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# Art as Activism in Japan: The Case of a Good-for-Nothing Kid and her Pussy

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## **Abstract**

In this chapter I look at the various media discussions surrounding Rokudenashiko and her trial as well as activities that she engaged in to draw attention to her case. I point out how, even though the rationale behind Japan's obscenity law is to restrain and rein in text or representations that are considered injurious to the public good, in Rokudenashiko's case the international publicity she received has had the opposite effect and amplified both her own visibility and that of her message. However, not all recent obscenity charges in Japan have received this kind of international interest and support - and I also look at the conditions that have made Rokudenashiko such a sympathetic figure to her overseas supporters and the role that her media activism has played in this.

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## **Art as activism in Japan: The case of a good-for-nothing-kid and her pussy**

Mark McLelland

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### **Introduction**

In July 2014 Japanese “vagina artist” Megumi Igarashi, who works under the name Rokudenashiko or “Good for nothing kid”, was arrested at her home in Tokyo on suspicion of distributing obscene material (Rokudenashiko 2016: 11). The objects in question were a number of art pieces that she had fashioned from silicon moulds as well as a digital 3D scan of her own vulva, or “*manko*” in Japanese. Although Rokudenashiko was released one week later without charge, she was re-arrested in December that year and held for three weeks, this time being officially charged with obscenity. In the resulting court case her various “deco-man” (decorative *manko*) were found not to be obscene but she was found guilty of distributing an obscene item – the data from the 3D scan of her vulva.

The use of her vulva as part of her artistic activities was by no means a stunt, since Rokudenashiko had for several years been promoting *manko* art as a vehicle for discussion about the taboos and misunderstandings surrounding the female sex organ in Japan (Rokudenashiko 2016: 31). Her use of the term *manko*, which sits somewhere between the English terms “pussy” and “cunt” regarding its impact, was a deliberate strategy to force people to think about the double-standard that she claimed surrounds male and female sex organs in Japanese culture. In keeping with the artist’s wish that this term should be normalized and used in discussion without shame or dissimulation, I use *manko* in place of vagina/vulva throughout this chapter.

The Japanese police have a long history of using obscenity law to regulate cultural space – having successfully prosecuted artists and translators associated with literature, film, photography and even manga (comic books) (Cather 2012). Rokudenashiko’s case is interesting in that it involves a new form of media communication -- that of 3D scans -- and is also the first time that a female defendant has been charged and found guilty of obscenity. Although a wide range of cultural products have been investigated on obscenity charges, the actual number of cases that reach the courts is few given that most defendants approached by the police avoid court through issuing an apology and withdrawing the work in question. In more serious cases defendants often choose to accept a summary indictment which means that they can plead guilty and accept a token fine imposed by a judge without suffering the embarrassment of going through a court case. Rokudenashiko, however, refused to apologise or accept any wrongdoing. As she said in her defence during the trial “neither my genitals nor my artistic activities are obscene.”

In this chapter I look at the various media discussions surrounding Rokudenashiko and her trial as well as activities that she engaged in to draw attention to her case. I point out how, even though the rationale behind Japan’s obscenity law is to restrain and rein in text or representations that are considered injurious to the public good, in Rokudenashiko’s case the international publicity she received has had the opposite effect and amplified both her own visibility and that of her message. However, not all recent obscenity charges in Japan have received this kind of international interest and support – and I also look at the conditions that have made Rokudenashiko such a sympathetic figure to her overseas supporters and the role that her media activism has played in this.

### **Rokudenashiko’s artistic activities**

Rokudenashiko explains that her interest in using her *manko* as a design motif originally arose from anxieties that her genitalia may not have been “normal”. She explained how, given the cultural taboos around speaking about or depicting genitalia in Japan, she had no sense of what constituted “normality” regarding female genitalia. As a result she opted to undergo a labiaplasty procedure which she described in her first published manga (Rokudenashiko 2016: 130).

It is well documented that pornography is not a good source for depictions of regular-looking genitalia, with many female models undergoing plastic surgery to achieve a more streamlined appearance (Iglesia 2012). The situation in Japan is made more complex given that all officially produced and distributed pornography, whether in photographic or video format, must have the genitalia covered by *bokashi*, that is, pixilation (Hambleton 2015: 5). So, unless one searches for overseas porn sites (which Rokudenashiko says she was reluctant to do), there is no means for women to compare their genitalia with that of others. This is not just an issue for women in Japan, as U.K. artist Jamie McCartney discovered while taking plaster casts of the vulvas of over one-hundred women for his sculptural project “Wall of Vagina,” completed in 2011. He was surprised how the volunteers “were looking at the casts of other women’s vulvas and were having a similar epiphany. They were saying things like, ‘Oh my God! I had no idea they looked so different’” (McCartney 2015).

In order to encourage women to think more positively about their *manko* and to encourage discussion of genital variety, Rokudenashiko began to take silicon casts of her own *manko* and use it as a motif in various art objects. These included dioramas where her *manko* was used as part of a landscape, a sculptural installation and a gold pendant chandelier. She also produced pop art items incorporating the motif, such as phone cases and figurines. In addition she created a cute cartoon character named *Manko-chan* and depicted in manga form the discrimination and misrepresentation she faced on a daily basis. None of these items evoked a sexual context nor did they reference any kind of sexual activity – indeed Rokudenashiko’s intent was to produce items that were “bright and cheerful” and that showed an everyday body part in a new light in the pop art tradition. As she later said at a press conference at the Foreign Correspondents Club of Japan (FCCJ), “It may be obscene if you are depicting something actually engaging in sexual activities, but I’m just presenting a part of my body just as it is. I don’t think that is obscene” (Potheary 2014).

These small items had been exhibited and sold at galleries and online for several years without drawing police attention. However in 2013 Rokudenashiko wanted to make larger *manko* art that would have more impact and conceived the idea to produce a *manko* boat – actually a kayak cover that utilised the *manko* design. For this purpose she needed to scale up the *manko* motif and consequently set up an appeal on the crowdfunding website Camp Fire to raise money for the loan of a digital scanner and 3D printer that could manufacture the *manko* cover. The scheme was successful and in 2014 she created a bright yellow “*man-boat*” which she paddled around the Tama River in Tokyo and later exhibited in a gallery. As a

gesture of thanks to her supporters on the crowdfunding site she made the digital data of her *manko* scan available via a url, encouraging them to make their own *manko* art. Her lawyer speculated that it was this act that prompted police intervention (FCCJ 2014).

After having been detained in a police cell for one week without charge in July 2014, Rokudenashiko was released only to be arrested again in December of the same year. She was arrested along with Minori Kitahara, a feminist and outspoken critic on a range of social issues (Rokudenashiko 2016: 118). Kitahara is also the owner of feminist sex shop Love Piece (Dales 2005: 191-95) where several figurative art pieces based on Rokudenashiko's *manko* design were being exhibited. This time Rokudensahiko was kept in police detention for the full three weeks allowed before finally being charged with the distribution of obscene data and displaying an obscene object. The artist pled not guilty, stating that "I am engaged in artistic activities; neither the data nor the artefacts are obscene." Her not-guilty plea precipitated a court case that was resolved at first instance in May 2016 where she was found not guilty of displaying an obscene object (her *manko* figurines) but was found guilty on the charge of transmitting obscene data (NBC News 2016). To understand how this verdict was reached it is necessary to consider the relationship between obscenity and art in Japan.

## **Obscenity and art**

As previous defendants of obscenity charges in Japan have pointed out, obscenity was not a concept that existed in the Japanese legal system prior to the opening to the West that came with the Meiji Restoration in 1868 when Japan's legal code was restructured along European lines. Indeed the previous Edo period (1603-1867) had seen an outpouring of erotic art known as *shunga* or "spring pictures" that were subsequently deemed offensive and strictly censored by the new regime, with regulations on their reproduction and display not being removed until very recently (*Japan Times* 2015).

The concept of obscenity has historically not been deployed to prosecute sexual acts or practices but has instead been used to restrict depictions of certain acts in words or images – it has been about publication, dissemination and possession of *representations* and not acts or things themselves. To this extent it is an attempt to place limits on the kind of imagery that, were it to be accessed by the general public, might "deprave and corrupt" the minds of the

viewer (Sceats 2002: 133). It is essentially about controlling thought. Thus an obscene image functions in a kind of obverse manner to the purpose of art, at least as art is defined by government institutions that regard its purpose as one of “moral uplift” (Miller 1994: 268).

When considering issues of freedom of expression, particularly that of the artist, it is pertinent to consider that artistic expression never has been nor can be free from outside influence. Any kind of public expression is not only caught up in the processes of governmentality but is in fact always already constituted by those forces prior to its articulation. As Toby Miller points out, multiple organizations “teach, circulate, fund, define and exclude actors and activities that go under the names of artist or artwork” (1994: 264) – in Rokudenashiko’s case both the police and the local media were implicated in this devaluation of her work by choosing to refer to her in official reports as a “self-proclaimed artist” (*jijō geijutsuka*), suggesting that there was no support or validation for her work offered by other artists or the art world itself (2016: 70). Yet, although not trained at any of Japan’s elite art institutions, at the time of her arrest, Rokudenashiko was already a published manga artist, her *deco-man* work had been exhibited at independent galleries in Japan, and in addition, the guilty verdict was later protested by the Japan branch of the International Association of Art Critics (*Asahi shinbun* 2016a).

Rokudenashiko was prosecuted under Article 175 of Japan’s Penal Code, first promulgated in 1907, which stipulates that:

A person who *distributes, sells or displays in public* an obscene document, drawing or other objects shall be punished . . . The same shall apply to a person who possesses the same for the purpose of sale (my emphasis).

Article 175 is one of the main mechanisms whereby the Japanese state maintains some control over the cultural sphere given that Japan’s 1947 Constitution contains a robust defence of freedom of expression. Article 21 of the Constitution states that “no censorship shall be maintained” and it is this article that is invoked in most obscenity trials as the defendants claim that the government’s use of Article 175 is nothing other than a form of censorship. Significantly, obscenity is not defined in the legislation and this has made it a very flexible term that has been used, especially in Japan’s imperialist period (1868-1945), to limit any discussion or representation of sexuality in the media as well film, literature and art, of which the government of the day disapproved (McLelland 2015).

There has been some confusion in the western press reports about the status of censorship in Japan since the general impression given is of a very permissive sexual environment in the realm of popular culture, especially in manga and animation (CNN 2014). This is to do with the particular way in which censorship has been applied since the liberalisation of rules governing pornography in the 1970s. Interpretations of obscenity since that time have tended to focus not so much on the general scenario surrounding a sexual act or situation, nor the nature of the acts described, so much as the degree of realism with which the sex organs are depicted (McLelland 2015; Allison 1996: 149). Until 1991 there was a complete ban on the depiction of the genital areas of men and women, including any pubic hair. This required the airbrushing of the pubic areas of actors and models in films and photographs, even in non-sexual contexts. The year 1991, however, saw a further liberalisation of these rules due to the “hair debate” occasioned by the publication of a best-selling photo book of nudes of teen actress and media personality Mie Miyazawa which showed glimpses of her pubic hair in several artfully posed frames. From this time on glimpses of hair have been allowed but there is still a prohibition on sexual organs, both male and female (Allison 1996: 149). All commercially produced and distributed pornography in Japan, including that imported from overseas (covered by Article 21 of the Customs Act) must be pixelated in order to cover genital areas. The specific focus on depiction of genitalia at the expense of overall scenario has actually proven beneficial to women’s erotica in Japan, of which there are many examples, including the highly sexualised “ladies comics” genre as well as the “boys love” manga and anime popular with girls and young women (McLelland 2016; see also Hambleton, 2015; O’Keefe 2016).

That Japanese legislators do move against the unmasked depiction of male as well as female sex organs is clear not only from historical cases such as the prosecution of gay rights activist and magazine editor Ken Tōgō in the 1970s (McLelland 2012; Helms 2000), but in a recent incident when prominent Japan-based celebrity photographer Leslie Kee was arrested and detained for 48 hours in February 2013 (that is *prior* to the Rokudenashiko case) for selling copies of his photobook of male nudes. According to the police, “models’ erect genitalia were featured extensively in the 50-page-photobook, some of which also alluded to ejaculation” (*Asahi shinbun* 2014a: 26). Unlike Rokudenashiko, who insisted on her innocence, Lee pleaded guilty to a summary indictment meaning he paid a fine determined by a judge without having to go through a trial. Kee argued that unlike female nudes, which have been accepted for display for some time, exhibitions of male nudes are rare, and that is one reason



why the police regarded his work as obscene (Poole 2013) – precisely the opposite of the argument proffered by Rokudenashiko who claimed that her *manko* art had been unfairly targeted.

As can be seen from Kee’s case, the impression given in the western media that female sex organs are the specific target of police interest and intervention is not borne out by actual events – in keeping with protocols in place since the 1970s it is the open and undisguised representation of the genital regions of both sexes that is targeted.

### **Media response to Rokudenashiko’s arrest and trial**

Responses to Rokudenashiko’s arrest and trial in the local Japanese press were mainly neutral. Most of the major dailies simply reported on the facts of the case, offering little in the way of analysis. The exception was Japan’s *Asahi* newspaper, the most “progressive” of Japan’s dailies, which featured several longer articles including commentary by art critics and academics. However, although there was general acceptance that her activities did not constitute obscenity, Rokudenashiko was not without criticism. Feminist academic Chizuko Ueno, for example, thought that Rokudenashiko had been naïve in making the digital data of her *manko* available online since she then lost control of how it would be circulated and reproduced (*Asahi shinbun* 2016b: 13). Some journalists also questioned the value of her work, arguing that although it was not obscene, it lacked originality and did not qualify as art (*Asahi shinbun* 2015: 9).

Unlike the case of Lee, mentioned above, which received little or no international media attention, Rokudenashiko’s case was well covered in the overseas press and given a great deal of exposure on social media where support was much more effusive than it had been in Japan. The fact that Rokudenashiko explicitly situated her art work as both feminist and political meant that it was much easier for the overseas press to frame her arrest in terms of the repression of free speech. The cute “pop” nature of her work also lent itself to being discussed across a wide range of media, despite its supposedly confronting topic matter. As Andrew Potheary points out, to a foreign audience Rokudenashiko’s arrest “made yet another ‘weird Japan’ story,” and was even picked up in a segment of the highly popular U.S. comedy program *The Daily Show with Jon Stewart*. It was Stewart’s show that put forward

the claim that the *manko* is treated differently from the penis in Japanese culture, his example (one also used by Rokudenashiko) being the Kanamara (Iron Penis) Festival, an annual Shinto event that celebrates the suppression of a demon by an iron penis. The equivalence between the repression of Rokudenashiko's *manko* art versus the celebration of the male sex organ in the festival was, however, questioned in the Japanese press (*Asahi shinbun* 2014b: 35). Shinto rites have historically been much concerned with fertility and there are festivals that celebrate the *manko*— but these festivals were not reported on in the English-language press, other than one article in the *Japan Times* (O'Keefe 2016).

Major newspaper outlets in North America and Europe also covered Rokudenashiko's story, following the progress of the court case and reporting on its resolution. This mainstream media exposure meant that the topic was picked up in alternative media, blogs and articles concerned with sexuality, feminism and art – resulting in many opportunities for Rokudenashiko to engage with an international audience. This included a 15 minute video interview with the artist as well as local and international commentators featured on Vice channel's Broadly site (Broadly 2015).

The artist's arrest drew particular attention in the Chinese world, with Rokudenashiko receiving an invitation to meet with controversial artist Ai Weiwei in Beijing. An interview with Ai was later published in a Japanese weekly art and subculture magazine *Shūkan dokushojin* on 17 April 2015 where he recounted his meeting with Rokudenashiko and supported her views on feminism, the body and freedom of expression. Ai's support of Rokudenashiko's work added further gravitas to her cause given his major profile as an artist also working against state oppression. Rokudenashiko also received an invitation to speak at the Parasite art space in Hong Kong in September 2015. This lecture was timed to coincide with the *Gender, Genitor, Genitalia -- Rokudenashiko Tribute* exhibition that was staged at the Woofer Ten gallery where local artists drew parallels between Rokudenashiko's treatment in Japan and their own struggle to maintain freedom of expression in the face of mainland Chinese pressure in Hong Kong. The event was reported favourably in Hong Kong's *South China Morning Post* with the artist's work being firmly positioned as a feminist response to the "male gaze" that structures the majority of mainstream sexual depictions (Kwong 2015).

Fuyuki Kurasawa can help us understand the almost unanimous support that Rokudenashiko has received from overseas, including from major artists. Kurasawa is interested in the globalisation of activism against social injustice. He shows how the media, especially social

media, help establish audiences who “bear witness” and respond to distant injustice (2009: 91). Although his focus is more on human rights violations on a mass scale, his analysis is useful for understanding how the media accelerate the “transnationalization of bearing witness” and help establish solidarity with local causes among a territorially disperse collection of “concerned citizens around the planet” (2009: 93). From the outset, reports in the overseas press positioned Rokudenashiko as a victim of police harassment and endorsed her art as a form of feminist activism against Japan’s perceived patriarchal social system. This is despite the fact that some of the evidence brought to bear in this narrative, lacking as it does a nuanced sense of local context, has not been accurate.

Rokudenashiko has played a part in crafting a positive self-image – presenting herself as a single woman, a seemingly easy target for the police, since she was without the support of a gallery or agent and had very limited financial resources. However the artist turned out to be skilful at using the notoriety brought about by her arrest and court case in order to advance her cause. One of her first activities after her initial arrest was to produce a book of manga, photographs and short essays describing her artistic career to date, her arrest, and her week-long detention in the police cells. The book was published in 2014 and in 2016 was released in an English translation entitled: *What Is Obscenity? The Story of a Good for Nothing Artist and Her Pussy*. The book, presented using the same kind of pop art style that defines much of her work, painted an extremely unflattering picture of the police (ten of whom turned up at her home to arrest her). Although the conditions of her detention were severe, spending many hours handcuffed and not allowed to change clothes or bathe, Rokudenashiko manages to find humour in the situation – mostly at the expense of the police and prosecutors who were clearly made uncomfortable by her constant use of the term *manko*, refusing to use the circumlocution *josei seiki* (female sexual organ) while being questioned, as they demanded. The artist also made several public appearances after her release, sometimes in cos-play guise as a female police officer or wearing a giant *manko* suit or an inflatable *manko* arm-band. Videos were made of some of these appearances, as were videos of comedy skits featuring the artist and her supporters mocking the police actions, which were then distributed via social media. If the police had thought that Rokudenashiko’s arrest would give the artist pause for thought and make her terminate her activities – as is usual in these cases -- they were mistaken. As Rokudenashiko stated in an interview at the FCCJ “If I give up then the regulations will be strengthened”. Through taking this stance the artist broadened her appeal,

and was perceived as standing up not only for her own freedom of expression but for the freedom of other artists in Japan.

The international media attention resulted in a number of speaking engagements outside Japan, including an Asian American writer's workshop in New York in May 2015 where Rokudenashiko spoke about the creation of the manga *What Is Obscenity?* At the New York meeting the artist was accompanied by the translator of her manga, Anne Ishii, who is also a director of the online store MASSIVE that offers merchandise from queer and feminist artists in Japan, including Rokudenashiko's "free *manko*" pins. The support of sites such as MASSIVE, which is represented at comic conventions, book fairs and queer events around North America, underlines the connections between feminist and queer artists who are both challenging the codes regulating visual representation of sexuality in Japan, connecting what can seem local issues to larger questions concerning the regulation of sexuality in a global context.

## **Conclusion**

In choosing to fight the obscenity charge, Rokudenashiko proved herself to be a good judge of public opinion, at least outside Japan – perceiving the court case as an excellent means to draw attention to her work and establish connections with overseas activism. She was also able to draw attention to some fundamental contradictions in the notion of obscenity itself. Inherent in obscenity law and underlying the arguments of its prosecutors is the idea that there is something particularly compelling about the nature of sexual imagery and that sex will capture the imagination of the broader population in a more compulsive manner than other kinds of imagery. It is for this reason that, as Sceats points out, there is “an awareness amongst more savvy agitators that the audience guaranteed by the strength of these reactions generates important opportunities for communicating political dissent” (2002: 144). Indeed there is a long tradition of using pornographic pamphlets to destabilise authority figures going back to the revolutions of the eighteenth century. With this point in mind we can situate Rokudenashiko's artistic endeavours as political and not pornographic, given that her art has never been about drawing attention to *manko* as an *object* of sexual arousal but rather

has been an attempt to bring *manko* into discourse, an attempt to encourage women to own discussion of and representation of their *manko* as *subjects*.

Rokudenashiko's pop art treatment of the vagina, a body part which well over half the world's population encounters on a daily basis, but which cannot be represented or spoken about directly in Japan's public sphere, is an attempt to use the strength of public reaction to open space for political dissent. Her work is clearly political and arguably, from a feminist perspective at least, about empowerment and the very "moral uplift" that the state sees as the purpose of art. It is difficult to find an audience that was or could have been depraved and corrupted by the digital data provided by the artist, given that its only recipients were the self-selecting community of supporters who had contributed to her artistic endeavour via the crowdfunding site. Indeed in the course of the trial it became clear that the only persons who had actually downloaded the data and used a digital printer to make a replica of Rokudenashiko's *manko* were the police involved in the investigation.

Rokudenashiko's art work has nothing at all to do with sexual excitement and yet her arrest and trial do make sense within the Japanese system since she broke the main convention governing obscenity -- the unambiguous depiction of a sexual organ. Contrary to the argument staged in overseas media, the *manko* is not unfairly treated – there are several recent examples of male nudity also being prosecuted (see also *Asahi shinbun* 2014a). However the perception that she was being unfairly targeted certainly helped her case as it fed into an already well-established script about "weird Japan" and its patriarchal culture. Any complexity in this description was mostly overlooked, enabling a global "witnessing" of the injustice waged against Rokudenashiko that afforded her a celebrity-like status. Indeed, due to celebrity support garnered for her cause on social media, in 2014 the artist met folk-rock group *The Waterboys'* frontman Mike Scott, whom she married in 2016, and the couple recently had a baby. Having moved to Ireland with her new husband, Rokudenashiko is free to explore her artistic pursuits without fear of further intervention from the Japanese police. The international support and attention the artist has received has not however resulted in her conviction being overturned as Tokyo's High Court confirmed the lower court's decision in April 2017 (Kikuchi 2017). Whether a further appeal to the Supreme Court will see her artistic endeavours vindicated remains to be seen.

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