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**Article:**

Pett, Emma Jane (2016) '*Blood, guts and Bambi eyes*' : *Urotsukidoji* and the Transcultural Reception and Regulation of Anime. *Journal of British Cinema and Television*. pp. 390-408. ISSN 1743-4521

<https://doi.org/10.3366/jbctv.2016.0326>

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# ‘Blood, Guts and Bambi Eyes’: *Urotsukidoji* and the Transcultural Reception and Regulation of Anime

Emma Pett

## **Abstract:**

The regulation and reception of anime in Britain has, historically, been fraught with difficulty. In 1992, the British Board of Film Classification (BBFC) rejected the first instalment of *Urotsukidoji*, a controversial series of erotic anime, on the grounds of its sexually explicit content; this decision set a precedent for the way in which they would continue to censor anime for the following two decades. Nearly twenty years later, in 2009, the Coroners and Justice Act, also known as the ‘Dangerous Cartoons Act’, made it a criminal offence to possess non-photographic pornographic images of children, including CGI, cartoons, manga images and drawings. Through an examination of the BBFC’s archival materials on *Urotsukidoji - Legend of the Overfiend*, supplemented by references to a small number of newspaper articles published during this period, this article offers a range of insights into the historical context in which the current series of debates surrounding the ‘Dangerous Cartoons Act’ can be situated and assessed. These are used to consider the transcultural flow of genres across national borders, and the difficulties a regulator from one culture encounters when dealing with controversial material originating from another, such as Japan, that has a substantially different set of social values and artistic conventions. Furthermore, this case highlights the important role played by distribution companies in shaping the production and evolution of genres within the transcultural marketplace.

**Keywords:** Anime; BBFC; Dangerous Cartoons Act; distribution; genre studies; orientalism; transcultural marketplace.

## **Introduction: “A warning to every Manga and Anime fan”**

In October 2014, Robul Hoque reportedly became the first British person to be convicted for the possession of prohibited cartoon images, specifically manga and anime, following the introduction of the ‘Dangerous Cartoons Act’ (Opsl 2009; Palmer 2014).<sup>1</sup> Hoque was charged with the possession of 228 still and 99 moving images, and given a nine-month prison sentence suspended for two years (Palmer 2014). At Teesside Crown Court his barrister, Richard Bennett, was reported to comment:

These are not what would be termed as paedophilic images. These are cartoons ... this case should serve as a warning to every Manga and Anime fan to be careful. It seems there are many thousands of people in this country, if they are less than careful, who may find themselves in that position too (Edmunds 2014).

Bennett’s courtroom remarks draw attention to the complex terms of Clause 62 of the Coroners and Justice Act (2009). The new legislation, in which a child is defined as a person under 18 years of age, includes the category of ‘imaginary children’ within its remit, as well as any instances in which ‘the predominant impression conveyed is that the person shown is a child, despite the fact that some of the physical characteristics shown are not of a child’ (OPSI 2009).<sup>2</sup> Not surprisingly, this development in the regulation of animation and non-photographic media provoked widespread criticism and condemnation from a broad range of interested parties, including anti-censorship groups, MPs, publishers, author Neil Gaiman and graphic artist Bryan Talbot (Taylor 2009). Online anime fan communities, such as the

Crunchyroll forum, have responded to the news with protracted discussions of the possible implications that the new legislation might have for British fans. While some members have satirised Hoque's conviction with comments such as 'Good! Someone has to protect the rights of those imaginary girls!' others have mounted more serious critiques of the new regulations.<sup>3</sup> Within academia, legal scholars have contested the 'harm' claims cited by the government in their rationale for justifying the 'Dangerous Cartoons Act' (Ost 2010; Nair 2010). Suzanne Ost, for example, offers a detailed examination of different kinds of 'harm' which the government claims such images could potentially have. Ost concludes that

perceiving fantasy NPPIC [non-photographic pornographic images of children] to be as unacceptable, or indeed, as harmful as images of real pornography, seriously underplays the physical and psychological damage that children who feature in real child pornography suffer. The harm caused by real child pornography is concrete and undeniable. In contrast, the harm caused by NPPIC is much less verifiable and no attempt to measure harm was made by the government prior to the introduction of the proposed offence in the C&JB (Ost 2010: 255).

The passing of the 'Dangerous Cartoons Act' contributes to a broader shift in the regulation of pornographic and 'extreme' images in the UK. It follows the extension of the Criminal Justice and Immigration Act (2008), also known as the 'Dangerous Pictures Act,' to include the possession of 'extreme pornography' as a criminal offence.<sup>4</sup> These regulations were then further tightened with the passing of the Criminal Justice and Courts Act (2015), which criminalised the possession of rape pornography. As the pornography industry continues to make use of emergent technologies, further questions will inevitably be raised around the criminalisation of porn consumers. Jason Zenor predicts, for example, that 'in the near future, pornography will be interactive, and people will be able to act out their fantasies in virtual reality. What may be unsettling is that some of these fantasies will be quite deviant, including rape, pedophilia and bestiality' (Zenor 2014: 563). Indeed, Feona Attwood et al argue that current moves to criminalise possession of such images suggest that 'it may be that it is not the image itself that is controversial, but rather the increasing ease with which imagery can be accessed, replicated and manipulated' (Attwood et al 2013: 4). In this respect, then, these developments echo previous controversies surrounding extreme and sexually explicit materials; as with the arrival of video in the 1980s, technological developments facilitating greater accessibility to such marginal and niche forms of media have long been linked to media panics centred on notions of 'harm'. However, this article does not set out to re-visit discussions of the 'harm' debate, which have already been explored in detail by Barker and Petley (2001) and Ost (2010). As the BBFC themselves acknowledge in their most recent guidelines, 'media effects research and expert opinion on issues of suitability and harm can be inconclusive or contradictory. In such cases we must rely on our own experience and expertise to make a judgement' (BBFC 2014: 3). As the regulatory body make clear, it is their combined 'experience and expertise' that guide the application of the guidelines during the classification process, and it is the historical development of this expertise to which this article now turns.

The BBFC's propensity to interpret anime as a category that shows 'little respect for the boundaries of taste and decency' dates back to the early 1990s, when a number of 'apocalyptic' anime films released on the UK-based Manga Entertainment label attracted their attention.<sup>5</sup> In 1992, the BBFC made significant cuts to *Legend of the Overfiend* (1992), the first film in the *Urotsukidoji* series. Over the following eight years a further five titles from the series were cut, and the final two *Urotsukidoji* instalments were rejected by the Board in 2000. The controversy surrounding these decisions meant that *Legend of the Overfiend*, a film with only a small, niche market in Japan, achieved sales four times higher than the market average in the UK, and subsequently became synonymous with the anime

category amongst British cultural commentators throughout the 1990s (McCarthy and Clements 1998: 88). This study of the BBFC's archival materials on *Legend of the Overfiend*, together with a small number of newspaper articles published at the time, therefore sets out to offer a range of insights into the historical context in which the current series of debates surrounding the 'Dangerous Cartoons Act,' and Hoque's recent conviction, can be better understood.<sup>6</sup> These will be further considered in the context of debates surrounding the exchange of cultural products within the transcultural marketplace.

### **'Cartoon Hells': Anime Arrives in the UK<sup>7</sup>**

The production of Japanese animation, or anime, dates back to the era of early cinema (Clements 2013). However, it was the release of films such as *Akira* (1988), *Tetsuo* (1989) and *Legend of the Overfiend* (1987) that saw anime develop a significant fan base in the UK, primarily as a result of Manga Entertainment's initial push into the British market (Clements 2013: 181). The 1990s saw anime establish itself as a specialist interest which, initially, attracted a devoted cult following in the US, UK, France and other western countries. However, many of these early anime releases received a mixed, or even hostile, reception from both the popular press and the BBFC; this reception can be understood through a consideration of some of the broader public perceptions of Japanese culture existing within the framework of 'mainstream' British culture at that time.<sup>8</sup>

In 1992, the first major British festival of Japanese animation, 'Manga, Manga, Manga', was held in London at the Institute of Contemporary Arts (ICA). One of the films screened at the festival was Hideki Takayama's *Legend of the Overfiend*. Cuttings from newspaper reviews of the festival, located in BBFC archives for the film, indicate that the examining team at that time were following its reception in the 'mainstream' press. One such cutting is of the article 'Beyond Endurance' by Tristan Davies, which introduced the subject matter of the ICA festival to readers of the *Daily Telegraph* on 17 October 1992 in the following way:

Manga is Japanese for comic; and Japan's 122 million people, I gather, consume comics avidly. Even adults, when they're not mutilating dummies of their bosses or being shoehorned on to commuter trains, read Manga strips and watch Manga TV and films ... Anyone who saw the sadistic Japanese game show *Endurance* featured by Clive James on his round-up of world television (a kind of Krypton Factor which allowed the live torture of contestants) will know the Japanese to have some rum tastes. But what the warped sadism of Takayama's *Overfiend* reveals of the national character, I shall meditate on when next in their water garden.

Davies' comments reveal that, in the early 1990s, there was a considerable degree of prejudice surrounding Japanese culture circulating in the 'mainstream' British press and beyond. Such negative cultural stereotypes were partly fuelled by shows such as *Clive James on Television* (Granada, 1982-89), which presented a skewed perspective of Japanese culture focusing on elements that were strange or 'other' to the British public. Most memorably, James repeatedly showcased a Japanese game show, *Endurance*, in which contestants were humiliated in a manner unfamiliar to most British audiences of the time.<sup>9</sup> Although the BBFC's guidelines for classification were not as clearly established as they are today, the furore over the video nasties in the 1980s had set a precedent at the BBFC for taking public opinion into account. It was in this cultural context that Island World Entertainment launched their new label, Manga Entertainment, with the intention of introducing anime to British audiences. One of the earliest films they submitted to the BBFC was Hideki Takayama's *Urotsukidoji: Legend of the Overfiend*.

## The BBFC, Anime and Orientalism: The Case of *Legend of the Overfiend*

In January 1992, Island World Entertainment submitted a thirty-seven minute episode of *Urotsukidoji* to the BBFC with the intention of establishing the regulatory body's view on the series. The episode was viewed by seven BBFC examiners who were, on the whole, perplexed by the Japanese cartoon. While one of the examiners argued that the film should be released uncut, five advised that cuts should be made and one examiner urged the board to reject the film outright, writing that:

I won't beat about the bush, this animated orgy of sexual violence from Japan has no place on any video shelf in Britain and promises to provoke as much animated discussion as *Golden Lotus* because of its alien cultural origin ... *Urotsuki Doji* glorifies sexual violence, sexual violence is its raison d'être. Cutting, as has been suggested, is a ludicrous idea and in my opinion liberal to the extreme and detrimental to liberalism. I am utterly against cutting a piece which is so perfectly whole but which does not have a universal, in the worldly sense, appeal. If we were to pass it ... then who would be the audience? And why, then, should not British animators zoom in on the rape theme and begin a whole animation rape business?<sup>10</sup>

These concerns regarding the perceived threat of an alien culture invading British video stores were also articulated by another examiner, who argued for cuts to be made to the film and concluded 'it's not clear to me where all this is heading ... in Japanese society, where elements of social and psychological control are so different, this may be harmless. In Britain this is not so.'<sup>11</sup> For the BBFC examiners circa 1992, in an era predating the development of film distribution via the Internet, *Legend of the Overfiend* was perceived to be more than merely a film containing unacceptable scenes of sexual violence: it was a threat to British society. In one case, this potential cultural menace was contextualised within a broader attack on Japanese culture and society within the film, described by an examiner as

a typical example of the sort of aggressive fantasy and imagination Japanese animators can come up with when the limits of extremity seem to be non-existent. ... The offensiveness of sexual violence, disguised and camouflaged in the colourful and far-out fantasy drawings, is so stylized that it is pressing for legitimacy – an identical imagery of the ornamental demonic-faced Japanese warrior idol covered in a silk robe; typical of the Japanese's marvellous mentality, an economic aggressor with over the top manners; a nation full of male chauvinists but boasting only their females' tender, submissive virtues.<sup>12</sup>

Comments such as these reveal the depth and complexity of the problem emerging at the BBFC when confronted with the first instalment of the *Urotsukidoji* series. Not only did some of the examiners feel the film presented a genuine social threat, but more significantly, their reports also raised the unwelcome spectre of cultural prejudice. In certain (though not all) cases, this took the form of degrading caricatures of Japanese people, culture and society; these focused primarily on sensitivities surrounding gender and sexuality, whereby Japanese cultural norms were perceived to be significantly different from British ideals at the time.

In September 1992, Island submitted a second version of *Legend of the Overfiend* to the BBFC on their Manga label, with a longer running time of just over 105 minutes. Their renewed intention to introduce British audiences to the *Urotsukidoji* series highlights the significant role played by distribution companies in shaping and directing the transcultural flow of film genres across national boundaries. As both Sean Cubitt and Ramon Lobato have argued, the significance of film distribution networks in shaping the reception and evolution of a genre in any given marketplace, in terms of what they choose to distribute and to withhold, is often overlooked (Cubitt 2005: 17; Lobato and Ryan 2011:192). For a regulatory

body largely unfamiliar with anime, *Legend of the Overfiend* was problematic in that it was difficult to locate, both culturally and generically: there was a lack of precedents. In the weeks that followed, twelve examiners filed reports about the film, of which eight recommended it was passed '18' without cuts and four examiners argued that cuts were necessary in order for the film to achieve an '18' certificate. Evaluations of the film varied greatly amongst these twelve examiners, but tended to focus on two central points of discussion and contention. The first of these was, as with the shorter *Legend of the Overfiend* submission earlier that year, one of cultural translation. Demeaning stereotypes of Japanese society, similar to those articulated by Tristan Davies, are also evident in several of the BBFC examiners' reports on *Legend of the Overfiend*, and again highlight how problematic the process of cultural translation was for the film regulator at the time. One examiner speculates:

Violent rape is normalised by being shown as something that happens to all women and can be satisfying. It could be that all Japanese men have small penises and need this kind of imagery to reassure themselves that fantasy can deal with size, that women who may appear shy or aloof are really on heat and need to be taken by force.<sup>13</sup>

Here, the problem of an alien or 'other' culture focuses specifically on issues of sexuality. This spectre of cultural discrimination, evident in the reception and regulation of anime in the UK (and elsewhere), clearly invites an orientalist critique. The BBFC's reports on *Legend of the Overfiend* can be considered alongside a series of other analyses examining the orientalist framing of Japanese media within a western context over the last twenty years. Drawing on Said's seminal text (1978), media scholars have identified multiple ways in which western marketing materials and reviews highlight the 'exotic' aspects of anime and other Japanese media (Needham 2006; Martin 2009). Gary Needham, for example, has argued that the marketing strategies employed by distributors such as Tartan encourage 'many of the typical fantasies of the 'Orient' characterised by exoticism, mystery and danger,' and suggests that the cross-cultural flow of Japanese films to the West reflects an on-going cult interest in the 'otherness' of Asian culture (Needham 2006: 9). Similarly, Daniel Martin argues that without an understanding of their domestic context, films distributed by Tartan are likely 'to be misunderstood by ignorant viewers and celebrated only for their difference' (Martin 2009: 19). These critiques have also been applied to Manga's marketing materials for *Legend of the Overfiend* in the 1990s.<sup>14</sup> While these orientalist readings of the Manga and Tartan distribution labels are valuable, in that they highlight and problematise the same prejudicial attitudes towards Japanese culture discernible in BBFC reports and press articles of the mid-1990s, they also draw a troubling conclusion which merits further consideration.

One of the BBFC examiners' reports poses the question, 'if we were to pass [*Legend of the Overfiend*] then who would be the audience?'<sup>15</sup> In many respects, then, these orientalist critiques of Tartan and Manga's marketing materials echo the regulatory body's concerns regarding audiences; more than this, in certain cases they answer the BBFC's question by pointing the finger at "ignorant viewers" (Martin 2009: 19). Though such textual analyses of the marketing materials are well constructed, they overlook the ability fans and wider audiences have to read marketing materials in a complex range of different and sometimes oppositional ways (Pett 2013). Furthermore, a stronger deconstruction of the orientalist critique of transcultural audience-text relations can be found in studies of anime fan cultures in the west. A growing number of in-depth studies examining fans' complex and nuanced appreciation for Japanese media over the last twenty years have revealed a relationship that is far removed from the negative and simplistic assumptions made by the 'mainstream' press and BBFC examiners' reports, circa 1992 (Napier 2007; Denison 2011; Madill 2015). This article contends, then, that though the hyperbolic character of 'mainstream' newspaper articles and BBFC examiners' reports clearly facilitates orientalist readings, as do some of the

marketing strategies employed by Manga and Tartan, such a critique becomes problematic when employed indiscriminately to theorise, by extension, the transcultural audiences for Japanese media. This problem can be interrogated further through a consideration of issues surrounding the flow of genres across the transcultural marketplace, and configurations of the audience in relation to them.

### **‘Blood, Guts and Bambi Eyes’: The Genre Problem <sup>16</sup>**

As a preface to examining the issues of genre and medium as they arose in the reports for *Legend of the Overfiend*, it should be noted that it is not just the BBFC who have encountered difficulties when trying to categorise anime titles within a western generic framework. The diversity of genres, themes and styles which the category encompasses has meant that its reception in western countries, amongst critics and academics, has been particularly complicated. In many commercial contexts, animation has often been (and still is) treated as a genre or category in itself, rather than a medium. The question of how to categorise different types of Japanese animation, therefore, has no existing cultural precedent to follow. Susan Napier subdivides anime into ‘three overarching modes – the apocalyptic, the elegiac, and the carnival’ (Napier 2005: xiii). Of these three, it is the ‘apocalyptic’ category with which the *Urotsukidoji* series of films are most commonly associated. However, Napier also describes *Legend of the Overfiend* as ‘violent sci-fi porn’ (2007: 170), thereby encapsulating some of the difficulties Western academics and critics encounter when they try to categorise the film. To complicate this further, Helen McCarthy has developed nine different sub-categories of anime, and within these she classifies *Legend of the Overfiend* as horror (2008). Mathijs and Sexton categorise anime films differently again, identifying two overlapping areas, ‘naïve and mystical anime, and horror and science fiction anime, or *mecha*’ (2011: 127). Of these two categories it is *mecha*, they suggest, that has the most obvious cultist following, and to which *Legend of the Overfiend* belongs. These on-going differences of opinion regarding anime genres and sub-genres amongst academics point to the wider problem of how to classify anime within a transcultural context. They also highlight the issues that can be encountered when attempting to define a genre as a stable or fixed category, delineated by a set of textual characteristics, rather than through its contexts of distribution, reception and consumption.

The second key point of contention for the examiners of *Legend of the Overfiend* in 1992, then, focused on the issues of genre and medium. On a straightforward level, there was much discussion over whether or not, within the BBFC’s classificatory framework, *Legend of the Overfiend* counted as a ‘sex work’. This was an important debate – if the film received an R18 certificate it could include explicit depictions of ‘consenting sex or strong fetish material involving adults’ (BBFC 2009) but could only be viewed at licensed premises. Indeed, Jonathan Clements has argued that the film clearly belongs in a sex shop and if it was given an R18 certificate this would mean ‘problem solved: if you want to buy *Overfiend* it’s right there, in its place, amongst the porn of other cultures’ (1998: 186). However, the film’s sophisticated graphics, narrative and setting, explored through the medium of animation, provoked a range of contradictory responses at the BBFC. One examiner, arguing for the film to be released uncut, wrote:

Hokusai has a number of woodcuts (shown at a Royal Academy exhibition earlier this year) depicting octopus rape of women with tentacles entering every orifice. This beauty-and-the-beast theme has been around for several hundred years and even Anglo-Saxon poetry acknowledges this in Coleridge’s woman waiting for her demon lover (Kubla Khan)... This is not a porn tape. Animation can deal with fantasy much better than real film or video.<sup>17</sup>

This perspective places the film firmly within the culturally specific context of other reputable art forms which explore sexual fantasies. However, other examiners focused on the problematic combination of ‘ballooning swinging breasts’ being featured in a film whose animation style resembled ‘the tradition of Disney and My Little Pony, with its awful sentimentalism, depiction of dewy-eyed romantic love, and its obligatory funny little crawly creatures’ (BBFC 1992f). Clearly, then, anime was encountering problems of cultural translation specific to the medium when it first arrived in Britain.

Examiners’ comments subsequently raised a further and more complex set of debates surrounding perceived audience expectations for animation films in general. These discussions focused on the question of whether or not the animation medium meant that scenes of sexual violence or other explicit sexual content were either more or less ‘harmful’ to potential audiences.<sup>18</sup> This issue was discussed in the majority of the reports on the film, with one examiner suggesting that *Legend of the Overfiend* should be referred to a review committee for a much broader discussion of the implications of including sex and sexual violence in animation films (BBFC 1992d). Several of the examiners argued that the medium of animation was a mitigating factor that indicated a fantasy scenario and should therefore not be taken seriously. For this group, the Disney-style of the film was not something that grated on them but, instead, made them feel more relaxed about the representation of female sexuality:

The film is a fantasy film not a sex film... while AKIRA is firmly aimed at a teen market, the present piece is aimed rather more firmly at adults. Being a fantasy film, reality is not a prime concern. It seems silly, therefore, to complain that all the women are nubile as presented. I have yet to see an animation piece in which a desirable woman is presented as ugly. Even Cruella De Vil and Snow White’s mother were handsome, albeit evil.<sup>19</sup>

However, at the other end of the spectrum, another group of examiners argued that the animation medium made the film potentially *more* harmful. These reports focused on the association between animation and entertainment, usually intended for children:

As to the form, that of animation, I would argue in this case that it makes the material more palatable than live action, and therefore potentially more damaging, not less as some have suggested. In this country (plainly not in contemporary Japan) the cartoon is regarded as a visual art form of pure entertainment, and intended principally for children. No-one expects an animated film to be a didactic exploration of major human themes; its audience plans to be entertained, so whatever is presented is received as entertainment. If in the midst of this entertainment a savage rape is portrayed, pain and humiliation presented as part of the feast, it makes it more acceptable, easier to absorb, and adds to the perception of women as fuck-fodder, as available targets. Goebbels recognised in World War Two that the cartoon form was a powerful weapon of propaganda – the German nation feasted on images of Jews as grotesques, as bestial slaving threats to civilisation, and they bought the message.<sup>20</sup>

A similar perspective is articulated by several of the other examiners, though none quite so forcefully as the extract provided above, which draws a comparison between anime and Nazi propaganda. By situating anime in this specific discursive context, the report pinpoints a key issue at stake in this case. Anime employs a substantially different set of artistic conventions, and then uses these to explore a highly diverse range of adult themes; for some of the BBFC examiners classifying *Legend of the Overfiend*, these two factors became conflated, and the film consequently functioned to pose a genuine social threat. This interpretation of the animation medium also draws on an overused binary, often employed by BBFC examiners, which understands films to be *either* entertainment *or* art; and animation, in the Disney tradition, was purely entertainment. Employing this reductive binary to understand films, and by extension their audiences, becomes hugely problematic when violent and sexually violent

content is involved. Inevitably, it leads to discussions drawing on notions of 'taste,' as is evident in the BBFC's online case study on anime discussed below. Furthermore, when films are understood to be 'entertainment,' implications are invariably drawn about the possible ways in which audiences might be 'enjoying' scenes of sexual violence.<sup>21</sup>

The classification for *Legend of the Overfiend* in 1992 therefore revealed a divided and confused BBFC. The outcome was that the film was passed '18' with cuts of two minutes and twelve seconds made to scenes of sexual violence. The BBFC's 1992 decision inevitably led to criticism from the anti-censorship lobby, who argued that 'to censor an animation movie, such as this, for its sexual content is absurd. The censors applied standards of morally correct conduct to a mythical world. It is as though one were to fault Theseus or St George for being cruel to animals' (Baruma 1995: 47). However, it is the lasting legacy that *Legend of the Overfiend* has had on a broader public awareness of anime and manga in the UK which has been most striking.

### **'Snuff Out These Sick Cartoons': Censorship and Controversy**<sup>22</sup>

The issue of British audiences for anime, and what constitute suitable exhibition contexts for the genre, was also not merely confined to the film industry. A newspaper article published in 1992, which outlined some of the characteristics of the anime films that were arriving in the UK at that time, summed up the situation with the statement 'Manga doesn't get on to British television. Programme planners deem it unsuitable for the very young. It's not meant for them, but the argument goes that if it's a cartoon, they're bound to watch it. Clearly Manga Video has plenty of new ground to break' (Perry 1992). This observation, however, is fairly restrained when put in the wider context of the British reception of anime films in the mid-1990s. Following the release of *Legend of the Overfiend* a number of censorial articles appeared in both the tabloid and broadsheet press. These included an article in the *Daily Star*, 'Snuff Out these Sick Cartoons' which reports MPs calling for a ban on manga cartoons (1998: 82). Some of the articles mention the on-going press reports surrounding video nasties and the James Bulger case. In 1995, the *Sunday Mail* ran a successful campaign to close down a London-based mailing list supplying anime films, announcing their success with the headline 'Last Post for Kids' Filth: Mail gets action on video nasties'. The lasting legacy, though, was the skewed way in which the British public was introduced to anime. 'Manga' entered the English language with a very specific set of cultural references, as is demonstrated by a short article by Christine Freeborn, which appeared on 17 October 1993 in the *Sunday Times*, entitled 'Why Japan is not safe for women':

LEST the myth should continue that women are safe to walk the streets of Japan at any time (Travel, last week), may I set the record straight. My own experience is of being assaulted at about 1.30pm on a sunny October day in 1988 in the streets of Kyoto. No-one appeared when I yelled Anglo-Saxon abuse at my assailant, who disappeared on his bicycle when I struck him... men still read the kind of sadistic manga comics which Adrian George described in his article, reinforcing the underlying attitude that rates this kind of behaviour as "clean" in the Japanese belief system.

Here, the instance of a sexual assault is linked to the (unrelated) popularity of manga with Japanese males in order to make a sweeping generalisation about Japanese society and cultural beliefs. It represents the kind of leap-of-faith argument that typifies the work of cultural commentators who subscribe to the 'effects' model of understanding audiences. The impact that the controversy surrounding *Legend of the Overfiend* had on the British public's perceptions of Japanese culture in general, and the reputation on anime in particular, cannot

be underestimated. Susan Napier argues that it was the early import of *Legend of the Overfiend* into the UK at this significant point in time, that created a moral panic which was to have a lasting effect on the ‘mainstream’ UK reception of anime for many years to follow (Napier 2007: 135 and 170).

### **Transcultural incursions: regulating anime and manga today**

In the intervening twenty years anime has steadily increased in popularity, evolving from a slightly obscure niche interest into a widely recognised cultural phenomenon. Napier argues that anime now occupies a marginal position within ‘mainstream’ American culture, and appeals as strongly to female audiences as it does to its traditional ‘fanboy’ base (2007: 15). However, the issue of adult-themed animation continues to remain a point of contention for the BBFC and other policy-makers in the UK. A key concern they express, in relation to anime and manga, is what they perceive to be a problematic combination of the animation medium with violent, sexually violent or other adult-orientated material. In a recent BBFC podcast, one examiner observes that classifying anime ‘is quite tricky for us, because Japanese cartoons can range from complete kiddie-friendly U-rated stuff to almost pornographic, sometimes even pornographic, 18-rated stuff, so it’s quite a broad genre’ (BBFC 2013).<sup>23</sup> In their online case study on anime, the BBFC states that ‘graphic violence, sex and sexual violence often appear within a medium [anime] which, in our western experience, has traditionally been free from such incursions’ (BBFC 2006). Complicating this regulatory approach, though, is the fact that fantasy or cartoonish styles are frequently cited by the BBFC as mitigating factors during the classification process.<sup>24</sup> It is the way in which anime confounds and complicates the regulator’s broader guidelines relating to animation that forms the crux of this ongoing classificatory problem.

More recently, but prior to the legislative changes implemented in 2010, the BBFC were regularly cutting anime films on the grounds of sexual violence. 18-rated titles such as *Mission of Darkness* (Kohtaro Ran, 2003) and *LA Blue Girl Returns* (Hiroshi Ogawa and Yoshitaka Fujimoto, 2005) were cut because they included ‘images encouraging an interest in underage sex’ (BBFC 2005). As the BBFC have pointed out, part of their concern focuses on the problematic way that ‘children are presented as sexually active. The characters in anime works are often presented as childlike, with their big eyes and high voices. They can change form according to their mood and a character that appears adult in one scene can look like a toddler in the next’ (BBFC 2006). It appears that although the popularity and awareness of anime in the west has grown exponentially over the last twenty years, the legacy of the debates surrounding the potential ‘harm’ of representing sexual violence or sexual behaviour of any kind, in the context of an animation feature, continues to haunt the regulatory body. As one member of the Crunchyroll forum summarises on a thread discussing the BBFC’s 2013 podcast: “the BBFC are still stuck in the 90s.”<sup>25</sup> This legacy now continues alongside the introduction of broader legislative restrictions, set out in the Coroners and Justice Act (2009), which the national film regulators are obliged to adhere to in their decision-making processes.

The potential repercussions of these developments are, as yet, unclear. There are many niche forms of anime and manga which include eroticised representations of children, and which have attracted a significant fan following in the UK. In her on-going research into fan cultures surrounding Boys’ Love manga (BL), Anna Madill explains that:

The *sine qua non* of BL [Boys’ Love] is the portrayal of romantic and sexual relationships between young, often adolescent males. It is sometimes very explicit and can contain themes of intra-familial attraction, BDSM, and seeming inter-species eroticism (eg, between human(oids) and cat-boy hybrids such as the character Shiro) (Madill 2015: 273).

Madill clarifies that not only are most BL authors female, but also that large segments of its fan base are often female adolescents or young adults. Her research reveals that ‘intelligible, meaningful, non-paedophilic frameworks are available for reading non-realistic, erotic texts involving visually young characters’ (Madill 2015: 285). The assumption that erotic representations of young people are inherently problematic reflects a cultural climate that is increasingly panicky about adolescent sexuality.

A final complicating factor in the regulation of anime and manga consumption within the contemporary marketplace is that of distribution. The days in which a BBFC examiner can assert that anime has ‘no place on any video shelf in Britain’ are long gone. Recent scholarship on film distribution focuses on the burgeoning shadow economies driving the market, often facilitated by fan communities (Lobato 2012; Denison 2015). Rayna Denison discusses the fan practices of sourcing and “gifting” Japanese media texts within Internet communities, as a means to create substantial online archives; she argues that such practices extend existing ideas of film collecting as a private, domesticated hobby, ‘reimagining it as a collective archival activity in which a community library of texts is produced’ (Denison 2015: 63). What is emerging in this evolving culture of online communal archivists, is a shadow network of film distribution which has become very difficult to regulate. It is perhaps not surprising, then, that individuals such as Robul Hoque are becoming the focus of legislative action. As the *International Business Times* reported, Hoque was used as a “test case” to establish the new parameters of culpability in a transcultural media marketplace. The warning sounded by Hoque’s barrister, that British anime and manga fans need to “be careful, as these images are freely available on legitimate sites” (Palmer 2013), implies that, in the shadowy world of contemporary anime and manga fandom, it is individual consumers, rather than the producers or distributors, who are increasingly at risk.

The British reception of *Legend of the Overfiend* offers a pivotal case study in understanding the transcultural marketplace in three key ways. Firstly, it reveals how the distribution strategy developed by one company, Island World’s Manga Entertainment label, has shaped regulatory practices in Britain, establishing anime as a contentious, problematic category of media; this continues to have cultural resonance today with the passing of the ‘Dangerous Cartoons Act’. Secondly, the reception of the *Urotsukidoji* series illustrates the complex range of issues contingent to the transcultural flow of genres across different national boundaries. While there *are* historical precedents for feature length British animations that offer more than “pure entertainment” (BBFC 1992), such as *Animal Farm* (Halas and Batchelor, 1954), they have largely been understood within their own specific (and very British) literary contexts. The case of *Legend of the Overfiend* confounded the regulatory body because it combined scenes of explicit sex and violence with “awful sentimentalism”. When faced with a cultural import that was markedly different in artistic style and cultural content than home-grown media, there was no clearly defined precedent for the BBFC to follow, and they had to improvise. At this point, a decision loomed – should they apply the regulations which they had devised to deal with a wholly different set of cultural products, or should they instead make special allowances for cultural differences? The *Urotsukidoji* series therefore demonstrates that the flow of generic goods within the transcultural marketplace can function to accentuate and exacerbate cultural difference, rather than facilitate forms of cultural assimilation. Finally, this case study highlights a shift in the focus of regulatory activity, away from distribution companies and towards the individual consumer within a transcultural context. In an increasingly expansive virtual marketplace, in which fans create substantial online networks for exchanging and archiving media, these developments continue to reverberate and call into question the purpose and efficacy of national policy-making institutions.

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## Notes

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<sup>1</sup> The 'Dangerous Cartoons Act' is the name given by some British anime fans to Clause 62 of the Coroners and Justice Act 2009; for example, see < [http://www.uk-anime.net/newsitem/Dangerous\\_Cartoons\\_Act\\_live\\_in\\_UK.html](http://www.uk-anime.net/newsitem/Dangerous_Cartoons_Act_live_in_UK.html) >.

<sup>2</sup> The definition of a child, in the context of pornography laws, was significantly altered by Clause 45(2) of the Sexual Offences Act (2003), which substituted 16 for 18. Prior to this, a child was understood to be a person under 16 years old. Currently, the age of consent (the legal age to have sex) in the UK is 16 years old.

<sup>3</sup> Crunchyroll is an online platform for streaming Asian media with an associated forum used by a large community of anime fans (membership numbers are not given on the website, its twitter account has 208k followers.) There are currently 123 comments on the thread 'UK man Sentenced for Prohibited Images of 'Manga' Children'. The comment cited was made by Menthuthuyoupi on 20<sup>th</sup> October 2014; other critiques include discussion of Hoque's conviction as example of prosecution for a "thought crime".

<sup>4</sup> What constitutes an 'extreme' image, and the broader implications of this in relation to the circulation of sexually explicit content in Britain, has been discussed elsewhere (Attwood and Smith, 2010; Pett 2014).

<sup>5</sup> This comment is made in BBFC (2006) 'Drawing Comparisons: the history of Manga and Classification' available at < <http://www.bbfc.co.uk/education-resources/education-news/drawing-comparisons-history-manga-and-classification> >.

<sup>6</sup> The BBFC examiners' reports from 1992 all refer to the film *Legend of the Overfiend* as *Urotsuki Doji*; however, most critics, fans and academics have, over the last twenty years, tended to call the film *Legend of the Overfiend* in order to distinguish it from the other instalments in the series. To avoid confusion, I have also adopted this convention.

<sup>7</sup> "Cartoon Hells" is the title of a 1992 newspaper article by George Perry, published in the *Times* on 28 October 1992, which explores what it sees as the key characteristics of manga and anime.

<sup>8</sup> While 'mainstream' is acknowledged here as a slippery term, in this instance it is taken to refer to institutions such as the national daily press, the four British terrestrial television channels and all national radio stations on air during the period of the early 1990s.

<sup>9</sup> The programme was re-named *Tarrant on TV* in the 1990s and continued to feature similar content, including extracts from *Endurance*.

<sup>10</sup> BBFC (1992) Examiner's Report on *Urotsukidoji: Legend of the Overfiend* dated 10<sup>th</sup> January, 1992.

<sup>11</sup> BBFC (1992) Examiner's Report on *Urotsukidoji: Legend of the Overfiend* dated 14<sup>th</sup> January, 1992.

<sup>12</sup> BBFC (1992) Examiner's Report on *Urotsukidoji: Legend of the Overfiend* dated 14<sup>th</sup> January, 1992.

<sup>13</sup> BBFC (1992) Examiner's Report on *Urotsukidoji: Legend of the Overfiend* dated 29<sup>th</sup> September, 1992.

<sup>14</sup> For example, Daniel Martin presented a paper that applied these arguments to Manga Entertainment's marketing materials at the Scottish Network Consortium for the Study of Japanese Visual Culture, St. Andrews, 11th April 2012.

<sup>15</sup> BBFC (1992) Examiner's Report on *Urotsukidoji: Legend of the Overfiend* dated 10<sup>th</sup> January, 1992.

<sup>16</sup> "Blood, Guts and Bambi Eyes" is the title of an article by Maya Burgess published in the *Guardian*, 1 February 2003, in which a Japanese anthropologist is briefly consulted in order to try and understand the cultural context of manga.

<sup>17</sup> BBFC (1992) Examiner's Report on *Urotsukidoji: Legend of the Overfiend* dated 2nd October, 1992.

<sup>18</sup> The concept of 'harm' is referred to here with an acknowledgment that it draws on research carried out in the 'effects tradition', a highly contested approach to understanding audiences which holds little currency amongst

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British film academics; however, the BBFC continue to rely on the findings of ‘effects’ research and it is in this context that it is referenced in this chapter.

<sup>19</sup> BBFC (1992) Examiner’s Report on *Urotsukidoji: Legend of the Overfiend* dated 29<sup>th</sup> September, 1992.

<sup>20</sup> BBFC (1992) Examiner’s Report on *Urotsukidoji: Legend of the Overfiend* dated 8th October, 1992.

<sup>21</sup> Barker et al have demonstrated in their research on audience responses to sexual violence that the range of experiences, enjoyments and reactions to such films is, in reality, highly complex and nuanced (2007).

<sup>22</sup> ‘Snuff Out These Sick Cartoons’ was the headline of an article about anime published in the *Daily Star*, 25 January 1993.

<sup>23</sup> BBFC (2013) ‘BBFC Podcast Episode 17 – Classifying Anime’ available at < <http://www.bbfc.co.uk/case-studies/podcasts/bbfc-podcast-episode-17-classifying-anime> >.

<sup>24</sup> The BBFC’s *Guidelines* (2009: 12) state that when considering the context of a film the following factor may be taken into account: ‘the work’s genre. For example, a realistic or contemporary approach may intensify the effect. By contrast a historical or fantasy setting, or comic presentation, may soften the effect.’ The more recent set of guidelines (2014) have integrated this advice into the more detailed list of criteria offered for each certificate.

<sup>25</sup> Comment made by MrJoMiMo92 on 31<sup>st</sup> March 2014, available at < <http://www.crunchyroll.com/forumtopic-844417/anime-censorship-and-the-bbfc#46141855> >.

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