



# A mapping of young Hindu's views on the appropriateness of the death penalty as a function of circumstances of crime

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## Abstract

Four hundred thirty students from the Hindu community living in the state of Karnataka, India, were presented with realistic scenarios depicting a situation in which a defendant has committed a specified crime, and the circumstances of this crime. They were asked to indicate the extent to which they thought that the death penalty would be an appropriate sentence in each concrete case. Five factors were varied in the scenarios: (a) the severity of the crime (burglary, rape, or homicide), (b) the level to which the defendant's culpability had been established (fully vs. not fully), (c) whether the defendant had expressed compassion/empathy for the victims, (d) the defendant's antecedents (whether he had already committed crimes or not), and (e) the level of criminality in the area in which the crime has been committed (low vs. high). Overall, support for the death penalty was relatively high. As expected, qualitatively different personal positions regarding its appropriateness in realistic cases were found, and these positions were related to field of studies. The majority position (31%) was that appropriateness should mainly depend on the type of crime and of the level to which the defendant's culpability was established. Two contrasting minority positions were found, one in which participants essentially focused on type of crime to judge of appropriateness (20%) and another in which they essentially focused on culpability (21%).

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## 1. Introduction

The death penalty is the legal process by which a defendant is put to death by an official Court of justice. About sixty per cent of the world's population, among them the citizens of China, India, Indonesia and the USA, live in countries where the death penalty is part of the law and executions effectively take place. Pakistan, Sudan and Algeria are the countries in which most executions have taken place in 2012 ([Amnesty International, 2013](#)). Brazil is the only very populated country in which the death penalty has never been applied ([Embassy of Brazil in London, 2013](#)).

Several studies have examined lay people's views regarding the death penalty, and these studies have mostly been conducted in the USA. The main findings are that: (a) most people in this country (up to 70%) tend to support the death penalty ([Jones, 2003](#); [Whitehead and Blankenship, 2000](#)), (b) support is slowly rising since the 60's (where it was only 42%; [Sourcebook of Criminal Justice Statistics, 2004](#)), (c) men are more supportive than women ([Jones, 2003](#); [Miller and Hayward, 2008](#)), (d) White people are more supportive than Black people ([Baker et al., 2005](#)), (e) White racism is a strong predictor of support ([Unnever and Cullen, 2007a](#)), and only a minority of Black people and of Non-racist White people support the death penalty ([Unnever and Cullen, 2007b](#)), (f) Republicans are more supportive than Democrats ([Jones, 2003](#)), and (g) believers in God who hold literal views on religious text tend to show more support for the death penalty than believers who give importance to a loving relationship with God ([Miller and Hayward, 2008](#); [Unnever et al., 2010](#)). Some studies have also been conducted in European countries (e.g., [Hessing et al., 2003](#)) but very few studies have been conducted in non-Western countries.

Among the few studies on people's views conducted in non-western countries, one must mention the extensive study conducted in India by [Lambert et al. \(2008\)](#), but see [Ghassemi, 2009](#)). As stated above, death penalty is part of Indian law. In 2013, it is estimated that about 500 persons have been sentenced to death in this country, among them 60 in the state of Karnataka, the state with the highest percentage of convicts on death row of the Union. The types of criminals that, according to the Supreme Court of India can be sentenced to death are (a) large scale drug traffickers who are recidivists, (b) armed rebels fighting against the Union, terrorists, and mutineers (c) persons who have assisted non-autonomous persons to kill themselves, (d) rapists whose victims are left in a vegetative state, (e) gang robbers indirectly involved in killings, and (f) murderers (including people having committed an honor killing or policemen who have committed encounter killings). In fact, few death condemnations are really applied. Since 1995, four convicts have been hanged, one in 2013 (for involvement in the bloody 2001 attacks on the Indian Parliament), one in 2012 (for involvement in the bloody 2008 Mumbai attacks), one in 2004 (for the rape and murder of a young girl) and one in 1995 (for the murder of six young women) ([BBC News India, 2012](#)).

[Lambert et al. \(2008\)](#) used a questionnaire measuring overall support for the death penalty and the reasons to support or oppose it. Among the 394 students from the public university of Andhra Pradesh whose responses were usable, 27% opposed or strongly opposed the death penalty, 17% somewhat opposed it, 13% were uncertain, 14% somewhat favored the death penalty, and 29% favored or strongly favored it. Men were found to be more supportive than women, as in the USA. Fifty-four percent of the students agreed with the statement that they "become angry when a convicted murderer does not receive the death penalty", 56% agreed with idea that "executions should be aired on TV", 51% thought that "most convicted murderers would kill again if given the opportunity", and 52% thought that "without the death penalty,

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