

Capital Punishment: An Instance of the Right to Kill

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While capital punishment is legal in Japan, it is not an issue which has received much public debate or discussion. In the public discourse it does not arouse much emotional reaction or interest, in contrast to the United States, where capital punishment is legal in many states and where there is an active debate regarding it, and the United Kingdom, where the topic is hotly debated even though capital punishment is not enforced, and where there is ample public discourse data. This in turn affects the availability and collection of the data. While public discussions of the topic could be accessed through news reportage, editorials, magazine articles, specialist books and official/government websites, the private discourse showing personal reflection is much more difficult to obtain. In English, there are some interviews available, internet chat sites, and conversations in films and diaries expressing personal attitudes about capital punishment. As often as possible for the public discourse domain, one source item was balanced by another from the other languages. Two hundred sixty-eight token expressions were collected in the English sources (230 from public discourse and 38 from private) and 117 were collected in the Japanese public discourse.

Some examples with conceptual patterns (C.P.):

“Do not seek death. Death will find you. But seek the road which makes death a fulfillment.” Dag Hammarskjöld, *Markings*.

C.P.: DEATH IS AN ENTITY. DEATH IS A JOURNEY.

“The goal of life is death.” Sigmund Freud, *Beyond the Pleasure Principle*.

C.P.: DEATH IS THE END OF A JOURNEY

“Death transforms life into a destiny. In a way, death preserves life by giving it the absolute dimension - Death does away with time.” Simone de Beauvoir, *The Coming of Age*.

C.P.: DEATH IS DESTINATION/ END OF JOURNEY. DEATH IS A TRANSFORMATION. DEATH IS A PHASIS OF LIFE.

“Life and death are but phases of the same thing, the reverse and obverse of the same coin.” Mahatma Gandhi, *Young India*.

C.P.: DEATH IS AN ENTITY

This paper focuses on the issue of capital punishment and how it is understood from a conceptual perspective in English and Japanese contemporary discourse by analyzing the discourses into underlying conceptual patterns. The topics which are currently highlighted may not be the same in different countries. While capital punishment is legal in Japan, it is not an issue which has received much discussion. In the public discourse it does not arouse much emotional reaction or interest, in contrast to the United States, where capital punishment is legal in many states and where there is an active debate on it, and the United Kingdom, where the topic is also hotly debated even though capital punishment is not enforced, and where there is ample public discourse data. This in turn affects the availability and collection of the data. While public discussions of the topic could be found in news reportage, editorials, magazine articles, specialist books and official/governmental

homepages, the private discourse from personal reflection is much more difficult to find. In English there were interviews, internet chat sites, and conversations from films and diaries. As the topic is not current in Japan, no personal discourse could be accessed for this project. In the public discourse domain one source item was balanced by another from the other language. Two hundred sixty-eight token expressions were collected in English (230 from public discourse and 38 from private) and 117 in the Japanese public discourse.

In English, the key term *capital punishment* has a long history of use. *Capital* is derived from *capitellum*, the diminutive of *caput* or *head*. The term has many linked usages in architecture (columns), government and leading cities, as well as the financial world. In this larger context of use, the “ultimate punishment” of losing one’s head has long been accepted as a state sanctioned form of the “Right to Kill.” *Punish* is related to *penalty* or *compensation* for perceived crimes committed. This collation of meanings continues to be deep-rooted in the contemporary discourse discussion on the “The Right to Kill” as an issue of power (the right of society to punish), the right to destroy life (conditions of killing), the right to protect life (compassion in life), the value of social penalty in punishments, and the suffering, sanctioned death may cause (the method and manner of death).

“Homicide is called a virtue when committed by the state.” St. Cyprian, (258AD) *Epistulae*.

“We are all sentenced to capital punishment for the crime of living.” Oliver W. Holmes, (1890) *Over the Teacups*.

“Capital punishment is as fundamentally wrong as a cure for crime as charity is wrong as a cure for poverty.” Henry Ford, (1930s) attributed.

In Japanese the basic term is *shikei* (*shi*= death, *kei*= penalty). Typical expressions in the Japanese public discourse data are *Shikei ni suru* = to do penalty death (to execute), *shinu* = to die, and *inochi o ubau* = to rob a life (to take a life).

Conceptualization Patterns

The vocabulary in the discussions on capital punishment is highly limited to simple descriptive terms of the ACTION of to die/to execute and the EVENT of the death or execution. Emotive language is however also present in terms of ENTITY concepts, which have associations with *fear*, *forbidding*, *burden*, and the need for *compensation*.

Because of the current public debate on *capital punishment* in the English-speaking world, the public domain is very heavily dominated by simple descriptive language, the goal of which is to give information in a largely neutral, un-emotive manner. Typical vocabulary includes *execute*, *sentence to die*, *declare dead*, *convicted of killing*, *death row*, *death penalty*, *condemned man*. The manner of the execution is a frequent focus of discussion, such as *hanging*, but more so the focus is on the question of cruelty or suffering on the part of the condemned person and justification of punishment to the crime.

The Japanese (public) discourse falls largely into two conceptual categories of ACTION/EVENT and ENTITY rather equally (see Figure 1), and English conceptualization patterns are predominantly in the same two conceptual categories (see Figure 2). Japanese expressions in the other conceptual patterns are very low. For the English public discourse, 70% of the conceptual patterns fall into the neutral descriptive type of discourse expressed by DEATH IS AN ACTION/EVENT, and 22.2% of the public discourse falls into the DEATH

Figure 1: Frequency of Conceptual Patterns in Japanese (%)

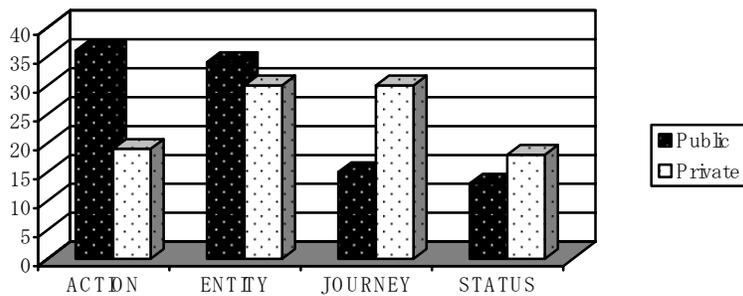
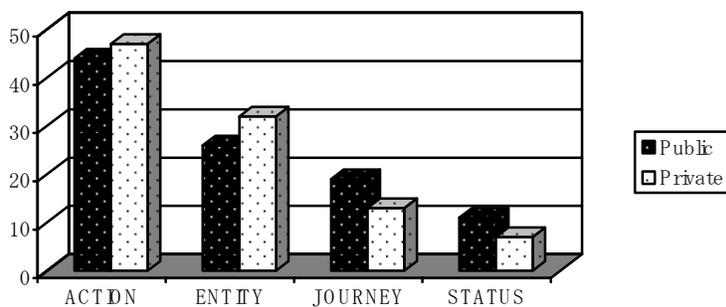


Figure 2: Frequency of Conceptual Patterns in English (%)



IS AN ENTITY pattern. English public discourse is very much dominated by the impersonal descriptive conceptual patterns related to DEATH IS AN ACTION/ EVENT.

The public and private English discourse is quite contrastive in the conceptual patterns that are used. The informative, descriptive ACTION/EVENT category is low (7.9%) in private discourse, and there is a broadly distributed occurrence of the others (28.9% in ENTITY, 26.3% in JOURNEY, 7.9% in CONTAINER, and 18.4% in STATUS). This suggests that the dichotomy between the *logos* mode of discourse, with its rational, neutral emotive qualities and informative goals as predominant in public discourse, and the *mythos* mode, which is represented by the human need to express angst and primordial fears about the valuation of life, which requires a more overtly metaphoric and symbolic use of language (see Figures 1, 3 & 4).

Interestingly, while we had only public discourse available in Japanese, the distribution of the use of the conceptualization patterns is much different from the English public discourse. An examination of the frequently occurring conceptual patterns in the categories of ACTION/EVENT (A-1, A-2) and ENTITY (E-2, E-3) shows interesting

Figure 3: Overall Comparison of English and Japanese Conceptual Patterns (%)

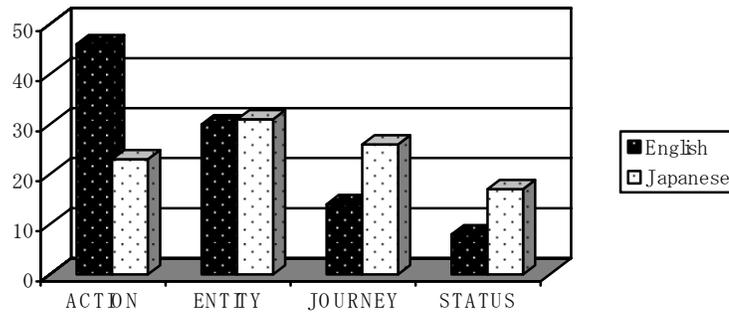
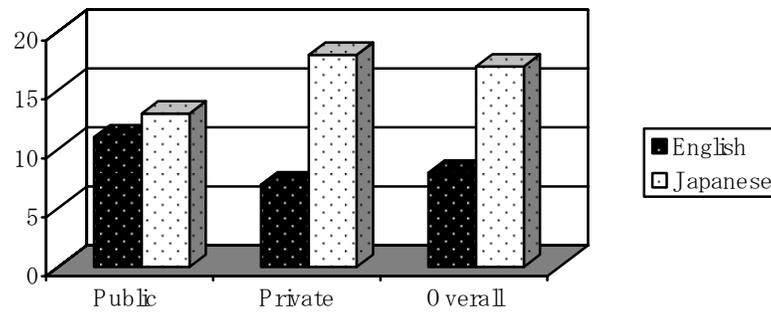


Figure 4: Frequency of Status (%)



differences in the discourses of English and Japanese. Japanese usage is fairly widely distributed, whereas English is heavily skewed to the simple descriptive pattern of A-1 (47%) and less so to A-2 (19%), with declining use of E-3 (12.6%) and E-2 (9.6%). (See Figure 4.) When the private discourse is examined for conceptual pattern use, A-1 is still high at 43%, but A-2 does not occur. E-2 and E-3 are just above 11%. More telling is the discourse mode shift, which can be seen in the English private discourse in other conceptual category use. JOURNEY is 26.3% and STATUS is 18.4% with a lower 7.9% in CONTAINER.

Conclusion

The contemporary discourse on *capital punishment* in public discourse is dominated by what Karen Armstrong (2005) has termed a *logos discourse*, which strives to give information through the analysis of issues without emotive representation. The issues discussed are intended as social construction rather than individual perception about one's life and identity. It avoids anxiety on a personal level. While there is confrontation from the positions taken by pro-life and pro-death groups, which may use heated language to convey their arguments, the

public discourse, especially in English, tries to maintain a presentation of factual events and rational analysis. Death is often a taboo subject, and even in personal discourses the ability to express one's emotions in regard to death, the primordial anxieties that death arouses with questions related to the meaning and purposes/values of one's life, are undoubtedly difficult. The experience of facing death would suggest the value of a *mythos* type of discourse, often rooted in our cultural traditions, to deal with the mental boundaries of how we conceive our lives.

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- Yorifuji B. (2005). *Shi ni Katalogu* [Catalogue of Death]. Tokyo: Yamato Shobu.

(Appendix follows)

Appendix

English Data Sources

Associate Press Dec. 11, 2005; Feb.21, 23, 2006
 CNN Feb. 20, 21, 2006
Japan Times, Tokyo Dec. 3, 14, 21, 2005; Jan. 9, 2006; June 18, 2006
 Kastenbaum, R.J. (2004) *Death, Society and Human Experience* Boston: Pearson Education Group.
Los Angeles Times Feb. 3, 2006
Newsweek Feb. 3, 2006
San Francisco Chronicle Feb. 22, 2006
Six Feet Under Series 1-6
Time Jan. 9, 2006
The Guardian Jan. 28, 2006
The New Yorker Magazine July 4, 2005; Oct. 31, 2005; Nov. 14, 2005
Washington Post July 3, 2006
www.religioustolerance.org

Japanese Data Sources

Asahi Shimbun, Tokyo 1985-2-4; 1985-7-23; 1986-6-28; 1987-3-18; 1987-3-25; 1988-2-19;
 1990-4-17; 1990-4-18; 1993-11-27; 1994-6-14; 1994-8-8; 1998-10-28; 1999-11-29;
 2002-8-28; 2004-2-28; 2004-9-14.
Mainichi Shimbun, Tokyo 1992-10-5.
Yomiuri Shimbun, Tokyo 1987-5-11.