Pre-Analysis Plan:

Casting the First Stone: Understanding Attitudes towards Lynching in Brazil[*]

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Abstract

Why do citizens support extrajudicial violence? While endorsement for vigilantism has significantly decreased in advanced democracies, lynchings remain tolerated throughout the developing world. In this pre-analysis plan, we propose three survey experiments to investigate (i) which criminal profiles citizens prefer for extralegal punishment, (ii) how individuals justify mob violence, and (iii) whether information provision reduces support for vigilantism. First, we run a conjoint experiment to identify criminal characteristics that are associated with higher likelihood of lynching. In our second experiment, we show respondents a short article about a real lynching episode and ask them whether they see the mob's motivations as legitimate. Lastly, we test whether providing information about the legal consequences of lynching, human rights guarantees, and the risk of retribution makes respondents less likely to endorse extralegal violence. We will run the experiments in Brazil, a country which has seen a sharp rise in vigilante attacks and currently experiences one lynching attempt per day. Our survey will be conducted online and include 2,000 participants.

Keywords: Brazil, crime, extralegal violence, lynching, vigilantism

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1 Motivation

Why do citizens endorse extralegal punishment?[1] Although mob violence has decreased in advanced democracies, vigilantism remains widespread in the developing world. In particular, Latin America has been severely affected by a recent increase in lynchings. Motivated by growing numbers of drug-related crime and by police ineffectiveness, citizen violence has surged in the region (Mallén 2014). Brazil provides a telling example. From 2011 to 2015, the country registered about 2,500 lynching episodes, and in 2015 alone 173 people were killed by angry mobs, an average of one execution every two days (Barbara 2015; Oliveira 2016). According to José Martins, who has studied lynchings in Brazil for more than 30 years, those figures are not only the highest in the country's history, but also the highest in the world (Pearson and Magalhaes 2018). Victims are generally accused of petty theft, and many are beaten to death for stealing mobile phones, cooking utensils, or pairs of sandals (Barbara 2015). Lynching perpetrators are often young men, but they also include female teenagers, elderly women, and even members of local police forces (Moura 2017; Oliveira 2016).

Recent research suggests that support for vigilantism in Latin America is associated with exposure to violence (García-Ponce et al. 2019), untrustworthy law enforcement (Zizumbo-Colunga 2017), perceived insecurity (Ceobanu et al. 2011; Godoy 2004), and social inequality (Arias and Goldstein 2010). However, approval for extrajudicial violence raises important questions about the relationship between states and societies in the region (Nivette 2016). First, while vigilantism provides social order to vulnerable populations, it also undermines the legitimacy of state institutions (Schuberth 2013). Lynching episodes reinforce the idea that civilians should not wait for legal proceedings and that social control is better exerted by the people themselves (Black 1983). Second, victim characteristics greatly impact the likelihood and severity of lynchings. In Brazil, a person is rarely lynched when they commit a crime against males, and females that commit the same crimes as males also receive less punishment.[2] Moreover, there is no significant social difference between victims and perpetrators, nor are black Brazilians particularly targeted by lynch mobs (Oliveira 2016). These dynamics pose a puzzle to existing explanations for mob violence support and stand in sharp contrast with the American experience (Småings 2016; Wood 2011).

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[1]Here we consider extralegal violence, vigilantism, lynching, and related terms as synonyms. We follow Moncada (2017, 6) and define vigilantism as "the collective use or threat of extralegal violence in response to an alleged criminal act". While we focus here on vigilantism that directly involves physical violence, we make no distinction between lethal and non-lethal lynching episodes.

[2]See https://revistapesquisa.fapesp.br/en/mob-injustice. Access: June, 2020.

In this study, we endeavour to answer the following questions: 1) which victim characteristics increase individual support for extralegal punishment?; 2) how do individuals justify their approval for vigilantism?; and 3) can information provision reduce support for mob violence? We design a set of three experiments to tackle these issues. Our first experiment consists of a conjoint analysis in which we show respondents different profiles of lynching victims and ask them who they believe deserve punishment. In our second experiment, we test how ineffective policing, slow criminal justice systems, and demand for hasher legal punishment affect individual propensity to support mob violence. Finally, we assess whether citizens become less supportive of vigilantism when they are informed about the legal consequences of lynchings, constitutional human rights, or the risk of *vendettas* associated with mob violence. While in this pre-analysis plan we present the three experiments as described above, we will randomised their order in our survey to mitigate potential order bias.

2   Experiment 01

We start our analysis with a choice-based conjoint experimental design. We will present five pairs of criminal profiles to respondents. Each profile consists of eight attributes: 1) gender of the crime perpetrator; 2) age of the crime perpetrator; 3) race of the crime perpetrator; 4) residency of crime perpetrator; 5) offense; 6) gender of the victim of the motivating crime; 7) age of the victim of the motivating crime; 8) lynching perpetrators. The attributes and levels are displayed in table 1 below.

Table 1: **Attributes and Levels**

Attribute	Levels
Gender of crime perpetrator	Male; female
Age of crime perpetrator	Teenager; adult; elderly
Race of crime perpetrator	Black; White; Native Brazilian; Asian
Residency of crime perpetrator	Resident in the community; outsider
Offense	Picks the pocket; steals the car; molests; rapes; murders
Gender of crime victim	Male; female
Age of crime victim	Child; teenager; adult; elderly
Lynching perpetrators	Bystanders; neighbours; family of the victim; gangs; police

Respondents have to indicate which profile they prefer for extrajudicial punishment. We will also include a qualitative textbox below each experiment for subjects to explain why they selected their case or whether they believe neither alternative is appropriate.

Respondents will read the following prompt before they start the experiment:

- Lynchings are often used as social punishment in Brazil. Lynchings are cases in which three or more people physically attack or execute a suspected criminal in public. We are interested in knowing more about how Brazilians see these episodes. In the next five questions, please read the description of two possible lynching victims in Brazil and indicate in which case you believe the punishment is more justified. Even if you are not entirely sure, please select one of the cases.[3]

2.1 Sample

We invite respondents from all regions of Brazil to participate in our experiment. Qualtrics will recruit 2,000 adult Brazilian citizens to take part in our survey experiment.

We will also include 15 questions on demographics that we believe may influence the results. The questions are: 1) the respondent's age, 2) gender, 3) state of birth, 4) state they currently live in, 5) ethnicity, 6) level of education, 7) religion (if any), 8) monthly family income in minimum wages, 9) political orientation (left to right), 10) support for death penalty, 11) whether they had been victimised in the last year, 12) whether they believe crime has worsened, 13) whether they believe militias improve law and order, 14) trust in the police, 15) trust in the judicial system.

2.2 Estimation

We will estimate our models with the cregg package (Leeper 2018) for the R statistical language (R Core Team 2018). We will report marginal means and average marginal component effects (AMCEs) in our main analysis. However, Leeper et al. (2018) show that AMCEs can be misleading in subgroup comparisons as model results are sensitive to the choice of reference categories in interactions. In

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[3]We will conduct the survey experiments in Portuguese. The translation for the first experiment is as follows: Linchamentos são às vezes usados como punição social no Brasil. Linchamentos são casos nos quais três ou mais pessoas agridem fisicamente ou executam em público um suspeito de um crime. Estamos interessados em saber mais sobre como os brasileiros vêem estes episódios. Nas próximas cinco questões, por favor, leia a descrição de duas possíveis vítimas de linchamento no Brasil e indique em quais delas você acredita que a punição é mais justificada. Mesmo que você não tenha certeza, por favor, escolha um dos casos.

contrast, marginal means provide a clear description of quantities of interest, in our case preferences towards lynching, while allowing for easy comparisons between groups of respondents. So while we will include both AMCEs and marginal means estimators in our article, we will conduct our subgroup analysis using only the latter. We will cluster standard errors by respondent.

2.3   Hypotheses

We expect that, on average, respondents are more likely to select profiles with the following attributes levels:

1) Gender of crime perpetrator: male

2) Age of crime perpetrator: teenager

3) Race of crime perpetrator: blacks

4) Residency of crime perpetrator: outsider

5) Offense: murder

6) Gender of victim: female

7) Age of victim: child

8) Lynching perpetrators: the family of the victim

We also expect that support for extralegal punishment will be lower for females of any age, whites and Asians, pick pocketers, and if the victim of the motivating crime is male. Additionally, we expect that respondents see lynchings as less legitimate if they are carried out by bystanders, gangs, or the police forces. We have no prior beliefs about the size of each coefficient.

2.4   Heterogeneous Effects

We also intend to run subgroup analysis in our sample. We believe that preferences towards lynching may vary according to age, gender, race, level of education, political ideology, and previous victimisation. In particular, we hypothesise that:

• Younger respondents believe that lynchings by the police are less justified.

• Female respondents believe that lynchings against females are less justified.

- Respondents of a particular race are less likely to choose individuals of the same race as lynching victims.

- More educated individuals show less support for lynchings against petty criminals.

- Political ideology has no effect on support for lynchings when the victim is female.

- Right-wingers show stronger support for lynchings against males than left-wingers.

- Respondents who were victimised in the last year are more likely to support lynchings by neighbours and the police.

3 Experiment 02

In our second experiment, we analyse how respondents justify their preferences for extralegal violence. We assess the impact of three factors that have been cited as major drivers of vigilante justice in Brazil: 1) police ineffectiveness; 2) slow criminal justice; 3) demand for harsher punishment for criminals. Below, we discuss them in further detail.

Research shows that police ineffectiveness frequently appears as a strong predictor for vigilantism (Cruz and Kloppe-Santamaría 2019; García-Ponce et al. 2019). The direct result of the weakness of police institutions is that citizens decide to take criminal matters "into their own hands", thus persecuting and punishing the criminals by themselves. A recent statistic indicates that the police solve only 10% of the homicides in Brazil, what lends support to the link between weak law enforcement and lynchings (Pearson and Magalhaes 2018).

Another determinant of support for vigilante justice that is suggested in the literature is the lack of trust in the justice system (Godoy 2004; Smith 2019). This is often due to long criminal proceedings, which cause significant anxiety for the victims. In Brazil, the penal code allows the accused to appeal each decision several times, so it can take decades before a criminal case is closed (Sousa 2005). In this respect, citizens do not believe that, even if the criminal is put to trial, he/she will be punished in a timely matter. Note that although the police is part of the criminal justice system, we separate the two institutions in our experiment.

Lastly, we evaluate whether respondents think that the legal punishment assigned to criminals is not proportional to the severity of their crimes. In particular, we hope to gauge the demand for

iron-fisted criminal justice in Brazil. Although this treatment arm is related to the previous ones, it addresses not the efficiency of the institutions, but their legitimacy (Nivette 2016). We believe that the demand for harsher laws is on the rise in Brazil, and this may be a major reason why citizens justify their support for mob violence. In fact, Brazilians are often vocal about their preference for repressive legal punishment. In a recent article in *The Wall Street Journal*, a bar owner justified the lynching of the local thug who killed his son by saying that "*even if he had been put behind bars for 100 years it wouldn't have been enough to pay for all his crimes*" (Pearson and Magalhaes 2018). We hypothesise that many Brazilians also share this view.

The experiment consists of three treatment conditions and one control group. Respondents will read an excerpt of a news article describing a real lynching case. We have slightly edited the original text so that respondents have no prior knowledge of the crime.[4] The vignette for the control group includes no information about the reasons behind the lynching. We will ask respondents to show their level of support for mob violence using a 0-100 slider, where 0 means no support and 100 means full support. Respondents in each of the three treatment arms will read the same piece, but with one additional sentence explaining the motivations behind the lynching. The vignettes are as follows:

- *Control group*: A man was lynched last Friday in Jundiaí, São Paulo. According to the neighbours, he tried to break into a house but was immobilised and beaten by members of the community.[5]

- *Treatment 01 - Police ineffectiveness*: A man was lynched last Friday in Jundiaí, São Paulo. According to the neighbours, he tried to break into a house but was immobilised and beaten by members of the community. **One of the residents who took part in the lynching said they had beaten the suspect because "the police never patrols the area"**.[6]

- *Treatment 02 - Criminal justice ineffectiveness*: A man was lynched last Friday in Jundiaí, São Paulo. According to the neighbours, he tried to break into a house but was immobilised and beaten by members of the community. **One of the residents who took part in the lynching**

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[4]The original article is available at the following address: https://jr.jor.br/2020/05/01/homem-e-linchado-na-vila-progresso. Access: August 2020.

[5]In Portuguese: Um homem foi linchado na última sexta-feira em Jundiaí, São Paulo. De acordo com vizinhos, ele tentou invadir uma residência mas foi imobilizado e agredido por membros da comunidade.

[6]In Portuguese: Um homem foi linchado na última sexta-feira em Jundiaí, São Paulo. De acordo com vizinhos, ele tentou invadir uma residência mas foi imobilizado e agredido por membros da comunidade. **Um dos moradores envolvidos no linchamento disse que eles agrediram o suspeito porque "a polícia nunca patrulha o local".**

said they had beaten the suspect because "the judicial system is too slow and the perpetrator is on the street until the case is heard".[7]

- *Treatment 03 - Demand for harsher legal punishment*: A man was lynched last Friday in Jundiaí, São Paulo. According to the neighbours, he tried to break into a house but was immobilised and beaten by members of the community. **One of the residents who took part in the lynching said they had beaten the suspect because "the judicial punishment is not harsh enough".**[8]

Before each vignette, respondents will read the following text:

- You will be shown a news article. Please read it carefully. After you read the article, we will ask you one question about it.[9]

After the vignette, respondents will be presented with this question:

- Would you think that the lynching was justified? Please use the slider below to indicate your opinion. For disagreement, use 0 to 49; for agreement, use 51 to 100. Please use 50 if you neither agree nor disagree.[10]

3.1 Sample

We will randomise the treatment and control conditions to the entire respondent pool. The randomisation procedure here is independent of that of the previous experiment.

3.2 Estimation

We will carry out our hypothesis tests with OLS. We will compare the average score given by the control group with the average score attributed by respondents in each treatment condition. We will use robust standard errors for all the models.

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[7]In Portuguese: Um homem foi linchado na última sexta-feira em Jundiaí, São Paulo. De acordo com vizinhos, ele tentou invadir uma residência mas foi imobilizado e agredido por membros da comunidade. **Um dos moradores envolvidos no linchamento disse que eles agrediram o suspeito porque "a justiça é muito lenta e os criminosos ficam soltos até o julgamento".**

[8]In Portuguese: Um homem foi linchado na última sexta-feira em Jundiaí, São Paulo. De acordo com vizinhos, ele tentou invadir uma residência mas foi imobilizado e agredido por membros da comunidade. **Um dos moradores envolvidos no linchamento disse que eles agrediram o suspeito porque "a punição da justiça não é dura o suficiente".**

[9]In Portuguese: Uma notícia será apresentada para você. Por favor, leia a notícia com atenção. Após você ler o artigo, faremos uma pergunta sobre ele.

[10]In Portuguese: Você acha que o linchamento foi correto? Por favor, use a barra abaixo para indicar sua opinião. Para discordar, use de 0 a 49; para concordar, use de 51 a 100. Por favor, use 50 para não concordar nem discordar.

3.3 Hypotheses

On average, we expect that:

H1: Respondents assigned to the *police ineffectiveness* treatment group will show stronger support for lynchings when compared to the control group. We believe that the effect will be smaller than for the other two treatment conditions.

H2: Respondents assigned to the *criminal justice ineffectiveness* treatment group will show stronger support for lynchings when compared to the control group. We hypothesise that the effect for this group will be higher than that of the first treatment condition but lower than that of the third treatment group.

H3: Respondents assigned to the *demand for harsher punishment* treatment group will show the strongest support for lynchings.

3.4 Heterogeneous Effects

We hypothesise that these respondents are more likely to agree that lynchings are justified:

1) Older citizens
2) White
3) Low levels of education
4) Right-wingers
5) Individuals who had been previously victimised

4 Experiment 03

Our last experiment aims to measure the effect of information provision on attitudes about lynching. More specifically, we will test whether reminding respondents about the legal and social consequences of vigilante justice reduces the subjects' level of support for such practice.

The experiment has three treatment conditions and a control group. In all of them we will present respondents with a short statement affirming that some Brazilians support vigilantism under certain conditions. The control group will be asked to rate their agreement with the statement with a 0-100 slider where 100 indicates full agreement with the statement and 0 indicates no agreement.

Respondents will be asked to use 0 to 49 if they disagree, 50 if they neither agree nor disagree, and 50-100 if they agree with the sentence.

Each of the three treatment groups will receive a different message about the legal or social consequences of lynching in Brazil. In the first treatment arm, we will inform subjects about how the Brazilian constitution and penal code punishes civilian violence. The second treatment group will be notified about the human rights guarantees enshrined in Brazil's legal framework. The last group will read a vignette that mentions how lynchings can spark *vendettas* and initiate a cycle of violence in the community. Subjects in the control group will receive no information about the consequences of lynchings. The text shown to the control and treatment groups can be read below.

- *Control group*: In Brazil, some people believe that lynching may be justified under certain conditions. To what degree do you agree or disagree that lynching can be justified? Please use the slider below to indicate your preference. For disagreement, use 0 to 49; for agreement, use 51 to 100. Please use 50 if you neither agree nor disagree.[11]

- *Treatment 01 - Legal punishment for lynching perpetrators*: In Brazil, some people believe that lynching may be justified under certain conditions. **However, the Brazilian constitution and penal code strictly forbid lynching and those involved can be accused of torture or murder**. To what degree do you agree or disagree that lynching can be justified? Please use the slider below to indicate your preference. For disagreement, use 0 to 49; for agreement, use 51 to 100. Please use 50 if you neither agree nor disagree.[12]

- *Treatment 02 - Human rights*: In Brazil, some people believe that lynching may be justified under certain conditions. **However, the Brazilian constitution states that all individuals have the right of not being tortured, including criminals**. To what degree do you agree or disagree that lynching can be justified? Please use the slider below to indicate your preference.

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[11]In Portuguese: No Brasil, algumas pessoas acreditam que linchamentos são justificados sob certas condições. O quanto você concorda ou discorda que linchamentos podem ser justificados? Por favor, use a barra abaixo para indicar sua preferência. Para indicar que discorda, use de 0 a 49; para concordar, use de 51 a 100. Por favor, use 50 caso você não concorde nem discorde.

[12]In Portuguese: No Brasil, algumas pessoas acreditam que linchamentos são justificados sob certas condições. **Entretanto, a constituição e o código penal do Brasil proíbem estritamente os linchamentos e os envolvidos podem ser acusados de tortura ou assassinato.** O quanto você concorda ou discorda que linchamentos podem ser justificados? Por favor, use a barra abaixo para indicar sua preferência. Para indicar que discorda, use de 0 a 49; para concordar, use de 51 a 100. Por favor, use 50 caso você não concorde nem discorde.

For disagreement, use 0 to 49; for agreement, use 51 to 100. Please use 50 if you neither agree nor disagree.[13]

- *Treatment 03 - Vendettas*: In Brazil, some people believe that lynching may be justified under certain conditions. **However, lynchings can trigger a new cycle of violence as the family or friends of the victim may retaliate the community**. To what degree do you agree or disagree that lynching can be justified? Please use the slider below to indicate your preference. For disagreement, use 0 to 49; for agreement, use 51 to 100. Please use 50 if you neither agree nor disagree.[14]

4.1 Sample

We will randomise the treatment and control conditions to all subjects included in our sample. The treatment assignment here is independent of that of the previous two experiments.

4.2 Estimation

We are interested in the difference between the average score assigned by each of the treatment groups minus the average score assigned by the control group. We will estimate average treatment effects using OLS with dummy indicators for the treatment groups.

4.3 Hypotheses

In this experiment, we test the following hypotheses:

H1: Individuals who receive information about the criminal consequences of lynching show lower support for vigilantism that those in the control group.

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[13]In Portuguese: No Brasil, algumas pessoas acreditam que linchamentos são justificados sob certas condições. **Entretanto, a constituição do Brasil afirma que todos os indivíduos têm o direito de não serem torturados, inclusive criminosos**. O quanto você concorda ou discorda que linchamentos podem ser justificados? Por favor, use a barra abaixo para indicar sua preferência. Para indicar que discorda, use de 0 a 49; para concordar, use de 51 a 100. Por favor, use 50 caso você não concorde nem discorde.

[14]In Portuguese: No Brasil, algumas pessoas acreditam que linchamentos são justificados sob certas condições. **Entretanto, linchamentos podem iniciar um ciclo de violência pois a família ou amigos da vítima podem retaliar a comunidade**. O quanto você concorda ou discorda que linchamentos podem ser justificados? Por favor, use a barra abaixo para indicar sua preferência. Para indicar que discorda, use de 0 a 49; para concordar, use de 51 a 100. Por favor, use 50 caso você não concorde nem discorde.

H2: Reminding respondents that torture violates human rights has no impact on their support for vigilantism.

H3: Information about *vendettas* triggered by lynchings makes individuals less likely to support vigilantism in comparison with respondents in the control group. The effect of that information is larger than the other two treatments.

These three hypotheses allow us to test how respondents react to different consequences of extralegal violence. Hopefully, the experiment may also help policy-makers design more effective campaigns against vigilantism in Brazil.

4.4   Heterogeneous Effects

As with the previous two experiments, we will measure whether our treatments have heterogeneous effects. The same demographic characteristics we describe above – age, gender, race, education level, political ideology, and previous victimisation – will also be used here.

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