

From Anti-Trafficking to Social Discipline (Or, The Changing Role of “Women’s” NGOs in Taiwan)¹

Josephine Ho

Center for the Study of Sexualities
National Central University, Chungli, Taiwan
e-mail: sex@ncu.edu.tw

Gail Hershatter has noted that prostitution usually does not dominate public discourse or attention except at certain critical moments when it suddenly becomes the center of social concern as “a metaphor, a medium of articulation” through which various emerging social forces and social anxieties play out their displaced existence (Hershatter 1997, 4). As such, prostitution, as a recognizable “social problem,” signifies very different practices and populations and involves quite different ramifications in changing social contexts. One such extended process of signification took place since the 1990s in Taiwan when the anti-trafficking discourse, previously understood as an effort to eradicate forced prostitution of aboriginal girls, found itself losing relevance in the fast liberalizing youth culture of post-martial law, consumption-oriented Taiwan. Christian groups then revamped the cause to articulate broad parental anxieties and building up an intricate web of social discipline that also embodies “a vision of global governance.”¹ As the sex work rights movement’s persistent struggle finally culminated in actual progress toward decriminalization in 2009, the anti-trafficking discourse is now revived to mobilize ethnic and economic anxieties surrounding global migration into a line of resistance against possible favorable changes in the status of sexual transactions. The present paper documents this long process in order to demonstrate the changing scope of the anti-prostitution cause that continuously metamorphoses itself into new forms of social control.

I

The mid-1980s were the last years of the notoriously repressive Taiwanese martial law, as well as the height of Taiwan’s struggling democratization process. And it was within this delicately volatile political milieu² that “anti-trafficking,” as a moral and humanitarian imperative became “incidentally” hooked unto a human rights imperative³ and came to provide a legitimate cause through which various social forces could rally for social demonstration. The central figure in the initial formation of the anti-trafficking cause was the politically militant Presbyterian Church of Taiwan.⁴ Presbyterian relief workers serving the aboriginal tribes had noted the string of girls, 13 to 16 years of age, who were sold into city brothels as collateral damage to a bankrupt aborigine economy in the midst of a booming Taiwanese economic miracle.⁵ As the advocacy of children’s rights became the central focus of international organizations in the mid-1980s,⁶ the Presbyterian Church in Taiwan saw an opportunity to link up the local with the international. For the first time in church history, aboriginal girl prostitutes were featured prominently in a report on tourism and prostitution at the Asian Church Women’s Convention held by the Presbyterian Church in Taiwan in November of 1985.⁷

Determined to stop the spread of this terrible sin among the disadvantaged

ethnic groups, the Presbyterian Church set up the “Rainbow Project” in the following year to advocate the rescue of aboriginal girls. Presbyterian relief workers would conduct regular missionary visits to families in the aboriginal area and take note of missing daughters so as to provide information to the police and urge the latter to put out searches for the girls. They were often frustrated because many policemen were rumored to have taken bribes from the traffickers and were not too enthusiastic about looking for the girls, not to mention bringing known traffickers to justice. More troubling was the worry that selling underage daughters to the brothels no longer seemed to be taken very seriously by aborigine families, and many of the girls even willingly returned to the trade after being rescued.⁸ For the Christian workers of the Rainbow Project, this was a sign of the total collapse of moral values in the villages. To save “the future mothers” of the aboriginal peoples, the Rainbow Project began appealing to nascent Taiwanese NGO groups to join in and pressure the government into eradicating what was then termed “the child prostitution problem.”⁹

The invitation by the Presbyterian Rainbow Project met with warm support among NGO groups in the loose political opposition alliance.¹⁰ Labor issue-oriented progressives saw a cut-and-dry case of exploitation and oppression of aboriginal girls being forced to work in the brothels. Human rights groups, which had been treading cautiously under the martial law to defend the rights of political dissidents, saw the issue of child prostitution as a fully justified and potent case to accelerate the discourse of universal human rights. Nascent “women’s” groups saw the helpless minority girls living in a state of enslavement as a clear-cut case of gender oppression that could work to mobilize more women into political activism.¹¹ Religious groups of other denominations or other faiths were also supportive of the cause to rescue poor, helpless girls and rid the society of this terrible disgrace. As protests and rallies were still deemed unlawful political gatherings under martial law, the groups gathered around the anti-trafficking cause to stage a small-scale march, titled “Face Up to Trafficking: Concern for the Child Prostitutes.” The march would highlight not only the plight of underage prostitutes, but also the evil doings of heartless traffickers, as well as the indifference of the police. The target of the march was the Gweilin Precinct of Taipei Metropolitan Police, which oversaw a specific red-light district notorious for harboring aborigine girl prostitutes.

The march, organized and headed by the Presbyterian Rainbow Project, took place under martial law on January 11, 1987. Over 100 marchers gathered in front of the police station, demanding that the police make a genuine effort to rescue child prostitutes and put a stop to the operation of traffickers. Slogans that condemned traffickers were chanted over and over again. Afterwards, the marchers went into the red-light district and called out, in aboriginal dialect, to the aboriginal girls in the brothels to leave the business and go home. Although the brothel doors remained shut during the march and it was not certain whether any of the girls heard the call, the march was significant because this was the first time a social cause, rather than a political cause, mobilized people into the streets. And as police integrity and performance were profiled and questioned by this act, which did not make the government look too good at that delicate moment of political volatility (four months before the lifting of martial law), authorities responded by announcing a special project effective March 1987 (known as “Correcting the Customs Project”). The government promised that not only would more police force be devoted to obscenity sweeps directed at the sex trade, but those police stations that failed to wipe out child prostitution in their own districts would face austere punishment. The later

execution of the policy proved to be far from satisfactory, but at least the issue of underage prostitution was formally admitted into public view.

At this initial stage of collaboration of the social movement groups, the general framework of reference for this united front was “rescue,” with a two-pronged goal to urge the nonchalant police to rescue the girls out of their immediate predicament and to crack down upon the trafficking crime rings. The police were seen as at least partially responsible for leaving the girls trapped in the vicious circle of trafficking and prostitution. In the meantime, the united front hoped to raise funds that would help the girls leave the sex industry permanently, learn a useful trade or continue with their education, return to their homes in the aborigine tribes, and eventually become productive members of society.¹²

It is significant that at this initial stage, the anti-trafficking cause limited its targets to the evil traffickers and the inept police, and maintained a rather pragmatic attitude toward the tenacious existence of the sex industry as a whole. The banner that led the march boldly read: “the human rights of prostitutes.”¹³ In their First Joint Statement of Cause, the anti-trafficking alliance, instead of calling for the total eradication of the sex industry, offered “supervision” and “unionization of sex workers” as part of the short-term plan to deal with prostitution, so that other prostitutes could at least enjoy some basic protection and autonomy before the eventual abolition of prostitution (Fang 2003, 4). The Joint Statement of Cause thus cited its rationale for rescue efforts from the United Nations’ 1948 *Universal Declaration of Human Rights* Article 4: “No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.” In other words, anti-trafficking at this stage in Taiwan was more *anti-slavery* than anti-prostitution, with a strong human rights concern for the enslavement of a specific segment of prostitutes, the underage minority girls.

Such a pragmatic and humane effort would gradually harden as Taiwan’s socio-political arena continued to change its scope. In order to meet Taiwan’s pressing need for economic liberalization in the new globalizing world market, which at the same time necessitated the liberalization of the political sphere, martial law was finally lifted in May of 1987. Post-martial-law atmosphere afforded a lot of opportunities for hitherto forbidden social mobilization, including labor activism that organized to resist Taiwan’s capitalistic exploitation, human rights activism that advocated the right to political dissidence, feminist activism that promoted the idea of gender equality, independence activism that worked toward reconsideration of Taiwan’s nation-state status, etc. As social forces bubbled for outlets, the persistent ineptitude and insincerity of the police (as well as local legislators) to stop the traffic of aboriginal girls was taken to be a symbol of the utterly inefficient and indifferent authoritarian state. The anti-trafficking cause thus aimed at revamping the whole legal system to ensure that traffickers and brothel owners would be dissuaded from such acts of victimization once and for all. Tougher sentences would be instituted against trafficking, and reforms to the criminal code were to be included as one of the goals of the anti-trafficking rescue effort. In addition to stopping up the supply channel through these practical measures, the anti-traffickers believed that the demand side should also come under the auspice of law. Actions directed at legal reform and at eliminating the clients thus became the main focus of the second anti-trafficking march one year later in 1988.

As public demonstrations gained increasing legitimacy under the rubric of democratization after the lifting of martial law, the anti-trafficking cause also found more grounds to work from than simple religious humanitarianism. When the second rescue march was held on January 9, 1988, in the same red-light district in Taipei, the central organizers had become the Awakening Foundation, the feminist intellectual NGO that was developing discourses to turn the problem of child prostitution into an issue of profound *gender* oppression. Collaborating with the Awakening Foundation on the organization work was the recently established Taipei Women's Rescue Foundation, an NGO devoted specifically to the cause of rescuing unfortunate women and girls who had fallen victim to domestic violence or human trafficking.¹⁴ Now discursively well-armed and politically righteous, the core organizers first lobbied the Ministry of Justice as well as the Judicial Yuan on the morning of the day for the march,, demanding stiffer penalties for “the bad guys”—the traffickers and the brothel owners, as well as the johns. In the afternoon, a total of more than 300 people representing various NGOs (including academic groups, “women’s” groups, aborigine groups, and Christian groups) joined a march titled “The Second March to Rescue Child Prostitutes.”

This time, as the marchers entered the red-light district again, they chanted slogans directed not only at the traffickers but also prominently at the clients who frequented the brothels. As the marchers increasingly chastised the johns alongside the traffickers, what had begun as a humanitarian or human rights gesture a year ago was refiguring itself into a moral crusade against immoral men who brutalized young girls through the sex industry. Reflecting (and venting) the crowds' increasing impatience with the indifference of an authoritarian government, the general mood of the march was not so much “rescue” of the innocent but “*punishment*” of the guilty (*sinful*). Unfortunately, that impatience also translated into a different position on sex work as a whole. The First Statement of Cause in the previous year had accommodated a distinction between the short-term goal of rescuing the aboriginal girls and the long-term goal of the eventual abolition of prostitution. But the Second Statement of Cause in the following year dropped the conciliatory discourse that had called for more supervision of the brothels and unionization of existing prostitutes, leaving the whole discourse leaning toward total abolition of sex work (Fang 2003, 5).

II

The gradual foregrounding of the abolition stance had its historical context too. After the lifting of martial laws in 1987, as competing loyalties or affiliations emerged and began organizing crowds for various urgent social issues, the continued operation of the anti-trafficking cause fell into the hands of mainly conservative and religious NGO groups searching for more effective ways to curb the child prostitution problem as well as to reinstate moral values in the changing times of the early 1990s.¹⁵ They believed that a whole new special law would be needed to coordinate the various clauses of various codes and various agencies of the government into a concerted effort to not only punish those who were responsible for the trafficking of aboriginal girls into prostitution, but also establish a sort of preemptive/protective network to keep *all* girls from ever coming into contact with the perils of sex work.

The grand project of putting a new legislation into place called for a different kind of ball game for NGOs, one that would involve heavy lobbying and advocacy

strategies. One aggressive religious/children's welfare group, Garden of Hope (GOH), took the lead in 1992 to organize a task force of lawyers and social workers that would help draft the special law.¹⁶ The new cause was also helped along by pressure from international organizations that were actively setting up a minimum framework of rules to tackle regional problems deemed to have global significance. The International Campaign to End Child Prostitution in Asian Tourism (established in Thailand in 1990, renamed in 1997 as End Child Prostitution, Child Pornography & Trafficking of Children for Sexual Purposes and broadened to include the rest of the world, but still abbreviated as ECPAT) joined UNICEF in disclosing horrendous figures for children involved in sex tourism or prostitution in Asian countries.¹⁷ Proud of its own economic miracle but embarrassed to find itself listed among economically and politically "backward" countries such as India, Sri Lanka, Thailand, and the Philippines for harboring child prostitution, the aspiring Taiwan government scrambled to improve its image and international reputation, thus creating a new window of opportunity for the legislative efforts launched by anti-child-prostitution groups.

As rescue efforts turned into legislative efforts, their scope of applicability also underwent significant transformations. The key justification of "rescue" efforts had depended upon the rescued girls testifying that they had been "forced" into prostitution. Yet, out of a complex of varied considerations, many rescued girls chose not to incriminate their own parents or the brothel owners.¹⁸ Without the element of coercion, the trafficking charges brought against traffickers or brothel owners often ended in acquittals and the girls were returned to their guardians or their parents, before moving back into the sex trade again. The erosion of the "forced prostitution" premise left many frustrated anti-traffickers determined to change the terms of indictment so as to get rid of this seeming "loophole." Another factor that urged anti-traffickers to consider overstepping the question of consent was the realization, supported by quite a few contemporary studies, that an increasing number of the so-called underage prostitutes were no longer aboriginal girls sold into prostitution. Instead, many newly found underage prostitutes were simply ordinary girls who, helped along by the liberalizing attitudes toward sex in a sexually charged social context, chose to enter the trade for the lucrative profits it offered.¹⁹ Faced with this emerging moral crisis amidst the deep and rapid structural changes in the socioeconomic-political fabric of Taiwanese society in the early 1990s, worried anti-traffickers resolved that the work of *aggressive and comprehensive "prevention"* would make more sense than the work of reactive and isolated "rescue." This significant change in approach and outlook would reveal itself later as a nationalist middleclass child-protection agendum that took giant strides to institute its own punitive-preventive measures of social control.

Several important transformations were thus effected in the process of legislation in the early 1990s. To begin with, the rescued girls' testimonies of their own consent to do sex work would no longer be taken into the equation. Instead, the *act* of sexual contact and the *age* of the girl involved would be sufficient criteria for an indictment, thus effectively erasing the subjectivity of the girls, and most significantly broadening the meaning of "trafficking." One woman lawyer from the Taipei Women's Rescue Foundation who worked closely with the drafting of the new law stated the basic spirit of the law bluntly: "Those under 16 are weak and shallow in their thoughts, and lack adequate power of judgment in relation to sexual acts." Consequently, she believed that those who commit sexual contact or perform obscene

acts with such minors should receive severe penalty “whether or not monetary exchange takes place” (Shen 2002, 26).²⁰ Two significant expansions had been effected here: first, penalty would be applicable to any obscene contact, not just sexual intercourse; second, penalty would be applicable even when no monetary transaction took place. In other words, the target of the new law was no longer just trafficking or prostitution that involved minors, but *any kind of sexual contact with (or even between) juveniles*.

Moreover, penalties for the perpetrators of child-prostitution crimes were not only heavier according to the new law but also applicable to parties other than the traffickers and brothel owners. It would include: anybody who gave shelter to the girls (for any reason at all), the landlord who (whether knowingly or unwittingly) rented the property that was later used as a brothel, even the person who unknowing lent money to a girl who then used it to take a taxi to a love motel to conduct a sexual transaction, etc. To safeguard the girls from reentering the sex trade after being returned to their parents, the new law would also allocate great sums of funding for halfway schools and other protection facilities that would keep the girls for a certain period of rehabilitation, monitor their progress, and eventually determine whether they were ready to be returned to normal life. Moreover, in order to prevent other “high-risk” girls from entering the trade, whether voluntarily or forced, the law decreed that a monitoring network be established whereby schools and police stations would be required to report and track down girls who dropped out of schools without a good reason. The girls would then be consigned to relief workers and social workers to be “counseled” back onto the right track of life.

In other words, the anti-trafficking and anti-slavery line, even the whole framework of “rescue,” was being displaced by an *anti-prostitution* line that aimed to eliminate all that seemingly helped connect young girls to sex work, all that materially sustained the continued existence of such girls outside the supervision and jurisdiction of paternalistic families—while at the same time empowering the anti-prostitution NGOs in very substantial ways. Significantly, as anti-trafficking moved along this process of legislation, the class/ethnic outlook in the original rescue efforts was quietly eclipsed by a *gender/age outlook* that further affirmed the *woman-child protection-prevention dyad* which reached deep into all sectors of social life.²¹ An ever-broadening circle of control had conveniently displaced an originally humanitarian rescue effort.

Riding on an issue that had the potential to become a moral as well as nationalistic imperative, the anti-child-prostitution cause “consciously” adopted “strategic marketing” to lobby leaders of the Taiwanese society, including policy makers, legislators, opinion leaders, religious leaders, artists, and celebrity performers (Chi and Zheng 2002, 43-45). Staff members were successful in recruiting people of influence to the politically righteous anti-child-prostitution cause, or at least getting them to sign the Anti-Child-Prostitution Covenant drafted by Nan-Chou Su, the editor of the Christian journal *Wilderness*. Besides approaching influential figures, the cause also campaigned in front of popular department stores and collected signatures from shoppers in order to apply pressure to the notoriously opportunistic legislators. A total of 70,000 signatures were turned over to the Legislative Yuan, which not only highlighted the importance of the issue but also greatly enhanced Garden of Hope’s public image and influence, from a Christian social service organization to a socially active NGO. More than US\$300,000 in donations was collected through collaboration

with the famous convenience store chain 7-Eleven. A total of more than 55 task force discussions, public hearings, press conferences, reviewing sessions, and petitions were used to publicize the issue and lobby relevant legislators between May 1993 and July 1995 when the special law finally passed—which was record speed for any legislation in Taiwan’s history. And all this time, an effective media campaign, including radio programs, slogans, and rescue hotline numbers displayed in non-profit ads on TV, kept the issue and relevant activities alive in public view.

The eventual transformation of the anti-child-prostitution cause since 1987 was clearly dramatized in one grand event. Before the proposed new legislation moved into the political process in 1993, a third massive march through the brothel district was organized by the anti-child-prostitution cause to christen the effort. But in contrast to the first two marches which were distinctively NGO in nature, namely, small in size, consisting of marginalized NGO groups, and viewed by the government with suspicion; the third march—the so-called Anti-Child-Prostitution Jog²²—took place on November 14, 1993, and was attended by all the key government officials, legislators representing various political parties, educators, celebrities, and other social leaders, amounting to more than ten thousand people. Leading the jog were the Minister of Justice, Minister of the Interior, Minister of Finance, Director of Government Information Office, and other officials of the government, as a gesture of state support for such a noble cause. Instead of being the targets of criticism for corruption and indifference toward the child-prostitute issue, politicians and law enforcement officers were now running alongside anti-child-prostitution movement organizers and crowds, declaring war on the traffickers, brothel owners, and clients, and pledging to rid Taiwan of this unmentionable national shame.²³

While the public show of resolve was still riding on the strong sentiment against the trafficking of underage girls, the legislation was expanding far beyond the issue with successive expansions added on by opportunist politicians urged on by concerned anti-child-prostitution NGOs as they responded to the evolving social realities of Taiwan.²⁴ In the end, the version that was passed no longer contained much reference to human trafficking, but something much broader. In addition to broadening the category of punishable acts from sexual intercourse to all forms of “obscene acts,” ranging from heavy petting, oral sex, and masturbation to posing for pornographic films, another new category of punishable crimes was also added to the law to truncate teenagers’ increasing accessibility to information that was believed to lead to sex work. Advertising for sex-related work, advertising for pornographic materials, even provision or display of pornographic materials would be considered “solicitation,” liable for sentencing of up to five years of imprisonment and \$1 million in fines. The information control also brought with it a whole set of knowledge/power formations that not only demonized perpetrators, but also pedagogized children and juveniles. The law would provide detailed classification of relevant crimes, and perpetrators would be categorized, labeled, and assigned differential degrees of punishment, thus creating a whole new conceptual framework for the so-called child prostitution ring. The newly drafted law also imposed a clear demarcation on the age of the child or juvenile in question—differential punishments would be applied to the clients in direct proportion to the age and gender of the juvenile involved, with 14 (for girls) and 16 (for boys) as the benchmark ages. In short, a new parental and pastoral power concerning the sexuality of the young was gradually moving into place.

This parental and pastoral power was not only manifested in the punishment applied to traffickers and johns, but more concretely embodied in the administrative power that would now be invested in the anti-prostitution NGOs. For, instead of turning a blind eye to the petition of NGOs, various state agencies—including the Ministry of Justice, Bureau of Health, Ministry of Communication and Transportation, Ministry of Education, Ministry of Defense (!), and Ministry of Economic Affairs—would be bound by the law to actively seek, inform, investigate, place in protective custody, and provide medical care and consultation for those girls suspected of doing sex work. Moreover, the performance of government agencies on such matters would be subjected to regular evaluations by a monitoring alliance formed by none other than the anti-child-prostitution NGOs and their sympathetic lawyers and scholars. Now legally endowed as “watchdog agencies,” these NGOs had the right to directly or indirectly report cases, interview suspected child prostitutes, bring lawsuits against perpetrators, set up placement institutions or halfway schools, and hold regular meetings with government agencies. The easy access to state information and power, plus preferential access to state-provided funding and resources, added onto their original image as non-profitable religious charity/social service organizations, would greatly improve the anti-prostitution NGOs’ sustained power to institute and monitor/supervise the implementation of the laws, not to mention increased staff and budgets through both government funding and public donations.²⁵

At the historical moment when the Law to Suppress Sexual Transaction Involving Children and Juveniles was passed in 1995, what had begun as an anti-trafficking effort initiated for aboriginal peoples eight years before had now been formally and legally transformed into a national establishment that held immense power and resources to regulate sexual associations as well as sexual expressions of those under the age of 16. The formation and operation of such a “power of the civil society” would prove to be instrumental in urging the Taipei city government to ban legalized prostitution in 1997, which, to the government’s surprise, sparked off Taiwan’s first prostitutes’ rights movement, made up of 128 middle-aged, minimally literate, licensed prostitutes. Once again, marginal sex workers came into public view, but this time not as young helpless victims to be rescued by anti-trafficking “women’s” groups, but as mature sexual subjects resisting regulation by the now-powerful anti-prostitution “women’s” NGOs.²⁶ The ironic turn of events reflected not only the emergence of a new subjectivity of sex workers in the Taiwanese context (from victims of trafficking to prostitutes demanding their right to work), but also the rising social status of mainstream “women’s” NGOs in the increasing bourgeoisization of Taiwanese society.²⁷

III

As one key woman lawyer in the anti-prostitution camp put it: “The law will have to be continuously revised to keep up with the emerging forms of sex work for juveniles.”²⁸ True enough, since 1995, the Law to Suppress Sexual Transaction Involving Children and Juveniles went through several major amendments. Each amendment was heralded as necessary in order to curb newly emerging social ills, and each further widened the web of social discipline.

Most noteworthy of all were amendments introduced in 1999. In response to

media reports of Taiwanese men taking advantage of sexual tourism in other countries (whether it involves minors or not), amendments to Articles 9, 22, and 34 added penalties for such acts even if the country where the sexual transaction took place does not consider such acts as criminal. To make enforcement feasible, the amendment mandates tour guides or tourist agencies to become whistle-blowers or watchdogs, thus extending the long arm of Taiwanese law far beyond its borders. Amendments to Article 33, furthermore, made media agencies liable for the ads they carry in their publications or broadcasts, thus effectively forcing the media agencies to take on censorship functions that greatly impinge on the freedom of speech and expression. The media's compliance would be further ensured by the anti-prostitution NGOs' watchdog mechanism that would monitor, evaluate, and report on media performance regularly.

The most devastating amendment to the Law had to do with Article 29, which has now become the most broadly and effectively enforced article. The original article had aimed to prevent those establishments in the sex industry (ranging from night clubs, escort services, porn production companies, underground pubs, and sexual karaokes, to telephone clubs) from putting up commercials to lure teens into the sex trade.²⁹ So the original article read:

Those who use advertisement, publication, radio, television, or other media to publish or broadcast *commercials* in order to induce, broker, imply or by other means *cause people to be involved* in sexual transactions shall be punished with imprisonment of no more than five years and alternatively coupled with a fine of no more than one million NT dollars. (italics added)

But the 1999 amended version greatly extended its scope of applicability:

Those who use advertisement, publication, radio, television, *electronic signal and internet*, or other media to publish or broadcast *messages* that induce, broker, imply or by other means *cause people to be involved* in sexual transactions shall be punished with imprisonment of no more than five years and alternatively coupled with a fine of no more than one million NT dollars. (italics added)

When the applicability of the law was extended to include "electronic signal and the internet" and far beyond the category of "ads and commercials," the highly individualized and variegated communications in the cyberworld were conveniently subsumed under the auspice of the law. Now, any "messages" on the Internet, even those posted by individual Net citizens in the clearly marked adult chat-rooms or discussion boards, that could be read as "hinting/implying" sexual invitations which "might" then evolve into sexual transactions were to be indicted.³⁰ In fact, just between 1999 and 2003, a total of more than 2,000 cases of alleged efforts to conduct *enjo-kosai* (a Japanese term meaning compensated companionship or casual sex work) have been indicted and convicted.³¹ Many of the perpetrators were merely young people who were seeking sexual relationships on the Internet and had done nothing other than using the fashionable and highly seductive term *enjo-kosai* to distinguish themselves in the vast ocean of "Netters."³² Still, the enforcement of Article 29 was so pervasive that even online discussions of *enjo-kosai* as an academic subject could be subjected to the same scrutiny if the discussion did not tow the orthodox line of condemnation of casual sex. In short, whereas it used to be the *act* of sex for money

that constituted punishable behavior, now, even *speech* about sex for money is liable to be indicted.³³

The Internet has become a focal point of contestation not only because it has provided limitless possible connections for sexual contacts and sexual transactions, but also because of its easy circulation of so-called pornographic materials.³⁴ Adults are all the more alarmed because of their own unfamiliarity with and ineptness on the Internet. Protection-minded “women’s” NGOs thus took up the crusade to “make the internet safe” for children and juveniles.³⁵ ECPAT Taiwan, the NGO that still retains the anti-child-prostitution concept in its Chinese name but is now concentrated on anti-pornography campaigns, acquired state funding to start an online pornography-monitoring campaign called Web 547 in 1999. The campaign recruited volunteers, put them through a 3-day training program on how to use the computer and how to “recognize” pornographic or other illegal material on the Web, and then assigned them to monitor communications and postings on the Internet. Statistics and figures of the “amazing inundation by pornographic material” were then made known not only to the government but also to the media to alarm the public of the pervasiveness of pornography and to urge more control and screening of the Internet.³⁶ But the target of such “purity campaigns” spans far beyond sexual transaction or pornographic materials. In its May 2002 campaign of “guarding angels on the internet,” ECPAT encourages children to adopt the principle of three “No’s” while surfing the internet: “to say no to selling, buying, distributing, posting or forwarding pornography”; “to say no to prostitution”; and most interestingly, “to say no to one-night-stands.” The incongruence of the third term is symptomatic of ECPAT’s expanding goal: to end child prostitution now means to curb sexual explorations by the young. In that sense, measures taken by such NGOs are aiming much less at forced child prostitution than at containing the immense sexual impulses and curiosity demonstrated by today’s youths.³⁷

Since 1995, the once-anti-trafficking NGOs have evolved into mainly children’s welfare or child-protection agencies, with more than two dozen subsidiary care centers or halfway houses. Child protection has proven to be a much more potent and profitable concept than anti-trafficking. Garden of Hope, ECPAT Taiwan, Taipei Women’s Rescue Foundation, and Catholic Good Shepherd Sisters have been aligned since the anti-trafficking days, presenting themselves not only as the moral high ground but the “heart” of Taiwan society. Now recognized as key “women’s groups,” they can reform the world in the name of a “fiercely protective motherhood.” In addition to gains in the judicial arena where new laws are being added to consolidate the control over sexual contacts through the Internet, these NGOs are also increasing their presence in the education arena. New proposed amendments in 2003 included clauses that require all schools to initiate preemptive reports on “high-risk” students who “look like” they “might” get involved in casual sexual transactions; decisions may then be made to put them away in halfway houses for their “protection.” On a grander scale, government committees that oversee gender-related laws and gender/sex education programs continuously include these NGOs as regular members or advisors,³⁸ thus giving such groups even more access to not only the design of education policies but also the regulation of the education Internet, which effectively controls the activities of numerous Net users. Still, the child-protection groups continue to expand the scope of their cause: new revisions to the Child Welfare Act entered the review process in 2010 that would further elevate the child protection issue into a “children’s rights-and-welfare issue,” thus not only

greatly increase the size of the national budget that would go into related provisions most conveniently located under the auspice of the Christian groups but also put the whole of media and adult life under scrutiny and control according to standards deemed conducive to “the growth and well-being of children.”

In retrospect, the late-1980s “discovery” of “aboriginal child prostitution” and attendant local and international (religious) fervor of anti-trafficking efforts in Taiwan has over the years become the terrain whereupon a nationalist middle-class consolidation of social and moral values is taking place via the policing of sex as well as the eradication of all forms of sex work in the name of child-protection.

Aside from the justified deployment of disciplinary powers that these child-protection NGOs helped put into place in Taiwan, a major part of the welcome enjoyed by these NGOs in government matters must also be attributed to the opportunity of international participation that they have helped provide the Taiwan government. The child-protection NGOs’ affiliations with international anti-child-prostitution organizations often carry further links to other international non-governmental and intergovernmental organizations (such as Interpol, World Tourism Organization, and various United Nations agencies, especially UNICEF and ILO-IPEC),³⁹ a connection network that the aspiring Taiwan government is eager to tap into in order to promote affirmation of its envisioned independent nation-state status. The NGOs themselves benefit from such a network too, for connections are set up for exchange of skills, information, and advocacy purposes between organizations in the developed countries and those in the developing countries, which quickly and dramatically enhance the effectiveness of local efforts as well as their power of influence. International events hosted or promoted or assisted by the international organizations give strength and credibility to local groups.⁴⁰ Furthermore, the organizations share their work plans with one another, mutually strengthening each other’s projects. Linkages with all these organizations bring external pressures to bear on national governments to implement measures suggested by international organizations, thus effectively consolidating the “global governance” that the UN is aspiring for.

The Convention on the Rights of the Child, deemed as “a *universally agreed set of non-negotiable* standards and obligations,” is the most recent example of such consolidating efforts that work to identify national laws and practices that need to be brought into conformity with UN standards. The Taiwanese Legislative Yuan has passed joint amendments to the Children’s Welfare Act and Juveniles’ Welfare Act, effective June 1, 2003, in order to “bring the Acts in line with United Nation’s definition of children.”⁴¹ The amendments not only broadened the Acts’ applicability to those under the age of 18, thus greatly increasing the number of youngsters that come under the auspice of the law in the name of children’s welfare,⁴² but also more rigidly regulated the whole of social and virtual space *in the name of children*. The Internet and other media have to be rated and, if found broadcasting materials unsuitable for children, would be subjected to heavy fines and temporary suspension of licenses. Furthermore, parents and guardians are now held responsible for the activities of their children: if children under 18 are found to have come into contact with unsuitable materials, visited sex-related recreational businesses, or lingered at gambling, pornography, or violence-related video arcades, then the parents or guardians will be charged and fined.⁴³ Protection of children can even extend to before they were born: pregnant mothers are now prohibited by law from smoking,

drinking, using drugs, chewing betel nuts, or conducting other activities deemed harmful for the fetus. It is speculated that as “gender mainstreaming” gains international momentum, more new rules and regulations concerning men’s and women’s daily lives are going to be prescribed in Taiwan to further consolidate the encroaching project of global governance.

IV

It is a historical irony that, while the original anti-trafficking fervor dissipated and transformed into a large-scale project of social discipline, the actual “trafficking” of humans in Taiwan at the present moment is being conducted on a much larger scale than ever imagined. Thousands of migrant laborers from, for example, Thailand, Vietnam, Indonesia, Philippines, and most recently Mongolia, are being legally brought in to satisfy the needs of both government construction projects and industries in the private sector, as well as the need for domestic help by middleclass families.⁴⁴ Thousands of migrant marriages have also taken place as a result of dramatically changed global and local economic conditions since the early or mid-1990s (with foreign brides coming mostly from Vietnam and Indonesia, negotiated through professional matchmaking agencies at a cost, in addition to a huge number of Mainland China brides).⁴⁵ Viewed in this context, when conservative “women’s” groups, in an effort to demand more stringent laws in the name of anti-trafficking, continue to invoke the history and memory of trafficking in terms of a traditional familial custom in times of economic poverty (the “selling” of daughters, daughters-in-law, etc.), it serves only to effectively displace/deny today’s massive legalized trafficking on the state level, as well as the discriminatory laws in relation to Mainland brides.⁴⁶ On the other hand, the term “human trafficking” is always invoked in another specific context: the continuous flow of migrant women from Mainland China, or more recently from Russia, in search of better economic possibilities through sex work in this wave of rapid globalization. To describe such women in terms of trafficking—evoking lingering images of helpless women in the hands of heartless traffickers, brothel owners, and pimps—serves not only to distort/erase the subjectivity/agency of such migrating sex workers but also to demonize the political regimes from whence they come.⁴⁷ In other words, the cause of “anti-trafficking” can still serve multiple political functions—as a means to stabilize and consolidate state- and family-oriented projects (in state-sponsored construction work or the flow of brides from Third World regions), as well as a continued effort to defeat women’s transgressive search for economic betterment outside the confines of marriage relationships.

In the past, astronomical figures that document the rapid growth and spread of the sex industry in monetary terms are constantly cited by anti-prostitution groups to justify the legislation of more laws and ordinances that impinge on the life of every citizen in the name of child protection. Yet, what we have witnessed in Taiwan in the past 10 years is the incredible growth and power of an “*anti-sex* industry” that thrives upon the imagined evil existence of trafficking and the sex industry, as well as the convoluted aspirations for national-global governance. Such a web of normalizing knowledge/power conglomerate that continues to reduce the widely varied faces and practices of Asian sex work to nothing but the trafficking of women

and children is bound to constitute more obstacles for the emerging subjectivity and agency of sex workers as well as the prostitutes' rights movements in Asia. And it is this national/global governance that has to be resisted.⁴⁸

NOTES

1. Tani E. Barlow has also discussed this concept in relation to the universalization of the gender analytic by Chinese women's NGOs working in unison with the United Nations in the post-Cold War era. See Tani Barlow, "Asia, Gender and Scholarship Under Processes of Re-Regionalization," *Journal of Gender Studies*, No. 5 (2002), 8.
2. Researchers have also detected that concern over prostitution flares up usually at moments of intense social or political tension. Cf. Lucy Bland, *Banishing the Beast: Sexuality and the Early Feminists* (New York: The New Press, 1995), 95–123; Gail Hershatter, *Ibid.*, 3–12; Ruth Rosen, *The Lost Sisterhood: Prostitution in America, 1900–1918* (Baltimore & London: Johns Hopkins, 1982, 1983, 1994), 38–50.
3. "Human rights" as a concept had originally been used by the Nationalist government in Taiwan mainly to highlight the notorious human rights records of its rival, the Communist government of the People's Republic of China. The concept was gradually appropriated by Taiwanese political dissidents during the 1970s and 1980s as they tried to draw attention to Taiwan's own record of political oppression during the 1970s and 1980s.
4. The Presbyterian Church of Taiwan has been actively and openly promoting the independent nation-state status of Taiwan for the past 40 years and is quite closely linked to the opposition party, the Democratic Progressive Party. Its conception of human rights has always been framed in a nation-state status claim as the Church urges the government to "face reality and take effective measures to make Taiwan a new and independent nation" (Taiwan Presbyterian Church Declaration on Human Rights, 1977, <http://www.pct.org.tw/humanrights30th/>, accessed April 30, 2011). Believing that there is no dichotomy between the sacred and the secular, and that the social, economic, and political are all within the field of interest of religion and religious bodies, the Church takes active measures to intervene in social issues, child prostitution being one of them. Admittedly, it was not easy to advocate issues related to sexuality among conservative churchwomen; issues such as AIDS advocacy (which was seen as only teaching foreign laborers how to use condoms in sexual intercourse) and sex education (which was read as encouraging the young to learn about sex) met with great difficulty (<http://women.dpp.org.tw/publication/public2-12-17.htm>, webpage now removed). The issue of underage prostitution, in contrast, had a much easier time winning support among churchwomen, probably because of its Armageddon rescue/relief posture against demonized lustful/greedy men. Also, during the politically repressive era of the early 1980s, the Church saw firsthand the continued oppression of marginal ethnicities, exemplified in the existence of underage aboriginal prostitutes, and read it as echoing the oppression of the politically marginal, the Church itself included.
5. It was rumored at the time that in any poor aboriginal family, the sons would be shipped off to sea to work as sailors on fishing boats and the daughters would be sold into brothels in the big cities and become prostitutes. Researchers had even estimated that in one aboriginal village, 20 percent of the women were involved in prostitution. See Yi-Yuan Lee, "Teenage Problems among Aborigine Tribes during Social Change," *Journal of Institute of Ethnography*, 48 (1979): 1–29.
6. In response to the setting of the 1979 International Year of the Child, Defense for Children International organized an NGO Ad Hoc Group in mid-1983 to draft the Convention on the Rights of the Child. In 1987, the NGO Ad Hoc Group joined with UNICEF and prepared a Convention which was finally adopted by the General Assembly of the United Nations in 1989. Overall, the 1980s was a decade in which children's rights violations such as torture, prostitution, economic

exploitation, arbitrary detention, and trafficking and sale became highly profiled issues (http://www.child-abuse.com/childhouse/childrens_rights/dci_crc.html).

7. Significantly, the aborigine boys who were shipped off to sea in order to pay back family debts or to improve living conditions for the whole family rarely received much attention, even under the rubric of children's rights. Though involving much exploitation, it was never characterized as a human trafficking or not even a labor issue. In contrast, aborigine girls who were sold off for the same purposes became central concerns of Presbyterian ministers and social workers. This urgent concern over the sex of the girls reflected a specific appropriation of the concept of exploitation that would come to dominate later developments in the anti-trafficking cause.
8. The double bind of the highly esteemed Chinese family ideology of filial piety helped make it "natural" for the girls to sacrifice themselves for the family out of love, as well as to return to the trade after they had been rescued by well-wishing NGO groups. The church groups, however, put the blame only on the ruthless traffickers and heartless parents.
9. The picture of a poor, powerless girl crying helplessly in the hands of ruthless traffickers captured the imagination of the public and became a powerful symbol for prostitution even when it no longer involved such victimization.
10. One underlying basis of consensus has to do with the fact that many of these groups overlapped one another in membership and in their common commitment to opposition politics (better known as "democratization" in Taiwan). The cause thus carried strong ethnic, age, gender, and (most significantly) religious connotations, mixed in with political concerns. All of these factors would play significant roles in the future transmutation of the anti-trafficking cause.
11. Feminist thought was first introduced into Taiwan with Hsiu-lien Lu's pioneering book, *New Feminism*, in 1973, but it was more of a one-person intellectual crusade than a social movement. In fact, the book was widely read, not by women, but by dissident intellectuals at the time as a declaration of human rights in general—it is ironic that under martial law, political dissidence could find legitimacy only in discussions of gender inequality. The first overtly feminist journal, *The Awakening*, was not published until 1982; the emergence of the first feminist movement group had to wait until 1987 due to restrictions on the right to associate under martial law, which was finally lifted that year. Significantly, feminism as a concept might have been known to some progressive intellectuals at the time, but "feminists" were stigmatized as ugly, undesirable, angry spinsters, butches, and lesbians. Due to the nature of their own membership—namely, heterosexual, marriage-bound women—most "women's" groups that took part in the anti-trafficking effort chose to describe themselves as "children's welfare groups"; they wouldn't even want to bear the title of "women's groups." Only one group adopted the term "feminist" to describe itself, but whether its individual members did so is another matter.
12. What had begun as a relief effort that depended mostly upon charitable donations would later evolve into a mega-business that receives huge sums in subsidies from a Taiwanese government that, in the name of social welfare, increasingly franchises its functions to various NGOs and thus transforms parts of the civil society into power adjuncts of the government.
13. The choice of the wording here certainly did not derive from any pro-sex-work imperative; the latter would emerge much later in 1997 with Taiwan's first prostitutes' rights movement. In reality, the declaration of "universal human rights" for prostitutes at this historical march in 1987, when martial law was still in place, only thinly veiled the demand for "human rights" (understood mostly in political terms) by the highly diversified march participants, who were distinctly opposed to the authoritarian regime as the root of all social evil.
14. The contingent coupling of a feminist group that believed in empowering women through political action and a women's rescue group that aimed to restore peace and security to families was symptomatic of a time when a loosely united opposition front was needed in order to resist a quite authoritarian political regime.
15. Such "effective" means to stop the traffic of aborigine girls would also prove to be an effective means to greatly enhance the (financial and political) status of those groups working exclusively on the anti-trafficking cause, to the extent that quite a few rescue/relief groups that aimed at rescuing "unfortunate" girls (or women) were established by various religious denominations in

the few years just before the 1990s. The Catholic Good Shepherd Sisters (est. 1987) were affiliated with the Catholic Church, while the Garden of Hope (est. 1988), the Rainbow Center (est. 1988), and End Child Prostitution in Asian Tourism (ECPAT) Taiwan (est. 1990) were all closely related to Protestant denominations. As these groups later took up the work of running halfway houses or halfway schools and providing spiritual education/counseling for the rescued girls, their voices and their religious-moral standards also became viable forces in the social framing of the problem of underage prostitution.

16. Garden of Hope (GOH) even hired a new Director for Special Projects, Hui-Jung Chi, to coordinate such efforts. Chi had been a journalist for 7 years and knew how to work the media; she had also been trained in social marketing for nonprofit organizations by international groups and was eager to try out her skills in lobbying and media management. Incidentally, GOH aimed to broaden its influence and power by upgrading the anti-trafficking cause to an anti-child-prostitution “social movement.” As Chi recollected recently, “Six months before I came to the Garden of Hope, the Board had passed a resolution [in 1992] to start the Anti-Child-Prostitution Social Movement. In other words, the Garden of Hope was transforming from a charitable organization into a social movement organization. However, due to the sensitivity toward the word ‘social movement,’ we masked our transformation as ‘Anti-Child-Prostitution Special Project.’” (Cf. <http://www.goh.org.tw/english/english.htm>) The reference to “social movement” here had more of a religious connotation—a this-worldly vision of *social reform*—than what is usually considered to be social activism. For over the years GOH had also done the most actual damage in stigmatizing and shortcircuiting the efforts of sex-rights groups to advocate human rights for marginal sexualities. In fact, in the name of “protection of children,” GOH had repeatedly impeached feminist sex radicals for the latter’s against-the-grain discourses on teenage sexuality, abortion, occasional sex work, or zoophilia.
17. UNICEF had reported numbers of children involved in sexual tourism in 1993: Thailand had more than 800,000; India had 500,000; Taiwan had 100,000; Philippines had 60,000. Between 1993 and 1994, Taiwanese researchers and official alike have repeatedly disputed the validity of such figures.
18. Their testimonies of having joined the trade “willingly” were consistently read as resulting from financial pressures or from threats against the safety of their families. No room was left for any consideration of the girls’ own agency.
19. Garden of Hope itself cited a study of teenage girls in April of 1993 that showed that over 30 percent of junior-high-school girls already had sexual experience, and more than 70 percent of the “rescued” teenage prostitutes “willingly” entered the trade. This new generation of girls, growing up in a social atmosphere quite different from that of the pre-martial-law days were much more daring and assertive when it came to their own sexuality. Consequently, such studies often evoked mass hysteria that resulted in more stringent laws regarding contact with teenagers.
20. The basic spirit here would be carried over to other amendments to the Criminal Code in 2000 that made sexual intercourse with teenagers under the age of 14 (girls) or 16 (boys) a sexual crime no matter what the circumstances are. Many teenage couples have suffered from this new legislation.
21. This fiercely protective motherly figure would become the key gender position assumed by child-protection groups. The Presbyterian Rainbow Project gradually withdrew from rescue work to turn to more education-oriented work, which was believed to truly enhance the economic status of the aborigine tribes so that trafficking could be stopped at its origin.
22. GOH’s CEO Hui-Jung Chi remembers the event fondly in one interview: “In order for everyone to feel they were a part of the event, I designed it as a massive jogging event. You know, a very healthy activity for everyone. I had thought we could jog around this red-light district seven times, just like what the Israelites did to the city of Jericho, and it would disappear from the face of the earth. It would be a humorous ritual, a pledge of some sort” (<http://www.ccea.org.tw/soc/17.htm>, accessed April 30, 2011). It was not clear whether all those who joined the event were aware of this Christian underpinning.
23. Feminist sex radicals had long noted the contrast between the two marches and had criticized the assumptions that underlay the erasure of teenage sexual subjectivity by such self-proclaimed children’s welfare NGOs. See Xiau-Ling Zhao, “Standing on the Shoulder of Patriarchy: The

‘Anti’-Child Prostitute Movement,” *The Awakening Monthly* 159 (1995): 12–14.

24. The trend toward proliferation of sexual ads, commodities, and the liberalization of sexual values and morals were already quite obvious in Taiwan in the early 1990s. As the Feminist Sex Emancipation Movement intervened in 1994 by bringing forth a new liberating discourse for women’s and teen’s sexualities, the anti-child-prostitution Christian NGOs began lashing out against feminist sex radicals for the alternative stand the latter took on issues ranging from sex work, surrogate mothering, sex education, cybersex, to teenage sexuality.
25. The annual revenue for Garden of Hope, the largest of the child-protection NGOs, reached US\$11,000,000 in 2010, fifty times what it was in 1987, with hundreds of full-time staff members stationed across the island and even overseas in the US. The abundance in resources and man power also greatly increased its power to promote issues and campaigns.
26. I have put “women’s” in parentheses to highlight the fact that in a much earlier historical context, these NGOs actively avoided the label “women’s” and its accompanying stigma. But as the gender analytic came to be adopted as a state policy in the late 1990s, these anti-prostitution NGOs have increasingly assumed the position of “women’s” groups. And, as dissenting voices rose among sex-positive women in protestation against the retrenchment of sex-related laws, the groups are now resorting to their old titles of child-protection groups to take advantage of the new and seemingly unchallengeable imperative.
27. The struggle of the prostitutes’ rights movement in 1997 also marked the formal and summary schism within the Taiwanese feminist movement over the issue of female sexuality, with sex-positive feminist activists being fired from the staff of the once-progressive Awakening Foundation. Feminist discourse was also stymied when faced with female sexual subjects significantly different in age and class, not to mention sexual sentiment and preference, from the underage aborigine girls trapped in forced prostitution which had come to frame most mainstream women’s groups’ representation of sex, not to mention sex work.
28. The statement is prominently featured on the back cover of the book that documents the whole legislation process of the Law to Suppress Sexual Transaction Involving Children and Juveniles, signaling the plan of the anti-child-protection NGOs to further utilize this law for future purposes.
29. The law may have been designed to protect teenagers from being tempted into sex work, but “causing people to be involved in sexual transactions” never specified the age of the “people” referred to, nor whether it excluded the person putting up the ad, which effectively makes the law applicable to *anybody* who is sending out sexual invitations, not to mention messages for sexual transaction, on the Internet. As it stands now, Article 29 has proven to be a most potent law against both professional and occasional sex workers.
30. Whether minors were actually involved in the communication is of no consequence, for the mere “possibility” that juveniles might stumble onto such postings on the Internet and become “negatively affected” is enough cause for prosecution.
31. The statistical figure is quoted in Mei-Hua Chen, “Sex Work Rights,” *Taiwan Human Rights Report 2002*, Taipei: Avant-Guard Press, 2003, 115–116. For an analysis of *enjo-kosai* as an emerging sociocultural phenomenon in Taiwan, see Josephine Ho, “From Spice Girls to *Enjo Kosai*: Formations of Teenage Girls’ Sexualities in Taiwan,” *InterAsia Journal of Cultural Studies* 4.2 (Aug. 2003): 325–336.
32. “*Enjo-kosai*” may have come to stand for any form of casual sex work in Taiwan, but Article 29 addresses not actual sexual transactions, but the *communication* that *may* lead up to such transactions. From 1999 to 2008, more than 20,000 netizens were indicted for their speech and self-expression on the Internet; whether any rendezvous or transaction had taken place was of no consequence to the law. In January 2003, a pregnant wife posted *enjo-kosai* messages in her husband’s name to see, as a test of loyalty, if the husband would give in to the many calls of inquiry from women. The husband never made any move, but the wife was prosecuted for posting *enjo-kosai* messages.
33. The Center for the Study of Sexualities at National Central University had a website that collected relevant news, debates, panel discussions, and academic research on the issue of *enjo-kosai*. When

- it posted satires of police entrapment of Net citizens for possible *enjo-kosai* charges in 2002, the Center received formal warning from the Ministry of Internal Affairs, as well as the Ministry of Education, for possible violations of Article 29: using electronic signals and the Internet to publish or broadcast messages that “cause people to be involved in sexual transactions.” The warning had been prompted by none other than the child-protection NGO the Catholic Good Shepherd Sisters.
34. The Internet has also proven vital for marginal sexualities and communities, including gays, lesbians, transgenders, etc. See Chris Berry, Fran Martin, and Audrey Yue (eds.), *Mobile Cultures: New Media and Queer Asia* (Durham, NC: Duke University Press, 2003). Of course, under the auspice of the newly amended law, communications within such sexual communities are also susceptible.
 35. <http://www.web547.org.tw/nessite/about.htm>.
 36. In her study of prostitution in Victorian England, Judith R. Walkowitz has already noticed that empirical studies and investigations are often done on the so-called deviant behavior so as to pave the way for policy suggestions that aim to correct such behavior. See Judith Walkowitz, *Prostitution and Victorian Society: Women, Class and the State* (Cambridge: Cambridge University Press, 1980), 37.
 37. ECPAT International’s mission statement describes the organization as “a network of organizations and individuals working together for the elimination of *child* prostitution, *child* pornography and trafficking of *children* for sexual purposes.” Yet ECPAT Taiwan’s monitoring activities often extend beyond the scope of children. Out of the 7 completed monitoring reports posted on their website, only 1 has direct bearing on children. In the end, the reports function only as justification for more obscenity sweeps on the Internet. The Ministry of Education is already citing Web 547’s reports to justify new restrictions imposed on postings on the education Internet.
 38. For example, Garden of Hope’s CEO Hui-Jung Chi has been a member of the Ministry of Education’s Gender Education Committee since the latter’s founding in 1997. Other such NGOs have also had their delegates on this committee that oversees gender- and sex-education-related matters nationwide.
 39. See http://www.ecpat.net/eng/Ecpat_network/index.asp.
 40. Following upon the 2nd World Congress Against Commercial Sexual Exploitation of Children held by ECPAT International in Yokohama in December of 2001, the First ECPAT-Taiwan Forum Against Commercial Sexual Exploitation of Children was held on October 14–15, 2002, with three speakers from ECPAT International and SAGE (Stand Against Global Exploitation). Government officials are fully aware of the amazing progress that could be made in such events, considering Taiwan’s repeated defeats in other diplomatic channels. In fact, when the Ministry of Foreign Affairs’ Research and Design Committee Chairperson tagged along with ECPAT representatives to the World Congress in Yokohama, she was so touched by the opportunity to attend international conventions, as well as so impressed by ECPAT Taiwan’s international connections, that she wrote to praise the latter for conducting successful “citizen’s diplomacy” (http://www.ecpat.org.tw/html/view01_05.htm, webpage now removed).
 41. The Ministry of Interior explains that major revisions of the Children’s Welfare Act in 1993 had greatly enhanced relevant laws for the protection of children; the recent fusion of Children’s Welfare Act and Juvenile’s Welfare Act aims exactly to revise both in accordance with UN definitions.
 42. Incidentally, the expansion of teenager-related laws often entails establishments and expansions in halfway houses or shelter institutions, many of which are run by the Christian NGOs. In 1988 when the anti-trafficking legislation process began, one halfway institution (Taipei Municipal Kuang-Tze Care Home) built partly to shelter “unfortunate girls” petitioned to the government saying that over 700 such girls had been found by the police in the first 6 months of the year, but the institution could keep only seven girls on their roster and was on the verge of being dismantled by the government. They were hoping amendments to the laws would help keep more girls at the institution. Not surprisingly, the Law to Suppress Sexual Transaction Involving Children and Juveniles effectively increased the number of high-risk or already fallen girls to be kept there for rehabilitation. Likewise, when the joint amendments to the Children’s Welfare Act and Juvenile’s

Welfare Act were being proposed in 2002, the Taiwanese Association of Orphanages admitted that they had the capacity to house 3,500 kids but only 2,300 beds were filled at the time. They thus urged the age of protection be raised to 18 so that more children from “dysfunctional families” would fall under their auspice, not to mention an increase in funding that is required by the law they helped put into place (<http://www.ettoday.com/2002/11/19/327-1377473.htm>).

43. Scholars have noticed that the new amendments aim to strengthen parental duties, but warn that such amendments depend on a family-centered ideology that aims to consolidate the natural bond between children/juveniles and their parents, which may no longer be viable in the late modern society. See Shuen-Min Wang, “Some Thoughts on the Combinatory Amendment of Children and Teenagers Welfare Act,” *NPF Commentary* 092-046, National Policy Foundation, March 27, 2003.
44. The number of alien workers in Taiwan, totaling 150,000 in 1984, reached almost 400,000 by 2010. Gender distribution used to favor male alien workers but dovetailed toward the end of 2000 due to changes in the industrial structure as well as public fear that male alien workers may sexually assault local women. Last count in May 2010 put male alien workers at 150,000 and female alien workers at more than 240,000.
45. By the end of 2010, the total number of foreign brides in Taiwan totaled 440,000, out of which the brides from Mainland China make up 280,000 .
46. After repeated petitions and protests, more than 3,000 Mainland brides took to the streets in Taipei on September 20, 2003, to demand human rights and equal treatment as the independence-minded government moved to change the waiting period of ID cards for Mainland brides from 8 years to 11 years.
47. For historical reasons, Mainland China and Russia (reminiscent of the Soviet Union) have long been considered Communist menaces to the world. Migrant sex workers from these countries who have come to Taiwan seeking better incomes are thus always characterized as, on the one hand, a demonstration of the thoroughly bankrupt rule of these regimes, but on the other hand, embodiments of conspiracies by these regimes to disrupt Taiwan’s moral values and economic stability.
48. Since 1999, the Collective of Sex Workers and Supporters (COSWAS), the only prostitutes’ rights group in Taiwan which evolved from the 1997 Taipei Alliance of Licensed Prostitutes (TALP), has struggled to keep the right-to-sex-work initiative alive in public debates. COSWAS has organized four International Action Forums on Sex Worker’s Rights, three Sex Worker’s Cultural Festivals, and numerous dialogs between sex workers and urban residents so as to educate the public about the realities of sex work and to push for decriminalization. Their struggle and efforts have not only effectively challenged the anti-sex-work agenda but also spurred decriminalization initiatives elsewhere in Asia (<http://coswas.org/>).

References

- Barlow, Tani. “Asia, Gender and Scholarship Under Processes of Re-Regionalization.” *Journal of Gender Studies*, Ochanomizu University, Tokyo, Japan, No. 5 (2002): 1-14.
- Berry, Chris, Fran Martin, and Audrey Yue (eds.). *Mobile Cultures: New Media and Queer Asia*. Durham: Duke UP, 2003.
- Bland, Lucy. *Banishing the Beast: Sexuality and the Early Feminists*. New York: The New Press, 1995.
- Chen, Mei-Hua. “Sex Work Rights,” *Taiwan Human Rights Report 2002*. Taipei: Avant-Guard Press, 2003. 103-124.

- Chi, Hui-Jung & Yi-Shi Zheng. "An Analysis of the Non-Profit Organizations' Strategies at Legislation." *Legislative Action by Taiwanese NGOs*. Taipei: Monitor Alliance over the Law to Suppress Sexual Transaction Involving Children and Juveniles, 2002. 32-62.
- Fang, Hsiao-Ding, "The Emergence and Transformation of Relief Rationale: 1987-1996," paper presented at Revisiting East Asia: Third Convention of Cultural Studies Association, Taiwan, 2003.
- Hershatter, Gail. *Dangerous Pleasure: Prostitution and Modernity in 20th-Century Shanghai*. Berkeley: U of California P., 1997, 1998.
- Ho, Josephine. "From Spice Girls to *Enjo Kosai*: Formations of Teenage Girls' Sexualities in Taiwan." *InterAsia Journal of Cultural Studies* 4.2 (Aug. 2003): 325-336.
- Lee, Yi-Yuan. "Teenage Problems among Aboriginal Tribes During Social Change." *Journal of Institute of Ethnography, Academia Sinica, Taiwan*, 48 (1979): 1-29.
- Rosen, Ruth. *The Lost Sisterhood: Prostitution in America, 1900-1918*. Baltimore & London: Johns Hopkins, 1982, 1983, 1994.
- Shen, Mei-Jen. "Characteristics of The Law to Suppress Sexual Transaction Involving Children and Juveniles: An Introduction." *Legislative Action by Taiwanese NGOs*. Taipei: Monitor Alliance over the Law to Suppress Sexual Transaction Involving Children and Juveniles, 2002. 16-31.
- Walkowitz, Judith. *Prostitution and Victorian Society: Women, Class and the State*. Cambridge: Cambridge UP, 1980.
- Wang, Shuen-Min. "Some Thoughts on the Combinatory Amendment of Children and Teenagers Welfare Act." *NPF Commentary* 092-046, National Policy Foundation, March 27, 2003.
- Zhao, Xiau-Ling. "Standing on the Shoulder of Patriarchy: The 'Anti'-Child Prostitute Movement." *The Awakening Monthly* 159 (1995): 12-14.

ⁱ I want to thank my colleague Naifei Ding and my long-time activist friend Ping Wang for their careful reading of this paper and their invaluable comments. Their insights, based on their involvement and experiences in the Taiwanese feminist movement, are indispensable for the writing of this paper. This paper has been updated in April 2011 to reflect recent developments.