantee the military alliance, national security, and foreign currency acquisition. These feminists have shown how the regulation and exploitation of local women's sexuality was possible because of not only the interest of U.S. military forces but also due to the cooperation with local male elites in positions of political authority and power.

Another line of scholarly inquiry has illuminated the racialized dimensions of gendered and sexualized militarism. They have revealed the prevalence of racial discrimination among GIs in the U.S. military (Enloe, 1983; N. Y. Lee, 2010; Takeuchi, 2010). Enloe (1983) demonstrates that in Vietnam and South Korea, the U.S. military brothels were racially segregated and there was clear discrimination based on racial and rank differences among the GIs. Furthermore, Jin Kyung Lee (2010) and Michiko Takeuchi (2010) address how racism in the U.S. military created segregation among militarized sex workers. Sex workers affiliated with African American GIs were deemed to occupy a lower social status compared to those associated with white American GIs. By aligning themselves with higher-ranking white American GIs, sex workers were able to improve their social standing (Takeuchi, 2010). This segregation stems from the racial and military hierarchy of the GIs with whom sex workers have a relationship with, impacting the economic success of sex workers and the relational dynamics between sex workers and GIs.

Another core tenant of racially gendered and sexualized militarism is racism by the GIs against Asian women. Some have argued that racism against Asians in the U.S. travelled with the U.S. Forces in Asia. For example, Ji Yeon Yuh (2002) has claimed that racism against Asians and sexism in the U.S. have resulted in sexual objectification against Asian women, which is key to the U.S. military operating militarized sex industries in Asian countries. "The exoticization of the Third World 'other'" is an important factor within the global sex industry (Kempadoo & Doezema, 1998, p. 10). Because the sex worker is considered as "other," a racialized "exotic"

sex worker is considered “the ideal ‘outside’ woman” (ibid., p. 10). With these racialized sex workers, the GIs can be free from “standards of behaviour” required by “respectable” women from their own countries (Enloe, 1990, p. 57). In this context, a militarized sex industry based on racism is used to maintain hyper-sexual heterosexual masculinity, and U.S. soldiers can sustain their masculine military identities through the myth that Asian women are sexually submissive (Sturdevant & Stoltzfus, 1993; J. H. Yuh, 2002; N. Y. Lee, 2007; Takeuchi, 2010). These scholarly contributions argue that militarism is racially gendered and sexualized through the otherization of Asian militarized sex workers.

Regarding militarized sex work, some argue that the U.S. military occupation in Asia is a U.S. neocolonial project to create a post-WWII hegemony in East Asia, and that U.S. military sex work is key to maintaining U.S. occupation (Kramar, 2011; J. K. Lee, 2010; Sturdevant & Stoltzfus, 1993; Takeuchi, 2010). For instance, Jin Kyung Lee (2010) argues that on top of demonstrating an imbalance of power between the U.S. and South Korea, American soldiers’ relations with South Korean sex workers are an example of “sexual imperialism” (p. 129). Hae Yeon Choo (2016), on the other hand, focuses on how the increasing prevalence of migrant militarized sex workers in South Korea shows how global hierarchies are changing with economic growth in Asian countries and the demise of U.S. hegemony. Different interpretations of regional power notwithstanding, these scholars have investigated the militarized sex industry through the lens of the maintenance and demise of U.S. hegemony in the post-World War II era from anti-imperial, post-colonial positions.

The tension between nationalism and feminism within the context of anti-imperialist and post-colonial critique is an important theme in the debates on militarized sex work. Some feminist scholars argue that even though the construction of the anti-imperialist and post-colonial

nationalist projects center on gender relations, these have been neglected in most of the debates on nationalism (Yuval-Davis, 2011). Criticizing nationalism as a heteropatriarchal and masculinist concept, this scholarship has challenged how androcentric nationalists have taken up women's involvement in the sex trade in the U.S. military camp towns (C. M. Choi, 1998; H. A. Yang, 1998; Enloe, 1990; N. Y. Lee, 2006; 2007; J. K. Lee, 2010; Yuval-Davis, 2011). For instance, Chung Moo Choi (1998) claims that postcolonial nationalism can exist only through "the self-construction of the feminine Other" (p. 23) within a sexualized colonial relationship—the colonizer as masculine and the colonized as feminine. Similarly, Jin Kyung Lee (2010) argues that leftist nationalists described U.S. domination over South Korea as neocolonialism and reinvented South Korean nationalism in the 1960s and 1970s through militarized sex workers' bodies via depictions of an invasion of the leftist masculinist national sovereignty. She claims that masculinist nationalism in the context of neocolonialism conceptualizes local women's sexuality as subordinate to the heteropatriarchal nation. In this context, literary texts by leftist nationalists allegorized the militarized sex workers and the U.S. camp town as a metaphorical site of the U.S. hegemony over South Korea. Through "the allegory of masculinist nationalism" (p. 132), leftist nationalists tried to recover the weakened masculine authority and national sovereignty of South Korea. Criticizing how heteropatriarchal nationalism has neglected gender relations, these feminist scholars have pointed out that nationalists have constructed their nation as the feminine other and used local sex workers near U.S. military camp towns as metaphors for their struggles for national sovereignty.

Expanding on this, Na Young Lee (2007) argues that heteropatriarchal nationalist ideology, combined with a constructed dichotomy between good sex and bad sex, created a new dichotomy between female victims who need to be protected and "immoral" women. The

“immoral” militarized sex workers, through their contacts with foreigners, are excluded from an ethnic community and become dangerous women who disgrace national dignity. However, nationalist masculinity is measured by its ability to defend “our” women and the nation. Therefore, national dignity needs to be restored by reaffirming the nationalist masculinity needed to protect “our” women from foreigners. In this process, “immoral” militarized sex workers become “our” women who need to be protected and they are relegated to the “other” through their sexualization (C. M. Choi, 1998; Enloe, 1990; H. A. Yang, 1998). This approach taken by heteropatriarchal nationalists has generated tensions between feminism and nationalism within the contexts of postcolonialism.

B. White Supremacy, Racism and Coloniality in Anti-Prostitution Discourse

Anti-trafficking and anti-prostitution feminist discourse find their origins in the CDA abolitionist movement in the UK between 1870–1886 (Walkowitz, 1998). The white bourgeois women’s movement in North America and Western Europe, which began as part of the abolitionist movement, saw the discrimination against women in the abolitionist movement and the need for women to form their own movement. Feminists in North America and Western Europe, whose womanhood was shaped by the abolitionist movement, argued for a revival of true Christianity and evangelism, demanding the abolition of traditional male-dominated norms and customs. Led by white Christian bourgeois women, they rejected the binary norms of male and female sexuality and politicized women’s issues such as suffrage, property rights, legal rights, and marriage in the West (Sigworth & Wyke, 1972; Caine, 1997). Feminists and Quaker women led the British feminist campaign to repeal the CDA through the LNA, which was established in 1869. They saw the CDA as insulting women’s sexuality (“National association for the repeal,”

1870). Based on evangelical Christian values, they emphasized the moral and religious superiority of women and saw it as their role to lead inferior men (Helsing et al., 1989).

The movement to abolish state regulation of sex workers spread to continental Europe and evolved into a movement against the trafficking of women and children in what was then called “white slavery” (Bullough, V. & Bullough, B., 1987). Anti-trafficking during this time was an effort to protect white women from prostitution, exploitation, and immoral sexual contact with others (Durisin, 2017). Concerns about the safety and sexual morality of white European female immigrants led to the birth of a Christian-centered, white-bourgeois, woman-centered discourse of white slavery and anti-trafficking through a rhetoric of saving “our fallen sisters.” They rebelled against the discourse of the time, which perceived sex workers as contaminating men and diagnosed the cause of sex trafficking as male depravity rather than female depravity. This anti-trafficking discourse provided the prototype for the Western anti-trafficking movement. In addition, the issue of child trafficking, which emerged in the 1880s, was key to the convergence of sex workers with the image of the innocent “girl” victim (Hunt, 1999). However, the campaign, which was centered on bourgeois women, failed to generate public interest in the welfare of prostitutes (Walkowitz, 1980). These initiatives socially outcast sex workers and made them more dependent on their employers to avoid police enforcement (Walkowitz, 1983). As a result, the movement was subsumed into the social purification movement, which, at the time, was framed in terms of Christian moralism and had the perverse effect of increasing control over women’s bodies by the state and police and creating a more hostile environment for prostitutes (Lerum, 1999).

Feminist anti-trafficking movements based on whiteness, bourgeois femininity and experiences of upper/middle-class white womanhood and the abolition of state regulation of

prostitution spread to non-Western countries, including imperial colonies. The movement transformed into a call for international organization and government interventions to abolish the sex trade, leading to the 1904 International Agreement for the Suppression of the “White Slave Traffic” and the 1949 Convention for the Suppression of the Traffic in Persons of the Exploitation of the Prostitution of Others. Western feminism viewed people of color as culturally inferior, and because of this cultural inferiority, colonized women were seen as sexually and morally inferior to white Western women (Butler, Johnson & Stuart, 1909). Colonized women, especially sex workers amongst them, were reproduced by Western feminists as sex slaves, morally ignorant and unaccountable due to their inferior culture and religion, and thus vulnerable to sexual and moral degradation. Western women, on the other hand, saw support and patronage for colonized women as an act of sisterhood and solidarity, and that it was the responsibility and duty of white women to defend and protect helpless colonized women from white imperial and colonial men (Strachey, 1928). The slavery discourse of Western feminists diminished the subjective resistance and voices of colonized women and prostitutes in ways that othered and ignored the lives and conditions of colonized women. It conceptualized the superiority of Western feminists and the inferiority of colonized women, emphasized Western feminist’ responsibility, and gave authority to their activism (S. S. Lee, 2005). These anti-trafficking discourses about colonized women and Western women’s responsibility and calling were conceptualized ontologically with Western-centered notions of white superiority and racism and generalized from white bourgeois femininity and experiences of upper/middle-class white womanhood at their core (Kempadoo & Shih, 2023).

Anti-trafficking and anti-prostitution discourses continue to be used to address “modern slavery” while hiding the origins of the discourses and the racism, white supremacy, and

colonialism at their core. The feminism that emerged in North America and Western Europe in the late 1960s inherited anti-prostitution discourses and ideologies based on a white Christian bourgeois female identity, raising the issue of prostitution in the 1970s. While the sexual revolution of the 1960s provided an opportunity for women to pursue sexual pleasure without risk, it also led to the popularization of pornography and the commodification of women's sexuality. Beginning in the mid-1970s, the women's movement focused on the negative effects of the sexual revolution, including the sexualization of women and sexual violence (Snitow et al., 1983; Ferguson, 1984). Universalising middle/upper-class white womanhood, the radical feminists who led the anti-pornography movement argued that pornography causes sexual violence and is itself violent. The feminist sex wars were sparked when liberal feminists and socialist feminists who opposed censorship criticized radical feminism (Duggan & Hunter, 2006). By the 1980s, prostitution had become a major issue in the sex wars, with radical feminists viewing it as sexual exploitation and a violation of women's human rights (Barry, 1995). The issue of sex tourism by Western men and the international trafficking and prostitution of children and women has galvanized anti-prostitution discourse (Kempadoo, 1998; Bertone, 2000; Kapur, 2003).

Developing this perspective, radical feminists have since the mid-1980s pivoted away from prohibitionism which considers all acts related to prostitution illegal and punishable, to a neo-abolitionist approach, the so-called Nordic model, which argues that only prostituted women should be decriminalized and that third parties involved in prostitution and men who buy sex should be punished (Barry, 1995; European Parliament, 2014). Prohibitionism views prostitution as a degrading act that violates the fundamentals of woman's dignity and seeks to eliminate all forms of prostitution through legislation. Neo-abolitionists view prostitution as a crime

committed by men against women and clients as men who traffic in women's bodies for their own pleasure and profit, and believe that curbing the sex industry through criminal law and punishing clients could stop the expansion of the sex industry and the human rights violations of prostituted victims. Through its simple but clear theories and tangible solutions, radical feminism has made neo-abolitionism the dominant discourse on the issue of prostitution (J. M. Park, 2009). Prohibitionists and Neo-abolitionists consequently criminalize prostitution, criminalizing a significant number of sex workers and depriving them of their basic human rights (J. E. Kim, 2006). Both approaches inherit the nineteenth-century abolitionist view of prostitution as a violation of women's human rights, ignore the agency and subjectivity of sex workers, victimize them as prostituted, and ultimately believe that prostitution must be eliminated. Radical feminists generalize the experiences of white middle-class women in North America and Western Europe without historical reflection on the white supremacy, racism, coloniality, white femininity and white middle/upper-class womanhood in which anti-prostitution and anti-sex trafficking discourses are ontologically embedded, arguing that since women's sexuality is central to the self and the domain of intimacy, sex should not be commodified. They also disregard the class aspects of the experiences of white women, this collapsing those of white working-class women with their own.

Radical feminist solutions to trafficking and prostitution are maintained and disseminated by anti-trafficking women's organizations in the Global North and international organizations. The support of international organizations and women's organizations in combating trafficking and prostitution in the Global South is premised on the white supremacist notion that Global South countries ignore women's issues due to patriarchy and inefficiency, and that international organizations and women's organizations in the Global North play a leading role in improving

women's rights in the Global South. In the contemporary anti-trafficking discourse that emphasizes the sexual slavery of colonized women of color, activists in dominant anti-trafficking and anti-prostitution organizations in Global South also universalize sex workers in the Global South as the others and the victims, who are lesser and more backwards than women in the West. By positioning themselves as moral, progressive, and saviors of women in the Global South from their enslavement, they reinforce their privileged positions and their flexible neoliberal whiteness (Kempadoo & Shih, 2023). Ignoring geopolitical, racial, and class differences, whiteness today is kept flexibly reinforced by going beyond white bodies and allowing non-whites to acquire white identities (Christian, 2019).

Radical feminism's rescue industry and anti-trafficking efforts are closely linked to “philanthrocapitalism,” which not only reinforces the neoliberal global hegemony of Western Europe and North America (Shih & Chuang, 2021), but also perpetuates racial, ethnic, national, and class inequalities (Agustin, 2007). Dominant anti-trafficking actors colonize the global South by intervening in anti-trafficking policies and operations through international organizations, national religious police, border control, law enforcement, and anti-trafficking NGOs. With the adoption of the UN Trafficking Protocol in 2000, philanthropic capitalists and countries in the Global North are funneling large amounts of capital into the projects of international organizations and women's groups working to combat sex and human trafficking (Dottridge, 2021). Philanthropic capitalists who believe they know best how to help the “victims” of the Global South have great influence over the direction of anti-trafficking policies and programs by recipient governments and NGOs through their control of funding (Shih & Chuang, 2021; Dottridge, 2021). Driven by philanthropic capitalists in an unbalanced dynamic of donors and recipients, anti-trafficking and anti-prostitution solutions in the Global South maintain the

philanthropic industry without challenging the unequal systems and structures of global capitalism, but only to the extent that they do not work against the realization of capitalist interests (Shih & Chuang, 2021). These solutions focus on raids and rescues that can have visible and short-term effects, and rehabilitation programs fail to analyze the global neoliberal system and the exploitative structures of the sex industry that create underlying social inequalities (Romero-Alston, 2021). Rehabilitation programs do not change the material structures and perpetuate the risks for sex workers who are vulnerable to exploitative structures.

In contrast with their stated aims, colonialist interventions against trafficking and prostitution in the West do not rescue racially, ethnically, and sexually marginalized migrants and sex workers but rather leave them vulnerable. Migrants and sex workers experience various forms of structural barriers and abusive conditions due to social stigmatization and a lack of recognition of their work. Societies that criminalize sex work limit the means by which sex workers can resist human rights violations and physical and economic exploitation (Walkowitz, 1980; Smith & Mac, 2018/2022). Anti-trafficking and anti-prostitution discourses that claim universal women's rights effectively target marginalized sex workers, supporting criminal and judicial approaches to the rescuing of victims of trafficking and prostitution that include crackdowns and punishment and that place migrants, sex workers, and people of color in even more vulnerable positions (Kempadoo & Shih, 2023).

Mainstream anti-trafficking research commonly reproduces colonialist anti-trafficking and anti-prostitution discourses by sourcing the experiences of migrant and racialized sex workers (Kempadoo & Shih, 2023). These researchers have positioned themselves as experts on issues related to women and sexuality, gained political power, and participated in governance processes (Halley, 2006). In the process, marginalized and racialized women are positioned as

powerless victims, with focus on sexual exploitation rather than economic exploitation (Kempadoo & Shih, 2023). This system of knowledge production reinforces the white savior complex and maintains colonialism and racism.

C. Histories and Theories of Sex Workers' Right Movement

While hegemonic feminist anti-trafficking and anti-prostitution campaigns and movements that other sex workers are the creation of white middle-class women in North America and Western Europe, the sex workers' rights movement has been developed by and for sex workers. From before the theorization of the sex workers' rights movement to the present day, sex workers have been key actors in movements for their right to survival and their labor rights and in other social movements as members of grassroots organizations. The sex workers' rights movement in Havana at the end of the 19th century was an example of early sex workers' movements to organize a political party to demand the rights of sex workers (Cabezas, 2019). By founding the newspaper *La Cebolla* in 1888 and calling for the establishment of a political party, sex workers in Havana criticized policy restrictions that regulated and controlled sex workers, including high regulatory taxes and mandatory STI testing. They protested government regulation of sex workers and advocated for the formation of a guild of sex workers to recognize their work as labor for sexual services. The history of this sex workers' rights movement has had a significant impact on the contemporary sex workers' rights movement in Latin America and the Caribbean. This historical exploration not only demonstrates the historical persistence of sex workers' organizing in the Global South, which has received less attention but also challenges the dominant discourse that sex workers' rights movements were organized in the Global North in the 1970s (Cabezas, 2019).

In 1917, when San Francisco police tried to evict 1,400 prostitutes working in brothels, nearly 300 sex workers marched to demand an end to the brothel closures⁶. Reggie Gamble, a sex worker who led the protest, said:

Nearly every one of these women is a mother or has somebody depending on her. They are driven into this life by economic conditions. [...] You want this city cleaned up around your church. But where do you want the women to go? Have you made any arrangements by which they can make their living elsewhere? [...] If you want to stop prostitution, stop the new girls from coming in here. They're coming into it every day. They will always be coming into it as long as conditions, wages, and education are as they are. You don't do any good by attacking us. Why don't you attack those conditions? (Reggie Gamble, 1917; as cited in The Nation Report, 2017, para 4)

American sex worker Margo St. James founded Whores, Housewives, and Others (WHO) in 1972 and Call Off Your Old Tired Ethics (COYOTE) in 1973 in solidarity with advocates for the decriminalization of prostitution. In 1979, she founded the National Task Force on Prostitution (NTFP), an umbrella organization of sex worker rights groups, with feminist Priscilla Alexander. They advocated for the decriminalization of prostitution, opposed the stigmatization and punishment of sex workers, and provided support to sex workers.

In 1975, 150 sex workers occupied a church in Lyon, France, outraged by the police response to two murders of sex workers in 1974. This fight gave sex workers experience in organizing collective action (Millett, 1976; Valentino & Johnson, 1980). Inspired by their fight, British sex workers joined forces with the domestic workers' movement to form the English

⁶ <http://www.thenationreport.org/100th-anniversary-of-san-franciscos-1917-sex-worker-march/> (retrieved July 2, 2023)

Collective of Prostitutes (ECP) in 1975. Following the First and Second Whores' Congresses in the 1980s, sex workers' rights organizations were formed in countries as diverse as Australia, Thailand, Brazil, South Africa, and Uruguay (Pheterson, 1989). Founded in 1987, the New Zealand Prostitutes Collective (NZPC) is a sex worker-led organization that advocates for the rights and health of male, female, and trans sex workers. By focusing on human and labor rights, public health, and occupational safety, they advocated for decriminalizing sex work and eliminating stigma. The decriminalization of sex work in New Zealand in 2003 was made possible by their work.⁷ In 1997, sex workers in India organized the first National Conference of Sex Workers in India, and in 2007, over 35,000 sex workers in Bolivia organized a mass rally against police violence and the closure of red-light districts (Smith & Mac, 2018/2022).

Sex workers are transnational feminists who have built international solidarity beyond national sex workers' rights movements. Margo St. James, along with Gail Peterson, organized the first and second World Whores' Congresses in 1985 and 1986. At the first Congress in 1985, the International Committee for Prostitutes' Rights was formed and produced the World Charter for Prostitutes' Rights. The Charter made the following claims: decriminalize all prostitution; distinguish between prostitution and human trafficking and punish human trafficking; ensure freedom to travel to prostitutes within and between countries; end the criminalization of prostitution and homosexuality; eliminate the systematic zoning of prostitution and ensure freedom to choose prostitutes' place of work and residence; ensure associating and working collectively in order to acquire a high degree of personal security; eliminate mandatory STI testing for sex workers, which has historically targeted and stigmatized them; ensure the same social benefits as all other citizens; provide shelter and services for sex workers who wish to

⁷ For more detail, please refer to the NZPC webpage: <https://www.nzpc.org.nz/>. (retrieved August 11, 2023)

leave the sex industry; tax them like other citizens, without special assessments; support educational programs that eliminate stigmas against sex workers, regardless of race, gender, or nationality; and oppose the stigmatization and criminalization of clients (World Charter for Prostitutes' Rights, 1993). At the 1990 second International Conference for NGOs working on AIDS in Paris, the Global Network of Sex Workers Project (NSWP), a group of sex workers' rights activists working on sex work initiatives around the world, initiated transnational networking. At the 1992 International AIDS Conference in Amsterdam, NSWP formally established an alliance of sex workers' rights activists and sex work projects.

Given the predominance of female sex workers, the anti-prostitution discourse has operated on the premise that sex workers are cis-gendered women. However, the sex worker movement includes all sex workers on the gender spectrum and advocates for solidarity among female, male, trans, and migrant sex workers (Milsa, 2013). The Dugar Mahila Samanwaya Committee (DMSC) has been working with a collective of male, female, and trans sex workers in West Bengal since 1995. In addition, the sex worker movement is in solidarity with other minority movements. They share the identity of being a minority and act collectively with the LGBTQ movement, the HIV/AIDS-positive movement, the drug user rights movement, the migrant rights movement, and the disability rights movement (Kempadoo & Doezema, 1998; Mina, 2012; Chacha, 2023). The sex workers' rights movement is thus built on more than 100 years of demands and actions by sex workers to defend their right to survive and work.

Feminist theorizing about sex work in the West dates back to the polemics between radical and "pro-sex" feminists during the so-called "sex wars" of the 1980s and 1990s. Radical feminists in the West saw sex work as a mechanism for reproducing patriarchal violence against women. They viewed prostitution as paid rape, destroying the dignity not only of the individual

sex worker but of women as a whole (Leidholdt, 1993; Raymond, 1995; Barry, 1995). However, radical feminists have cherry-picked the bad experiences of sex workers and the exploitative aspects of the job, such as labor rights violations and sexual abuse, consuming them as symbols of the anti-prostitution movement. They equate the liberation of prostitutes with that of the non-sex working woman, and they strongly reject the idea of commercialized sex. They appropriate understandings of sex from sex workers without acknowledging that prostitution is the work that allows them to survive, focusing on how sex under patriarchy is harmful to women and negative for women's liberation (Smith & Mac, 2018/2022).

The so-called pro-sex or sex radical feminism that emerged in response, which advocated for pornography and prostitution, believed that female sexual expression could subvert patriarchy and its monogamous heterosexual normativity (Willis, 1979). This perspective, which was largely driven by non-sex workers, although there were some sex workers present, was supportive of sex workers and helped the sex workers' rights movement grow (Smith & Mac, 2018/2022). However, lower-class and racialized sex workers have criticized pro-sex feminism for its limited ability to capture the realities of sex workers. By discussing sex symbolically in terms of pleasure, pro-sex feminists failed to pay attention to the labor aspect of sex work. They overlooked the fact that sex workers' labor rights and safety are not linked to sexual pleasure, and that sex workers who experience sexual satisfaction in their work are likely to be those who already have control over their working conditions (Lockett et al., 1997). By focusing on sex as something positive for women, they appropriated representations of sex workers to support their arguments (Smith & Mac, 2018/2022).

The sex workers' right movement, led by sex workers themselves, adheres to a materialist feminist perspective that analyzes sex work as both sex and labor (van der Meulen,

Durisin, and Love 2013; Kempadoo & Durisin, 2020). Sex workers, who are experts on working conditions in the sex industry, insist that sex work is first and foremost a choice and a job for survival. To emphasize that they are workers, they prefer the term sex worker. Underlying anti-prostitution feminists' refusal to call prostitution sex work is a capitalist Christian work ethic that sanctifies work and claims its utility for self-fulfillment (Lafargue, 2016). Sex worker activists argue that for the vast majority of people, work is about survival, not self-fulfillment, and that anti-prostitution feminists' rejection of the term sex work functions as propaganda for capitalism to keep workers working (K. H. Ko-Jung et al., 2005). They reject the moral standard against sex work, arguing that they "choose 'sex work' because they need a regular, steady income to support their livelihoods, including supporting their families" (H. Y. Lee, 2005, para. 17, my translation). They argue that the feminist anti-prostitution debate is "a way of making it a battle between men and women without addressing the social structure of poverty" and that the causes of poverty should be addressed before talking about ending prostitution (H. Y. Lee, para. 5, my translation). The fact that sex workers engage in sex work to survive reflects the relative inadequacy of the labor market for marginalized groups (National Sex Workers Association, 2005). Sex workers' right activists also argue that a job does not have to be good work to qualify as labor:

Sex workers should not have to defend the sex industry to argue that we deserve the ability to earn a living without punishment. People should not have to demonstrate that their work has intrinsic value to society to deserve safety at work. (Smith & Mac, 2018/2022, p. 119).

In almost every industry, there is workplace oppression and the exploitation of workers, and the sex industry is no different. All wage labor is exploitative, which is why all organizing for

workers' rights is necessary. To say that a job and its working conditions are exploitative does not mean that it is not a job, but rather that workers need rights to claim their rights (Smith & Mac, 2018/2022).

Sex workers' right movements oppose victimization and the use of trafficking as a synonym for prostitution. They argue that "human trafficking is a crime committed by those who seek to profit from a person against their will" (K. H. Ko-Jung et al., 2005, p. 143, my translation) and that prostitution should be separated from human trafficking. It is because "the strategy of women's organizations to consider all prostitution as trafficking prevents an integrated approach to prostitution by dismissing sex workers' claims and advocating only prohibition" (J. E. Kim, 2006, p. 364, my translation; see also M. H. Kim, 2005). The anti-prostitution women's movement portrays sex workers as incapable of distinguishing between rape as violence and sex work as a transaction (Mullin, 2017) and victimizes sex workers without recognizing them as subjects (Ko-Jung K.H & H. Y. Lee, 2005). The sex workers' right movements seek to "stop various human rights abuses inflicted on sex workers [...] and absolutely [oppose] criminal sex trafficking practices involving human trafficking, confinement, and assault" (Democratic Sex Workers Association, 2005; as cited in H. Y. Lee, 2005, para. 4, my translation; see also M. H. Kim, 2005). In this context, they argue that movements "should recognize the oppression and exploitation of women in the sex trade and fight to change it. And [we] should organize movements to support and assist sex workers in their fights to organize and win their rights as subjects" (J. E. Kim, 2006, p. 365, my translation).

They also suggest decolonizing a North American-Western European hegemony on sex work discourses, moving beyond a dichotomy of "forced" and "choice" (Kempadoo & Doezema, 1998; G. H. Ko-Jung et al., 2007; N. Y. Lee, 2006; Sanghera, 2012). They claim that within such

a dichotomy, only innocent victims are protected; voluntary sex workers remain problematic and the stigma against sex workers continues. They discuss how this dichotomy reinforces North American-Western European sex workers' experiences as voluntary and, in contrast, non-Western sex workers' experiences as forced. In the same vein, the perspective on sex work resulting from poverty is racist and classist because this approach negates the possibility of choice and agency for non-Western sex workers and fails to recognize sex work as labor. Such victimization implies moral judgments that "normal women" would not choose sex work. Therefore, sex workers' right movements address the fact that acknowledging sex work as a form of labor and moving beyond a dichotomy of force and choice allows for situating sex workers as those who radically violate heteropatriarchy and traditional gender roles, revealing cracks in the two conflicting images of sex workers as fallen women and helpless victims (Kempadoo & Doezema, 1998). Further, sex workers' right activists argue that the anti-trafficking feminist movement's efforts to discursively construct migrant sex work as modern-day slavery appropriates the history of slavery and uses it as rhetoric.⁸ "By hijacking the terminology of slavery, even widely referring to themselves as 'abolitionists,' anti-sex work campaigners ... are often undermining those most harmed by the legacy of slavery" (Maynard, 2017). This 21st-century slavery narrative frees white people from the need to reflect on their past and reinforces their savior narrative.

However, distinguishing sex work from human trafficking does not mean that exploitative conditions do not exist for sex workers. Sex workers, especially those who have migrated without legal documentation and those who have migrated to countries where

⁸ Greene & Mason (2016) claim that "the direct modern descendant of chattel slavery in the US is not prostitution but the prison system." Critical anti-racist Black scholars argue that chattel slavery is in no way analogous to modern-day human trafficking, but rather that slavery is still maintained through the Thirteenth Amendment. For more details, refer to David Garland (2002) and Angela Davis (2003).

prostitution is criminalized, have very limited rights, making them vulnerable to exploitative situations (PICUM, 2014; Smith & Mac, 2018/2022). Undocumented migrants often work without employment contracts, and even when they do have contracts, their precarious status often prevents them from being legally valid and enforceable. The inability to claim labor rights makes migrant sex workers more vulnerable to low wages and workplace exploitation (PICUM, 2014). People with undocumented status are trapped in a punitive, state-enforced system of deportation, disposability, and precarity. Restrictions on labor rights and limited access to social infrastructure, such as rental contracts and health care, make migrant sex workers more dependent on illegal immigration agents and exploitative employers (Smith & Mac, 2018/2022).

The problem is that anti-trafficking activists call for tighter border controls as a measure to eliminate trafficking, failing to distinguish between migration and trafficking. However, the last thing migrant workers want are the border controls and deportations advocated by anti-trafficking campaigns. In fact, these border control policies make them more vulnerable (Sharma, 2015). By depicting the abuse of migrants and sex workers as if it were caused by individual evil agents such as brokers, clients, pimps, etc., anti-trafficking campaigns render invisible the role of the state as the power that places migrants in the most vulnerable positions. The main driver of migrants' desires to cross borders is inequities between nations, which has been perpetuated by theft and imperialist violence that has continued since colonial times. By focusing on individual 'demons' instead of national governments, anti-trafficking campaigns distract from national border controls and economic inequalities as contributing factors. Thus, sex workers' rights advocates contend that to better understand the exploitative conditions faced by migrant workers, it is necessary to analyze the broader state-driven control systems that play a major role in producing these conditions. Improving their situations and ensuring their rights and

safety is not about outlawing prostitution or controlling borders but rather about enshrining for them rights-based migration and legal working conditions and analyzing how border controls make migrants more vulnerable to exploitation and violence (Smith & Mac, 2018/2022).

Sex worker movements oppose the criminalization of prostitution or laws aimed at prohibiting prostitution, including the Nordic model, as advocated by anti-prostitution feminist forces. As a neo-abolitionist approach, the Nordic Model seeks to discourage the demand for sex work by decriminalizing sex workers, whether voluntary or not, and instead punishing their clients and third parties such as brokers, agents, and pimps. The decriminalization of prostitution can, to some extent, free sex workers from the risk of enforcement. However, any movement or policy that seeks to reduce the number of sex work clients ultimately means less income for sex workers (Smith & Mac, 2018/2022). This is because “clients are not the demand but the supply; for sex workers, clients represent the supply of resources into our [sex workers’] lives” (Smith & Mac, p. 116). Under the Nordic Model, many sex workers are forced to accept clients who are riskier than the standards they set for themselves in order to maintain their income, which can jeopardize their safety (New Syndicalist, 2015). In the case of street sex work, sex workers may have limited time to get to know their clients because clients, fearing arrest, want to negotiate quickly (Norwegian Ministry of Justice and Police, 2004; as cited in Smith & Mac, 2018/2022, p. 267). It also makes it difficult for sex workers to meet clients in a safe place, as clients are often in clandestine spaces to avoid enforcement (Socialstyrelsen, 2008; as cited in Smith & Mac, 2018/2022, pp. 266-267). Sex workers may be forced to cede more control to clients who want to avoid the risk of arrest in order to maintain their income. For example, clients who fear arrest refuse to use condoms, which are evidence of prostitution in the event of a raid. The fear of STIs and pregnancy caused by not using a condom falls solely on the sex worker (M. H. Kim,

2005; Mina, 2012).

Furthermore, outlawing sex businesses and punishing their owners also forces sex workers into unsafe working conditions. While anti-prostitution feminists often characterize the relationship between brothel owners and sex workers as adversarial and confrontational, brothel owners are also the ones who provide sex workers with a steady place to work (H. Y. Lee, 2005). Criminalizing and punishing business owners can drive sex workers into more unsafe environments. Rather than having clients come to them, some sex workers have to find clients individually through channels such as internet websites, social media, and street sex, which can expose them to more risky situations. This is because in situations such as client violence and refusal to pay, sex workers are forced to cope on their own without the support of their employers, bodyguards, and other sex workers with whom they work. Alternatively, business owners may demand higher commissions from sex workers who have difficulty finding clients on an individual basis due to the risk of enforcement, thereby reducing their income (Smith & Mac, 2018/2022).

Alternative approaches include legalization and decriminalization. These two options both recognize sex work as work but differ in their content and effectiveness. First, legalization issues registration certificates for brothels and permits or prohibits prostitution in certain areas (C. H. Ahn, 2017). Under legalization, however, “workers in licensed businesses or quarantined areas may enjoy limited rights, but sex workers in unlicensed businesses or areas are criminalized, and sex workers in illegalized spaces are placed in a human rights vacuum” (J. E. Kim, 2006, p. 362, my translation). In other words, legalization, like prohibition, ultimately puts sex workers in a more vulnerable position in their relationships, whether with a brothel owner or a client.

This is why many sex workers' rights activists advocate for decriminalizing all sex work. Decriminalization presupposes that prostitution is not a crime, whereas legalization makes prostitution legal only under certain circumstances. Decriminalization is critical not because men are free to purchase sexual services or because it is a necessary evil, but because it is the foundation from which sex workers can freely assert their rights (J. E. Kim, 2006; Milsa, 2013). Just as prohibitionist laws do not make the sex industry disappear, decriminalization does not make the stigma, discrimination, and exploitative working conditions for sex workers disappear. Decriminalization is, however, the minimum condition required by, not the ultimate goal of, the sex workers' right movement (Milsa, 2013). In other words, decriminalization creates the minimum conditions necessary for sex workers to work more safely. Under criminalization or limited legalization, all or some prostitution is criminalized, and sex workers who find themselves in a criminal position fear the judicial system and police. Fear of enforcement not only discourages sex workers from actively asserting their rights but also makes them more vulnerable to violence and discrimination and deprives them of their right to health and other social services (Milsa, 2013). Furthermore, prohibition and limited legalization make it difficult for sex workers to report abuse or seek help (M. H. Kim, 2005). Decriminalization creates the minimum conditions for sex workers to seek police assistance if they are exposed to violence at the hands of clients or business owners (Mina, 2012).

Decriminalization further allows sex workers to be covered by employment and labor laws. While the guarantees of labor and employment laws are not absolute protections of workers' rights, they at least provide sex workers with some minimal protections against exploitation and violence at the hands of their employers that anti-prostitution feminists are so concerned about. In a situation where labor rights are compensated, sex workers have the

freedom to choose their profession, as well as the freedom to form unions and be protected by the law (G. H. Ko-Jung et al., 2005). Just as a unionized workplace is not always free from capitalist exploitation, neither is prostitution. In response to industry practices that are unfair to sex workers or to exploitation and violence by their employers, sex workers can also assert their rights through collective bargaining.

Anti-prostitution feminists oppress sex workers by saying that women's rights will improve when prostitution is eliminated. The criminalization of prostitution imposes a morally degraded, dangerous, and dirty image on sex workers. The stigmatization of sex workers extends social control over female sexuality. The stigma of being a "slut" causes "non-sluts" to control their behavior to avoid looking like a "slut." This dichotomy of the virgin Mary and the whore reinforces an oppressive environment that criminalizes sex work and makes it evil. In other words, the oppression of sex workers stemming from patriarchal binary sexuality norms based on puritanical ideologies constitutes an oppression of women writ large (Milsa, 2013). What needs to be eliminated before prostitution is the oppression of sex workers.

As experts on the sex industry and sex workers' rights, sex workers have resisted unjust government policies and the discourses of anti-prostitution women's movements. Long before the emergence of sex work theory, they have been fighting and organizing in various ways to defend their rights to work and survive. Sex workers not only understand their work and the nature of labor in a patriarchal and capitalist society, but they also have an experiential and multifaceted understanding of how state systems and mainstream feminist efforts violate their rights. The methods of defending the human rights of sex workers must be developed by the sex workers themselves.

III. Sex Work and Policy in Pre-Modern and Modern Times in Korea

To understand how South Korea's mainstream anti-prostitution feminist movement and sex workers' rights movement were formed, it is critical to look at how South Korea's prostitution policies have changed over time. Therefore, in this chapter, I briefly introduce the historical and social context of the Korean Peninsula during the pre-modern and modern periods, examine what changes to the prostitution policies resulted from processes of modernization, and demonstrate how the policies impacted the sex industry and sex workers. The purpose of this chapter is to examine the processes by which Western imperialism's policies of controlling prostitution and managing sex workers were transplanted to the Korean Peninsula in the early 20th century. This argument is important in the context of this dissertation because it provides background knowledge for analyzing the context of South Korea's sex industry and prostitution management policy, which will be covered in the next chapter, and the anti-prostitution feminist movements and sex workers' agency and rights movements, which will be discussed in chapters 5 and 6.

This chapter argues that the licensed prostitution system, introduced by Japan in the modern period of prostitution commercialization, was made possible by a discourse that claimed that the management and regulation of the sex industry were necessary to control sexually transmitted diseases and to crack down on social immoralities. The licensed prostitution system was intimately intertwined with militarism in its aims to provide safe and clean sex to the Japanese military for imperial expansion. This system served as the basis for operating and managing Japanese military "comfort women" during the Asian-Pacific War. Through this, I will analyze how the management and regulation discourse about sex workers in the modern era is closely linked to the contemporary military sex industry and the wartime "sex slaves" of the

Asia-Pacific War.

This chapter is divided into two parts. In the first section, I briefly outline prostitution practices and policies that existed before commercial prostitution and the modernization of the management of sex workers. This offers insights into how pre-modern prostitution was altered, adopted, and replaced by the commercialization of the sex industry and the prostitution regulation system. In the second section, sex industry practices and management policies for sex workers at the time of the emergence of commercialized prostitution are examined in two parts: first, I examine the introduction process of the licensed prostitution system in Joseon by Japan; and second, I elaborate on Joseon migrant sex workers in Manchuria and the Japanese imperial's management and regulatory policies for them. This background clarifies how the discourse on sex worker management in modern Western imperialism was applied and transformed in Joseon by Japan, and how migrant sex work and military sex work were closely related to wartime sex slaves. Ultimately, this chapter aims to analyze the ways that sex workers' lives are woven together by the regulation and crackdown on sex workers under imperialism and their relevance to wartime sexual slavery.

A. Sex Workers as Caste Status in the Pre-Commercialized Capitalist Period under the Kisaeng System (1392–1908)

The Joseon dynasty (1392-1919), as a society with Confucianism as its national ideology, sought to implement Confucian patriarchal ideology⁹ in people's daily life, which in turn hierarchically

⁹ Confucianism, which originated in China, had become the ruling ideology of Joseon through promoting an ethical framework of a family-centred, blood-related community and a state-centred social community with *yangban*, the ruling class, as its central force (Encyclopedia of Korean Culture, <https://encykorea.aks.ac.kr/Article/E0041280>, retrieved October 3, 2022). Based on this, Joseon established a strict caste system: the king and the royal family, ruling class, middle people, commoners, and slaves. Although in principle it was not impossible to move to the upper class, such mobility was very limited.

redefined gendered relations. Women's bodies, subjectivities, and attitudes were subject to extreme restrictions, such as not being able to meet men outside of their families without male family members' permission, being unable to leave the house without permission, and being forbidden from remarrying¹⁰ (A. K. Park, 2001; J. Y. Suh, 2002; M. K. Kang, 2007; E. K. Park, 2017). Women's sphere of activity was limited to the home, where they were given only the roles of daughter, housewife, and mother. Women's sexuality in particular was controlled. For women, sex for pleasure was perceived as fallen and immoral, and sexual intercourse with men other than her husband was taboo. Joseon Dynasty tried to maintain hierarchal gender boundaries by promoting an ideology of chastity and by de-sexualizing women.

Men, however, did not give up satisfying their sexual pleasures through prostitution in some kind of ascetic sexual contact with their wives for reproduction. In the Joseon Dynasty, although prostitution was not legally permitted, there were several professional categories of sex workers. *Sadangpae* wandered around in groups and performed plays, music, and dance to earn a living. Among *sadangpae*, female *sadangpae* sold sex to local aristocrats or middle-class people from time to time (Encyclopedia of Korean Culture).¹¹ *Saekjuga* or *jumo* refers to people who provided sexual services along with food and alcohol in locales where there were many male workers, such as ports and mines, or in areas where there was significant foot traffic, such as taverns and marketplaces. *Saekjuga* emerged along with the development of a commodity money-based economy at the end of the 17th century (N. H. Lee, 1927[1992]; S. C. Hong, 2007).

¹⁰ Prior to the Joseon dynasty, remarriage was relatively prevalent in the Koryo period, and it was common for women to remarry after their husbands' deaths. There was free association between men and women, as well as a liberal attitude toward sex. The negative recognition of remarriage dates to the Joseon period. Confucianism viewed women's remarriage negatively, which stemmed from the belief that a woman was dependent on one husband. For more details, see E. K. Park (2017).

¹¹ There were also male sex workers such as *namsadang* in the pre-modern period (Y. J. Jeon, 2012). However, since this thesis focuses on discourses of female sex workers and since there are not many reliable or available resources on male sex workers in pre-modern period, that subset of sex workers will not be herein addressed.

Among the various forms of sex workers, *kisaeng*, which this project centres, was considered the highest rank (A. K. Park, 2001). The hierarchy among sex workers was determined by the status of the men they traded with, rather than determined by their own will or internal status (J. Y. Suh, 2005A). Such a hierarchy in the pre-modern era is evidence of how the subordination of women's sexuality was complexly formulated by the intersection of caste and gender and was an order the sexist patriarchy wanted to maintain.

The ruling-class men limited their “chaste” wives to the role of reproduction while systematically training and managing *kisaeng* to satisfy their sexual desires, as well as their tastes for the arts. *Kisaeng* was a unique profession for women during the Joseon Dynasty in that they provided entertainment for men in the ruling class.¹² They were both entertainers and sex workers who were systematically trained to be courtesans for upper-class men. They provided a variety of entertainment, including singing, dancing, playing musical instruments, fine arts, poetry, and prose. Since *kisaengs* were slaves of the government, it was their duty to provide the royal family and men in power with both performances and services. Therefore, Ji Young Suh (2005B) says that a *kisaeng's* work is not driven by “spontaneity or subjective agency in the modern sense” but an “absolute duty” in a hierarchical society rather than a job in the modern sense (p. 153, my translation). In addition, informal sexual services were a means to earn a living. Rice and fabric were paid by the government in return for their performances, but the compensation was not enough to subsist (J. S. Kim, 2001). Due to the character of their job, maintenance costs were high, such as silk dresses, jewellery, and cosmetics, and government

¹² As sex workers, *kisaeng* mostly worked in pre-modern to modern times in Korea, but during the contemporary era worked in the sex tourism industry or in high-end men's clubs. The origins of *kisaeng* have not been clearly elucidated due to a lack of available data. However, while some scholars argue that the *kisaeng* system existed during the reign of King Jin Heung (534–576) of Silla (N. H. Lee, 1927[1992]), most scholars believe that the profession began in the Goryeo period and continued into the Joseon Dynasty (J. S. Park, 1996; A. K. Park, 2001; M. K. Kang, 2007; J. Y. Suh, 2005B)

compensation was insufficient. The sexual services of kisaeng were not only an obligation due to their caste and gendered status but also a means of livelihood based on economic necessity.

The ruling-class men practiced both reproductive and hedonistic sex with a double standard for women's sexuality, recognizing a "virtuous" ruling-class woman on the one hand and a "fallen" kisaeng on the other. The patriarchy was reinforced and maintained by differentiating and hierarchizing women according to their marital status, their caste, and whether they were "virtuous" or "obscene" (J. Y. Jeong, 2010). This dichotomous Joseon Confucian patriarchal construction of filial wives and prostitutes served to maintain caste and gender hierarchies while offering a means through which to appease the sexual desires of men in the ruling class through a system called kisaeng. In other words, the kisaeng system offers insight into the pre-modern Joseon patriarchal system that classified and controlled women's sexuality along lines of caste (J. Y. Suh, 2002).

B. The Emergence of Commercialized Sex Workers and the Military "Comfort Women" under the Licensed Prostitution System Established by Japanese Colonial Rule (1908–1945)

1. Implementation of the Licensed Prostitution System

Joseon adhered to a closed-border policy, maintaining only limited relations with China and Japan after the Manchu invasion of Korea in 1636. As frequent trade demands from imperialist powers continued in the mid-19th century, Joseon attempted to deter foreign capitalist aggression through a stronger closed-border policy. Meanwhile, Japan, which rapidly adopted Western culture and technology and promoted a modernization policy, rose to the ranks of an imperial power and colonized other Asian countries. Japan, armed with Westernized weapons,

gradually seized control of Korea during the Sino-Japanese War (July 25, 1894 - April 1895) and the Russo-Japanese War (February 8, 1904 - Fall of 1905). Japan colonized Korea from 1910 until August 15, 1945, when Japanese Emperor Hirohito broadcast Japan's surrender, ending the Asia Pacific War, often rendered as part of World War II. Joseon served as a bridge for Japan's imperial expansion during the colonial era by introducing elements of Japanized Western culture and industry.

Joseon's economy, society, ideology, and culture were rapidly changing during the wave of modernity and colonization. The sex industry and sex workers also experienced significant changes. The major shifts in prostitution and sex workers' status and services in modern Joseon were related to: changes in the economic structure; abolishment of the caste system; and implementation of a system of licensed prostitution by Japan. The sex work industry had already experienced a certain level of commercialization since the 17th century with the emergence of wealthy farmers due to agrarian developments and commercial growth. In the late Joseon Dynasty, middle class folks and merchants who had accumulated wealth through commerce and trade became customers of kisaeng, accessing services previously available only for yangban. Thus, entertainment and sexual services by kisaeng began to be commercialized with the advent of industrial capitalism in the 17th century (J. Y. Suh, 2002). The pre-modern, government-controlled kisaeng culture was gradually dismantled and prostitution in the late Joseon Dynasty became commercialized. Along with the emergence of autonomous industrial capitalism in Joseon, industrialization and westernization by Japan accelerated, which also affected the commercialization of the sex industry.

Along with the transition to industrial capitalism, the Gabo Reforms of 1894 ushered in significant changes to the forms of prostitution available in modern Korea and to the status of sex

workers. As the caste system was abolished following the Reform, government-owned kisaengs were liberated from the status of slaves and the government-controlled kisaeng system was abolished in 1907. Kisaeng continued their business, mobilized to perform at court events, and continued the tradition of kisaeng through kisaeng school.¹³

The final step in abolishing the caste system was the implementation of the licensed prostitution system and the enforcement of the Regulations for Changgi and the Regulations for Kisaeng (hereafter the Regulations), which was done in three stages (Yamashita, 1997). The first stage involved the regulation of the licensed prostitution system in Japanese settlements in Joseon, which were run by independent Japanese consuls. With the Treaty of Protection with Japan in 1876, Joseon enacted an open port policy for Japanese citizens. Japanese people immigrated to Joseon to seek new opportunities and formed a Japanese settlement in Joseon. Most Japanese immigrants were male military members, government officials, merchants, and traders, and the sex industry targeting those immigrants was developed through brothels erected in Japanese settlements (Y. O. Song, 1998; J. A. Park, 2009). Japanese consuls in each open port of Joseon requested the Ministry of Foreign Affairs of Japan introduce a system of licensed prostitution for Japanese settlements in Joseon to reduce the cost of enforcement and to prevent STIs. However, the Japanese Ministry of Foreign Affairs refused to recognize prostitution in settlements outside of Mainland Japan as a matter of national dignity as regards the view of the international community. Nonetheless, sex workers in the settlements were regulated by the consulates according to the Japanese licensed prostitution system. Although the Ministry of Foreign Affairs of Japan did not recognize licensed prostitution in the settlements, there was a

¹³ For more details, please refer Seoul History Archive, https://museum.seoul.go.kr/archive/archiveNew/NR_archiveList.do?ctgryId=CTGRY826&type=D, (retrieved October 10, 2022)

state of “semi-licensed prostitution” because the Regulations were implemented by the consulate’s ordinance (J. A. Park, 2009).

The second stage started around the time of the Sino-Japanese War (July 25, 1894 - April 1895), which was the war between the Qing Dynasty and the Japanese Empire over who would dominate the Korean Peninsula. During this period, Japan’s policy of regulating the sex industry in Joseon was directly linked to Japan’s imperialist expansion. Japan, which did not tolerate prostitution in Japanese residential areas for purposes of international stature, moved in the direction of permitting prostitution throughout the two wars that saw it expand its dominance on the Korean Peninsula. With victory in the Sino-Japanese War, the Japanese Empire began permitting prostitution in Japanese settlements in Korea (Y. O. Song, 1998). For the Russo-Japanese War (February 8, 1904 - Fall of 1905), Japan deployed four times as many troops to Seoul as during the Sino-Japanese War. For the sake of providing “sexual comfort” to soldiers, the sex industry boomed, and red-light districts were established in all Japanese settlements (Yamashita, 1997). Through Japan’s victory in the Russo-Japanese War, fought on the Korean Peninsula between the Russian Empire and the Japanese Empire over control of Manchuria and Korea, the Japanese Empire terminated its treaty with Joseon and gained the status of a protectorate of Joseon on November 17, 1905. Japan established the Residency-General and enacted laws and ordinances to control the Japanese sex industry and sex workers in the settlements for the purposes of expanding military, economic, and cultural dominance over Joseon (Y. O. Song, 1998). Joseon sex workers were subject to crackdowns and regulations following the dismantling of the government kisaeng system in 1908, and the regulations and control of kisaeng were transferred from Japanese consulates to the Police Department of the Residency-General (D. H. Kwon, 2001). In September 1908, the Metropolitan Police Department

expanded the Regulations for Changgi and the Regulations for Kisaeng to the Metropolitan and Gyeonggi-do Province, thereby extending the reach of the licensed prostitution system. A levy was placed on prostitution businesses and sex workers, and STI testing for sex workers was stipulated and business was suspended for infected workers (Y. O. Song, 1998). For the first time, a “modern” law to control Korean prostitution was enacted.

As government management of prostitution expanded during this period, a discourse about managing sex workers and the sex industry emerged in Joseon society. It was believed that the moral disorder caused by prostitution could be resolved and venereal diseases controlled through the establishment of brothels and compulsory STI tests for sex workers. In 1902 and 1905, Suk Young Ji, the principal of a government medical school in Korea, insisted on the introduction of a modern prostitution management policy to prevent STIs in accordance with the laws of Western countries and Japan. On November 17, 1902, he wrote an article on prostitution in the *Hwangseong Sinmun*, pointing out the transmission route of syphilis, the prevalence and risks of syphilis, and arguing that the transmission comes from prostitution. He insisted on registering prostitutes and screening for STIs. In addition, Won Sik Min, who is considered to have played the biggest role in introducing the licensed prostitution system, justified the system through his theory of hygiene:

Prostitutes are morally repugnant, but they are necessary for social hygiene ... To prevent the spread of STIs among prostitutes, strict physical examinations are required, as well as a strong physique. Licensed prostitutes will conduct regular physical examinations, and those infected with STIs will keep their clients from contracting STIs by keeping them out of the sex industry...I desperately want

the Japanese authorities to crack down on them severely. (W. S. Min, 1906, my translation)

With the introduction of compulsory STI testing for sex workers, a discourse about the brothelization of the sex industry emerged. Up to that time, except for Japanese residential areas, sex businesses did not take the form of formal, organized brothels but rather were scattered (Yamashita, 1992). In April 1904, the Metropolitan Police Department promoted the establishment of brothels, referring to the increase in the number of prostitutes, STIs, sexual violence, and the social harm caused by prostitution. By isolating sex workers from residential areas, it was believed that the corruption of public morals caused by prostitution could be resolved. The STI problem was the primary motivation for the establishment of brothels.

The discourse on the introduction of compulsory STI tests for sex workers and brothelization in Korea was influenced by Japan's modern licensed prostitution system, which was in line with the expansion of the British Contagious Diseases Acts and with the discourse about controlling and managing sex workers and sex businesses to prevent the spread of STIs that had already spread to Asian countries. Japan, which came rather late to imperial expansion, needed measures to control sex workers. With the opening of the ports, the STD infection rate was rising in the military brothels that targeted foreign military forces in foreign settlements in Japan, so foreign military forces demanded STI examinations for sex workers in their settlements. In 1873, Japan began enacting relevant laws, including the Regulation for Changgi in 1900. At the request of the Russian Navy, prostitutes in Nagasaki were tested for STIs for the first time, and a hospital for sex workers was opened at the suggestion of the British Navy. Implementing licensed prostitution was part of Japan's "civilization and enlightenment policy" that would help it become a member of international society (J. A. Park, 2009, p. 28, my

translation). Later, Japan introduced a Japanese-style licensed prostitution system to concede lands, occupied territories, and colonies during its imperial expansion. It corresponded with the Japanese government's intention to control and manage the sex industry and sex workers for the purposes of colonization (Y. O. Song, 1998). Unlike Britain, Japan did not establish locked-down hospitals for the examination and treatment of sex workers in Joseon. Of course, the attempt to restrict the residence of prostitutes through the establishment of brothels did not work, and prostitutes were still scattered everywhere (J. S. Kang, 1998).

The Japanese Imperial licensed prostitution system was thus established for the sake of imperial expansion. Despite confusion in policy implementation due to an unclear definition of sex workers, the control of STIs in Joseon was of key importance to imperialist expansion (J. A. Park, 2009; Yamashita, 1992; Y. O. Song, 1998). Japan established its prostitution system based on European models, and from the establishment of diplomatic relations with Joseon, a Japanized-Korean licensed prostitution system had been implemented in Japanese settlements (J. A. Park, 2009; Y. O. Song, 1998). As the number of Korean prostitutes for Japanese soldiers increased during the Sino-Japanese War and the Russo-Japanese War, to prevent loss of combat power due to STIs, the application of a licensed prostitution system began in earnest in accordance with the ordinance of the consulate in the settlement.

The last stage of implementing the licensed prostitution system started with the annexation of Korea in 1910. The Japanese Empire established the Japanese Government-General of Joseon instead of the Residency-General, and Joseon entered full-fledged Japanese colonial rule. Japanese colonial rule basically followed Japan's prostitution policy and prostitution management method that had already been in place but started to control it more strictly (J. A. Park, 2009). In 1916, when the occupying Japanese army began to reside in Joseon,

the licensed prostitution system was officially established throughout the country. Rather than encouraging the use of condoms or controlling and treating STIs in soldiers, Japan maintained its combat power for imperial expansion by controlling sex workers and identifying “fallen” women as potential prostitutes.

In order to enable the government to monitor sex workers and the sex industry effectively, the Regulations stated the following: licensed prostitution was limited to designated brothels; business operators had to apply to the police to obtain business licenses; membership in the kisaeng guilds and changgi guilds was made compulsory for kisaeng and changgi; kisaeng and changgi had to acquire licenses from police; business operators and sexual service workers such as changgi, kisaeng, and barmaids had to pay taxes; and sex workers were regularly required to be tested for STIs at a designated hospital located within the licensed area. Under these Regulations, sex workers were controlled by occupying Japanese police and guilds (Y. O. Song, 1998).

To facilitate the enforcement of the licensed prostitution system, Japanese colonial rule attempted to make clear distinctions between sex workers through various legislative actions. Sex workers were categorized as either licensed or unlicensed. By the Regulations, only a changgi was considered a licensed prostitute and allowed to sell sex in the designated brothel area. A changgi was, in principle, prohibited from providing entertainment services such as dancing and singing. Kisaeng, barmaids, and waitresses were classified as unlicensed and were not allowed to sell sex. The Regulations allowed kisaeng to dance, sing, or play music for a client in a high-end restaurant. To become a kisaeng, women had to attend a kisaeng school for three years, and they were intensively trained in dance, singing, instrumental music, calligraphy, painting, arithmetic, and literature. Barmaids who provided sexual services along with food and

alcohol were like kisaeng in that they could sing but they could not dance. During the 1930s, as urbanization began to develop, many cafes opened, and waitresses were hired as service workers. Although kisaeng, barmaids, and waitresses were not subject to regular STI testing since they were unlicensed prostitutes, they were constantly subjected to crackdowns and surveillance. Since Joseon sex workers strongly opposed STI screening due to the values of Patriarchal Confucianism, it was critical to define who counted as a changgi, the target of STI screening for the prostitution regulation policy (J. A. Park, 2009).

However, the boundaries for each type of sex worker were blurred. As the Joseon sex industry rapidly modernized and industrialized, forms of sex work diversified and sex workers who were not categorized by existing definitions emerged. By the 1930s, “many people categorized as kisaeng were placed at the ambiguous boundary between licensed and unlicensed prostitutes in the capitalist industrial structure” (J. Y. Suh, 2005B, p. 155-6, my translation). Despite the ambiguity, the Japanese government arbitrarily defined forms of sex work that were not clearly delineated in the real world. Since the state-regulated prostitution system inevitably presupposed the existence of unlicensed prostitution, the boundaries were arbitrarily determined by the authority of the police (J. M. Park, 2011). As Jung Mi Park (2011) argues, “prostitution policy is actively ‘constructed’ rather than ‘applied’ to an existing object through the classification of sex work, and the classification is not explicit” (p. 6, my translation). The classification of sex workers, which were the objects of the prostitution policy, was not a universal or fixed category but rather an object iteratively defined, classified, and constructed by the state to control sex workers and the sex industry. The classification based on the hierarchization of sex work has the effect of disciplining sex workers according to their place in the hierarchy and preventing solidarity among sex workers.

2. Overseas Migrant Prostitution and the “Comfort Station” System¹⁴

In this section, I will examine clues about the relationship between the imperialistic prostitution system, military prostitution, and the Japanese military “comfort women” through the overseas prostitution of Koreans during the Japanese colonial era. Japanese military “comfort women” is a euphemistic expression for the military sex slaves who provided sexual “comfort” to the Japanese military during the Second Sino-Japanese War and the Asia-Pacific War (1937–1945). Since Manchuria was geographically close to Joseon, accessible by merely crossing a river, it was possible to move from Joseon by rail. Because it was under de facto Japanese rule, along with Joseon, it was the region with the largest population of overseas Koreans besides Japan. It was also the region where a significant number of “comfort women” for the Japanese military were mobilized. This section will explore how the sex industry under the imperialist and militarized prostitution system extends the military “comfort station” system by investigating the prostitution system in Manchuria and the lived realities of Korean sex workers. This section will offer a background helpful for discussing the harms of sex workers who served as military “comfort women,” offering an historically grounded perspective that cuts through the view of all sex workers as victims of sex trafficking, a perspective that I will discuss at length in Chapter 5.

With Japan’s victory in the Russo-Japanese War (August 1904 - Fall of 1905), the Japanese Empire not only took over control of Korea through the Treaty of Portsmouth but also obtained a lease of the South Manchuria Railway branch in 1905. The Japanese Empire established and stationed the Kwantung Army in Manchuria, which was in Chinese territory, under the pretext of protecting the South Manchurian railroad. To overcome the Great Depression in the mid-1920s, Japan invaded and controlled Manchuria through the Manchurian

¹⁴ Although there were Japanese military “comfort women” of various nationalities and regions, this section focuses on the analysis of Korean “comfort women.”

Incident in 1931, the founding of puppet Manchukuo in 1932, and the Sino-Japanese War in 1937. As a result, Manchuria became Japan's capital investment, commodity market, and raw material base for heavy industry, as well as a logistical base for Japan's war of aggression against China (G. T. Nam, 1999).

Based on the colonial land ownership system established through the Joseon land survey project in the 1910s, the Japanese Empire implemented a plan in the 1920s to grow and exploit rice harvests. As a result, the rural economy of Joseon collapsed as the tenant farming of Joseon farmers increased (Y. D. Kim, 2007). Under these circumstances, Japan's aggressive development of Manchuria accelerated from the mid-1920s and the large-scale Joseon Immigration Policy Project in the mid-to-late 1930s served as an opportunity to trigger the migration of Koreans to Manchuria (S. J. Han, 2003; S. H. Joo, 2004). Before 1925, the total number of Koreans in Manchuria was 232,459 (107,670 women), and since then, it steadily increased. The number of Koreans who migrated during 1931 was 11,383 (5,471 women), 54,757 (26,348 women) in 1935, and 169,726 (62,522 women) in 1940 (Manchuria General Affairs Office of the State Council, 1943; as cited in K. S. Park, 2009, pp. 44-45). The migration of Koreans to Manchuria was a significant trend under Japanese colonial rule even before 1941, when the Japanese Imperial government enacted forced conscription and migration to Manchuria to bolster its wartime efforts.

Although 80–90% of Koreans who moved to Manchuria were engaged in agriculture, most of the Koreans who moved to the cities with no capital engaged in the sex industry and in opium smuggling, which required relatively low capital. In every city in Manchuria, there were many brothels run by Koreans, and many of the sex workers at those businesses were Koreans. In the early 1930s, as the sex industry expanded, the number of Korean kisaengs, waitresses, and

barmaids increased in Manchuria. Although the expression “changgi” was not used there, the barmaids played the role of changgi (D. J. Lee, 2005). The following are statistics for Fengtian, the largest city in Manchuria: the number of Korean barmaids in Fengtian City increased from 132 in 1931 to 164 in 1932 and 273 in 1934 (Kikuchi Akishiro, 1934; as cited in D. J. Lee, 2005, pp. 35-36), and in 1935, out of a total of 2,334 kisaengs in Fengtian, 209 (9%) were Koreans (General Affairs and Statistics Office of the State Council, 1938; as cited in D. J. Lee, 2005, p. 46). By 1940, 704 (10%) of the total 7,054 barmaids in Fengtian City and 102 (6.1%) of the total 1,684 waitresses were Koreans (Police Department of the Ministry of Public Security of Manchukuo, 1942; as cited in D. J. Lee, 2005, p. 39). The biggest motivation for becoming a sex worker seems to have been the relatively high income. Despite individual and regional differences, dancers received 120-300 won, waitresses 100-300 won, kindergarten nurses 20 won, nurses 50-60 won, typists 60 won, and office workers 55 won. In many cases, the income they earned was used to support their family and pay for the tuition of their brothers and sisters (D. J. Lee, 2005).

As the area occupied by the Japanese military expanded and the political influence of Japanese imperialism in Manchuria grew and the size of the sex industry for the Japanese military expanded accordingly (M. S. Yoon, 2015). However, while the Japanese colonial government implemented the licensed prostitution system in Japan, Taiwan, and Joseon, which were Japanese colonies, it failed to implement it in Manchukuo¹⁵ mainly because of the

¹⁵ In 1905, the Dairen area in Manchuria became a leased territory of Japan and the Japanese military authorities established brothels there in December 1905, implementing the licensed prostitution system. Since in both the Sino-Japanese War (July 25, 1894 - April 1895) and the Russo-Japanese War (February 8, 1904 - Fall of 1905) the Japanese military suffered serious losses due to STIs, STI control became a primary focus of Japanese imperial expansion. The implementation of the licensed prostitution system in Dairen was meant to force the registration of prostitutes and submit them to STI tests (Takemura, 2002, 328; as cited in D. J. Lee, 2005, p. 30). However, the licensed prostitution system was not implemented in other areas under the jurisdiction of the Japanese consulate, and the licensed prostitution system was later abolished in Dairen. For more details, see D. J.

movement to abolish the licensed prostitution system in Dairen, a major port city in Manchuria.¹⁶ However, Japan managed sex workers and the sex industry in Manchuria through the licensed prostitution system by the consulate's ordinance (D. J. Lee, 2005) in the same way as in colonial Joseon from 1905 to 1916, before the licensed prostitution system was officially established. The consulate mandated that sex workers be screened for STIs once a week by Japanese military doctors stationed in Manchuria (Takeshi Fujinaga, 2005; as cited in J. A. Park, 2016, p. 13). Not only Japanese sex workers but also Chinese, Korean, and Russian sex workers were subjected to STI screenings. Although the sex industry was operated by the private sector, since Japanese soldiers were the main clients of brothels, the management and the regulation for sex workers was designed to prevent STIs among Japanese military personnel (J. A. Park, 2016).

During the Manchurian Incident in 1931, a military-only brothel was established for the first time. Until then, this military-exclusive brothel was not called a "comfort station," and the Japanese military government was not actively involved in the operation of this brothel.¹⁷ It is presumed that the first official "comfort station" established by the Japanese military was a naval one in Shanghai in 1932 (S. H. Kwon et al., 2011; Y. S. Cho, 2019). With the outbreak of the Second Sino-Japanese War (1937–1945), Joseon and Manchuria were converted into bases for

Lee (2005).

¹⁶ The movement to abolish the licensed prostitution system in Japan, which began at the end of the 19th century, led to Japanese overseas prostitution abolition. Following Japan's victory over Russia in 1905, the movement led by middle-class Protestant groups campaigned to abolish the licensed prostitution system by opposing the selling of sex by Japanese workers in Manchuria to Chinese and Koreans. Since racial superiority was the ideological foundation of Japan's colonial rule, it was considered a national shame for Japanese women, a superior race, to prostitute to Chinese and Koreans, an inferior race, as customers. The Manchuria Women's Rescue was founded in 1906 by a member of the Japanese Young Men's Christian Association (JYMCA), and after a few months, when it was turned over to the Japanese Salvation Army, it was given the name Salvation Army Dairen Women's Home. In other words, the campaigns to abolish Japanese overseas prostitution were grounded in Japanese nationalism (Lu, 2013, pp.102-143). More details on the prostitution abolition movement will be covered in Chapter 5.

¹⁷ For more detail, please refer the Asian Women's Fund's Digital Museum: <https://www.awf.or.jp/k1/facts-01.html>. (retrieved April 3, 2023)

wartime systems. In May 1938, when the National Mobilization in Time of War Act came into effect, Japanese imperialism began the compulsory mobilization of Korean and Chinese labour forces. Many Korean and Chinese Women were mobilized to “comfort stations” and nursing units (S. J. Yeo, 1993). During the wars, the Japanese military established “comfort stations” to satisfy soldiers’ sexual desires, prevent STIs, and prevent rape. The Japanese military government engaged in mobilizing, operating, and controlling “comfort women” systemically (Y. S. Cho, 2019).

The sex industry in Manchuria before 1932 and the “comfort stations” were closely related. As mentioned earlier, the implementation of the licensed prostitution system by the consulate’s ordinance was established to provide clean and safe sex to Japanese military personnel. However, it seems that the sex industry in cities could not accommodate all the soldiers in Manchuria. Not only was the distance between the area where the brothels were located and the military garrisons great but it was also difficult for soldiers stationed at the border between the Soviet Union and Manchuria to get a vacation once every three years (J. A. Park, 2016). The “comfort stations” were installed by the Japanese military in consideration of these geographic realities. In other words, the establishment of “comfort stations” in Manchuria can be seen as an expansion of brothels which were mainly for use by Japanese military personnel around the city of Manchuria.

The establishment of “comfort stations” was a heavily connected to the culture of the Japanese military as well. They were established as a means of controlling the soldiers’ departures from the unit due to poor living conditions and assaults. In addition, many cases of sexual assault by the Japanese military were reported locally, and the military government saw the suppression of sexual desire as having a negative effect on military life. In order to

effectively control the increasing number of soldiers, “comfort stations” were installed and a large number of Chinese and Korean “comfort women” were mobilized. Based on the patriarchal idea of sexuality that views male sexual desire as the primal urge, military “comfort stations” were established under the leadership of the Japanese military as a way to satisfy the sexual desires of soldiers and alleviate their wartime anger and frustrations (Y. S. Ahn, 2003; J. A. Park, 2016).

There were three main types of “comfort stations” in operation: “comfort stations” directly operated by the military; military-only “comfort stations” operated by private contractors; and private brothels temporarily designated as “comfort stations” by the military (Yoshiaki, 2013; as cited in J. A. Park, 2015, p. 173). It can be inferred that some of the latter two types were brothels operated by the licensed prostitution system before the full-scale implementation of the “comfort station” system.

“Comfort women” were mobilized from various countries, including Japan, Korea, China, the Philippines, Thailand, Vietnam, Malaysia, Indonesia, and the Netherlands during WWII. The operation of “comfort stations” differed by region, and the treatment and living conditions for the women and girls also differed according to their nationality. In general, the treatment and living conditions for Japanese “comfort women” were the most favourable, followed by those of Koreans and Chinese. The method of mobilization of “comfort women” varied according to the region and nationality of recruitment as well. For example, in the case of Japanese “comfort women,” women who used to be sex workers were often mobilized as “comfort women.” In the case of Korean and Chinese “comfort women,” women who used to be sex workers were mobilized as “comfort women,” but it is also known that a significant number were mobilized through employment fraud, kidnapping, intimidation by public authorities, and

human trafficking (Korean Council for Women Drafted for Military Sexual Slavery by Japan, 1995; M. G. Kang, 1999; Qiu et al., 2013).

Due to the various types of “comfort station” operations, differences in nationality, and differences in mobilization methods, the definition and category of Japanese military “comfort women” victims are still under debate (J. A. Park, 2016). For example, should conflict-related sexual violence by the Japanese military at a certain place and for a certain period in the occupied territory during the war be included in the scope of “comfort women” victims? Can those who offered “sexual comfort” to the Japanese military during the war in places other than “comfort stations” directly managed by the military be considered “comfort women” victims? Despite ongoing debates, it is clear that there was coercion and violence in the process of mobilizing for and operating the “comfort station” system and that the Japanese military was directly or indirectly involved in the recruitment, transfer, deployment, and control of women and girls in the “comfort stations” (I. S. Lee et al., 2015).

Joseon migrant sex workers in Manchuria were situated at the intersection of nation, gender, class, and sexuality woven by colonialism, imperialism, and militarism through the prostitution management system. During the Asian-Pacific War from the late 1930s to 1945, the Japanese military “comfort women” and these migrant sex workers intersected at a more complex, ambiguous, and controversial juncture. Much discussion is needed about how to define and analyze the intersection between migrant sex workers stigmatized as morally corrupt and “comfort women” victims of wartime sex slavery. Analyses of Joseon migrant sex workers from various perspectives enable us to see how militarism and imperialism utilized women’s labour and sexuality and subjected sex workers to oppressive forms of management and regulation.

Conclusion

By examining changes in prostitution policies on the Korean Peninsula during the pre-modern and modernization periods, I examined how control and regulation policies for sex workers were connected to militarism and imperialism. Prostitution as a status managed by the government in the pre-modern period became commercialized in various forms through modernization and developed into capitalist labour and occupation. Japanese imperialism introduced Western imperial regulations for sex workers, which were accepted at the request of the Western empire, to Joseon by altering them to suit Joseon's unique sex industry. Prostitution, which had existed since the pre-modern era, was arbitrarily classified and hierarchized during modernization, and the content of regulation and management was also arbitrary. The introduction of the licensed prostitution system in Joseon, which coincided with Japan's imperialism expansion, can be understood in the context of Japanese imperialism and militarism to exist to provide safe sex to Japanese soldiers stationed in Joseon. Investigating sex workers' lived realities at the time and the policies enacted to control them is critical to providing insight into how militarism exploits feminized labour and sexuality. While this chapter centred on examining the relationship between militarism and imperialist colonial policy and sex work, the next chapter focuses on investigating the connection between prostitution policy and militarism, national interests, and international relations.

IV. Sex Work Policy under Prostitution Ban Law in South Korea

To analyze the dynamics of South Korea's prostitution policy and mainstream feminist discourses against prostitution, as well as its impacts on the lives and rights movement of sex workers, this chapter examines what policies the contemporary South Korean government has implemented that target the sex industry and sex workers. The purpose of this chapter is to examine how the policies to control sex workers enacted in colonized Joseon were flexibly changed in name and cause, maintained, and weakened in post-colonial South Korea. The findings in this chapter provide a basis for analyzing the Korean anti-prostitution women's movement, which is covered in the next chapter.

This chapter argues that not only the government's control of sex workers but also the anti-prostitution policy purportedly enacted for women's rights violated sex workers' human rights. To this end, I examine how the South Korean government strengthened the control and regulation of sex workers through discourses of development, tourism, and militarism while enacting a law banning prostitution. This chapter analyzes how this policy inherits the licensed prostitution system and the "comfort women" system of Japanese imperialism. Further, I demonstrate how the anti-prostitution policy, which emerged during a period of criticism of the government's sex worker control policy, threatens sex workers' livelihoods and rights.

To clarify this argument, this chapter's analysis of contemporary South Korean prostitution policy is divided into three sections. In the first section, prostitution policies and the state of the sex industry during the time the licensed prostitution system was abolished after independence from Japanese colonial rule (1945–1961) are reviewed. This section examines how during the turbulent period of independence, U.S. military government rule, the Korean War, and post-war reconstruction, the government maintained and strengthened the control and regulation

of sex workers despite the abolition of the licensed prostitution system. It investigates how the Korean War resurrected the system of “comfort women,” who were considered wartime sex slaves, and how the government technically maintained them after the war. The second section examines how while implementing prostitution prohibition (1961-2004), the government enforced policies to manage sex workers for purposes of national interests. It analyzes how the government formed a contradictory discourse about sex workers as “women of loose morals” and as “patriots” during a time when the sex industry was managed through government policies, the most powerful management and regulation of sex workers realized to date. The last section analyzes how the prostitution ban and policies that offer supports to victims of prostitution recognize prostitution as a matter of social structure and dichotomize prostitution into “voluntary” sex work and “forced” prostitution (2004-present), and examines how the anti-prostitution act violates sex workers’ rights and maintains stigmas against them, despite the weakened management and regulation of sex workers and the expansion of policies that offers supports for prostitution victims as compared to the past. Ultimately, this chapter will show that both sex worker regulation policies and anti-prostitution policies violate sex workers’ human rights.

A. The Resurrection of Military “Comfort Women” and the Birth of the “Yankee Princess” (1945–1961)

With the end of the Asia-Pacific War on September 2, 1945, Korea gained independence from Japanese imperialism. Koreans launched the National Foundation Preparatory Committee immediately after independence to achieve autonomy on the Korean Peninsula. However, with Soviet forces stationed in the north of the Korean Peninsula and U.S. forces stationed in the

south, a U.S. military government was installed in South Korea (1945, September 9–1948, October 15). As conflict between the left and right wings intensified during U.S. military rule, the Left-Right Coalition Committee was established to form a joint government, but it was unsuccessful. With the start of the Cold War in March 1947 with the Truman Doctrine of the United States, South and North Korea established separate governments (C. P. Park, 1997). Afterwards, the division was fixed, and the Korean War broke out on June 25, 1950. Although the war ended with the signing of an armistice agreement on July 27, 1953, the Korean Peninsula suffered enormous casualties and property damage. While post-war restoration became a top priority, South Korea experienced a period of chaos due to the pro-American right-wing first president Seong Man Rhee's attempts to seize power permanently by way of rigged elections, the democratization revolution that resisted the elections, and the resulting change of government.

This period of chaos brought about changes to Korea's¹⁸ politics, economy, society, ideological foundations, and culture. Accordingly, sex work policies and the sex industry also changed. Shifts during this period can be divided into three stages: first, the repeal of the licensed prostitution system under U.S. military government rule (1945–1950); second, the resurrecting of the military “comfort women” system during the Korean War (1950–1953); and last, enhancing measures to control sex workers during the post-war period (1953–1961). The first step involved the U.S. military government rule (1945, September 9–1948, August 15) strengthening STI prevention measures for sex workers and repealing the licensed prostitution system. The core of the prostitution policy implemented by the U.S. military government after independence was the management of STIs, as in the case of the Japanese Empire. The reason why the U.S. military

¹⁸ From here on, Korea refers to South Korea if North Korea is not specified.

government focused on controlling STIs was that the U.S. military emerged as a new client of the Korean sex industry after independence, taking the place of Korean men who were poor due to extended colonial rule and exploitation and of Japanese men who left Korea due to defeat (J. M. Park, 2011). During World Wars I and II, the U.S. military both condoned and managed prostitution, considering it a necessary evil, and this informal prostitution management was prominent in overseas garrisons (Winick & Kinsie, 1971; J. M. Park, 2007).

This informal management policy of the U.S. military also influenced Korea's prostitution policy and the sex industry during the U.S. military government (J. M. Park, 2011). At that time, the STI infection rate of U.S. soldiers stationed in Korea was on the rise. The U.S. military government strengthened STI examinations for sex workers to reduce infection among U.S. soldiers ("The Examination of Servers," 1947). The U.S. Military Government managed all sex workers through the licensed prostitution system, an institution of the Japanese Empire. It was necessary for sex workers to obtain certificates of health. Sex workers infected with STIs had their business licenses suspended and were confined to hospitals or prisons for treatment. Two days after U.S. military government rule was established over the Korean Peninsula, the U.S. occupation forces opened the corps surgeon's office in Seoul and venereal disease control officers inspected bars and brothels (Office of the Surgeon General Department of the Army Washington, 1963; as cited in N. Y. Lee, 2006, p. 84).

A statute was also enacted to control STIs. The occupation authorities promulgated the Offenses against Military Government on May 14, 1946, which listed 82 offences, and four of them were related to controlling sex workers and STIs. The Offenses against Military Government criminalized STIs, but the U.S. military was not punished, and the punishment was restricted to Korean women. In addition, by making the "soliciting sexual intercourse" of women

with STIs subject to punishment for alone, the U.S. military was granted the right to crack down on Korean women extensively.

The U.S. military tried to block resistance to management policies, such as resistance to the screening for STIs in sex workers. Although the statute stated, “affect public safety, health or welfare,” the objects of STI control under the U.S. Military Government were licensed sex workers, unlicensed sex workers, and women prone to prostitution. To meet the soldiers’ sexual needs, the licensed prostitution system was used to protect their safety and health (N. Y. Lee, 2006).

Shortly after the Offenses against Military Government came into effect, the occupation authorities promulgated the Prohibition of Trafficking in Women and Girls or of Contracts for Such Trafficking¹⁹ (hereafter, the Act of Prohibition of Trafficking) on May 17, 1946. It was because the mainstream women’s circle claimed the need to eliminate remnants of Japanese colonialism and the feudal system, with the goal of building an independent country and the liberation of women after independence, that they demanded the abolition of the licensed prostitution system, which was considered a relic of the feudal patriarchal system and representative of the Japanese occupation (“International Women’s Day,” 1946). Since the key policy principle of the U.S. Military Government was to establish an anti-communist front by transplanting the capitalist economic system and the liberal democratic political system in Korea amid competition for global hegemony, the U.S. military government needed to publicize the superiority of liberal democracy and highlight the difference from colonial rule by liquidating the

¹⁹ All sales and contracts for the sale of any female person for any purpose were prohibited, including existing contracts (Article 1); all debts incurred in connection with the sale of female persons were null and void (Article 2); and all parties to the sale were equally guilty (Article 3) (Korean Law Information Centre, <https://www.law.go.kr/LSW//lsInfoP.do?lsiSeq=62964&chrClsCd=010203&urlMode=engLsInfoR&viewCls=engLsInfoR#0000>, retrieved December 29, 2022).

remnants of Japanese colonial rule. Therefore, the enforcement of the Act of Prohibition of Trafficking was part of the measures to secure the U.S. Military Government's legitimacy. However, when women's organizations and the media interpreted the implementation of the Act of Prohibition of Trafficking as the abolition of the licensed prostitution system ("Promulgation of the decree," 1946), General Lerch, Military Governor of Korea, announced in a press conference that it had no plans to abolish the system ("Counterfeit bill racketeers," 1946).²⁰ This is because if prostitution became illegal through the abolition of the licensed prostitution system, the U.S. military client, Korea's "saviour," would become a criminal.

Women's organizations objected to General Latch's press conference and insisted on the abolition of the licensed prostitution system. Accordingly, it seems that the U.S. military government decided to cooperate with pro-American right-wing women's groups. In September 1946, the US military government established the Women's Bureau under the Ministry of Health and Welfare and organized a women's administrative network throughout South Korea centred on these right-wing women's organizations. On March 25, 1947, right-wing women's organizations submitted a petition to the South Korean Transitional Legislative Assembly to abolish the licensed prostitution system ("The licensed prostitution system abolition," 1947). Subsequently, legislator Hyun Suk Park, from a right-wing women's group, proposed a bill entitled Act to Abolish the Licensed Prostitution System. This bill proposed abolishing the licensed prostitution system, preparing female accommodation facilities to "rehabilitate them mentally and economically," and "establishing medical substrates and enlightenment facilities to actively save them" as "relief measures for women liberated from the human meat market" ("The

²⁰ General Lerch said that "although changgi is included as an attempt to free people from slavery, this is not the abolition of the licensed prostitution system, and unlicensed prostitution has nothing to do with it. Consequently, it is okay for changgi to engage in contracts signed voluntarily without being sold by a third party" ("Counterfeit bill racketeers," 1946, my translation)

licensed prostitution system abolition,” 1947, my translation).²¹ This bill was passed by the Legislative Assembly plenary session on August 8, 1947, approved by the acting military governor General Helmick on October 28 of the same year, promulgated on November 14, and entered into force from February 1948 (“The decree for the abolition,” 1947).²² In the process of enactment, there was a debate over the subject of punishment, the amount of the fine, and the date of enforcement, but among them, only the clause that punished “any person who has tainted another with a venereal disease” was deleted, and the licensed prostitution system, which was considered as a remnant of Japanese colonialism and the feudal patriarchal system, was abolished. The removal of the clause can be interpreted as a concession to the U.S. military, a major client of the sex industry.

It seems that the authorities’ lack of preparation for the abolition of the licensed prostitution system was egregious. There was no budget and the changgis and business owners were confused and unable to come up with a countermeasure (“When will the city begin,” 1948). It was also difficult to find jobs for changgi who had lost their place of employment. The Seoul Metropolitan Government and the Ministry of Security said, “although changgi wants to get a

²¹ Right-wing women’s groups’ activities related to the abolition of the licensed prostitution system will be analyzed in more detail in Chapter 5.

²² Abolishment of the Licensed Prostitution System [Enforcement Date: February 13, 1948.]

Article 1. In accordance with a democratic point of view, this law is created for the purpose of abolishing and prohibiting public prostitution—a malicious custom which was established under the Japanese regime and tended to infect Korean morality.

Article 2. Ordinance No. 4 of the Director of the Department of Police Affairs, dated March 1916, is hereby abolished. Prostitution and brothel licenses and the authorization for the establishment of the Prostitute’s Business Association, which were issued under the foregoing ordinance, are hereby declared null and void.

Article 3. Any person found guilty of the following shall be subject to imprisonment for a term of not more than two years or suffer a fine of not more than W 50,000, or both.

a. Any person who continues to carry on or engages in the business of prostitution.
b. Any person who is a prostitute or who is an intermediary or who provides places for prostitution.
c. Any person who traffics in women for the purpose of prostitution.
d. Any person who has tainted another with a venereal disease. (Deleted by partial amendment)

(Korean Law Information Center,

<https://www.law.go.kr/lsSc.do?menuId=1&subMenuId=19&tabMenuId=105&query=%EA%B3%B5%EC%B0%BD%EC%A0%9C#undefined>, Retrieved January 3, 2023)

job in a factory as a way to rehabilitate, many factory owners reject them because of the disorderly morals in the factory,” implying that the proposal for rehabilitation measures for changgi was declarative (D. S. Yang, 2001, p. 232, my translation). All the government’s countermeasures were aimed to turn changgi into jeopgaekbu who entertain and mate with clients, no different from a sex worker who provides sexual services in cafes, bars, and restaurants (“Abode of the two hundred prostitutes,” 1948). However, this also conflicted with the Case Concerning the Temporary Suspension of the Entertainment Business (hereafter the Entertainment Business Suspension Decree) passed by the Legislative Council on November 25, 1947. The government temporarily suspended “restaurant businesses, bars, cafes, cabarets, dance halls, kisaeng, barmaids, and other unwholesome entertainment businesses ... to purge the evil customs of society and to contribute to solving public livelihood problems” (“The entertainment business suspension decree,” 1947, my translation).²³ Due to the abolition of the licensed prostitution system implemented by women’s groups to liberate changgi, a situation was created that ironically threatened changgi’s right to live and work (D. S. Yang, 2001; Y. M. Park, 2010). Although under police control, the changgi, who made a living through legal prostitution in the brothel, became unlicensed sex workers whose business activities were illegal.

With the abolition of the licensed prostitution system, changgi disappeared, but only the classification of changgi and the legal status granted to them disappeared; the sex workers did not. As the management of the unlicensed sex industry was moved from the police to the Ministry of Health and Welfare, the Ministry of Health and Welfare enacted the Regulations for Jeopgaekbu. Sex workers, previously classified as unlicensed sex workers such as kisaeng, barmaids, and waitresses, remained under government control under the revised classification,

²³ The Entertainment Business Suspension Decree was not properly enforced for more than one year (“The Entertainment Business Suspension Decree,” 1948).

jeopgaekbu. The Regulations for Jeopgaekbu were similar to the Regulations for Kisaeng and Barmaids.²⁴ To become a jeopgaekbu, as in the case of the licensed prostitution system during the Japanese colonial period, an application, guardian's consent, guardian's seal certificate, family register, career reasons, and health examination had to be submitted. Regular health examinations—which were only compulsory for prostitutes during the Japanese colonial era—were expanded to unlicensed sex workers, which means it became possible to manage and control sex workers more extensively than when the licensed prostitution system was implemented. It can be argued that the prohibition enforced at the time was only in name, as the Entertainment Business Suspension Decree was created during the period of prohibition. Although changgi was outlawed, the government introduced a tolerance-regulation regime that tolerated sex work in unlicensed prostitution, thus expanding the population of sex workers under its control (J. M. Park, 2011).

The authorities paid the most attention to the screening and treatment of STIs. The Ministry of Health and Welfare expanded various medical facilities as a preventive measure against STIs and promoted propaganda and education on STI prevention. In December 1947, the Ministry of Health and Welfare established the National Hospital for STIs (“National Venereal Disease Hospital,” 1947) and sought a plan to accommodate and treat changgi in some city hospitals (“Forced internment of unlicensed prostitutes,” 1947). In addition, control of STIs in jeopgaekbu was strengthened (“Changgi examination to prepare,” 1948) and carriers of STIs were extensively investigated.²⁵ Women arrested during the crackdown were regarded as

²⁴ The Regulations for Kisaeng and Barmaids were maintained until the Food Sanitation Act and the Enforcement Decree of the Food Sanitation Act were enforced in 1962.

²⁵ In September 1947, 1,727 Jeopgaekbu in Seoul were examined, and 43% were found to be STI carriers. Among 400 kisaeng, 30% were carriers, and 30% of 900 barmaids and waitresses were infected with gonorrhea and 20%

suspected prostitutes and were subjected to compulsory STI examinations regardless of whether or not they were sex workers (“Do not detain women outside curfew,” 1947).

Despite strengthened efforts to control STIs, the epidemic did not subside (“No way! Sexually transmitted diseases,” 1949). Countermeasures were devised by the government to strengthen the crackdown on prostitution. The U.S. Military Government established the first female police station on July 1, 1947, and their primary task was to crack down on prostitution (“Crackdown on brothels,” 1948). Management policies targeting sex workers had the effect of strengthening the management and cracking down on women sex workers without effectively controlling STIs.

Ironically, the epidemic of venereal diseases served as a justification for the abolition of the licensed prostitution system for women’s groups, but paradoxically, it also served as a justification for maintaining the licensed prostitution system. The head of the Preventive Medicine Bureau of the Ministry of Health and Welfare visited the Commissioner General of the National Police Agency and told him that the licensed prostitution system was necessary for the prevention of STIs, so it would be better to keep it, and that he hoped for cooperation from the police (J. M. Park, 2011). It is in line with the logic of the Japanese colonial era that brothelization through the licensed prostitution system became advantageous for managing and controlling sex workers. Both brothelization and the abolition of licensed prostitution appear inherently contradictory. However, they all agreed that sex workers were the source of the venereal disease epidemic and needed to be controlled. Despite the knowledge that STIs could be

with syphilis (“Danger! 30% of carriers refused,” 1947). In preparation for the abolition of the licensed prostitution system, Seoul also conducted a large-scale STI examination for changgi (“Changgi examination to prepare,” 1948). According to an investigation, about 60% of changgi are STI carriers, and syphilis and gonorrhea carriers would receive free treatment through forced confinement (“Urgent need to combat prostitution,” 1948).

transmitted regardless of gender and occupation (Y. J. Kim, 1947), only female sex workers who were easy to control were subjected to the crackdown.

The second stage involved resurrecting the military “comfort women” system and enhance government measures to suppress brothel operations and control STIs during the Korean War (June 25, 1950—July 27, 1953). When the front line had stabilized, the government passed the Law for Improving the Daily Life of People in War (hereafter, the Law for Improving Daily Life) on November 18, 1951. According to this law, the sex industry, regarded as the leading source of pleasure and luxury, was regulated. This law was similar to the Entertainment Business Suspension Decree of 1947. Cafés, bars, and high-end restaurants, so called *yojung*, had to be converted into regular restaurants and *jeopgaekbu*’s employment was prohibited (“Some restraint from *yojungs*,” 1951). The government said that having *jeopgaekbu* change jobs to *jeopdaebu*—a restaurant server—at the restaurant, which was converted into a regular restaurant, made it unnecessary to plan for job losses. However, a significant number of entertainment businesses continued to operate without permission, hiring sex workers to provide entertainment and sexual services (“Exception for meals only,” 1952). The government’s response was a crackdown on illegal prostitution, and it continued to crack down on unlicensed entertainment businesses (“Crackdown on more than three hundred,” 1952) and unlicensed sex workers (“Four departments join forces,” 1952).

The reason crackdowns continued during wartime was to prevent venereal diseases in the *jeopdaebu* community (“*Yojung* watchdogs again in action,” 1952). At the time of front line stabilization, the government announced statistics on *jeopdaebu* who were STI carriers (“Epidemic declines,” 1951) and planned countermeasures against STIs and the expansion of clinics (“Health Dept. treats women,” 1951). On October 25, 1951, STI examinations, which had

stopped due to the Korean War, were revived (“Revival of the jeopdaebu checkup,” 1951). Despite the ban on providing sexual services to jeopdaebu, the fact that the government screened jeopdaebu for STIs and cracked down on those who went without examination shows that the government recognized jeopdaebu as sex workers as jeopgaekbu. The confusing applications of the terms jeopdaebu and jeopgaekbu can also be understood as an effort to maintain the toleration-regulation regime that, while officially declaring that the government had a prohibition policy, unofficially handled jeopdaebu in the same ways as jeopgaekbu (J. M. Park, 2011).

In contrast to the toleration-regulation regime, the government prepared measures to actively control prostitution for soldiers. With the outbreak of the Korean War, to boost soldiers’ morale, control STIs, prevent rape, and prevent espionage, the government revived the “comfort station” exclusively for soldiers and directly intervened in the management of “comfort women.” In September 1950, less than three months after the start of the war, five “comfort stations” were installed and licensed in Masan City to “repay the labour of the allied forces” (“Comfort station for allied troops,” 1950, my translation), and as of July 1952, there were 78 certified “comfort stations” and 600-700 unofficial ones for the allied forces (“The tearful phenomenon of war,” 1952). U.S. military/the allied forces “comfort station” operated until 1954. Korean military “comfort stations” were installed around 1951 and closed in March 1954 after the armistice. It was estimated that the Korean military “comfort stations,” called the “special comfort unit,” had anywhere between 180 and 300 “comfort women” (G. O. Kim, 2014).

About a month before the implementation of the Law for Improving Daily Life, the Ministry of Health and Welfare adopted the Cleaning and Comfort Guest Sanitary Handling Instructions (hereafter, the Jeopgaek Sanitary Instructions) on October 10, 1951. The subjects of the Jeopgaek Sanitary Instructions were jeopgaekbu, dancers, and “comfort women.”

Jeopgaekbu was defined as “a woman who serves customers at restaurant businesses (formerly kisaeng, barmaid, waitress, etc.). A dancer was defined as “a woman who does dance as a business at a dance hall or special cafe, etc.” This was derived from the American culture of watching dance performances designed for U.S. military customers. “Comfort women” referred to “women who make a business of serving comfort guests to foreign troops at a comfort station.” “Comfort women” who were sex slaves for the Japanese military during the Asia-Pacific War were redefined as sex workers who provided intercourse to soldiers during the Korean War. Dancers and “comfort women” were added to the Regulations for Jeopgaekbu implemented after the abolishment of the licensed prostitution system. “Comfort women” were required to undergo STI screening twice a week, dancers once a week, and jeopgaekbu once a month (The Case of the Cleaning and Comfort Guest Sanitary Handling Instructions, Ministry of Health, Quarantine Bureau Regulation No. 1726, October 1951; as cited in J. M. Park, 2011, pp. 101–103). With the implementation of the Law for Improving Daily Life, which made jeopgaekbu employment illegal, the introduction of the Comfort Guest Sanitary Instructions was directed at the Armed Forces and the Allied Forces. This was the government’s preparation to legalize soldier prostitution during the war. It confirms that the sex industry, military prostitution, and military sexual slavery are intimately intertwined.

Regarding whether the U.S. military directly managed the installation and operation of “comfort stations,” Jung Mi Park (2011) argues that even if the United Nations Civil Assistance Command in Korea (hereafter, UNCACK) did not directly order the installation of “comfort stations,” they were operated with the approval or connivance of the U.S. military. The author supports circumstantial evidence that the Ministry of Health and Welfare shared specific details on the permission and management of the “comfort station” with UNCACK and that the Allied

Military Police cracked down on STD screening amongst jeopdaebu. The U.S. Military Government implemented a prohibition policy through the abolition of the licensed prostitution system against its will, but with the Korean War as an opportunity, the U.S. military changed its direction to a prostitution management policy by approving or condoning the installation of “comfort stations.” However, by not formally adopting the prostitution management policy, the U.S. military tried to maintain its image as a moral global police force and defender of liberty.

While mobilizing “comfort women” for common soldiers, the government created ladies’ clubs to “comfort” high-ranking U.S. military officials or diplomats.²⁶ After the outbreak of the Korean War, in late 1950 or early 1951, to satisfy the “need to deepen understanding between the UN forces and the people and to quickly convey our lives to the UN forces so that they can feel rewarded for participating in this war,” the Wartime Public Relations Diplomacy Alliance (hereafter the PR Alliance) was organized (H. R. Kim, 1999, p. 225; as cited in I. H. Lee, 2004B, p. 110, my translation). The PR Alliance organized a consolation group of graduates and students from Ewha Women’s University to visit military bases or invite high-ranking US military officers, diplomats, and foreign civilians residing in Korea to parties and to play the role of serving. The dancers and “comfort women” who provided sexual services to US soldiers and the PR Alliance were not much different in that they were mobilized for high-ranking foreign officials’ sexual desires during wartime. Due to the hierarchy of women and the hierarchy of sex work, although they were classified as “comfort women” and “classy ladies” (L. S. Kong, 2008, pp. 181-182), the patriarchal gender role nullified class differences between women and fixed women as “comfort-type subjects” (I. H. Lee, 2004 B, pp. 110-117).

²⁶ In 1948, President Rhee issued an order: “When entertaining foreign guests, do not hold a kisaeng party, but gather ladies to have a dignified conversation and introduce Korea well.” Hwal Ran Kim and Yun Suk Mo recruited universities women who were good-looking and fluent in English and formed the Nakrang Club (L. S. Kong, 2008, p. 181; I. H. Lee, 2007, p. 182, my translation).

The last stage consisted of measures to control sex workers, which were enhanced through brothelization and sex worker guilds during the post-war reconstruction period (1953–1961). The armistice was declared on July 27, 1953 and in the aftermath of the war, sex work businesses and brothelization spread across the country. In areas where refugees gathered in large numbers, brothels and sex workers had grown. Train stations were a centre for brothels because there were many mobile male populations, such as travellers and soldiers (S. C. Hong, 2007). Areas with large transient populations were places where sex work businesses were gathered and were subject to continuous police crackdowns on unlicensed prostitution (J. M. Son, 2005). This brothelization may be due to train stations being widely known as sites for brothels. In addition, the nature of brothels made it easy for information to be shared between businesses, so it is likely that businesses were able to share information about police raids with each other in order to avoid police raids. It was also advantageous for joint responses to opposition by local residents (S. C. Hong, 2007).

Rather than dispersing sex workers, the government promoted their concentration (J. M. Park, 2011). For example, the Seoul Metropolitan Government tried to promote brothelization in designated area but faced opposition from residents who raised issues regarding the urban environment, children's education, and public morals ("Against the construction of brothels," 1953). The Seoul Metropolitan Government had been continuously trying to brothelize sex work businesses to prevent disorderly conduct in residential areas, and this had succeeded to a certain extent ("Order a brothel cleaned up," 1955). However, the government failed to move all sex work businesses scattered in residential areas and downtown areas to brothels. As a result, the sex industry developed with a number of large-scale brothels coexisting with sex work businesses scattered in residential and downtown areas.

U.S. Army bases were places where brothelization occurred. Prostitution in the U.S. military and the existence of “comfort women” were critical issues for both the Korean government and the U.S. military government. This was because the U.S. military was still the most prominent sex industry client in a context where much of the industrial infrastructure was destroyed during the Korean War and Korean men’s purchasing power was reduced. Following the end of the war, commercial districts for U.S. troops, so called *kijichon*, began to form near U.S. military bases, as U.S. troops were stationed in South Korea for a long period of time in accordance with the Korea-U.S. Mutual Defence Treaty signed in Washington on October 1, 1953.²⁷ In 1957, when American soldiers were allowed to go on leave, the development of U.S. troop business districts began in earnest to try and make life easier for U.S. troops stationed in Korea. In the base towns, laundry, barber shops, beauty salons, and tailor shops were established, and services and commerce based on prostitution in particular were developed (S. C. Hong, 2007). When the UN headquarters moved from Tokyo to Seoul in 1957, the Korean government and the U.S. government organized an STI prevention countermeasure committee and presented an agenda to assemble UN military comfort facilities. The agenda designated sex work businesses exclusively for the U.S. and U.S. forces, making it easier to manage STIs by gathering “comfort women” in a certain area, and proposed birth control to prevent mixed-race children. The Korean government designated 10 sex work businesses in Seoul where the UN and U.S. forces were concentrated, 12 dance halls in Incheon, and 2 dance halls in Busan (Ministry of Internal Affairs and Communications 1957, pp. 601–602; as cited in I. H. Lee, 2004A, pp. 232–233). As a result, *kijichons* were formed where US military bases were located, and at the

²⁷ The scale was reduced by the withdrawal of 325,000 US troops after the war, but it maintained around 58,000 troops until 20,000 US troops withdrew in 1971 as part of the Nixon Doctrine (Encyclopedia of Korean Culture, <https://encykorea.aks.ac.kr/Article/E0066790>, retrieved November 22, 2022).

centre of them were U.S. military “comfort women,” who provided sexual services to U.S. soldiers and were called “Yankee princess” and also “UN madame,” “UN princess,” “Yankee wife,” “Yankee whore,” “Yankee lady,” etc.

The government’s focus at this point was still on managing STIs. It enacted the Prevention of Contagious Diseases Act on February 28, 1957, which was very similar to the Jeopgaek Sanitary Instructions enforced during the war (J. M. Park, 2011). In the Enforcement Decree of the Prevention of Contagious Diseases Act, the targets of enforcement were sex workers such as jeopgaekbu, dancers, waitresses, “comfort women,” and those who transmit or are likely to transmit STIs. The registration procedure was never clarified. However, jeopgaekbu had to undergo STI testing once every two weeks, dancers and waitresses once a week, “comfort women” twice a week, and those who transmit or are likely to transmit STIs could be tested at any time. The reason why “comfort women” had to undergo more frequent STI screening was that the U.S. military demanded a system to strengthen the management of STIs among U.S. military sex workers. “The U.S. military authorities requested the Ministry of Health and Social Affairs through the Seoul Women’s Police Station to restart examining the prostitutes of the US military” (“Sexually transmitted diseases more widespread,” 1956, my translation). With the Korean War just over, the presence of U.S. forces was critical to maintaining South Korea’s security, and the South Korean government thus considered the management of sex workers in kijichon as an important factor of national security. The fact that, as of 1957, 43 out of 89 STI clinics under the Ministry of Health and Social Affairs were in six regions where US military bases were concentrated supports this (I. H. Lee, 2004A). Accordingly, the Ministry of Health and Social Affairs classified “Yankee princesses” as “comfort women” and cohabitants of the U.S. military, separated them from sex workers targeting Korean clients, and managed them

through STI examinations and strengthened crackdowns.

In addition, the government organized U.S. military “comfort women” guilds similar to the kisaeng and changgi guilds during the Japanese colonial period to manage sex workers in the U.S. military. “Comfort women” guilds were established in areas where U.S. military camps were formed, such as Seoul and Chooncheon (“Registration system for the Yankee princesses,” 1953; “Refinement of Yankee madame,” 1953). Similar to during the Japanese colonial period, the “comfort women” guild performed roles such as licensing “comfort women,” regular STI examinations, and job placement. The government propagated the “comfort women” guild as an autonomous organization, purging promiscuous customs through guidance and enlightenment education for “comfort women,” encouraging the maintenance of dignity, encouraging patriotism, communicating with “comfort women,” and punishing violent pimps. I have confirmed in the previous chapter that the changgi and kisaeng guilds were established during the Japanese colonial period to manage and control sex workers (A. K. Park, 2001). It is clear that these government-led guilds were established primarily to manage sex workers, especially to prevent STIs.

Although the licensed prostitution system was abolished under the U.S. military government due to women’s groups and public opinion in favour of the liquidation of Japanese imperialism and the achievement of women’s liberation, the U.S. military government and the Korean government did not give up the toleration-regulation regime to prevent sexually transmitted diseases in the U.S. military. While enforcing the prohibition against prostitution, the government-maintained regulations on the management of sex workers, and these regulations originated from the Regulations on Kisaengs and Barmaids under the licensed prostitution system, with the regulation of STIs at the core. In addition, with the outbreak of the Korean War,

the government reintroduced the Imperial Japanese “comfort station” system to improve morale and satisfy the sexual desire of soldiers. Ultimately, it was part of a plan to prevent the loss of national power and provide safe sex to soldiers. After the Korean War, the sex industry was brothelized, and an “autonomous organization” of U.S. military sex workers was established, facilitating management and crackdowns on sex workers, especially U.S. military sex workers. In a situation where prostitution was prohibited, instead of establishing a system for managing sex workers directly by the government, establishing a management system for sex workers in the name of an autonomous agency for sex workers would have been an effective way to replace the licensing of sex workers and the management of STIs while not undermining the government’s anti-prostitution policy. This management policy saw sex workers subject to regular STI screenings, considering them the cause of STI epidemics. The target of compulsory STI tests, which were limited to changgi at the time of the licensed prostitution system, expanded to every type of sex worker and women prone to sex work. As a result, sex workers’ rights to work and control their bodies eroded. In other words, the abolition of the licensed prostitution system aimed for the liberation of women, but ultimately sex workers’ human rights were violated more intensely. Only the government’s authority and capacity to control them was improved.

B. The Coexistence of “Women of Loose Morals” and Patriots under the Prevention of Prostitution, etc. Act (1961–2004)

1. ‘Women of loose morals:’ Enactment of the Prevention Act on Prostitution

In 1961, Chung Hee Park’s military dictatorship, which came to power through a coup, emphasized economic development, social order, public reform, democracy, and social welfare

to maintain the regime and secure legitimacy (J. H. Jeon, 2010; H. Y. Jo, 2007). Implementing an anti-prostitution law to replace the abolition of licensed prostitution was one of the measures taken. Under the pretext of overthrowing old evil and decadence, the government enacted the Prevention of an Act of Loose Morals, etc. Act (hereafter the Prevention Act on Prostitution) to strengthen the management and control of sex workers and “reconstruct” them into viable members of society (J. M. Hwang, 2001; J. M. Park, 2011; J. M. Kang, 2012). The Act was intended “to prevent acts of prostitution that vitiate public morals and lead those who are prostituting or are likely to prostitute to a sound way of living” (the Prevention of Prostitution, etc. Act). Prostitution was characterized as an act of loose morals and sex workers as women of loose morals. Sex workers, clients, pimps, and business owners were all punished. Sex trafficking was banned, and those who transmitted STIs were subject to corporal punishment. However, the true crackdown and control measures under this law targeted female sex workers. In April 1962, to emphasize the image of a regime that respects women’s rights instead of the image of a military regime established through a coup d’état, the Korean government signed the UN 1949 Trafficking Convention.

A notable feature of the Prevention Act on Prostitution was its provisions for “a woman in need of protection” and “protective guidance facilities.” A woman in need of protection was defined as that “who is confirmed as a prostitute or is likely to prostitute in light of her environment or sexual act” (the Prevention of Prostitution, etc. Act). This was part of social welfare for prostitutes (W. S. Byun & J. I. Whang, 1998; J. M. Park, 2021). For “proper guidance and protection” they were confined to protective guidance facilities “surrounded by iron fences and gates” while shut off from the outside world (“Contrast in the field of welfare facilities,” 1974, my translation). In the name of social welfare, by associating sex workers with the term “a

woman in need of protection,” it seems that the government saw them as the socially underprivileged and those in need of protection. However, in the quarantine accommodations, sex workers were considered objects of societal isolation.

Confinement in the facility discriminated based on gender and violated human rights for the following reasons: 1. By defining a woman in need of protection as a female prostitute and woman likely to prostitute, government control over women was expanded in that it was possible to arbitrarily crack down on women who were “probable criminals” and to confine them in protective facilities. 2. It robbed women of agency in that it viewed them as objects in need of protection rather than as independent subjects. 3. It was a violation of human rights in that the women who were cracked down on were forcibly confined to facilities without fixed terms, which were determined by the arbitrary judgments of public officials or police officers, not by formal trials. 4. The Act made all those involved in prostitution subject to punishment, but in reality, only female sex workers were subject to crackdown, punishment, and confinement, thus reproducing the stigma that prostitution is a crime against women (Y. J. Kwon & E. Kim, 1990; M. H. Won, 1997; J. M. Park, 2011, 2017B, 2021).

In 1988, discussions on the revision of the Prevention Act on Prostitution began. However, the Ministry of Health and Welfare and the Ministry of Justice failed to revise it. The critical factor for the revision was a 1991 constitutional petition and lawsuit to the Seoul Metropolitan Government to cancel forced confinement by a sex worker imprisoned in a facility, arguing that detention in the facility was unconstitutional and violated basic rights (“Woman sues for constitutionality,” 1991). Subsequently, with the establishment of a democratic government in 1993, the movement to revise the Prevention Act on Prostitution resumed in earnest, and it was amended on January 5, 1995. The revision contained the following contents:

1. It used gender-neutral language by changing “a woman of loose morals” and “a woman in need of protection” to “a person of loose morals” and “a person in need of protection.” 2. The facilities, which in the past were compulsory detention and required vocational training for one year, were converted to voluntary check-in and check-out facilities. 3. Bilateral punishment rules for prostitutes and their clients were enhanced. 4. Punishment regulations for prostitution brokers were strengthened. 5. Punishment provisions for minor prostitution were strengthened. 6. Juvenile protective dispositions were separated from adult protective dispositions. 7. Temporary shelters and facilities for independence and self-support were installed for a woman in need of protection. The facilities also provided counselling, treatment, medical protection, health management, and general living guidance. These changes were meaningful in that they addressed more holistically the needs of sex workers.

However, this revision had the following limitations: 1. By defining sex work as an “act of loose morals” and a sex worker as a “person of loose morals,” the terminological correlation between prostitution and unethical values did not change. 2. By using “a person” instead of “a woman,” it seemed to have changed to a gender-neutral perspective toward prostitution, but by defining welfare for a person in need of protection as female welfare, a patriarchal view of sex workers as women and their clients as men were kept the same. In addition, it followed the double standards of sexual ethics by “limiting the act of prostitution to the act of selling sex and excluding male clients from the subject of prostitution” (M. J. Min, 1999, p. 275, my translation). 3. Prostitution was still viewed as a crime, which was reinforced by strengthening punishments for sex workers, pimps, business owners, and clients. There have been several revisions since then, but the content has not changed significantly.

However, in direct contradiction with its anti-sex trade policy, right after signing the UN

1949 Trafficking Convention in 1962, the government created 104 “special zones” and allowed prostitution in them. The government announced the establishment of the special zones for the following reasons:

In a situation where it is impossible to eradicate prostitution, strong crackdowns have allowed prostitution to penetrate even residential areas ... Debts to pimps only accumulate, resulting in prostitutes becoming poorer. For a certain period, the special zones will allow them to raise money for their livelihood. (“Prostitution allowed in special zones,” 1962, my translation)

The government advertised the establishment of the special zones as having the following effects: separating prostitution areas from residential areas; reducing the negative impact on national customs and education; allowing sex workers to form self-governing associations to voluntarily respond to exploitation by pimps; and improving public health hygiene maintenance and establishing STI control (M. S. Kim, 1981; J. S. Park, 1994; J. M. Park, 2011, 2014). The special zones included brothels and U.S. military base camp towns, and prostitution outside the special zones was subject to crackdowns. In other words, the establishment of the special zones was a policy of concentration, ghettoization, and pseudo-autonomy for sex workers that the government had been pursuing since the Japanese colonial era to facilitate the management and regulation of sex businesses and sex workers.

On the other hand, cracking down on prostitution outside the special zones meant that it was impossible to completely concentrate on the sex industry. Prostitution outside the special zones thrived. As the culture of consumerism spread due to the revitalization of nightlife that happened after the lifting of the night curfew in 1982, the deregulation of luxury entertainment

establishments in 1984, and high economic growth in 1986, the proportion of domestic prostitution clients increased and prostitution outside of the special zones spread (K. T. Kim & E. Y. Ha, 2012; J. M. Kang, 2011).

The government still managed and controlled sex workers through the Prevention of Contagious Diseases Act of 1957, and in 1962, the Food Sanitation Act and the Enforcement Decree of the Food Sanitation Act were implemented to prepare the basis for legalizing the registration procedure for jeopgaekbu, which the Prevention of Contagious Diseases Act of 1957 lacked (J. M. Park, 2011). This Enforcement Decree defined jeopgaekbu, a person engaged in the entertainment business, as “a woman whose business is to serve alcoholic beverages by sitting together with customers in an entertainment business or to arouse the entertainment of customers with songs, etc.” (the Enforcement Decree on the Prevention of Contagious Diseases Act). To become a jeopgaekbu, a registration certificate was issued. While the Enforcement Decree did not appear to undermine prohibition of prostitution through the Prevention Act on Prostitution by forbidding “jeopgaekbu from lodging with guests on the premises” (Article 19(1)), jeopgaekbu were considered as sex workers and subject to regular compulsory STI tests through the Prevention of Contagious Diseases Act. The government also prepared a legal basis for those who evaded STI examinations through the Sexually Transmitted Disease Examination Regulations implemented in 1969. The regulation defines U.S. military “comfort women” and sex workers in brothels as “women in special business,” and STI examinations and treatment were compulsory for them. In 1978, the Sexually Transmitted Diseases Screening Regulations were established by integrating the sexually transmitted disease screening provisions of the Prevention of Contagious Diseases Act of 1957 and the Sexually Transmitted Disease Examination Regulations of 1969, and the punishment for those who evaded STI screening was

strengthened. The Sexually Transmitted Diseases Screening Regulations of 1978 were replaced in 1984 by the Regulation for Health Examinations for Sanitation Workers, etc. (hereafter the Regulation for Health Examinations). STI tests and serum tests were mandated for sex workers, such as women in special businesses, entertainment workers (former jeopgaekbu), persons engaged in the business of inns, masseuses, persons engaged in the business of ginseng teahouses or coffee shops, Turkish bath assistants, etc. It can be inferred that the increase in the number of screened subjects was due to the arbitrary change in the scope of sex workers, which occurred in accordance with changes to and diversification of the sex industry. Since then, although the Regulation for Health Examinations had undergone several revisions and the subject and frequency had changed, the contents remained largely the same. Along with changes in the sex industry, the content and number of tests were arbitrarily modified according to the will of the government, and the subjects of registration, management, and control were subdivided and expanded. While the Prevention Act on Prostitution was enacted in 1961 and not amended until 1996, the government was able to maximize control over sex workers through enforcing the prohibition against prostitution by constantly enacting and revising the regulations for the management of STIs in sex workers (J. M. Park, 2011).

2. Patriots in U.S. Camp Town Sex Industry and Sex Tourism

In post-World War II, the U.S. supported tourism business promotion in “Third World” countries as a part of U.S.-led global economic integration. The U.S. presented the tourism industry as a developmental policy for Third World countries (Clement, 1961). Local governments and populations that could not establish a foundation for independent economic development relied on the tourism industry. The gendered and sexualized structure of the tourism industry led to the spread of sex tourism between First World white men and Third World

prostitutes (Enloe, 1989; Troung, 1990; Kempadoo, 1999). Korean sex tourism, which developed largely through international relations, was closely linked to military prostitution. As U.S. aid policy changed in 1957 to reduce charitable aid and increase loans, the Korean economy, which was highly dependent on U.S. aid, faced a crisis. Korea, which failed to establish a foundation for economic self-sufficiency, adopted a development policy dependent on attracting foreign capital (T. J. In, 2006). Due to the risk of war and lack of tourist infrastructure, South Korea implemented a tourism policy that targeted U.S. and UN troops stationed in South Korea as tourists. Of the special zones designated in 1962, 60% were US military camptowns (H. Cho & P. W. Jang, 1990). The U.S. military camptown, called kijichon in Korean, was used as a tourist destination to provide rest and recuperation for the U.S. military, and generate income for the Korean nation (K. H. S. Moon, 1997; N. Y. Lee, 2006; J. M. Park, 2011, 2014). In the 1960s, the U.S. military's economy in Korea accounted for 25% of South Korea's GNP, and prostitution for U.S. soldiers was a significant source of local economy (K. H. S. Moon, 1997). Kijichon reached the height of its popularity in the 1960s, when about 30,000 sex workers provided services to 62,000 U.S. soldiers (J. Y. Yuh, 2004).

The South Korean government encouraged the growth of the sex industry to cater to American soldiers, who were a source of revenue for the country through various policies. The government defined women who served UN soldiers as "comfort women" and managed them according to the Prevention of Contagious Diseases Act and the Food Sanitation Act, just like sex workers in brothels. The STI screening of kijichon sex workers, which had been implemented since the Korean War, continued violently and forcefully (K. H. S. Moon, 1997; N. Y. Lee, 2006; J. M. Park, 2011, 2014), and health certificates issued by the government to women who underwent STI examinations served as identification cards in camptowns (H. J.

Jeong, 1999; J. J. Kim, 2014). The kijichon sex workers were actively managed through continuous crackdowns on check-up evaders conducted jointly by the police, public health centres, and the U.S. military. Check-up evaders without health certificates were forcibly taken away (Saeumteo, 2008). From 1965 on, STI management centres were established through local ordinances to confine infected people. Kijichon sex workers infected with STIs were forcibly confined to a STI control centres, a locked-down hospital called a “monkey house,” until they were cured. The operations continued until the early 1990s (Saeumteo, 2008; J. M. Park, 2015). It was discriminatory and violent against women in that only female sex workers among those infected with STIs were confined to the centres.

Guilds for “comfort women” in U.S. military camps, which had been organized by local governments to strengthen the management of kijichon sex workers since 1953, were expanded nationwide in 1962. The guild not only continued to perform roles that included licensing “comfort women,” conducting compulsory STI examinations, and job placement but also included patrolling and cracking down on those who evaded screening in collaboration with South Korean police and U.S. military reconnaissance teams (K. H. S. Moon, 1997).

In connection with the U.S. military authorities’ approval of the establishment of the Rest and Recuperation Program for U.S. troops in Korea in 1960, the Korean government enacted the Tourism Business Promotion Act in 1961 to create a foundation for tourism promotion. In 1962, the International Tourism Corporation Act was enacted to acquire foreign currency by attracting foreign tourists and UN troops stationed in Korea. In 1963, the Tourism Business Promotion Act was amended to exempt alcoholic beverages sold to UN forces in Korea and foreign sailors. From 1965, kijichon sex workers were required to receive cultural education (J. M. Park, 2015), which was organized by their guilds (Y. J. Kim, 2005). Lecturers in cultural education

emphasized that the camptown sex workers were patriots. “Do not forget [you] are contributing dollars with courage and pride. I am thankful for hidden patriots such as you” (Y. J. Kim, p. 123, my translation). Although kijichon sex workers were women placed at the bottom of the sex worker hierarchy by selling sex to the foreign army from a nationalist point of view, in cultural education, they were reproduced as patriots or civilian diplomats for foreign currency earnings and national security (K. H. S. Moon, 1997).

In the 1970s, the government mobilized kijichon sex workers for the U.S. Camptown Purification Movement as a way of regulating camptowns. At the time, racial discrimination in the U.S. military extended to kijichon. Clubs and bars were segregated by race and sex workers were also divided into women serving African Americans or whites. Kijichon residents also discriminated against African American soldiers. Collective actions by African American soldiers enraged by the prevalent conflict between African Americans and whites occurred frequently, which often evolved into violence (“100 Black soldiers rampage,” 1971; “Excursus,” 1971; K. H. S. Moon, 1997; J. J. Kim, 2014). In 1971, a racial conflict erupted due to kijichon residents’ racial discrimination against African American soldiers. This angered the U.S. Congress, which was already skeptical about the U.S. military presence in Korea (“Fifth anniversary of U.S.-South Korea diplomacy,” 1972; K. H. S. Moon, 1997). Taking this incident as an opportunity, U.S. forces in Korea and the U.S. government pressed the Korean government to resolve racism in kijichon. At the time, the South Korean government was concerned about national security due to the reduction of U.S. troops to 45,000 in 1971, which followed the announcement about a reduction of U.S. troops in East Asia under the Nixon Doctrine (“Nixon, tomorrow's major speech,” 1970). The foreign currency secured by the U.S. military presence and the local economy of kijichon would be in jeopardy, which was also the Korean

government's concern (J. J. Kim, 2014; "Resolution," 1970). Accordingly, the government launched the Kijichon Purification Committee and conducted the U.S. Camptown Purification Movement from 1971 to 1976. Although this included STI screenings for U.S. soldiers, the core of the movement ended up being the management and control of sex workers. Crackdowns on sex workers who evaded STI screening became more systematic and stricter (K. H. S. Moon, 1997) and more STI clinics were established near kijichon (K. H. S. Moon, 1997). Inspection of sanitary conditions in kijichon clubs and bars and crackdowns on street prostitution and solicitation were further strengthened (S. C. Hong, 2007). The incident, which occurred in an environment in which racism, national security, and the Korea-U.S. alliance were intertwined, eventually led to the paradoxical result of strengthening violent control over sex workers and weakening their autonomy in the name of the purification (K. H. S. Moon, 1997; W. Kim, 2015).

While regulations on sex workers in camptowns were strengthened, no safeguards were provided for their human rights. In an anti-communist atmosphere, Korean society overemphasized the necessity of stationing U.S. troops in Korea, while the seriousness of crimes committed by U.S. forces was ignored (S. C. Hong, 2007). Prior to the conclusion of the Status of Forces Agreement (hereafter the SOFA) on February 9, 1967, the South Korean government did not even have the authority to investigate, try, or punish U.S. military crimes (Seoul Shinmun, 1979; H. G. Han, 2003; K. J. Nam, 2004). The injuring and killing of kijichon sex workers, a close and easy target, by the U.S. military has occurred continuously since the U.S. military was first stationed in Korea ("Robbed Kim of her ring," 1959; "Rape before killing?," 1958; "Reflector," 1962; "U.S. soldiers assaulted," 1962; "Strangled and fainted," 1962; "Human Rights Cry," 1962.). However, the U.S. court-martial imposed relatively light punishments on military criminals ("U.S. soldier sentenced," 1962; "U.S.-South Korean Friendship Harmed,"

1964). With the SOFA, South Korea had the right to investigate, try, and punish U.S. military crimes. However, South Korea had to give up its authority when the U.S. military government requested it, so jurisdiction was not well protected. American military criminals also had to be detained in U.S. military facilities (“The first ordeal of SOFA,” 1967). During the period from February 9, 1967, when the SOFA took effect, to December 31, there were 1,710 crimes committed by U.S. forces, with 2,029 U.S. soldiers involved (approximately 5% of total U.S. forces in Korea). Among them, 900 cases were violations of the Road Traffic Act or of work-related negligence, but serious crimes were also considerable, including 565 cases of injury and assault, 14 cases of rape, and 2 cases of murder (“Foreigners, their yesterday and today,” 1968). In the two murder cases, two “comfort women” were killed by U.S. soldiers, but the punishment was not effectively delivered (“The first ordeal of SOFA,” 1967; “Waiver of jurisdiction,” 1967). The first punishment delivered by a Korean judiciary was on February 29, 1968, when a U.S. corporal strangled a “comfort woman” who refused to engage in sexual intercourse and set a fire to destroy the evidence (“U.S. soldiers set fire,” 1968), which was resulted in a 15-year prison term (“Sentenced to 15 years in prison,” 1968). It was not until 1992, however, that the murder of “comfort women” by the U.S. military became a symbol of the crimes the motherland suffered at the hands of the U.S. military. Provocative reports and gendered nationalist framings about cases of injuries and the murder of “comfort women” by the U.S. military ensured that these crimes became a prominent national issue (H. J. Jeong, 1999; N. Y. Lee, 2010).

Camptown sex workers’ reproductive rights were also discriminated against. Amid the prevailing nationalist propaganda of a homogeneous Korean race, the Korean government saw biracial children in the camptown as a social problem. Many biracial children were sent for adoption abroad by the government. Since they were considered the ones who showed cracks in

this imaginary national-ethnic unity, they needed to be isolated or expelled from society (A. L. Kim, 2020). Kijichon sex workers, as those who could give birth to such children, were thus restricted from the right to pregnancy, childbirth, and childrearing and placed at the bottom of the sexual hierarchy (H. J. Jeong, 1999; J. M. Park, 2015).

In the 1970s, Korea's tourism policy, which targeted U.S. troops, changed. When U.S. troops were reduced from 63,000 to 43,000 in 1971 due to the 1969 Nixon Doctrine Declaration, Japanese tourists supplemented the sex tourism demand. In 1964, as Japan liberalized overseas tourism for its citizens, Japanese shares in the Asian tourism market increased. In addition, with the normalization of diplomatic relations between Korea and Japan in 1965 and Taiwan's diplomatic ties with Japan being severed due to Sino-Japanese diplomatic relations in 1972, Japanese tourists began to visit Korea. The government prepared measures to revitalize kisaeng tourism for Japanese male tourists,²⁸ who accounted for most of the tourists to Korea at that time (S. C. Hong, 2007; J. M. Park, 2014; H. Y. Lee & N. Y. Lee, 2015).²⁹ The kisaeng, who were represented in an exotic and sexualized image and as bearers of traditional culture, were considered an "excellent tourism product" from the government's point of view (Enloe, 1989; Wenk, 2000). The government classified kisaeng as women who entertain tourists and established a department for kisaeng tourism in the International Tourism Association. It was

²⁸ Jung Mi Park (2014) argues that the reason kisaeng tourism was on par with Japanese tourism was that the Japanese were the most frequent tourists to Korea and more visible than tourists from other nationalities because they mainly toured in groups through travel agencies. She also believes that ethnic sentiments caused by colonialism may also have played a role in shaping negative public opinion toward Japanese tourists. The kisaeng party was a world-famous tourist product. Given that 70% of tourists, excluding Japanese, were male, it can be assumed that male tourists from other nationalities were also clients of kisaeng tourism. For more details, see J. M. Park (2014).

²⁹ According to the International Tourism Organization (currently the Korea Tourism Organization), from 1974 to 1979, the male ratio of foreign tourists exceeded 80%. According to gender statistics by nationality from 1977, the Japanese male tourist ratio exceeded 90% (International Tourism Organization, 1979, 1981; cited in J. M. Park, 2014, p. 248).

compulsory to issue a license and undergo regular STI checkups for kisaeng (KCWU, 1983). In addition, through the revision of the Tourism Business Promotion Act of 1973, the government made it compulsory for women who entertain tourists, including kisaengs, to receive education for more than 40 hours a year (J. M. Park, 2014). Like “comfort women” in kijichon, this cultural education was conducted by high-ranking government officials or professors, who told kisaengs to “be proud that selling your body to a foreign man is not prostitution but an act of patriotism” (KCWU, 1983, p. 24, my translation). Following the “comfort women” of the U.S. military, kisaeng emerged as patriots earning foreign currency for national development. In 1973, since anti-Japanese sentiment due to colonial rule by Japan increased criticism of kisaeng tourism by church women’s groups and university students (KCWU, 1983; K. J. Min, 1999), compulsory education for kisaeng in 1976 and the tax exemption policy for foreigners in 1977 were abolished (J. M. Park, 2014).

However, kisaeng tourism continued. The tourism industry, which declined due to the global economic recession at the end of the 1970s and political instability in Korea—the president’s assassination in 1979, the military coup in 1980, and the Gwangju Uprising for Democracy in 1980—boomed again in the 1980s. The government tried to revitalize the tourism industry with sex industry promotion policies and international events like the 1986 Seoul Asian Games and 1988 Seoul Olympics (J. M. Kang, 2011; G. T. Kim & E. Y. Ha, 2012; H. Y. Lee & N. Y. Lee, 2015). *The Sporting News*, a famous American sports magazine, published a photo reminiscent of kisaeng tourism in a special appendix introducing the preparations for the 1988 Seoul Olympics (“Women’s Equality Association demands clarification,” 1985). As it became known that the Seoul Olympic Committee provided liberties to reporters, women’s groups criticized the government’s intention to raise tourism revenue through the commercialization of

women. Also in 1986, a case was revealed in which the Bank of Korea planned to lend 2 billion won to 11 large kisaeng restaurants (“Reconsider the yojung loan,” 1986). In addition, the government prepared a mechanism to provide “safe” sex to foreign tourists. Through the enactment of the Regulation for Health Examinations in 1984, kisaengs were obliged to undergo STI examinations once a week, just like sex workers in brothels and in U.S. camptowns.

The military dictatorship implemented an anti-prostitution policy to ensure legitimacy at home and abroad. However, the government allowed prostitution through the establishment of special tourism zones in 1962 and strengthened its ability to manage and control sex workers through the enactment and revision of the enforcement decree. As a result, the sex industry was concentrated and ghettoized in special zones. However, it was impossible to completely ban prostitution outside of special zones, so the establishment of special zones allowed concentrated and sporadic prostitution to coexist in Korea.

The government’s prostitution management policy also shows that military prostitution and sex tourism were inseparable. The Korean government, which lacked a foundation for economic independence, promoted sex tourism as part of its tourism policy for acquiring foreign currency until the 1980s. To provide safe sex for U.S. soldiers in the 1960s and 1970s, for Japanese tourists in the 1970s, and for tourists by hosting international events in the 1980s, the government strengthened regulations to manage sex workers such as U.S. military “comfort women” and kisaeng. This government attitude resulted in the irony that sex workers existed simultaneously as “women of loose morals” and as “patriots earning foreign currency.” In other words, South Korea’s prostitution policy was modified arbitrarily and fluidly amid the dynamics of the international political economy, national security, and military culture, along with the government’s will to manage sex workers. This resulted in strong government control over sex

workers.

C. The Emergence of a Dichotomy Between “Voluntary” Sex Worker and “Victim” of Prostitution (2004-present)

The enactment of the Special Act on Prostitution in 2004 was driven by pro-government anti-prostitution feminists with the cooperation of the government, similar to the abolition of licensed prostitution during the U.S. military government. After two brothel fires in 2000 and 2001 resulted in sex workers' deaths, anti-prostitution feminists actively highlighted the “slavery” aspects of some sex industries and drew public support for the anti-prostitution movement. In November 2001, a proposed prostitution ban bill was submitted to the National Assembly led by the Korean Women's Associations United (hereafter KWAU) and a member of the National Assembly from KWAU (M. H. Won, 2004; Y. S. Cho, 2004).³⁰ The Korean government also had a motive for enacting a new prostitution prohibition act, conscious of international criticism since South Korea was listed in Tier 3, the lowest rating, in the 2001 Trafficking in Persons Report prepared by the U.S. Department of State, in accordance with the Victims of Trafficking and Violence Protection Act of 2000 (U.S. Department of State, 2001; E. K. Kim, 2002). In addition, the Ministry of Gender Equality, which was newly established in 2001 with gender mainstreaming as a core value advocated at the Beijing Women's Congress in 1995, considered the enactment of a new anti-prostitution law a major part of securing its legitimacy and strengthening women's politics (Y. S. Cho, 2004). In other words, the enactment of the Special Act on Prostitution was implemented at a time when the three factors intersected: anti-prostitution feminists' advocacy and pressure on the government; the government's concern over

³⁰ An analysis of feminist movements related to the Special Act on Prostitution is covered in detail in Chapter 5–B.

external prestige; and the need to secure legitimacy in gender mainstreaming for the establishment of the Ministry of Gender Equality.

The Special Act on Prostitution, which is still in place today, is constituted by the Act on the Prevention of Sexual Traffic and Protection, Etc. of Victims (hereafter the Protection Act) and the Act on the Punishment of the Arrangement of Prostitution Acts, etc. (hereafter the Punishment Act).³¹ Although wording and sentences have changed, the points maintained in the Special Act on Prostitution are as follows:

1. The prostitution prohibition is clarified. This law still considers prostitution a crime. All those who engage in prostitution, force others to engage in prostitution, arrange prostitution, or recruit prostitutes are punished by imprisonment or fines. As in the Prevention Act on Prostitution, a person who sells sex is punished by imprisonment for up to one year or by a fine of up to 3,000,000 KRW (approximately 3,000 CAD).

2. Sex workers' illegal debts, which have been a continuous issue since the commercialized sex industry emerged, stay nullified.³² It differs in that the current law is clearer about the content than previously. In the past, sex workers' debts occurred mainly in relation to business owners or agents directly related to prostitution. Bonds due to prostitution were invalidated, but business owners and agencies abused them to restrain sex workers by taking

³¹ According to the legal translation provided by the Legal Information Centre of the Ministry of Government Legislation, the term "sexual traffic" is used to refer to prostitution. However, unlike the translation provided, prostitution in Korean is *seongmaemae*, which is more closely linked to the sex trade in the sense of buying and selling sex and is considered neutral like prostitution. The intention of using the term "sexual traffic" in the translation could not be confirmed. However, inferring from the fact that the 2001 Trafficking in Persons Report played a major role in enacting the Special Act on Prostitution, I assume that the term "sexual traffic" was translated to emphasize the legislative intention to view prostitution as human trafficking. In addition, this law was strongly influenced by radical feminism, which views prostitution as sex trafficking. This can be inferred to have influenced the translation. Since this section aims to analyze prostitution policy in the Korean context, I will use the neutral and popular term "prostitution."

³² According to the Act of Prohibition of Trafficking in 1946, all debts incurred in connection with the sale of female persons were null and void. The Prevention Act on Prostitution of 1961 also stipulated that debts related to prostitution were null and void, regardless of the contract form.

advantage of their precarious position. After the enforcement of the Special Act on Prostitution, there was an increase in the number of cases in which direct debt relationships between sex workers and employers were invalidated. As neo-liberalization accelerated in Korea with the IMF bailout in 1997, financial loans and card loans were activated. Then, business owners began to act as a bridge between sex workers and the financial sector, instead of lending directly to sex workers. As sex workers' debt relationships diversified, it became difficult to recognize whether they were directly related to prostitution. Many sex workers had significant financial loans and card loans, and debt motivated sex workers to continue working in the sex industry (D. K. Yoon, 2005; E. M. Moon, 2018; J. H. Kim, 2020). This continues up to today.

The main changes to the Special Act on Prostitution from the Prevention Act on Prostitution are as follows:

1. The Special Act on Prostitution views prostitution as a gender discrimination issue, not a matter of individual ethics, and uses the neutral expression of prostitution, the term *seongmaemae*, in Korean. This evades the moralistic viewpoint that regarded prostitution as a loose of morals.

2. As the gender inequality issue of prostitution has been raised, the concept of "victims of prostitution" has been introduced to emphasize prostitutes' victimhood. Victims are excluded from punishment according to the Punishment Act. The Protection Act provides rescue, support, and rehabilitation programs for victims of prostitution and those who engage in prostitution. Those programs are more systematized and diversified than the Prevention Act on Prostitution. NGOs operate programs with government subsidies. This is significant in that prostitutes are regarded as socially underprivileged, and the damage caused by prostitution is the responsibility of the state. In contrast to the previous law, prostitutes are treated more as targets of protection

and support than as of isolation and punishment.

Protection measures have also been established for migrant prostitutes. As the number of Korean sex workers decreased in kijichon due to the reduction of the USFK and the growth of the Korean economy, the number of migrant sex workers from the Philippines who could speak English increased in the mid-1990s (Y. H. Oh, 1998). Since the end of the 1990s, Russian migrant sex workers targeting Korean men who yearn for white women have increased (H. M. Kim, 2006). Reflecting the 2001 Trafficking in Persons Report's reference to Korea as an importer and exporter of migrant sex workers and the viewpoint of mainstream feminists who regard migrant sex workers as victims of human trafficking, a provision of the Special Case for Foreign Women was introduced. Migrant sex workers who are under investigation or in lawsuits for compensation as victims of sex trafficking are not ordered to be evicted or subject to enforced protective measures. They also have access to support facilities.

3. The scope of punishment for those involved in prostitution is expanded, and the sentence is strengthened. Defining prostitution as not just intercourse but "similar sexual intercourse by making use of part of the body ... or devices," diversified sexual services are included in the understanding of prostitution. In addition, the scope of "human traffic aimed at prostitution" is expanded not only to physical violence but also to acts of luring, recruitment, transfer, and concealment through advance payment. There is no change in the prosecution of prostitutes under the Prevention Act on Prostitution, but there is an increase in the penalty for brokering and coercing prostitution. This reflects the will of the new law to reduce the sex industry by reinforcing the perception that prostitution is a crime and putting the arrangement of prostitution at the centre of punishment (D. K. Lee, 2005).

4. Prostitution prevention measures are implemented. For basic research data on

prostitution prevention, the government conducts a prostitution fact-finding survey and publishes a report every three years. In addition, elementary, middle, and high schools and public organizations have made it compulsory to provide prostitution prevention education for one hour a year.

However, these changes have the following limitations:

1. The most controversial change is that the introduction of the concept of “victims of prostitution” simplifies prostitution to the dichotomy of voluntary and forced. The Protection Act is significant in that it provides a legal basis for prostitutes to be protected and supported without being punished if they show their “victimhood.” However, failing to prove their prostitution victimhood, they are considered voluntary prostitutes and face up to one year in prison or a fine of up to 3,000,000 KRW under the Punishment Act. The burden of proving the harms of prostitution lies with sex workers, but it is not easy to prove victimhood in a situation where a significant number of sex workers engage in the sex industry to make a living (Mina, 2012). The introduction of the concept of a victim of prostitution is a double-edged sword in that those who cannot demonstrate victimhood or engage in sex work voluntarily cannot escape punishment. Above all, the Special Act on Prostitution, which distinguishes between the targets of punishment and protection through an arbitrary and abstract dichotomy between voluntary and compulsory sex work not only stigmatizes voluntary sex workers as criminals but also violates their rights to work and threatens their rights to live (H. Y. Lee, 2005; S. Y. Oh-Kim, 2016). Even though this law is said to be against prostitution moralism, it, in fact, supports it. This dichotomy still reproduces stigma against sex workers by viewing prostitution as work they would not do unless forced to and “voluntary” sex work as ethical depravity (Kempadoo & Doezema, 1998; G. H. Ko-Jung et al., 2007).

2. It is necessary to reconsider the support program's effectiveness and its perspective. In order to receive assistance from the program, sex workers must demonstrate that they are willing to leave prostitution as a victim of sex trafficking and provide their social security number to avoid duplication of assistance (Korean Women's Development Institute, 2007). However, in a situation where the social stigma against sex workers is still strong, the requirement to provide social security numbers may violate the human rights of sex workers. This support program is also problematic because the program's goal of support is "exiting prostitution," which means that sex workers who are marginalized by the social service infrastructure are not eligible for the program's support if they are not seeking to exit prostitution.

3. The act, which views all foreign sex workers as the result of sex trafficking from poor countries and lacks a class understanding of their different motivations for migration, is racist and classist in that agents who provide support to foreign sex workers position themselves as "saviors," taking on roles to rescue "innocent victims." This perspective ultimately works as a basis for establishing policies that restrict migrant workers' rights to migration and labour, such as strengthening border controls under the name of preventing human trafficking or identifying migrant sex workers (Amnesty International, 2016; Kempadoo & Durisin, 2022). The report *Stopping Traffic: Exploring the realities of and responses to trafficking in women for sexual exploitation in Korea* (2002), published by the Korea Institute for Criminal Policy Research, a government-affiliated research organization, views foreign sex workers in the sex industry as victims who are "trapped in an exploitative situation like 'slavery'" (p. 198, my translation), while criticizing the government's "focus on criminalizing migrant sex workers, including smuggling, illegal work, and entertainment, rather than addressing their sexually exploitative situations and conditions from a 'trafficking' perspective" (p. 199, my translation). In this

context, NGOs running government-sponsored programs to support migrant sex workers recommend that entry visa screening be strengthened to prevent migrant women from entering the sex industry (Durebang, 2007). In practice, when migrant prostitution became an issue in the 2001 Trafficking in Persons Report, the police and other government agencies jointly formed an investigation team. The purpose was to intensify crackdowns on Korean sex workers moving overseas and the entry of migrant sex workers. The Immigration Office of the Ministry of Justice also strengthened visa issuance screening to block certain racialized foreign women from entering the country (J. H. Chun, 2002).

4. Controversy over whether the statutory penalty reduces the actual sex industry exists, along with concerns about excessive state penal rights and a dead letter of the law (K. Cho, 2004). In fact, after the implementation of the Special Act on Prostitution, the ratio of crackdowns on prostitutes and buyers among prostitution suspects increased. This moved away from the fact that sex workers were the main targets of punishment in the past. As crackdowns on sex industry have been down and the sex industry has diversified, the reduction in the sex industry that was expected by the statute has not been achieved (Korea Women's Development Institute, 2007; Supreme Prosecutor's Office, 2015). In addition, although the Special Act on Prostitution adopted a felony principle with the aim of eradicating the sex industry, criticism is being raised that it has failed to achieve the goal of prohibition of prostitution and is serving as a dead letter of the law like the Prevention Act on Prostitution in the past, given that most of the prosecuting persons are subject to suspended prosecution and fines (J. W. Oh, 2010; S. S. Park, 2016).

5. Most of all, the Special Act on Prostitution violates the human rights of sex workers, the main actors in the law. The felony principle against prostitution brokers is based on anti-

prostitution feminism, which sees prostitution arrangements as an exploitation of women's sexuality and believes that the punishment of brokers will ensure the human rights of sex workers and eliminate the moral stigma against them. However, while awareness that prostitution is a crime has increased with the implementation of the new law, the social stigma against sex workers is still strong (S. H. Han, 2006). The recognition that prostitution is a crime not only posits sex workers as passive victims but also limits their right to livelihoods and career options by making their work illegal. Immediately after the enforcement of this law, sex workers collectively claimed the right to live, but their voices were not heard at all (H. Y. Lee, 2005; G. H. Ko-Jung, 2006, 2009; Mina, 2012).

How have the management and control of sex workers changed under the Special Act on Prostitution? Even after the Special Act on Prostitution was enacted, female sexual service workers were subject to health examinations for STIs under the Regulation for Health Examinations enforced since 1984. Since then, although there had been some changes to the number of tests and the terms used to describe the subjects, sex workers were required to undergo STI tests once a week to twice a year, HIV tests once a year, and syphilis tests 2 to 4 times a year. On March 23, 2013, the Regulation for Health Examinations was replaced by the Regulation for Health Examinations for Sexually Transmitted Infectious Diseases and Acquired Immunodeficiency. There has been no change in subject terminology or cases, except that the number of brothel sex workers receiving STI tests has decreased from once a week to four times a year. This shows that the government's view of controlling STIs through sex workers as the subjects of examination has not changed. However, after the implementation of the Special Act on Prostitution, prostitution workers have been reluctant to register for regular STI examinations, as that can be evidence of prostitution and make them subject to a police crackdown. The

number of regular STI test registrations of sex workers in brothels has decreased by almost 70% since 2003, from 5,922 in 2003 to 2,632 in 2004 and 1,914 in 2006 (J. H. Lee & S. Y. Lee, 2010). In addition, as the sex business diversifies, the number of sex workers not included in the target population for mandatory STI test registration increases. The government's control over sex workers through STI examinations has finally lost its power.

The Special Act on Prostitution focused on prostitution as a form of gender violence. Perceiving prostitution arrangements and demands for prostitution as the keys to maintaining the sex industry, this law strengthened crackdowns and punishments on prostitution agents, business owners, and sex buyers. On the other hand, by positioning prostitutes as victims of gender violence, the law expanded rescue and rehabilitation programs for them. However, the emphasis on prostitution as gender violence dichotomized prostitutes into either forced prostitution victims or voluntary sex workers. It criminalized voluntary sex work and made sex workers subject to punishment. This law, which tried to change the paradigm of prostitution as an issue of patriarchal social structures rather than caused by the moral degradation of individual prostitutes, resulted in continuing the moral stigma against those deemed "voluntary" sex workers. Sex workers are still deprived of their rights to work, human rights, and livelihood under the anti-prostitution law that purport to improve women's rights.

Conclusion

This chapter, by examining contemporary South Korea's prostitution policies, examined how management policies for sex workers and anti-prostitution policies violate sex workers' human rights and maintain the stigma against them. The rule of the U.S. military government in South Korea, which had become independent from Japanese rule, continued the licensed prostitution

system, a legacy of Japanese rule. Even after the abolition of the licensed prostitution system at the request of the pro-government elite Christian women's movement, the U.S. military and the South Korean government maintained a control policy for sex workers to provide "safe and clean" sex to U.S. soldiers stationed in Korea. This policy resulted in the revival of the "comfort women" system, which was considered a form of wartime sexual slavery, in the wake of the outbreak of the Korean War. Even after the Korean War ended, the "comfort women" system was technically maintained through the brothelization of the sex industry in U.S. military camps and the formation of [U.S.] "comfort women's" guilds.

South Korea, which enacted a bill to ban prostitution in the early 1960s and joined the UN 1949 Trafficking Convention, ironically revived the licensed prostitution system implemented during the Japanese colonial period by establishing 104 special zones. This policy, which was implemented with the goals of national security, economic development, and foreign currency acquisition, strengthened management and regulatory policies for sex workers for U.S. soldiers, tourists, and domestic clients and resulted in a bolstering of the sex industry. This is because the licensed prostitution system and the "comfort women" system that existed during the imperial expansion period survived while combining with discourses of development, tourism, and militarism during the Cold War era. With the sex worker control policy, under the pretext of serving national interests, sex workers were placed in a contradictory position as women with simultaneously "loose morals" and as "patriots."

A new anti-prostitution law was enacted in 2004 in response to the government's code of regulation of sex workers. After the implementation of the new law, the government's support for prostitution victims expanded, and management policies for sex workers were weakened. However, by overemphasizing the harms of prostitution as a form of gender violence, this law

divided prostitutes into “voluntary” sex workers and “forced” prostitution victims. It continued a policy of criminalizing sex work and punishing voluntary sex workers. As a result, in a situation where the majority of sex workers do sex work for a living, the stigma of voluntary sex workers and the violation of sex workers’ labour and human rights continue. While this chapter focuses on how the state’s prostitution policy violates sex workers’ human rights, the next chapter focuses on how the anti-prostitution elite women’s movement contributes to violating sex workers’ rights to live and work.

V. Genealogy of Feminist Analysis on Sex Work

The development of policies that violate the labor and human rights of sex workers is closely tied to the history of how mainstream feminists have viewed and discussed prostitution. This chapter examines the anti-prostitution movement in South Korea over the course of a century and reveals its impacts on the status and experiences of sex workers. This chapter aims to show how the anti-prostitution movement in Korean feminism echoes the purity-based dichotomies as the basis of Christian and Confucian notion of sexual ethics. Understanding this will help us understand how the Korean sex worker movement has simultaneously resisted both anti-prostitution policies that violate sex workers' labor and human rights and anti-prostitution feminist movements that otherize sex workers, a long history of resistance that will be discussed in the next chapter.

This chapter investigates how mainstream anti-prostitution feminism endangers sex workers under the guise of protecting universal women's human rights. To this end, this chapter is structured into three sections. The first part discusses the campaign to end the licensed prostitution system during the rule of Imperial Japanese and U.S. military regimes (1919–1948). It reveals how the movement to abolish the licensed prostitution system collaborated with right-wing governments to hierarchicalize sex work and make sex workers illegal. It reveals how the movement prohibited the labor and survival rights of changgi by equating its rendition of universal women's rights with the human rights of changgi.

The second section analyzes how the mainstream South Korean feminist movement, which emerged in the 1980s, critiqued the government's prostitution management policies and engaged in the process of enacting and implementing laws to combat prostitution (1980s–present). This process shows that the enactment and implementation of the Special Laws on Prostitution in the 2000s, as well as the anti-prostitution feminist movement, follow a structure

comparable to the movement to abolish the licensed prostitution system of the 1940s. It is demonstrated that the anti-prostitution movement in mainstream Korean feminism, which originates from the Christian feminist movement, unavoidably intersects with international radical feminism, which has mainstreamed anti-prostitution and anti-trafficking discourses.

The final section examines the discourses of mainstream anti-prostitution feminist movements on Japanese military “comfort women,” U.S. military “comfort women,” and base camp migrant sex workers (1990s–present). This discursive analysis illustrates how mainstream feminism relies on binary constructions of women’s sexuality and perpetuates hierarchies within sex work by victimizing and marginalizing sex workers, despite its critique of patriarchal purity. Ultimately, this chapter argues that the mainstream anti-prostitution feminist movement has campaigned in ways that violate the human and labor rights of sex workers, compel them to work in more precarious and vulnerable conditions, and reinforce stigma against them.

A. The Movement to Abolish the Licensed Prostitution System: A Collaboration between Confucian Patriarchal Chastity and Christian Women’s Rights (1919–1948)

The movement to abolish the licensed prostitution system in Joseon was influenced by the international movement against human trafficking and the movement to abolish the licensed prostitution system in Japan (H. J. Yoo, 2002). The movement to abolish the licensed prostitution system in Japan began in 1880, when members of the Prefectural Assembly who advocated Christian civil rights submitted a petition to abolish prostitution (Fujime, 1997). Middle-class Protestant groups led the movement as part of the temperance movement that spread across the country. Their key issue was Japanese overseas prostitution in East Asia and on the American West Coast, rather than domestic prostitution. They considered the licensed prostitution system,

which allowed the Japanese to prostitute themselves abroad, to be “the shame of the Empire.” Similar to social purification movements in the West, the movement to abolish the licensed prostitution system in Japan took place within the framework of imperialism and was based on a nationalist ideology to create a better and more moral Japanese Empire (Fujime, 1997; Lu, 2013). The 1921 International Convention for the Suppression of the Traffic in Women and Children also put great pressure on Japanese society. At that time, Western society strongly emphasized and problematized the trafficking aspect of prostitution in the Middle East and Asia. In particular, they viewed Japan’s licensed prostitution system as trafficking in women, and it was judged that the accreditation of the activities of brokers through “contracts” was itself an institutionalization of human trafficking (League of Nations, 1932). Western pressure on Japan to abolish the licensed prostitution system by otherizing Asian sex workers was the catalyst for the movement to abolish the licensed prostitution system in Japan. In 1925, Japan acceded to the 1921 International Convention for the Suppression of the Traffic in Women and Children but reserved its application to colonial Joseon, Taiwan, and other ceded and occupied territories. However, as described in the previous chapter, the licensed prostitution system was maintained on the mainland and in the colonies and occupied territories and was abolished by the Supreme Commander for the Allied Powers in 1946 after the defeat of World War II.

Influenced by these international trends, the movement to abolish the licensed prostitution system in Joseon was led by the Christian community. Given the double standard of sexual ethics that Confucianism and Christian doctrine imposed on women, it was not surprising that Christian forces led the movement. Out of the four major categories of sex workers in Joseon—kisaeng, changgi, waitress, and barmaid—some kisaeng received popular attention and were idolized as singers, movie stars, and designated human cultural assets as Westernized

popular culture industries entered Joseon (D. H. Kwon, 2002; J. Y. Seo, 2005). Although kisaengs who were stars of popular culture were proud of this, some of them still worked as kisaengs to make a living (I. S. Shin, 1937). At the same time, there was a stigma against modern kisaengs and a nostalgia for the kisaengs of the Joseon Dynasty that was accompanied by a devaluation of modern kisaengs. In this discourse, modern kisaengs were described as “selling smiles and flesh” like changgis (B. N. Yoon, 1935, p. 199, my translation), unlike kisaengs of the past who were characterized as “chivalrous” and “noble.” This discourse implied a hierarchization of sex work, which in turn revealed a critique of commercial sex work itself. Although kisaeng provided or were prone to providing sexual services, including intercourse, it was considered secondary to their performance and serving. On the other hand, changgis, who were only expected to provide sex, were perceived as explicitly and openly selling it and because of these characterizations, changgi were considered morally inferior to other sex workers. Under the patriarchal Confucianism of the Japanese colonial era, moral opposition to the commercialization of sex was consistent with the chastity view that sex outside of marriage for women is a violation and should be protected even at the cost of one’s life, which was based on moral views that reduced women’s beinghood to their sexuality. This was very similar to the Christian doctrine.

Missionaries from the United States first advocated the abolition of the licensed prostitution system in Korea in 1919. They argued that if brothels were created within the licensed prostitution system, it was believed that prostitution would spread in Joseon, causing sexual corruption among Koreans and perpetuating the feudal view of women as slaves (“Japs deliver Corean cities,” 1919). The majority of missionaries to Korea at that time were Americans who, influenced by the Great Awakening movement in the United States that began in the mid-

1800s, held pietistic and evangelical beliefs that emphasized Victorian and Puritan ethics, including adherence to family ethics, abstinence and temperance, and hard work (Huntley, 1984). As part of the Great Awakening movement, the temperance movement in Korea was seen not only as a religious practice but also as a tool for civilizing and social purification, and the enforcement of Prohibition and the rise of temperance movements in the United States in the 1920s influenced Korean Christian society (E. S. Yoon, 2009).

The movement to abolish the licensed prostitution system began in earnest in 1923. The Korean independence movement of 1919 evolved into an empowerment movement of various forces. In the midst of this trend, the Christian community also became active in the discussion of Christian social responsibility and participation and began a temperance movement, setting as its main projects alcohol abstinence, smoking cessation, abolition of the licensed prostitution system, savings, and denunciation of superstition (E. S. Yoon, 2009). The movement to abolish the licensed prostitution system, which began as part of the temperance movement in the second half of 1923, conducted propaganda activities and petition campaigns, with the solidarity of Western and Japanese Christian movements, to abolish the licensed prostitution system (H. J. Yoo, 2001; “The movement to abolish licensed prostitution,” 1924). In particular, Gunpei Yamamuro, a pastor and the first Japanese officer of the Salvation Army, was the first person to introduce the theory of the abolition of the licensed prostitution system in Japan to Korea, and his 1924 speech on the abolition of the system and its measures had a great influence on the theory of the movement in Korea (H. J. Yoo, 2001). The movement, inspired by his speech, organized a committee in 1926, and in 1927, 12,000 Korean, Japanese and Western members petitioned the governor-general to abolish the system (“Governor general's first political petition,” 1927). In addition, the Japanese Woman’s Christian Temperance Union, an

organization that led the movement to abolish the licensed prostitution system in Japan, established a branch in Korea and campaigned for the abolition of the system and for women's suffrage ("The Japanese Woman's Christian Temperance Union," 1923).

The Christian-led push to abolish the licensed prostitution system boils down to two main arguments. First, they adopted the logic of the international anti-trafficking movement and the Japanese movement to abolish the licensed prostitution system, equating the licensed prostitution system with human trafficking. Newspaper articles were full of stories of brokers deceiving and selling rural women with marriage or employment as bait. Brokers, called "human meat dealers" and "human traffickers," were said to lure innocent women who were suffering from economic difficulties ("Recruited 9 women under the pretense," 1925; "Flowers, who sells laughter," 1928; "With the peddler," 1936) and to sell women overseas ("Meat Market 3," 1925; "Fifty virgins lured away," 1939). They were portrayed as beings who falsely lured "innocent women" into prostitution and set up "snares" that prevented them from escaping the trap of prostitution ("Meat Market 5," 1925). The idea was that sex work should be abolished so that sex workers could get out of the subhuman "slave life" and live a humane life ("No hope of rescuing," 1939). In this discourse, sex workers were primarily portrayed as beings who needed to be saved, enlightened, and rehabilitated by outsiders.³³ This savior discourse implied that sex workers were not seen as workers by portraying them only as helpless victims of trafficking. This ignored the subjectivity and agency of sex workers by oversimplifying the various reasons that sex workers enter the sex industry. It also prevented us from exploring the various aspects and dynamics of sex workers'

³³ For example, a news article reported that one Joseon woman who was deceived by the Japanese and became a prostitute wrote a letter to a British missionary asking for relief, and local British missionaries worked together to rescue the woman and teach her sewing skills at the church ("The lament of a wild animal," 1921). Another news article reported that the local women's youth association and the students at the girls' school cooperated to rescue the barmaids ("Schoolgirls act to save," 1926).

relationships with other sex workers, clients, business owners, brokers, and the surrounding commercial areas. Furthermore, the discourse about abolishing the licensed prostitution system, which equated all sex work with sex trafficking or dismissed prostitution as an individual vice, concealed the socio-economic structures that kept sex workers working in conditions that made them more vulnerable to exploitation and violence.

Second, the movement emphasized Christian sexual purity. It perceived women in prostitution as “immature women” with personal vanity complexes or as unchaste. Because it maintained the Christian image of women based on the patriarchal order, it was difficult to raise criticisms that emphasized the confrontation between men and women against the patriarchal order. Based on Christian moral purity, the movement was developed in a way that maintained monogamy, reinforced female chastity, and criticized male sexual desires (E. S. Yoon, 2007; see also H. J. Yoo, 2002).

There was also a socialist discourse that opposed the Christian-centered discourse around abolition of the licensed prostitution system. The socialists who emerged in the 1920s paid attention to the socio-economic aspects of sex work and considered the Christian discourse an armchair philosophy that failed to raise questions about socioeconomic structures. They saw the increase in the number of sex workers as rooted in socio-economic problems such as poverty and unemployment that were caused by the contradictions of capitalism. Therefore, they argued that prostitution could not be eradicated by abolishing *kisaeng*, or the licensed prostitution system, without broader socioeconomic change (A. S. Kim, 1927). In particular, Chil Sung Jung, a former *kisaeng* and socialist activist, used her experience as a *kisaeng* to show how gender and class intersect in women’s liberation movements, as well as in women’s sex work. She criticized the exploitation of women’s labor in the family wage economy and the failure of elite women to

recognize that they were proletarians dependent on men's economic power. She further criticized women's liberationists for advocating the abolition of the system but not addressing the social structures that led women to become sex workers (C. S. Jung, 1926, 1933; J. S. Roh, 2016). However, the issue of sex work was not seriously discussed within the broader socialist movement (J. S. Roh, 2016). Most of the socialist women's movement were not interested in the contradictions of the patriarchal system and focused only on the contradictions of capitalism (Gilbaksasang, 2001). With an agenda focused on class contradictions, the movement to abolish the system by the socialist forces remained a nationalist and anti-capitalist statement and offered no active implementation of the movement or concrete support for sex workers.

Although the movement did not lead to the abolition of the system, during Japanese colonial rule it was able to expose the exploitative structure and violent experiences of sex workers in the industry. The discourse on sex workers as victims of patriarchy also opened up the possibility of developing a discussion of prostitution that extended beyond morality. However, due to the limitations of Christian ethics, sex workers were fixed as immoral beings. Because the movement was carried out in a way that depended on the morality of sex workers and the conscience of men, the problems of the licensed prostitution system did not develop into an issue of sex workers' human rights. Since they were under the impression that only the abolition of the system would solve the problems in the sex industry, issues such as legitimate human trafficking or some of the exploitative working conditions of sex workers were not addressed.

Calls for the abolition of the licensed prostitution system, which had disappeared after the Sino-Japanese War in 1937 and World War II in 1941, when Japan kept the system alive and introduced the "comfort station" system, resumed after independence in 1945. Elite women who

had not shown much interest in the movement to abolish the licensed prostitution system during the Japanese occupation actively led the movement post-independence. In the temporary ideological freedom that followed independence, the movement was led by socialist women's organizations. They regarded sex workers as a female mass to be liberated, like women workers and peasants (K. R. Moon, 1989). From a socialist perspective, prostitution is understood as a combination of the contradictions of patriarchal feudalism, imperialism, and capitalism, and it must be eradicated for the liberation of women and the complete liberation of the Korean people (N. Y. Lee, 2008; J. M. Park, 2011). In August 1946, left-wing and right-wing women's organizations formed a joint alliance to abolish the system, but in November 1946, when the U.S. military government excluded left-wing women's organizations and organized the Women's Administrative Network around right-wing women's organizations, right-wing women's organizations took the lead in the movement. Influenced by the Christian Enlightenment, these New Women³⁴ embraced a patriarchal Christian ethic that emphasized monogamy and chastity. Their sexual ethics were located at the intersection of Christian and Confucian patriarchal sexual ethics (O. H. Lim, 2004) and thus inherently internalized the double standard of women's sexuality constructed under the patriarchal system. As such, they were negative about commercialized sex. They hierarchized women's work based on patriarchal, dichotomous gender norms and sex workers were placed at the bottom of this hierarchy.

The movement by elite women saw the licensed prostitution system as a system of human

³⁴ Beginning with the establishment of a women's school by an American missionary in 1886, women with a modern, Western-style education that was mostly provided by Christians appeared, and a new awareness of women's equality began in earnest. This group of women on the edge of pre-modernity and modernity, called the New Women, who emerged in the 1920s were elite women who benefited from higher education and study abroad and entered the social and public sphere, leading public opinion toward the values of women's liberation and gender equality (B. Y. Lee, 2003; S. J. Kim, 2009; S. Y. Hwang, 2021). According to Ok Hee Lim (2004), even among New Women, there is a division into "radical" liberal New Women, Marxist New Women, and Christian Enlightenment New Women based on their emphasis on feminist sexuality, class, institutional education, language, and religion. For a more detailed discussion, see O. H. Lim (2004).

trafficking, as did the movement during the Japanese occupation. The advocates of the abolition of the licensed prostitution system saw sex work as “the poor daughters of Joseon being seduced into doing things that even the proud daughters of Joseon would not do.” (“Counterfeit bill racketeers,” 1946, my translation) The brothels were described as a “mafia that sells human flesh” (“Counterfeit bill racketeers”) and a “pit of darkness,” and sex workers were portrayed as “rotting young minds and bodies in rainy back alleys ... forced to sell their laughter and bodies ... a life that cannot die” to make a living (“New year's challenge: prostitutes,” 1956, my translation). Sex workers were thus still represented as victims waiting to escape the darkness of their slavery.

The movement also upheld Christian values. Their goals were the liberation of women and the building of a “civilized” nation based on Christian spirit, arguing that the role of women was crucial in building an anti-feudal, anti-colonial, self-reliant, and unified nation. They constructed categories of women around Christian purity, replicating the gender binary of fallen and chaste women (M. J. Lim, 2014). This was because the ideology of militarized motherhood and the ideology of a “good wife and wise mother” were emphasized under the influence of Japanese wars of invasion from the 1930s (K. I. Kim, 2001). Women’s roles were limited to the home, based on being a “good wife and wise mother” rather than as being members of society (K. R. Moon, 1989). In their moralistic and paternalistic Christian ethos, they condemned prostitution as a sin. The movement emphasized the strong sense of chastity among Korean women (“Women's issues (7),” 1947; “Women's issues (8),” 1947) and portrayed sex workers as depraved people who sold chastity as a commodity (“New year's challenge: prostitutes,” 1956), even referring to them as “the biggest cancer threatening the women’s movement” (“Prostitutes, the stain,” 1947, my translation). For them, the sex industry was “destroying family life” (“What

must be exterminated,” 1946, my translation) and “a hotbed of immorality and a breeding ground for all crimes” (“The hardships of life,” 1947, my translation; see also “Licensed prostitution and concubinage,” 1947). This discourse reinforced the stigmatization of sex workers (N. Y. Lee, 2008). The movement to abolish the licensed prostitution system that talked about women’s liberation and the liberation of sex workers, contributed to the production and reproduction of stigma against sex workers.

However, one should be careful not to equate the logic of the abolition of the licensed prostitution system by the Christian forces during the Japanese occupation with that of the women’s movement during the U.S. military government. While the movement under the Imperial Japanese government centered on a patriarchal moral perspective that combined Christian and Confucian values, the movement under the U.S. military government centered on the values of women’s liberation advocated by New Women. Right-wing women’s groups saw women’s liberation as based on monogamy and women’s rights, allowing a woman to live her life as a “good wife and wise mother.” It became the guiding principle of the ideology to abolish the system “for the honor of Korean women” (“Carry out abolition,” 1948, my translation). They argued that since Korea had been liberated, women should be liberated, and “among them the women in brothels who groan under the evil system of human trafficking should be liberated” (“Counterfeit bill racketeers,” 1946, my translation). The logic of the movement was that in order to liberate women, it was necessary to liberate the changgi who destroyed Joseon’s notion of purity. Combining the values of women’s liberation with the Confucian patriarchal ideology of a “good wife and wise mother,” anti-prostitution became a symbol of women’s liberation.

The anti-prostitution discourse framed sex workers as objects of enlightenment and education. In August 1946, the movement established an Alliance for the abolition of the system

to “teach the rehabilitation of prostitutes” (“Establishing an Alliance,” 1946, my translation), indicating that from the time of its founding, sex workers were understood as women in need of rehabilitation and education. The purpose of enlightenment was to make the sex workers marry and rehabilitate them as housewives, allowing them to fulfill their potential as “good wives and wise mothers” (“Factory jobs for the majority,” 1948). They held conferences for the edification and guidance of changgi (“Caged birds fly free,” 1948) and called for the establishment of facilities for their moral and economic rehabilitation (“Warmth to a woman crying,” 1946; “The licensed prostitution system abolition,” 1947). They believed that if facilities were set up to educate changgi who had nowhere else to go and to provide them with a safe way to become “professional” women, they could be completely emancipated (Y. S. Lim, 1946; S. D. Hwang, 1946). Drawing on the perspective that brothels should be separated from residential areas during the Japanese occupation to prevent the contamination of sexual ethics and to control sex workers more effectively, a discourse emerged in which sex workers and those prone to sex work were isolated from society and needed to be rehabilitated.

Others, however, criticized the indiscriminate raids that took place in the absence of livelihood measures for sex workers and emphasized the collective responsibility of society (“Measures against prostitution,” 1958; “Blind crackdown on prostitutes,” 1958). They recognized that it would be difficult to eradicate prostitution without addressing the living conditions and socioeconomic challenges faced by sex workers, such as debt and subsistence, that resulted in sex work functioning like human trafficking. However, the premise that sex workers were “a serious danger to public health, social morals, and the purity of sexual life” remained unchanged (“Measures against prostitution,” 1958, my translation). Women’s movements calling for stronger enforcement and those who critiqued indiscriminate crackdowns

shared the same anti-prostitution stance: they saw sex work as something to be cracked down on and eliminated.

This movement can be considered the first feminist anti-prostitution movement in Korea. Furthermore, the abolition of the licensed prostitution system in 1948 was symbolic in that it was the first time in the modern period that women became formal actors in the policy-making process and they were deeply involved in the agenda-setting, law-making, and administration of the movement. A coalition of women's organizations and assembly members from women's organizations introduced and passed a bill to abolish the licensed prostitution system, which was significant because it showed the potential for solidarity between the women's movement and women politicians.³⁵

The problem, however, was that many of these highly educated right-wing women leaders were strongly pro-government and cooperated with Japan's war of aggression in the late colonial period and then with the U.S. military government after it took over (Y. O. Song, 2021). After the abolishment of the licensed prostitution system was promulgated, about 70 women who had led the movement organized the Women's Police Sponsorship Association to combat the increase in unlicensed prostitution due to the abolition of the licensed prostitution system ("Women's police patronage society," 1947). As mentioned earlier, they went so far as to be absorbed into government organizations. On October 28, 1947, after the bill was approved by General Helmick of the U.S. military government, they formed the Committees on Policies for

³⁵ This was possible because many of the leaders of the right-wing women's organizations that led the movement to abolish the licensed prostitution system entered government organizations under the U.S. military regime. In particular, the legislation to abolish the system was made possible by female assembly members from pro-government, right-wing women's organizations who led the movement: Shin Duk Hwang (Independent Promotion of Patriotic Women's Association), Seung Ho Park (Independent Promotion of Patriotic Women's Association), Ui Kyung Shin (Christian Women's Youth Association), and Hyun Sook Park (Women's National Party). The female senior officials and assembly members who made it into government organizations all had in common that they were Christians, college graduates, had studied abroad, and were trusted by the first president (K. R. Moon, 1989; B. Y. Lee, 1996; H. J. Jung, 2004).

the Abolition of Licensed Prostitution with the Women's Bureau and the Welfare Department of Seoul ("Let's save the prostitutes," 1947). With the absorption of right-wing women's organizations into the government and the alignment of interests between the government and women's organizations, the movement failed to move forward with fundamental challenges to the state regulation of prostitution (N. Y. Lee, 2009).

Therefore, instead of urging the authorities to come up with practical measures for sex workers after the abolition of the system, women's organizations echoed the government's stance and urged sex workers to self-reflect (J. M. Park, 2011). Changgi demanded that the government and women's organizations provide them with livelihood measures after the abolition of the system, but they ignored the demands and instead blamed changgis for still selling sex despite being "liberated" by the abolition of the system, and urged the authorities to crack down more thoroughly ("Abolition of licensed prostitution became," 1948). Women's organizations even cracked down on the sex workers themselves, handing them over to police stations ("Crackdown on Incheon brothels," 1948). The government also insisted on the strict enforcement of STI screening for kisaeng ("Kiseang, venereal disease screening," 1947). It only objected to allowing prostitution and argued for increased government regulation (J. M. Park, 2011). The abolition of the licensed prostitution system, which had been promoted as a means of empowering women and cleaning up the remnants of the Japanese occupation, had the effect of absorbing the women's movements into the government rather than focusing on supporting sex workers, providing a rationale for the government's crackdown on sex worker management.

Ultimately, the feminist movement did not lead to the banning of prostitution that had been hoped for, nor did it improve the practice of human trafficking that was rampant in the sex industry at the time. The abolition of the licensed prostitution system did not solve the problems

of debt, hardship, and stigma that were the main factors that kept sex workers in the industry. All sex workers were now classified as unlicensed prostitutes or potential unlicensed prostitutes, and the abolition of the system led to the criminalization of sex work. This process was driven by right-wing women's organizations. There was resistance from sex workers, but it was ignored, and the call for increased enforcement criminalized the rights of sex workers to work and survive.

B. Anti-Prostitution Movements and the Anti-Prostitution Legislative Movement: Sex Trafficking Victims vs. Volunteer Prostitutes (1970–present)

While the South Korean women's movement from the 1940s to the 1970s was pro-government and cooperated with the U.S. military and the dictatorship, the South Korean women's movement in the 1980s was anti-government and focused on the overthrow of the military dictatorship, the fight for democracy, and the labor movement, which were considered more urgent than women's issues alone. As the military regime relaxed its repression of social movements and implemented a policy of "appeasement" to pacify the public, several women's organizations were formed, and the women's movement became newly active in 1983. The Korea Women's Associations United (KWAU) was formed in March 1987 by women's organizations involved in solidarity activities (S. S. Shin, 2007; see also J. H. Cho, 1996). Their activities during this period were Christian-centered and elitist, with the Christian Academy supporting in the background.³⁶ Since 1970, the Christian Academy conducted women's community education for the purpose of women's awareness and organization. The Academy participants, who organized follow-up meetings, had a profound impact on women's studies and women's organizations, along with KWAU, which

³⁶ Of the 14 presidents from the first to 2004, for whom biographies are available, eight are Christians with a master's degree or higher.

was the mainstay of the women's movement in Korea in the 1980s (I. H. Park, 2009).³⁷ In addition to emphasizing Christian femininity and a Christian sexual ethic, these women's organizations aligned themselves with a radical feminist discourse that frames prostitution, along with domestic and sexual violence, as violence against women under patriarchy (K. J. Min, 1999). Radical feminist discourse gained prominence in the 1970s and 1980s, with Korean feminist scholars—both those who returned home after studying in the United States and Western Europe and those educated at the Christian Academy and Ewha Womans University with Christian backgrounds—playing a leading role in the production of this feminist discourse as well as a discourse against prostitution.³⁸

Korea Church Women United (KCWU), which had been campaigning against kisaeng tourism since the 1970s, published a report on kisaeng tourism in 1983 (KCWU, 1983), and from 1985 onwards, together with women's organizations such as the Korean Association of Women Theologian and Women's Hotline, campaigned against kisaeng tourism in the run-up to the 1988 Olympic Games in South Korea. The KCWU organized the anti-prostitution movement from the perspective of Christian ethics, viewing prostitution as an abuse of God's gift of sex, in addition

³⁷ The Women's Social Research Association was organized in 1976, with intellectual women among the participants of the Academy. The scholars who led the research group established a women's studies program at Ewha Womans University, became faculty members of the Women's Studies Department, and founded the Women's Studies Association in 1984 (M. S. Han, 1985). The Academy participants interested in on-the-ground work founded the Women's Hotline, which mainly provides counseling for domestic violence (I. H. Park, 2009). In addition, a group of elite progressive women joined with progressive female professors to form the Women's Equality Association. They raised the need for an independent women's organization to address the issue of sexism and women's issues within the democratization movement and served as a driving force in the progressive women's movement. They were re-established as Korean Women Link in 1987 and produced most of the leadership of KWAU (N. S. Kang, 2003).

³⁸ For example, Professor Cho Hyung, who was involved in the discussions to establish a women's studies program at Ewha Womans University in 1977, received her Ph.D. from Harvard University in the US and became a professor in the Department of Sociology at Ewha in 1975. Professor Jang Pil Hwa, the first full-time professor of women's studies at Ewha as a stand-alone department in South Korea, received her Ph.D. from the University of Sussex in the UK and joined Ewha in 1984. She graduated from the Department of English Language and Literature at Ewha in 1974 and served as secretary of the Christian Academy before studying abroad.

to addressing the human rights of sex workers (KCWU, 1983, 1988A). They linked the anti-kisaeng tourism movement to a nationalist agenda around the sexual exploitation of women from weaker countries by men from stronger countries, a power dynamic implicit in sex tourism from a structural perspective of the global economy and of women's issues (K. J. Min, 1999; H. J. Eum, 2006).

If the anti-kisaeng tourism movement criticized the prostitution of foreign tourists, the movement against human trafficking and the exclusion of hedonistic culture organized in 1988 criticized domestic prostitution. KWAU, KCWU, YWCA, and others have developed anti-prostitution movements, highlighting extreme cases of kidnapping and sexual exploitation and seeing the cause of trafficking as a hedonistic culture of male pleasure (H. J. Eum, 2006; J. M. Park, 2011). Discourses on trafficking and hedonistic culture have shifted from viewing prostitution as a problem of female depravity to one of male desire (J. M. Park, 2011).

At the other end of the spectrum, the movement for shelters for prostitutes began on an individual level, driven by a sense of religious calling. Magdalena's House (Catholic) opened in 1985, Durebang (Protestant) in 1986, and Hansori Association, a coalition of shelters, was formed in 1986 with the aim of eradicating prostitution. They addressed or advocated for the individual needs of sex workers with the ultimate goal of de-prostitution (K. J. Min, 1999). The shelter movement viewed sex workers in the context of religious salvation—saving exploited and marginalized individuals—rather than from a feminist perspective. It grew into a nationwide movement of prostitution hotlines, counseling centers, and shelters.

In this context, the women's movement, centered on KCWU and KWAU, campaigned for the revision of the Prevention Act on Prostitution in 1988. When KWAU Vice President Young Sook Park was elected to the National Assembly as a member of the Democratic Party,

she represented KWAU's anti-prostitution stance in the National Assembly and demanded that the current law be amended to regulate the intermediate exploitation and trafficking of prostitutes (142nd Plenary Session of the National Assembly, Division of Social and Cultural Affairs, 1988). KCWU also formed a research group with the Hansori Association to revise the Prevention Act on Prostitution. However, the issue of punishing sex workers was controversial, with some arguing that penalties could harm sex workers and others arguing that impunity for sex workers was tantamount to endorsing the licensed prostitution system and therefore penalties should be enhanced (KCWU, 1988B; E. Kim, 1990; K. J. Min, 1999; J. M. Park, 2011, 2017B). In the end, the amendment failed due to disagreement.

These movements were significant in that they understood prostitution as a structural social problem and demanded a social solution. By arguing that prostitution is an extreme form of violence inflicted on women in a sexist society, they shifted the focus of the debate on prostitution from moral ideals to a matter of social structures (H. J. Eum, 2006). They also criticized the discourse of prostitution as a matter of sex worker ethics and questioned the use of the term "prostitution," arguing that it is a phenomenon involving both sex workers and clients (K. J. Min, 1999).

At the same time, the mainstream feminist anti-prostitution movements of this period were facing several problems. First, they still followed the patriarchal ideology of prostitution, which viewed prostitution as a violation of women's subordination due to the commodification of sex (KCWU, 1988A; K. J. Min, 1999). In particular, KCWU, which viewed prostitution through the lens of Christian ethics, glorified the Joseon Dynasty's Kisaeng culture as aristocratic and noble while denigrating kisaeng tourism sex workers as having a "depraved mindset that unconditionally likes foreign men" (KCWU, 1983, p. 44, my translation). This was

an echo of the Christian and Confucian patriarchal sexual ethics upheld by the movement to abolish the licensed prostitution system.

Second, they uncritically echoed discourses of sex work as a form of sex trafficking in radical feminism. They viewed prostitution as a form of sexual violence (Women's Hotline, 1985) and produced a discourse that emphasized the extreme violence and exploitative aspects of the sex industry. In 1985, the issue of kidnapping and trafficking was exaggerated and circulated in a way that stoked public fears by focusing on cases of criminal groups, which became a good resource for anti-prostitution women's groups to construct their discourses (Korean Institute of Criminology and Justice, 1993; H. J. Eum, 2006).³⁹ They viewed trafficking as "beating, drugging, raping, and gang raping" women into "voluntary prostitution" and called prostitution "extortion in the sense of owning a woman's sexuality for money" and a "terrible crime that breaks and destroys a woman's purity and soul" (Women's Hotline, 1989, pp. 2-3, my translation).

By reducing the complex dynamics of the sex industry and sex workers to a discourse of violence, the movement that emphasizes extreme violence neutralizes both the structural contradictions of capitalist exploitation of feminized labor, including sex workers' labor, and the complex dynamics of subjectivity and agency that sex workers face within the sex industry, rendering specific experiences and situations invisible. Therefore, specific human rights issues involving sex workers were not raised (J. M. Park, 2011). By othering and victimizing sex workers, anti-prostitution activists positioned themselves as saviors and sex workers as objects of

³⁹ At the time, the trafficking discourse played on public fears by focusing on kidnapping cases involving organized crime syndicates. However, it is important to note that the trafficking and kidnapping narratives were exaggerated. The majority of trafficking cases involved women lured for employment or dating, and there were many unverified reports of trafficking as well as reports of simple wandering and disappearance. For more information, see Korea Institute of Criminal Justice Policy 1993 and H. J. Eum (2006).

salvation and enlightenment. Although some feminist scholars attribute the anti-prostitution movement of this period to the fact that “the sisterly relationship between churchwomen and prostitutes became a great strength of the movement to eradicate prostitution in South Korea” (K. J. Min, 1999, p. 263), this claim is made only by churchwomen and the anti-prostitution movement. Only once was a sex worker “officially” heard at a conference organized by women’s organizations (KCWU, 1988A).

Third, gender issues in prostitution were perceived as secondary. Kisaeng tourism for Japanese rather than domestic prostitution became the main target of anti-prostitution discourse, not because it was a feminist issue but because it was characterized as a national agenda and an issue that exposed the injustices of Japanese imperialist occupation (H. A. Yang, 2005; H. J. Eum, 2006; S. S. Shin, 2007). The movement also focused on class issues, identifying prostitution as a problem of sexual exploitation of poor women rather than examining the dualistic gender norms of patriarchy. Social reformers had little independent awareness of women’s issues, and even within the women’s movement, they saw the movement as part of the national and democratic movements. In this context, the anti-prostitution movement was also embedded in the discourse of the fight against imperialism, dictatorship, and capitalism (K. J. Min, 1999).

In the mid-1990s, feminist issues, including prostitution, began to be more widely discussed. When the military dictatorship ended with the democratic uprising in 1987, feminists who had been more focused on the pro-democracy movement expanded into a broader range of feminist issues. As feminist discussions of sexuality became more prominent in the mid-1990s, a sexuality-centered anti-prostitution discourse took hold in feminist academia and movements. As so-called Young Feminists, they produced anti-prostitution discourse from the perspective of

radical feminism, including translations of Kathleen Berry's *The Prostitution of Sexuality* (1995). Viewing prostitution as the most extreme form of sexual exploitation and proposing to decriminalize women who sell sex and to punish men who buy it has become a staple argument of mainstream feminist anti-prostitution scholarship and activism (M. H. Won, 1997, 1999; J. H. Baek, 2000; J. M. Park, 2011).

In parallel, the entry of this radical feminist discourse into the arena of parliamentary political discourse is very closely linked to the rise to power in 1998 of the anti-government pro-democracy movement forces of the 1970s and 1980s. Dae Jung Kim, an iconic figure of the democratization movement, was elected president in 1998, in part because his first lady, Hwi Ho Lee, was a long-time supporter of KWAU. From this time on, members of KWAU's affiliated organizations entered the National Assembly and government agencies in large numbers and became a major force in the legislation and implementation of women's policies. As a result, women's policies began to be actively implemented at the central government level, with gender mainstreaming being a core value of the 1995 Beijing Women's Conference (M. R. Seo, 2002; E. K. Kim, 2005). In 2001, the Ministry of Gender Equality was established, and with the appointment of Myung Sook Han,⁴⁰ a former head of KWAU, as minister, prostitution, sexual violence, and domestic violence became part of the ministry's mandate (Korea Women's Development Institute, 2001). However, the issue of prostitution has yet to gain popular support.

The movement for anti-prostitution legislation was fueled by the sacrifices of sex workers. In 2000 and 2001, the anti-prostitution movement gained popular support after two fires in prostitution areas killed sex workers. Pro-government lawmakers and anti-prostitution

⁴⁰ She is a Protestant and holds a master's degree in women's studies from Ewha Woman's University. She was a visiting scholar at the Theological Seminary in the U.S. In 2006, she served as the first and only female Prime Minister of South Korea.

activists, many of whom were former KWAU pro-democracy activists, formed a task force to seek government compensation for the fires and to promote a movement to pass new laws against prostitution, emphasizing the violent and exploitative aspects of the sex industry. They adopted the term “sex trade” to refer to the buying and selling of sex instead of “loose morals,” and by using the term “prostituted women,” coined by Sheila Jeffreys (1997) they followed the view of sex workers as victims of trafficking. Contradictorily, although the exact process of which is unknown but presumably driven by legal reciprocity in the punishment of buyers and sellers, legislation has been enacted that distinguishes between those who sell sex and prostituted women, in line with the liberal feminist dichotomy that divides prostitution into forced and voluntary (J. M. Park, 2011). When KWAU submitted the bill to the National Assembly in November 2001, feminists and others in society advocated for the decriminalization of sex workers, citing the dangers of the moralistic perspective implicit in the KWAU’s binary legislation (H. J. Lee, 2002; H. S. Choi, 2002; B. C. Choi, 2002). Some argued for the decriminalization of all prostitution because it is unconstitutional to punish only men who buy sex (E. K. Kim, 2002; K. Cho, 2004), while others argued for limited licensing and management of prostitution, such as a licensed prostitution system (Y. R. Lee, 2002; K. J. Kim, 2003).

The women’s movement and their proposed legislation have also been criticized for ignoring the diversity of sex workers’ experiences and needs and for portraying sex workers as victims of exploitation and oppression (Magdalena’s House, 2002), but KWAU has not heeded these criticisms. The key for KWAU was to convince members of the National Assembly and government officials to pass the bill (J. M. Park, 2011). Enactment of the new anti-prostitution law was a major challenge for them, as they believed that it would give legitimacy to the newly established Ministry of Gender Equality and strengthen women’s political empowerment. The

new law had been stalled in the National Assembly amid controversy, but the government and the National Assembly pushed for its passage on March 22, 2004 after South Korea was placed in Tier 3, the lowest rating in the U.S. State Department's 2001 Trafficking in Persons Report. Support centers for prostitutes and shelters across the country, which have grown out of the shelter movement and women's movement since the 1980s, have become the enforcers of the Protection Act, receiving government funding to rescue and rehabilitate prostitutes.

The most problematic contradiction has been the binary of voluntary versus coerced. Mainstream anti-prostitution feminists argued that prostitution is sexual exploitation, and therefore voluntary prostitution is impossible. They criticized the dichotomy between voluntary and forced prostitution as ignoring the inherent violence of prostitution, placing blame on individual women and destroying women's solidarity (M. R. Jung, 2003). In this context, they viewed prostitutes solely as victims of prostitution and proposed the decriminalization of prostitution, the so-called Nordic model, as an alternative (Mungchi, 2014; M. R. Jung, 2014; Joint Committee Against Sex Trafficking and Decriminalization of Prostitutes, 2013; National Coalition to Address Prostitution, 2014; N. Y. Lee, 2015B). In 2013, members of the National Assembly from KWAU and KWAU-affiliated organizations proposed a bill to amend the Special Laws based on the Nordic model. They conflated the Nordic- model that decriminalizes women in prostitution with the model of decriminalizing sex work which decriminalizes all acts related sex work. They also misleadingly suggested that pro-sex work arguments support the sexist claims of conservative male solidarity by framing pro-sex work arguments as synonymous with legalizing the licensed prostitution system (N. Y. Lee, 2015B).

Mainstream feminist anti-prostitution discourse has been reinforced by the emergence of women as active agents in response to a series of misogynistic murders, #MeToo, and the

organized crimes of recording and distributing non-consensual sex videos since 2015. Calling themselves radical feminists, they have emerged as major discourse producers of women's issues online and offline. With their binary gender, trans exclusive paradigm, these movements reinforced the binary discourse of victimized women versus male perpetrators. Like mainstream anti-prostitution feminisms that embrace radical feminist theories such as those of Sheila Jeffries and Kathleen Barry, they define prostitution as “commercialized sexual exploitation” in a male-dominated society in which “men who sexually exploit ... exercise and affirm male dominance over women ... by dominating the objectified bodies of sex trafficking victims” (H. J. Park, 2020, my translation). They dismiss sex worker activists and their supporters as suffering from “Stockholm syndrome”⁴¹ (H. J. Park, p. 56) and “refusing to see the perpetration and harm of sex trafficking on a societal level” (H. J. Park, p. 61, my translation). While affirming women's sexual freedom and recognizing the exploitative nature of capitalist labor, they contradictorily inherit a puritanical anti-prostitution discourse that limits women's subjectivity to sexuality and sees sexuality as something that should not be exploited, unlike other forms of labor.

This radical feminist anti-prostitution discourse flattens debates about sex work. It positions sex workers as objects of rescue who lack agency and subjectivity (N. Y. Lee, 2005) and obscures the experiences of sex workers who do not seek to leave prostitution (E. M. Moon, 2005). Since September 23, 2004, when the Special Law on Prostitution was enacted, sex workers across the country have been protesting for a moratorium on enforcement and crackdowns, a guarantee of their right to survival, and the repeal of the Special Law, making protest visits to the KWAU, the National Assembly, and political parties (S. Y. Oh-Kim, 2016,

⁴¹ Stockholm syndrome is “psychological response wherein a captive begins to identify closely with his or her captors, as well as with their agenda and demands.” (Retrieved November 17, 2023, from <https://academic-eb-com.ezproxy.library.yorku.ca/levels/collegiate/article/Stockholm-syndrome/603851>)

2017). They identified themselves as sex workers and claimed that the feminist movement was threatening sex workers' right to survive (National Sex Workers Association launch speech, March 5, 2005; National Sex Workers Association statement, June 9, 2005). However, instead of reflecting on the problems of and alternatives to the Special Acts on Prostitution, anti-prostitution feminists led by the KWAU dismissed sex workers' resistance as intimidation by pimps and as the "Stockholm syndrome" of sex workers (E. M. Moon, 2005). They misinterpreted pro-sex work movements and theories as advocating for state regulation and legalization of sex work (N. Y. Lee, 2015B) or criticized them for attempting to uncritically transplant Western theories of sex work while ignoring Korean-specific conditions (N. Y. Lee, 2009).⁴²

Sex worker resistance has critiqued mainstream anti-prostitution feminist discourse, pointing out the problems with the Special Acts and the limitations of the women's movement (K. M. Kim, 2005; S. Y. Oh-Kim, 2005; G. H. Ko-Jung, 2006; A. R. Kim, 2008; H. J. Lee, 2009), questioning the lack of consensus among sex workers in the process of enacting and promoting the law (A. R. Kim, 2008; J. H. Kim, 2010), and proposing policies to protect the human rights of sex workers from outside the mainstream anti-prostitution feminist framework (E. M. Moon, 2005; M. H. Won, 2005; Ko-Jung, Gap Hee et al., 2007; H. J. Lee, 2007). Notably, feminist researchers have emerged who advocate a theory of sex work (N. Y. Lee, 2005) and even stand in solidarity with the sex worker movement (Ko-Jung, Gap Hee et al., 2007).

While there is hesitation to call prostitution a form of labor, a discourse emerges that pays

⁴² In her 2005 article, Na Young Lee argued that the concept of sex work is "a radical violation of patriarchy and traditional gender roles" and therefore "recognizes prostitution as both labor and sex" (p. 71, my translation). In her 2009 article, however, she criticized pro-sex work theory as a Western, white, middle-class theory. She advocates a radical feminist anti-prostitution view of sex work as "structural violence based on misogyny" (N. Y. Lee, 2016, p. 403, my translation) and defends the Nordic model of decriminalizing only sex workers, misusing state legalization of sex work as a theory of pro-sex work (N. Y. Lee, 2015B). As of 2023, she is the president of the Korean Council, an organization of the "comfort women" movement.

attention to the agency and multilayered subjectivity of prostitutes, making visible the multifaceted nature of prostitution spaces and the rights of prostitutes in a social and historical context. They oppose both pro-sex work feminist discourse and mainstream anti-prostitution discourse, arguing that sex workers' experiences cannot simply be dichotomized into victimization and labor. However, like the mainstream anti-prostitution discourse, they also deny the labor rights of sex workers and advocate for the adoption of the Nordic model to reduce the demand for prostitution by punishing clients and pimps (Magdalene's House, 2002, 2007A, 2007B; M. H. Won, 2004; S. H. Kim, 2006; H. Y. Lee & H. G. Kang, 2020). This perspective is limited in that it aims to reduce and ultimately eliminate the sex industry, advocates and supports the de-prostitution of sex workers, and fails to ensure sex workers' rights to work.

Discourses that emphasize the agency of prostitution victims have also begun to emerge. They emphasize the prostitute's experience of resistance to the harms of prostitution and redefine the prostitute as having the agency to resist harm on their own terms. However, they still cling to the view of sex workers as victims, and by framing them as objects to be rescued and de-prostituted; they view the agency sex workers exhibit as "limited agency within structural constraints" (G. Y. Min, 2018, p. 103, my translation; see also N. Y. Lee, 2010). This revised discourse of agency is also premised on an anti-prostitution perspective that victimizes sex workers and, as a result, produces distorted representations of them. The focus on victimization, gendered exploitation, violence, and structures blocks the recognition of sex workers' subtle and everyday inequalities and their subversive agency and resistance. Even feminist researchers who focus on agency and resistance to challenge and transform mainstream feminist victimization end up "reproducing only safe and familiar knowledge" within the framework of prostitution victimization (M. D. Kim, 2013, p. 71, my translation). These "modified anti-prostitution

feminist representations of sex workers are the result of classed thinking related to interests, aspirations, moral privileges, and habitual acceptance of mainstream knowledge frameworks” (M. D. Kim, p. 72, my translation).

The development and implementation of the Special Laws on Prostitution and the anti-prostitution feminist movement in the 2000s are similar to the movement to abolish the licensed prostitution system of the 1940s. First, both movements were led by elite feminist organizations with Christian roots. The anti-prostitution movement of mainstream feminists since the 1990s has advanced in that it has moved beyond the Christian and Confucian patriarchal sexual ethics that have been maintained since the movement to abolish the licensed prostitution system and no longer sees prostitution as a problem of women’s deviance or purity. However, there are striking similarities between the two movements, including the entry of elites from pro-government women’s organizations into the National Assembly and government bureaucracy; the absorption of the mainstream women’s movement into the government’s budgetary and project implementation forces through the establishment of the Women’s Department and the Ministry of Gender Equality; the use of prostitution as a barometer of patriarchal misogyny; and the silencing of sex workers’ voices of resistance (N. Y. Lee, 2009).

C. Women’s Movements on “Comfort Women” and Military Prostitution

Finding its origins in 1983, when the KCWU compared kisaeng tourism to “comfort women” in a report on kisaeng tourism among Japanese (KCWU, 1983), the “comfort women” movement officially began in 1990 with the formation of the Korean Council for the Women Drafted for Military Sexual Slavery by Japan (hereafter Korean Council),⁴³ centered around the KCWU and

⁴³ The focus of KWAU and KCWU on the issue of “comfort women” is largely due to Professor Yoon Jung Ok,

KWAU (H. J. Lee, 1992).⁴⁴ On August 14, 1991, Hak Soon Kim, a former “comfort woman,” held her first press conference to reveal her victimization, which triggered public awareness of the “comfort women” movement and the rallies in front of the Japanese Embassy in South Korea since January 8, 1992 to the present, at which organizers, survivors, and their supports demand an official apology from Japan. Since the early 1990s, the Korean Council has expanded the “comfort women” issue to one of international solidarity for wartime sexual slavery (H. J. Lee, 1992; J. R. Kim, 2004; G. R. Kang, 2006; B. J. Kim, 2008).⁴⁵

The definition and categories of “comfort women” and harms experienced by “comfort women” have been arbitrarily constructed by governments, “comfort women” activists, and scholars. The term “comfort women” was first used to refer to women forced into organized Japanese “comfort stations” during the Asia-Pacific War. Jung Ae Park (2015) points out that there are a significant number of documented and testimonial cases where the distinction between military brothels, which were administered by the Japanese consulate in China, and wartime military “comfort stations” is not clear. On this basis, she cautiously argues that “victims of managed military prostitution facilities in Imperial Japan that were reorganized and utilized under the wartime regime can be grouped into the category of Japanese military

who has been interested in the issue since the 1980s. A Protestant, she studied in the United States and became a professor of English Literature at Ewha Woman’s University.

⁴⁴ In May 1988, the KCWU Teachers’ Committee established the Committee for the Study of Comfort Women Issues, and in 1990, the Korean Council was established as its successor. In 2018, the Korean Council merged with the Justice and Remembrance Foundation for the Resolution of the Issue of Military Sexual Slavery by Japan, which was established in 2016 to resolve the nullification of the 2015 Japan-Korea Agreement and the issue of military sexual slavery by Japan.

⁴⁵ Key activities for international solidarity include the filing of the case for compensation for Korean victims of the Asia-Pacific War, including three Japanese “comfort women,” on December 1, 1991; the presentation by the Korean Council at the meeting of the Working Group on Modern Slavery of the Sub-Commission of the UN Commission on Human Rights in Geneva in May 1992; the First Asian Solidarity Conference on Military Sexual Slavery by Japan in August 1992; the Kumaraswamy Report of the UN Commission on Human Rights in 1996; the Gay McDougall Report of the Sub-Commission on Human Rights in 1998; and the International Tribunal for Women Victims of Japanese Military Sexual Slavery in Tokyo in December 2000.

“comfort women”” (p. 195, my translation). As discussed in Chapter 3, wartime “comfort stations” in Manchuria were operated and managed in various ways, and many of the Korean brothel sex workers who migrated to Manchuria were used as “comfort women” in wartime brothels run by the Japanese military and can be considered “comfort women” victims. Some Manchurian migrant sex workers during the Japanese occupation were victims of “comfort stations” (D. J. Lee, 2005; J. A. Park, 2015), and women trained as kisaeng were moved to Manchuria to work as kisaeng and then forced to become Japanese military “comfort women” (the Korean Council, 1993). Thus, the definition of Japanese military “comfort women” was not fixed, and Japanese military “comfort women” and sex workers who provided sexual services to the Japanese military in Manchuria were closely linked (D. J. Lee, 2005; J. A. Park, 2015). In addition, the Japanese military “comfort station” system was continued by the Korean government during the Korean War with the Korean military “comfort station” and the U.S. military “comfort station,” the latter of which was closely associated with prostitution on U.S. military bases. Many sex workers who migrated to Manchuria or Shanghai during the Japanese occupation and returned after independence became U.S. military “comfort women” (N. Y. Lee, 2010), and some women who were Japanese military “comfort women” returned to Korea and became U.S. military “comfort women” (M. C. Park, 2022). Sex workers on U.S. military bases were referred to in policy as “comfort women” until Japanese military “comfort women” became an issue in the early 1990s.

However, most comfort women activists and anti-prostitution feminist researchers are extremely cautious about mentioning the connection between Japanese military “comfort women” and sex work. The reason is that Japanese and Korean pro-Japanese right-wingers deny the history of the victims of “comfort women” and vilify the “comfort women” movement,

arguing that Japanese colonial rule contributed to the development and modernization of Korea (Gilbaksang, 2001). They argue that the “comfort women” were “voluntary prostitutes,” not innocent victims and that many of the brothel owners who hired them were Koreans. They also argue that it was the Koreans who recruited the “comfort women” and that the Japanese government was not responsible for their forced recruitment (B. J. Kim et al., 2018). But whether the right-wing’s denial of the “comfort women’s” victimization is the only reason for this requires further excavation. The initial leaders of this movement, as noted above, were elite Christian feminists with roots in the anti-prostitution women’s movement. From the beginning, the movement dichotomized Japanese “comfort women” as prostitutes and Korean “comfort women” as forcibly abducted virgins (M. J. Choi, 1984; Y. C. Lim, 1984; H. J. Lee, 1992; E. B. Lim, 1992; E. K. Park, 1993). Based on gendered nationalism and dualistic norms of women’s sexuality, this movement framed the “comfort women” issue as a “national shame” in which Korean women’s sexuality was tainted by Japanese men (H. A. Yang, 1998). By establishing the national subject as a man who “partakes in and protects female sexuality,” the comfort women movement, seen as a symbol of decolonization, became a matter of restoring national pride (H. A. Yang, p. 132, my translation). In doing so, the movement dichotomized the victims of “comfort women” into Korean “comfort women,” the “perfect victims” who needed to be protected, and Japanese “comfort women,” the “fallen women” who did not need to be protected. The hierarchization of “comfort women” victims based on nationality was inevitable because the movement shares an elite, middle-class, purity-based feminist perspective that opposes the commodification of sex.

Some scholars have criticized the movement for relying on gendered nationalist discourses and symbolizing “comfort women” as colonial victims (E. S. Kim, 1994; H. A. Yang,

1998; Gilbaksasang, 2001). Some scholars have also criticized the Korean “comfort women” movement for hierarchizing Korean chaste “comfort women” and Japanese prostitute “comfort women” on the basis that the majority of Japanese “comfort women” were sex workers (Suzuki, 1991; S. M. Kang & Yamasida, 1993; Ueno, 1999; Yamasida, 1999; Gilbaksasang, 2001). They argued that “comfort women” were victims of patriarchal imperialism based on binary gender roles in the Japanese Empire and colonies (Suzuki, 1991; S. M. Kang & Yamasida, 1993), and that discrimination against Japanese “comfort women” sex workers by Japan was driven by modernity’s oppressive gender binary standards (Ueno, 1999; Yamasida, 1999). These criticisms were directed at the nationalist Korean “comfort women” movement from the perspective of the anti-prostitution women’s movement, which views the state’s management of prostitution as sexual enslavement.

While comfort women activists and scholars, including the Korean Council, have been receptive to critiques of the uptake of nationalist discourses, they have not been receptive to critiques of the hierarchization of “comfort women.” In response to criticism of its nationalist discourse, in the 2000s the Korean Council expanded its focus on the victimization of “comfort women” by Japanese imperialism to include discussion of wartime sexual slavery. They shifted their movement to a broader form of international solidarity through research on the issue of violence against women in conflict zones, support for victims, and cooperation with international organizations (J. S. Jung, 2004; G. R. Kang, 2005), which is considered a success story for transnational feminist movements (N. Y. Lee, 2010).

While the “comfort women” movement no longer overtly displays gendered nationalist and binary sex norms, since the 2000s it has focused on distancing themselves from associations with prostitution by de-sexualizing “comfort women.” The “comfort women” movement is

represented only by girl statues and grandmother survivors. The desexualized representations of grandmothers and girls that have come to symbolize the “comfort women” movement are consistent with South Korean radical feminism, which since the 1990s has been concerned with representing female sexuality in ways that do not “exploit or otherize women’s body images” (Y. Heo, 2018, p. 141, my translation). “Comfort women” were hyper-sexualized in the aftermath of the Korean War, when the term came to refer to U.S. military sex workers, and in the 1980s, when Japanese military “comfort women” were portrayed as sexualized objects in the media. When the issue of Japanese military “comfort women” emerged in the 1990s, the de-sexualized image of grandmothers or girls was a response to this hyper-sexualization. De-sexualization is effective because it “emphasizes women as victims because it lends itself to an ‘innocent victim’ frame that everyone can relate to, and it stimulates anger at the failure to protect the girl who was supposed to be protected” (Y. Heo, 142, my translation). Thus, despite the close connection between Korean migrant sex workers in Manchuria, Japanese “comfort women,” and the system that managed them, it is taboo to discuss them together. Despite criticism of the movement’s emphasis on the “forced” victimization of “innocent” “comfort women” as a binary way of thinking about female sexuality based on purity (E. S. Kim, 1994; H. A. Yang, 1998; Gilbaksesang, 2001; J. R. Kim, 2006), this is still the way it is done. This is because even though mainstream anti-prostitution feminism has seen sex workers as victims of prostitution since the 1990s, the dichotomy of sexualized images of sex workers and fallen women still dominates society.

However, the hierarchization of women’s sexuality based on patriarchal ideologies of purity and distinguishments between prostitutes and “comfort women,” or the victimization of prostitutes and their inclusion as “comfort women,” acts as a lens through which sex workers are

objectified and stigmatized. “Comfort women” was a political term that arbitrarily categorized women mobilized by Japan and South Korea in the name of national interests, but as it became a symbol of wartime sexual slavery, it became sacralised and inviolable, and no one dared to discuss its relevance to sex work.⁴⁶ Underlying this is the dichotomy between voluntary and forced sex work and feminist discomfort with commercialized sex and sex work. This feminist discomfort, in turn, contributes to the stigmatization of sex workers. The “comfort women” movement, which has been aligned with mainstream anti-prostitution feminism, only emphasizes the coercion of “comfort women” and the specificity of Korean colonial victimization, arguing that both Japanese military “comfort women” and sex workers under the licensed prostitution system were instrumentalized as sex slaves for imperialist state expansion. This is a discussion that stems from the discourse of the international anti-trafficking movement. Although the “comfort women” movement is ostensibly working to de-hierarchize “comfort women,” it is still working to distance itself from sex work in ways that marginalize and stigmatize sex workers. This is because the anti-prostitution movement has its roots in the elite Christian women’s movement, which relies on patriarchal binary norms of sexuality based on chastity.⁴⁷

I am aware that my criticism of the Korean mainstream “comfort women” movement

⁴⁶ In 2004, a famous actress in her 30s released a video compilation of Japanese “comfort women” that was linked to a trend of celebrity nude releases at the time. It was considered nude regardless of its actual sensationalism and was criticized not only by the Korean Council but also by the public. As a result of this incident, she was suspended from broadcasting for a long time. In 2013, Professor Yoo Ha Park argued in her book *Comfort Women of Empire* that the nationalist “comfort women” discourse only allowed for a pure girl narrative of “comfort women.” This claim led to her being sued by the Korean Council. These events have limited the representations of “comfort women” in a more desexualized way (Y. Heo, 2018). For more information, see Y. Heo (2018).

⁴⁷ Jung Ran Kim (2004) says the following about the Korean Council: “Another characteristic of the organization of the Korean Council is that the majority of its executive committee members are church women with a Christian background. They also include intellectuals with firsthand experience of colonization. From the beginning to the present, the majority of the member organizations are Christian organizations, and many of the activists in the secretariat are from seminaries. This suggests that it was intellectual women from the KCWU who first initiated the “comfort women” movement and later, through academic connections, the movement grew to its current state” (p. 6, my translation). For a more detailed discussion, see J. R. Kim (2004).

could be misunderstood as a line of continuity with the Japanese and Korean pro-Japanese right-wing denial of “comfort women” victims. But first and foremost, I do not agree with the right-wing denial of “comfort women” victims at all. I absolutely agree with the mainstream “comfort women” movement's assertion that the victimization of “comfort women” by the Japanese military is a historical fact, and that the primary responsibility for it lies with the Japanese government, which planned and directed the establishment and operation of the “comfort stations” and the mobilization of “comfort women” as a whole. Regardless of whether the “comfort stations” were operated by civilians commissioned by the military or directly set up and operated by the military, they are the product of imperialist state violence, planned and directed by the Japanese government, and “comfort women” are victims of imperialist state violence regardless of whether they were forced to work or not and regardless of their occupation. I also support the argument that the Japanese government should actively acknowledge and fully apologize for the victimization of “comfort women” by the Japanese military as a crime against humanity. The issue of “comfort women” is far from being resolved, and reparations and apologies to “comfort women” victims should be fully victim-centered. What I criticize is that the discourse of the mainstream “comfort women” movement contributes to the marginalization and stigmatization of sex workers by distancing it from sex work.

This othering and stigmatizing of sex workers by the mainstream anti-prostitution movement extended to the US military “comfort women” debate. U.S. military sex workers who emerged after independence were “at the bottom of the hierarchy of prostitution in Korea” (E. Kim, 1997, p. 178), with the stigma of being fallen, from a Christian and Confucian patriarchal ethical perspective, and the stigma of selling sex to foreign troops from a pureblood and nationalist perspective. Even when mainstream Christian elite feminists campaigned against

kisaeng tourism in the 1980s, U.S. military prostitution, which was closely linked to sex tourism, was kept off the table due to layers of stigma and a pro-American ideology that the U.S. was a friendly country and the U.S. military a liberator. Although base camp sex workers fought for their human rights, labor rights, and rights to life in the 1970s,⁴⁸ and Durebang was founded in 1986 as part of the church women's shelter movement,⁴⁹ the issue of the human rights of U.S. military "comfort women" remained on the periphery of mainstream feminist discourse.

Crucially, it was the killing of a base camp sex worker by a U.S. soldier on October 28, 1992, that brought the anti-prostitution feminist movement to the forefront.⁵⁰ Nationalist social movements capitalized on the incident as part of their anti-American campaign, publishing photographs of the murdered victims' bodies to publicize the brutality of U.S. military crimes. This sparked public outrage, and similar to the discourse of the Japanese "comfort women" movement, the victim was shifted symbolically in status from a fallen Yankee princess to a "daughter of the nation" (H. J. Jung, 1999; Gilbaksasang, 2001). The movement, which called for the revision of the Status of Forces Agreement (SOFA) and the eradication of U.S. military crimes as the cause of unequal relations between the two countries, brought together women's organizations that had led the anti-prostitution movement. However, the issue of human rights violations in the field of prostitution was marginalized, as the sex workers in the camp towns were "represented as a symbol of imperialist violence and ethnicity" (J. M. Park, 2011, p. 314,

⁴⁸ The resistance and activism of U.S. military sex workers is discussed in detail in Chapter 6.

⁴⁹ Harriett Faye Pinchbeck Moon (Korean name: Moon, Hye-rim), who studied social work at Hartford Theological Seminary in the United States, married Dong Hwan Moon, a Korean human rights activist and pastor, and worked for human rights in Korea. With funding from the Presbyterian Church (U.S.), she founded Durebang, a mission center for U.S. military sex workers, in 1986.

⁵⁰ U.S. military violence against sex workers on military bases was not the first such incident in 1992, but it had gone largely unnoticed. Although it did not receive much media attention, when sex workers were murdered by U.S. soldiers in base camps in the 1970s, sex workers stood in solidarity to demand an investigation and punishment of the perpetrators (K. J. Min, 2002). This will be discussed in more detail in Chapter 6.

my translation; see also H. J. Jung, 1999; Gilbaksasang, 2001). By using sensationalized depictions of brutal murders as a campaign strategy, the movement also helped to perpetuate a view of the sex industry in which everyday violence was invisible and only extreme forms of violence were recognized as harmful (H. J. Jung, 1999).

The use of women's sexuality by the state and the military became an international feminist concern in the 1980s when it was raised by feminist scholars such as Cynthia Enloe (Enloe, 1983 & 1990; Truong, 1990; Sturdevant & Stoltzfus, 1992; K. H. S. Moon, 1997). In addition, as feminists in the U.S. and Asia, where U.S. military bases were located, joined the movement against gendered militarism, the issue of prostitution on U.S. military bases in Asian countries emerged as a keystone of international feminist solidarity. Beginning with Moon's *Sex Among Allies* (1997), feminist research and activism on kijichon prostitution emerged, dominating the discourse centred around government utilization of women's sexuality through kijichon prostitution for national interests (K. H. S. Moon, 1997; N. Y. Lee, 2006; J. M. Park, 2011). Feminist scholars have argued that both the U.S. military and the South Korean government were directly involved in the establishment and management of kijichon prostitution based on the licensed prostitution system, a colonial remnant of Japan. The Japanese military "comfort women" system and U.S. military base camp prostitution share similarities in that they were designed and maintained to facilitate the satisfaction of male soldiers' sexual needs while simultaneously maintaining the sexual control of women in the dominated country (J. M. Park, 2011; N. Y. Lee, 2013, 2015). Accordingly, mainstream anti-prostitution feminists refer to U.S. military sex workers as U.S. military "comfort women," in contrast with the recent trend of referring to Japanese military "comfort women" as wartime sex slaves of the Japanese military. Having lost the name "comfort women" to the anti-prostitution and "comfort women"

movements in the early 1990s with the emergence of Japanese military “comfort women” issue, kijichon sex workers were “reclaimed” through the use of the term “comfort women” by hegemonic feminists in the mid-2010s. Beyond the fact that U.S. military sex workers were called “comfort women” as a matter of policy before the rise of the Japanese “comfort women” movement, it can be inferred that this renaming move was intended to remove the sexualized image attached to U.S. military sex workers and to popularize their victimization by juxtaposing them with Japanese military “comfort women,” who were presented as “intact and chaste victims.”

In this context, on June 25, 2014, 122 former kijichon sex workers from 1957 filed a lawsuit for damages against the government. The lawsuit, led by anti-prostitution counseling centers for kijichon sex workers and women’s activist groups, referred to kijichon sex workers as U.S. military “comfort women” and claimed that the state created, operated, and controlled kijichon (2017 Na2017700 Damages Case Judgment). It is the result of the work of feminist researchers and activists and, most importantly, the courage and hard work of 122 U.S. military sex workers who have filed lawsuits to move beyond social stigma and seek recognition and compensation for the harms caused by the state’s use of sex workers for national interests.

Mainstream anti-prostitution scholars have not only focused on the similarities between the two “comfort women” systems, however. Na Young Lee (2013) argues that while Japanese “comfort women” were “the systematic rape of women in occupied countries,” U.S. military “comfort women” differed in that they “satisfied the sexual desires of allied soldiers under an armistice regime” (p. 24, my translation) and sought to cement alliances in doing so, and thus cannot be seen as a continuum of wartime sexual violence. She also argues that emphasizing the similarities and continuities between the two systems “runs into the dilemma of not only erasing

historical differentiation and individual specificity but also reverting to androcentric structures of sexuality that place blame on the victim” (p. 26, my translation). On the other hand, she argues that the U.S. military “comfort women” debate, like the Japanese military “comfort women” debate, should be understood through the concept of coercion in a broader sense, moving beyond the narrow sense of coercion that involves trafficking, violence, and fraud to “a form of recruitment that is “collectively” imposed regardless of the individual’s will, or that takes the form of an individual choice but, when viewed in context, implies a coercive process” (N. Y. Lee, 2015A, p. 12, my translation). This contradicts her argument that it is ultimately necessary to move beyond the dichotomy of voluntariness and coercion in prostitution. These arguments end up echoing the position of mainstream anti-prostitution feminists, who see prostitution as sexual exploitation, violence, and crime regardless of whether it is voluntary or forced. By focusing only on the harm and exploitation of “forced” prostitutes, both arguments reproduce stereotypical narratives about sex workers and dismiss their experiences and resistance as Stockholm Syndrome.

Anti-prostitution feminists emphasize that U.S. military “comfort women” are structural victims and see their claims as a process of “making their experiences visible and dismantling the stigma and prejudice against them” (N. Y. Lee, 2015A, p. 26, my translation). I agree. However, in anti-trafficking feminist discussions, the experiences of U.S. military sex workers are stereotyped much like the narratives of Japanese “comfort women,” with narratives of economic hardship and trafficking by illegal brokers emphasized, and “only the victims’ memories of oppression, suffering, violence, and hurt are verbalized” (N. Y. Lee, p. 26, my translation). This narrative reinforces the view of sex work as exceptional and “deviant” work by creating the stereotype that women would not have entered prostitution were it not for economic

hardship or trafficking by illegal recruitment agencies. During my time at the counseling center for sex workers in kijichon, I learned that sex workers came to kijichon for a variety of reasons. These involved seeking better economic opportunities and working conditions, dissatisfaction with the patriarchal and violent attitudes of Korean men, the hope for romantic relationships with American soldiers, and the desire to settle in the U.S. However, anti-prostitution feminists make it taboo to talk about sex workers' diverse entry points and their motivations for working and strategies for creating a better future and economic opportunities and relegate sex workers' efforts and strategies for better income and rights to limited agency. They blame all the problems of the sex industry on misogynistic labor markets and the commodification of sex, and they call on the government to strictly regulate and crack down on prostitution to achieve gender equality. They are blind to the fact that these arguments ultimately harm women's rights to work and survive, limit women's narratives, and perpetuate stigma against sex workers.

The discussion on prostitution at base camps from an anti-trafficking stance is intertwined with their discussion on the human trafficking of migrant sex workers. In addition to the feminization of migration, which has seen women from the Global South enter reproductive labor markets in the Global North (Anderson, 2000; Parreñas, 2001; Ehrenreich & Hochschild, 2003), since the mid-1990s there has been an influx of female laborers from Asia and the former Soviet Union and Eastern Bloc into U.S. base camps in Korea due to greater stigma attached to kijichon sex work comparing to other type of sex work, economic growth in South Korea, and the demise of U.S. hegemony (J. H. Baek, 1999; D. H. Seol et al., 2003; H. M. Kim, 2004; S. Yea, 2006; Cheng, 2010; B. R. Lee et al., 2014; H. Y. Choo, 2016). They hope to stay in South Korea for better economic opportunities,⁵¹ but their status as migrant sex workers is more

⁵¹ According to a 2011 survey of migrant sex workers conducted by the Ministry of Gender Equality and Family,

precarious than that of Korean sex workers in South Korea, where prostitution is illegal.⁵² In particular, the risk and fear of raids and deportation exacerbate the poor working conditions of migrant sex workers. Due to their more vulnerable status, migrant sex workers, who have more limited human and labor rights, are more likely to rely on agencies and employers. This creates conditions in which undocumented migrants are forced into sex work or choose to work in exploitative or abusive working conditions (Smith & Mac, 2018/2022).

Who exposes migrant sex workers to dangerous conditions? Anti-prostitution feminists, who argue that migrant prostitution is linked to human trafficking, have called for tighter border controls to prevent foreign women from entering the sex industry (J. O. Lee, 2004; Durebang, 2007; National Human Rights Commission, 2014). In fact, their demands were accepted, and in 2011, the entry screening criteria for the E-6 visa,⁵³ the most common entry point for migrant sex workers, were tightened (K. P. Hong, 2011). They also call for increased crackdowns on sex businesses that employ migrant sex workers (Durebang, 2007; D. H. Seol et al., 2011). It is these anti-prostitution feminists who advocate for restrictions on migration rights and increased enforcement that undocumented migrant workers, including migrant sex workers, fear the most.

This anti-prostitution feminist stance masks the oppressive role of the state against

40.7% of them want to stay in Korea because they do not earn enough money in Korea, 22.1% because living conditions in Korea are better than in their home countries, and 19.8% because they think they can earn more money in Korea than in their home countries. Only 6.1% of respondents said they wanted to leave Korea immediately, while 89.0% wanted to stay for more than a year (D. H. Seol et al., 2011). For more information, see D. H. Seol et al. (2011).

⁵² For example, the “fly now, pay later” system, which is believed to be a major route for Filipino migrant workers to enter the South Korean sex industry (Parreñas, 2011, p. 18), involves local or South Korean agencies arranging documents such as passports and visas and paying for airfare on their behalf (B. R. Lee et al., 2014). Sex workers who enter the country through this system are more likely to work in conditions where their rights and safety are not guaranteed due to debt (Smith & Mac, 2018/2022).

⁵³ D. H. Seol et al., (2011) surveyed 98 migrant sex workers and found that 51 were on E-6 visas, 17 were on study visas, and 11 were on marriage migration visas (p. 10). It is important to note that although E-6 visa holders are common among migrant sex workers, not all E-6 migrants participate in sex work, and sex workers may have different visa types besides E-6.

migrant sex workers. The root cause of migration is inequality between countries, and it is state-led border controls and the criminalization of prostitution that force migrant sex workers to work in exploitative conditions. Paradoxically, instead of criticizing state systems that make migrant sex workers illegal, force them to work in poor conditions, or expose them to raids, these feminists demand and support such systems. This perspective also portrays the exploitation of migrant sex workers as the individual acts of unscrupulous brokers and calls for increased enforcement to rescue women victimized by migrant prostitution (Smith & Mac, 2018/2022). However, crackdowns on migrant prostitution inevitably target not only the brokers and businesses but also the migrant sex workers who work with them, ultimately contributing to their deportation.

Conclusion

In this chapter, I examined how mainstream anti-prostitution feminist discourse in South Korea endangers sex workers. The mainstream perspective positions sex workers as victims and objects of protection and rescue. By equating women's rights and gender equality with the elimination of prostitution, they contribute to the introduction of anti-prostitution discourses and policies that endanger sex workers in the name of protecting the human rights of prostitution victims. They do not realize that by putting themselves in the position of saviors, they are actually objectifying and stigmatizing sex workers. Mainstream anti-prostitution feminists who envision universal human rights for women are reluctant to call prostitution sex work, even though they have witnessed sex workers and their movements speak out in defense of their human, labor, and survival rights for more than a century. They argue that wage labor cannot be equated with sex work and that sex work undermines the 'sanctity' of labor.

I have also shown that the “comfort women” discourse, by distancing itself from sex workers, can lead to the othering of sex workers and reinforce stigma against them. The Japanese military sex industry in Manchuria, Japanese military “comfort stations,” U.S. military “comfort women,” and base camp prostitution were all closely linked. Also, like U.S. military “comfort women,” sex workers in brothels were subject to constant government control. Along with the feminization of migration, *kijichons* that employed domestics now employ migrant sex workers. Migrant sex workers who used to work in *kijichons* now work in a variety of prostitution businesses across the country, as do domestic workers.

My argument in this chapter is thus not to prove an equivalence between sex workers in the licensed prostitution system, Japanese military “comfort women,” U.S. military “comfort women,” base camp migrant sex workers, and domestic sex workers. The arbitrariness of their boundaries does not mean that their specific situations, working conditions, or harms are the same. However, I criticize mainstream anti-prostitution feminist discourse about “comfort women” and sex workers, as such discussions tend to marginalize and victimize sex workers through the use of dichotomies of female sexuality and the hierarchization of sex work. I argue that sex workers who are not “chaste girls” can also be “comfort women” survivors. “Comfort women” and sex workers’ experiences should be told from a variety of angles, not stereotyped by the distortions and cherry-picking of anti-trafficking feminists.

The next chapter explores the agency and activism of sex workers in resisting state policies and the anti-prostitution feminist movement that deny and endanger their labor rights. It will show that sex workers are not the passive victims waiting for external “rescue” that anti-prostitution discourse reproduces, but rather subjects with agency who know what they need most to secure and fight for their rights.

VI. Sex Worker's Agency and Resistance

This chapter explores how sex workers have resisted social stigma, mainstream feminist anti-prostitution movements, and government management and regulatory policies through their histories of activism and resistance. The chapter aims to demonstrate that sex workers are experts in knowing what is most necessary to defend their rights and that they have fought hard for them. Therefore, I argue that the way to defend sex workers' human rights must come from sex workers, certainly not from anti-prostitution feminists.

This chapter is divided into four sections to demonstrate the agency of sex workers who have been marginalized by mainstream anti-prostitution movements. Firstly, the multilayered positionality of kisaeng in pre-modern Korea is explored, along with an explanation of how they practiced agency despite their gendered and caste limitations. It demonstrates how their multiple positionalities allowed them to disrupt and subvert patriarchy and puritanical ideologies. The second section examines the activism and resistance of sex workers in the 1920s and 1930s to show how they fought social stigma and exercised their labor rights against the abuses of their employers. The third section traces the development of the sex workers' rights movement from the 1940s to the present against state regulatory control of sex workers and the anti-prostitution feminist movements that led and supported it. It explores sex workers' fights to defend their labor rights and livelihoods and the arguments they have presented. This section also demonstrates the collective resistance of base camp sex workers, who were at the bottom of the sex work hierarchy, to the U.S. military government and the South Korean government, even during a period when the dictatorship silenced sex workers and anti-prostitution movements. The final section will examine the agency and subjectivity of migrant sex workers, which began to be discussed in the 1990s through a research study, *Survey for the Migrant Women Employed in the*

Entertainment Business in Korea (2011) by Dong Hoon Seol etc. This shows that anti-prostitution feminists' portrayal of migrant workers as victims of international sex trafficking is in some cases exaggerated, and that their movement claimed universal women's rights in a way that was oppressive to sex workers from the global South.

This demonstrates that the ongoing movement for sex workers' rights is not a product of Western pro-sex work discourse but rather was already articulated by Korean sex workers themselves with agency and subjectivity at least a century ago. I draw on sex workers' arguments to show what policies and feminist movements are needed to ensure that their labor and human rights are protected. Ultimately, this chapter argues that the movement for sex workers' rights has continued since the industrialization of modern prostitution and the shift from prostitution being a status to a profession. It traces its origins to the agency that sex workers have exercised since at least premodern times. The chapter also discusses how sex workers continue to resist and speak out against the state policies that regulate sex workers and that most unsettle and endanger them, as well as against the anti-prostitution feminist movements that lead and support them.

A. Subversiveness of Kisaeng

The Joseon Dynasty was a time when Confucianism was introduced as the ruling ideology of the country and patriarchy was strengthened. Due to the strict caste system, the dualism of chastity for female sexuality and meeting men's sexual needs, kisaengs existed at the bottom of the caste and gender hierarchy. However, kisaengs were not helplessly subordinated by the hierarchy. They were professional entertainers with expertise at a time when outside activities by most women were limited. Performing at banquets, kisaengs mainly danced and played musical instruments in a type of performance, *akgamu*, that was otherwise restricted to kisaengs. They

were officially trained and performed akgamu publicly. Kisaeng had the means to express themselves as artists in ways not available to other women and lower-caste men. Kisaengs proficient in akgamu made a name for themselves based on their specialties (H. S. Han, 2010).

Kisaengs also had great knowledge of literature. At that time, it was not only difficult for lower-caste women to learn to read and write, but it was also considered negative for upper-caste women to express their thoughts and feelings through writing, unless it was about women's duties as mothers and wives. Considering that Confucianism severely restricted women's literary activities and the expression of feelings of love, the erotic love letters and poetry of kisaengs were radical. They were allowed to read and write from the early days of the Joseon Dynasty and were trained in poetry, calligraphy, and drawing to facilitate intellectual interaction with men in the upper classes—yangban. They actively shared feelings of longing and thoughts with yangbans through poetry and letters. In particular, Joseon-era poetry required adherence to a strict form, and women who were recognized for the artistry of their poetry were mainly kisaengs (Y. G. Park, 2019).⁵⁴

Kisaengs, who were institutionally placed in erotic relationships with yangbans, had an increased chance to gain power through their talents, charm, and sexual autonomy. It was difficult for a kisaeng to rise above her status on her own, but there was an opportunity to raise her status through a marital relationship with an upper-class man. Kisaeng who became the concubines of yangbans, loyal families, or the king⁵⁵ were able to escape their slave caste (Y. G.

⁵⁴ Kisaeng Jin Yi Hwang, Mae Chang, and Baek Ju So were famous for their poems. Jin Yi Hwang's poems are included in high school textbooks, and her life has been depicted in films, tv series, and novels. She shared her feelings of longing with yangbans through poetry and love letters.

⁵⁵ Princess Hwau, the concubine of the 1st king of the Joseon Dynasty, was the first kisaeng of the Joseon Dynasty to become a concubine. It is known that King Seong Jong, the 9th king of Joseon, asked Choon Poong Soh, the greatest kisaeng of the time, to become his concubine, but she refused. Nok Soo Jang, the concubine of the 10th king Yeon San became a favoured concubine (Y. G. Park, 2019).

Park, 2019). While the kisaengs released from the lowest caste were very small in number, they were the only group with the chance to become a member of the royal family or yangban. Since male slaves were forbidden from marrying yangban women, the opportunity for male slaves to free themselves from slavery was nonexistent. Ironically, however, even though the Confucian patriarchy placed kisaeng at the bottom of the social and gender hierarchy, the possibility of escaping from slavery was possible by marrying a member of the royal family or a yangban. Even though kisaengs were suppressed in terms of caste, gender, and sexuality by the sexual desires of yangban men, they were able to subvert the status quo. Although kisaeng were denied structural sexual autonomy, they were able to exercise somewhat extended sexual autonomy and subversiveness.

The male ruling class was able to maintain and reinforce Confucian ideology by creating a discourse that placed women, such as kisaengs, who were a threat to the patriarchal order at the margins of society and women who conformed to the order at the centre. Women were not a monolithic group with common interests and values, and there were differences between women according to caste, marital status, and economic and local conditions. The fact that the Joseon Dynasty placed women under control through differentiation and hierarchization of various aspects of their lives proves that there were women who stood on various margins in the patriarchal order (J. Y. Jeong, 2010). In the process of strengthening the Confucian patriarchal system in the late Joseon Dynasty, “a project to differentiate women according to the degree of subsumption in the order was used” (J. Y. Jeong, p. 58, my translation). For example, a widow was a being who was required to conform to the maintenance of the social order according to Confucian ideology by keeping chaste. However, the fact that she can give up her celibacy at any time puts her on the borderline, a possible disruption of the patriarchal order. Paradoxically, it

means that there were women, such as kisaengs, who violated and disturbed this boundary, and they can be seen as disruptors of this sexuality hierarchy. Maintaining and expressing their desires with their own will, they not only conformed to the way men of the ruling class wanted but also created their own desires and spaces.

Kisaengs' lives, limitations, and desires reveal agency beyond the stigmas associated with "unethical" women who engage in prostitution. It was not just that they wished to escape their status as kisaengs, nor were they passive victims of the Confucian patriarchy. They did not exist as a fixed subject of their time; they led their own lives, subjected themselves to gender norms and caste norms, and at the same time, violated those norms. Understanding kisaeng as a multi-layered entity with agency is a starting point for enriching the understanding of sex workers and their representations in the era of modernization.

B. Sex Worker's Agency and Resistance in the 1920s–1930s

Kisaeng, a pre-modern status, became a profession during the abolition of the caste system and the commercialization of prostitution. Certain written accounts by kisaeng suggest that they entered the profession by their own will rather than by coercion. Understanding their motives to become kisaeng is one good example of how to understand their autonomy. Although economic hardship was one of the common reasons for becoming kisaeng, economic independence through high income was also a motive. For instance, Han Sook Geum, a kisaeng, explained her motivation for becoming a kisaeng as such:

With the idea that women should be financially independent, I jumped into this relatively high-income field. When I was living as a teacher somewhere in Suwon, I could only get 40-50 won per month. So, I quit teaching and started working as a waitress at a cafe, but

that does not make much money either. So, I learned singing and dancing and became a kisaeng now. (B. J. Seo, 1936, p. 165, my translation)

She revealed that she quit a relatively high-income teaching career and turned into a kisaeng for economic independence. Although not all kisaengs ended up with high incomes due to the exploitative structure of the sex industry and indebtedness, sex work guaranteed relatively high profits for young women.⁵⁶ However, as previously stated, patriarchal sexual morality that does not recognize sex work as work sees only poverty as the motivating incentive for the influx of sex workers. Furthermore, hegemonic contemporary feminists and the movement to abolish the licensed prostitution system failed to acknowledge sex workers' agency and choice, instead casting them as human trafficking victims. With the introduction of the Western capitalist system, women's economic opportunities had increased compared to the pre-modern era, and kisaeng were "modern subjects" with the agency to choose their careers.

Beyond the economic benefits, some kisaeng chose to become sex workers as a tool to resist socially expected gender roles and the double standard on women's sexuality. For instance, Joong Sun Hwa, a famous kisaeng in Seoul in the 1920s, criticized women's lives in the patriarchal system as follows:

⁵⁶ Although the income of sex workers was relatively higher than that of women workers in other occupations, this did not mean that they became wealthy by making a fortune through prostitution. Some exploitative income structures created by guilds, restaurants, brothels, and brokers, etc. would have been something that could not be ignored. According to Nan Hyang Lee's memoir (*JoongAng Ilbo Dongyang Broadcasting*, 1977), it took an average of 2,000 won to leave a kisaeng in the 1920s. At that time, the monthly salary of a sergeant was 15 won and a schoolteacher's salary was 40 won. Despite earning several hundred won a month as a kisaeng, Il Sun Shin revealed that more than half of her income was spent on clothes, cosmetics, soap, perfume, and beauty salons and that there was not much left after paying for daily necessities, clothes, taxes, and health examination fees (I. S. Shin, 1937). The debt increased if the business was closed due to her illness or personal reasons. In the case of Koreans, their income was lower than that of Japanese sex workers due to ethnic discrimination. For example, in 1928, there were 463 Japanese kisaengs and 571 Korean kisaengs in Gyeonggi-do in Korea. Among them, the total income of Koreans was 484,025,450,772.10 won, whereas the total income of Japanese kisaengs was 1,294,091,971,123.25 won. Although the number of Japanese kisaengs was smaller, their total income was about 2.7 times higher than that of Korean kisaengs ("Golden one hundred," 1929). It was not easy for Korean kisaengs to pay back their debts and make profits (Y. O. Song, 1998).

It is not that I became a kisaeng because of my corruption, but it is because I was determined. It seems to me that marriage for women is a life of imprisonment. ... We, born women, live the longest in prison compared to men who act freely and without discrimination. Moreover, when a woman marries, she becomes a slave to her in-laws, whom she does not know. (J. S. Hwa, 1923; as cited in J. S. Hwa et al., 2019, p. 58, my translation)

She rejected the stigma of moral depravity toward kisaeng and argued women's marriage under the patriarchy as "slavery." Her argument not only challenged the licensed prostitution abolition movement's claim that sex workers were slaves to human trafficking but was also a statement of independence and autonomy that revealed the exploitation against women in Joseon. Contrary to what the media and the movement argued, what can be confirmed through Joong Sun Hwa's writing is that sex work is a job chosen for complex reasons. Her "choice" was to resist the marriage system under the Confucian patriarchy, and to provide a novel perspective against the ideology of "the modern family system and the good wife and wise mother" and the victimization of kisaeng (J. Y. Suh, 2005B, p. 161, my translation).

Furthermore, Joong Sun Hwa used her sexuality as a tool to resist patriarchal practices and capitalism. She showed a strong class consciousness based on socialist ideology and a subversive attitude toward the Confucian patriarchy:

How much more sacred is the labour of the proletarian, who uses their blood and sweat to pull wagons and hoes, than you, who are fat and full by exploiting human blood and oil? I am selling my body because I do not have the strength of men. I do not want to be subjected to the ironic feat of treating us women like cars, alcohol, snacks, and homes, to

satisfy their hedonistic and possessive impulses. Rather, on a counterattack, people and society, driven by possessive impulses and ugly hedonistic gratifications, succumbed to the impulses, kissing my shoes and licking the soles of my feet, making them my captives. It is my motivation to do meaningful work that expresses my sexual desires. ... More importantly, I aspire to be part of a group of revenge fighters seeking to capture the men and the privileged classes who are the enemies of our women. I have already taken some of those animals captive. It is successively successful. It has been a resounding success. (J. S. Hwa, 1923; as cited in J. S. Hwa et al., 2019, p. 67-68, my translation)

Using her class consciousness, Joong Sun Hwa claimed to have become a kisaeng to dominate aristocratic men by subverting their inhuman possessiveness and hedonistic impulses through the inhabitation of her own sexual desires. Also, she revealed a strong self-consciousness of how she was practicing her sexual liberation through her work as a kisaeng. By expressing her sexual desire, she actively sought the meaning of her labour as a way of resisting the aristocracy, who treated kisaeng as objects to be bought to satisfy their lust and possessiveness. This extended beyond the feudal notion of a woman's sexuality to be protected; rather, she used her sexuality as a subversive tool for sexual and class liberation. With such complicated social situations as imperialist colonialism, Western modernization, and the introduction of capitalism and socialist ideologies, beyond internalizing the social stigma of kisaeng, Joong Sun Hwa pondered her position through an integrated perception of reality, interpreted it, and put it into practice.

The awareness of the subjectivity of kisaeng led to resistance to the Confucian patriarchy and societal customs. The 1920s and 1930s were a period when Western ideology was introduced, and resistance to existing social values and changes in consciousness began, centred on cities, where the customs of the past were still dominant but were more open to change than

in rural areas. Changes in lifestyles, culture, ideology, and fashion were influenced by a few elite groups with Western-oriented thinking at the beginning of the Western-centred Enlightenment period. Those who quickly adapted and practiced social and cultural changes in their lives were modern girls such as kisaengs, waitresses, and bargirls (J. S. Kim, 2020).

One of the most controversial aspects of the practice was bobbed hair. By the 1920s, women's short hair was taboo.⁵⁷ Then, in 1922, after kisaeng Hyang Ran Kang publicly performed with the first short haircut, it spread among modern girls and was regarded as a symbol of women's liberation from 1925 (S. K. Han, 2007). In the 1920s, women's short hair became a big issue to the extent that it was reported in various media. In a newspaper interview, Hyang Ran Kang said:

I am a human being, and I am a confident person who will live just like a man. It is fundamentally wrong to depend on a man or ask for his sympathy. ... Therefore, I decided to live like a man... I cut my hair and put on a man's suit. ("Short-haired woman (2)," 1922, my translation)

Hyang Ran Kang cutting her hair was more than a fashion trend or a momentary impulse. It expressed a will to live proudly like men, as a human in the wave of women's liberation. After Hyang Ran Kang's short haircut, social discussion and controversy about short haircuts for women began in earnest. In 1925, socialist women argued that the bob was an act of breaking free from the outdated habits of the past and actively participate in the changes of the times.

⁵⁷ One of the important values of Confucianism is "filial piety," and people thought that the body was given to them by their parents and that hair was a part of the body. Therefore, cutting the hair was considered unfilial. In 1895, the government enforced a short haircut for men, and in the early 20th century, men's haircuts became popular. It was not until the 1930s that women's short hair was accepted as a hairstyle (S. K. Han, 2007). The general opinion about the bob was very negative. For example, Sang Seop Yeom (1922), a famous writer at the time, saw Hyang Ran Kang's short haircut as an unrestrained act and fiercely criticized it. Kisaeng San Wol Um said, "everyone will be free, but whether they choose to cut their hair or commit suicide, it would be wisest to think about their own environment and circumstances before making a decision," comparing hair cutting to suicide (S. W. Um, 1927, my translation: as cited in J. M. Kang, 2008, p. 309).

Liberal women insisted on bobbed hair for the convenience of life from a pragmatic standpoint (S. K. Han, 2007). Although the significance of women's liberation on the short haircut waned as the style became popular in the mid-1930s for the general population, Hyang Ran Kang's short haircut was a significant resistance of the Confucianist patriarchy, and a kisaeng was at the forefront of that resistance.

Some kisaeng actively resisted the stigma imposed by society, claiming the injustice of discrimination was based on occupations and they demanded fair treatment by shouting, "kisaengs are also human" (H. S. Geum, 1934, p. 186, my translation). Their argument points out that men who believed that money could buy kisaeng were abusing their power as clients. They criticized the attitude of clients who make unreasonable demands or treat them rudely because they were in the sex industry:

In the golden age of universalism, you only believe in stupid bourgeois talk and treat our women in the entertainment business badly. If you treat us like some sort of human flesh auction house, we will laugh at your lack of understanding. ... If you want our respect, respect ours too. (H. W. Bae., 1927; as cited in J. S. Hwa et al., 2019, p. 55, my translation)

I was paid a certain amount for an hour, and I worked for the guests during that time, but it would be an error to think of me as your property. As far as duties are concerned, there are only the positions of comforting guests with songs and music, and no other duties.

(Hong Do, 1927; as cited in J. S. Hwa et al., 2019, p. 126, my translation)

These kisaengs accused some clients of "despising [kisaeng] to the point of not respecting them as a human being" or making "severe insults and unreasonable demands," treating kisaengs as if

clients had bought kisaeng outright for the time they paid (Hong Do, p. 126, my translation). In the service industries, what is traded is a contracted service in proportion to time, not the worker as a commodity. Kisaeng defined their labour as service labour and demanded an improvement in the vulgar capitalist bourgeois attitudes of clients who did not respect it.

Their claims of sex workers' rights as human beings extend to asserting their rights as professionals. Stating "kisaeng is not something to be proud of, nor something to be ashamed of, it is just a job" (B. J. Seo, 1936, p. 165, my translation), kisaengs argue that clients treat sex workers rudely because "class and occupation" are low but "this is an outdated idea, and it is out of ignorance of the sanctity of the profession and the equality of human beings" (H. W. Oh, 1927; as cited in J. S. Hwa et al., 2019, p. 51, my translation). Kisaengs argued that under the Confucian-centred patriarchy, women and low caste beings, such as kisaengs, suffered insults and abuses, but that this was a custom of the past. It was demanded that the occupational rights of kisaeng be respected and that it was an outdated practice to discriminate against people based on occupation and/or caste.

Kisaengs claimed their fight for worker status, which was not even made in the socialist camp, and it was influenced by the socialist ideology that was spreading at the time. Kisaeng Ok Hwa Park (1931) said, "of the 20 million people, 9 out of 10 are in the same class as me. I believe that my problems will be solved only when the world of happiness comes to this group" (as cited in J. S. Hwa et al., 2019, pp. 31-32, my translation), making it clear that kisaeng was part of the working class. Park argued that the solution to the problem of social inequality was only possible through the liberation of the working class and that kisaeng was also a part of the liberation of the working class. Kisaeng Nan Hong Jeon (1927) too tried to find the legitimacy and social value of sex work:

We are also workers. If you say that you are a worker only if you dig with a hoe or pickaxe, like a male worker, it is not. Our kisaeng goes to a restaurant or any other place and get paid by the hour, that is, we get paid for our labour. Male labourers work with sweat on their foreheads when digging with a pickaxe, but we kisaeng are workers with a burning heart. Kisaeng who sing songs with their mouths open and play yanggeum or gayageum with their hands work harder than male workers. We are all fair workers. We pay a tax of sixty won per year to the government. In this world, I think we should be called workers rather than kisaeng. ... I hope that society will think that kisaengs are the poorest among workers and do not just live comfortably. We, kisaeng workers, must work hard and unite to become thorough workers. (N. H. Jeon, 1927; as cited in J. S. Hwa et al., 2019, pp. 70-71, my translation)

While distinguishing between production labour and kisaeng's reproduction labour, Nan Hong Jeon asserts that kisaeng labour was both physical and emotional labour. It shows the identity and class consciousness of the worker within the kisaeng community at the time through this radical claim. As Ji Young Suh (2005) notes, the fact that kisaeng identified themselves as workers generates a new awareness about labour and spurs a rethinking of gendered labour of those who offer sexual services. Although these radical and subversive claims by sex workers did not gain public response or discourse in the same way as the abolition movement, their claims were a very critical and radical feminist perspective.

They also criticized the movement that seeks to abolish the licensed prostitution system for failing to acknowledge their work. Former kisaeng and socialist activist Chil Sung Jung utilized her personal experience to criticize women's liberationists for calling for the abolition of the system without paying attention to the social structures that led women to become prostitutes

(J. S. Roh, 2016):

Some of them tried to rhyme the abolition of the licensed prostitution system as they saw it on the pages of foreign newspapers, but it was an unconscious imitation that came out of a phonograph hole. If they had been conscious, they would have tried to find out the social cause of licensed prostitution. (C. S. Jung, 1926, my translation)

The women advocating for the abolition of the licensed prostitution system were mostly elite Christian women who grew up in wealthy families. They lacked economic and social class understanding of working-class including sex workers and expressed negative attitudes towards commercialized sex (J. S. Roh, 2016). In addition to criticizing feminists for their lack of class consciousness, Chil Sung Jung accurately identified the intertwined issues of gender and class in the socialist women's liberation movement.

The self-governing activities and solidarity of the kisaengs played an influential role in making their opinions visible. The kisaeng guild was a focal point of solidarity. Kisaeng guilds were a product of the Imperial Japanese government that systematically managed and controlled the activities of kisaeng, rather than of an autonomous organization of kisaeng. However, some kisaengs formed their own guilds to secure their rights. Nan Hyang Lee, who served as the CEO of Dadong Kisaeng Guild, recalled the establishment of the association as follows:

When the kisaeng governance system was abolished in 1909, kisaengs fled to Seoul ... Things were increasingly problematic ... It would be easier for a restaurant to contact the kisaengs if they joined together to establish a guild, and if the guild accepted responsibility for the quarrels that happened, it would be beneficial to the restaurant. The guild was also founded because kisaengs from all directions came together with the same

mindset, allowing them to address their rights and interests, concerns, and study together. Dadong Kisaeng Guild established Korea's first set of rules [of a kisaeng guild]. (N. H. Lee, 1971, my translation)

Thinking that the existing kisaeng guilds did not represent the interests of the kisaeng, Dadong Kisaeng Guild established their own self-governing regulations to represent kisaeng's rights and interests, which were directed by the kisaeng San Wol Joo. She addressed the purpose of establishing the self-governing kisaeng guild as follows:

I have been a kisaeng since I was a child, so I created the kisaeng guild without *gibu* to improve unfair customs... At first, there was a lot of opposition from others, but now that the system is set up, it seems to have taken root. Please, everyone, agree with our kisaeng guild without *gibu*. ("100 Artists (2): San Wol Joo," 1914, my translation)

Gibu managed kisaeng guilds in Seoul at the time, while Dadong Kisaeng Guild, created in 1913, was founded and led by kisaengs without *gibu*. *Gibu*, which means a kisaeng's husband or patron, was allowed to contribute to support the kisaeng during the late Joseon Dynasty (J. S. Kang, 1998A), but since the Japanese Empire wanted to manage and control sex workers through the state rather than individual *gibus*, membership in the kisaeng and *changgi* guilds was made compulsory. However, still many of the guilds were owned and operated by *gibu* (A. K. Park, 2001). A kisaeng guild without *gibu* was revolutionary. In addition, kisaeng guilds, including those beyond Dadong Kisaeng Guild, held a monthly meeting to deliver various resolutions or to discuss related issues.

In 1927, some collective group of kisaengs launched *Janghan*—which means long lamentation in Korean—a two-issue periodical that was a space for kisaeng solidarity and the

protection of kisaeng rights and interests. *Janghan* was a literary coterie magazine developed by some Seoul kisaengs and published in Seoul for kisaengs to express themselves in a quickly changing environment. It included medical information, lamentation, and literature, as well as viewpoints on the abolition of the kisaeng system, social transformation, class contradictions, and the abolition of discrimination. *Janghan* brought the discussion and solidarity forum to the municipal level of Seoul through several kisaeng guilds and exhibited the kisaengs' activeness through writing activities, demonstrating the need to actively participate in autonomous and social activities.

Kisaeng took further collective action to protect their rights and interests under the changing sex industry system. There were many newspaper articles about the kisaeng's struggle with the restaurants, many of which focused on their struggle over hourly wages. It can be inferred that the struggle was critical for kisaeng, as their income was directly tied to hourly wages. When clients of a restaurant asked for a kisaeng, the restaurant contacted a kisaeng guild and invited the kisaeng to visit the restaurant. Clients paid the kisaeng's hourly wage to the restaurant, which in turn paid the guild regularly. The restaurant took part from the kisaeng's hourly pay as commission. That the restaurant was the workplace of a kisaeng, and that a kisaeng was a part-time worker, the relationship with the restaurant was an incredibly vital one, directly related to a kisaeng's income. It was critical for kisaeng to have negotiating power in a conflict situation with the restaurant. Some restaurants felt that it was unreasonable to pay the hourly wage in cash on a set date. It was decided that the restaurant would not be responsible for the hourly wage of kisaeng if the clients paid the hourly wage by credit. Accordingly, 44 kisaengs from Dongryong Kisaeng Guild in Incheon decided to boycott the restaurant they had colluded with and decided to expel a kisaeng from the guild if the kisaeng violated the guild's decision

(“Incheon kisaengs cut ties,” 1927). The following year, on August 28, 1928, in protest against the increase in commission at restaurants, around 30 kisaengs from Dongryong Kisaeng Guild allied and boycotted restaurants that decided to increase the commission. Their boycott extended beyond isolated incidents. On September 3, 1928, the guild had power to negotiate the hourly wage with the restaurants by the arbitration of the Incheon Police Station (“Kisaeng allies to threaten,” 1928). The hourly wage issue with these restaurants was the main agenda of the kisaengs, and they actively defended their interests through strikes (“Sex industry quieted,” 1927; “Behavior of the weak,” 1927).

Even in conflict with the guild, kisaengs showed the power of solidarity. For example, 15 kisaengs, resentful of the guild’s discrimination, left the guild and moved to another guild (“A furrowed brow rural,” 1928). The kisaengs of the Hamheung Kisaeng Guild found out that their guild executives embezzled guild property, used funds personally, and submitted a proposal to the supervisory office to revoke trust in their guild executives (“Police officers join,” 1927). In response to the corruption of the guild, some kisaengs decided to self-govern their guilds (“Kisanegs' distrust of executives,” 1928; “Kisaeng, etc. strike,” 1932). There were cases where the self-governing system of kisaengs was implemented. Following a dispute between the shareholders and the kisaengs over the management rights of the Gwangju Kisaeng Guild, the kisaengs embarked on strike from the end of March 1935. Not only did the kisaeng’s strike affect the restaurant, but it affected the local economy as well. It was resolved by the full transfer of management rights to the kisaengs through the active intervention of the police chief (“Gwangju kisaeng guild quarrel,” 1935). It is difficult to ascertain how the kisaengs who received management rights ran the Gwangju Kisaeng Guild because there were no follow-up articles.

However, it was a significant event in that kisaengs demanded management rights for guilds and achieved them through collective action.

Kisaeng collective action extended beyond their individual guilds through solidarity between guilds. About 800 kisaengs from five guilds in Seoul united and used their negotiating power to adjust hourly pay according to economic and income fluctuations (“Hourly pay to be lowered,” 1920). These solidarity actions continued on a case-by-case basis. After the recession caused kisaeng incomes to drop, a group of 300 kisaengs from all four guilds united to select a representative and submit a complaint regarding the excessively imposed taxes on kisaeng (“Four kisaeng guilds demand,” 1930).

Workers providing sexual services other than kisaeng also tried to protect their rights and interests through collective action. Thirty-two waitresses at a cafe started an alliance strike because of the tyranny of the cafe manager (“Thirty Arirang cafe waitresses strike,” 1932). In another cafe, when the employer fired two waitresses in response to a request for improvement in the treatment of female workers, about 20 female workers embarked on the closure of the alliance and demanded improved treatment and the reinstatement of the dismissed women (“Obscene dispute,” 1934). When 22 waitresses walked out on an alliance strike over the owner’s assault, the police revoked the owner’s cafe licence (“Fierce strike by waitresses,” 1938). In the case of cafe waitresses, although they did not have the same organization as the kisaeng or changgi guild, waitresses who were influenced by the socialist ideology that began to spread in the mid-1920s chose collective action as a way to fight the tyranny of the business owners.

Changgi also responded to unfair treatment and conflict situations through collective action. Since changgis also belonged to guilds, they were also able to perform collective acts of

solidarity. Among the most frequent charges of changgis were accusations of abuse by brothel owners and demands for better treatment (“Changgi alliance strike,” 1926; “Sinjung changgi strike,” 1927; “The wrath of the night's shadow flower” 1938.11.23.). 11 changgis from Chongjin demanded liberation due to abuse by their owners—rape, fraud, illegal confinement, beatings, etc. On April 4, they cut their hair, waged a hunger strike, and launched an alliance strike (“Eleven changgi strike in protest,” 1931). As alliance strikes by changgis gradually increased, their collective action seemed to have had significant ripple effects, to the extent that some owners of brothels wanted to close their businesses (“Eight-sided peaks,” 1926). At that time, there were requests for improvement measures for various systems within brothels. The Japanese government, unable to ignore the movement to abolish the licensed prostitution system in Korea and in Japan, came up with measures to improve the treatment of sex workers. Debt, holidays, and payment arrangements were all eased, to some extent, between 1933 and 1934. On December 12, 1934, the provision prohibiting changgis from going outside the brothel was deleted by the ordinance of the Japanese Government-General of Korea (J. A. Park, 2009). Although it was unknown to what extent changgis’ requests for improved treatment were reflected following this revision, or how much it contributed to solving the issue of sex workers’ treatment, changgis actively protested for their rights. Since their work was not illegal, the changgi could assert their labor rights and engage in active resistance.

In addition to fighting against unfair treatment and systemic improvement by business owners, changgis fought to remove the stigma against them and to improve their social status. Some changgis, called *sampae* kisaeng, were classified as changgi but they performed like kisaeng. As they often performed on stage together with kisaeng, the boundary between changgi and kisaeng became blurred. Among them, the Shinchang Changgi Guild, established in 1908

and made up of sampae kisaengs, requested at the police station to change their guild to a kisaeng guild several times, but their application was rejected. Sampae kisaeng was at the bottom of gisaeng hierarchy and suffered the stigma of changgi. Since they were classified as changgi, they were subject to direct management and control by the government and had to undergo monthly STI tests. Accordingly, the sampae kisaengs of the Shinchang Guild were granted permission to become kisaengs in May 1916, through efforts such as training and practice in performing arts (Y. J. Jang, 2004). Their fight can be seen as an attempt to escape from the stigma of changgi by conforming to the hierarchy of sex work. Sampae kisaeng, an entertainer who specialized in singing, wanted to go beyond being categorized as changgi in the Japanese colonial system of subdividing sex work. Instead of being a changgi who was subjected to unreasonable legal bondage such as regular STI tests and social stigma, the sampae kisaeng kept developing their identity as professional artists in society (D. H. Kwon, 2012).

Sex workers were complexly marginalized at the level of ethnicity, class, and gender in the context of Japanese imperialism, the movement to abolish the licenced prostitution system, and the movement for women's liberation. Neither the socialists nor the labour movement actively supported their resistance actions. However, even though sex workers were not accepted as workers and their organizational activities were not defined by labour unions, the collective actions of sex workers can be seen as having similar characteristics to a labour union (J. Y. Suh, 2005B). Kisaeng and changgi, although their guilds were formed by the government, worked to resolve the problems by themselves and through their guilds. The agenda of collective actions by kisaeng and changgi started with the discriminatory treatment of guilds and a denouncing of corruption in guild management. Kisaengs, centring on their guild, expanded their influence from within, addressing disputes arising from various relationships in the industrial network

through extensive collective action and the securing of organized power. Although the collective actions of waitresses were not regarded as a labour movement, as sub-subjects of capitalist production relations, they took collective action to protect their rights and interests, which can be seen as a labour movement organized by sex workers.

Efforts to secure their rights were further developed by the participation of kisaengs in political and social movements. Kisaeng actively participated in various labour movements, including the National Debt Repayment Movement⁵⁸ (1907-1908), the Joseon Product Promotion Movement⁵⁹ (the early 1920s to late 1930s), and a demonstration for national independence in 1919. One kisaeng guild in Incheon, in 1923, decided to participate in the Joseon Product Promotion Movement, saying the following:

We take responsibility as a member of society and make clothes from fabric produced in Joseon. From the next day on, everyone wore a skirt made of Joseon fabric. This unity was not due to the authority of the guild head but was determined by the voluntary spirit and spontaneous thoughts of kisaeng. (“Incheon kisaeng already in action,” 1923, my translation)

⁵⁸ From February 1907 to July 1908, it was a voluntary movement carried out by the private sector to repay government bonds from Japanese loans. It was a pan-national movement in which national capitalists, intellectuals, high-ranking bureaucrats, women, workers, kisaengs, and lower-class people participated under the argument that economic independence was the priority in escaping from Japanese colonial rule. Although the movement was thwarted by Japanese imperialism, it has meaning as a fight for the restoration of a nation’s sovereignty. For details, refer to the National Debt Repayment Movement in the Encyclopedia of Korean Culture: <http://encykorea.aks.ac.kr/Contents/Item/E0006527> (retrieved May 4, 2022).

⁵⁹ As an economic independence movement that developed from the early 1920s to the end of the 1930s, it was a movement to encourage the use of domestic products widely, with the purpose of calling for national awareness and establishing a self-reliant economy by setting up modern enterprises for Koreans with the independence movement of 1919. It has the meaning of an economic independence movement that promoted the establishment of national enterprises. For more information, refer to the Chosun Product Promotion Movement in the Encyclopedia of Korean Culture: <http://encykorea.aks.ac.kr/Contents/Item/E0052020> (retrieved May 4, 2022).

Some of them even spearheaded social movements. A kisaeng Hyang Ran Kang (1900-?), after cutting her hair in public, participated in the socialist movement in the Joseon Proletarian League in 1922. Since 1928, she had been working as an executive member of the Seoul branch of the Geunwoo Association⁶⁰ and devoted herself to the women's liberation movement (S. K. Han, 2007, p. 161). Chil Sung Jung (1897-1958), a former kisaeng, became a women's activist after studying in Japan in 1919 following the March First Independence Movement. In 1924, she founded Joseon Yeojahoe, a women's movement group, and in 1929 she became a chairman of the central executive committee of the Geunwoo Association. After the nation's liberation from Japanese colonialism, she became a member of the Supreme People's Assembly of North Korea. San Wol Joo (1894-1982), who led the establishment of the Dadong Kisaeng Guild, gave up as a kisaeng after marrying Byung Hee Son, known as the leader of national independence movement, and established a religious-based women's group. She took the lead in advancing women's rights through the fight against illiteracy, superstition, and women's education. After the March First Independence Movement in 1919, the Kisaeng Gye Ok Hyeon (1897-?) moved to Manchuria for the independence movement, became the first female activist of the Uiyeoldan, an armed independence group, and led an anti-Japanese armed rebellion.⁶¹

Sex workers who had been marginalized as social others had been fighting to improve treatment and protect their rights and interests. Within these social movement fights, kisaeng and changgi participated through self-governing activities within their guilds to establish themselves

⁶⁰ The Geunwoo Association was organized in 1927 as a women's organization that fought for independence.

⁶¹ As an armed independence movement group founded in 1919, Uiyeoldan resisted Japanese colonial rule through violent means such as destroying colonial institutions and assassinating high-ranking Japanese officials and pro-Japanese constituents. For more information, refer to Uiyeoldan in the Encyclopedia of Korean Culture: <http://encykorea.aks.ac.kr/Contents/Item/E0043334> (retrieved May 4, 2022).

as members of society. Although there are few records of sex workers and the individual lives of changgis, barmaids, and waitresses, the results of the struggle to secure their rights and interests through collective action can be found in newspapers. As modern sex workers were in a very complex positions in an era of women's liberation and human equality, the advent of the capitalist era, the influx of socialist ideology, and colonialism, they pioneered their own lives and actively practised radical ideas from the front lines.

C. Sex Workers' Rights Movement

1. The Movement Against the Abolition of the Licensed Prostitution System by Changgi in 1948

Economic factors are not the sole motivation for entering the sex industry, although they remain the most significant. In 1945, Korea became independent from the Japanese Empire, but the lack of resources, poor infrastructure, lack of technology, and the division of the country into North and South Korea resulted in a shrinking productive economy and mass unemployment (K. W. Kim, 1990). As production rebounded in 1947, the unemployment rate decreased in South Korea. However, the proportion of female workers continued to decline, and by 1949, women comprised just 10.9% of the industrial labor force (Y. S. Kang, 2006). In 1947, the illiteracy rate among women was 53% of the female population, compared to 30% for men (Joseon Bank Survey Department, 1948; cited in Y. M. Park, 2010, p. 47). Ninety percent of women between the ages of 17 and 30, the age group with the highest concentration of sex workers, were uneducated, and 99 percent of the reasons for entering brothels were due to livelihood problems (Ministry of Health and Social Affairs, 1987). Limited economic activity and high rates of undereducation and illiteracy made sex work one of the options for women with relatively few

resources.

Under these circumstances, the abolishment of the licensed prostitution system promulgated on November 25, 1947 was a direct blow to the livelihood and labor rights of the changgi. When the system was abolished, changgis who earned their living through licensed prostitution were forced to work in illegal, unlicensed sex businesses. Therefore, changgis urged the government to take measures to postpone the abolishment of the licensed prostitution system. On December 4, 1947, shortly after the abolition of the system was announced, the Seoul Metropolitan Government, the Ministry of Health and Welfare, the Women's Bureau, and the Alliance for the Abolition of the Licensed Prostitution System convened more than 500 brothel owners and changgi to hold a lecture on measures for the abolishment of the system. Taking action against the abolishment of the licensed prostitution system, the changgis who attended the lecture demanded that the abolition decree be postponed, that the debts of the changgi be settled, and that the livelihood of the changgi and their families be guaranteed ("Do not imitate," 1947). In January 1948, 98 changgis from Daegu visited the Gyeongsangbuk-do provincial office to urge that appropriate measures be taken following the abolishment of the licensed prostitution system ("Please open the way," 1948).

When their demands were not met, changgi and brothel owners lobbied legislators and high-ranking officials. Brothel owners collected 7 million won in political funds from changgis to bribe legislators and high-ranking officials to delay the abolition of the licensed prostitution system ("Debate on the question," 1948; "Abolition of the licensed prostitution system postponement" 1948).⁶² On February 13, 1948, the day before the abolishment of the licensed prostitution system was enacted, the lobbying scandal was exposed in the media, which "only

⁶² Given the subsequent activism of the changgi, it is hard to see how the business owners could have coerced the money to raise it, as I will show in this section.

increased the social isolation and moral stigma of changgi” due to bribery (D. S. Yang, 2001, p. 234, my translation), and the abolishment of the system was enacted on February 14, 1948.

Even after the abolition of the system was implemented, changgis continued to defend their labor rights and livelihoods. On February 14, 1948, changgis and brothel owners in Mukjeong-dong, Seoul, held an emergency meeting to postpone the abolishment. “There is no one who understands us who were born unlucky,” the changgis said, adding that they would be forced to become unlicensed prostitutes if the licensed prostitution system was abolished (“When will the city begin,” 1948, my translation). “Being a prostitute does not mean you do not support your parents. Debt collectors keep coming to collect money because licensed prostitution is being abolished. I owe my employer 40,000 won. Please get rid of this debt,” one of them said, asking the government for livelihood measures and debt relief (“When will the city begin,” my translation). They formed the Changgi Union, elected representatives, submitted a protest to City Hall on February 16, and rallied against the abolishment of the licensed prostitution system (“Authorities to consult on measures,” 1948). On February 18, at a meeting of 400 people, including government officials, changgis, and business owners to discuss measures to be taken after the abolishment of the licensed prostitution system, the changgi made the following demands:

1. We owe an average of 18,000 won each, so the government should pay it off.
 2. Provide us with relief until we can find employment and, at the same time, ensure the livelihood of our families.
 3. Convert the present [brothel] building into an inn and let us work there as maids.
- (“Measures after the abolition,” 1948, my translation)

In response to these demands, government officials promised to seek employment for those who wanted it and to provide relief until they were employed; however, they also said that the state could not pay the individual's debts, could not guarantee the family's livelihood, and that the transfer of buildings and maids was subject to the decision of higher authorities ("Measures after the abolition"). On February 22, the government submitted a detailed plan: Forcibly evict all changgis; punish business owners if they do not cooperate in resolving changgis' debts; study special measures for forced dispersal starting on the 24th; call the changgis' guardians and send them back to their hometowns with travel expenses; those changgis who are unable to return home will be held in protective custody in designated places (D. S. Yang, 2001). Their demands were not met, and the government's stance of protective custody, repatriation, and eviction was the only "solution." By staying in their brothels and continuing to operate, the changgi resisted. However, on March 29, 1948, less than 50 days after the abolishment of the licensed prostitution system, the authorities forcibly evicted the brothel owners and changgis who remained. Only four changgis voluntarily entered into custodial facilities ("Turned into unlicensed prostitutes?," 1948).

Why did the changgi, who were considered to be at the bottom of the sex worker hierarchy, refuse to move into unlicensed prostitution, which was relatively higher up the hierarchy? One possible explanation is that although they were at the bottom of the hierarchy, their work was legal and government-sanctioned, and as long as they were regularly tested for STIs, changgi had guaranteed labor rights. Also, despite the social stigma, some sex workers chose changgi over other types of sex work because of the benefits of the work. Sex workers in unlicensed prostitution were expected to provide clients with services such as alcohol, food, or tea. Sexual intercourse was secondary labor for them. On the other hand, changgis did not have

to sell alcohol and food or perform like kisaengs and barmaids, nor did they have to serve tea like waitresses. They also did not have to perform emotional labor, as unlicensed sex workers did for clients in intercourse prostitution, which earned more money. Changgis were required to perform relatively little service and emotional labor for relatively short periods of time, usually with only one client. Depending on the resources and conditions of the individual worker, certain working conditions took priority over social stigma. Ignoring these dynamics, the women's movement led the process of legislating and implementing the abolition of the licensed prostitution system under the guise of liberating changgis, but it was changgis who knew best what was needed to defend their rights. They actively protested to defend their rights to work and survive despite not having their demands met.

2. The History of Resistance by U.S. Military Camp Town Sex Workers

Anti-prostitution feminism constructs and reproduces the experiences and narratives of base camp sex workers as centered on victimization, suffering, and oppression as their sexuality is exploited for national interests (M. D. Kim, 2013). The U.S. military "comfort women" discourse further reinforces the victimization of kijichon sex workers. However, the kijichon sex workers are a group that has resisted and fought for their rights in a variety of ways. It could be assumed that the segregation of base camps due to strong social stigma made it difficult to get outside solidarity or support, meaning that sex workers had to fight for their own rights. They have routinely resisted conditions that violate their human and labor rights; have fought together against employers who exploited sex workers; have helped other sex workers who wanted to seek their rights; paid the debts of other sex workers on their behalf; and de-prostituted themselves (H. S. Kim, 1997; H. J. Jung, 1999; K. J. Min, 2002).

This everyday solidarity gave sex workers a shared sense of collective consciousness,

which they used to collectively resist. First, they resisted U.S. military raids and policing that targeted sex workers. In 1960, when a kijichon sex worker died in the midst of a U.S. military crackdown on kijichon sex workers' STI screenings and arrests, more than 60 kijichon sex workers gathered to demonstrate against the unjust crackdown ("Demonstration by Yankee princess," 1960). In 1970, in response to an incident in which a U.S. military lieutenant colonel took pictures of kijichon sex workers with and without STIs and posted them in his unit, about 70 U.S. military sex workers gathered in front of the unit to "condemn the human rights-abusing unit commander" ("Demonstration of 70 comfort women," 1970, my translation).

They also collectively resisted human rights abuses by the U.S. military. In 1972, U.S. soldiers in Songtan boycotted kijichon clubs and products because of the high cost of living in South Korea and the high prices of sex workers. They distributed leaflets that read "Shoes \$10, long time \$10, short time \$5, bag \$5" and demanded that prices be lowered (K. J. Min, 2002, p. 73; see also Y. J. Kim, 2005, p. 127). In response, more than 1,000 members of Songtan's sex workers' guilds and kijichon vendors gathered at the main gate of the base on May 3, 1972, chanting, "We are not shoes! We are human beings!" (K. J. Min, 2002, p. 73; see also Y. J. Kim, 2005, p. 129) and staged a sit-in. The U.S. military mobilized fire trucks to spray water on the protesters to stop them. When the protesters refused to leave, the unit commander came out and apologized. The collective resistance and solidarity of these sex workers was, ironically, formed through the kijichon sex workers' guild that the government forced them to organize in order to control them.

It was the sex workers' guilds that fought corruption and fraud in the STI testing and screening process. At the time, corruption was rampant, with business owners, police, and health centers exchanging bribes and issuing false health certificates. In response, Yeon Ja Kim, a sex

worker who had led the kijichon sex worker rights and shelter movement since the 1970s, reported the irregularities of the examinations to the media and filed a complaint with the prosecutor's office, while calling for a total boycott by sex workers (K. J. Min, 2002).

Kijichon sex workers also actively resisted U.S. military crimes against them. Because sex workers were an easy and accessible criminal target for the U.S. military, incidents of injury and murder of kijichon women by U.S. soldiers were frequent ("Rape before killing," 1958; "Robbed Kim of her ring," 1959; "Reflector," 1962; "Strangled and fainted," 1962; "U.S. soldiers assaulted," 1962; "Human Rights Cry," 1962; "US soldier sentenced," 1962; "U.S. soldiers set fire," 1968). When a Kijichon woman was killed in Daejeon in 1971, more than 200 kijichon women and local residents protested, demanding the arrest of the U.S. soldier suspected of the murder (K. H. S. Moon, 1997). In response, the police and the U.S. military clarified the circumstances of the incident and apologized. In 1977, two kijichon sex workers were murdered back-to-back, and when the second murder occurred, it was Yeon Ja Kim who preserved the crime scene to preserve the evidence and called the police to identify the culprit. When a U.S. soldier was found to be responsible, but the case was dropped due to insufficient evidence, 2,300 kijichon sex workers rushed to the military base to demand an investigation. After being beaten by the soldiers, the sex workers refused to back down and were promised an investigation by the police chief and that the murderer would be tried in South Korean courts. The U.S. soldier responsible for the murder of two kijichon sex workers was sentenced to life imprisonment by a South Korean court, the first such sentence since the 1967 SOFA agreement (Y. J. Kim, 2005). Even before the killing of kijichon sex workers by U.S. soldiers as part of the anti-American movement in 1992, sex workers fought to defend their right to life.

Autonomous associations were also organized. Yeon Ja Kim organized an autonomous

association. She started an English class in which older kijichon sex workers taught the younger ones, as English was essential for customer service and negotiation. She also organized a shelter for kijichon sex workers in Gunsan in 1986. The idea was to create a new community for those who were older, sick, or wanted to stop working. They leaned on each other and realized that “in the end, we can only solve our own problems” (Y. J. Kim, 2005, p. 220, my translation). The shelter was organized not with the help of just anyone, but rather with the help of internationally married former sex workers and the efforts of the sex workers themselves (Y. J. Kim). They knew best what they needed, and they did it on their own, without the salvation and rescue of anti-prostitution feminists.

3. The Development of the Sex Workers’ Rights Movement

What the anti-prostitution feminist movement of the 1980s and 1990s, which grew out of the Christian women’s movement, saw as the most problematic aspect of the Prevention of Prostitution Act was the failure to regulate prostitution and the intermediate exploitation of prostitutes (Subcommittee on Social and Cultural Affairs of the 142nd Plenary Session of the National Assembly, 88.07.08). More urgent for sex workers, however, was the crackdown on sex workers and their forced detention in protective guidance facilities. Raids and detention were one and the same, as sex workers were placed in detention facilities without due process of law. Since the detention facilities did not allow them to go out, stay overnight, or receive visitors, the detainees were effectively cut off from the outside world. To prevent them from escaping, the buildings were fenced in and guarded by police officers. They were forced to live in groups with strictly controlled schedules and little free time (“Protective guidance facility arson arraignment,” 1995). It was more like a labor camp or prison than a protective facility. Beatings and assaults were common, meals were inadequate, and sanitary napkins were difficult to obtain

(“Fire witnesses interrogated for harshness,” 1995; “Every day is hell,” 1995). Those placed in shelters continued to resist forced labor by escaping in groups (“Mass escape from a moving car,” 1968; “Prostitutes escape from moving convoy,” 1980; “Social coldness complaints,” 1973).⁶³

It was a sex worker who played the most crucial role in the abolishment of forced detention in protective facilities. In 1991, a sex worker who had been detained in a protective facility as a result of a crackdown filed a constitutional petition and lawsuit against the Seoul Metropolitan Government to cancel her detention, arguing that her detention in the protective facility was unlawful:

The provision vaguely defines the person to be detained as a woman who is at substantial risk of engaging in prostitution. It does not specify the duration of detention, which violates the criminal justice system. According to the Criminal Procedure Law, when physical liberty is restricted, a warrant must be issued and the suspect must be given the right to refuse to testify, but this provision is not subject to any judicial procedure.

(“Woman sues for constitutionality,” 1991, my translation)⁶⁴

Subsequently, women who had been forcibly detained filed a series of lawsuits to have their detentions annulled, claiming that the facilities were illegal detentions (“Controversy over illegal protective custody,” 1994). On July 6, 1994, the government held a public hearing to prepare

⁶³ According to statistics from the Ministry of Health and Welfare, there were between 41 and 214 escapes from facilities each year in the 1960s, with 609 escapes in 1970 (Ministry of Health and Welfare, 1971, pp. 310-311 & 1974, p. 394; quoted in J. M. Park, 2021, p. 71).

⁶⁴ The Constitutional Court dismissed this constitutional complaint on January 25, 1996, because the amendments to the Prevention of Prostitution Act, which entered into force on January 6, 1996, completely abolished the provision for compulsory detention in protective facilities (Constitutional Court judgment of January 25, 1996, 91 Const. 178).

amendments regarding the legal basis for forced detention in protective facilities and the feasibility of setting a protection period (E. Y. Jung, 1994). On January 5, 1995, it promulgated an amendment that removed the provision for forced detention in protective facilities, which took effect on January 6, 1996.⁶⁵ The changes in the law were not made through the will of the women's movement but through the fights of sex workers for their rights (J. M. Park, 2011).

The enactment and implementation of the Special Act on Prostitution, spearheaded by the mainstream anti-prostitution women's movement, marked a new phase in the sex workers' rights movement. On September 23, 2004, with the enforcement of the Special Act on Prostitution, sex workers began to speak out for their right to survive and work. The resistance was primarily led by sex workers in brothels⁶⁶ designated as special zones in 1961, where they engaged in intercourse prostitution with Korean men. On the day of the implementation of the Special Act on Prostitution, hundreds of sex workers in a brothel area in Seoul staged a demonstration demanding livelihood security and a moratorium on the enforcement of the Act (S. H. Kim, 2004), and the protest spread nationwide, led by brothel sex workers. On October 7, 2004, more than 3,000 sex workers from 12 regions of the country gathered in front of the National Assembly to demand the right to survival and the repeal of the Punishment Act. "Women's organizations are using us as scapegoats for their cause and sympathy ... If they really want to help us, they should give us practical help to work within the system," they said (H. K. Song, 2004, my translation).⁶⁷ On October 19, after holding a large rally, sex workers visited the

⁶⁵ Another significant event was the arson of a protective facility on August 21, 1995. Sixteen teenage women detained in the facility set fire to it in an attempt to escape and in protest of their unfair treatment, resulting in the deaths of 37 people ("Women's protective guidance facility," 1995). The arson case highlighted the human rights violations committed by these institutions and led to increased criticism. This gave legitimacy to the amendment to the Prevention of Prostitution Act.

⁶⁶ It most closely resembles licensed prostitution in the Japanese era.

⁶⁷ Anti-prostitution women's organizations and civil society groups claimed that sex workers were intimidated by

Ministry of Women's Affairs, political parties, and the Korean Women's Associations United (KWAU) to demand that the Special Act on Prostitution be relaxed and that brothels be allowed to operate (J. J. Kim, 2004, October 19.).

Through national solidarity movements, they established a national organization dedicated to solidarity. Originally established in 2002 as a social collective comprising brothel owners from across the country, Hanteo underwent a transformation into a brothel advocacy organization in response to the implementation of the Special Act on Prostitution in 2004. On November 1, 2004, sex workers initiated the Hanteo Women's Workers' Alliance as a subsidiary of Hanteo, representing sex workers on a national scale. They conducted large-scale solidarity demonstrations, a relay hunger strike in front of the National Assembly, and a symbolic head-shaving protest. Their primary objectives included opposing the closure of brothels, advocating for the shift from prohibitionism to regulationism in the realm of prostitution, and advocating for government control of STIs. Their argument can be seen as an argument for legalizing the sex industry in brothels, as opposed to the arguments of sex workers who resisted government regulation and management policies. However, it can also be seen as an argument that the sex workers' rights movement at the time was centered on brothel workers and brothel owners, and focused more on ensuring the survival and labor rights of brothel workers and the business rights of brothels than on ensuring labor rights for all forms of sex workers.

Recognizing the limitations of aligning with brothel owners, they established their own organization, the National Sex Workers Association (NSWA), on June 29, 2005, designating that day as Sex Workers Day (H. Y. Lee, 2011):

their business owners. They called on the government to crack down and enforce the law and criticized the media for "sensationalizing the illegal resistance organized by prostitution brokers as if it were a legitimate fight for survival rights" (J. J. Kim, 2004, October 7, my translation).

The women's movement simplistically accuses sex workers of immorality for doing sex work for a living. ... The fact that sex workers are forced to engage in sex work to survive reflects South Korea's relatively poor labor market for marginalized groups. ... When the women's movement imported and applied the model of prohibiting prostitution from Sweden, a social security paradise, they either ignored the Korean situation or maliciously used sex workers for their own political aggrandizement. We, the sex workers, are absolutely opposed to criminalized forms of business such as assault, confinement, and exploitation, no matter what the women's community says. (National Sex Workers Association's Preparatory Committee, 2005, pp. 307-308, my translation)

As noted in Chapter 5, some anti-prostitution feminists have accused pro-sex work researchers and the sex workers' rights movement of uncritically transplanting Western theories of sex work while ignoring Korean realities (N. Y. Lee, 2009). However, Sex workers possessed a deep understanding of the social and economic dimensions of their profession, as well as of the necessary steps to safeguard their rights. They unequivocally recognized that sex work constituted a means of livelihood, not moral degradation, and that individuals with limited economic and social resources were more inclined to enter the sex industry. Additionally, they acknowledged that anti-prostitution feminists, who advocated for stringent enforcement of the Special Act in the name of rescuing prostitution victims, were engaging in a feminist politicization of prostitution that disregarded the actual circumstances of prostitution and the human rights of sex workers. Most importantly, sex workers were acutely aware of the distinction between sex work and sex trafficking, and they critiqued anti-prostitution feminists for conflating the two. On June 20, 2005, they actively participated in the World Women's Congress hosted at Ewha Woman's University in Seoul, openly identifying themselves as sex

workers rather than as victims of prostitution. This declaration aimed to oppose the criminalization of prostitution, advocate for the decriminalization of sex work, and expand their range of activities (M. H. Kim, 2005). In other words, the sex workers' rights movement is decolonial in that it goes beyond simply following Western pro-sex work theories and resisting mainstream radical feminist anti-prostitution and anti-trafficking movements that marginalize and victimize sex workers, and uses their experiences and perspectives to understand sex work and develop their movement. The sex worker's rights movement also aligns with the decolonial epistemic perspective of transnational feminists who critique North American-Western European white feminist epistemologies that assume a monolithic existence for non-white, non-global North women. In this way, the sex workers' rights movement is a decolonial and transnational feminist theory and practice.

Beyond the brothel sex workers' movement, the sex workers' rights movement also began to engage in civic activism. In August 2005, sex workers in Pyeongtaek's red-light district formed the Democratic Sex Workers Association (DSWA), independent from the NSWA.⁶⁸

⁶⁸ The 12-Point Code of the DSWA Union is as follows (Democratic Sex Workers Association, 2005; as cited in H. Y. Lee, 2005, para. 4, my translation): "Sex workers are sovereigns and citizens of the Republic of Korea, and they are also workers and irregular workers. Therefore, the DSWA labor union defends the rights and interests of sex workers who are oppressed by the Special Act on Prostitution and creates a humane world by establishing and implementing the following 12 points:

[Rules]

1. Fight for the protection of the right to life of sex workers
2. Fight for the labor rights of sex workers
3. Fight to stop various human rights violations against sex workers
4. Fight for the right to health so that sex workers are protected from disease
5. Strongly oppose the criminalization of men as clients under the Special Act on Prostitution.
6. Seek a 'rational and democratic relationship' between sex workers and honest sex business owners
7. Strongly oppose criminalized prostitution, including trafficking, imprisonment, assault, etc.
8. The decision to engage in sex work or to leave sex work is made autonomously by the sex worker
9. fight for the abolition of the Special Act on Prostitution, an anti-human rights law that oppresses sex workers
10. continue to work for a democratic national organization of sex workers
11. Promote solidarity with all democratic forces that agree with the meaning and purpose of the sex workers' movement
12. Reform radical feminism in Korean society"

They opposed the urban development of brothels, which gained momentum following the introduction of the Special Act on Prostitution.⁶⁹ They vocally advocated for the rights of sex workers, including the right to housing, livelihood, and labor rights (H. J. Lee, 2009).

Additionally, they voiced their concerns about the radical feminism that contributed to the passage of the Special Act and actively participated in solidarity efforts with various social movements, including the women's movement, the labor movement, and the anti-poverty movement. They also organized the Sex Worker Advocacy Support Network, which brought together sex workers and critical social movement activists (H. Y. Lee, 2011; S. Y. Oh-Kim, 2016).

The rights movement and resistance of brothel sex workers continue. In 2008, as police raids to close brothels in Pohang intensified, sex workers protested and demanded livelihood measures (C. H. Choi, 2008). In 2011, sex workers at brothels in Yeongdeungpo staged a naked protest against the urban planning of their brothel area (M. G. Seo, 2011). In 2012, a woman charged with voluntary prostitution in a brothel filed an unconstitutional lawsuit against the Punishment Act on Prostitution, claiming that it violated sex workers' rights to sexual self-determination, confidentiality and freedom of private life, freedom of professional choice for sex workers, and the right to equality.⁷⁰ As mentioned in the introduction, Paju City announced in

⁶⁹ From the Japanese colonial era to the present day, brothels have been strategically located in prime locations with high foot traffic. While anti-prostitution activists see these establishments as targets for elimination in the pursuit of women's liberation, sex workers see them as critical to their right to survival. At the nexus of government urban planning and the interests of construction companies and landowners, many brothels face closure, resulting in the displacement of sex workers and the construction of skyscrapers in their place. Unfortunately, instead of standing with sex workers against these closures, feminist researchers and anti-prostitution counseling centers have collaborated with the government and capitalists. Their joint efforts revolve around researching ways for sex workers to transition out of the sex trade after brothel closures and providing what they call "rescue" services. For a more in-depth exploration of this issue, see H. Y. Lee, 2011.

⁷⁰ The Constitutional Court ruled that the Punishment Act on Prostitution was constitutional, citing concerns about the establishment of healthy sexual morality and the social side effects of prostitution, such as the expansion of the sex industry, the increase in illegal immigration, the deformation of the labor market, and the spread of a decadent and hedonistic culture. For more information, see S. Y. Cho (2017).

2023 that it would unilaterally close Yongjugol, once one of the largest kijichons in Korea since the Korean War, for urban redevelopment. Paju City has been trying to install video surveillance and administrative enforcement in Yongjugol while stepping up prostitution crackdowns and investigations. Two anti-trafficking counseling centers are working with Paju City on a project to de-prostitute brothel sex workers. Led by the Korean National Council of Women in Paju and the Paju City Women's Family Division, a weekly walk through the brothels of Yongjugol is also held. They introduce themselves as "women and citizens who gather to share the need to eradicate prostitution, check the sites of women's human rights violations, and walk the long road of closing brothels together" (S. Y. Woo, 2013). However, their campaign paradoxically violates the human rights of sex workers and threatens their right to survival and work.

Yongjugol sex workers, a self-help group formed to fight the closure, and the Sex Workers Liberation Movement Scarlet Solidarity Chacha (Chacha), currently the only sex worker rights organization in Korea, co-organized a rally to denounce the forced closure of the brothel and the human rights-violating crackdown on sex workers on June 29, 2023, Korea's Sex Workers' Day. The rally was joined by a wide range of citizen activists, including a reproductive rights group, an immigrant detention abolition group, climate justice movements, and others (Chacha, 2023).⁷¹

Beyond the movement centered on brothel sex workers, a sex workers' rights movement has also emerged that involves sex workers in various forms of the sex industry and civil society movements. In 2009, the DSWA, which was based at the Pyeongtaek brothel, suspended its activities when it became clear that the Pyeongtaek brothel would be closed. In response, sex workers and activists from the Sex Worker Advocacy Support Network formed the Sex Workers Rights Collective Giant Girls (GG). GG, which included sex workers from various sex

⁷¹ For more details, refer to: <https://sexworkproject.tistory.com/259> and <https://sexworkproject.tistory.com/260> (retrieved August 1, 2023)

industries, advocated for the decriminalization of all forms of sex work, as opposed to brothel-based sex worker organizations that advocated for the legalization of prostitution in certain areas. In addition to their online activities, they organized various activities such as plays, exhibitions, campaigns, and debates to raise awareness about the social stigma and human rights issues of sex workers, as well as the repeal of the Special Act on Prostitution and the decriminalization of sex work (S. Y. Oh-Kim, 2016). Their activities later led to the establishment of Chacha. Currently the only sex worker-centered organization, Chacha works in solidarity with various social movements to eliminate discrimination and stigma against sex workers and advocate for their health rights, housing rights, reproductive rights, and equal rights.

D. Agency of Migrant Sex workers

As anti-prostitution feminists claim, there are migrant women who have been tricked into entering the country as singers or performers and then forced into prostitution. However, not all migrant sex workers are victims of trafficking. Like Korean sex workers, migrant sex workers from the Philippines, China (both Korean and non-Korean), Thailand, Russia, Eastern Europe, Vietnam, and elsewhere provide a wide range of sexual services, whether or not they have intercourse (Magdalena's House, 2002; D. H. Seol et al., 2011).⁷² As discussed in the previous chapter, migrant sex workers in South Korea, where prostitution is illegal, are more vulnerable than Korean sex workers. Some who take on debt to migrate are more likely to work in conditions and environments where their rights and safety are not guaranteed or where they do not want to be in order to pay off the debt (Smith & Mac, 2018/2022). Undocumented migrant

⁷² Migrant sex workers are not limited to working in kijichon. They work in a variety of sex businesses, including foreigner-only establishments and Korean-only establishments.

sex workers, in particular, are more likely to work in more exploitative settings and conditions due to the fear and risk of raids and deportation.⁷³ In addition, these uncertainties and risks limit their access to social services such as health insurance. Nevertheless, many hope to remain in South Korea for better economic opportunities (D. H. Seol et al., 2011).

Because migrant sex workers are more precarious and at risk of raids and deportation than Korean sex workers, there has not been much collective resistance or activism by migrant sex workers. However, several studies have examined the agency of Kijichon migrant sex workers, including how they develop relationships with clients and negotiate opportunities to migrate to the United States, as well as their desires to improve the future of their families and themselves through the relatively high earnings of working in Korea (Cheng, 2003; H. Y. Choo, 2016). In the context of the invisibility of migrant workers' collective resistance to labor rights, migration rights, human rights, and health rights, the Ministry of Gender Equality and Family's 2011 survey and research report on migrant women's sex work (D. H. Seol et al., 2011) has important implications for the discourse on migrant sex workers' agency. Many anti-prostitution activists and researchers have called for stricter screening criteria for the E-6 visa, arguing that the majority of migrant sex workers enter the country as victims of employment fraud by agencies or brokers without knowing that they will become sex workers (KCWU, 1999; 2002; Durebang, 2007; Women's Rights Support Center Salim, 2007, 2011; National Human Rights Commission, 2014). However, the results of the D. H. Seol et al. (2011)'s study suggest that anti-prostitution feminist claims are not true. The study found that 71.9% of the sex workers surveyed said that they "came to the country to work in a sex industry in the first place" or "volunteered

⁷³ According to the National Human Rights Commission (2014), the percentage of E-6 visa holders who were undocumented was 34.1% in 2011, 30.4% in 2012, and 30.5% in 2013. For more information, see National Human Rights Commission (2014).

because they were told they could make money,” while 4.2% said that “someone I knew sold me into a sex industry” (p. 68, my translation). While 4.2% is not a small number, this research shows that the anti-prostitution feminist claims that all migrant sex workers are victims of international trafficking exaggerate some harms as if they were universal. Contrary to their claims, sex workers who entered the country on E-6 visas either entered with the intention of working in the sex industry (72.5%) or became sex workers voluntarily (11.8%). In other words, anti-prostitution activists who highlight the harms of migrant sex workers and call for stricter screening standards for E-6 visas are actually restricting the migration rights of sex workers who want to use this visa program to migrate for better economic opportunities or to work under better conditions.

The work of migrant sex workers varies from talking to, dancing with, or drinking alcohol with clients; singing, dancing, and playing musical instruments; performing massage; similar sex acts; escort services; and having intercourse. Some are forced by their employers to have intercourse, sell juice and drinks, perform lap dances, and provide escort services. They are fined for being late or not showing up for work, or their freedom to leave the house is restricted. They may be forced to pay unreasonable commissions to recruiters or employers, or they may not be paid at all. Some migrant sex workers have debts to pay.⁷⁴ These constraints reduce their quality of life and expose them to human rights violations such as physical and verbal abuse (D. H. Seol et al., 2011; National Human Rights Commission, 2014).⁷⁵ Because of the harsh working

⁷⁴ Migrant sex workers in debt in South Korea represent 17.0% of respondents, and their debt amounted to 1,626,000 won, which is 1,670.58 Canadian dollars based on the Google exchange rate on August 3, 2023. The average monthly income of migrant sex workers is 1,837,800 won, which is 1,888.18 Canadian dollars (D. H. Seol et al., 2011).

⁷⁵ Among migrant sex workers, 75.9% reported that they had never been physically or mentally abused, and 24.1% reported that they had (D. H. Seol et al., 2011). According to a survey by the National Human Rights Commission (2014), 53% reported experiencing verbal violence, 46.4% reported experiencing physical violence,

conditions, they hope to leave the sex industry when their employment contracts with their current employers expire (D. H. Seol et al., 2011).⁷⁶ What is needed is not to restrict their entry and outlaw prostitution, but to seek to eliminate the conditions of forced labor and human rights abuses that exploit their precarious status as migrants. And the government should guarantee the right to stay if someone wants to leave the sex industry and stay in Korea. What is needed is to ensure their migration and labor rights through the revision of immigration laws and the full decriminalization of prostitution, as well as the establishment of a system that allows them to report exploitative working conditions to the labor agency without fear of losing their visa status and to negotiate for better working conditions through trade unions.

Conclusion

In this chapter, I have argued that through sex workers' histories of agency and resistance, the way to defend sex workers' human rights must come from sex workers, not from anti-prostitution feminists. First, this chapter showed that kisaeng in the premodern era were agents who sought to improve their lives, even under restrictive conditions. Though kisaeng existed at the bottom of the caste and gender hierarchy, as a multi-layered entity with agency, they were the ones who twisted and subverted the patriarchy with its dualistic view of female purity through performance and great knowledge of literature, sexual autonomy, and so on. Their talents were also a resource for kisaeng to maximize their agency and resistance as sex workers in modern industrialized prostitution. Kisaengs, as well as changgis, waitresses, barmaids, and U.S. military

and 55% reported experiencing sexual violence. Although there are differences in the statistics between the two surveys, the problem of violence against migrant sex workers is one that cannot be ignored.

⁷⁶ Of those surveyed, 60.4% said they would return to their home country, 13.2% said they would look for another job in Korea, and only 1.1% said they would look for another job in the sex industry in Korea (D. H. Seol et al., 2011).

sex workers, have actively fought against social stigma and unfair working conditions for sex workers. The chapter also showed that their resistance has gone beyond the defense of their own rights and developed into a social and political movement. This proves that the anti-prostitution feminist discourse of sex workers as someone to be saved or rescued is a feminist savior fantasy. Furthermore, the century-long history of sex worker resistance proves that the Korean sex workers' rights movement is decolonizing and transnational.

I have also demonstrated that hegemonic anti-prostitution feminists have tended to frame migrant sex workers as victims of international trafficking in their discourse, positioning them as subjects in need of rescue. However, it is important to acknowledge that many of these individuals have made the conscious choice to migrate in pursuit of improved economic and social opportunities. As previously discussed in Chapter 3, sex workers have been migrating for better economic opportunities since the early 20th century. While not within the scope of this study, it is worth noting that numerous sex workers in South Korea have also ventured abroad to engage in sex work for the sake of higher income (J. H. Kim, 2020). Anti-prostitution feminists who claim that sex workers who migrate from “poor” countries are in prostitution because of fraud and violence show that while they claim to be transnational feminists, they paradoxically still hold to a view that marginalizes predominantly racialized migrant sex workers. I argue that the way to protect the human rights of migrant sex workers, who are more likely to be in vulnerable working conditions, is not to support state policies that control borders and criminalize prostitution, as anti-prostitution feminists argue, but to ensure their rights to migrate and to work by fully decriminalizing prostitution. This is because restrictions on migration and labor rights prevent migrant sex workers from emerging as active negotiators against unjust working conditions and the feminist forces and laws that illegalize them (Smith & Mac,

2018/2022).

This chapter argues that it is sex workers themselves, not the state or anti-prostitution feminist movements, who know best what is needed to protect their human rights. They have resisted unjust government policies and the anti-prostitution women's movement, which demanded and supported the government's imposition of strict prohibitions that would worsen their working conditions. In doing so, they argued that those who most endanger sex workers are not the men who buy them or their business employers, but rather anti-prostitution feminists and governments that outlaw prostitution (Smith & Mac, 2018/2022). Long before the emergence of academic sex work theory, sex workers have fought and stood in solidarity in various ways to defend their labor and survival rights. Sex workers have consistently voiced their criticisms of the anti-prostitution movement, which often dismisses their perspectives, asserting that it possesses the most accurate understanding of the realities of sex work and its potential solutions. For the sex workers' rights movement, mainstream feminist forces who argue against prostitution in the name of universal women's human rights without ever having experienced prostitution themselves are others. Despite the discourse and coercion of others, sex workers understand not only their work and the nature of labor in a patriarchal and capitalist society but also how state systems and mainstream feminist initiatives violate their rights. The way to defend the human rights of sex workers must come from sex workers themselves.

VII. Conclusion

This study began with the questions: Who, in actuality, endangers sex workers, and how do they respond to such threats? I first analyzed the violent impacts of government prostitution policies and anti-prostitution feminisms on the human rights of sex workers, showing how they reinforce social stigma and discriminate against sex workers. The nature and content of prostitution policies, which have existed in Korea since at least the Joseon Dynasty, have changed according to social and economic conditions over time, but they share the characteristic of regulating and managing sex workers. These regulatory and control policies targeting sex workers have exploited their labor and violated their rights in the name of national interests, public health, and sexual ethics. The women's movement that emerged in the modern era saw prostitution as human trafficking and the prohibition of prostitution as liberating prostitutes and, thus, liberating women. In this vein, mainstream feminists have criticized government management of sex workers and strongly advocated the prohibition of prostitution. In so doing, mainstream feminists have ignored and denied the long history of sex workers identifying themselves as laborers, asserting their human rights, and actively advocating for themselves. Sex workers are professionals with unique perspectives and experiences in the prostitution sector, and they have been fighting for their rights long before feminist pro-sex work theorizations came onto the scene.

Prostitution policy on the Korean peninsula has evolved from a policy of limited acceptance to a policy of tolerated regulation under principled prohibitionism. With Confucianism as its national ideology, Joseon outlawed prostitution but operated the kisaeng system for the entertainment of ruling class men. Under the dualistic Joseon Confucian patriarchal ideology of chaste wives and fallen women, ruling men satisfied their sexual needs

through the kisaeng system, maintaining not only hierarchical gender relations but also a class hierarchy.

Control and regulation of sex workers in modernity was introduced by the Japanese government in a wave of modernization and colonization. The process by which the licensed prostitution system was implemented paralleled the process by which Japan gained political and military control of the Korean peninsula. The licensed prostitution system, which was practiced only in Japanese settlements in Joseon, expanded throughout the country with the expansion of Japanese imperialism. It was a means of providing safe sex for the soldiers and workers of the empire who carried out the tasks of imperial expansion. The Japanese government categorized sex workers as unlicensed and licensed prostitutes for efficient management. Intercourse-based changgi were at the bottom of the sex worker hierarchy, but as licensed prostitutes, they were legally allowed to engage in prostitution. They were subject to government management and regulation and were required to undergo regular and mandatory STI testing. Because unlicensed prostitutes were not allowed to engage in sexual intercourse, they were not subject to mandatory STI testing, but they were still legally registered and their work regulated. Thus, the licensed prostitution system ultimately subjected both licensed and unlicensed prostitution to government control and regulation. Although the boundaries of sex worker classification were arbitrary and vague, hierarchized classifications of sex work had the effect of disciplining sex workers according to their place on the hierarchy.

During the Japanese colonial period, the licensed prostitution system and migrant prostitution were closely linked to military sex work and “comfort stations.” Manchuria, where Korean “comfort women” were most prevalent, bordered Korea and was a Japanese-occupied territory with a large Korean migrant population. When Japan invaded Manchuria to expand its

empire, it stationed a large number of troops there, and the sex industry for the Japanese military grew. Korean women who migrated for better economic opportunities became sex workers for Japanese soldiers stationed in Manchuria. As a way of providing safe sex for the soldiers, Japan managed sex workers and the sex industry in Manchuria through the licensed prostitution system under the consulate ordinance. Sex workers from Korea, Japan, China, and Russia were subjected to regular and mandatory STI testing by military doctors. During the Asia-Pacific War, Japan established a system of “comfort stations” for military personnel only based on the licensed prostitution system practiced in Japan and its colonies and occupied territories. Many “comfort women” were recruited through employment fraud and abduction, but when some brothels that employed migrant sex workers were designated as “comfort stations” and placed under military management and control, the women who worked there also became “comfort women.” With the defeat of Japan, the “comfort station” system disappeared, and with the advent of the U.S. military government and the U.S. military as a major client of the sex industry, many “comfort women” and sex workers became sex workers for the U.S. military and were required to register and undergo regular STI testing under the management and control of the Korean government and the U.S. military. With the outbreak of the Korean War in 1950, the government revived the “comfort women” system as an active intervention against prostitution among soldiers. US military sex workers became US military “comfort women” and, after the Korean War, kijichon sex workers. The boundaries between “comfort stations,” brothels, and kijichons, and between “comfort women” and sex workers, were arbitrary and blurred, and all were subject to military management and control.

After independence, South Korea maintained the Japanese system of licensed prostitution under the U.S. military government until it was abolished in 1948 at the demand of the women’s

movement; changgi, licensed prostitutes, became unlicensed prostitutes. The U.S. military and the South Korean government implemented a policy of managing sex workers in unlicensed prostitution to ensure safe sex for U.S. troops. As a result, STI screenings previously required for changgi were extended to workers in unlicensed prostitution. The abolition of the licensed prostitution system ironically deprived changgi of the right to legally engage in sex work and led to the expansion of the government's broader policy of regulatory management of sex workers. This became the basis for policies to manage and regulate kijichon sex workers and sex workers in brothels.

South Korea enacted the Prevention Act on Prostitution in 1961 and subsequently acceded to the 1949 UN Trafficking Convention in 1962. This Prevention Act on Prostitution, which referred to sex workers as "women of loose morals," served to reinforce stigma and discrimination against sex workers. Enforcement of the Act was misogynistic in that it limited the act of prostitution to the sale of sex by female sex workers, making them the primary targets of punishment and discipline. The assigning of a prostitute or person likely to be a prostitute as the object of punishment was arbitrary and vague. The related crackdowns were a violation of human rights in that the women were forcibly detained in protective guidance facilities for rehabilitation with no set period of detention, based on the arbitrary judgment of officials or police rather than on the findings of a formal trial that would, in any case, have been biased against them.

Contrary to its prohibitionist policy, the government established 104 special zones, including brothels and U.S. military kijichons, in which prostitution was allowed. This was a major step in the brothelization, ghettoization, and segregation of the sex industry, and sex workers were subjected to regular and mandatory STI testing. The government was able to

maximize its control over sex workers by establishing specific zones while enforcing prohibitionism. In addition, the South Korean government promoted militarized prostitution and sex tourism through its policy of managing and regulating prostitution. Due to U.S. support for the promotion of tourism in Third World countries as a means of global economic integration post-WWII, and due to the presence of the U.S. military in South Korea, U.S. military kijichon were the places where management and regulation policies for sex workers were most actively enforced. The government earned foreign exchange by making kijichon a tourist destination and providing recreation for U.S. soldiers. It praised kijichon sex workers as civilian diplomats and patriots for earning foreign currency. On the other hand, in order to provide safe sex for the U.S. military, kijichon sex workers were required to register and undergo regular and mandatory STI testing. Women infected with STIs were forcibly quarantined and treated in facilities called monkey houses. As the U.S. military presence in South Korea diminished, kisaeng tourism, which catered to Japanese tourists by the 1970s and to tourists attracted by international events by the 1980s, became a commodity of sex tourism. Like U.S. military sex workers, kisaeng were subject to registration and mandatory regular STI testing. Sex workers who catered to U.S. troops and tourists were subject to particularly intense government management and control and were placed in the contradictory positions of being “loose with morals” and “patriots” for earning foreign currency.

In 2004, the South Korean government enacted new prostitution laws, abandoning the management and regulation of sex workers and declaring an outright prohibitionist policy. The laws, consisting of the Punishment Act on Prostitution and the Protection Act on Prostitution, were introduced at the initiative of mainstream anti-prostitution feminists with the goal of prohibitionism as a means to improve women’s human rights. The implementation of this law

led to the expansion of support policies for victims of prostitution. However, the law dichotomized prostitutes into voluntary and forced victims of prostitution by overemphasizing the harms of prostitution as gender-based violence. As a result, while victims of prostitution are protected and supported under the Protection Act on Prostitution, voluntary sex workers are criminalized under the Punishment Act on Prostitution. As most sex workers engage in sex work as a chosen livelihood, the stigmatization and criminalization of voluntary sex workers continues to violate their labor and human rights. In other words, regardless of the type of policy implemented by the government, sex workers have been targeted for prohibition, regulation, and control, and their human rights have been violated. Although regulatory and control policies for sex workers are a product of the closely intertwined histories of the commercialization of prostitution, sex tourism, military prostitution, and “comfort women,” the resulting human rights violations, stigma, and discrimination have been borne by sex workers.

In response to the government’s prostitution policies, mainstream anti-prostitution feminists in South Korea have followed a tradition of Christian women’s movements that claim universal women’s rights. The movement to abolish the licensed prostitution system in South Korea, influenced by the international anti-trafficking movement during periods of rule by Japanese and U.S. military regimes, was led by the Korean Christian women’s community. They shared an international anti-trafficking discourse and perspective that viewed sex workers as victims of trafficking and believed that their liberation was an indicator of women’s liberation. On the other hand, their perspective was based on a Christian and Confucian patriarchal woman’s ethic of a “good wife and wise mother,” which helped reinforce the social stigma of sex workers as fallen women. According to this ethic, prostitutes were constructed as objects of salvation and enlightenment to be transformed into desirable women, a “good wife and wise

mother.” As victims of trafficking and in need of liberation, they were paradoxically both fallen women and objects of enlightenment.

In 1947, the pro-government, highly educated Christian women who led the movement to abolish the licensed prostitution system were absorbed into the government after the decree abolishing the system was passed. When the changgi, who made their living from sex work, protested and demanded that measures be taken, they were ignored and the women’s community demanded that the authorities crack down on them hard. The abolition of the licensed prostitution system, which was proposed in the name of women’s rights and the elimination of remnants of Japanese colonialism, was not concerned with reducing the exploitative conditions for sex workers that were prevalent in the sex industry, nor did it ban prostitution. Rather, by advocating for greater control over sex workers, it helped to create laws that increased oppressive regulation and criminalized sex workers.

After a period of dormancy under the dictatorship, the women’s movement became active in the 1980s, strongly influenced by the Christian Academy, which in the 1970s aimed to educate and organize masses of women. The mainstream feminist movement, which developed under the influence of Christian elites, aligned itself with radical feminist discourses, which characterized prostitution as a form of violence against women within patriarchal societies, on par with domestic and sexual violence. Echoing the anti-prostitution and anti-trafficking discourse of radical feminism, they aimed to eradicate prostitution and spearheaded the enactment of the Special Act on Prostitution in 2004, which established strict state regulation of the sex industry and defined prostitutes as victims of sexual exploitation. The anti-prostitution activists and organizations that spearheaded this legislation have received government funding to run shelters and counseling centers that assist victims of prostitution. They called on the government to

enforce the law, ignoring the resistance of sex workers who lobbied to postpone or prevent its implementation, as they did with the movement to abolish the licensed prostitution system. The anti-prostitution feminisms characterize all sex workers as victims and are currently advocating neo-prohibitionism, aka the Nordic model, that would not punish sex workers—whether voluntary or involuntary—but that would punish their clients and business owners. The movement to abolish the licensed prostitution system in the 1940s and the current anti-prostitution feminist movement have striking similarities in that they both rely on universal women’s rights to reinforce stigma and discrimination against sex workers and to lead and collaborate with government policies that create hostile working environments for sex workers.

The “comfort women” movement, which has developed alongside mainstream anti-prostitution feminisms, has propagated their discourses by distancing itself from sex workers. Without acknowledging the arbitrariness of the distinction between some “comfort women” and migrant sex workers to Manchuria, the movement contrasts the “fallen” image of the sex worker with the image of the innocent girl kidnapped by the Japanese military, as well as the image of the grandmother who has lived through unspeakably difficult years of stigmatization, to make the “comfort women” into completely innocent victims. Relying on double standards of female sexuality as Virgin Mary vs. whore, the “comfort women” discourse, like the anti-prostitution movement, is grounded in Christian and Confucian sexual ethics. While these representations have been effective in making the victimhood of “comfort women” visible, they have also served to reinforce the social stigma of sex workers and to contribute to their othering.

This mainstream anti-prostitution feminist discourse has been extended to the construction and representation of U.S. military “comfort women.” U.S. military sex workers, referred to as “comfort women” prior to the rise of the Japanese military “comfort women”

movement, were not called comfort women for many years after the Japanese military “comfort women” movement reclaimed the name. It was not until 2014, under the leadership and support of anti-prostitution women’s organizations in the kijichons, that former kijichon sex workers filed a lawsuit for compensation against the government that created, operated, and administered the kijichons and reclaimed the name “comfort women.” This served to popularize the discourse of U.S. military “comfort women” by juxtaposing them with Japanese military “comfort women” who are portrayed as “perfect and chaste victims,” thereby negating the sexualized image attached to U.S. military sex workers through highlighting similarities between Japanese military “comfort stations” and kijichons. Mainstream anti-prostitution feminists hypocritically distance their movement from sex workers, perpetuating a discourse that victimizes U.S. military sex workers and others sex workers.

Mainstream feminists apply the construction and representation of victimization to migrant sex workers as well. They stereotype sex workers who migrate for better economic and social opportunities as victims of international sex trafficking. Blaming the migration of sex workers on the international trafficking of vulnerable women by exploitative brokers and sex business owners, mainstream feminists call on governments to tighten border controls on young women from the Global South and to crack down on employers and migration agencies that recruit migrant sex workers. However, strengthening borders and cracking down on prostitution contribute to more precarious conditions for migrant sex workers who already labour under the threat of enforcement and deportation. Rather than criticizing state systems that place migrant sex workers at risk of enforcement and deportation, mainstream feminists call for and support strengthening these systems. It is these anti-prostitution feminists who advocate restrictions on migration rights and increased enforcement that migrant workers, including migrant sex workers,

fear the most.

Sex workers have resisted stigma and discrimination, government policies to control and prohibit sex work, and campaigns by mainstream feminists and their allies in government policy. Despite the stigma associated with “unethical” women who engage in prostitution and the gender and caste restrictions of Joseon Dynasty status they held, kisaeng violated and disrupted the patriarchal order with their artistic and literary abilities, charm, and sexual autonomy. Kisaeng’s multi-layered subjectivities empowered them to engage in writing, advocacy, resistance, the pursuit of human rights, and the formation of critical social movements during the Japanese occupation. Having relatively higher literacy rates and greater access to newspaper media and magazines compared to other sex workers, kisaeng took an active role in writing and publishing articles in magazines. Through these publications, they voiced their demands, asserted their status as workers, and resisted patriarchal practices. Although the guilds were formed to facilitate the government’s management and control of kisaeng, they also came to serve as sites of solidarity and collective action for kisaeng. Through the guilds, their experience of solidarity and resistance extended into independence and resulting critical social movements.

The resistance and solidarity of changgi in brothels can be seen as the roots of the modern sex workers’ rights movement. Because changgi also belonged to a guild under Japanese rule, they could more easily engage in collective acts of solidarity. Despite being at the bottom of the sex work hierarchy, they were able to actively resist the abuse and exploitation of their employers through collective action because their work was legal. These acts of resistance culminated in opposition to the abolition of the licensed prostitution system in 1947–1948, with changgi vigorously defending their labor and survival rights through various means. It was the brothel sex workers’ fight for human rights that led to the effective closure of protective

guidance facilities and the amendment of the Prevention Act on Prostitution in the 1990s. This spirit of resistance ignited the organization and collective acts of brothel sex workers across the country when the Special Act on Prostitution was enforced in 2004. The spirit of their fight for the abolition of the Special Act on Prostitution and the guarantee of their right to survival and labor rights continues to this day in the movement to decriminalize prostitution, oppose the closure of brothels, litigate the constitutionality of the Punishment Act on Prostitution, and campaign for the health, housing, reproductive, and equal rights of sex workers. Their solidarity extends beyond the sex workers' rights movement to minority movements, as the kisaeng's rights movement developed into broader social movements during the Japanese colonial period.

Sex workers at kijichon have also engaged in daily resistance to conditions that violate their human and labor rights, as well as collective action in solidarity. They collectively resisted U.S. military crackdowns and abuses against them and fought to defend their right to life in active solidarity against U.S. military crimes. They formed self-governing associations and set up shelters on their own. They knew their needs best and took the initiative without relying on the help or rescue efforts of anti-prostitution feminists.

Migrant workers are not passive beings who have been trafficked and are waiting to be rescued, as anti-prostitution feminists would have us believe; they are agents who choose to cross borders for better economic and social opportunities. While they have not yet engaged in collective resistance or active rights claims in South Korea due to the fear and risk of crackdowns and deportations, they are making migration decisions based on their own desires and resources and planning for a better future in Korea.

The contributions and limitations of this dissertation are as follows:

1. This dissertation provides an integrated view of prostitution policy by chronologically

examining prostitution policy from pre-modern to modern times, departing from existing feminist studies of prostitution policy that have been limited to specific regions or time periods. This thesis offers a historical review of prostitution policies, which allows for a more integrated understanding of how states have managed sex work, for what purposes, and how their policies violate the human rights of sex workers.

2. This dissertation historically examines the introduction of Western anti-prostitution and anti-trafficking discourses into Korea and the development of the anti-prostitution movement by Korean feminist forces. This is important because it reveals the roots of mainstream anti-prostitution feminist discourse in Korea and its relationship to international anti-prostitution and anti-trafficking discourse. This is because a historical study of the origins and development of anti-prostitution feminist movements allows for an integrated understanding of how anti-prostitution feminist discourse has constructed and represented sex work. By examining the development of anti-prostitution discourses, this study shows that anti-trafficking feminisms have singled out and positioned sex workers as helpless victims, sometimes supporting government prostitution prohibition and other related policies and colluding with government powers to violate the human rights of and reinforce the social stigma for sex workers.

3. This dissertation takes a historical look at sex workers' activism and rights movements, which have only been fragmentarily represented in existing studies. This historical perspective allows us to see sex workers' activism and resistance as more than immediate and fragmented responses to individual threats but rather as a historical continuum of their ongoing resistance and manifestations of activism. This thesis shows how, even before the emergence of pro-sex work theories, sex worker's activism and rights movements have developed based on the experiences and perspectives of sex workers, resisting government management and regulatory

policies and mainstream feminist anti-prostitution and anti-trafficking movements to marginalize and victimize sex workers. By providing an integrated understanding of sex worker rights, this dissertation is significant in that it reveals the sex workers' rights movement as a decolonial and transnational feminist practice and theory.

4. Despite its unique contributions, this work is also constrained by limitations. The absence of non-cis gender female sex workers' voices and discourses in this research is significant. The existence of trans sex workers has been documented in newspaper articles since at least in 1950 ("The topic of the day," 1950; "Dressing up as a woman," 1950). In kijichon clubs in Itaewon, once one of the largest kijichon in South Korea, cisgender sex workers and trans sex workers work together, and there are several trans-centered clubs. There are also many sex workers and sex businesses that serve an LGBTQ+ clientele. Additionally, the topic of queer sex work holds significant importance within sex workers' rights organizations such as GG and Chacha. However, due to limitations in the accessibility of literature and the limitations of my capability, the unique experiences of and conditions for non-cis gender female sex workers were not addressed in this thesis.

5. The lack of in-depth resources and analysis on the activism and resistance of migrant sex workers in this research is also significant. Data and analysis on various migrant sex workers were also not available due to limited access to literature and the researcher's limited capacity, including the following sex workers: those who migrated to Manchuria in the early to mid-1900s; sex workers who migrated to South Korea primarily in the 1990s; and migrant sex workers in South Korea who migrated abroad in the 2000s. Hopefully, the findings of my study will be utilized and its limitations will be supplemented by other studies of sex work in the future.

○

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