

## Death sentences on the increase

By JUN HONGO, TAKAHIRO FUKADA and AKEMI NAKAMURA

Staff writers

Tuesday's hangings of serial killer Tsutomu Miyazaki and two other inmates come at a time when courts are more inclined to mete out capital punishment.

There had been a three-year unofficial moratorium on executions, but Justice Minister Masaharu Gotoda resumed them in 1993. There has been at least one hanging yearly since.

Executions are on the rise, especially under Justice Minister Kunio Hatoyama, who with Tuesday's hangings has sent 13 people to the gallows.

His predecessor, Jinen Nagase, ordered 10 executions during his stint from September 2006 to August 2007.

The number hanged may depend on who is justice minister. For example, Seiken Sugiura did not order any executions while he held the post from October 2005 to September 2006. In his inaugural news conference, he said he would refuse to sign execution orders because of his devout Buddhist beliefs.

Statistics show that courts have handed down more death sentences in recent years amid mounting calls



**Modus operandi: Tsutomu Miyazaki is surrounded by investigators on a street in Koto Ward, Tokyo, in August 1989 as they try to piece together how he kidnapped one of his victims.** KYODO PHOTO

by victims and others demanding heavier punishment for perpetrators of heinous offenses.

The Hiroshima High Court in April sentenced a 27-year-old man to death for killing a woman and her infant daughter, even though he was a minor at the time of the crime. The Nagasaki District Court gave the death penalty in May to a gangster for assassinating Nagasaki Mayor Itcho Ito.

Courts finalized the death sentence of 69 convicts between 2004 and 2007, compared with only 15 between 2000 and 2003, according to data released by a group of Diet members opposing capital punishment.

Yoshihiro Yasuda, a lawyer and prominent opponent of the death penalty, said the government aspires to have a stronger, more authoritative image by sending killers to the gallows.

"The Justice Ministry as a whole aims to create an extremely combative and powerful society," Yasuda said. "With capital punishment, (the state) is trying to maintain social order. With frequent executions, they become routine."

Hatoyama has said it is his duty as justice minister to solemnly approve hangings because of a clause in the Criminal Procedure Law requiring the person in his capacity to issue an execution order within six months after a death sentence is finalized.

Broad public support for capital punishment has often been cited as the main reason the death penalty is still used.

The Cabinet Office last released a survey on capital punishment in February 2005, showing that 81.4 percent of 2,084 respondents supported the death penalty. It was the first time the figure topped 80 percent. Those opposing capital punishment remained at 6 percent.

"Miyazaki was not only a convicted killer, but a serial killer. What are the chances that he could have been rehabilitated and returned as a member of the

society?" asked a salaried worker in Tokyo's Shimbashi district who declined to be named.

"With his sentence finalized, I don't see why tax money should be used to feed him and keep him in prison," he added.

Shigeto Okura, a 35-year-old salesman said, "It's more of a surprise that the execution hadn't taken place yet," considering the agony of Miyazaki's victims.

"Finalized death sentences should be carried out promptly to serve as a deterrent to crimes," Okura said, pointing to recent violence, including the random killing spree in Akihabara, Tokyo, on June 8 that left seven people dead.

The rampage may have prompted the government to carry out three executions Tuesday, said lawyer Hisao Kato, a former criminology professor at Keio University in Tokyo and a death penalty opponent.

"Miyazaki's crimes caused a sensation 20 years ago," he said. "The Justice Ministry took advantage of the Akihabara incident to maintain its unfaltering zero-tolerance policy (against criminals). . . . It may have thought the public would understand, just one week after Akihabara."

Kato said the government is also trying to ensure perpetrators of heinous crimes are hanged so the public will find it hard to oppose the death penalty when they are selected to take part in criminal trials under the lay judge system that starts next May.

The increase in executions goes against the current world trend. The U.N. General Assembly adopted a nonbinding resolution in December calling for member states to put a moratorium on capital punishment.

Some lawmakers are calling for introduction of a life prison term without parole and abolition of the death penalty.

Hiroshi Itakura, a criminal law professor at Nihon University Law School in Tokyo, conceded that

worldwide, executions are on a decline.

But he said it would be difficult to introduce life prison terms in place of the gallows as long as public opinion favors the ultimate punishment.

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