

Brisa Rosiles

22 Oct. 2023

Professor Alisha Romano

JAPN 311

Sexual Violence and the Role of Public Conversations in Japan: A Closer Look at the “Bakky Case,” by Robert O'Mochain

Review by Brisa Rosiles, California State University, Monterey Bay

In the last decade, the world has experienced the amplification of the voices of people, mostly women, who have suffered some form of sexual harassment and/or sexual assault through the #MeToo movement that started in the United States. Many countries, influenced by this movement, had managed to break the silence and began to demand attention from society to adequately resolve cases of sexual harassment and sexual abuse. Influenced by the effectiveness of the movement in the United States, Japan would join this amplification of voices after journalist Shiori Ito publicly accused her aggressor and wrote about her experience as a victim of sexual assault. However, although Ito managed to get more voices to join her in #WeToo<sup>1</sup>, in Japan the movement developed more slowly, and it has remained smaller compared to the US and neighboring countries, where it has been reduced to safe spaces to share experiences of sexual abuse rather than a movement that actively seeks reforms or that directly denounces and condemns harassment. In the article, “Sexual Violence and the Role of Public Conversations in Japan: A Closer Look at the Bakky Case,” Robert O’Mochain argues that this is due to the Japanese public's lack of trust in the flawed judicial system, current expectations of traditional

---

<sup>1</sup> Japanese version of #MeToo movement

gender roles, and the place of women in Japanese society. He attributes the silence and anonymity of the victims of sexual harassment to the negative reactions and actions of public figures who have the power to influence the general public, using the Bakky Case as an example.

Robert O'Mochain obtained a bachelor's degree in Philosophy from the Gregorian University Rome, a master's degree in Education for TESOL, and a doctorate in Curriculum, Instruction, and Technology from Temple University Japan. He is an associate professor at Ritsumeikan University in Kyoto as part of the College of International Relations. As his profile on the Ritsumeikan University Researcher Database states, his areas of expertise are gender, philosophy/ethics, religious studies, history of thought, foreign language education, international relations, sociology, and education. His research focuses on gender violence and gender discrimination, specifically on how masculinism oppresses women and minority groups in Japanese society through sexual harassment and sexual abuse. Among his publications is the book *Challenging Masculinism: Narratives from within Education in Japan* (2010); as well as book chapters with titles such as "The #MeToo Movement in Japan: Tentative Steps Towards Transformation" and "The Language of Invisibilization: EFL Students' Inquiry into Male-directed Sexual Violence," both published in 2021.

The article begins by describing the effect that the acquittal of a Scottish political leader from 13 charges of sexual abuse had on the women who came forward, generating negative reactions from the general public that led to verbal aggression towards the victims. Scottish activists denounced this behavior, as it could cause other victims of sexual abuse to remain silent for fear of receiving the same retaliation from the public or some form of vengeance from the accused. The author uses this case to explain why the Japanese #MeToo movement has not been as successful as it has been in other countries, attributing it to the actions and reactions of public

figures and authorities regarding the Bakky Case, and the connection between hypersexualization in media (anime, manga, and video games), pornography, and sexual violence, all in relation to local cultural expectations of women in the society.

The Bakky Case is about the sentencing process for one of the creators of adult videos (AV) from the production company Bakky Visual Planning, a type of pornography that included gang rape, torture, and violence in general, where the actresses were deceived and drugged to participate. Although multiple women who were tricked into participating in these videos came forward, the case never went any further due to the "consent wall". In Japan, "what is often called into question during rape trials... is never whether the victim truly refused or not, but rather whether the refusal was 'clearly conveyed' to the suspect" (Ito, 2021), since the victims were tricked, drugged, or were in a state of shock during the attack, it was not possible for them to explicitly withdraw consent, so Japanese authorities rejected the charges as there was no "evidence" that the victims never consented to the act or that they withdrew their consent at some point during the recording. It wasn't until one of the victims ended up in the hospital for fatal injuries caused by the gang rape that authorities took the previous accusations against the producers seriously and began a lawsuit against them. However, only the president of the production company received a sentence of 18 years in prison. During the trial, Japan witnessed the man's cynicism as they watched him smile while listening to his sentence. Other men involved received smaller sentences or escaped justice, only to continue profiting from the existing videos, distributing them under a different name. The helplessness that the case caused left many Japanese women in the mid-2000s with a bitter taste about how unfair the judicial system was to Bakky's victims, so one would hope the case would open a national conversation

about what it means to objectify women in entertainment media, instead, politicians seek to publicly blame the existence of women when they do not conform to traditional gender roles.

For there to be as much violent/non-consensual sexual content as this, or in other words, for Bakky Visual Planning to produce such a degrading type of AV, there must first be a consumer who is actively seeking this type of entertainment, especially those types of videos where "bad girls" are punished to offer some type of moral superiority to the viewer. O'Mochain explains that, in this context, women who do not fit the idealized image of virginity or motherhood, as well as those who do not follow the Japanese beauty standard, are considered "bad girls," which led to associating a certain group of women who expressed a very particular fashion style, the *yamanba*, with prostitution. A woman's free sexual experimentation is still heavily stigmatized by Japanese society as it is restricted to reproductive purposes and nothing more, which easily turned *yamanba* women into targets to receive hatred from the men behind this case. On internet forums, many men were allowed, under the free speech excuse, to express their dislike towards independent-minded women who didn't follow traditional gender roles, and

This allowed a group of exceptionally sadistically minded individuals to imagine that they had societal approval for their attacks on *yamanba* "bad girls."... [And to this, we add that] offhand comments by political leaders that trivialize rape and that mitigate the blame that should be attributed to perpetrators of sexual assault may well have been interpreted by extremists as a license to commit further acts of sexualized aggression (O'Mochain, 2021)

Although most of the hateful comments were made before, during, and a little after the case (2005-2007), we are still witnessing negative reactions against victims of sexual harassment by members of the government. Mari Miura, in her article "Flowers for sexual assault victims:

Collective empowerment through empathy in Japan's #MeToo movement,” agrees with O'Mochain about the impact of public figures' word choice regarding accusations of sexual harassment and sexual assault. In her article, Miura exposes recent declarations (2018) made by the Minister of Finance, Taro Aso, after Vice Minister Junichiro Fukuda stepped down from his position admitting to having sexually harassed a television reporter: “...Aso, defended Fukuda, stating that there is ‘no such thing [crime] as a sexual harassment charge,’ and ‘there would not be any sexual harassment incident if only male reporters cover the Finance Ministry’” (2021). Some other comments include the discourse that women belong to the home, and the rejection of unmarried and childless women that perpetuate “the belief that male sexuality should be allowed to express itself freely, if only for the sake of demographic gains” (O'Mochain, 2021) excusing them again from their sexist behavior. Comments that place the blame on women allow the rest of the population to remain in a state of complicity and normalization, two problems that Japan has not been able to get rid of, as those aspects also become the reason behind the lack of legal responsibility from the government.

Part of the normalization that O'Mochain mentions comes from what Yuki W. P. Huen describes as social harmony (*wa*). Huen explains that it is a concept in Japanese culture to maintain order and avoid confrontation at the expense of individual well-being, and it primarily affects women's ability to report sexual harassment and abuse, as

It is often perceived as impolite to express one's individual wishes and feelings within a group.... Individuals who have been harmed are often under tremendous societal pressure to maintain the social order; failure to uphold social harmony brings shame and embarrassment. Victims are often dissuaded from making their claims public for fear that airing their grievances will incur disharmony (2007)

Therefore, both agree that the problem of normalization feeds on sociocultural expectations, the same ones that perpetrators use to their advantage as we saw in the Bakky case.

In the end, to offer a solution that helps Japanese women bring about change, it is first necessary to understand the entire system that prevents them from carrying out protests as effectively as those in other countries. As long as the entire system favors the perpetrators in every way, it will continue to be a tough battle for women in Japan. The result of the Bakky case, as O'Mochain explains, should have ignited the flame of indignation that demanded changes in the legal reform that the authorities insist on leaving behind, and at the same time it should have been the reference so that authority figures would stop addressing these types of cases with indifference. Instead, the case was silenced and archived, causing the practice to continue years later. Of course, when one sees that the authorities are not willing to change a system that implores silence to maintain harmony, one does not have the confidence to turn to them when seeking justice, which gives them the satisfaction of being called one of the countries with the lowest rate of violence and sexual harassment, and that same false illusion of security is what stops Japan from improving its laws and recognizing that there is a problem.

From a foreign point of view, what remains is to show solidarity with the women of Japan through online spaces, so they can see they are not alone in the process and that they have international support. Both O'Mochain, and the other writers and researchers included in this review, agree that as long as traditional gender roles remain in force in Japanese society, and the power dynamics that patriarchy provides are not dismantled, it will be very difficult to change people's attitude towards this problem. For this reason, it is necessary to continue amplifying the voices of the victims, giving them a platform in addition to public disclosure of their cases, with their consent, so that they can exert social pressure on the Japanese government without fear of

retaliation. Although the Bakky case did not provoke much social change, the Shiroy Ito case did, bringing with her the "Flower Demo" movement, one that remains burning while more victims come forward. As long as there is someone willing to speak, there will always be a light of hope that will add to systematic change.

## Bibliography

- Goto, E. (2023). Translating "sexual harassment" in Japan and Egypt: Conception and perception on the move. *Internationales Asien Forum. International Quarterly for Asian Studies*, 54(2), 173-190. doi:<https://doi.org/10.11588/iqas.2023.2.22457>
- Huen, Y. W. P. (2007). Workplace sexual harassment in Japan: A review of combating measures taken. *Asian Survey*, 47(5), 811-827. doi:<https://doi.org/10.1525/as.2007.47.5.811>
- Ito, S. (2021). *Black Box*. The Feminist Press at CUNY.
- Miura, M. (2021). Flowers for sexual assault victims: Collective empowerment through empathy in Japan's #MeToo movement. *Politics & Gender*, 17(4), 521-527. doi:<https://doi.org/10.1017/S1743923X21000258>
- O'Mochain, R. (2021). Sexual Violence and the Role of Public Conversations in Japan: A Closer Look at the "Bakky Case," *Dignity: A Journal of Analysis of Exploitation and Violence*. Vol. 6: Iss. 5, Article 4. <https://doi.org/10.23860/dignity.2021.06.05.04>
- Xilun Pang, & Tomlinson, M. K. (2022). The trivialization of sexual harassment in Japanese mascot culture: Japanese audience responses to YouTube videos of Kumamon. *Feminist Media Studies*, 1–17. <https://doi.org/10.1080/14680777.2022.2126872>