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Proposed class of works to be exempted:

Foreign forms of entertainment such as Japanese anime.

Summary:

In order to understand the predicament that viewers of various foreign TV shows (in my case anime) run into, a few facts need to be taken into account. First of all, I would add that Japanese anime has become increasingly popular among American audiences. And though there has been some dubs which have been translated into English, many shows are slow to be introduced to American audiences, many series might not get dubbed due to them touching upon matters that can be construed of a religious nature, that is other than consistent with a Judeo-Christian outlook. And yet, in reference to this, I would point out both the non-establishment clause of the First Amendment, and that though it is not a Congressional decision being made by these dubbers, people should not be effectively restricted under rule of law from accessing such forms of entertainment where they might be else available (such as purchasing from a foreign market and paying to have it imported). Further, many works in the process of having been dubbed have been subjected to various forms of censorship which have in some cases served to ruin the audiences viewing experience. It has effectively prohibited them from seeing the show as the author and original producers had intended; and due to the effective and practicable restriction on the ability to buy the work from a foreign market and then play it here in the United States, have resulted in a definitive restriction on what we can watch, and whether we can watch what the original authors and producers had originally created.

factual support/legal argument:

The US Supreme Court has been very explicit in matters surrounding the non-establishment clause of the US Constitution, as well as on matters of free expression. Further, in at least one case I'm aware of (which affects me directly) some of the edited DVDs can not be re-introduced into the United States in a less edited format or including the Japanese original version subtitled in English due to another company holding the licensing rights to those DVDs. Though latter episodes have been released in both an edited and "uncut" format, *which is still rather different from the original, albeit in these cases the original is also on the DVD making it possible to compare*, for the earlier episodes US audiences are stuck with the censorship for the time being. There is no ability to buy the episodes direct from and import them from Japan, though that is the country the original author and producers reside in and copyrighted it from. The reason for this, though one could buy a DVD, Japan is in region 2 and without circumventing region coding there would be no means to play this in a region 1 DVD player (such as would be sold in the United States). One can forget buying it due to region coding, and due to the above American audiences are stuck with a highly censored version that has arguably ruined the show for the viewer. I would like to be able to see the original first 53 episodes of Dragonball Z, but can not unless either I could be allowed to purchase a

copy direct from Japan and have it viewable to me here, else until Pioneer's license expires and FUNimation can re-release this more as the original author *Akira Toriyama* and producing company *Toei Animation* intended.

Among some of the edits, which had been introduced in these first 53 episodes, are changes such as making Kuririn (Krillin in the dub) say a Christian prayer (when he is a Buddhist monk, and this where the original was created in a predominately Buddhist and not Christian nation), have Piccolo quote the Christian Bible (he is a demon to begin with, though his relationship with Gohan and others had changed him for the better as time progressed), and changing the words died to "sent to another dimension". This phrase in itself, showing just how far the dubbers would have gone to alter the show, highlights in the minds of many fans just what is wrong with these editing's and their frustration over the whole thing. Then there was changing hell to HLIF as supposedly they decided this just couldn't be mentioned. Never mind that many American cartoons also mention this and have not fallen under the weight of quite so heavy censorship.

As someone had pointed out previously (unfortunately on a message board, and so his post is probably long since off the Internet server) "They mentioned hell in Animaniacs and that is targeted to 3 year olds. They also mentioned someone died. And yet here, even though they say they're targeting it to 6 year olds, and yet by their own admission the average viewer is aged between 15-25, this has to be eliminated. Why is it deemed appropriate for a 3 year old to view something in an American cartoon which 15-25 year old viewers of a Japanese show are being told it is inappropriate for them to view?"

Another person commenting back said that perhaps their beef isn't with it being said that someone died, but rather that the show presents a view of the afterlife, which does not at all fit the Judeo-Christian conception of the afterlife. Not to start anything, but some people who have claimed to have a near death experience (such as Danion Brinkely in his book "Saved By The Light" has suggested things that don't exactly fit the Judeo-Christian conception either. The time I had grown up in a Christian home, no mention of things such as "universities of the spirit", life reviews, the "tunnel experience", or many other such things been discussed. We are however talking about a TV show, and if it presents themes that don't exactly fit some people's religious doctrines, that is no reason for the rest of society, including those who do not believe as they do to be restricted in their ability to see it. In the case of an adult viewer, they do have the freedom of expression, which the US Supreme Court has argued for again and again. In the case of a younger viewer, I would remind concerning the US Supreme Court's rulings relating to the non-establishment clause of the First Amendment, and why for instance schools that are publicly funded aren't supposed to require people to say prayers or what not. Every given child's parent might also not subscribe to the "Christian right's" view on everything and do have the right to decide whether they would be willing to buy something for their child or not. The adults should of course be able to decide whether to buy and view something, for themselves.

To view the following, this would require an Internet connection and a web browser, but note that each DVD at the following 2 links is only available in an edited format.

<http://www.zstore.com/Search.bok?category=DragonballZ%3ADVD%3ASaiyan+Saga>
<http://www.zstore.com/Search.bok?category=DragonballZ%3ADVD%3ANamek+Saga>

Also note that there is no uncensored DVD available, nor any with the original Japanese version subtitled. A trip down to Sun Coast or other video stores also reveals this. Now to get a taste of just how much was changed (especially with these earlier episodes) one can take a look here

<http://dbzuncensored.dbzoa.net/>

For the first saga (found at the first link above from the Zstore), one can get a list of the edits from the following page (and also the links off of it, which re-direct one to a summary of each and every edit which was made to them).

<http://dbzuncensored.dbzoa.net/series/saiyajinsagamenu.html>

As the person wrote, commented about this in general

“I still remember how excited I felt that morning, having only found out the day before that one of the greatest anime ever was premiering on North American TV. And I remember watching the show, and once it was over, feeling pretty... satisfied, actually. The theme song was crap, but everything else was tolerable, and I remember the exhilaration of knowing that hundreds of thousands of people had just been exposed to DBZ for the first time. The rest, as they say, is history...

... The series began comparatively liberal as far as censoring and dialogue were concerned, there was more blood, the words "die" "death" and "kill" were used several times, and there were more risks taken overall. Things began to take a turn for the worse, however, around episode 7, which saw the debut of the dreaded "another dimension," the unforgettable line which has since come to represent everything bad about the censoring and editing this show has undergone, and would continue to undergo. As the series continued, Vegeta and Nappa landed, the battle began, and FUNimation's "digital paint" bucket was working overtime. The censoring became steadily worse, and culminated in the coup de grace: Hits to the head and face were now being covered by bright-colored "stars." Fans mourned as their favorite show was being butchered and reduced to the point of unrecognizability, and by the time the season ended, it almost seemed like it wasn't Goku and the others who had won, but the ridiculous ideas of this violence-hypersensitive and paranoid society”

In the editing, for some unfathomable reason, things were even taken so far as to use “digital paint” to cover over tears, as if crying when being grabbed by his father’s evil brother who intended to turn him into someone as villainous as the brother himself if his father wouldn’t turn and kill his friends and all upon this planet. What the hell is wrong with these dubbers and what do they expect the kid to do? Crying is not smut, OMG :p

<http://dbzuncensored.dbzoa.net/series/ep003.html>

“This is without a doubt the single most mysterious censored shot in the whole series so far. In the original version, Raditz holds Gohan up, and there is a stream of tears coming

from Gohan's eyes. In the English version, for reasons I will probably never understand, the tears have been painted away.

No, I am not seeing things, no I am not making this up. They actually *painted over* his tears.

This is especially strange since Gohan cries just like this several times later in the episode, and the tears are unaltered. But hey, with the insane, totally illogical mind of whoever is deciding what gets censored, who knows?"

A screen capture of this most bizarre edit/censor can be found here

<http://dbzuncensored.dbzoo.net/series/gallery02.html>



[Episode 3](#): I hope you're as utterly baffled by this one as I am. They spent who knows how much time and effort and money *censoring tears*. This one just leaves me utterly lost for an explanation.

From what is marked as season 3 on, on this page, there are English “uncut DVDs” with the Japanese original included.

<http://dbzuncensored.dbzoo.net/series/freezasagamenu.html>

At least there is that much, however I and undoubtedly others would like to be able to watch the first 2 seasons unedited and in their original presentation.

Also, looking at the earlier Dragonball series, the first 13 episodes are **only released in an edited form** in the United States.

<http://www.zstore.com/Search.bok?category=Dragonball:DVD:Boxed%20Sets>

“Episodes 1-13 Plus a full-length feature. EDITED only, no UNCUT version ever produced.”

You will also notice looking at the page that no more are available on DVD.

As to the remainders, I haven't bought the VHS tapes so do not know if they contain the Japanese originals. There is no reason to believe the VHS tapes would have both subbed and dubbed versions however, and there is no indication printed on the box (such as on the subbed DVDs) to indicate this. Note that with DBZ episodes beyond 53, where this option is available, the box cover shows this fact printed where it is clearly visible.

<http://www.zstore.com/Detail.bok?searchpath=d8c8e065f22b14fe9f76&category=DragonballZ%3ADVD%3AKid+Buu+Saga&start=1&total=2&no=1276>



However, if you look at the videotapes this indication of "Includes 2 Versions English Uncut Version & Original Japanese Version Subtitled In English" is not printed on the cover. Even when they are listed as uncut, there still no mention of the original. I can say having watched both versions (English uncut and Japanese Subtitled, that there are viewable differences, and I do own various of the DVDs such as the one above.) This is listed as uncut

<http://www.zstore.com/Detail.bok?searchpath=d8c8e05ff22b1ca24a41&category=Dragonball%3AVideo%3ATien+Shinhan+Saga&start=1&total=2&no=1246>

however looking at the box, which you can see in the image below, you can clearly see what is missing off of the labeling. This is the latest Dragonball tape too, so it isn't like this labeling is a new thing (it is available on DBZ DVDs I have copyrighted from 2 years ago).



As can be clearly seen, again there is no indication of the ability to purchase in the United States, the Japanese original of this show, in the original language (without all the alterations) either subtitled for those who don't speak Japanese, or otherwise for those who decided to learn Japanese (as I had) so as to not be dependent upon these edits and censorship as have been seen. If however buying the original media results in us being unable to access it and play it in DVD players purchased in the United States (due to differing region codes) we are nonetheless barred for all practical purposes from viewing the original version of the show as we want.

As to the region codes themselves, you can note from this page

<http://www.techtv.com/screensavers/answerstips/story/0,24330,3300958,00.html>

that both Japan and the United States are in different regions, and hence a DVD bought in Japan that doesn't include this censorship wouldn't be playable in a DVD player bought in the United States without modification.

“Following is a list of region codes and their corresponding geography:

1. Canada, United States, US Territories
2. Japan, Europe, South Africa, Middle East (including Egypt)...

Should a combination of censorship, arguments by the “Christian right”, and region codes combined prevent a 30 year old such as myself from being able to both purchase and view an unedited version and watch the show as originally intended by it’s author and producers of these episodes? I do not think so, and for this reason I think an exemption should be provided here so that I have the option to buy the unedited and Japanese original versions of these episodes. I think all others should enjoy the right to purchase and view unedited versions of a given show at their own desire and discretion.