Captain of South Korean sunken ferry faces death penalty

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South Korean prosecutors demanded the death penalty Monday for Lee Jun-seok, the former captain of the Sewol, the ferry that sank on April 16, killing 304 people, mostly high school students.

While the captain undoubtedly bears a major share of responsibility for the disaster, the call for his execution indicates that the tragedy is exploited to revive the death penalty, which has not been carried out in South Korea since 1997. The demand came during the closing arguments of Lee's trial for murder through wilful negligence.

The Sewol was carrying 476 passengers, of whom 339 were students and their teachers on a school trip to Jeju Island. Only 172 people were rescued, while the rest drowned, with 9 still unaccounted for. One woman's body was only found Tuesday, in a bathroom on the ferry's fourth deck.

Public anger over the sinking and the culpability of the crew, the ferry company and the government for the high death toll, has not subsided, particularly among the family members of the victims.

Three other senior crew members—the first and second mates and the engineer—have also been charged with wilfully negligent murder. The prosecution is seeking life imprisonment for them. The other 11 crew members arrested after the ferry's sinking have been charged with lesser crimes and are now looking at jail terms of 15 to 30 years.

In demanding the death penalty for Lee, the prosecutor stated: "The captain, as the man in charge of the ferry Sewol, abandoned his duty that he should not leave the ship until every passenger had left." A verdict for the crew members and their sentences will be handed down November 11.

The trial is being conducted in the city of Gwangju, close to where the Sewol sank, off the country's southwest coast. The government's argument against Lee and his crew is based on the fact that they were among the first people to be rescued as the ship sank. Testimony from those rescued revealed that the crew broadcast an announcement telling passengers to wait in their quarters. Videos recovered from inside the ferry corroborated this fact.

Lee pled not guilty to murder, telling the court he gave an order to evacuate the ship while also claiming that he believed it was the coast guard's duty to rescue those on board. In court on October 8, Lee stated: "I think I deserve the death penalty for what I have done. But I never thought for a moment to sacrifice the passengers (to save my own life)."

Outrage over the crews' actions was compounded by the government's slow rescue response, which cost precious time in locating people trapped on the ship, and the disregard for safety by the company that operated the ferry, Chonghaejin.

The Sewol had been overloaded on the order of Chonghaejin executives despite objections from the crew. When it sank, the ferry was carrying 3,608 tons of cargo—well over the 987 tons to which it was restricted.

In addition, the ship was under-staffed and had a problem with its steering mechanism, which the company was aware of. The Sewol was also not carrying enough ballast water, which again was attributed to company officials. Ballast prevents a ship from listing and capsizing in rough waters, which was precisely what happened to the Sewol.

These revelations indicated some of the underlying, profit-driven factors in the ferry sinking. While certainly the largest maritime disaster in South Korea's recent history, it was not an aberration. Chonghaejin had been involved in previous accidents and apparently

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utilized close relationships with government officials to dodge regulations while securing loans and business deals.

Company owner, Yu Byeong-eon, was placed under investigation for dereliction of duty, embezzlement, tax evasion and bribery. He allegedly bribed officials to turn a blind eye to violations committed by his companies. In June, he was found dead at a plum orchard in Suncheon, South Jeolla Province.

Yu's eldest son was tried on charges of embezzling 7.3 billion won and breach of trust. Prosecutors requested a four-year jail sentence, despite his statement that he felt responsible for the accident.

While Lee and the crew certainly bear responsibility for the deaths, so does the company and the government. Lee, in particular, has been used as a convenient scapegoat for public anger, with some victims' family members demanding his execution.

South Korea has not carried out an execution since 23 people were put to death in December 1997, after which a moratorium was placed on the practice. In some cases, however, convicted criminals are still given the sentence, the last being serial killer Gang Ho-sun in 2009.

The barbaric practice of putting someone to death has ended in a majority of countries. According to Amnesty International, 140 countries have abolished the death penalty, whether by law or simply by practice, with South Korea falling into the latter category.

The death penalty has a brutal history in South Korea, being used to eliminate political rivals and others opposed to the dictatorial regimes that were imposed after the US first installed Rhee Syngman in 1948. Rhee used his position to murder thousands of political prisoners as well as opposition politicians like Cho Bong-am, who ran against Rhee in the 1956 presidential election.

Park Chung-hee, the father of current President Park Geun-hye, infamously concocted the "People's Revolutionary Party," a nonexistent organization, to justify the state murder of those suspected of anti-government or left leanings. In April 1975, following a show trial, 8 people were falsely convicted of ties to the phony party and executed. This was amid protests by workers and students across the country against the introduction of Park's Yushin constitution, which strengthened his dictatorial powers.

The revival of the death penalty today is a warning to the working class. President Park, following in her father's footsteps, last year accused a few members of the opposition United Progress Party (UPP) of belonging to a "Revolutionary Organization" and planning an armed revolt in aid of North Korea. The only evidence of such an organization was a recording made by the state intelligence agency that appeared to catch UPP members making jokes about carrying out attacks with BB (air) guns. The Park government attempted to dissolve the UPP, which backs the main opposition New Politics Alliance for Democracy.

If Park can use such a widely despised figure as Lee Jun-seok to reestablish the death penalty in South Korea, there is no reason to believe that the authorities will not seek to turn it against political opponents in the future.

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