

**Week 4: FOREIGN CORRESPONDENCE**

**In 2001, Sam Jameson, the 'dean' of foreign correspondents in Japan, wrote:**

**"I have repeatedly got the impression that if the number 10 represents total knowledge of what a government is doing, Washington reporters probably know 7 and write 6 of it. In Tokyo, Japanese reporters probably know 8 and write 5." The commentator Sakurai Yoshiko puts the gap between what reporters know in Tokyo and what they report even wider: "Japanese reporters don't write more than 30 per cent [of what they know]," she told Jameson (Iriye and Wampler 2001: 294).\*\***

**OUR GUEST SPEAKER THIS WEEK IS *The Guardian* correspondent in Japan, Justin McCurry. Read his article below or choose another from here:**

**<http://www.guardian.co.uk/elsewhere/journalist/archive/0,7792,-1362,00.html>**

**What do you think of Justin McCurry's approach to Japan? If he understands Japan, how much does he understand and how much does he report? (And what does it mean to 'understand' a country anyway?) Before you meet Mr. McCurry, read some of his writing and get ready to ask him some questions.**

## **Capital questions**

Japan's appetite for the death penalty is drawing criticism from its own legal community and international organisations, writes Justin McCurry

**The Guardian, Tuesday October 12, 2004**

Sunday marked the World Day against the Death Penalty. Not surprisingly, it passed unnoticed in Japan - one of the safest, most peaceful societies on earth - but which nevertheless retains an appetite for executing its own citizens.

Although the number of executions remains small by the standards of China or the United States, opinion polls regularly show that the vast majority of Japanese people harbour few qualms about hanging the perpetrators of the most heinous crimes; men such as Mamoru Takuma, who was sent to the gallows last month for stabbing eight primary school children to death in 2001.

Although Amnesty International and other human rights groups protested against his swift execution - which came less than a year after his conviction was finalised and before he had explained his motives - for others it brought something resembling closure to one of most shocking crimes in postwar Japan.

Similar feelings surfaced when, earlier this year, a court sentenced to death Shoko Asahara, the bearded, half-blind leader of the Aum Supreme Truth doomsday cult, whose members killed 12 people by releasing sarin nerve gas on the Tokyo subway in March 1995.

Few will mourn the passing of the likes of Takuma, yet despite the public's appetite for swift, final retribution, Japan is coming under increasing pressure to question its unswerving faith in capital punishment.

Among those who are uncomfortable with Japan's status as one of only two G7 members who still execute criminals - the other is the United States - is the country's own legal community.

Last week the Japan Federation of Bar Associations - the country's biggest lawyers' group - called on the government to suspend all executions and end the culture of secrecy that surrounds the final hours of some of the country's most despised individuals.

The lawyers, who had never discussed capital punishment at their annual human rights conference since it was first held in 1958, also urged the government to set up a commission to look at the long-term future of capital punishment.

In a resolution, the federation said that poor legal representation for defendants in murder cases could result in unsafe convictions. Their anxiety is well placed. As recently as the 1980s, four inmates were taken off death row after being acquitted in retrials.

There was concern, too, that even when dealing with similar cases, some courts had handed down life imprisonment while others opted for the death penalty - a decision that is entirely in the hands of the judge since there are no jury trials in Japan.

"The government should not execute inmates, at least until it drastically improves these serious defects," the resolution said.

The treatment of death row inmates has long been a target for critics of Japan's criminal justice system. Typically they spend years awaiting execution. When their moment of reckoning arrives, they are given between 30 minutes and an hour's notice. They are not permitted to contact relatives or to make final appeals. Their families are informed afterwards by telephone and asked to collect the body.

The opacity of the entire procedure is such that, officially, the justice ministry announces only the number of executions, while refusing to disclose details.

The procedure is little short of farcical. The official announcement is merely a cue for reporters to call their sources at the ministry, who duly provide them with the names of the dead men (two or more executions are usually carried out in a single day, roughly twice a year) and reminders of the crimes that took them to the gallows.

Timing is everything. Takuma and another death row inmate, a 59-year-old former mafia boss who killed three other gangsters in 1988, were hanged during a parliamentary recess, thereby avoiding condemnation, and awkward questions, from anti-hanging MPs on the floor of the lower house.

A favoured alternative is late December, when most Japanese are more preoccupied with their plans for the New Year's holidays than with paying attention to the news. But the stifling of intelligent discussion of Japan's "secret" executions is unlikely to last long.

A cross-party group of about 100 MPs have gone even further than their colleagues in the legal profession by calling for the abolition of the death penalty, to be preceded by a four-year moratorium.

Led by Shizuka Kamei, a senior figure in the ruling, and largely pro-hanging, Liberal Democratic party, the Japan Parliamentary League Against the Death Penalty is working on a bill that would replace executions with life imprisonment without parole.

International organisations, meanwhile, offer Japan frequent reminders that it is part of a shrinking group of countries, which persist with the death penalty.

As of last month, 118 countries, including Nepal and Cambodia, had abolished capital punishment, while 78 retained it. In South Korea, no executions have taken place since Kim Dae-jung took office in 1998, and abolition is nearing in Taiwan.

As a member of the hanging lobby, Japan - where there are currently 63 people on death row - has drawn criticism from the United Nations and the European commission. The Council of Europe has threatened to temporarily withdraw Japan's observer status until it at least implements a moratorium on executions, as it did between November 1989 and March 1993.

Repeating that gesture would be more in keeping with the momentous changes taking place in other policy areas.

Tokyo's recent bid for permanent membership of the UN security council and its involvement in Iraq are taken by some as signs that, 60 years after the end of the war, Japan is becoming a "normal" member of the international community.

But according to the EU, the UN and a host of other respected organisations, normality, with the glaring - and shameful - exception of the United States, also means ending the state's right to kill its own citizens, no matter how abhorrent their crimes.

\*\*IRIYE, AKIRA & WAMPLER, ROBERT A. (2001) PARTNERSHIP: THE UNITED STATES AND JAPAN, 1951-2001 (TOKYO: KODANSHA INTERNATIONAL)