

Yes To Freedom ~ Fiction Without Boundaries ~

<http://www.yestofreedom.org>

Re: Complaint and Request for Intervention Regarding Women's Rights Charity Equality Now

CEDAW Secretariat
The Division for the Advancement of Women
2 UN Plaza, DC2-12th Floor
New York, NY 10017, USA

To CEDAW Chairpersons, Committee members, and whomever else it may concern:

We wish to file a complaint and request for intervention regarding the women's rights organization Equality Now, registered charity number 1107613.

This complaint relates to the following of their recent activities:

1. Women's Action 33.1: A campaign seeking to ban certain fictional material depicting the BDSM paraphilia, with the objective that it will help mitigate the normalization of sexual violence.
2. A recent letter to CEDAW asking for the criminalization of Japanese "Hentai", a broad venue for cartoon erotic fiction which includes the paraphilia of BDSM as a negligible subsection.

Already having achieved limited success, Equality Now is attempting to further ban specific fictional content (such as cartoons, video games, and comic books) by **misinforming its membership that it is OK to criminalize a woman's right to express herself through art.**

This charity was originally formed in the spirit of the Universal Declaration of Human Rights. Its founders wished to help shepherd the progress of gender equality to justly accommodate women's rights under the UN's fundamental human rights guarantee. Equality Now has fulfilled this role admirably for nearly 2 decades.

However, Equality Now has recently utilized donations to launch an unprecedented censorship campaign that is counterintuitively degrading women's rights.

The above stated recent activities directly contradict Equality Now's original faith in the Universal Declaration of Human Rights, as they emphatically deny a woman her ability to create or access fictional media with themes of non-traditional sexual paraphilia.

According to the CEDAW mandate, discrimination against women is defined as: "*Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field*".

A woman's right to express any paraphilia through fiction and art is a "fundamental freedom" in the social, cultural, and civil fields. It is an important component of progressive Feminism and, we the undersigned would hope, not neglected, as it is protected by CEDAW's unbiased mission guidelines quoted above.

Equality Now has been repeatedly and publicly pressuring the Japanese Government and the UN to violate a woman's right to express her sexual paraphilias (such as BDSM) in the safe-outlet form of fictional art (such as drawings, literature, and computer software). Again, they are aggressively calling for the elimination of a woman's basic right to free expression.

Whilst the driving point behind this is to “reduce violence and discrimination against women”, a just cause, their methodology is resulting in major infringements on human rights. We are left with a scenario wherein Equality Now’s remorseless prohibition campaign **actually intensifies the original problem of discrimination which it was designed to reduce.**

With this latest action, Equality Now is giving women a bad name by representing Feminism as an anti-paraphilia pro-censorship belief, essentially fanning the flames of female misrepresentation and misogyny. Targeting fiction ends up damaging both genders equally while providing no demonstrable gain; only perfectly gender-neutral losses on all sides.

The main issue at hand is that fictional creations such as the recently banned cartoon-style game "Rapelay" make a parody out of rape, which is a grave cross-cultural concern. All of us donate time, money, and emotional support to help counter this menace. We fight to protect potential victims and gather in peace and fellowship to alleviate the pain of survivors.

In this sense, we do *-unquestionably-* sympathize and encourage Equality Now's core intentions fully. They have amassed an extraordinary membership and international influence for the cause, and that deserves the utmost respect.

The authors of this letter are made up primarily of open-minded Feminists who do not fear the idea of fictional rape fantasies via art and stories. We are aware of how a country's allowance of rape in erotic fiction may get misinterpreted by our fellow sisters and brothers in equality as furthering the prevalence of female-submissive sex-role stereotypes.

Needless to say, to those who have actually researched Japan's Hentai BDSM community, there *-of course-* exists an equal abundance of female-dominant sex-role literature and art that is also a healthy part of Japan's fictional representation of the BDSM paraphilia.

For instance, the very same software company whose female-submissive adult computer game “Rapelay” Equality Now has succeeded in banning maintains a library of other adult BDSM simulations which depict female-dominant stereotypes such as “Yuusha Kara wa Nigerarenai”. Not to mention most of these games include silly fantasy themes and gags, as whimsical and far removed from reality as it can get. **There is clearly no misrepresentation of female sexuality at present here.**

Equality Now's ban is a depressing and thus far unrepentant attack on a law-abiding, pro-Feminist community. It has already grown in scope, as the EOCS regulatory committee which Equality Now has been influencing is now censoring ever more ridiculous themes in response to the original criticism. It has **gone so far as to even ban depictions of Pregnancy and Conception** in adult-classified Japanese software titles. As is typical of any successful prohibition campaign, things have only gotten worse. We have all been very confused and hurt by Equality Now's sudden re-interpretation of Feminism.

They aggressively campaign that the creation of fictional female-submissive BDSM content leads to the harm of actual women. There is absolutely no data that suggests this, let alone evidence to prove it. In fact, not only is the prohibition of such fiction itself **a cruel form of discrimination that will inevitably send women to prison for their art**, there is evidence showing that the availability of prurient fiction (such as erotic drawings and literature) has historically corresponded with a lowering of sex crime in Japan (see: Diamond, M. and A. Uchiyama, "Pornography, rape and sex crimes in Japan." International Journal of Law and Psychiatry 22(1): 1-22. 1999).

There is no evidence that erotic fiction is linked with the exacerbation of rape crime in any society, nor has there ever been evidence that violating the United Nations' free-expression guarantee to exclude prurient fiction has benefited crime statistics. While children are at risk of imitating behavior in fiction, saying that adults are as vulnerable would imply that they aren't fully responsible for their actions. Let us not corrupt the basic democratic framework of self-responsibility.

When we criminalize fringe elements of written/drawn expression, we cease to be protectors and become dangers ourselves. We waive our role as responsible adults and cause direct harm to the community, to our own family and friends. Fictional representations of any illegal conduct – be it rape, violence in other contexts or anything else – are potential outlets for taboo fantasies that would be socially detrimental if transposed in reality.

Equality Now's objective in this prohibition campaign has been to “mitigate the normalization of sexual violence”.

However, there exists a more effective, less damaging approach they have not considered trying. By following the United Nations' declarations and adhering to the free society principles of free-speech and free-expression, they could counter any hypothetical concerns of “the normalization of sexual violence through fictional BDSM” with their own anti-normalization materials.

A culture grows richer through addition, not by subtraction. Book burning has a long history of unsuccessful, counterproductive results. If there is concern that a trend in violent or sexual themes among adult-constrained fiction could desensitize viewers towards violence or sexuality, the *-only-* humane, democratic way of combating this would be to criticize and reverse such trends by outperforming them in antithetical media and awareness campaigning. Frustrations can be proactively spent making informative material that discredits and surpasses whatever fantasy idea was offensive.

Banning material based on the sexual orientation or paraphilia it communicates is an indirectly abusive form of discrimination, quite literally one single step removed from being a hate crime. Criminalizing it will send the artists and community involved with drawn and animated BDSM fiction to prison. Any resistance to such Draconian arrest would lead to paraphilia-centric violence. Thus, Equality Now's actions are indeed pressuring the Japanese government to legalize a surreptitious, "more excusable" form of hate crime. In any humane, sympathetic person's view, there is no way to excuse hate crime. EN must be made to realize the destructive nature of their ways.

With the addition that many women view and create this fictional material out of free will to safely explore their thoughts on rape, we fail to see how Equality Now is practicing "the protection and promotion of the human rights of women" (as quoted from Equality Now's own charity overview statement via <http://www.charitycommission.gov.uk>) to defend the human rights of these women.

We need CEDAW's help in this matter, as Equality Now has yet to listen to anyone's pleas to re-evaluate their campaign that is aimlessly spreading prejudice and hate. This is an attempt to force a government into assaulting its own citizens for communicating (erotically) into fiction their thoughts on a sexual paraphilia. This is beyond unnecessary. It is cruel. Words cannot articulate how much undeserved, gratuitous harm this prohibition of art and thought has already caused within the fiction-constrained BDSM community.

These actions violate the following 2 Articles of the United Nations' *Universal Declaration of Human Rights*:

- Article 19 "...this right includes freedom to hold opinions without interference and **to seek, receive and impart information and ideas through any media and regardless of frontiers.**"
- Article 30 "Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein."

This is in addition to violating CEDAW guidelines, as quoted above.

We ask that you comply with CEDAW's objective to "eliminate all forms of discrimination against women", and constructively criticize Equality Now's misguided and insensitive behavior.

Our organization has had the privilege of making numerous contacts through the course of these events. Pro-Feminist, anti-censorship, law-abiding adult women and men. Morale for the affected community (consumers, artists and sympathizers alike) has been low since Equality Now initiated their imprudently publicized attack on fiction.

We have been unsuccessful in establishing correspondence with Equality Now, but if CEDAW sees our perspective and wishes to intervene and appeal to EN or the EOCS regulatory committee it would be appreciated beyond our expectations. We have long wished to help steer them in a more constructive – less destructive – course toward their goals.

If time and limited resources do not permit active CEDAW intervention, but CEDAW still empathizes with our perspective on these matters, we would like to modestly suggest endorsing and forwarding this document, or any adaptation thereof, to:

Equality Now
PO Box 20646
Columbus Circle Station
New York, NY 10023

Equality Now has a notable history of efforts and accomplishments for women's rights. We would all like to see them convinced into returning to their original course.

Sincerely,
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