

How Is the Death Penalty System Seen by Young People in Japan?

—An Analysis of a Survey of University Students

Eiichiro Watamura¹, Masahiko Saeki², Niioka Kiyomitsu³, Toshihiro Wakebe⁴

¹Graduate School of Humanities and Sociology, The University of Tokyo, Tokyo, Japan

²Faculty of Law, Politics and Economics, Chiba University, Chiba, Japan

³Graduate School of Humanities Major in Psychology, Hosei University, Tokyo, Japan

⁴Faculty of Human Relations, Fukuoka Jo Gakuin University, Fukuoka, Japan

Email: eiichiro@L.u-tokyo.ac.jp, m-saeki@chiba-u.jp, k_niio_k@yahoo.co.jp, wakebe104@gmail.com

Received 31 December 2015; accepted 1 February 2016; published 4 February 2016

Copyright © 2016 by authors and Scientific Research Publishing Inc.

This work is licensed under the Creative Commons Attribution International License (CC BY).

<http://creativecommons.org/licenses/by/4.0/>



Open Access

Abstract

We conducted a survey of 318 Japanese university students with the aim of examining two issues: how strongly Japanese people support or oppose the death penalty, and the reasons and beliefs underlying their positions. Those in favor of the death penalty (66%) outnumbered those against (17%) almost four to one, but this gap was considerably lower than that observed in previous research, including a public opinion poll commissioned by the Japanese Cabinet Office (80% vs. 10%). Furthermore, in terms of the degree to which people either support or oppose, the proportion of death penalty supporters who were “strongly in favor” was relatively low compared to the proportion of opponents with a similar strength of conviction. This finding suggests that death penalty supporters, after considering the arguments on both sides, may be more likely to change their position in the future. Looking at the relationship between position and beliefs, based on this survey, the international trend toward abolition and the introduction of life imprisonment as an alternative to the death penalty (as introduced in the United States) seem to have little influence on Japanese people’s position on the death penalty.

Keywords

Death Penalty, Survey, Life Imprisonment, Capital Punishment

1. Introduction

The purpose of this study was to clarify the views of young people in Japan regarding the death penalty. Specif-

ically, we inquired into two issues: how strongly young people support or oppose the death penalty system, and the reasons and beliefs that underlie their position.

1.1. Comparing the Death Penalty in Japan with That of the United States

There are fewer and fewer countries around the world that still retain the death penalty (Amnesty, 2012). In terms of the G7, the only countries that retain the death penalty are the United States (in some states) and Japan. However, there are marked differences in the death penalty systems in Japan and the United States, particularly in terms of the social background. First, unlike the predominantly Christian United States, the Japanese do not identify with a particular religion (Miller, 1998). In fact, many Japanese people hold Buddhist funerals, Christian weddings, and Shinto New Year celebrations. In terms of politics, conservative-led governments have, for the most part, dominated Japanese politics since the Second World War, and so the country does not have the conservative vs. liberal political rivalry that exists in the United States. A decisive factor is the crime rate. According to a 2012 report from the United Nations Office on Drugs and Crime (UNODC), the intentional homicide rate in Japan is 0.35 per 100,000 population. This figure is considerably lower than that of other Western nations, including Germany (0.81), France (1.09 [2009]), United Kingdom (1.23 [2010]), and Canada (1.70); it is lower still when compared to neighboring East Asian countries such as China (1.12 [2008]) and South Korea (2.9 [2009]). The figure for the United States is 4.7, more than thirteen times that of Japan. This would suggest that the deterrence effect expected by the public varies considerably between the two countries. However, despite these differences, the majority public opinion in both countries is that the death penalty should be retained (Enns, 2014; Japan Cabinet Office, 2015). Given Japan's low crime rate and lack of major religious or political tensions, why are death penalty supporters in the majority here as they are in the United States, which has an entirely different social and political environment? This study examined the attitudes of young Japanese towards the death penalty and discussed the complex psychological factors underlying the attitudes. In addition, we looked at the transcultural relationship between the populace and the death penalty from a psychological perspective.

1.2. Survey of Attitudes toward Death Penalty in Japan

The benchmark for public opinion polls on the death penalty in Japan is the Japan Cabinet Office's "Public Opinion Poll in Relation to the Basic Legal System" [*kihonteki hō seido ni kansuru yoronchōsa*]. This poll is conducted every five years among people aged 20 and over. The results of the latest poll, announced January 26, 2015, indicate that at least 80% of people are in favor of the death penalty (Japan Cabinet Office, 2015).

However, a problem with the poll is that respondents are only given three options: "The death penalty should be abolished"; "The death penalty is unavoidable in some cases"; and "Don't know/difficult to say in general terms." As written in the "Statement on Government Opinion Poll on the Death Penalty" and reported by the Japanese Federation of Bar Associations in November 2013, the problem concerns the fact that the poll only inquires into whether respondents are for or against the death penalty, and neglects to gauge the strength of their support or opposition. Some death penalty supporters may have relatively weak convictions ("I just feel somehow that it should be retained"), and others may be much more convinced ("the death penalty should definitely be retained"). A person's strength of conviction will be reflected in their proneness to change their position after, for example, hearing a convincing message from the other side during a discussion on the propriety of the death penalty (such as the message, "the death penalty should be abolished"). To apply this on a larger scale, if the results are asymmetrical, that is, if a large proportion of supporters is weakly convinced and a large proportion of opponents is strongly convinced, then we can expect that, with repeated exposure to the arguments on both sides, the number of opponents would increase, even in the case of Japan, where supporters currently compose the majority. In any event, it is not possible to test this hypothesis based on the Japanese Cabinet opinion poll. Respondents should be given a greater range of options so that the strength of their convictions can be measured. In addition, it is necessary to focus on the reasons and beliefs underlying their position. The arguments for and against the death penalty are related to beliefs in things such as retributive justice, compassion for victims, and the fear that abolition would be detrimental to public safety (O'Neil, Patry, & Penrod, 2004). Verifying this relation will help to unravel the depth psychology behind why people support or oppose the death penalty.

In view of the above discussion, we conducted a survey on a sample of university students to observe in a multifaceted manner (1) how strongly they support or oppose the death penalty; and (2) what reasons and beliefs

underlie their position.

2. Method

The participants were 318 students from a private university in the Metropolitan Tokyo Area (224 males, 94 females, mean age: 19.6, SD = 1.6). The students of a liberal arts lecture participated on a voluntary basis. We distributed and collected the questionnaires during a single lecture.

The survey questionnaire was composed as follows: First, there was an overview of the death penalty in Japan, including the crimes applicable for the death penalty and the number of executions in the last three years (the word count for the summary was 335 Japanese characters, which if translated into English would come to around 200 words). Next, we asked the following question to ascertain the respondent's position on the death penalty, the core issue of the survey.

Are you in favor or against Japan retaining the death penalty?

We wanted to gauge the disparity of positions on the death penalty more precisely than in the three-point scale of the Japan Cabinet poll. We therefore used a seven-point scale, where 7 = strongly in favor; 6 = in favor; 5 = somewhat in favor; 4 = neither for nor against; 3 = somewhat against; 2 = against; and 1 = strongly against. We followed this up with a question concerning the reason behind the stated position:

How well does each of the following statements describe your reason for supporting/opposing the death penalty?

We presented eight statements, which represent four reasons. We selected these reasons after referring to preceding public psychology research on the death penalty (Carlsmith, 2006). They are: 1) punishment of the perpetrator (retribution); 2) rehabilitation of the perpetrator (education/rehabilitation); 3) prevention of crime by removing the perpetrator from society (incapacitation); and 4) crime deterrence based on dread of punishment (general deterrence). Below, we have grouped paired items together based on the four reasons.

Perpetrators should get their just desserts. (retribution)

Perpetrators should experience the same pain they inflicted on their victims. (retribution)

Perpetrators should have an opportunity to reflect on their crimes and rehabilitate themselves. (education/rehabilitation)

Perpetrators should have the opportunity to return to society. (education/rehabilitation)

Perpetrators should be prevented from reoffending. (incapacitation)

Perpetrators should be kept away from the general public. (incapacitation)

Punishing perpetrators will prevent other crimes from occurring. (general deterrence)

Punishing perpetrators will give the public peace of mind. (general deterrence)

Responses to these statements were ranked on a seven-point scale, ranging from 7 = Describes my reason very well; to 1 = Does not describe my reason at all. For each reason, the inter-item reproducibility was high ($r_s > .50$); and so, hereunder we have used the mean value of each item pair.

For beliefs concerning the death penalty, we referred to preceding studies (e.g., Baumer, Messner, & Rosenfeld, 2003; O'Neil et al., 2004) and extracted the following four statements:

Victims' families would support the death penalty.

Abolishing the death penalty would have a detrimental effect on law and order in Japan.

Allowing evil criminals to live on in prison would be a waste of taxpayers' money.

The death penalty incurs the risk of innocent people being killed because of mistakes or miscarriages of justice, but this is a necessary evil.

We included two further statements that do not appear in the preceding research. These are questions that people in Japan will need to consider in the future in light of the international trend toward abolition or suspension of the death penalty (Amnesty, 2012).

The number of countries that have abolished the death penalty is growing. Therefore, Japan should follow suit and abolish the death penalty.

The death penalty could be abolished if life imprisonment without parole was established in its place.

Responses for all six of the above statements were ranked on a seven-point scale, ranging from 7 = Describes my belief very well; to 1 = Does not describe my belief at all.

3. Results

We removed from the analysis five participants whose answers were incomplete and analyzed the valid data

pertaining to the remaining 313 participants. As previously noted, the gender ratio of our participants was unbalanced (i.e., the number of male participants was double that of female participants), but we analyzed total data because no significant difference was found in the responses ($ps > .10$).

Figure 1 shows the overall results for the question “Are you in favor or against Japan retaining the death penalty?”

In terms of the for/against balance, approximately 66% of participants indicated their support for the death penalty by answering in the range of 5 (somewhat in favor) to 7 (strongly in favor). Approximately 17% of the participants indicated their opposition to the death penalty by answering in the range of 3 (somewhat against) to 1 (strongly against). Thus, there were almost four times more supporters than opponents.

We then focused the analysis on strength of conviction to investigate how strongly the participants adhere to their respective positions. Looking at the results overall, the item with the highest response rate was 5 = somewhat in favor. We also observed a phased change whereby the further away from option 5 one goes, the lower the rate of response becomes.

We then analyzed the two positions separately, and compared the response rates for the three options in each (strongly in favor/against, in favor/against, somewhat in favor/against; see **Figure 2**). We found a commonality in both positions whereby at least 60% of each side had a weak conviction (5 = somewhat in favor/3 = somewhat against). On the other hand, we observed a marked difference with respect to the remaining two options. Among the supporters, there were many who answered neither “strongly in favor” (7%) nor “somewhat in favor,” but instead answered “in favor” (33%), denoting medium strength of conviction. In contrast, as many as 20% of those opposed held a strong conviction (“strongly against”), which was a greater proportion than those opposed with a medium strength of conviction (15%).

Finally, we conducted a correlation analysis to investigate the relationship between reasons and beliefs underlying the respective positions on the death penalty. **Table 1** shows the mean values for each option and the correlation coefficients for position on the death penalty. Each of these significantly correlated with position: Correlation analysis revealed that strength of belief in retribution/incapacitation/general deterrence positively correlated with support for the death penalty, and that strength of belief in education/rehabilitation negatively correlated. With regard to beliefs, we found that the stronger the participant’s support was for the death penalty, the more positively they agreed with the four statements: “victims’ families would support the death penalty”; “abolishing the death penalty would have a detrimental effect on law and order in Japan”; “allowing evil criminals to live on in prison would be a waste of taxpayers’ money”; and “the death penalty incurs the risk of innocent people being killed because of mistakes or miscarriages of justice, but this is a necessary evil.” We also found that the more strongly the participants expressed support for the death penalty, the more they disagreed with the remaining two statements: “Japan should follow the international trend and abandon the death penalty” and “the death penalty could be abolished if life imprisonment without parole was established in its place.”

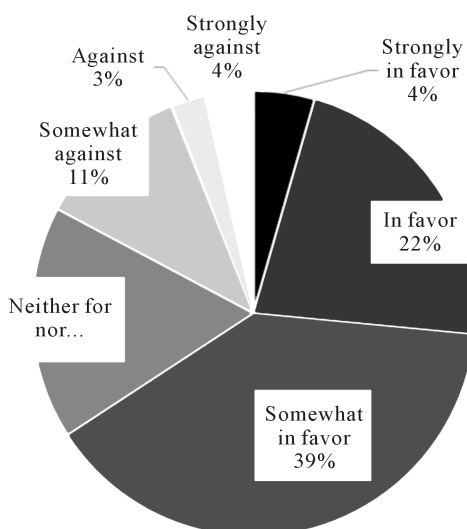


Figure 1. Position on the death penalty.

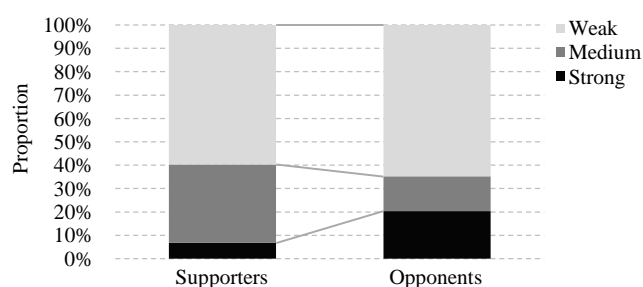


Figure 2. Position on the death penalty.

Table 1. Motivations/beliefs and their correlation with the position on the death penalty.

Question Category	Item	Mean (SD)	Correlation with Position on Death Penalty
Motivation	Retribution	5.3 (1.5)	.38
	Education/rehabilitation	2.9 (1.7)	-.33
	Incapacitation	5.0 (1.7)	.27
	General deterrence	5.0 (1.6)	.36
Belief	Victims' families would support the death penalty.	5.0 (1.4)	.20
	Abolishing the death penalty would have a detrimental effect on law and order in Japan	4.1 (1.6)	.38
	Allowing evil criminals to live on in prison would be a waste of taxpayers' money	5.0 (1.6)	.39
	The death penalty incurs the risk of innocent people being killed because of mistakes or miscarriages of justice, but this is a necessary evil.	3.3 (1.5)	.23
	The number of countries that have abolished the death penalty is growing. Therefore, Japan should follow suit and abandon the death penalty.	2.9 (1.3)	-.54
	The death penalty could be abolished if life imprisonment without parole was established in its place.	3.9 (1.7)	-.39

4. Discussion

When we surveyed Japanese students regarding their position on the death penalty, we found that those in favor of the death penalty considerably outnumbered those against it. In general terms, this result is more or less consistent with our “benchmark”, the Japan Cabinet Poll (2015). However, the Japan Cabinet Poll reports an overwhelming majority of the population to be in favor of the death penalty (80% vs. 10%), but our survey did not indicate as extreme a gap (66% vs. 17%). In an online survey on the death penalty conducted by [Sato \(2015\)](#), which used a five-point scale, 44% answered “it is definitely better to have it,” and 35% answered “it is better to have it,” totaling 80% support; whereas only 3% answered “it is better to abolish it,” and only 1% answered “it is definitely better to abolish it.” Similarly, the results of a survey by [Matsumura \(2015\)](#) showed the vast majority to be in favor. In comparison to these preceding surveys conducted on Japanese people, our survey is distinctive in that it does not indicate such a large gap between the supporters and opponents.

There are two possible explanations for this difference. The first concerns the ages of the sample population. There is a possibility that the attitude of people in their 20's toward the death penalty is different than that of other age groups ([Sato, 2013](#)); and so the age-related limitation in the sample may have impacted the results of our survey. The second possibility concerns the population bias in the sample's academic history. Unlike preceding studies, the participants in our survey were students at a university in the heart of Tokyo, and so there was a concentration of high academic achievers in the sample. Therefore, the results may have been affected by

their level of knowledge of the death penalty or probable liberal leanings.

The survey yielded a very interesting finding regarding the distributions of strength of conviction within each position either for or against the death penalty. Among the supporters, who dominated the sample in terms of absolute numbers of constituents, there were not many who were sufficiently convinced of their position to answer “strongly in favor”. However, among the opponents, there was a relatively large number who were confident enough of their position to answer “strongly against”. There may be a number of factors behind this discrepancy; for example, 1) the fact that the death penalty is currently in operation; 2) the tide of public opinion is in favor of the death penalty; and 3) uncertainties remain as to the social impact of abolition. In other words, conformity to the status quo (1 and 2) and anxiety about changing the status quo may have resulted in a swelling of passive support, support that is not accompanied by strong conviction. Conversely, those who oppose the death penalty must do so in the face of the status quo, and this may explain why a relatively large proportion of opponents exhibited a strong conviction. While this survey is affected by an age specification insofar as it was conducted among university students, it is still possible to deduce the following from the results: The supporters, who constitute the majority, will be more prone to change their position than the opponents; accordingly, repeated exposure to the arguments of both sides would increase the number of opponents¹. In any case, in order to elucidate more precise factors behind the smaller for/against balance than in preceding studies such as the Japan Cabinet Survey, it will be necessary to follow up this study by broadening the sample to all age groups.

With regard to the relationship between position on the death penalty and reasons/beliefs, the results of our survey reveal that strength of belief in retribution, incapacitation, and general deterrence correlates with support; and strength of belief in education/rehabilitation correlates with opposition. This finding suggests that support for the death penalty is underlined by a complex psychology blending together emotion and reason, ranging from a justification deeply connected with angry emotions such as vengefulness to a utilitarian perspective that looks to the death penalty’s expected effect. Put another way, as to the question of why people support the death penalty, it probably comes down to innate factors intertwining with social policy factors. On the other hand, opposition to the death penalty is underlined solely by an expectation of the perpetrator’s rehabilitation, which suggests that this position is heavily dependent on a single factor: information on the probability of the perpetrator rehabilitating.

Those who support the death penalty also place value on the operational aspects of the death penalty and the effects of penal policy, such as concern for the victim’s family; and they have limited regard for the risks of miscarriage of justice, the cost-effectiveness of taxpayers’ money, or the improvement of law and order. Regarding the correlation with the two questions we composed ourselves (“the number of countries that have abolished the death penalty is growing; therefore, Japan should follow suit and abandon the death penalty,” and “the death penalty could be abolished if life imprisonment without parole was established in its place”), it appears that the international trend toward abolition and the proposal to introduce life imprisonment as an alternative to the death penalty have little influence on Japanese people’s views on the death penalty. This suggests that the question of the death penalty is the question that must be dealt with in itself.

The results of this study suggested that support for retaining the death penalty is deeply rooted in Japan despite the fact that Japan differs markedly from the United States in terms of crime rate and religious and political background, and that the context for this support is an adherence to the status quo. However, interestingly, the relationship between position on the death penalty and reasons/beliefs is strikingly similar to the United States. An international survey of college students determined that retribution was the strongest reason for supporting capital punishment in the United States (Jiang et al., 2010). Furthermore, the operational aspects of the death penalty and the effects of penal policy were shown to be related to attitudes towards the death penalty in the United States (Baumer, Messner, & Rosenfeld, 2003; O’Neil et al., 2004), findings that also reveal high correlations with those of our sample. This suggests the possibility that support for the death penalty is comprised of a complex bundle of internationally common or “innate” factors, such as a desire for retribution intertwined with social policy factors, implying that key concepts concerning the death penalty are commonly held across the whole international community.

¹This prediction stands according to preceding research on convincing communication. However, a study by Lord et al. (1979) showed that when presented with information that supports the deterrence effect of the death penalty and information that challenges it, those who were already in favor of the death penalty became even more strongly in favor, and those who were already opposed became even more strongly so. The survey by Sato (2015) reported that discussions/opinion-sharing encouraged supporters and opponents to understand each other’s positions. A more detailed investigation should be undertaken to clarify the cases in which people will change or maintain their positions.

Limitations and Future Research

The sample population of this research was a class of college students in an urban area, and therefore the results of this research are not necessarily applicable to the whole Japanese population. In order to verify whether the same result could be reproduced, it would be necessary to rescale our study for the whole Japanese people. The difference of strength of conviction within each position either for or against the death penalty also remains a question for further research. As discussed, does the operational status of the death penalty and anxiety about changing the status quo really promote passive support? If so, would repeated exposure to the arguments of both sides increase the number of opponents? A future longitudinal study would provide more conclusive answers to such questions and important suggestions for other countries that retain the death penalty.

References

- Amnesty International. Amnesty International Report 2012. <http://www.amnesty.org/en/death-penalty/abolitionist-and-retentionist-countries>
- Baumer, E. P., Messner, S. F., & Rosenfeld, R. (2003). Explaining Spatial Variation in Support for Capital Punishment: A Multilevel Analysis. *American Journal of Sociology*, 108, 844-875. <http://dx.doi.org/10.1086/367921>
- Carlsmith, K. M. (2006). The Roles of Retribution and Utility in Determining Punishment. *Journal of Experimental Social Psychology*, 42, 437-451. <http://dx.doi.org/10.1016/j.jesp.2005.06.007>
- Enns, P. K. (2014). The Public's Increasing Punitiveness and Its Influence on Mass Incarceration in the United States. *American Journal of Political Science*, 58, 857-872. <http://dx.doi.org/10.1111/ajps.12098>
- Japan Cabinet Office (2015). *Public Opinion Poll in Relation to the Basic Legal System [kihonteki hō seido ni kansuru yoronchōsa]*. Tokyo.
- Jiang, S., Lambert, E. G., Wang, J., Saito, T., & Pilot, R. (2010). Death Penalty Views in China, Japan and the US: An Empirical Comparison. *Journal of Criminal Justice*, 38, 862-869. <http://dx.doi.org/10.1016/j.jcrimjus.2010.06.001>
- Lord, C. G., Ross, L., & Lepper, M. R. (1979). Biased Assimilation and Attitude Polarization: The Effects of Prior Theories on Subsequently Considered Evidence. *Journal of Personality and Social Psychology*, 37, 2098-2109. <http://dx.doi.org/10.1037/0022-3514.37.11.2098>
- Matsumura, Y. (2015). Criminal Administration from the Perspective of the General Public: A Comparison of the Time before the Introduction and After [ippanjin kara mita keijishihō: Dōnyūmae to dōnyūgo no hikaku]. In Y. Matsumura, M. Kinoshita, & S. Ota (Eds.), *The Lay Judge System as Seen by Japanese People [nihonjin kara mita saibaninseido]* (pp. 11-30). Tokyo: Keiso Shobo Publisher.
- Miller, A. S. (1998). Why Japanese Religions Look Different: The Social Role of Religious Organizations in Japan. *Review of Religious Research*, 39, 360-370. <http://dx.doi.org/10.2307/3512444>
- O'Neil, K. M., Patry, M. W., & Penrod, S. D. (2004). Exploring the Effects of Attitudes toward the Death Penalty on Capital Sentencing Verdicts. *Psychology, Public Policy, and Law*, 10, 443-470. <http://dx.doi.org/10.1037/1076-8971.10.4.443>
- Sato, M. (2015). Do the Japanese Public Support the Death Penalty? [nihon no seron wa sikei o shiji shiteirunoka]. *Law Reports*, 87, 63-71.
- Sato, M. (2013). *The Death Penalty in Japan: Will the Public Tolerate Abolition?* Philadelphia, PA: Springer Science & Business Media.