

The (Non)normative Administration of Justice by the Crowd: An Adaptation and Application of
Hirschman's Exit, Voice and Loyalty Framework

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ABSTRACT

Injustice, be it procedural, retributive, or restorative, can propel the crowd into different forms of collective action. This dissertation explores the motivations and responses that crowds undertake in response to perceived injustices using a sequential exploratory research design. The dissertation uses multicase research to investigate the injustices against which crowds (broadly defined) are fighting and provides nuances into each type of injustice. Focusing on these cases, the research adapts and applies Hirschman's Exit, Voice and Loyalty theory to provide a typological model connecting injustices to crowd response types. Second, a series of linear, logistic and multinomial regression models using newly collected nationally representative data show the associations between perceived injustices and support for responses of various types. The research contributes a theoretical model for understanding responses to injustices which advances the discussion about the public's role in fighting injustice within society.

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GENERAL AUDIENCE ABSTRACT

People can react in all manner to injustices. They might march in the streets demanding justice, inform police of the identities of wrongdoers, or bury a sexual offender alive. This dissertation connects these seemingly disjointed occurrences and investigates the diverse perceived injustices (retributive, procedural and restorative) behind such actions. It examines multiple case studies of initiatives by the crowd from around the globe to illustrate the nuances in the perceived injustices. The research also adapts the Hirschman's Exit, Voice and Loyalty framework about failing companies and States to connect what appears to be a random assortment of actions. Using the findings from the multiple case studies, the dissertation tests using a series of statistical models whether perceived injustices among the general US population lead to increased support for certain ways in which the crowd can fight for justice.

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Chapter 1: A Corrupt Co-worker, Cold Sandwiches, and a Rape and Murder

People often come together to address perceived wrongs. Some of these individuals help the authorities. Take the 2010 Iowa Hot Lotto mayhem as an example (Forgrave, 2018). That year, officials announced that some lucky soul purchased the winning ticket of US16.5 million dollars in a Des Moines convenience store. Days passed and no one claimed the ticket. Right before the one-year deadline, New York lawyers attempted to claim the winnings on behalf of the purchaser. The Iowa Lottery refused to pay the winnings; their protocol requires winners to identify themselves. The one-year deadline passed, the monies were never awarded, and a criminal investigation was started. Something seemed off to the authorities. Was the alleged purchaser guilty of fraud or a victim of a crime?

Four years later, with no luck in their investigations, the Iowa Division of Criminal Investigation released the surveillance video of a hooded man purchasing the winning ticket. Employees at the Multi-State Lottery Association recognized the voice of the hooded man as their colleague Eddie Tipton, the security director. Additional calls came in from the public; Eddie's brother had also won the lottery. Thanks to his coworkers, Eddie was sentenced to 25 years in prison and agreed to repay the 2.2 million that he and his brother collected from rigging previous games and jackpots.

Unlike Eddie's coworkers, people can also choose not to work with the authorities and elect instead to voice perceived wrongdoings. One such instance is the 2002 UK Lincoln Prison riot (BBC, 2005). In October, the prison changed their lunchtime menu. They replaced the previous hot meal option with cold sandwiches. The prisoners were unimpressed to say the least. Instead of quietly eating their disappointing lunches, they took a stand and rioted. In the words of Gordon Aspden, a prosecutor for the case: "it was sheer lawlessness...Absolutely no mercy was shown. For over eight hours the prison was in the hands of the inmates. It was anarchy" (para 16). The Lincoln sandwich riot was the worst disturbance at any British jail in about 11 years. Twenty-one inmates ended up receiving a total of an additional 97 years in prison. Little is known about whether the sandwiches continued to be served after all was said and done.

Besides assisting and dissenting, people can also take matters into their own hands. This is exactly what happened in a Quechua community in Colquechaca, Bolivia in 2013. A young woman named Leandra Arias Janco was raped and murdered. The police identified the culprit as Santos Ramos, a 17-year-old boy (Didymus, 2013). After the announcement, the community came together to mourn the loss of Leandra and to say their goodbyes. Their anger at the injustice was still fresh, however. That day, a group of about 200 people turned their attention towards Santos. Villagers barricaded the roads into the community; police could not stop what was going to happen next. The massed crowd captured and restrained Santos. They brought him to the ceremony and tossed him (still alive) into Leandra's open grave. Leandra's coffin was then placed on top of Santos, and the grave filled with dirt¹. Santos was buried alive and ultimately died.

¹ There are conflicting accounts of whether Leandra's coffin was placed on top of Santos or was already in the ground before Santos was tossed into the grave. Either way, his fate was the same.

These three examples demonstrate some of the ways that people—acting together as a crowd in some formation—can respond to perceived criminal-justice related injustices. To most of us, these separate initiating circumstances can seem completely unrelated: a corrupt co-worker, the removal of hot meals from a UK prison, and the rape and murder of a young woman. The responses by the crowd too might seem strange. Eddie’s co-workers could have kept quiet or blackmailed him for a part of the lotto winnings. The prisoners could have started a petition, contacted the media, or staged a passive hunger strike. And the villagers could have ostracized the young man, rather than killing him.

There is an underlying logic that can connect these acts, a strand that provides us with some understanding of the decisions that each of these crowds—broadly defined—had made and also on how these actions can actually be understood under the same metaphorical umbrella. These threads are what we are going to explore further in this dissertation.

The Ecosystem

Crowds and the injustices to which they respond do not happen in a vacuum and an understanding of each must take these contextual features into consideration. Sociologists, psychologists, economists, and polymaths have been studying crowds for centuries. Scipio Sighele, for example, published his work *La Folla Delinquente* in 1891; he thought crowds were composed of people who are criminal by nature. French Le Bon published *Psychologie Des Foules* in 1895; his seminal work defined crowds from a psychological perspective and focused on their collective mind (crowds acting and thinking as one). And Gabriel Tarde’s earliest published article on crowds appeared in 1892. He considered that social reality resulted from interactions between persons, such as imitation.

Despite these long-standing looks into crowd behavior, debates still happen on the best way to even categorize a crowd. Psychologist Roger R. Brown (1954), for example, distinguishes passive from active crowds. Passive crowds include audiences that might be casual or intentional in their formation, whereas active crowds are mobs. He further classified mobs as either escape, aggressive, acquisitive, or expressive. These categories represented the dominant behavior of the participating members. In contrast, sociologist Neil Smelser (1957) preferred the term collective action. Unlike R. Brown (1954), the defining feature of crowds for Smelser was the purpose to which clusters of people gathered. He categorized large groups into four types: crazes and panics, hostile outbursts, norm-oriented movements, and value-oriented-movements.

Differing from both, psychologists Reicher and Drury (2011) highlight that crowds have both a physical presence and psychological occurrence in their definition (like Le Bon). A large group of people may be physically and simultaneously present (the waiting pedestrians) but there needs to be a psychological component, such as loss of individuality, that connects the group, such as mosh pitters at their favorite death metal concert.

Beyond these categorizations and preferred terms, large groups of people have also been called a myriad of other things. Some groups are considered audiences and queues (passive crowds), whereas others are called mobs (aggressive and expressive crowds). Another large group might be considered a collective movement (where people are influenced in a similar manner but not physically together like fashion fads) or social movements (often formed to change social

systems). In some particular instances, the actions of groups might even be called a mass hysteria (a spontaneous outbreak of sentiment or actions).

Continuing with the debates, scholars also argue about the incongruency between people's behaviors within and outside of a crowd. Why, for example, would a typically well-behaved young adult and their friends, alongside 1,000 other young people, torch a news media vehicle (fueling the fire to a six-metre-high flame) and throw bricks at police, firefighters and paramedics? (NationalPost, 2012).

For some intellectuals, the answer to that question would be that the well-behaved young person already shared some of the values of the larger mob. This perception is known as convergence theory. As put by philosopher Eric Hoffer (1951), "All movements, however, different in doctrine and aspiration, draw their early adherents from the same types of humanity; they all appeal to the same types of mind" (pg. 9). Or as the idiom goes: "birds of a feather flock together." In this sense, the crowd itself does not influence an individual's behavior but rather the crowd reflects (and perhaps amplifies) the behaviors and attitudes of the people that join it.

Another set of scholars within the deindividuation camp would answer the above question differently. These intellectuals would think that the youth's behaviors were influenced by situational factors that de-individualized them (Blumer, 1946; Mann, Newton, & Innes, 1982; Zimbardo, 1969). According to this perspective, being in a group can make someone feel anonymous (Festinger, Pepitone, & Newcomb, 1952). People may lose a sense of personal accountability and their sense of moral restraint. As a result, they become more likely to adopt the norms (i.e., typical and accepted actions) of the larger group.

Psychologist Philip Zimbardo is famous for his experiments on de-individualizations. He demonstrated how situational and institutional factors influenced the behavior of people and that this phenomenon applied to individuals and not strictly groups. In one of his experiments (1969), a group of female students were dressed in lab coats with identity-concealing hoods (kind of like the outfits the Ku Klux Klan wear), while another group had name tags and wore no hood. He asked all of the women individually (and without the others present) to give an electric shock to another student (an actor, unbeknownst to them). The hooded women were twice as likely to comply with Zimbardo's instructions. Simply concealing one's identity created a diffusion of responsibility.

In answering the above question about the incongruency between the young adult's individual and crowd behavior, a third set of academics would focus on the group's construction of norms (Aguirre, Wenger, & Vigo, 1998; Neal & Phillips, 1988; Quarantelli & Hundley, 1969). This is called emergent norm theory (Turner & Killian, 1972). In this approach, the youth simply found themselves in a situation ungoverned by established and familiar norms. People do not share the same norms (perceptions on acceptable actions within a given situation) as the group, like in convergence theory. Instead, individuals conform with everyone else; norms start to develop or emerge within the group, in real time. Together, they determine what the norms are for the group and individuals act accordingly.

These are just some explanations about the incongruity between individuals and crowd behaviors. They also present an understanding about collective action more broadly. Other theories for understanding collective behavior include social identities, contagion, dynamic social impact theory, and assembling perspective (Drury & Reicher, 1999; Latané & Bourgeois, 1996; McPhail, 2017).

Injustices and Crowds

As we saw with the three examples in the beginning of the chapter, perceptions of injustice can fuel action. Some existing theories have touched on these concerns providing a foundation for our look into injustices of the crowd.

One such theory is known as value-added theory. In 1963, sociologist Smelser (mentioned above) posited that there are six sequential stages in collective action: 1) structural conduciveness which is the conditions permissive of collective behavior; 2) structural strain or, in other words, the deprivation or unequal distribution; 3) growth and spread of a generalized belief which is the spreading of the belief of the strain and how to eliminate it; 4) the precipitating factor or an action that sets off the action; 5) the actual mobilization for action (gathering of people); and 6) the operation of social control which determines the way to end the action (e.g., state violence or repression).

The stage of interest for our discussions is structural strain. These are the problems or issues within society that lead to frustration or anger. In Smelser's (1962) words: "some form of strain must be present if an episode of collective behavior is to occur. The more severe the strain, moreover, the more likely is such an episode to appear" (pg. 48). It is these strains that give rise to emotional responses, such as the belief that these strains are not manageable underneath the existing socio-legal, economic or political framework. The resultant collective action reaffirms to people that something is happening to redress the situation.

Another important thought for justice and crowds is relative deprivation (Davies, 1962; Gurr, 1970; Morrison, 1971). Deprivation is the feeling that people are disadvantaged relative to another group (i.e., a person relative to another) or to some ideal state not yet been reached (i.e., a person relative to some expectation). If people initially feel deprived and then believe social conditions are improving, they become hopeful of what is to come. However, if these conditions suddenly worsen, individuals become frustrated. In this deprived state, they are more likely to take action by participating in a social movement, protest, or collective violence. In sociology and political science, this is known as a J-curve. Figure 0.1 illustrates this deprivation on the graph. The drop in satisfaction results in a lag behind what people expect in terms of satisfaction creating "an intolerable gap between what people want and what they get" (Davies, 1962, 6).

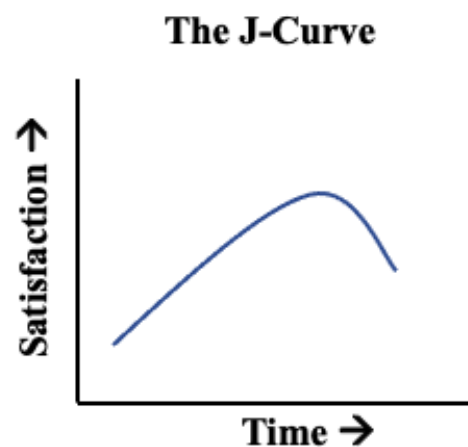


Figure 0.1: Davies J-Curve

It is important to stress here that perceived deficiencies are more important than real occurrences of deprivations in explaining collective action. In addition, not all people that feel deprived will stand in line shouting at the man or lynch another person (like the Quechua villagers). Some people with relative deprivation will turn their frustrations inward, such as experiencing psychological distress (Gurney & Tierney, 1982). Whether or not people have the resources to mobilize can be another intervening factor (Snyder & Tilly, 1972; Tilly, 1978)². However, in this perspective, people will not participate unless some feeling of deprivation has happened (Snow & Oliver, 1995).

This notion of relative deprivation will be important for later in the dissertation. These theories are a great place to start in understanding justice-related motivations.

[This Dissertation and What to Expect?](#)

The focus for this dissertation is the types of injustices that propel the crowd—broadly defined—into different types of collective action. It will connect cases like Eddie Tipton’s, Lincoln Prison, and the Quechua community with an overarching framework and investigate a fuller range of injustices that drive people into action.

To make these connections, after presenting the methods for the dissertation (Chapter 1), we will discuss what exactly is an injustice using relative deprivation as our starting point. We will then discuss the broad types of injustice (Chapter 2). Procedural injustice, which focuses on how governing authorities interact with the public, is the most commonly researched type of injustice (Cronin & Smith, 2011; Jackson, Huq, Bradford, & Tyler, 2013; Kelloway, Francis, Catano, & Teed, 2007; Snipes, Maguire, & Tyler, 2019; Tankebe, 2009a, 2009b; Tyler & Sevier, 2013; Vermunt, Wit, van den Bos, & Lind, 1996). We will discuss procedural injustice but also restorative and retributive injustices. Restorative justice focuses on repairing harm caused by crime, whereas retributive justice focuses on punishing offenders for the harm they caused (Bazemore & Walgrave, 1999; Carlsmith & Darley, 2008; Darley, Carlsmith, & Robinson, 2000; Darley & Pittman, 2003; Walgrave, 2009, 2013).

After looking at theoretical conceptualizations of injustice, we will investigate the actual injustices against which crowds are fighting (Chapter 3). What is it, for example, about retributive injustice that has people motivated to take action? Is it the quantity of punishment doled out for some crimes or against some people? Is it the speed with which perpetrators are caught by law enforcement? This discussion will allow us to explore particular cases of wrongdoing.

Next, we will deliberate about how crowds respond to these perceived injustices (Chapter 4). We will adapt Hirschman’s Exit, Voice and Loyalty theory of failing corporations and states for a criminal-justice context. This adaptation allows us to thread the metaphorical needle through seemingly random actions. For instance, the co-workers reporting their colleague for fraud

² These scholars are advocates of the resource mobilization theory. This theory differs from relative deprivation theory. However, could be seen as an intervening factor. One cannot mobilize after feeling injustice unless resources are available.

(loyalty), the rioting over sandwiches (voice), and burying a man alive (exit) can all be understood underneath this categorization.

The responses from actual crowds are then considered to demonstrate the connection between the categorization and what is actually happening in society (Chapter 5). Particular examples of action that fight criminal-justice related injustices are discussed within the adapted Exit, Voice and Loyalty framework.

Lastly, putting it all together, we empirically test with a US nationally representative questionnaire whether perceived injustices about the system lead to increased support for certain forms of crowd-based criminal justice actions (Chapter 6). People were asked their opinions about the previously identified perceived injustices (from Chapter 3) and civilian participations (from Chapter 5). Although the responses from the public reflect support rather than actual participation in crowd-based initiatives, their expressed opinions provide some sense of the connection between types of injustice and particular responses.

Using the results of these queries also allows the research to focus on newer forms of civilian participation. Research that focuses on justice-related motivations for civilian participation tends to examine traditionally reactionary behaviors, such as identifying a suspect or willingness to be interviewed as a witness (K. Murphy & Cherney, 2011; Pryce, Johnson, & Maguire, 2017; Reisig, Tankebe, & Meško, 2012; Tankebe, Reisig, & Wang, 2016; Tyler & Sevier, 2013), whereas studies that focus more on the newer forms of civilian participation either do not disaggregate justice or do not include perceptions of justice as a motivator for behavior (Chang & Poon, 2017; Huey, Nhan, & Broll, 2013; Yardley, Lynes, Wilson, & Kelly, 2018).

In total, the work provides us with a way to think about crowds and injustice. To substantiate the framework, the dissertation leverages newly collected group and individual-level data.

Chapter 2: The Information Behind the Dissertation

The information that is presented throughout this dissertation comes from three sources. Beyond literature from pre-existing research, original research was done using case studies of crowd-based initiatives and a representative questionnaire launched to the general United States population. Both of these resources provide the dissertation research with unique material.

These methods of inquiry are also cumulative and build upon each other within four stages. The case studies were conducted before the questionnaire and helped inform its development. These cases were completed in Stage 1, whereas Stage 2 and 3 of the research involved the questionnaire. In the dissertation chapters, the results of the cases are also discussed (Chapters 1-4) before the questionnaire (Chapter 5). Because of this structure, particular stages can be referenced for certain chapters in the dissertation (for example, you could read Stage 1 before reading Chapters 1 to 4 and then return here to read about Stages 2 and 3 when reading Chapter 5).

The following sub-section will tell you more about the design of the entire dissertation and the reason for the sequential stages. This section will also provide a visual overview of the stages.

The Research Design and Its Purpose

The design and structure of the sequential exploratory research design is illustrated in Figure 2.1. Although each stage contributes something unique to the research, a sequential exploratory research design was used for two purposes.

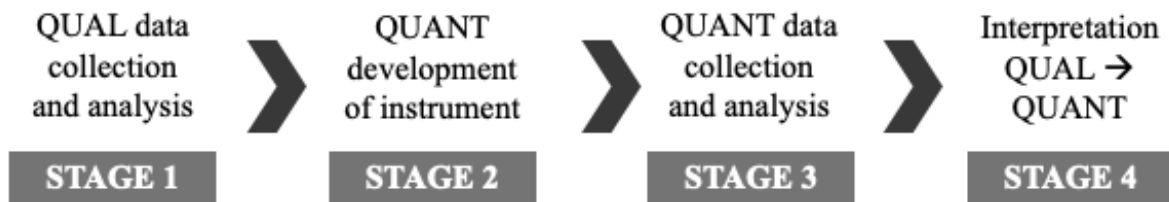


Figure 2.1: Sequential exploratory research design

The first purpose of the design was to help develop the quantitative instrument, used in the later chapters of the work. The qualitative phase involved multicase research of crowd-based initiatives that focused on crime, deviance, or related injustices. These case studies provided an investigation into the specific rationale for the actions of the crowds and activities undertaken. The sequential approach made it possible to explore the actions of crowd-based initiatives before constructing the quantitative instrument to test whether the theoretical framework for action also explains perceived support for crowd-based initiatives that focus on crime, deviance or related injustices.

The second purpose was to investigate real occurrences of crowd-based initiatives within the domain of study. These case studies provided insight into the actions that crowds participate in to fight injustices and the reasons for doing so. They also helped to place the quantitative findings into context.

The unit of analysis changes from the qualitative to quantitative stages. The qualitative stage focuses on initiatives whereas the quantitative stage focuses on individuals. In addition, the focus of geographical location changes between the two stages. The case studies involve initiatives from across the globe whereas the quantitative portion focuses on the general United States population. The research approach is divided into four stages. The sections below describe each of the four stages in more detail.

Stage One – QUALITATIVE Data Collection and Analysis

In the first stage, multiple case studies—in-depth investigations into particular populations—were conducted on crowd-based initiatives that focus on crime, deviance or related injustices. Through this approach, the research was able to bind similarly random occurrences. On the surface, for instance, a coven of witches casting a retributive spell seems completely unrelated to travellers photographing their hotel rooms to combat human trafficking. However, there is a thread linking these reactions to injustice. The multicase research allows for a development of a taxonomy of crowd-based initiatives, which categorizes both responses and perceived injustices. The case studies provide the thread to bind the ideas together.

The goal of using this method is to construct an exhaustive typology that allows us to understand activities of crowds fighting injustice across space and time in a systematic way. It presents a classification that can help us comprehend crowd-based initiatives that focus on crime, deviance or related injustices. Even if an event or occurrence is not directly included within the case study sample, its details (e.g., the injustice and type of action) will likely fit within our categorization.

As mentioned above, the case studies also offer an avenue for developing new research and ideas. Linking seemingly unrelated actions opens up additional (often overlooked) questions about perceived responses and actions. For example, if casting spells and taking photographs are both responses to injustice, why do some people choose to join the coven instead of (indirectly) helping the police? These new inquiries form the basis for our second stage (described below).

Before describing the second stage, let us go through the particulars of the case studies. First, crowds were considered any formation of a large group of people. Initiatives were located through a systematic search of academic and media articles in July 2020. For both searches, the following search queries were used:

- (crowdsourc*) AND (vigilant* OR justice OR police OR policing OR crime OR sleuth OR detective)
- (“crowd participation” OR “crowd involvement”) AND (vigilant* OR justice OR police OR policing OR crime OR sleuth OR detective)

For the media search, to remove the majority of vigilance and COVID-19 articles, vigilant* was separated into (vigilante OR vigilantism). The former of the two search query strings (i.e., crowdsourc*) captures more formal initiatives, while the latter (i.e., crowd participation or involvement) captures more emergent and informal crowds. The academic and media search occurred independently before the list of initiatives was combined. See Figure 2.2 for a visualization of the search process.

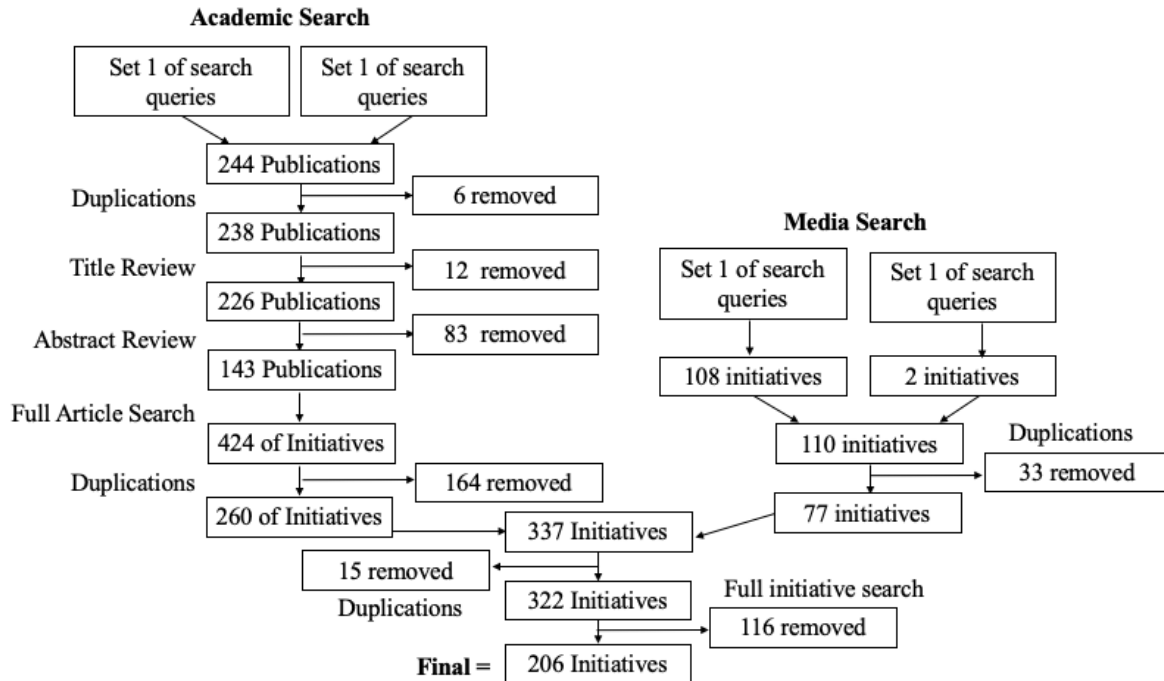


Figure 2.2 Visualization of the Systematic Search Process

Academic Search Procedure

For the academic search, five search engines were used: IEEE, ACM, Sage, Emerald, and Springer. For each query string (crowdsourc* and crowd participation), the first 30 articles were retrieved from the five search engines for a total of 244 articles (not all searches resulted in at least 30 articles). These articles represent the most relevant returned relative to the search terms. The cut-off of 30 articles was used because often after this point the topic of publications deviated wildly from crime and deviance. There were no restrictions on publication type (e.g., journal article, dissertation thesis, grey literature). Articles, however, were restricted to English language and limited to newer than 20 years. The time exclusion allowed for more recent initiatives.

The process included various steps. First, the search engines were searched separately using the queries. The search resulted in 244 articles. Duplicates were then deleted ($n=6$) before titles were searched and articles deleted ($n=12$) based on titles, resulting in 226 articles.

Abstracts were then read; articles that did not pertain to some aspect of crime, deviance or related injustices were removed ($n=83$). Excluded topics included drama, traffic management, e-governance, and natural disasters.

The resultant pool of articles ($n=143$) was read in full to search for crowd-based initiatives. For the academic and media search, some larger movements were coded as separate initiatives, such as Anonymous which is a distributed group where members independently initiative operations. Hashtags as part of a movement were also included. In addition, initiatives that focused on missing persons were included; although a missing person case may not be deviant or criminal, the circumstances around their disappearances may not be known until later on. In terms of

exclusion, applications or initiatives that focus solely on seeking help for the user were excluded. An example of such an initiative is an emergency call mobile applications that connect users to a pre-programmed contact person when emergencies arise.

After duplicate initiatives were removed ($n=164$), the academic search resulted in a list of 260 initiatives.

Media Search Procedure

Google News was used to search for media articles, which is associated with the engine that has more than 90% of traffic for search engines in major English-speaking countries (statcounter, n.d.). Although this tool poses challenges to replication, Google News presents relevant and up-to-date articles that allows current initiatives to be captured. Its algorithms consider original content, local relevancy, volume of publications from an outlet, and popularity (Arabian & Alonso, 2020).

When conducting the search, all accounts were signed out of and a Chrome Incognito browser was used. To acquire a wider list of initiatives, the two search queries were repeated with the following IP address geolocations: 1) New York City, United States; 2) Toronto, Canada; 3) Melbourne, Australia; 4) Dublin, Ireland; 5) London, England; and 6) Auckland, New Zealand. This resulted in 12 separate searches for each of the six search terms. In addition, as country-specific initiatives were of interest, the country name of non-US countries were added as US media was often emphasized by the search engine.

The first 15 initiatives located in each of the searches were recorded. Only the first ten pages of the search results were read through. If the fifteenth initiative was located mid-article, the rest of the article was read, and additional initiatives recorded. The search queries combined resulted in 110 initiatives. After duplications were removed ($n=33$), a total of 77 unique initiatives were located.

Combination

The initiative list from the academic and media search were combined and duplicates were removed ($n=15$). After duplications were removed, each of the initiatives were further investigated to ensure they meet the criteria of crowd-based initiatives that focus on crime, deviance or related injustices. Initiatives lacking public information were excluded ($n=8$). Participation in the initiatives had to be volunteer-based (incentives to encourage participation are acceptable) and not a part of a corporate structure where companies recruit people for rewards (such as cybersecurity crowdsourcing that outsources their security for their clients). By excluding these corporate schemes, the concentration of the research remains on justice rather than employment. The initiatives also could not be military or war based, such as the Bellingcat (2019) investigation into the 2014 downing of Malaysia Airlines Flight 17 while flying over Ukraine during the War in Donbass. The exclusion of military and war-focused initiatives kept the boundaries on domestic crime and deviance.

The final list is composed of 206 initiatives.

Data Analysis

Thematic analysis was used for coding the initiatives into types (Braun & Clarke, 2006). This approach allows for identified themes to be strongly linked to the data in which the researcher does not try to fit the data into pre-existing coding frames. Yet, it also acknowledges that researchers enter the analytical process with theoretical and epistemological knowledge that cannot be easily stripped away.

Six phases were used to code the analysis (Braun & Clarke, 2006). The researcher first became familiar with the initiatives; this included reading their webpage (if one existed), numerous media articles, watching media videos posted by them, and reading their social media. After this phase, initial codes were constructed for all of the initiatives (phase 2) before themes were searched for across the codes (phase 3). The themes were then reviewed (phase 4), before being defined and named (phase 5). Lastly, a report was produced (phase 6).

Ensuring trustworthiness.

Qualitative trustworthiness is a combination of credibility, transferability, dependability and confirmability of the data. Credibility is similar to internal validity; transferability to external validity; dependability to reliability; and confirmability to objectivity. Numerous steps were undertaken to ensure the trustworthiness of the data outlined by (Shenton, 2004). To strengthen the credibility of the data, the researcher became familiar with the initiatives before coding them. To establish transferability, the boundaries of the study are detailed, such as the number of articles and initiatives, restrictions on inclusion, and the time period. To establish dependability, the text includes information on the research design and implementation and operational details of gathering data. To establish confirmability, an audit trail and in-depth methodological description is provided in this chapter (as well as throughout the dissertation).

Stage Two – QUANTITATIVE Development of Instrument

The case studies and subsequent classifications result in new research ideas and questions. By developing and launching a quantitative survey, some of these novel enquiries can be tested. The questionnaires also provide an opportunity to generalize to a larger population; in other words, we can reason (with a certain degree of confidence) that the findings generalize to the full population (rather than just those who participated).

As mentioned above, the results of the case studies were used to inform the development of the quantitative instrument. The particular action also incorporated on the questionnaire were all based on the crowd-based initiatives. Similarly, the types of justice included all relate to the perceived injustices that crowd rally against. Items for ideal and distributive procedural justice came from pre-existing scales (K. Murphy & Cherney, 2012; Reisig & Lloyd, 2009; Reisig et al., 2012; Tankebe, 2009a). Items for loyalty normative are also adapted from previous studies (K. Murphy & Cherney, 2011; Pryce et al., 2017; Reisig & Lloyd, 2009; Tankebe et al., 2016).

Because many of the items were newly constructed, two pilot tests were run to ensure the internal consistency of some of the scales. The instrument was piloted twice on Amazon's Mechanical Turk, first between January 22 and 25th and then on February 4th, 2021. Respondents needed to be over the age of 18, in the US, have a greater than 90% approval rating and were compensated \$0.35 for their time. The results of the pilot studies helped adjust the newly constructed items.

Stage Three – QUANTITATIVE Data Collection and Analysis

The quantitative questionnaire was launched by Dynata, formerly known as Survey Sample International, between February 24 and March 9, 2021. Respondents had to be US-based and aged 18 or older. Dynata recruits participants through permission-based techniques, such as banner ads. They provide incentives to participate in the study.

Sample

A total of 1,001 people completed the questionnaire. The research used a quota sampling approach to ensure representativeness (it takes into account the population proportions for certain demographics). The sample included 50% males and 50% females; about 64% of people identified as White, 13% as Black, 18% as Hispanic, 8% as Asian, 2% Native American, and 1% as another racial category. The most populated educational attainment category was a bachelor's degree (35%) whereas the most frequent age category was people aged 35-44 years old (27%). The largest percentage of respondents reported having moderate political views (33%) followed by liberal (16%) and slightly liberal (11%) and conservative (11%). The most common income categories were \$100,000 to \$149,999 (18%), \$50,000 to \$74,999 (17%), and \$75,000 to \$99,999 (15%) (the median income was \$50,000 to \$74,999). About 20% of respondents were from the Northeast, 39% from the South, 21% from the West and 20% from the Midwest. See Table 2.1 for demographics for the sample.

Table 2.1: Sample Demographics³

	<i>Freq</i>	<i>Percent</i>		<i>Most frequent category</i>
Male	498	50	Education	Bachelor's degree
Female	498	50	Age	35-44
White	647	64.38	Political views	Moderate
Black	133	13.23	Income	\$100,000 to \$149,999
Hispanic	179	17.81		
Asian	75	7.46		
Native American	21	2.09		
Other race	12	1.19		
Non-victim	652	65.53		
Victim	343	34.47		
Northeast	195	19.62		
South	389	39.13		
West	210	21.13		
Midwest	200	20.12		

Civilian Actions and Comparative Preference of EVL: Normatively Challenging and Compliant

Two items were constructed through a two-step process to measure the actions to which respondents had most support.

First, support for six categories of civilian actions were measured. The categories are based on the theoretical framework stemming from Stage One. The items that formed the categories are

³ Not all demographics total 1,001. Some people choose not to indicate their identities.

also based on real examples of crowd-based initiatives that focus on crime, deviance or related injustices from Stage One. Respondent support was measured on a five-point Likert scale from strongly oppose to strongly support.

Six averaged scales were constructed for each type of civilian action. The number of items per scale range from three to seven. The scores for these items were added and then averaged. The averaged scales allowed for general support for actions that would fall within each category; in this sense, respondents do not need to approve of all included and distinct actions but rather the constructed items measure mean support for the general category. Each of the items can be found in Table 2. Scores range from 1 being ‘strongly oppose’ and 5 being ‘strongly support’ and can take values in between. Cronbach alphas (which measures internal consistency) fall between .68 and .87. Cronbach’s alpha tells us how well the items are related to each other; the common rule is that above a .07 is considered acceptable; however, with number of items (fewer than 10) and exploratory research, Cronbach’s alpha under .70 can be acceptable.

Second, from these scales, two preference variables were constructed to measure whether respondents had the most support for loyal, voice, or exit actions (See Figure 1.3 for percentage per category). Separating normatively challenging and compliant actions takes into account the differences in support within civilian action type (EV or L). The categories represent: 0= greatest support (across the average of the specific actions) for loyalty versus exit and voice; 1= greatest support for voice versus loyalty and exit; and 2=greatest support for exit versus loyalty and voice actions. With this set-up, we are purposefully excluding all cases where people have equal preference between group pairs (such as all three or two of the items). A total of 138 and 196 people supported actions either equally across all three actions or two of the actions, for normatively compliant and challenging respectively.

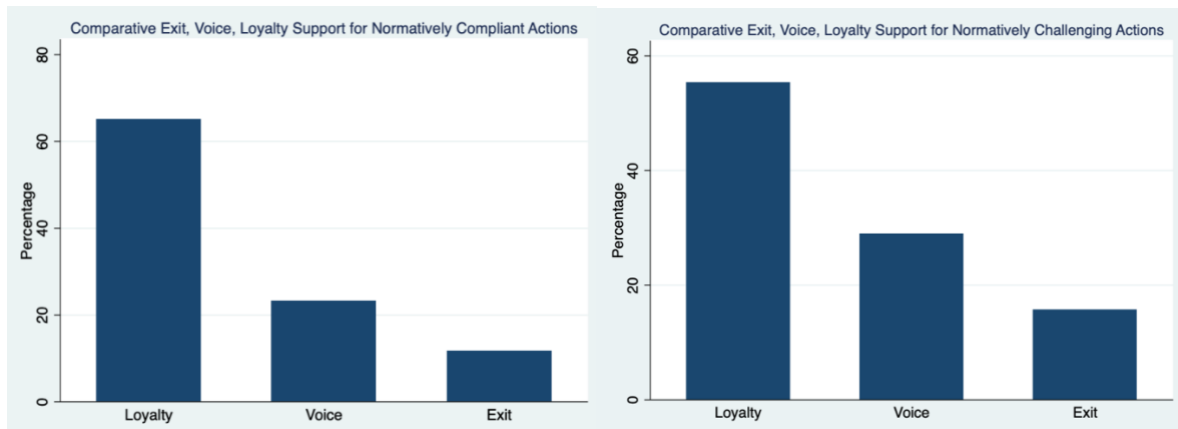


Figure 2.3: Respondents that had the most support for E, V or L for normatively compliant and challenging actions

Normatively compliant and normatively challenging. All normatively compliant items across exit, voice and loyalty were combined and averaged for mean support for normatively compliant actions ($\alpha = .89$). A similar process was done for normatively challenging actions ($\alpha = .91$).

In addition to the normatively compliant and challenging scales, another item was constructed to measure whether respondents had the most preference for compliant or challenging behaviors.

The dichotomous variable categories represent: 0 for most average support for normatively compliant actions versus normatively challenging; and 1 for greatest average support for normatively challenging actions versus compliant ones.

Table 2.2: Items for civilian actions

Exit, normatively compliant ($\alpha = .68$)

- Donating money to a social justice cause
- Submitting information about a crime to companies not associated with the police
- Mapping unsafe locations in a city with an organization not associated with the police
- Alerting community members of suspected dangers
- Posting or sharing messages online to alert people of suspected dangers
- Forming a community watch association not affiliated with the police

Exit, normatively challenging ($\alpha = .83$)

- Naming and shaming someone on social media for their perceived wrongdoing
- Using potentially illegal cyber methods to target wrongdoers
- Conducting undercover investigations into criminal behavior without the involvement of the police
- Sharing potentially private information about someone on social media to bring attention to their perceived wrongdoing

Voice, normatively compliant ($\alpha = .82$)

- Contacting a local politician about a social injustice
- Filing an official grievance with an ombudsman
- Posting or sharing messages of personal victimization to raise awareness
- Posting or sharing messages online about social injustices
- Filming police altercations with the public
- Reporting police misconduct
- Participating in protests

Voice, normatively challenging ($\alpha = .80$)

- Issuing threats to use potentially illegal cyber actions to pressure authorities to change their ways
- Releasing incriminating information about authorities online
- Confronting the police in a protest
- Using potentially illegal cyber methods to target authorities for their wrongdoing

Loyalty, normatively compliant ($\alpha = .87$)

- Providing information to the police to help solve a crime or find a suspect
- Reporting a crime to the police
- Reporting suspicious activity to the police
- Bystanders sharing information with the police after a crime has occurred
- Identifying photos of suspected offenders for the police
- Working on community watch activities associated with the police
- Monitoring security cameras for the authorities to help spot crimes

Loyalty, normatively challenging ($\alpha = .68$)

- Investigating unsolved crimes to provide information to the police
 - Conducting independent undercover investigations to provide information to the police
 - Searching publicly available information to provide information to the police
-

Perceived Injustices

Similar to civilian action, six averaged scales were constructed to measure perceived injustices. The items were measured on a five-point Likert scale from strongly disagree to strongly agree. Items were reversed ordered when needed. Cronbach alphas fall between .70 and .90; all above the acceptable range. The resultant scales measure respondents' perceptions of an unjust system. Higher scores represent greater perceived injustice. See Table 2.3 for each of the items.

For one model, the six justice types are also condensed to represent overall perceptions of injustice. The items are averaged together to represent 'Justice' ($m=2.90$; $SD=.85$; $\alpha=.91$).

Table 2.3: Perceived Justice

Ideal Retributive ($\alpha=.86$)

- Guilty people are caught immediately after wrongdoing
- Punishments match the severity of the crime
- The severity of punishments equals the severity of the crime
- Punishments come quickly after guilty people are caught

Distributive Retributive ($\alpha=.70$)

- Punishments are biased against minorities*
- The poor are punished more severely than the rich*
- The justice system punishes the innocent*

Ideal Restorative ($\alpha=.84$)

- The justice system provides enough support to victims
- Police do a good job making people feel safe
- The justice system helps communities affected by crime
- Police help restore feelings of security after crime has happened

Distributive Restorative ($\alpha=.90$)

- Police make all people feel safe regardless of what they look like
- The justice system supports all victims equally
- The justice system helps victims of all crimes heal
- Police keep all locations equally safe

Ideal Procedural ($\alpha=.87$)

- Police listen to people
- Police treat people with dignity and respect
- The justice system respect people's rights
- Decisions are made in the criminal justice system that are based on facts, not personal biases or opinions
- Police take people's needs into consideration

Distributive Procedural ($\alpha=.90$)

- Police treat everyone equally
 - Police use rules and procedures that are fair for everyone
 - The justice system treats all people fairly
 - The law is applied consistency to all people
-

Note: * all items were reversed coded except these three.

Legitimacy

Legitimacy is a combination of six items. Respondents were asked about their agreement to statements from a Likert scale from one to five ($\alpha = .87$). The items are: 1) People should be committed to doing the right thing by the police; 2) Following the law is a responsibility that should be willingly accepted by all people; 3) You should follow the law even if you disagree; 4) People should support police; 5) I feel proud of the police; and 6) I have a great deal of respect for the justice system. These items are adapted from existing scales found in Fagan and Tyler (2004); Pina-Sánchez and Brunton-Smith (2020) and McLean, Wolfe, and Pratt (2019).

Control Variables

The controls for the models varied. All multivariate models included the following demographic variables: racial category (White, Black, Hispanic, Multiracial and/or another racial category), age, gender (male or female), and political views. For three models, additional controls were added: education attainment (from less than a high school diploma to graduate degree), income, region (West, Northeast, South, Midwest), and whether respondents had been a victim of a crime or not. The variation in controls was a by-product of the smallest number of respondents within a category (i.e., 100 respondents) of the dependent variable. Following the 10 cases per independent variable rule (Schwab, 2002), the models did not exceed 10 independent variables.

The rankings for education attainment, age, and political views were condensed for the linear regressions to allow for relative comparisons across demographics. However, the multinomial logistic and logistic models use the full scale of these variables.

Analytical strategy

The following briefly describes the models used in the work. A total of 20 multivariate tests (14 linear regressions, 4 multinomial and 2 logistic regressions) were run. See the Appendix for details about each and their associated assumptions tests. Information about the regression, multinomial and logistic regressions are below.

All models used listwise deletion. Data appears to be missing completely at random (no patterns in the missing data). The listwise deletion approach uses only the actual data (not entering in additional bias or artificial efficiency into the data); however, the variance of the estimates become less efficient because of the decreased sample size.

Linear regression

Fourteen linear regressions were run. The dependent variables were the series of civilian action (6), normatively compliant and challenging actions combined (2), and types of injustices (6). Normality of the residuals and homogeneity of variance were checked by plotting the residual and residual-versus-fitted plots. Multicollinearity was not an issue; the mean variance inflation factor was 1.04. Influential outliers were not a concern.

Multinomial logistic regression

Multinomial regression, an extension of logistic regression, models nominal outcome variables. The model estimates the probability (A) of an event occurring compared to other potential outcomes (B, C). In our case, (A) represents loyalty and (B) and (C) are voice and exit, respectively. The baseline category is loyalty. Multinomial regression does not assume homoscedasticity, normality nor linearity. The assumption of independence was tested with the

Hausman-McFadden test. Across all four multinomial models, the categories were considered independent (test results in Appendix). Multicollinearity was not an issue; the mean variance inflation factor was 3.41. Influential outliers were not a concern.

Logistic regression

Two logistic regressions were also run. These models estimate the probability that an outcome is present given values of independent variables (aka the probability of success). Hosmer and Lemeshow tests were run to test model fit (probability of outcome is same in model as in actual data). All models fit well (results in Appendix). Multicollinearity was not an issue; the mean variance inflation factor was 1.30. Influential outliers were not a concern.

Stage Four – Interpretation

The last stage involves an interpretation of both the qualitative and quantitative findings. The interpretation allows us to see connections between the difference stages. The qualitative portion not only helps in the development of the quantitative instrument but also illuminates the association between civilian action and injustices. This stage includes a comparison between the association at the initiative-level and individual level for support of such actions.

The following chapters present the findings. First, the qualitative findings are discussed before the quantitative findings; after each are discussed separately, the two are discussed in light of each other (although some qualitative findings are brought into illuminate the quantitative findings).

Chapter 3: Catalytic Injustice

Justice and injustice are often tricky to define. Despite its nature as an “essentially contested concept” (Gallie, 1955), justice and injustice are often marked by perceptions of deprivation. Injustices are based upon perceived gaps between what ought to occur and what is actually occurring (Worthington Jr, 2006). Time and again, conceptions of justice get anchored in the distinction between “is” and “ought”, “real” and “ideal”, and “desired” and “actual” outcomes (e.g., Bernard & Engel, 2001; Feeley, 1973; Jacob, 1971; Lerner, 1981; Packer, 1968; Witvliet et al., 2008). “If there is a discrepancy on the evaluative dimension between the desirability of the person's fate and that to which they are entitled,” writes sociologist Lerner (1981), “then an injustice has occurred” (pg. 12). Similarly, Jacob (1971), another sociologist, points to “the congruence between expectations about key officials in the justice system and perceptions of their actual behavior” as a measure for justice (pg. 69).

Influencing the Justice Gap

Justice as gaps implies that evaluations of injustice are inherently perceptual. As a result, a host of factors go into making persistent justice gaps. Psychology, societal norms, cultural factors and the vagaries of events all matter.

Psychological Factors

Looking at the psychological factors, what one believes and emotionally feels about themselves and the world around them can influence judgements of justice. There is no objective outcome, for instance, that is considered sufficient if an individual perceives the situation as one in which they deserved more than was really given. This perception is referred to as psychological entitlement. Such entitlement takes on two opposite forms. One variant occurs when someone perceives themselves as deserving more than others because of a perceived deprivation (e.g., their life has been unfair). The other variant is similarly anchored in perceptions of entitlement but is based on ideas of superiority (e.g., a person thinks they are better than most) (Campbell, Bonacci, Shelton, Exline, & Bushman, 2004; Crowe, LoPilato, Campbell, & Miller, 2016; Grubbs, Exline, & Campbell, 2013; Hart, Tortoriello, & Richardson, 2019).

Conversely, genuine hardship might not be perceived as a justice-worthy deprivation, unless a person identifies it as such. People often believe, to some degree, in the occurrence of a just world (Lerner, 1980). This perception refers to the belief that the world is a fair place and people get what they deserve. A strong adherence to this belief is associated with perceiving clearly negative outcomes for others and themselves as fair (Ball, Trevino, & Sims Jr, 1994; Dalbert, Fisch, & Montada, 1992; Hafer & Correy, 1999). Those that adhere to this belief instead often hold people at fault for their negative circumstances, such as their poor finances, worse health, or their victimization (Begue & Bastounis, 2003; Crandall & Martinez, 1996; De Judicibus & McCabe, 2001) or, presumably, blame some higher power for the state of affairs (e.g., one cannot know God's plan).

Emotions

Affective dimensions of the human psyche (e.g., anger and joy) can similarly influence the evaluative determinations of injustice. These affective states are often considered outcomes of injustice, such as anger towards an unfair criminal justice actor (Barsky, Kaplan, & Beal, 2011; Cropanzano, Stein, & Nadisic, 2011). However, emotions can also play a part in the judgement

of justice (Blader, Wiesenfeld, Fortin, & Wheeler-Smith, 2013; Chebat & Slusarczyk, 2005). People might experience an emotion (such as disgust) in reaction to an injustice and use this affective state to decide how they feel about the issue at hand (Haidt, 2001; Schwarz & Clore, 1983). In this sense, people can feel an injustice quite objectively in terms of neuro-chemical responses within their brain and body, and emotion and justice are linked together in terms of both effect (an injustice makes someone angry) and cause (anger makes people more likely to perceive an injustice).

The intermix of emotion, perception, and injustice can be seen in the reactions of Yale students to an email response from a faculty about Halloween costumes. In 2015, an instructor at Yale, Dr. Erika Christakis, sent a response to an administrative email advising that students avoid culturally insensitive choices from their Halloween costumes. In her email, Erika wrote: “Have we lost faith in young people’s capacity – in your capacity – to exercise self-censure, through social norming, and also in your capacity to ignore or reject things that trouble you?” (Jaschik, 2015, para 2).

Students perceived the response to be an encouragement of violence. Dr. Nicholas Christakis, Erika’s husband and a professor at Yale, sided with his wife on the issue, causing considerable student outrage at his decision. When engaged in discussion with Nicholas, a student told him, “I am sick looking at you... I am disgusted knowing that you work at Yale University” (University, 2016). The students in this case viewed the opinion of these faculty members as an injustice. Watching the YouTube video documenting the affair shows that the students’ expressions of moral disgust toward Nicholas was not simply a rhetorical strategy or negotiation tactic (or it appears not to be). It appeared as if the students felt the injustice keenly. For them, there was a gap between what was being expressed by Yale faculty and what ought to be.

Networks

These individual-level dimensions are also nested within a larger societal context. Most immediately, people are often influenced by the attitudes and behaviors of those around them. Taking a lesson from the academic work of the very same Nicholas Christakis as seen before, friends and families, and even a friend’s friend’s friend, can affect our attitudes towards such pertinent criminal justice-related injustices as substance use, criminal offending, and law enforcement (Allen, Trzcinski, & Kubiak, 2012; Christakis & Fowler, 2009; Sargeant & Bond, 2015; Walters, 2015). Put another way, perceptions of injustice can diffuse through networks in much the same way that happiness, disease, or even obesity spreads through populations.

One of the mechanisms leading to this percolation of sentiment through networks is emotional contagion. In particular, people are often influenced by the emotions of others when deciding whether or not an unjust situation has occurred. To demonstrate this transfusion of emotions, researchers set up a couple of experiments (Hillebrandt & Barclay, 2017). In the first, participants were asked to imagine themselves in a particular scenario involving a co-op student working on a short-term project with a team. This project had a \$1,000 bonus attached, which would be shared among the team after the work was completed. The scenario also described a conversation with a co-worker from another cohort. This co-worker had completed a similar project with a bonus.

The ending of the hypothetical conversation differed for the participants depending on in which one out of three groups they were placed. For groups one and two, the co-worker was asked about their bonus to which they responded. The co-worker expressed feeling guilty after receiving their bonus in group one's scenario, whereas the co-worker expressed anger in group two's scenario. For group three, the scenario ended before the co-worker expressed any emotional response towards the bonus.

At the end of the experiment, the participants were asked about the fairness in allocating bonuses at their firm. The participants that read that their co-worker was angry or felt guilty believed that the procedures in the co-worker's case were less fair than when the co-worker expressed no emotions at all. This finding shows that people structured their attitudes toward justice from the emotional expressions of others. In this case, the allocation of the bonus was deemed unjust because the co-worker expressed a negative reaction towards it (irrespective of what actually happened). Simply knowing that others experience anger or guilt in response to a stimulus seems to be partially sufficient to contrast a situation of perceived injustice.

To test this emotional effect on justice further, the researchers conducted another experiment to see how the emotions of others would influence the judgments of someone's own treatment (Hillebrandt & Barclay, 2017). In this second experiment, participants were told they would work on a memory task in a team with another unknown-to-them person. Together, they would work on the same memory task but on a different computer. In reality, the tasks were performed individually and not in teams. All of the participants were told that a \$100 prize would be raffled later on, and tickets to enter the raffle would be split between the participant and their team member. Before starting the tasks, the participants were asked to read a comment form with performance tips from an alleged previous participant (who they thought was real).

Alongside some genuine tips to improve performance, an additional comment about the raffle tickets was written by the researchers. The comment read: "I did receive my raffle tickets, but I feel...". Like in experiment one, the ending of this sentence differed for the participants. The ending expressed feelings of either guilt or angry about the number of tickets received, or no mention of emotions at all. The participant then completed the memory task. Afterwards, the participant saw that they and their teammates scored equally for the task, but they received 8 out of 10 available tickets for the raffle (while their teammate supposedly received two).

At the end of the experiment, when asked about the ticket allocation, the participants thought the procedures for their own outcome (the 8 tickets) was less fair after reading the anger and guilt comments from the previous participant relative to the no emotions group. Essentially, when people were not predisposed toward emotional reactions, they did not perceive an injustice quite as often. Taken together, how someone else feels about a similar situation can affect our perceptions of justice for them (like study one) and for ourselves (study two).

All people have identities, and facets of these states also directly influence attitudes towards criminal justice-related injustices. Such influencing identities include ethnicity, race, culture, ideology, gender, or nationality (Hegtvedt & Killian, 1999; Miller, 1999; Scott, Matland, Michelbach, & Bornstein, 2001; Tyler, Boeckmann, Smith, & Huo, 1997). In the United States, for instance, minorities, younger persons, and those of lower-income all view the criminal-justice

system as more biased and unfair (Hagan & Albonetti, 1982; Henderson, Cullen, Cao, Browning, & Kopache, 1997; Tyler & Huo, 2002b). Minorities and/or those of lower-income more often experience disparate treatment by the courts (Demuth & Steffensmeier, 2004; Schlesinger, 2007) and police (Pierson et al., 2020; Smith & Petrocelli, 2001), which further hampers their trust in the system.

Norms

In addition, the normative beliefs of society also influence evaluations of justice. Normative theories of how people should behave in society and what is considered right or wrong helps individuals to distinguish just and unjust behaviors (Miller, 1999). Norms are instrumental towards social coordination and order within a society, such as providing people with a shorthand set of rules for how they should interact with one another (Geertz, 1973). These normative theories function differently between and even within cultures. Sometimes norms are codified in laws. At other times, they are more informal and often powerful because of their informality. Corporal punishment for school children, for instance, is legally allowed in about a third of the United States (Gershoff & Font, 2016). When receiving notice of physical force being used to discipline their children, a parent where it is legal and more acceptable will likely consider the act differently than a parent where it is not. The same act, in other words, has a different meaning in different contexts.

Norms of right and wrong, however, are not always explicit or mentally accessible to those that adhere to them. Instead, normative theories can operate more like intuition than reasoning (Cushman, Young, & Hauser, 2006; Hauser, Cushman, Young, Kang-Xing Jin, & Mikhail, 2007; Robinson & Darley, 2007). To illustrate this, researchers gave participants a variant of the classic trolley problem and asked them to make a decision (Hauser et al., 2007). In the scenario, a runaway trolley was hurtling towards five employees working on the tracks. The participants had to decide between 1) throwing a switch that would divert the runaway train to another track, killing one worker or, alternatively, 2) pushing a large man onto the tracks, stopping the train but killing the man. The outcome regardless of the option is the same: one person dies. However, 89% of the participants said throwing the switch was the moral action. When asked about their decision, 70% could not provide a sufficient explanation as to why their choice was moral. Instead, they offered statements such as “It was a gut feeling”, “It struck me that way”, or it was “the lesser of two evils”, even though both choices meant only one person died (Hauser et al., 2007, p. 13/14).

Justice gaps, therefore, emerge for a host of reasons. There are many psychological, socio-political, historical, and cultural factors at play. Cataloguing some of these items, however, provides us with an understanding of the complexity and subjectivity that goes into judgments of fairness. And, it bears saying again, that despite the variable and subjective essence of justice, injustices are often felt objectivity (in the sense of a clear neurochemical reaction leading to particular states of mind and a desire to act).

A Closer Look at Injustice Gaps

If injustice is all about the perception of a gap, then a reasonable question is a gap between what? According to sociologist James Davies (1962) (from the Introduction), the response would be the difference between one person relative to another group or some ideal state (some expectation).

This perspective is our starting point. The anchoring points for injustice gaps can be broadly thought of in two ways: ideal and distributive.

Ideal Injustice

Let us take the case of Candy Lightner, the co-founder of Mothers Against Drunk Driving (MADD) ("Gets Four Years For Drunk Driving," 1985). Lightner is interesting as an example of both types of anchoring points. On May 3, 1980, her 13-year-old daughter Cari was killed by a drunk driver on her way to a church carnival. The driver of the car that killed Cari, Clarence Busch, never stopped. It was later discovered that he was out on bail for another drunk driving incident when he killed Cari and had three prior convictions for the same offense. Busch was eventually prosecuted for his role in Cari's death and sentenced to two years for vehicular manslaughter. Lightner was furious. She had an ideal of what should have happened to Busch and thought that the criminal justice system failed her and her daughter⁴.

In this permutation of the example, the Busch/Lightner case is an instance of an injustice gap with an ideal anchoring point, that is, there was an incongruence between a perceived ideal (how severely Busch ought to have been punished for his crime) and the actual outcome (two years in prison with driving privileges not revoked). We can illustrate this injustice, as is done in Figure 3.1. The red dot in the first figure represents the 'real' outcome, what is or has actually transpired. The blue dot labelled 'ideal' represents a person's expectations of what ought to have happened to, in this case, Busch. In the figure, we see that the ideal degree of justice is considerably higher than what is perceived to have actually occurred. In the case of Lightner, for instance, the prosecution for Busch (the real degree of justice) was nowhere near the outcome she thought he deserved (the ideal degree of justice). Perceptions of a larger gaps between the ideal and the real indicate more unjust situations.

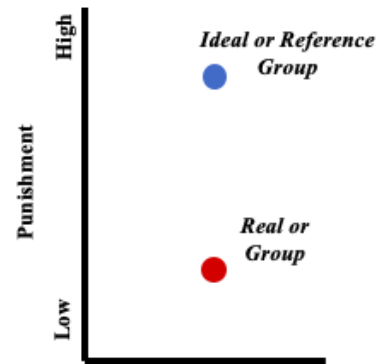


Figure 3.1. Ideal and distributive injustice

Distributive Injustice

Alternatively, the injustice gap can result less from a contrast between real and ideal and more from an emphasis on the distribution of justice between real things. The distributive justice equation might emphasize gaps between one group and another that is held up as a reference category (e.g., Black Americans vs. White Americans) or between types of crime (e.g., effort devoted to policing sexual assault vs. drug crimes). Looking again at Figure 1 with the distributive frame in mind, the red dot represents one group, whereas the blue presents the reference group. For instance, David French, the president of a west-coast MADD chapter, later reflected on the outcome of the Busch case: "People have to see that the scales of justice aren't balanced. A child molester can get from 8 to 50 years in prison, while a Clarence Busch gets less than two years for killing someone" (Galloway, 1985). For French, the prosecution of drunk

⁴ Lightner turned her anger into good and, four days after Cari's death, started MADD with another woman whose daughter was left paralyzed by a drunk driver. In the end, Busch served a reduced sentence and, once released, struck another young girl while driving under the influence. He received four years for this accident.

drivers (one group) was nowhere near the perceived outcome child molesters (the reference group). The allocation of just punishment between these two types of crimes, in French's view, was unfairly distributed, giving rise to an injustice gap that needed to be rectified.

Unjust Over and Under Applications

For both the ideal and distributive types of injustice gaps, there can be a perceived unjust over and under applications of events (the y-axis in figure 1). These events are quite variable and can include a multitude of decisions and processes within and outside the criminal-justice system, such as decisions about punishment or police procedures. The applications of these events can be too much, too little, or just right. For instance, there can be too little punishment (an under application), such as when Busch received only two years for killing Cari Lightner.

Alternatively, in other situations, too much punishment can be perceived to have occurred. Some (but not all) citizens of the United States, for instance, might be upset if their government adopted Japan's law on drunk driving, where the passenger riding in a vehicle with a drunk driver can receive a two-year prison sentence (OSIT, n.d.). They might see the punishment as unjust especially if the passenger was unaware of the driver's drinking behaviors (an unjust over application). Thinking through the under- or over-application scenarios relative to Figure 3.1 would entail simply flipping the red and blue dots to have either red above blue (over-application) or blue above red (under-application). A just situation, it is worth saying, would be when the blue and red dots are close enough to be considered proper.

Temporal Changes

So far, the conversation about justice has focused on single snapshots in time. However, as noted in the relative deprivation theory, evaluations of justice made by individuals and society change with the passage of time. These changes are influenced by all the aforementioned factors (plus many more) that themselves are temporally dynamic, such as shifting societal norms and variable affective dimensions of the human psyche. There are plenty of examples in history, for example, where people thought they were acting on the behalf of justice (e.g., Salem Witch Trials; the Spanish Inquisition). Yet, looking back with the benefit of hindsight and changing conceptualizations of justice, most (but maybe not all) people today would thoroughly disagree with these applications and concepts of justice (Lerner, 1981).

Whether or not the perceived state of justice changes throughout the years is dependent on two things: starting points and rates of change. In one example, one point could move discretely while the other remains static between two different time periods (t_1 and t_2). From the aforementioned drunk driving case, for instance, someone whose daughter was killed by a drunk driver might continually hold the ideal that drunk drivers that kill another human being should be incarcerated for up to 15 years in prison. Their ideal standard for a just sentence might not change over time. However, with groups like MADD pressuring for stricter laws, the penalties for drunk driving in the United States have actually become more stringent overtime (Fell & Voas, 2006). The real events (i.e., the penalties for drunk driver) have moved closer to the ideal (i.e., the 15 years in prison).

Illustrating this example, as in Figure 3.2, we can change the points into lines and see the increase in one line (real) while the other (ideal) is constant. In this scenario, the justice gap has considerably closed over the years. The obverse can also be the case, where the real remains constant but the ideal changes, either towards higher or lower ideals.

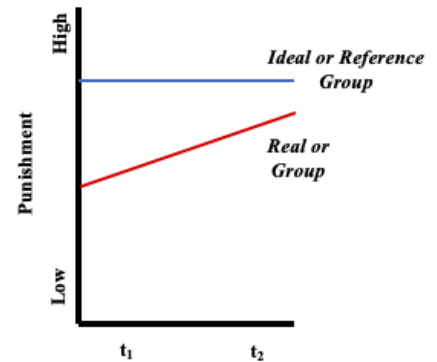


Figure 3.2 Temporal Changes

In a more complicated class of scenarios, both real conditions and ideal (referent) categories can move simultaneously. Both might increase or decrease together and at similar or different rates, for instance, or one point might alternatively increase or decrease while the other does the opposite.

As one illustration, let us take the example of an individual's beliefs towards the appropriate penalties for recreational cannabis use. A person might initially believe that two years of prison is adequate for the offense (time 1), yet several years later believes that a small fine is more appropriate (time 2). In Figure 3.3, this change in the ideal application of punishment is visualized with the red line. During this same period, the government might have also legalized recreational cannabis use, changing the punishment from a minimum incarceration period of ten years (time 1) to no legal consequence (time 2). The change in the actual punishment is represented by the blue line in Figure 3.3. With the governmental changes to the laws surrounding cannabis use, this person (or, conceptualized differently, the aggregation of societal preferences) finds themselves with a perceived unjust situation at both time 1 (over-application of punishment) and time 2 (the under-application of punishment). The perceived gap in justice in time 2 is smaller than in time 1 and is inverted, but would be seen as nevertheless unjust.

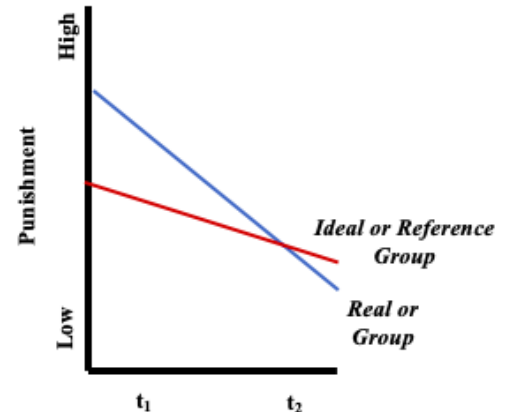


Figure 3.3 Another Temporal Change

One of the most seemingly paradoxical outcomes of the justice gap framework is a situation wherein a constant perception of injustice persists despite changing justice attitudes and material conditions. Probably the most interesting of the possible variants would be a situation wherein perceptions of a justice gap persists but material/real conditions improve. To illustrate how this

could occur, let us take the example of a phenomenon referred to as prevalence-induced concept change (Levari et al., 2018).

The researchers that coined the term conducted a series of experiments with non-color-blind participants (Levari et al., 2018). To illustrate this phenomenon's effect on justice perceptions, we shall go through two of their experiments. In the first experiment, the participants were shown 1000 dots that ranged on a color continuum from very purple to very blue and were tasked with identifying the color of the dot (blue or purple), a seemingly simple enough exercise. At the midway point of the experiment (about 200 trials), the researchers decreased the prevalence of the blue dots for only half the participants. At the end of the experiment, the researchers found that for only the participants in the experiment group were they more likely to identify purple dots as blue when the prevalence of the blue dots was gradually decreased from its original prevalence. Essentially, what this result means is that people's concept of what blue meant changed throughout the experiment to include previously excluded dots (i.e., purple filled circles) when the blue dots became relatively sparse.

The researchers repeated the experiment, but this time showed participants computer-generated human faces that ranged from "very threatening" to "not very threatening". The task was to identify whether a face was considered a threat. The results were similar to the blue dot experiment. When the prevalence of real threatening faces decreased, participants were more likely to identify someone as a threat when they previously did not. Similar to before, these participants changed their conception of threatening to include faces that were previously considered benign.

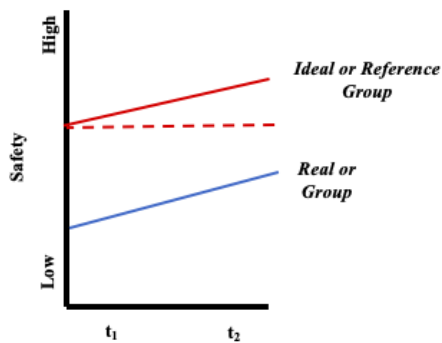


Figure 3.4. Injustice over time

the real occurrence. Without the move in the ideal category, the injustice gap would be closing.

The implications of this experiment are profound. As society becomes safer, for example, police officers might shift their perceptions about what constitutes a threat to include previously benign actions, looks, or behaviors. Broadly then, the real occurrence of a good might be moving closer to the ideal at time one but with the changes in the prevalence in real occurrences, the ideal shifts further away, keeping the perceived justice gap more or less stable over time. Illustrating this permutation of the injustice gap overtime in Figure 3.4, the dotted red line indicates where the ideal would have been if it did not move in reaction to the prevalence of

The point is simply that perceptions of justice and anchoring points fluctuate throughout time, as understandings of justice and evaluations of occurrences ebb and flow. In some situations, such as those that follow the pattern of the prevalence induced concept change experiment, the justice gap framework suggests that the general persistence of perceptions of injustice is intractable, but, of course, any particular gap might be a catalyst for action, as we shall see below.

Types of Injustice

The precise list of justice gaps in the wide domain of crime and deviance is long and maybe endless. The multitude of specific situations, however, can be broadly grouped into three main justice areas: retributive, restorative, and procedural, each having an ideal and distributive aspect to them. *Retributive justice* deals primarily with punishment (Carlsmith & Darley, 2008; Darley et al., 2000; Darley & Pittman, 2003). *Restorative justice* focuses on the restoration of victims and communities after harm has occurred (Bazemore & Walgrave, 1999; Walgrave, 2009, 2013). And *procedural justice* focuses on the processes that are a part of the criminal justice system and society at large (Blader & Tyler, 2003; Tyler, 2003, 2007; Tyler & Huo, 2002b; Tyler & Murphy, 2011). Let us take a closer look at each category of justice to see how injustice gaps can occur.

Retributive Injustice

It is fairly natural to want to punish someone who has knowingly committed a serious harm. Imagine a person robs and injures an elderly woman on her way to the market; another person is blackmailing a 10-year-old child to send sexually explicit images of themselves. When hearing of such events, the likely reaction of most people is a desire to see the perpetrators punished. This desire for punishment often stems from the need of giving offenders their “just deserts”, also known more generally as a need for retribution (Darley et al., 2000).

The premise of retribution is that offenders deserve to be punished when they cause harm. For instance, the punishment of a blackmailer or robber is payment for the harm done. Within retributive justice, there is no ulterior motive for punishment beyond the punishment itself. For retribution in a justice-laden sense, the infliction of the punishment is in itself a valued end (Carlsmith & Darley, 2008; Darley et al., 2000; Darley & Pittman, 2003; Gollwitzer & Denzler, 2009; Wenzel, Okimoto, Feather, & Platow, 2008). This singularity of focus means that any future outcomes, such as deterring or incapacitating offenders, that results from punishment are irrelevant retributive justice concerns (Carlsmith & Darley, 2008).

When offenders are punished, they pay their moral debt and justice is restored in society through a rebalancing of the scales. In the retributive approach, the moral magnitude of the punishment and action must be balanced. As the paraphrased saying from Hammurabi’s Code goes, “an eye for an eye, and a tooth for a tooth”. In other words, the punishment must be proportionate to the moral seriousness and harmfulness of the offense (Carlsmith & Darley, 2008; Wenzel et al., 2008). When deciding the appropriate punishment, authorities must determine 1) the magnitude of the harm that was caused by the offense and 2) whether the recommended punishment is proportionate to that harm (Carlsmith, Darley, & Robinson, 2002).

Determining the magnitude of harm and recommended punishment can be quite difficult. For the philosopher Immanuel Kant (2002/1952), the wickedness (or severity) of the offense could be approximated by the moral outrage that ensues from the crime. The more moral outrage from the public towards an offense, the more punishment that would be needed to restore the balance. This task, however, can be considerably difficult when moral outrage is variable among the population. Robbing elderly ladies and sexually soliciting/abusing children often elicits a unified response, but once we move into topics of sex work, drug abuse, euthanasia and terminally ill

children, insensitive Halloween costumes, and environmental activism (or eco-terrorism depending on your stance), many of us will typically disagree along some lines about the appropriate punishment (if any) for these offenses.

This disagreement is often where retributive injustice steps in. Affecting judgments of justice, people may not agree with the inflicted punishments meant to sanction offenders; the sanction may be too harsh (unjust over-application) or too light (unjust under-application), for instance. For distributive injustice, certain populations or offenders of particular crime types might also be disproportionately punished relative to some baseline. In an experiment, for instance, assistant principals were more willing to give Black than White students more days of detention and suspensions for the exact same offense⁵ (Jarvis & Okonofua, 2020). In this example, a distributive unjust overapplication of punishment is occurring that in its consequences can drastically harm the educational and life successes of Black students.

In addition to these unjust retributive occurrences, the lack of prosecution can in itself cause an injustice. Without detection of wrongdoing, formal punishment cannot occur. The neighbor that drives too fast within a neighborhood, for example, cannot be punished unless their actions are brought forth to someone or something that can exact a punishment. The desired punishment in this example simply does not exist yet, creating an unjust under-application. Be it an unjust under- or over-application, retributive injustices exist within society.

Restorative Injustice

People are morally multifaceted creatures and a desire to punish is not all that is often desired after a perceived harm has occurred. Crime and deviance both physically and psychologically wound survivors and communities. It leaves families without their loved ones, people scared to return or simply be in their homes, property destroyed or damaged, and relationships in ruins. Simply punishing an offender for their crimes will not necessarily mend perceived injustices.

Take for instance the following story of the first victim offender reconciliation program in Canada. In 1974, two drunken teenagers took a destructive spree through Elmira, Ontario, a small and quiet town (at the time). They smashed windows, slashed tires, damaged a traffic light, and even punctured and overturned a boat. In total, they damaged 22 properties. The townspeople were angry when they woke to find their homes and community damaged and destroyed. The sense of security and safety that comes with living in a smaller town was shattered (Wachtel, 2012). The two boys could have been sent to jail. Instead, through the ingeniousness of a Mennonite Central Committee member and a local probation officer, the boys went door-to-door apologizing to the owners of the destroyed property (CBC, 2015). Victims were surprised but (mostly) appreciative that the boys knocked on their doors (Wachtel, 2012). Through discussions with the boys, the feelings of security and safety were restored for the people of Elmira. One victim, in a stereotypical Canadian fashion, even told the boys that if they see him walking through the town, be sure to say hello (Wachtel, 2012).

⁵ In the experiment, the principals were split within two groups. All of the principals read the narrative of a male student. The only difference between the narratives was the name of the boys, either having a typically Black or White name.

This approach to wrongdoing is a form of restorative justice. According to criminologists Bazemore and Walgrave (1999), restorative justice is “every action that is primarily oriented towards doing justice by repairing the harm that has been caused by crime” (48). In this approach to restorative justice, the focus is not about the violation of the law (e.g., that an offender disobeyed a legal order); instead, the concern is the harm that occurred from that violation or wrongdoing (e.g., violation of people and relationships) and repairing as much of that harm as possible (Zehr, 1990). The importance of precise processes is then minimized and instead the emphasis is placed on obtaining restorative outcomes (Bazemore & Walgrave, 1999; Walgrave, 2009, 2013). For instance, the voluntary participation of offenders in the restoration process is often a feature of restorative justice, but it is only important to the extent that it contributes to positive results and is not a necessary feature of restorative justice *per se* (Bazemore & Walgrave, 1999; Walgrave, 2009, 2013).

Ensuring harm is adequately repaired can be incredibly difficult. Restorative justice can be achieved in a multitude of ways (Bazemore & Walgrave, 1999; Braithwaite, 1996; Walgrave, 2009, 2013; Zehr, 1990). However, the type of restoration will depend on the harm caused by crime. These harms are whatever matters to the stakeholders (e.g., victims, community) involved, such as psychological or relational sufferings (Bazemore & Walgrave, 1999; Braithwaite, 1996; Walgrave, 2009, 2013; Zehr, 1990). As put by criminologist Braithwaite (1996), for instance, who developed the Reintegrative Shame Theory: “[o]ne answer to the ‘What is to be restored?’ question is whatever dimensions of restoration matter to the victims, offenders, and communities affected by the crime” (pg.11). The perception that the type and intensity of restorative efforts is adequate is then particular to the stakeholder involved.

In the Elmira drunken rampage example, the boys had to financially compensate the victims of their crime spree but also had to listen to the harm that their actions caused the community (Wachtel, 2012). Their conversations with the community provided an avenue for the townspeople to voice their anger and for the boys to understand the suffering that they caused. More than 45 years later, one of the involved offenders reflected: “To see the anger in [the owners’] eyes and the disgust on their face – I felt very much ashamed” (CBC, 2015). Restoration, however, could have also included the replacement of damaged property, the police actively patrolling the community, or the provision of psychological or social support to victims of the rampage.

In this case, the approach taken by the courts (i.e., financial compensation and meetings) may not have been sufficient for all affected in the community. Some townspeople might continue to feel unsafe knowing the boys are still walking the streets of Elmira and would have preferred a restraining order ensuring the boys stay away from their homes (an under application of restorative justice). The system made a decision here that standardized the healing for the whole community, yet individual people may desire different types or intensities of restorative efforts. Their needs might also be longer-in-term than the restorative efforts provided (e.g., on-going therapy) or require more monetary assistance than governing bodies are willing to provide.

The above Elmira example of the hypothetical need for a restraining order details an ideal injustice gap; however, for restorative justice, distributive injustices could also occur. For instance, the Waterloo Regional Police Service, the service that polices the Elmira division,

could have provided extra patrolling for only the higher affluent areas of the town. In this hypothetical scenario, the restorative efforts (i.e., the provision of safety) would be unevenly distributed throughout the town (again an under application of restorative justice, however one that affects people from less affluent homes).

Although under applications of restorative justice are likely occurring more often, over applications also can happen. Continuing with the Elmira case, after the rampage, the sense of security and safety was shattered for some of the townspeople. One elderly woman, for instance, feared being alone in her home after the rampage (Wachtel, 2012). They may have wanted reassurance from the police that their community was still safe. However, if the Waterloo Regional Police Services installed CCTVs and flood lights on the streets of Elmira, it is reasonable to believe that the townspeople would not be impressed. The efforts for restorative justice by producing a safe situation would likely be considered overdone (an over application). Regardless of the type of restorative injustice, failing to meet the needs of stakeholders can leave them and those around them perceiving that an injustice has occurred.

Procedural Injustice

Retributive and restorative justices are largely outcome-oriented, but the perceived fairness of processes within and outside the criminal justice system can also lead to injustice gaps. Take, for example, the following two traffic stop scenarios. In both, a police officer issues a speeding ticket to a driver of a stopped vehicle.

In the first scenario, the officer does not introduce herself nor explains the reason for the stop. Instead, the cop forcefully and rudely tells the driver to hand over their license and vehicle registrations, and then, after writing the ticket, berates the driver and tosses the ticket through the car window. In the second scenario, the officer introduces herself to the driver, explains why the person was pulled over, and asks respectfully for the driver's license and vehicle registration before issuing them a ticket. In these two scenarios, the outcome of issuing the driver a ticket was the same, as were, strictly speaking, the hypothetical actors involved. For most people, however, the process of issuing the ticket in the second seems much more 'just' than the former. The process in the second scenario would then be considered a procedurally 'just' encounter with the police, whereas people might perceive the first as more or less unjust.

Procedural justice focuses on how governing authorities interact with the public and their constituents and is often based on four key principles: voice, neutrality, trust and respect (Blader & Tyler, 2003; Bradford, 2011; Tyler, 2003, 2007; Tyler & Huo, 2002b; Tyler & Murphy, 2011; Tyler & Sevier, 2013). The absence of any one of these components can lead to a perception of procedural injustice.

Voice, the first principle of procedural justice, focuses on whether people have an opportunity to tell their side of the story and participate in decisions prior to outcomes. The second aspect, neutrality, is the belief that governing authority figures are neutral and that they base their decisions on guiding principles, such as transparent (knowable) laws, standards, or rules, rather than personal bias. For trust, people's assessments of the characteristics and intentions of authorities, such as integrity and trustworthiness, influences their perceptions of whether a process was fair or not. The last component of the procedural justice equation, respect, focuses

on people's desire to be treated with respect and dignity throughout the process (such as being treated with kindness). In the aforementioned examples, for instance, this could include simply providing people with the needed information (like scenario 2) instead of berating them for an error (scenario 1). The first three principles are often combined to be considered as a part of the quality of decision-making procedures, whereas the last is considered to be the quality of treatment.

Like retributive and restorative justice, balancing the appropriate approach of procedural justice is complicated. According to criminologist Herbert L. Packer (1968), there are two conflicting priorities of stakeholders within and outside the criminal justice system. The first is a crime control model. In this model, people expect the system to be effective in suppressing crime and want the system to be swift and severe (as we discussed in the retributive injustice section). In this model, the risk of violating individual liberties comes second to ensuring the safety of the community. The second model is referred to as due process. In contrast to the crime control model, it focuses on having a just and fair system for all. In this approach, the assurance that mistakes are not made, and all rights of the accused are ensured, is of utmost importance. Limiting police power is also beneficial to ensure the rights of civilians. Although there are some similarities between the models, each promotes and prioritizes different facets of the criminal justice system. The exact nature of the procedures of the state (and authorities) are then at conflict with what some in society expect from it.

This debate can create perceptions of ideal and distributive procedural injustice. Continuing with roadside examples, let us take a look at a historical case of an ideal injustice (Maclin, 2019). In the 1920s, the United States had prohibited the consumption and sale of alcohol, and bootleggers on the road became a concern. One such bootlegger that garnered the repeat attention of the police was George Carroll. Seeing Carroll on the road, an officer stopped and searched his vehicle. No liquor was initially found. However, the officer soon found 68 bottles of whisky and gin in the back-seat cushion. Carroll and his passenger were charged with the transportation of intoxicating liquor in violation of the Volstead Act.

In court, Carroll and his lawyers argued that stopping the car was a seizure that required a judicial warrant based on probable cause. An agent affiliated with the arrest testified that the officers had no reason to suspect the man of transporting liquor. The government urged the Supreme Court to consider that a lower standard for probable cause was needed for cars. In response, the defendants cautioned that if the lower standards were allowed, it would cause violations of the rights of citizens. The judge made the decision to uphold the warrantless search; this decision went against the common law at the time, where the seizure and arrest would have been considered unconstitutional and illegal. This case established the "automobile exception" to the Fourth Amendment, where vehicles can now be searched on a public highway without a warrant, if probable cause exists.

In this case, the search was considered unjust by Carroll and his lawyers. It was an overreach of the State (under application of procedural justice) that violated his due process rights. To the court, the need for crime control trumped Carroll's (and all others that have been stopped) Fourth Amendment rights. In this case, to the Supreme Court and the US government, an over application of procedural justice was occurring (i.e., rights overprotected).

Like with the other two justice types, procedures can also be unjustly applied across populations, creating distributive justice gaps. In the case of traffic stops, Black drivers are stopped more frequently than White drivers in the US (BondGraham, 2020; Pierson et al., 2020). For example, in 2018, 9% of the Los Angeles population identified as Black; however, they accounted for 28% of the drivers stopped by the police (BondGraham, 2020). Across America, the threshold for municipal searches appears to be lower for Black than White drivers (Pierson et al., 2020). This disparity creates an unjust under application of procedural justice for Black drivers relative to White drivers. These procedural injustices exist within society and to which the crowd is reacting.

Conclusion

Justice gaps, be they retributive, restorative and procedural, are all anchored in a perception of some type of discrepancy in society. These injustices do not exist unless people see them as such. When they do, people can come together to act (as the relative deprivation theory suggests).

Chapter 4: Crowds and “The Great Injustice”

The occurrence of gaps in justice does not necessarily say much about who or what might react to these perceived grievances (how people react is the subject of later chapters). Clearly, when things are perceived to go wrong in society, reactions can come from a multitude of actors, including individuals, private companies, or the formal institutions of government. Sometimes, though, the reaction comes from the multitude—that is, the crowd.

The crowd in their search for justice can take multiple forms (as discussed in the Introduction). In their most basic instance, crowds are simply a group of people that come together for a common purpose (Blumer, 1951). Beyond this skeleton description, the conceptualization of crowds can be traditional. It can mean people in close proximity to each other that often appear to be a monolithic entity that acts in unison to some end (Blumer, 1951; Lofland, 1993; Turner & Killian, 1957). The only common affiliation of crowd members in this definition might be being co-located at the same place and time, such as a busy intersection (e.g., a casual crowd). A crowd might also gather for specific purposes, like attending a lecture (e.g., a conventional crowd) or to express their emotions without a long-term purpose, such as a political rally (e.g., an expressive crowd).

While each of these crowd types might act in response to perceived injustices on occasion, the group most pertinent to responding to injustice is one that is focusing on a specific goal or action (e.g., an acting crowd); this type of crowd can include demonstrations, collective campaigns, petitions, marches, flash mobs, and sit-ins. In their virtual form, the acting crowd can traverse boundaries of geographical space and time with comparative ease, thereby blurring old requirements of special co-location for crowd formation (Baker, 2011; Stage, 2013). Many instances of crowd responses to perceived justice gaps fit within this set of more traditional definitions.

Crowds, however, can also refer to a grouping of people in a more unconventional way. Colloquially, crowds might mean individual action done through some degree of coordination where no congregation of people actually occurs (virtually or not) (Estellés-Arolas & González-Ladrón-de-Guevara, 2012). Oftentimes coordination is facilitated in some manner by a leader or platform. The participants of these “crowds” may never meet or even really know of each other’s existence. The common feature, however, is that the actions of these individuals, when taken together on a macro-scale, are a part of something larger where a collective identity can be assigned.

Crowdsourcing is one form of this more colloquial sense of a crowd. According to J. Howe (2006), who coined and popularized the term, crowdsourcing is “the act of taking a job traditionally performed by a designated agent (usually an employee) and outsourcing it to an undefined, generally large group of people in the form of an open call” (para 2). More formally, it is “an online, distributed problem-solving and production model that leverages the collective intelligence of online communities to serve specific organizational goals”(Brabham, 2013, p. xix). Essentially, individual actions get linked together for a common goal, which then produces more than any individual could in isolation. A translation company, for example, might give segments of a video to different workers for them to translate. Once these parts are fused

together again, a completed full-length documentary is the result. Some crowds that respond to gaps in justice take on this more top-down or directed form.

The crowd in all its manifestations can react to justice failures. The crowd might emerge organically (like an acting crowd) or inorganically (like crowdsourcing) but nevertheless coheres in some sense to react to a perceived injustice. Crowds, in effect, are diverse. We might also call them mobs, protests, or initiatives, but (for our purposes) they are often different terms for the same thing.

Building upon the preceding conceptual discussion of the crowd reacting to the different types of injustices (retributive, restorative, and procedural), we can see that crowds really do react to perceived justice gaps in largely knowable proportions. What follows details the injustices to which 206 unique crowd-based initiatives are reacting. These initiatives were located through a systematic search of academic literature, reports by governments and non-governmental agencies, as well as media articles (See Chapter 1 for details about the methodology).

Before we proceed, it is important to note that in reality social phenomena are multifaceted and thus, a single initiative can and does often react to a multitude of injustices. However, people (often in leadership positions) in initiatives often make executive decisions that often place their catalysts in hierarchical order. In other words, an initiative might advertise themselves as one thing first and foremost but have clear secondary concerns. For instance, an initiative might react to the occurrence of gun violence that destroys a sense of safety for civilians within a city (a restorative concern). However, in many cases, a not inconsiderable proportion of that gun violence could actually be coming from law enforcement, also making the concern a procedural problem. In this example, all gun violence is of concern regardless of who is wielding the gun and not simply the procedural failures of the state. This crowd would be coded as responding to a restorative justice gap because it primarily focuses on a sense of safety.

In total, these initiatives are reacting to retributive, restorative and procedural injustices (see Figure 4.1 for a distribution across the three types). But, like a Russian nesting doll, the particular dimension found within each justice category are more nuanced still.

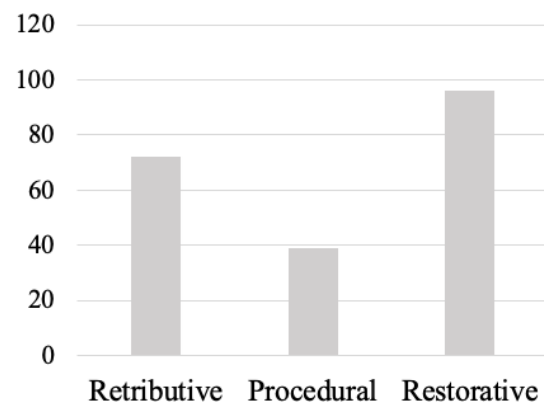


Figure 4.1. Distribution of injustices for included initiatives

The Crowd and Punishment

Revisiting retributive injustice, people often desire punishment for wrongs that are committed in society (Carlsmith & Darley, 2008; Darley et al., 2000; Darley & Pittman, 2003). However, punishments do not always occur for those responsible for wrongdoing and when these punishments do occur, they might be unsatisfactory to some in the general public. For the crowd, these perceived retributive injustices tend to surround three main areas of punishment: certainty, proportionality, and celerity.

These concepts are borrowed and altered from a utilitarian approach towards general deterrence. In this approach to deterring crime, punishment is seen as a form of social management, where offenders should be punished sufficiently enough in hopes of avoiding or reducing future instances of the offense (Bentham, 1970/1789; Carlsmith & Darley, 2008). The belief is that offenders are rational actors who calculate the benefits and risks of their actions (Nagin, 1998). For punishment to deter an offender, they must think they will be caught (*certainty*), the punishment must be severe enough to outweigh the benefits of their actions (*severity*), and lastly that the punishment will come swiftly after the act (*celerity*). Essentially, the inflicted punishment should make a potential offender think twice after the sentence is complete.

The core components of a deterrence framework also apply, however, in the domain of retributive instinct and justice. When an injustice happens, people expect the guilty to be caught and punished (*certainty*). The expectation of punishment is also laced with an expectation that punishment will happen proximately to the offense and not, for example, 50 years later (*celerity*). Lastly, even if punishment is assured and timely, people still expect that whatever justice is meted out is proportional to the perceived offense (*severity*). These injustices occur for both ideal and distributive injustices. See Figure 4.2 for initiatives that are responding to each sub-type of retributive injustice.

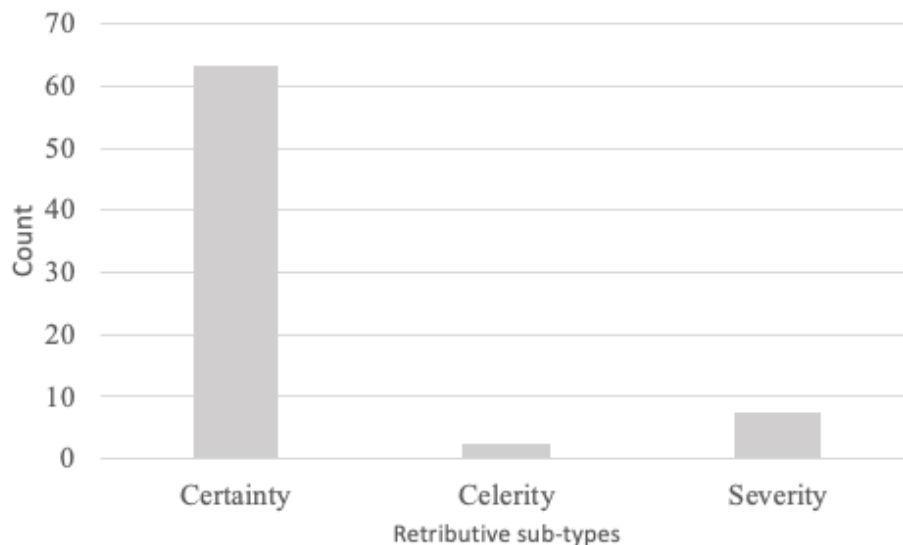


Figure 4.2. Applications Addressing Retributive Injustice

(Un)certainty

The certainty of punishment most often motivates the crowd for retributive injustices (87.5%). In the utilitarian approach, this aspect has consistently been found to deter criminal behavior (Horney & Marshall, 1992; Parker & Grasmick, 1979; Paternoster, Saltzman, Waldo, & Chiricos, 1985; Tittle, 1969), although the relationship is weak to moderate (Bachman, Paternoster, & Ward, 1992; Bishop, 1984; Erickson, Gibbs, & Jensen, 1977; Nagin & Pogarsky, 2003). Extending this research to retributive injustice, it is then not surprising that this area would be the most populous. People have an expectation that wrongdoing will be punished (in

whichever form they see appropriate) and for that punishment to occur, the wrongdoing must be detected. When an under application of certainty occurs, guilty persons are not being punished for their wrongdoing. There is no certainty that punishment will come for the guilty after their offense. Alternatively, when too much certainty is applied, a non-guilty person may be detained and punished for an offense. In this sense, the certainty that punishment can overshadow the concern that the offender is in fact guilty of the wrong. With certainty of punishment, perceptions walk a balance between false negatives and false positives.

Looking first at ideal injustice as it relates to (un)certainly of punishment, the types of offenses being addressed are quite diverse. There are many crowd-based initiatives, such as AlertCops and CrimeWatch Mobile, that are focused on ensuring illegal or deviant activity is brought to the attention of the governing authorities. At times, there might be slight caveats based on crime types (e.g., violent crimes), geographical location, or authority restrictions on governing bodies (e.g., only Commonwealth or federal crimes). Some initiatives, such as the law enforcement opt-in on GEDmatch⁶, for example, limit the type of crime to “murder, nonnegligent manslaughter, aggravated rape, robbery, or aggravated assault” (GEDmatch, 2019). Such particular cases have included the 1992 killing of Christy Mirack, a 25-year old teacher, who was sexually assaulted and strangled; the 1986 murder of Michella Welch, a 12-year-old who disappeared picking up sandwiches for her sisters; and the infamous Golden State Killer who in his long list of offenses, murdered 13 and raped nearly 50 people (if not more) (H. Murphy, 2018). In these cases, wrongdoing has clearly occurred, yet the perpetrators of these harms were not being punished (until recently). Instead, they walked free for years (and at times, longer than their victims were alive)⁷.

For other initiatives, their focus is much narrower. These initiatives react to a particular type of offense that has not been detected and, thus, punishment (in whatever form) has not occurred. These crimes and deviances include the continuing occurrence of child abuse and human trafficking (e.g., pedophile hunting teams, TraffickCam, Project Spear), aviation violations (e.g., DroneAlert), violations of state health orders surrounding COVID-19 (e.g., RivCoMobile), the illegal crossing of persons at the US-Mexico border (e.g., Texas Virtual Border Watch), shoplifting (e.g., Internet Eyes), wrongdoings by protesters (e.g., Dallas Police Department and their iWatch mobile application), traffic violations (e.g., Traffic Sentinel, Mobile RoadWatch) and even the stealing of sex toys (e.g., Peaches and Cream: Sex Toys).

For all of these initiatives, there is an injustice of punishment; however, the reason for these injustices often differs. Two commonly voiced and interrelated concerns are informational and policing capabilities.

⁶ As previously mentioned, initiatives are multifaceted. GEDmatch and other similar initiatives might focus on the certainty that offenders are punished. However, a subsidiary facet is restoration (as discussed below and in subsequent chapters). GEDmatch, law enforcement and agencies nevertheless place retributive responses metaphorically before restorative (such as in the language used in policies about their use. For example, after violent crime is discussed, GEDmatch does mention “to identify remains of a deceased individual”). Also see: <https://www.justice.gov/olp/page/file/1204386/download>.

⁷ The attributes for punishment are interrelated. The speed becomes a problem when offenders are actually being caught and for the police use of GEDMatch simply catching the offenders is the first step.

In the first, useful information is simply not reaching the appropriate authorities, or it is at least believed to be the case that information is not reaching the appropriate authorities. This information might pertain to crimes that authorities are or are not aware of. The information in question might be specific to cases (such as eyewitness testimony) or tangentially related (such as information about a niche aspect of the case). Regardless of the information type in question, for some people, what is perceived to be happening (i.e., no punishment) is not what they ideally would want it to be (i.e., punishment) because the needed information to ensure that punishment happens is not in the right hands. In the words of Crime Stoppers, their initiative:

is based on the principal that someone other than the criminal has information that can solve a crime and was created to combat the three major problems faced by law enforcement in generating that information: Fear of REPRISAL. An attitude of APATHY. Reluctance to get INVOLVED.

In the second interrelated area, the injustice gap for punishment is perceived to be caused by the inadequacies of the police. These perceived inadequacies are related to the difficulties in successfully policing all possible wrongdoings at all given times (a nearly impossible task).

One such area of unease for policing is cyberspace, which continues to grow in scope, velocity, and functionality. The sprawling network and affordances of anonymity in cyberspace complicates the work of traditional police departments (Biegler, 2003; Jardine, 2015; Makin & Ireland, 2020; Wall, 2002). Many pedophile hunting groups, such as Online Predator Investigation Team and Creep Catchers Canada, are concerned about the actions of people sexually soliciting children on the Internet (which also migrates into the physical world) (Hadjimatheou, 2019). One example (of many) is a 50-year-old man who was talking with (who he thought was) a 13-year-old girl online. The messages from the man included: “I would love to meet. If you remain a virgin after we meet would be up to you” and quite graphic descriptions of that potential encounter (Hunter, 2020). He set up a “date” with the girl and arrived to meet her. Unbeknownst to the man, he was actually talking with Stinson Hunter and his team, men in their 30s. After hearing about this man and his intentions, most people (however, not all) want to ensure that punishment happens to him; yet his actions like many others are thought to go largely undetected online, thereby creating a perceived injustice gap and causing the crowd to react.

A disparity in the detection of wrongdoing can also occur. In these distributive cases, offenders of particular offenses are not being brought to the attention of the police at the same proportion as other types of crimes. For example, #ShameTheRapists reacted to the brutal attacks on women and children in India. In the words of Sunitha Krishnam, the initiator for the movement in her description of a gang-rape of a 15-year-old female by five men, “[These rapists] are prowling around and are a threat to any woman or child. Please help us trace them” (The Logical Indian, 2015). The initiative reacted to a perceived discrepancy between the certainty of punishment for offenders of gender-based violence and punishment for offenders of non-gender-based violence.

Celerity

Unlike certainty, only a few initiatives are responding to the speed to which detection and punishment occurs (2.78%). In this area, if detection and punishment move too slowly, an unjust under application of the celerity dimension of retributive justice could occur. Conversely, an unjust over application may occur if the detection and punishment occurs too rapidly (e.g., likely

a result of an overbearing state). Looking at the broader research, although there is inconclusive evidence on the importance of celerity for crime deterrence (E. S. Howe & Loftus, 1996; Legge & Park, 1994), bringing wrongdoing to the attention of the authorities quicker can surely hasten the deliverance of punishment (and the cessation of their behaviors).

One popular crowd-based example is the attempt by the US Federal Bureau of Investigation (FBI) to speed up the capture of the bombers of the Boston Marathon (Starbird, Maddock, Orand, Achterman, & Mason, 2014; Tapia & LaLone, 2019). In 2013, two brothers killed three people and injured roughly 264 more by placing two bombs near the finish line of the popular race. The brothers were not immediately caught. The FBI and Boston needed the brothers caught quickly to ensure no additional harm would be caused. In the words of Boston Police Commissioner Ed Davis, “We had people out there with evil intent that we felt were dangerous. And it was really important to get them quickly” (Schone, Winter, Alba, & Esposito, 2014). Concerned with apprehension speed, the police reached out to the public for assistance three days after the bombing. In time, the FBI might have caught the men involved with or without the crowd’s help. But it was the speed in which it occurred that mattered at the time.

Severity

The last element is similarly unpopulated relative to certainty (9.72%). As a part of retributive justice, people often want a proportionate punishment to occur when wrongdoing has happened. An ideal and distributive injustice occurs if there is too much punishment (over application) or too little or no punishment (under application). The initiatives here are reacting to a range of offenses, such as racism and murder.

For justice gaps involving too much punishment (i.e., over applications), sometimes any punishment is considered too much. K-pop fans, for instance, responded to a perceived over- and unnecessary policing of protesters of the Black Lives Matter demonstrations. The Dallas Police Department in the United States requested assistance from the general public in identifying members of this demonstration (Alexander, 2020). K-pop fans believed that this request would lead to further unjust punishment of protesters. In another similar example, the crowd reacted to the perceived unjust arrests of protestors in the Philippines in early 2020. Residents in Quezon City gathered in the streets with signs readings “kailangan namin ng pagkain” (we need food). The residents were arrested for protesting without a permit and for violating a quarantine order that was placed on the city (Gutierrez, 2020). The public considered the arrest of these hungry residents as unfair and insisted no arrest should have taken place.

Many more of the initiatives, both ideal and distributive, are responding to punishments perceived to be not severe enough. The punishments may be ones issued by the courts or punishments that might never come because the offense was not (or is still not) considered illegal. At times, the expectation for severe punishment might also not be corresponding to the standards of the legal system.

The Nirbhaya protests, for instance, are reacting to the often-minor punishment given to offenders of punishment in gender-based violence. For some context on the offense, in Delhi, India, a 23-year-old woman was raped for nearly an hour, and both her and her friend were beaten with iron bars (an instrument also used in the rape) before being discarded from a moving

bus. The woman, named Nirbhaya (meaning fearless) by the press, died of her injuries. Six men were arrested and charged with her murder. In the words of Nirbhaya on her deathbed: “[the men] should be hanged until death so that they are not able to do such a thing to anyone else. Or they should be burned alive” (para 30) (Lama, 2017). In response, the crowd demanded justice from a historically indifferent legal system to gender-based violence. The dismissive (and highly insensitive) comments by some politicians, such as “boys will be boys” (para 6) did nothing to help ease the felt injustice (Suresh, 2020). In the words of one protester: “These rapists should be hanged publicly. If that happens, nobody will dare to do it again” (Harris & Kumar, 2012). The punishments given to offenders of gender-based violence were generally and historically perceived as insufficient for their crimes. In this case, unlike retribution itself, a need for deterrence was also present to ensure other women and children would not be similarly harmed and murdered⁸.

As an example of an offense not yet made illegal, Perverted Justice reacted to “the vast amounts of strange and creepy chatters [online] who would often make very public ‘general’ solicitations, the problem was apparent and overt” (Von Erck, 2019). These actions at the time were not codified in law. In a final 2019 message to their members, one of the founders of Perverted Justice wrote that “when [they] started, few laws on the books across the country [were] against trying to solicit a child”. For this group, there was an incongruity between the desired severity of punishment (e.g., something as defined in law) versus the real punishment (e.g., none). In this case, their concern was less about catching the offenders and more about ensuring a more severe than no punishment was happening.

The Crowd and Persisting Harms

The restoration of harm caused by wrongdoing is another main focus for the crowd. When wrongdoing has occurred, people have an expectation that restoration, widely defined, should soon follow. When perceived gaps in restorative justice emerge, the crowd reacts. These injustices can be recent or from decades past and either personally or communally experienced. Broadly, however, these restorative injustices can be subdivided into three types: the restoration of safety and security; the right to know; and the need for healing (see Figure 4.3 for an overview). Most, if not all, of the following initiatives are reacting to the under application of restorative injustice.

⁸ The brutal murder of Nirbhaya caused a multifaceted outrage in society. People reacted to multiple concerns that stemmed from her rape and murder.

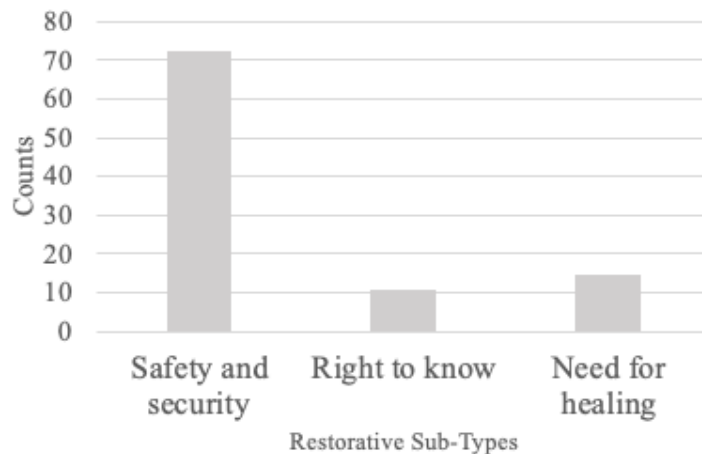


Figure 4.3: Initiatives Addressing Restorative Injustice

Restoration of Safety and Security

The most common area of restorative injustice concerns the restoration of safety and security (75% of restorative injustice initiatives). People have an expectation (or hope) that safety and security will be restored after wrongdoing has occurred. The injustices pertaining to safety and security focus on two main concerns: 1) people and animals located in unsafe (and sometimes unknown but potentially dangerous) situations; and 2) the spaces themselves that are unsafe.

Many people and animals throughout the world are in unsafe situations where wrongdoing has and will likely continue to occur. This continuation of harm does not allow the restorative process to begin; a survivor cannot heal if safety is never found (Le Touze, Silove, & Zwi, 2005; Winslow, 1997; Zehr, 2008). The type of offenses that crowds are reacting to are most often narrow in focus, such as missing children or older adults⁹, child or domestic abuse, worker exploitation, domestic violence, and animal cruelty. For instance, AMBER Alert “assist[s] in the search for and safe recovery of [...] abducted child[ren]” and Trace Labs a non-profit organization, “is designed to be a catalyst for improving the state of missing persons location and family reunification”. All of these initiatives are reacting to the perceived injustice gap between a restorative expectation (e.g., safety and healing) and what is actually happening (i.e., none as of yet) that is caused by a continuation of harm. A few of these initiatives are narrower in focus and are reacting to a particular incident, such as the kidnapping of Salem Sabatka, an 8-year-old girl, or of a newborn baby in Quebec (Elbaum, 2019; Shoichet & Cuevas, 2014).

Some of these initiatives are responding to a perceived distributive justice gap. These initiatives focus on the disparate safety provided to people based on their lifestyles and/or sexuality, elements are either illegal and/or highly stigmatized in society. National Ugly Mugs (NUM), for instance, is reacting to the incredibly high rates of workplace violence that sex workers face. Estimates place the lifetime rate of workplace violence between 45% and 75% for sex workers; the conditions imposed by the regulation of sex work and social stigmatization are some factors

⁹ Malicious harm might not be occurring in cases of missing persons. However, until the whereabouts of a person is known, no presumptions are made about the nature of their disappearance.

of why the rate is so high (Deering et al., 2014; Oliveira, 2018; Overstreet & Quinn, 2013). In their description of their work, NUM writes:

[NUM] provides greater access to justice and protection for sex workers who are often targeted by dangerous individuals but are frequently reluctant to report these incidents to the police. These offenders are often serial sexual predators who pose a huge risk to the public as a whole... Violence against sex workers is wrong, unacceptable and needs to stop NOW!

Somewhat similarly, members of the LGBTQ+ community are responding to the disproportionate harms that face their community (@kitoalerts). #KitoAlert, for example, is an initiative from Nigeria where LGBTQ+ rights are not recognized (Okanlawon, 2018). In this country, if LGBTQ+ members are brought to the attention of authorities, it could result in death by stoning. In particular, #KitoAlerts is reacting to the people (often men) that pose as potential love interests on social media sites, such as Grindr. These men are gaining the trust of gay men to intimidate, blackmail and threaten them with outing their sexualities to the authorities. For both of these initiatives, although the punishment of the offenders might be a secondary focus, their main concern is the provision of safety and security that is not being provided (for one group) relative to what could be provided (reference groups).

The second main concern addresses spaces that themselves are unsafe. Initiatives responding to these kind of perceived injustices focus on both in-person and cyberspaces. For those initiatives pertaining to in-person locations, the focus is primarily on the public streets. These street locations are often perceived to be dangerous or unsafe for persons to navigate. The crimes of concern include robbery, theft, bodily injury, murder, rape, and harassment. For the initiatives reacting to unsafe in-person location, there is an incongruity between expectations of safety and real perceptions of the safety of an area.

Several initiatives, for instance, are all reacting to high crime-risk locations in Brazil. These initiatives include Onde Fui Roubado, Fogo Cruzado, and Onde Tem Tiroteio. Although violent deaths have been decreasing since 2017, the high crime levels in the country are still a problem (Muggah, 2019). In 2018, the intentional homicide rate per 100,000 people was 27.38. For comparison purposes, the United States rate that year was 4.96 and the United Kingdoms was 1.21 (The World Bank). Rates of gun violence are particularly alarming, where citizens contend with gunfire from militia, police, and local gangs. The four founders of Onde Tem Tiroteio, for example, all personally experienced violence. In 2015, a gun was point at one of the founders for unknowingly parking in a location often used by drug dealers (Milhorance, 2018). This violence is destroying senses of security and safety for civilians and a motivation for the four founders (as well as others) to act.

Distributive concerns are quite prominent within this concern. The difference, however, is the exclusive focus on how certain spaces are less safe for some people because of their gender, sexuality, or race.

Many of the initiatives are responding to public spaces that are (or perceived to be) more dangerous for women than men. Globally, women feel more unsafe than men in many public spaces (Fox, Nobles, & Piquero, 2009; Madan & Nalla, 2016; Tandogan & Ilhan, 2016; Yavuz &

Welch, 2010). For example, women from 28 cities across four continents reported feeling unsafe on metro trains and buses 6-10 percent more often than men (Ait Bihi Ouali, Graham, Trompet, & Barron, 2019). One such initiative that is responding to this disparity is SafeCityYEG. In particular, the initiative is responding to the aforementioned brutal gang rape and murder of Nirbhaya in 2012. According to Elsa D’Silva, the founder of Safecity, their concern is the “to make cities safer by encouraging equal access to public spaces for everyone especially women” (Oduor Lungati, 2018). Similarly, SafeCityYEG from Edmonton, Canada, is reacting to the unsafe locations that are experienced by women and girls:

Cities are for everyone and should be safe and welcoming for all. However, for many women and girls, this isn’t always the reality. Women and girls face daily challenges when it comes to safety and often make specific choices to avoid the public spaces they feel unsafe in.

Hollaback! is another similar initiative that focuses on issues of gender, sexuality and race (Dimond, 2013). In particular, it is reacting to all harassment in public spaces. In their description, they write:

Sometimes it’s sexual, sometimes it’s racist, sometimes it’s homophobic, and sometimes it’s all of the above and more. Whatever form it takes, it tells us that we’re not safe in the physical or online spaces we share with friends, relatives, acquaintances, and strangers.

Cyberspace can also be an unsafe place. HeartMob! a project of Hollaback!, for instance, is reacting to online harassment (Blackwell, Dimond, Schoenebeck, & Lampe, 2017). The leaders of Hollaback! faced harassment themselves; they were called derogatory terms such “carpet munchers” and “dirty lesbians” and received death threats online. This harassment was/is not unique and faced by millions of people online (Finn, 2004; Jones, Mitchell, & Finkelhor, 2013; Reichelmann et al., 2020; Ševčíková & Šmahel, 2009). The harassment creates an unsafe location for all people but a particularly unsafe location for people of certain identities (gender, race, ethnicity). The expectation of safety in these online and offline spaces are not being met, creating an injustice.

The Right to Know

The second most popular area for restorative injustices is the right to know (10%). After wrongdoing has happened, many people want answers: Why them personally or why their loved ones? What happened to their loved ones? Where are their loved one/s now? This information for some is a part of repairing the harm caused by crime and violence.

Some families, however, do not receive information about what happened to their loved ones. Instead, these families are left in an emotional limbo waiting for any possible information. This limbo is referred to as ambiguous loss, where survivors feel it impossible to move on with their lives and are often left in a permanent present (Hogben, 2006; Parr, Stevenson, & Woolnough, 2016; Wellman, 2014). Imaginations are instead left to fill in the missing histories and to answer the ‘what happened’ questions for the families.

Initiatives are reacting to this incongruity between the perfectly human want to know what happened and the information currently known (i.e., no answers). Most (but not all) of the investigatory cases are historical (i.e., cold cases). The focus can range from one particular case to all missing persons, and the types of perpetuated crimes can include the full gamut (e.g., sexual abuse, murder, genocide). Broadly, the initiatives are reacting to one of two informational deficits: 1) the circumstances surrounding a disappearance or death; and 2) the identities of the nameless.

Sometimes, as in the case of the first class of missing information, names of the missing and murdered are known but the circumstances surrounding their disappearance or murder are not. The CBC Fifth Estate initiatives, for example, are all reacting to the lack of answers around the disappearance of Emma Fillipoff: “Was it murder, suicide – or did she want to hide?”. For some context, Emma is a Canadian woman who has been missing since November 28, 2012. On that night, Emma was approached by police after a passerby called them concerned about a young woman standing barefoot in cold weather. The police talked with her for 30 minutes to ensure she was fine. They left her and she was never seen again. Her mother still does not have answers (CBC News). In her words,

When I have a feeling, ‘oh my God maybe something horrible has happened’, then I try to bring hope into it and think, ‘well there’s just as much chance that she’s alive somewhere as she’s not’ So I try to live through that hope.

The second broad concern is the identities of the persons (mostly bodies) remaining nameless. In addition to responding to the circumstances around a death, for example, The Doe Network: International Center for Unidentified & Missing Persons also addresses the thousands of unidentified persons in the United States. Their focus is “to give the nameless back their names and return the missing to their families”. Similarly, BBC World News partnered with NRK Radio for the Death in Ice Valley initiative to bring attention to a 49-year-old unidentified female body that was found in Isdalen valley, Norway in November 1970 to answer, “Who was she?”. Many other initiatives have also reacted to the lack of answers for families of friends of the missing and murdered. Each of them is addressing the injustice of not knowing the fate of the missing and murdered.

Need for Healing

The last area for restorative injustice is the need for healing (14%). Wrongdoing causes a multitude of harms, such as property damage or the loss of a loved one. Regardless of the harm, survivors and communities need to heal. The focus of initiatives here is on these two areas: the healing of survivors and the healing of communities.

A countless number of initiatives (beyond the dissertation’s sample) are addressing the healing needs of survivors/victims of harms. Just head over to GoFundMe.com, for example, and after typing in harm or crime in the search bar, pages on pages of people seeking funds for support appear. Their particular needs are myriad, such as financial support for funerals of victims and medical bills for assault victims.

As an example of a distributive initiative that is addressing the healing needs of survivors, the crowd-based aspect of Make Love Not Scars is responding to the rehabilitation of acid attack

survivors. Although the number is likely much higher, about 300 cases of acid attacks are reported in India each year (Goswami, 2017; Heanue, 2019). The victims/survivors are almost exclusively women, and the attacks are meant to permanently disfigure, shame, and disempower women. Ria Sharma the founder of Make Love Not Scars, writes:

I have seen faces melt to the floor while the victim's tears fall with it. Yes, her face is just an 'IT' now, nothing more, nothing less. Features? What are features? Lets [sic] just hope she has her eyes at the end of it so that she can see her non-existent face everyday [sic]. That's all she has left now.

The rehabilitative journey (including surgeries) of survivors is very often expensive. The monetary support needed to begin the physical healing process, however, is not always being provided by governments and, if support is provided, it is not often enough. For example, Reshma Qureshi's brother-in-law tossed acid on her and her sister when she was 17 (Kumar & Noori, 2019). She was badly scarred and blinded. For Reshma, her "parents had to sell their business and ancestral home to pay for treatment and legal costs" (para 14). Alongside the physical and emotional suffering, the financial burden to recover from an acid attack is detrimental to the restoration of justice.

An additional example is the well-known online #metoo movement. The founder of the movement, Tarana Burke, an activist from the Bronx, New York, is a survivor of multiple sexual assaults. She started Just Be Inc. to promote wellness of young minority females. From there, she used the hashtag #metoo to highlight the pervasiveness of sexual violence. She founded the movement: "to help survivors of sexual violence, particularly Black women and girls, and other young women of color from low wealth communities, find pathways to healing" (Griffin, 2020, p. 159). The movement, of course, is multifaceted¹⁰ but reacted to needs of the survivors (particularly women and girls of ethnic and racial minorities) of sexual violence.

The second area of healing is the community at large. Here initiatives are reacting to the 1) immediate harms caused by wrongdoing or 2) the continuous concealment and obfuscation of community harms.

In the first, initiatives are responding to the damages that wrongdoing (physical, emotional, relational) leaves within a community. Many of the damages of focus are physical and occur often. For instance, New York City's 311 focuses on the perceived disarray in communities, such as vandalism, alongside routine maintenance concerns. Somewhat similarly, in the Czech Republic, ZmapujTo responds to the damages to community property and illegal dumping, among other disruptions and concerns (Miroslav Kubásek, 2013; Miroslav Kubásek & Hřebíček, 2013; Miroslav Kubásek & Hřebíček, 2014).

A few initiatives also focus on the harm done to online communities. These online spaces include both the surface web and the unindexed portion of the web (known as the dark web) that are perceived to be damaged by malicious actors. In 2011, for instance, members of Anonymous (in Operation Darknet) reacted to the hosting of child abuse imagery on a dark web site (BBC, 2011). The malicious and abusive content was perceived by the members to be damaging a

¹⁰ #metoo is also affiliated with calling out perpetrators of sexual violence

service (dark web/Tor) that allows people to protect their identity in repressive regimes that restrict or censor Internet access. After detailing the benefits of the Internet, in their #OpDarknet video, Anonymous states:

however, the great injustice lurks beneath the surface. An infestation of abhorrent animals have been growing parasitically spreading like cancer. Unknown to the world, it has concealed and victimized innocent children as well as adults. The growing trade of child pornography has become a major problem unfortunately, a potentially benevolent resource [Tor] has been corrupted by these sick and sadistic adnomination of the world...Anonymous took a pledge to defend for the defenseless and fight for the fallen.

The Internet Watch Foundation (IWF) is reacting to a similar injustice. Instead of on the dark web, this initiative is focused on child abuse imagery on the surface web: “Our vision is the global elimination of child sexual abuse imagery online. We work to make the internet a safer place” (para 1)¹¹. These initiatives are reacting to the harm that is continuing to occur in cyberspace; harm that is preventing a restoration to occur.

In the second area, initiatives are reacting to community harms that have been silenced by time or society. Criminal Characters , for instance, is addressing the “untold stories about the lives of people who committed crimes in Australia across time” (para 1). With the passing of time, the life histories of Australian criminals have often been forgotten. These untold stories leave a gap in the knowledge about the country, its relationship with people deemed offenders, the types of crimes punished, and how social and legal developments affected the lives of criminals.

Similarly, distributive-focused initiatives respond to perceived gaps between expectations in restoration that disproportionately impact some communities more than others. Topple the Racists for instance, focuses on the colonial past of Britain. In their words:

Britain must face the truth about its colonial past – and how it shapes our present. Statues are exercises of public adoration. And Edward Colston made his torture in the slave trade. He was part of a system of mass murder, torture, and human suffering...It’s important to shine a light on the continued adoration of colonial icons and symbols (para 1/2).

The initiative is reacting to the daily reminders that are perceived to be glorifying the people that enslaved others and the lack of restoration around slavery and colonialization in Britain. It is argued that without directly facing the past harms that disproportionately impact BIPOC communities, the community as a whole cannot fully heal.

The Crowd and Unfair Processes

Shifting from the outcome-oriented injustices to processes, many initiatives (although less than the retributive and restorative justice categories) are focused on the unfair processes within and outside the criminal justice system. The procedures of concern can vary widely, including those of the state or its representatives (such as the police) as well as companies and their policies.

¹¹ The focus of IWF is on making the Internet safer rather than finding perpetrators. Their hope is to “eradicate online images of child sexual abuse as quickly and efficiently as possible” (Internet Watch Foundation para 9).

More specifically, crowd-based initiatives are reacting to four particular concerns of procedural injustices: 1) interpersonal treatment of civilians (48.7%); 2) procedural transparency (23.1%); 3) procedural adherence (23.1%); and 4) the affordances of civil liberties (5.2%) (See Figure 4.4).

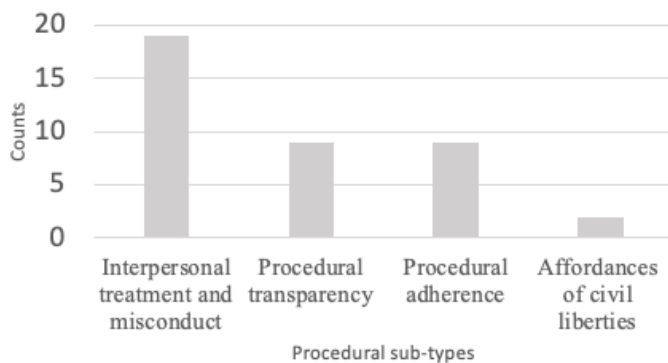


Figure 4.4: Applications Reacting to Procedural Injustices

Interpersonal Treatment

A key component of procedural justice is interpersonal treatment by authorities, to be treated with dignity and respect (Bradford, 2011; Pryce et al., 2017; Reisig & Lloyd, 2009; Sunshine & Tyler, 2003; Tyler, 2003; Tyler & Huo, 2002b). This type of concern has also been referred to as interactional justice. All of the initiatives in this category are reacting to an underapplication of appropriate interpersonal treatment; there are none in the sample that are reacting to the overapplication of interpersonal treatment. In other words, and not surprisingly, the crowds are not often reacting to the overly helpful and respectful authorities.

In particular, initiatives are reacting to the perceived mistreatment of civilians by the police¹². The alleged mistreated have been people suspected of crimes as well as those simply going about their own business; they have been alone and in larger groups (e.g., protesting) at the time of their mistreatment (or death).

The concern for some initiatives is the mistreatment of all persons by the police. The ACLU Blue for example, writes “There have been far too many incidents in this country [the United States] and in this state [Texas] of police interactions involving misconduct, abuse and tragedy” and ACLU Stop and Frisk Watch focuses on “unlawful stop-and-frisk encounters and other police misconduct”. Somewhat similarly, Witness Confident and their Self Evident App is reacting to the consequences of poor interpersonal treatment between civilians and the police. They write:

victims will not report crime if they lack confidence in the justice system, witnesses will not come forward if the police do not make them feel welcome, and crime will not be deterred if the courts treat offenders with more respect than victims and witnesses.

¹² All initiatives in the sample are reacting to police misconduct

The focus for other initiatives is the disproportionate mistreatment (and killing) of people by the police. In Rio De Janeiro, for example, DefeZap is reacting to the state violence in their city. For some context, in 2019, 3,025 murders were registered, and 1,814 people were killed by police (Viga Gaier, 2020). Black and/or poor Brazilians are commonly the victims of police violence (Alves, 2018; French, 2013). The DefeZap (2018) team states: “State violence isn’t uniform across a city’s sectors or neighborhoods or any people living in it... The State sees the claims of people from favelas as less important”. Here there is a disproportionate treatment between people of race and economic statuses.

Some of these initiatives are reacting to a particular incidence of interpersonal procedural injustice; however, their concerns are often for all persons (or persons of BIPOC communities) that have been unjustly killed by police. Many of these initiatives are based within the United States. The US has a long history of disparate treatment of Black, Indigenous, and People of Color (BIPOC) communities and a growing militarization of their police force, which can further perpetuate the unjust killing of civilians (Gamal, 2016; Kraska, 2001, 2007; Ross, 2015). Although people of all ethnicities and races face police brutality in the US, Black people are shot and killed at almost twice the rate as White people (this is relative to the population proportions for Black and White people) (Wertz et al., 2020).

In protests for Eric Garner, for instance, the public has voiced their anger at the failure of the US state to bring federal charges against an officer that used a chokehold on Eric, killing the young Black man. In the words of Gwen Carr, his mother, “My son was killed five years ago today. And I’m still feeling that same pain... We have to get those officers fired. The ones who were on the scene that day who murdered my son” (Simon, 2019). Although considered a procedural injustice, the injustices surrounding the killing of Eric Garner are multifaceted. In Gwen Carrs pleas, for example, there is also call for retributive justice. However, the concerns are stem from police and their interactions with the public, particularly the BIPOC community.

Similar to the outcry at the death of Eric Garner, the deaths of Mark Duggan, Michael Brown, Freddie Carlos Gray Jr., Sylville Smith, Paul Gatson, Keith Lamont Scott, George Floyd and the harming of Rodney King have spurred outrage about the police misconduct in the US and UK and their treatment of the BIPOC community. These are just the names of killed or injured people that appeared in media or literature within the search parameters for this study. The names of other Black Americans that have been killed by police, for example, include Rayshard Brooks, Daniel Prude, Breonna Taylor, Atatiana Jefferson, Aura Rosser, Stephon Clark, Bothan Jean, Philando Castille, Alton Sterling, Michelle Cusseaux, Janisha Fonville, Akai Gurley, Gabriella Nevarez, Tamir Rice, and Tanisha Anderson¹³. Their activities at the time of their deaths included sleeping in their car in a drive-through lane, eating ice cream on their couches, experiencing a mental health breakdown, sleeping or just being at their or a loved ones’ home, descending stairs where they lived, and playing in the park. In all of these cases, the interactions that the police did (or did not have) are seen as unjust, leading in most cases to the premature death of a citizen.

¹³ Check out here: <https://interactive.aljazeera.com/aje/2020/know-their-names/index.html>

Procedural Transparency

People want information about state procedures. This information needs to be balanced where the appropriate amount is given to the general public. Too much information can be harmful (overapplication), whereas too little information (underapplication) can do the same. For instance, the public cannot know all investigatory procedures of the police and, if they do know all the details, some of those tactics might become incredibly useless. Yet, without the public knowing what the police are doing, violations of due process could be occurring.

The information of concern for initiatives is often about larger societal and judicial concerns. One common concern is the lack of open and accessible information surrounding police misconduct. For instance, PuppicideDB is reacting to acts of violence against animals by police. In their description, “When did police begin killing family pets, and why? How did it become normal? ... The numbers have been kept secret” (para 2/3). Both Fatal Encounters and Counted by the Guardian are responding to killings of humans by the police. D. Brian Burghart, the Founder and Executive Director of Fatal Encounters for example, witnessed a crime scene on his way home from work. He writes: “I knew instinctively that either a cop had killed somebody or somebody had killed a cop. An obvious and simple question arose in my mind: How often does that happen?” (para 1). He could not find an accurate database with the answer. None of the initiatives in the sample are reacting to the oversharing of information by authorities.

Procedural Adherence

Beyond interpersonal treatment, people expect authorities to adhere to their procedures and that of the states. Initiatives have sprung up against a spectrum of failures to adhere, such as corruption and fraud. The platform Bare The Fox from Uganda focuses on when: “someone is asked for a bribe, asked to pay for what should be free, witnesses exchange of bribes or embezzlement, or shoddy work from government contracts (e.g. roads, schools, hospital or water works)”. In Zimbabwe, an initiative called Kuhonga, is reacting to the “slow-motion crisis of endemic corruption” (Ushahidi, 2013, para 2) . The country ranks 160 out of 180 countries on the International Corruption Perceptions Index and has for a long while battled corruption within its borders (Transparency International, n.d.,).

These failures are either broad-based (such as all corruption by state officials) or particular (such as voting fraud). As an example of a particular occurrence, the Impact Team reacted to the policy failures of Avid Life Media. The company runs Ashley Madison, a dating service for married people or those in relationships, and Established Men, a dating service for older men looking for younger women. Avid Life Media promised its customers that user data would be deleted for a fee; however, according to the Impact Team that formed to target Avid Life Media, the company retained the data on their servers, even after people paid to have it deleted. The Team has stated that “Avid Life Media is like a drug dealer abusing addicts...They said they don’t store CC [credit card information]. Sure, they don’t store email either, they just log in every day to server and read” (Osborne, 2015).

The Affordances of Civil Liberties

Lastly, a tension exists between the crime control and due process models. The state may be seen as not providing enough rights or providing too many rights to its civilians (or to some of them).

A common concern for some initiatives is the violation of civil liberties by state authorities in their quest for crime control. The violations are often broad-based and due to issues of terrorism, migrant smuggling, wiretapping, and surveillance. For example, Statewatch “monitor[s] the state and civil liberties in Europe”.

Alternatively, some initiatives are reacting to the overreach of due process. A petition on Change.org by Predator Exposure , for example, is reacting to the process of detaining sex offenders after arrests and charges have been made. The group writes:

“As a family oriented [sic] community we want to put forward the implications and risks which are there and the dangers our children are facing due to predators being released. Predators who aim to rape our children should be remanded for several different factors; Predators Aim [sic] is malicious and the intentions are there! Predators have likely done it before due to the confidence in meeting a young person. Also for the publics [sic] interest.”

In this example, the group believes that the rights of sex offenders should not be provided if there are risks to public safety. Due process is then seen as being overapplied to a population that Predator Exposure believes is undeserving of the allotted rights. This overapplication is an injustice, particularly when it could result in children being harmed.

Conclusion

Many types of injustices exist within society. Throughout the types of injustice, under applications of justice is the most prevalent concern. People are not receiving their dues, such as punishment, provision of support, or simply being treated with respect. Be it retributive, restorative or procedural, the crowd is reacting to these injustices rather than sitting idly by. Knowing these particular injustices can help in contextualizing what exactly it is that the crowd does to fight back. In other words, how does the crowd go about addressing these perceived injustices?

Ch.5 Exit, Voice, and Loyalty

Some in society do not sit idly by when they think injustices are happening in the world. Instead, they take action. Many people together, in various constellations, form a crowd. Among a myriad of other things, crowds can voice their grievances, protest, form a mob, or donate funds to an organization devoted to a particular cause. Examples of collective, crowd-based behaviors are replete across history.

There are different ways to categorize and think about groups that mobilize to fight perceived injustices. One way is to distinguish degrees of involvement in crime control as a function of a group's connection to law enforcement. According to Huey et al. (2013), retributive actions done independently of police, for example, can be seen as exploits by vigilantes, whereas investigatory activities on behalf of the state (e.g., provision of information) are deeds by civilian police.

These categories can be further classified. Vigilantes can be typecast by their interactions with the state, for instance (Gabdulhakov, 2018; Trottier, Gabdulhakov, & Huang, 2020). In this framework, members of the patriotic Russian Nashi youth movement, as an example, are considered state-loyal participants. This pro-Kremlin group founded the project StopXam (Stop the Douchebag), where members film traffic violations and confrontations with offenders before sharing on social media. In contrast, vigilantes that confront the state, such as groups that expose corrupt officials, would be classified as state-targeting participants. Another category would include people that morally attack persons because of their identities (e.g., gender, sexuality, or ethnicity), who are called openly criminal participants. This would include anti-immigrant 'migrant hunters' in Germany and the 'Soldiers of Odin' in Finland that incite violence against newcomers (Huetlin, 2017).

Such typologies narrow in on particular behaviors. The classifications above, for instance, focus on vigilantes and civilian police (Huey et al., 2013; Trottier et al., 2020). Other classificatory schemes emphasize protests or movements (Della Porta, 2007; Ekman & Amnå, 2012; Van Zomeren & Spears, 2009; Vestergren, Drury, & Chiriack, 2017). Although there are benefits to these tapered categorizations, they often ignore alternative actions to similar root problems. Joining the Soldiers of Odin, for example, is not the only option for people upset with their country's immigration policies. A common cause (perceived immigration issues) might generate both the Soldiers of Odin and a non-violent social media campaign designed to pressure the state for policy change. By limiting the scope of their classificatory efforts, many existing typologies truncate possible reactions to perceived injustices in a way that papers over wider points of commonality and difference between groups.

An alternative way to think about efforts to address perceived injustices is through the lens of exit, voice, and loyalty. These categories are borrowed from the economist Hirschman (1970)'s theory (mostly) about consumer responses to the deteriorating quality of company products¹⁴. In the corporate world, Hirschman notes, when consumers are dissatisfied with a firm, they have options about how to respond. They can desert or sever ties with an organization (this is called

¹⁴ His work also includes responses to deteriorating states. In terms of states, citizens have the same options as consumers: voice (e.g., protest), loyal (e.g., remain in the country), or exit (e.g., migrate).

exit), articulate dissatisfaction formally or informally (called voice)¹⁵, or remain faithful to the system hoping conditions will improve or they can influence the organization internally to affect change (called loyalty)¹⁶.

As an example, some people were upset in 2016 when Apple launched their iPhone 7. This iteration of their iPhone lacked a headphone jack. Spreading the dissatisfaction to additional consumers of cellphones, other manufacturers (e.g., Samsung and OnePlus) followed suit. When purchasing a new phone after the headphone jack change, some disgruntled consumers continued with their favorite manufacturer despite the perceived decrease in quality. They remained loyal. Others complained to their cellphone manufacturer. Take, for example, the 304,823 people who signed a petition to stop Apple from dropping the headphone jack. The petition on SumOfUs.org states: “Tell Apple to keep the standard headphone jack and ditch planned obsolescence! #SaveJack” (SumOfUs, 2016). These people voiced their concerns to the manufacturers. Another group of people simply switched manufacturers to purchase a phone that had a headphone jack. In the words of one seemingly angry consumer: “If no headphone jack, goodbye Samsung!” (S. Brown, 2019, para 6)

In its traditional application, the basic forms of Exit, Voice and Loyalty take the generic forms outlined in Table 4.1. Within each of these three responses to dissatisfaction, consumers can react drastically different (Gorden, 1988; Graham & Keeley, 1992; Kassing, 1997; Rusbult, Zembrodt, & Gunn, 1982). An employee, for instance, may voice their concerns constructively or destructively as well as actively or passively (Gorden, 1988). A staff member behaving in an active destructive voice may bad-mouth the company or complain to their coworkers, whereas another engaged in active constructive voice may argue and bargain with the firm.

Table 5.1: Summary of Exit, Voice and Loyalty	
Exit	Leave or partially leave the organizational domain
Voice	Articulation of complaints to improve conditions
Loyalty¹⁷	Stay within the organization to either work with the company to improve conditions (Farrell, 1983) or, for inactive

¹⁵ Hirschman (1970) does state that “any attempt at all to change, rather than to escape from, an objectionable state of affairs” is voice. However, “any attempt” overlaps with change from within the system (loyalty as a behavior rather than an attitude). For our purposes, voice is a push for change without directly working with traditionally responsible entities. Loyalty is then a push for change from within the system. This additional clarification corresponds with viewing loyalty as more than a passive action (see footnote 13).

¹⁶ The original concept of loyalty is often been connected to the concept of silence. Hirschman (1970) wrote that loyalty is expressed when employees “refuse to exit and suffer in silence, confident that things will soon get better” (pg. 38). Loyalty is typically described as a variant of “suffering in silence” (Gehlbach, 2006), “waiting out” or “dumbly faithful” (E. Trevino & Genna, 2017). This silence is either apathy or enforced silence; either someone accepts the status quo and adheres to the rules or is enforced by constraints placed on them by the organization. However, debate has emerged on whether loyalty is simply passive (Farrell, 1983; Leck & Saunders, 1992; Withey & Cooper, 1989). Farrell (1983), for example, includes an active/passive option to loyalty. Active responses involve participating in returning the dissatisfactory conditions to favorable ones. For our purposes, we consider loyalty to include active responses that work within the system.

¹⁷ Loyalty can also be an attitude (this will be discussed more in text below). Because Hirschman conceptualized loyalty in two different ways (an action and attitude), there has been much debate on his model; some scholars, however, have considered loyalty an alternative to voice and exit (Barry, 1974; Farrell, 1983; Kolarska & Aldrich, 1980). We will do the same.

	participants, remain silent (Gehlbach, 2006; Trevino & Genna, 2017).
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As a refinement to the exit, voice, and loyalty framework, people can, in other words, respond in each way (EV or L) in either a normatively compliant or normatively challenging. As we discussed in an earlier chapter, norms are the unwritten rules of society that govern how one should behave; these principles of behavior are commonly accepted and internalized by the majority of individuals (Miller, 1999). For example, although innocuous, people usually face forward in an elevator and standing backwards (i.e., not facing the door) is non-normative and will make people feel uncomfortable. Similarly, when dining out, yelling for service is often severely frowned upon, and will be met with glances and maybe a stern word from the manager. The norm, instead, is to wait for a server to approach the table or to politely wave them down when they are nearby.

These norms function differently across social and historical contexts. What is considered acceptable in one workplace may be considered normatively challenging in another. An employee riding a bike or building a hidden speakeasy in their office may be perfectly acceptable at Pixar/Disney Animation Studios, for instance (Hartlaub, 2010). However, such behaviors from staff of a local county courthouse would likely be frowned upon. Such differences in normative behaviors can also be seen temporally. It might have been generally acceptable for office workers to drink in the office during the 1950s in the United States; however, if caught sipping a Tom Collins at 11 am today, many employees would be meeting with human resources by the afternoon.

Each category of action (EV or L) can, therefore, be done in either a normatively compliant or normatively challenging manner. In normative responses, for example, actions conform to the dominant social system; this includes following laws and rules that are generally accepted in society for that class of activity. In contrast, normatively challenging responses will, by definition, violate these norms, and will often be considered illegal or normatively unacceptable by society at large (Shuman, Cohen-Chen, Hirsch-Hoefler, & Halperin, 2016). In this framework, a consumer that bad mouths a company would be normatively compliant, even if their actions are not considered constructive (i.e., voice, normatively compliant). It is accepted that, as the saying goes, ‘the customer is always right,’ and some consumers will grumble. However, it would be normatively challenging if that patron wrote “We waited 30 min. NO SERVICE” in ketchup on a restaurant table, like a few customers did at a lunch counter in Oregon (PassiveAggressiveNotes, 2007). The norm being challenged here is the appropriate way to voice a concern.

To summarize, people can react to perceived grievances through exiting the system, voicing their concerns, or remaining loyal to the traditionally responsible entity. But, as a conceptual refinement to the original EVL framework, when acting within each of these modalities, people may respond in either a normatively compliant or a normatively challenging manner. Let us now apply this categorization to the criminal justice system.

Fighting Injustices: An Application of the Revised Exit, Voice and Loyalty Framework

With some alterations, this classic framework can help us understand the actions of crowds (broadly defined) that are fighting perceived injustices (see Table 5.2 for an overview). An underlying assumption to the model is that people make choices based on their own calculations and the information that is available to them, as suggested by rational choice theory (Hechter & Kanazawa, 1997). In terms of crime, for instance, people rationally calculate (under conditions of uncertainty) the costs and benefits of committing crime. These choices can be constrained and influenced by individual and contextual factors (Piquero & Tibbetts, 1996; Stafford & Warr, 1993). In our model, we assume people choose (to some extent) how to respond, address or manage criminal justice-related issues.

Before applying the model, two clarifications to the structure needs to be addressed upfront.

	Exit	Voice	Loyalty
Normatively Compliant	(1) <i>Attempts to resolves, manage or otherwise address issues in a manner that reinforces commonly held rules without the explicit intent to involve the state</i>	(2) <i>Articulates issues to the state in a manner that reinforces commonly held rules of behavior</i>	(3) <i>Attempts to resolves, manage or otherwise address issues in a manner reinforces commonly held rules of behavior with the explicit intention to involve the state</i> ¹⁸
Normatively Challenging	(4) <i>Attempts to resolves, manage or otherwise address issues in a manner contrary to commonly held rules of behavior without the explicit intent to involve the state</i>	(5) <i>Articulates issues to the state in a manner contrary to commonly held rules of behavior</i>	(6) <i>Attempts to resolves, manage or otherwise address issues in a manner contrary to commonly held rules of behavior with the explicit intention to involve the state</i>

First, when understanding the behavioral responses of people facing a dissatisfying situation, it is important to know the source of their frustration. In other words, there is a longer list of actors who could be seen as primarily responsible for a perceived injustice. In the original model, the traditionally responsible entities were mostly firms, organizations, or states (Hirschman, 1970). When a firm or state is seen as failing, people respond relative to those entities. They may exit from a country or company, voice their concerns or remain steadfastly loyal.

¹⁸ Crowds will attempt to resolve issues. Whether or not their actions are helpful and the injustice is solved is not guaranteed

When fighting perceived crime and justice related injustices, the focal point or relevant actor for mobilization of the crowd can sometimes be more amorphous. At times, the traditionally responsible entity can be (perceived to be) the criminal justice system. At other times, it is companies or individuals, and occasionally within a single issue there are multiple focal points. To illustrate this latter possibility, we will consider two diverse responses in the battle to prosecute non-tribal citizens for sexual violence on tribal nations within the United States.

For some context, the US has tribal nations within its boundaries that are considered sovereign governments, granting them the authority to self-govern. About 1 in 3 Native women are raped in their lifetime and 96% of assaults are perpetrated by non-Indians (Allison, 2019; IndianLaw, n.d.). In the words of Grant Christensen, an Associate Justice for the Supreme Court of the Standing Rock Sioux Tribe, “There are anecdotes of young women being told by their mothers and grandmothers that being raped is a rite of passage and how disturbing is that” (Cooper, 2020, para 11). Although sovereignty exists, tribal nations are directly impacted by non-tribal legislation. Because of jurisdictional barriers, non-tribal citizens that commit sexual offenses cannot be prosecuted by tribal nations. Such legislation does not allow Tribes to always protect their citizenry. Instead, cases are passed along for state or federal prosecution; most, however, are dropped (Allison, 2019; Flay, 2017; IndianLaw, n.d.). In 2013, the Violence Against Women Act changed this reality somewhat by allowing Tribal governments to prosecute non-Native offenders of domestic or dating violence. However, crimes committed by non-Native persons unknown to their victims are still forwarded to the federal or state government (Allison, 2019; Flay, 2017).

A potential crowd response to this unjust situation could be aimed toward (at least) two different actors. As one reaction, women may feel compelled to leave their homes (exit) in the face of a continuing injustice. They are exiting the tribal nation to mitigate the risks of violence, although they will still face higher rates of sexual assaults than their non-native counterparts (IndianLaw, n.d.). The women may blame the tribal nation for not protecting their citizens nor pushing for greater jurisdictional changes from the federal or state government. Their exit is from the tribal nation; and in this scenario, the tribal nation is considered the traditionally responsible entity.

Another equally possible reaction, however, would involve women voicing their concerns to the federal or state government about the staggering rates of violence against Native women and the jurisdictions of the tribal courts. Such is the case of women involved in the 2020 documentary *Sisters Rising* directed by Willow O’Feral and Brad Heck¹⁹. The women involved are refusing to stay silent about the jurisdictional boundaries that essentially protect non-tribal perpetrators from prosecution (*SistersRising*, n.d.). In this case, the responsible entity for the jurisdictional constraints is likely seen as the federal or state criminal judiciary system (the federal government can alter the current limits).

In both scenarios, the broad view is that criminal justice system is failing to protect Native women from sexual violence, but exactly what system is failing might vary, with some thinking it is the tribal system and others the non-tribal system. The duality of potential responsible actors also opens up the possibility for the crowd to engage in multiple strategies against the unjust situation (such as exit the tribal nation and voice to the state). In the following discussion, despite

¹⁹ Check out the trailer for the documentary here: <https://www.d-word.com/documentary/1470-Sisters-Rising>

the nuance around which actor is perceived to be the traditionally responsible entity, we will consider the focal point to be the State. It is the State that is traditionally responsible for criminal-justice related injustices. This focus on the State is similar to Hirschman (1970)'s original theory and his additional work (Hirschman, 1978, 1993).

As for the second clarification, responses to dissatisfaction are predominantly categorized by those outside the groups rather by the particular people involved. In other words, how group members perceive their behaviors can be drastically different than what most of society looking inward might think.

As an example of this conflicting perspective, the Oath Keepers, a paramilitary organization in the United States, patrolled the streets of Ferguson, Missouri during the unrest armed (2014) with semi-automatic rifles. One member who was spotted on an apartment rooftop explained to police that he was protecting his apartment block and the local shops (Fowler, 2015). To most, this response would be considered exit, normatively challenging. The Oath Keepers went outside the State (i.e., criminal justice system, police department) to resolve an issue (i.e., perceived lack of protection) in an atypical manner for the public (i.e., armed with weapons).

However, the members of the Oath Keepers consider themselves as loyal to the United States Constitution rather than the government or criminal justice system. According to their webpage, the oath “is *to the Constitution*, not to the politicians, and Oath Keepers declare that they will not obey unconstitutional orders” (OathKeepers, n.d.-a, para 1). In their pledge, it is the duty (or oath) of military, police and first responders (active or not) to protect the Constitution. From their perspective, their actions would be considered loyal and normative; they do not go outside the responsible entity nor respond in an atypical manner. Their group is comprised of current and formerly serving military, police and first responders, the professions responsible for protecting the Constitution. As their declaration states, the Keepers will defend their oath: “We will defend the Republic” (OathKeepers, n.d.-b, para 4) and, in practice, local chapters are equipping their members with quasi paramilitary training (Farivar, 2021). The use of violence, if deemed necessary, would be considered normative.

Simply changing the viewpoint of how to categorize (in-group versus out-group) drastically alters how the model is applied. It transforms seemingly exit, normatively challenging actions into loyal, normatively compliant activities. In recognizing this variance, a firm coding rules needs to be applied if any sense is to be made of the situation. For our purposes, the revised EVL model will externally categorize the actions of groups relative to a modal societal view and will recognize the differences in perceptions, when possible. In other words, the model will use a normative definition of deviance.

With these two caveats (referent point and in-group/out-group views) in mind, the following three subsections take a look at each exit, voice, and loyalty within the criminal justice system. They provide examples of different types of normatively compliant and challenging behaviors and discuss the reasons why people may choose either exit, voice or loyalty in different settings. After this conversation, a fourth sub-section dives into why people would choose normatively compliant or challenging actions.

Loyalty: Cooperation with the State

When the State is believed to be failing (i.e., a perceived injustice is happening), people have the option of remaining loyal. Doing so implies a continuation of support for the system's efforts to address injustices and both requires and implies a sustained dependency on the state²⁰. The public is cooperating with the State in addressing the injustices, not superseding it in part or the whole. Crucially, for any and all forms of loyalty activity, the State is involved in some capacity. Loyalty in this sense can be seen as a common baseline strategy.

The form of that baseline can be understood as a series of partnerships between the State and the different domains that exists within society. In a community-centered approach, there are three main networks: 1) a private sphere which includes friends and family; 2) a parochial sphere which comprises community organizations; and 3) a public sphere which incorporates institutions from outside the community. Broadly, according to sociologist David Carr (2003), the partnership between the public and parochial realms is known as the new parochialism. It is a form of social control within a community which supplements weakening private ties (e.g., residents that are unfamiliar with each other). His theory has been applied to understand collective social control in different communities (e.g., Becker, 2014; Carr, Napolitano, & Keating, 2007; van Steden, van Caem, & Boutellier, 2011).

For our purposes, the public network can be separated into two elements depending on whether State and non-State agents are associated with the institution. State actors, for instance, can include police or public officials, whereas non-State actors might be corporations or companies. The connection between the private and parochial networks and the public realm that includes State agents is a part of loyalty. The partnership between non-State agents and the parochial and public network is exit and will be discussed more below.

People can act loyally to the system in numerous ways. Reporting suspicious behaviors to the police is a quintessential loyalty activity. Many liberal democracies, for instance, have handed over responsibilities of crime control to the general public and have called for the public to become the proverbial eyes and ears of the police (Bayley & Shearing, 1996; Garland, 2012; Wood & Shearing, 2013). This process is referred to as the 'responsibilisation' strategy and manifests through preventative partnerships, such as between the State and private/parochial networks (Garland, 1996, 1997, 2012). Such requests for assistance often come with a defined boundary: to report and then let the authorities handle the concern. These confines normalize expectations of civilian actions, and deviations are often seen as normatively challenging.

Consider the following actions of David Kaczynski and Rachell Fernandez, both people who remained loyal to the justice system but acted in distinctive ways. David Kaczynski is the brother of Theodore Kaczynski, the infamous Unabomber who killed three people and injured 23 others from his nationwide bombings (History.com, 2010). In 1995, the FBI approved the publication of an essay written by the Unabomber, hoping that someone would identify the author. David Kaczynski recognized the writing style of the author as his brother, Theodore, and provided writing samples to the FBI for a linguistics analysis (Kaczynski, 2015). It was his report that led

²⁰ This continuation of support can be passive as well. People may see failures but choose not to voice their concerns or attempt to resolve, manage or otherwise address issues without the explicit intention to use the state. However, our model focuses on active rather than passive (e.g., silence) loyalty.

to the capture and arrest of Theodore Kaczynski. David's actions remained within the boundaries of the metaphorical "ears and eyes" of the police; he did not approach his brother nor attempt to apprehend Theodore himself. David remained normatively compliant in his loyalty behaviors.

Now take Rachell Fernandez, a US veteran who witnessed a high-speed chase while in traffic in 2015. She desired to help the police and end the chase. In her words, "I'm just tired of standing on the sidelines, I just wanted to help. I feel if you can help somebody instead of standing back and watching it and filming it you should" (Boyd, 2015, para 6). She placed her vehicle in the path of the suspect and unsuccessfully attempted to ram her truck into the suspect's vehicle. Her actions sent the suspect's car into oncoming traffic. She stands by her actions: "I thought it kind of helped because 30 seconds later the chase was over" (Boyd, 2015, para 8). She, however, was charged for her actions. Despite her desire to be loyal, her actions were considered dangerous and illegal because they violated the normative (and in this case legal) prescriptions around civilian actions. In the words of Lt. Jeff Conger, an officer involved in the chase, "Sometimes people try to do the right thing and it's just wrong. She put herself in danger, she put our officers in danger also, so luckily she didn't injure herself. She didn't injure any of us" (para 11). In this example, her loyalty remained with the state (she was "helping" the police and wanted the offender stopped and punished within the system), but her actions were not compliant to actions typical of civilians (staying on the sidelines).

Kaczynski and Fernandez could have chosen alternative options other than remaining loyal to the state. Yet, they decided to assist the system, one in a normatively compliant fashion and the other in a normatively challenging way. In the face of discontentment, people will stay loyal for diverse and sometimes idiosyncratic reasons. However, there are generally at least three reasons for staying loyal when faced with a perceived injustice.

First, loyalty is an option when people believe that the State is capable of addressing their concerns. Among the loyal, there is often a sense of trust and confidence that State actors will effectively perform their duties. A newly reported crime, for instance, is assumed to be handled by investigators rather than placed aside. In this sense, the success of the system's actors begets trust and confidence that facilitates support for traditional criminal justice actors (Kelling & Coles, 1997).

Trust and confidence in the state's capability, however, are not absolute. Loyal people often believe that some deficiencies do happen, and it is through their assistance that these concerns can be addressed more adequately. The State frequently make calls for assistance which signals that there is some failure taking place. The message, "Since an officer can't be on every street in the City at once, we count on residents to be our additional eyes and ears," put forth by the Rolling Meadows Police, for example, signals to the public some shortfall in their capability (i.e., seeing all instances of crime) (RollingMeadows, n.d., para 1). Loyal people can help to redress this capacity short fall.

Trust is also interrelated with the second motive for loyalty. Loyal crowds perceive the system to be legitimate; they accept that the State has the right to exercise its powers and maintain order over the populace (Sunshine & Tyler, 2003; Tyler & Fagan, 2008; Tyler & Jackson, 2014; Tyler & Sevier, 2013). Trust and confidence in the system are often seen as one component of

legitimacy, alongside normative alignment (e.g., the system has similar views as the populace) and a perceived obligation to obey legal authorities. The more legitimate people see the system, the more willing people are to undertake cooperate loyalty steps, such as identifying offenders and reporting crimes (Jackson et al., 2013; Reisig et al., 2012; Tankebe, 2009a, 2009b; Tankebe et al., 2016; Tyler & Jackson, 2014; Tyler & Sevier, 2013).

Legitimacy refers to people’s belief and can be considered an attitudinal version of loyalty²¹. In the original EVL model (Hirschman, 1970), loyalty is talked about as both a behavioral and attitudinal response. As an action, consumers will (most often) acquiesce to dissatisfaction or assist the company in correcting discontentment. In contrast, loyalty as a way of thinking captures feelings of devotion that customers have towards a firm. According to Hirschman (1970), attitudinal loyalty can be the deciding factor between exit and voice. Consumers with loyalty will more likely voice their concerns; consumers without loyalty are more prone to exit. In his words, feelings of loyalty “hold exit at bay and activate voice” (p. 78). Within our adjusted model, legitimacy can substitute for Hirschman’s attitudinal loyalty. It is the glue that encourages people to not simply voice their concerns instead of exiting (which we will discuss later) but also remain loyal in the first place. In terms of active responses, the loyal populace likely views the system as predominately legitimate, whereas a diminished sense of legitimacy will make the other options more likely (see Figure 5.1).

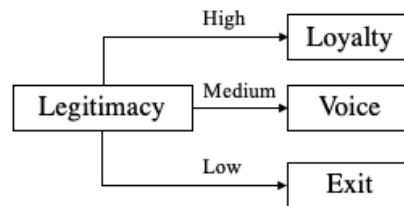


Figure 5.1. EVL and Legitimacy

Lastly, the crowd is more likely to stay loyal if the decision-making process of the State is considered fair and the system is respectful to people. Core to the concept of fairness in this setting is the idea of procedural justice. In this sense, the type of injustice being addressed may actually elicit different responses (i.e., EVL) from the public (we will explore this further in succeeding chapters). Somewhat intuitively, people who perceive the State as procedurally unjust are less likely to cooperate with its actors (Sunshine & Tyler, 2003; Tyler & Fagan, 2008; Tyler & Huo, 2002a; Tyler & Sevier, 2013). If people believe the police are hostile and rude, for instance, there is less incentive to answer their calls for assistance (such as identifying suspects). One ethnography of a disadvantaged inner-city neighborhood in Dublin, Ireland, for example, revealed hostile attitudes towards the police and a refusal to co-operate with them. The basis for such un-loyal responses was a sense of collective memory of a history of arbitrary and violent treatment of the poor at the hands of the police (Ilan, 2018). Other academic studies repeatedly support this finding within different social and community settings (e.g., Kruger et al., 2016; K.

²¹ Loyalty has also been conceptualized as trust within the health service sector (Dowding & John, 2011).

Murphy, Bradford, & Jackson, 2016; Paek, Nalla, & Lee, 2020; Reisig et al., 2012; Tankebe, 2009a; Tankebe et al., 2016; Trinkner & Cohn, 2014).

In short, loyalty as an option stems from perceptions of trust and confidence in the system, a sense of legitimacy, and belief that the system is procedurally just. When these attitudinal values decline, alternative options for addressing criminal-justice related injustice often become more appealing to potential crowds.

Voice: Articulating Issues to the State

Similar to loyalty, voice is also comparable to the original version of Hirschman (1970)'s model. People can and do voice their concerns to the State. Actions in this category of activity include submitting complaints, having a conversation with the authority, participating in protests, movements and campaigns, and signing petitions. In all these actions, the public can share their opinions or thoughts (indirectly or directly) about a perceived injustice with the State.

To illustrate voice responses, we can look at efforts against perceived injustices during the course of police interactions with civilians. On one hand, we have normatively compliant responses. The public, for instance, has turned to Change.org, an e-petition website, to sign a petition demanding "Justice for Casey Christian Goodson Jr" (Change.org, n.d.). On December 2020, 23-year-old Casey was shot in the back three times by US Sheriff Deputy Jason Meade. According to police, Casey was waving a gun. His family states differently; he was attempting to cross the yard with a Subway sandwich and a mask in one hand and his keys for the house in his other hand. Among the demands from the public, the petition is asking that "the murderer of Casey Christian Goodson Jr be fired immediately... and be tried for murder" and that the mayor and City Council "publicly condemn the murder" (para 4). These demands are a type of voice: a way to articulate dissatisfaction to the State for criminal matters. The populace wants the authorities to provide justice for Casey and are quite literally petitioning them to do so.

Voice can also be done in a normatively challenging manner. Take for instance, the riots that were a part of the 2020 Black Lives Matter protests (Davenport, 2020). Simply put, the movement focused on police brutality against the BIPOC community. Many of the demonstrations would be considered normatively compliant: staying within the typical expectation of the public fighting an injustice. However, some persons participated in destroying and vandalizing private property, looting businesses, setting cars on fire, and tossing fireworks towards other attendees. These behaviors are also a form of voice, often relied upon when normative voice actions fail to elicit change. Both responses (petition and the riots) are expressions of dissatisfaction with the state response to violence against Black Americans (Davenport, 2020; Ives & Lewis, 2020). Yet, one is doing so in a normatively compliant manner, while another in a way considered illegal by the state.

It is important to note here that shifts from normatively compliant to normatively challenging behaviors are often situational. How society and the authorities interact with the crowd will alter their choice of action (Ives & Lewis, 2020). Protesters met with procedural injustice on the streets (e.g., disrespectful police or harmful behaviors by police) due the course of an initially normatively compliant set of actions will react accordingly. This point is discussed further below.

Like loyalty, the crowd chooses voice for different but often interconnected reasons. For voice to be an option, there is often the perception that the State is capable of change and willing to do so, at least in that historical moment (Gamson, 1992). To some people, there is no reason to protest if change is considered impossible. The vocal populace also needs to believe to some degree that their actions can help achieve an alteration to the existing conditions (Gamson, 1992). In this sense, the crowd deems themselves to have some influence over the responsible authorities, such as is embodied in the idea that the state needs to be responsive to its citizens. Again, for some, if the grieving party does not believe they can change anything (even by a small amount), then voice does not seem like a reasonable option. Acquiescence (loyalty) or revolt (exit) seem more probable.

In contrast, actions that look like they would fall within the voice category may not be voice in purpose or intention. Instead, they can be done simply to provoke the state and/or be a part of an exit strategy. In this sense, people do not need to believe that the State will change their behavior; this State alteration is immaterial to their purpose. For instance, members of the US Boogaloo²² movement had plans to participate in peaceful demonstrations (such as the 2020 Black Lives Matter movement) in attempts to incite chaos and riots (Blankstein, Winter, & Zadrozny, 2020). Their participation was not in hope of State redress of injustice but to encourage a second Civil War.

Equally important, people will voice their concerns instead of remaining docile or silent when the change is worthwhile. For instance, the family of Casey Christian Goodson Jr. and millions of others believe the need for racial equality as paramount. Some issues like racial equality cannot be fully dealt with from outside the State. Because people cannot fully leave the State (unless they emigrate—i.e., exit is only partial), those that do exit the State in some manner to attempt to resolve, manage or otherwise address issues often leave those within the system subject to the same perceived injustice. Here, voice will carry the burden of alerting the system that it is failing. In determining whether voice is worthwhile, people will consider the cost of using it²³. In some cases, like racial inequality, the cost of not voicing their concerns can sometimes be greater than remaining silent; in other cases, people may be fearful to speak out even if the injustice is perceived to be worthwhile.

Exit: Resolving Issues without the Involvement of the State

The biggest difference from the original EVL model occurs when we discuss exit as a reaction to injustice. Unlike the consumer world, where patrons can switch to a new company, it is incredibly difficult to actually exit the State without leaving the country or starting a coup. Hirschman (1970) himself acknowledged this constraint when discussing failing states. However, an exit from the State can be more-or-less partial. Rather than depending on the state to resolve concerns, people may simply address or manage their problems outside the scope of the system. Their actions are still subject to the legal proceedings of the country; yet they simply choose to circumvent the State to address their perceived injustices on their own (they have no

²² The term is a reference to a 1984 movie, 'Breakin 2: Electric Boogaloo' about breakdancing.

²³ Cost also includes direct personal costs, such as psychological investment, lost income for participation, loss of reputation, and sense of failure (Withey & Cooper, 1989).

explicit intent to involve the State²⁴). In this sense, exit is not necessarily the last resort for civilians but one option of three, albeit one that probably comes with higher potential personal costs in some situations.

Like loyalty, exit can include partnerships between networks. In particular, exit strategies include a connection between the private and/or parochial networks within the public sphere that comprises non-State agents. A neighborhood, for instance, can partner with a non-governmental agency that does not have ties within the community (public) to address local issues, such as crime. This connection (along with one with State agents) is referred to as the new parochialism (Carr, 2003); however, we are separating the new parochialism into the two types of partnership: State and non-State actors (Loyalty and Exit, respectively).

Mitigating grievances is one such area that people can sidestep the system. A private firm can deal directly with offenders, for instance, instead of relying on the traditional police to protect their company. Ransomware attacks, where a demand for money is made to release infected company files, are increasingly common. One estimate places such attacks against businesses occurring every 11 seconds in 2021 (Morgan, 2020). Of businesses that paid the cybercriminals in the first quarter of 2020, about 99% obtain a decryptor from the assailants to recover their files (Coveware, 2020). With success of return, some businesses simply choose to pay the fee and not process nor report the concern through the police. The business has not resolved the issue of ransomware but has circumvented the system to mitigate the loss from the attack (i.e., receiving the decryptor to recover their files). With the commonality of attacks, such payment behavior by companies would be considered normative, even if dealing personally or organizationally with crimes without involving the police would be normatively non-compliant in most other settings²⁵.

Such normatively compliant exit actions like mitigating grievances can parallel the desires of the State. Through a strategy of responsabilization (i.e., placing responsibility for crime control outside the State), independence and privatization has become emphasized in many Liberal countries (Garland, 1996, 1997, 2012). This responsabilization strategy has augmented exit opportunities. Companies, for instance, are continuously capitalizing on the prevention of crime in their provision of crime safety, such as purchasing anti-virus software. In this sense, exit (normatively compliant) is like a disguised and muted loyalty. People are still attitudinally loyal to the State (e.g., have the same objectives) but decide to work without direct State involvement.

Addressing or managing grievances can also be done in a manner that challenges conventional norms. This reaction includes the code of the streets in inner-city communities (Anderson, 2000; Kubrin & Weitzer, 2003; Weitzer & Brunson, 2009). Sociologist Elijah Anderson (2000) argues that street culture is bounded by a set of informal rules that govern interpersonal behavior. These rules dictate appropriate responses to aggression, how and when to use violence, and what penalties exist when rules are violated. Focusing on the code of the streets, criminologists

²⁴ Those that exit may not discourage State cooperation. The involvement with the State is simply not explicit to their initiative. For example, people can report crimes to the police as well as non-State initiatives.

²⁵ However, in some countries at certain time periods, such behavior would be considered illegal. Since 2020, the US Department of the Treasury's Office of Foreign Assets Control, for example, has made paying ransom to cybercriminals a potentially prosecutable act.

Weitzer and Brunson (2009) studied young men in the intercity of St. Louis. These men avoided all involuntary contact with the police, and some of the men argued that police should actually stay away from their communities unless directly asked for help. The men choose to exit from any involvement with the police and the criminal justice system. When problems arose, the young men would solve their concerns independent of the police, such as through violence. In this example, when violence was being used for solving problems, the actions would be considered normatively challenging by the general population. The behavior violates laws and the normative way that people (outside of those living by the code) expect problems to be dealt with.

Normatively challenging exit behavior therefore can also include acts of vigilantism. According to (Johnston, 1996), vigilantism is a:

“social movement giving rise to premediated acts of force – or threatened force – by autonomous citizens. It arises as a reaction to the transgression of institutionalized norms by individuals or groups – or to their potential or imputed transgressions” (pg. 221).

In other words, and more colloquially defined, it is taking the law into ones’ own hands, such as the case of the Quechua community in Bolivia that buried alive a murderer and rapist (mentioned in the introduction). The people involved were not State actors nor public authorities; their actions were not mandated by the State. And they explicitly did not want State involvement in resolving the injustice.

Unlike the traditional definition of vigilantism (Johnston, 1996), however, not all normatively challenging exit actions include force or threatened force. Actions can include non-violent acts that can cause physical, psychological and economic consequences. This inclusion of non-physical harm is increasingly common in the understanding of vigilantism (Chang, Zhong, & Grabosky, 2018; e Silva, 2018; Haas, de Keijser, & Bruinsma, 2014).

Vigilantism—and therefore some exit behavior²⁶—can be considered a mechanism of self-help (de Haan & Nijboer, 2005; Tankebe, 2009b). According to Donald Black (1983), crime is a form of social control or an “expression of a grievance by unilateral aggression” (pg. 34) or “the process by which people define and respond to deviant behavior” (Black, 2014, p. 21). It is a way for people to respond to the conduct of another (conflict management) through some deviant or illegal means, such as punishment²⁷.

Take, for instance, the attack on the “Black” Donnellys. The Donnellys were an Irish Catholic family which fled the Great Famine of Ireland in the 1800s and settled in Upper Canada (now Ontario, Canada). The Donnellys made many enemies in the area due to their reportedly frequent commission of assault, murder, theft, robbery, arson, and trespassing. In response to the

²⁶ Exit behavior is more than self-help. Non-state third parties might interject themselves into a grievance between the conflicting parties to assist one side in their efforts to resolve or manage the concern. Third parties might also perceive themselves to be one of the conflicting parties (although not originally). This latter scenario might include persons that fight for injustices believing that the cause affects more than just the initial victim. Exit is also more than vigilantism. For instance, most normatively compliant actions, such as donating money, does not fit within the definition/conceptualization of vigilantism. However, many exit normatively challenging actions would be considered vigilantism.

²⁷ In the original theory, self-help does not include social control by third parties, such as judges or police officers

disturbances in the township, a Vigilance Committee was formed. One night, members of the Committee massacred the family and proceeded to burn their homestead to the ground. Despite the many witnesses, no one has ever been found guilty of their deaths.

The massacre was a form of vengeance, where people pursue a grievance for an injury or wrong (Black, 1990). The people or groups involved are typically similar in social standing, size, and/or resources. Rather than opting to punish the Donnelly's, the Vigilance Committee could have addressed their discontent towards the local authorities, who might be blamed for their ineffectual behaviors. This is referred to as rebellion (upward self-help) (Black, 1990)²⁸. Such actions might have included rioting in the township or burning the local law enforcement building. Like the Donnelly example, the crowd can direct their exit actions towards other civilians or towards a social superior (such as the State).

The example of the young men from St. Louis (above) as well as the Vigilance Committee illustrate one of the main reasons that people choose to particularly exit the system. For the young men, the use of violence can be considered a form of self-help (acts against civilians). People turn to self-help (in all forms) when the formal dispute resolution processes are perceived to be failing or inaccessible (Black, 1983, 1990). Using this theory of self-help (as well as the behavior of law (Black, 2010), we can start to categorize reasons for exit.

First, people may exit if they believe that the system is not available to them. Persons considered lower rank within society will have less law available to them, such as access to adequate lawyers or police (Black, 2010). Throughout history, societies (and thus law) have ranked and treated membership in different identity groups disparately (Hagan & Albonetti, 1982; Henderson et al., 1997; Smith & Petrocelli, 2001). For instance, the response time by emergency service providers can be slower in poor neighborhoods than in wealthy ones in the United States (Hsia et al., 2018)²⁹. Baltimore 911 calls from Census Blocks with higher incomes, for instance, were considered higher priority by dispatchers than identical calls from Blocks with lower incomes (all calls were classified by priority: emergency high, medium low, and non-emergency) (Mehta). These disparities in law impact whether a person will consider using or assisting the system or not.

Availability of law also includes responsiveness by the authorities to their concerns (Black, 2010); in other words, it includes voice. The choice to exit can be decided in light of whether voice is considered an attractive choice or not. Without an option to articulate concerns to a receptive authority, to some, exit likely seems like a better option. It is important to note that crowd members do not need to personally experience the unavailability of the law. Simply learning about disparate treatment occurring to people is sufficient enough to believe that law is inaccessible.

²⁸ Discipline is the third type of self-help. It is considered self-help from a social superior to an inferior (Black, 1990).

²⁹ Hsia et al., 2018 studied ambulance times and included 63,600 instances when EMS were dispatched for cardiac arrests. It took EMS 3.8 minutes longer for poorer areas. The research took into account urban setting, time of day and time of week.

Interrelatedly, another motive for choosing exit is the belief that the State is ineffective. If the system is not perceived as capable in handling a concern, alternative measures will be sought or supported (Haas et al., 2014)³⁰. Similar to the youth in St. Louis, youth in the Netherlands enacted retaliatory violence as a dispute resolution technique (de Haan & Nijboer, 2005). They believed that their initiatives would be more effective than the police in handling their concerns. This connection between State ineffectiveness and violence for social control has also been repeatedly found in different settings (e.g., Gau & Brunson, 2015; Kwak, Dierenfeldt, & McNeeley, 2019; Sargeant, Wickes, Murphy, & Mazerolle, 2018; Soller, Jackson, & Coleman, 2017; Wilkinson, Beaty, & Lurry, 2009).

A third cause that might propel the crowd towards exit is whether or not the state is seen as legitimate, a motive laced throughout action decisions. If the system is not considered having the right to rule, then people are likely not going to remain loyal or even voice their concerns. Instead, alternative actions that circumvent the system will probably be sought. For example, the public is more supportive of using private violence, such as vigilantism, when the system is not viewed as legitimate (Ireland, 2020; Tyler & Jackson, 2014; Tyler & Sevier, 2013).

Despite the decision to exit, a partial exit from the State does not automatically represent a loss for the criminal justice system. In terms of firms, when consumers choose to take their business elsewhere, companies face economic losses. The more people leave, the greater the damage. In Hirschman (1970)'s words: "any exit whatsoever of consumers in response to quality decline will result in revenue losses; and, of course, the more massive the exit the greater the losses following upon any given quality drop" (pg. 23). To avoid such cost, businesses will respond to repair or manage its failings.

Yet, in terms of a partial exit, the extent and type of the loss for the State will determine the damage to the system and the response from the state. Like in business (Hirschman, 1970), if the extent of the damage is too small, the State will not receive the message that something has gone array. This point is particularly salient for normatively compliant actions. The state, for instance, will hardly notice or be impacted if people start funding psychological services for strangers affected by crime on GoFundMe. Along these lines, some normatively compliant exit behavior is actually welcomed and encouraged to lighten the burden of the system, such as resolving conflict through non-judicial remediation (e.g., counseling) in place of extralegal violence. In terms of normatively challenging behavior, these actions (such as fatally shooting two neighbors over snow shovelling) will simply be treated alongside everyday crimes (Hutchinson, 2021). Exit strategies in the criminal justice setting, in other words, need to strike a fine balance between irrelevance and criminalization that prompts a state response.

However, by in striking the right balance and with scale (especially over a short amount of time), substantial exit from the State will severely weaken it. This limit is relevant for both normatively compliant and challenging behavior. Hypothetically, if a large number of people choose to resolve their issues by themselves in illegal or violent manners, the state could be severely overwhelmed. However, it would take instant notice and respond if we hypothetically found ourselves in a retributive non-sanctioned Purge-like situation. For the non-horror film buffs, purge is a dystopian horror film in which a law is passed that allows all crimes (murder, arson,

³⁰ Their findings are about trust and confidence; however, their measure included perceptions of effectiveness.

theft, rape etc.) to occur without sanctions for a 12-hour period. Any lack of ability to squash the unrest would also likely have loyal members losing trust and confidence in the state's ability and instead would cause them to elicit outside help for their safety (such as private security or arming themselves).

Alternatively, if people turned to private security forces (more normatively compliant) in droves rather than requesting assistance from the police because of inefficiencies, the state will eventually take notice. Their lightened workload may be welcomed at first but without any adjustments to the quality of their service, the justification for their work will slowly diminished alongside funding sources without demand from the public. In this scenario, this arm of the system would not disappear completely but could significantly shrink in size and in power if a response was not given.

Such concerns of competition from private policing are actually not new. In the nineteenth century, in America, people started relying on private detectives and watchmen services, such as the Pinkerton National Detective Agency (Joh, 2006; O'Hara, 2016). The failure from the traditional police was a mixture of the slow establishment of police departments, poorly trained officers, and poor organization. In the words of John Wentworth, a Chicago mayor, in his 1857 inaugural address: "Our police system has been gradually falling into disrepute... Our citizens have ceased to look to the public police for protection, for the detection of culprits or the recovery of stolen property" (CPL, n.d.). In contrast to traditional police, private police played a significant role in policing during this time. In this case, they did not usurp the public police but augmented their capabilities (Joh, 2006). The use of private policing by companies in quelling labor unrest, however, brought it public and legal scrutiny that slowly diminished its place at the policing table for a while.

Lastly, unlike the traditional model, the choice to use exit does not exclude people from using voice. In some situations, it might make voice less effective, such as the State being less willing to listen to concerns after certain illegal actions by persons or movements. In other cases, a single injustice can be tackled on multiple fronts, such as articulating discontent with also independently assisting (without State involvement) those affected by the injustice.

Normative versus Non-normative

Within each of the EVL responses, people make a choice on how to respond. These decisions may be well-thought out or made on the spot. In choosing between normatively compliant and challenging activities, people might consider the incurred cost as well as the response by the authorities or public to the action.

Because of the potential for illegality, normatively challenging actions can come at a greater cost (real or perceived) for those involved. Standing on top of a rooftop with a semi-automatic weapon bears more risks (as done by the Oath Keeper), for instance, than reporting to the police a person's dissatisfaction with the situation. The guarding action takes more effort and could end in an arms battle with the institution (police) that a person might be trying to assist. In contrast, reporting a crime can be done on the comforts of someone's couch and is unlikely to result in serious costs or risks of confrontation (but see the Australian-American women in Minneapolis who called the police and was fatally shot approaching their vehicle when the police, in their

words, “got spooked”) (Furber & Smith, 2018, para 8). This is not to say normatively compliant actions do not have a personal cost attached; however, the price with potentially illegal and socially stigmatizing activities will generally take a larger toll from their participants. On the face of it, higher costs for normatively challenging activities should 1) result in this branch of actions being overall less popular within the general public than normatively compliant activities and 2) suggest that what catalyses each type of behavior might be different.

Second, the perceived or real response by the State and society to an action (completed or not) can influence the choice between normatively compliant and challenging. People might choose normatively compliant actions in the beginning but when their actions receive no response (voice) from the authorities or are ineffective (exit or loyalty) they may escalate their efforts. For instance, if the state is not responding in a way that is perceived to be adequate to protesters, some may choose to participate in riots that gather more media and state attention (both voice). In this sense, the volume of the voice-based activities simply gets louder. As another example, if someone assumes a conversation with their neighbour about snowplowing their drive will not end in the desired result, they might escalate the situation with threats or a weapon (both exit). As this latter example demonstrates, the response towards an action does not need to be real; it can merely be perceived. In this sense, perceptions that the system is unresponsive or ineffective should result in a greater likelihood of participation in or support for normatively challenging actions.

Conclusion

When responding to criminal-justice related injustices, the public has options on how to react. They may remain loyal, voice their grievances, or solve the problem without the explicit intent to involve the state (exit); each of these reactions may be done in a fashion that reinforces commonly held norms for civilians or in a way that challenges society’s perceptions of what is acceptable or expected. When injustices happen, the responses of the crowd fall within one of these six quadrants. In the preceding conversation, we stayed within the realm of the theoretical. Yet, does the crowd more generally respond in such neat categories of exit, voice and loyalty? They do.

Ch 6: “Defend for the Defenseless and Fight for the Fallen”

Crowds (loosely defined) react broadly to perceived crime, deviance, and criminal-justice related injustices in three ways. The details of their actions, however, differ. This chapter draws upon the 206 unique crowd-based initiatives that were located through a search of academic literature, governmental and non-governmental reports and media articles (See the Methods section for details) to see what activities constitute exit, voice, and loyalty in practice.

Before looking at the particular efforts, it is important to note a couple of things. The same injustice can be addressed by diverse crowds. Efforts to fight police brutality, for instance, can be done on multiple fronts by different movements or different elements of the same nominal crowd. The below classification considers each action separately.

Along those lines, the normatively challenging actions of a few within a relatively normatively compliant movement can taint the whole group. Rioters, for instance, can alter the normative realm of a protest from compliant to challenging. In such cases, the actions of the many are considered rather than the few. However, we will discuss the instances of internal conflict between the types of normative actions. Interrelated to this point, we will also discuss the initiatives in light of country-specific customs and laws, as an action may be illegal in the United States (and hence normatively challenging) but not overseas (and so potentially normatively compliant). These sort of contextual differences matter and inform the categorization below.

As we go through the in-practice responses of the crowd, we will not be making moral judgement about the behaviors. Actions may be illegal, harmful, or even counterproductive. However, the purpose, for now, is to simply understand the range and disposition of possible responses by real groups, not to stand in judgement of the choices of others.

Lastly, some action types can occur across responses (EV or L). Both loyal and exit crowds, for instance, can share information to fight injustice. However, their actions are decidedly different relative to the State (e.g., who is the information being shared with). As a refresher of possible crowd responses relative to responsible entities, see Figure 6.1 for a visual representation.

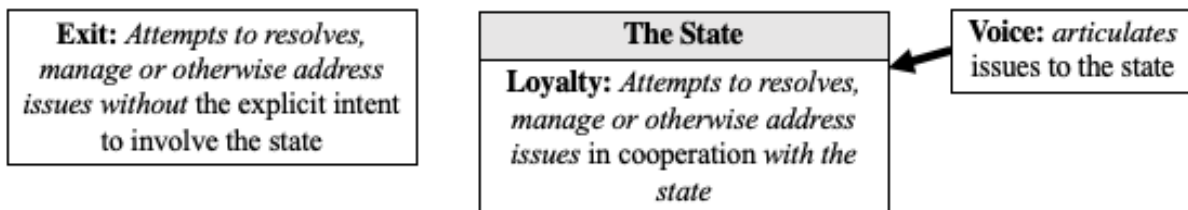


Figure 6.1: Visual representation of Exit, Voice and Loyalty

Now, looking at the 206 initiatives, a pattern starts to emerge on responses across the EVL framework. Within this sample, more initiatives focused on remaining loyal (loyal = 53.4%) than articulating their concerns externally (voice = 20.4%) or circumventing the system (exit = 26.2%). Most crowds also stay within the realm of normatively compliant (79.1%) rather than normatively challenging (20.9%) actions. The following subsections will start with the baseline

of loyalty and end with exit. See Figure 6.2 for the percentage of initiatives within each of the six sectors.

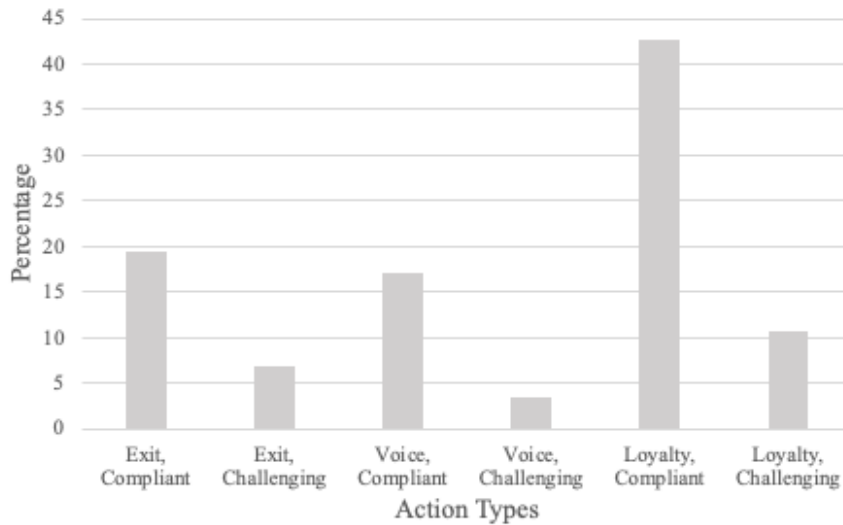


Figure 6.2: Exit, Voice and Loyalty for Active Crowds

Staying Loyal

Loyalty is the most populated crowd response (53.4%). Rather than a straight-forward partnership between the populace and the State, loyalty behaviors in practice are often more nuanced. In some cases, partnerships can be direct. The crowd can work alongside the system and its actors, for instance. In contrast, loyal responses can also be mediated through a third-party, such as a charity, company, or digital platform. Here we see both aspects of the new parochialism (partnerships with State and non-State actors); however, the non-State actors are merely mediating the partnership (Carr, 2003). These entities are a filtering mechanism for what assistance is pushed through to the State. To the participating crowd, however, their efforts are done to assist the authorities (and to them involves the authorities), regardless of whether or not their support is actually sifted out.

Reporting to Support

Adhering to norms (normatively compliant) was the most common type of loyalty actions for the sampled initiatives. All of these actions incorporated some element of the provision of information to the State, either directly or indirectly. This common response type aligns well with the desire of many liberal states to have the public both act as the eyes and ears of official authorities and to otherwise stay passive in their support (Bayley & Shearing, 1996; Garland, 2012; Wood & Shearing, 2013). The specific information reported by the crowd is often related to offenses and/or elements adjacent to offenses (such as identities of offenders, victims, or objects) that could help in investigations. These offenses may not have happened yet (e.g., warnings of plans) or have occurred decades ago (e.g., cold cases).

As an example, the Keene Police Department called for the public's help after rioting erupted at their annual Pumpkin Festival (Bankoff, 2014). The festival culminated with at least 30 people injured and about 70-84 people arrested after eight hours of destruction undertaken by a

rampaging crowd of over 1000 people; the crowd tossed objects such as billiard balls and alcohol cans through the air and at the police, they overturned a car, and set fires on the road.

In the hopes of arresting the participating members, the Police Department released a series of photos of people engaged in criminal acts so that the general public could identify people responsible for the destruction. These photos were taken from CCTV footage and even offered up by the public from photographs they took during the event (NECN, 2014). The public disgruntled about the disruption and destruction to their town offered up their support. In the words of one student journalist from Keene State College: “[the rioters] disrespected and destroyed our city, our home, and our reputation, and they should be held responsible” (Thomas, 2014, para 22).

The crowd also provides information to the State about personal experiences with victimization or their concern that it could happen. These reports are not to seek direct help for themselves (such as a 911 call). Instead, the provided information highlights concern about particular issues for the authorities to address.

One example of this type of information provision is SafeCityYEG. The initiative partners with the City of Edmonton, Canada and allows the crowd to record safe and unsafe spots throughout the city. These concerns are plotted on a digital map; each pin represents a report of an issue. Some pins represent victimizations, such as people being “verbally harassed,” subjected to “unwanted sexual comments or gestures” or “unwanted touching,” or simply “followed.” Other pins signify physical disorder that could lead people to being harmed, such as “lighting is poor” or “pathway is unsafe (e.g., uneven)” (SafeCityYEG). This information is shared with other users, who can decide where to travel within the city. It is also shared with community partners and experts associated with the City so that they can directly address these concerns.

In the above examples, there was some type of request for assistance. The Keene Police Department specifically asked the public for help, whereas the City of Edmonton via SafeCityYEG has an open-ended request made to Edmontonians to report any time there is a concern (NECN, 2014; SafeCityYEG). As these examples demonstrate, the provided information can be specifically asked for or more generally requested by the State.

Most requests are closer to the SafeCityYEG example. The public is frequently asked for general assistance when information about crime becomes known to them. For example, in Australia, the public at any time can report a Commonwealth crime (e.g., aviation crime, human trafficking, or terrorism) to the Australian Federal Police (AFP)(AFP, n.d.). The particular case is not of concern (as long as it’s within the purview of the AFP); instead, these reports by the public occur only when the public has information pertinent to share.

In sum, loyal and normatively compliant crowds all include some element of providing information to the State.

Taking Loyalty a Little Further

Some loyal crowds operate in a manner contrary to commonly held norms for civilians but nevertheless either work alongside the police or depend on the state for some part of their

success (10.68% of all actions; 20% of loyalty actions). Similar to those undertaking normatively compliant actions, these normatively challenging initiatives still often include provision of information to the State. So, in some sense, they remain within the boundary of expected behavior. However, how and what they do is more likely considered contrary to what is commonly accepted for civilian behaviors by the majority of people or even illegal. All of these cases are attempting to move the boundary of what is considered the norm for civilians.

The boundary often being pushed is crowd participation in investigatory operations. Within this space, the public is injecting itself in both covert and overt investigations to share found information with the State.

First, crowds are conducting undercover investigatory operations to share their discovered information with law enforcement. One example of such an activity is known colloquially as pedophile hunting. Team members of hunting groups pose as young persons in online spaces (such as dedicated kids chat rooms) and wait for adults to sexually entice their impersonated character for indecent purposes, such as for sexual relations (BBC, 2019; Hadjimatheou, 2019; Milmo, 2019). A hunting team called Letzgo Hunting, for instance, documented this stage of their operations. The member posed as a 12-year-old girl and entered Kidschat, a chatroom dedicated to young persons (Hunting, 2015)³¹. Within minutes of logging on, a self-identified 29-year-old male was chatting with the character. Usually as the conversation unfolds, the team will arrange to meet the adult in real life (on the suggestion of the suspect). Unbeknownst to the target, however, the young person waiting for them ends up being a middle-aged-old man, his team, and a camera capturing the encounter. These confrontations are filmed or live streamed to social media. It is usually after this point that the police are contacted to (hopefully) arrest the suspect.

Such policing behaviors are often considered atypical for the public and are often discouraged by authorities. In the United Kingdom, the official rule for the police is that teams should not be encouraged and may face prosecution for their actions (Bailey & Skeer, 2017). In the United States, Missouri, for example, the Missouri Internet Crimes Against Children Task Force (MO ICAC) also prohibits its members (i.e., law enforcement) “from utilizing private citizens to proactively seek out investigative persons of interest” (Nagus, 2019, para 22). Despite (some) hostile responses from the authorities, the teams continue on.

Less controversially, the crowd is also involved in more overt investigations. Here, the public is simply reporting retrieved information to authorities. The way this intelligence is gathered, however, is still considered non-normative for civilians. One such example is TraceLabs, an Australian-based organization (Trace Labs). The company organizes capture the flag (CTF) contests for the crowd; these competitions are essentially virtual search parties for information about missing person cases. The participants conduct open-source investigations by searching publicly available information for any desired information. Contestants receive points for scoring “flags”. In non-CTF terms, flags are data about the specific case, such as the social media accounts, photos or addresses of missing persons. Harder to locate information receives higher points, such as information found on the dark web. After the contest, TraceLabs shares the collected information with responsible authorities, such as the police. Unlike some of the work of

³¹ You can check out the video here: https://www.youtube.com/watch?v=sjGCICXYXvM&has_verified=1

pedophile hunters, the actions of TraceLabs contestants are perfectly legal. However, their work challenges the role that citizens usually play within investigations. The contestants are becoming more than just the passive eyes and ears of the state; they are actively collecting information to report.

Another similar example is CrowdSolve, where the public applies their detective skills to solving unresolved cases ("CrowdSolve," ; Venkatagiri, Gautam, & Luther, 2021). At their most recent event, the crowd gathered for a weekend in Chicago to find answers to the death of Kurt Sova, a 17-year-old boy. In 1981, Kurt died after leaving a house party in Newburgh Heights, Ohio. His body was found five days later in an area that had already been searched. The participants received access to the unredacted case files in hopes of advancing the case and were joined by Kurt's remaining family, the Newburgh Heights police, and forensic experts. Looking for answers, the crowd spent the weekend piecing together what could have happened to Kurt, providing suggestions for where the investigation should head next (such as who to re-interview). This collaborative role between the public and police challenges the standard of what civilians have typically done for law enforcement by placing the crowd directly into the chair of the detective³².

Beyond the more formalized initiatives of TraceLabs and CrowdSolve, civilians also head to forums and social media to investigate unresolved mysteries. These civilians are independent of law enforcement for most of their work; however, if key information is discovered, they intent to submit the found information to the police³³. It is this latter stage that keeps them loyal to the system. For instance, Reddit user -hypercube (2018) "made a connection between an unidentified body and a missing person. The two cases were being handled by different states, so [they] reported it to both". Whether or not the information led anywhere is uncertain; however, -hypercube like many other websleuths are actively assisting the authorities in cases, a job typically left to the police.

In sum, loyal crowds assist and cooperate with the State in resolving (or attempting to resolve), managing or addressing issues prominently through information sharing. However, some in the general public (alongside law enforcement) are pushing the boundaries on what is considered normative for the general public in assisting authorities.

Voicing Concerns

Among the included initiatives, voice was the least common approach (20.4%). When engaging in voice, the crowd can choose different pathways to articulate their concerns. They can voice them directly to the State or indirectly through a digital platform, social media, or third-party, such as civil rights organizations. For both paths, the crowd opts for voicing their concerns

³² Both TraceLabs and CrowdSolve have police involvement and are relatively new. For instance, Toronto Police attended TraceLab's DEF CON event in 2018, the first open-source intelligence (OSINT) capture the flag contest for missing persons. However, not all police agencies welcome the opportunity to work with the crowd in this manner. These events are normatively challenging because they place civilians in a more active role than considered normal for civilians (staying passive in their role as the eyes and ears of the police). The initiatives are moving the boundary of how civilians can assist in law enforcement investigations. Such actions might even become normalized in the near future.

³³ If there is no explicit intention to involve the State, these actions are categorized under exit. However, most similar initiatives have the intention to cooperate with the State (e.g., submitting tips or theories to the police)

externally without directly working with the State to address the perceived issues. As mentioned in the preceding chapter, the ability to work with the State may not be an option or preferred by the crowd.

Articulating concerns normatively

Most crowds that voiced their concerns (in the included sample) did so in a normatively compliant manner (83.3% of voice actions). Actions of this sort can be divided into two broad reactions.

A prominent voice response to perceived injustice is offering information to parties external to the State. The provided evidence is typically of unjust behaviors by authorities themselves, such as information about the corruption or violence committed by state officials. In some cases, evidence of misconduct is used publicly to shame entities into reform. Here, the crowd is voicing their dissatisfaction about authorities and is often demanding change without directly working with the State to correct the problem.

One such example is ipaidabribe.com. Indian civilians can report corruption by public officials ([ipaidabribe](http://ipaidabribe.com), n.d.). For instance, in a 2021 report, someone disclosed: “I was asked to pay a bribe of 2500 INR to a Customs Clearing Officer ... at the Air Cargo Complex, Ahmedabad” (Report, 2021). According to statistics by Janaagraha, the group behind the initiative, in the state of Gujarat (where Ahmedabad is located), at least 4,296 bribes have been paid since 2016 ([ipaidabribe](http://ipaidabribe.com), n.d.). Janaagraha uses the provided information to “argue for improving governance systems and procedures, tightening law enforcement and regulation” (Lambert, 2018, para 3). By voicing occurrences of bribery, the crowd is (assumably) hoping that change will happen.

As another example, some of the initiatives provide tools for civilians to record instances of police misconduct (covertly or overtly). The ACLU’s Mobile Justice CA application, for instance, allows the public to “record encounters with public officials and law enforcement...report any abuse by authorities to the ACLU and its networks” (ACLU, n.d., para 3). Similar initiatives include Police Tape, ACLU Blue, and CopWatch; the crowd may also function outside established platforms and release videos directly to the public on social media.

Beyond reports about authorities themselves, the crowd also provides accounts about personal experiences with victimization. One of the main focuses here is raising awareness about the prevalence of existing harm. In its original form, for example, “Me Too” was a movement to empower women by demonstrating how many women have survived sexual violence (Griffin, 2020). In 2017, the initiative spread in the form of the hashtag #metoo on social media, such as Twitter. The crowd disclosed personal experiences of assault and sexual harassment, sometimes with details and other times simply writing the hashtag. Later on, some declarations also started to include sexual assault allegations (North, Grady, McGann, & Romano, 2018); these additions are normatively challenging exit actions because they circumvent the system to punish the alleged perpetrator³⁴. However, the movement as a whole is about demonstrating the wide-spread problem of sexual violence and the need for society (and workplaces) to change.

³⁴ Some of the allegations also resulted in charges being brought against the offender. In these cases, the state has stepped in and responded to voice.

Another type of information sharing by the crowd includes the addition of collecting publicly available information. The retrieved facts are given to third parties other than the State which monitor system actors and their behaviors. Puppicide, for instance, is an organization dedicated to having a complete database of all shootings of animals by police (PuppicideDB, n.d.). The crowd can read and code media articles, pulling out pertinent facts for the archive. The desired information includes location, address, date, law enforcement or animal control agency involved, the number and breed of animal injured, killed or shot at during the incident as well as the name of the animals harmed.

Alongside the retrieval of facts, the crowd can also provide suggestions for edits to similar initiatives. Fatal Encounters and Counted by the Guardian, for instance, are dedicated to creating a complete and transparent database for people fatally killed by police. The crowd can “submit incident corrections, clarifications and additions” (para 2) to Fatal Encounters to help ensure the database stays accurate (Fatal Encounters).

The second main voice response is protest. Protests in society can occur for a multitude of reasons. Within the included crowd-based initiatives, protests have been done in response to one of two reasons: either against police and system misconduct or around the issue of gender/sexual violence. Both purposes include a focus on social identities (such as gender and race) that are disproportionately harmed, linking them with concepts of distributive justice. Membership in a group and the values attached to that membership are often important motivators for collective action (Turner-Zwinkels & van Zomeren, 2021; Wright, Taylor, & Moghaddam, 1990).

As an example of the first reason, an estimated 15 to 26 million people in the US participated in the Black Lives Matter protests over the death of George Floyd in 2020, with thousands more across the globe (Buchanan, Bui, & Patal, 2020). In the hopes of change, the protests were aimed at raising awareness of systemic racism and the disproportional harm that has afflicted Black, Indigenous, and people of color (BIPOC) communities by the criminal justice system (Haimson, 2020; Joseph–Salisbury, Connelly, & Wangari-Jones, 2020; Skoy, 2020). The movement has a myriad of demands for the system to address or implement, such as defunding the police, abolishing cash bail, and removing police from primary and secondary schools. These demands are voiced to those within decision-making positions to change the system.

The Nirbhaya protests are an example of the second focus of concern. As a response to a gruesome gang rape of a woman on December 17, 2012, Indians headed to the streets to protest. Demonstrations were held across the country, including in New Delhi, Calcutta, Bangalore/Bengaluru, and Mumbai (BBC, 2012). They were demanding justice and safety for women. As one banner displayed: “We don’t want your condolences! We don’t want your fake sentiments! We demand immediate action to strengthen the laws against sexual violence” (BBC, 2012, para 13). Days later, demonstrations were sparked again when the woman succumbed to her injuries.

Both of these demonstrations were relatively normatively compliant. However, both had some elements of normatively challenging behavior at the margins. In the case of the Nirbhaya protests, for example, protesters overturned government vehicles, threw stones at police, burned barricades, and physically attacked officers (Taylor, 2012; TOI, 2012). This escalation in action

is arguably a response to the initially hostile reception by police. At one point, for instance, the Delhi Police lathi charged (also known as baton charged) the crowd indiscriminately, hitting protesters but also media and non-participating families out for their evening stroll (TOI, 2012).

While the Black Lives Matters and Nirbhaya protesters took to the streets to give voice to specific justice issues, protests more generally can take on multiple forms. Other forms include sit-ins, die-ins (where people simulate being dead), or even performative art. Across the globe, for instance, thousands of people have initiated and danced as a form of protest against sexual violence. The One Billion Rising movement is “a call for CHANGE. Structural, systemic, long-term change” (OneBillionRising, n.d., para 7). The main focus of the movement is violence against women and their name deriving from the “one in three women on the planet [that] will be raped or beaten in her lifetime. That is ONE BILLION WOMEN” (para 12/13). The anthem for the movement is “Break the Chain” by Tena Clark; the crowd incorporates this song into their choreography. They dance (in whatever style) through streets or in performances. These movements are often (but not always) a part of a larger campaign that includes presentations on the issues and actions to move forward with addressing violence against women.

Normatively Challenging: Sharing information, Sending Panties, and Hacking the System

Normatively challenging actions are a less common response for initiatives that choose to give voice to their concerns (16.7% of all voice actions).

Voice action includes hacktivism, which is computer hacking done for political or social activism (Coleman, 2014; George & Leidner, 2019; Sorell, 2015; Webber & Yip, 2018). Some of the initiatives by Anonymous members, for instance, are some of the most popular hacktivist voice movements. It is important to note that Anonymous is not a single entity but a dispersed group from all over the globe taking up social justice initiatives (Coleman, 2014). (Almost) anyone can be involved or assist in their actions, often depending upon 1) their ability to do so and 2) their willingness to simply assume the banner.

One such operation is Anonymous Anon Verdict. Alongside the killing of John Crawford and Tamir Rice, Anonymous protested the shooting of Paul Gaston by Cincinnati cops (Carrero, 2016). Gaston allegedly reached for his waistband where an Airsoft pellet gun was located before being shot. That same day another man, Christopher Laugle, wield a toy gun in public but was subdued with a stun gun. The group accused the department of killing Gaston, a Black man, and just subduing Laugle, a White man, because of their race. In a video to the Cincinnati Police Department, an Anonymous member in a Guy Fawkes mask warned the department: “when you murder a human being when you have other choices of containing your suspect available, we will make your officers information public record. We will data dump as many officers as we see fit for each situation” (AnonVerdict, 2016). The members shared a link that contained names, ages, street addresses, and phone numbers for employees of the department, including the police chief (Carrero, 2016). Unlike pure exit strategies (discussed below), Anonymous did not circumvent the system to solve the problem. Data dumping will not solve the concern of racial injustice (some issues depend on the system for them to be addressed); instead, the dump was a threat against the police, so the Cincinnati Department would change their ways and correct an injustice.

Another type of response for voice is sending items to third parties to fight perceived injustices. One unique initiative is by ‘Action by the Consortium of Pub-going Loose and Forward Women.’ As a form of protest, a group of young Indian women sent pink undies or “chaddis” to a radical Hindu organization, Sri Ram Sena, as well as public officials. Among their other threats and attacks, the radical group attacked female students for drinking in a pub in Mangalore. Their goal was to stop women from engaging in “un-Indian” and “loose” behaviors, such behaviors being seen by Sri Ram Sena members as associated with a Western lifestyle (Reeves, 2009). To protest such radical and harmful behavior by the Sri Ram Sena, one protester issued a call: “Got a spare pair of pink knickers? Well here’s where to send them. I wore mine for an extra week without changing them just to add an exclamation mark to my protest!” (Huang_Guang_Chen, 2009). In addition to mailing off the undies, the group implored its members to head to a pub and raise a toast on Valentine’s Day³⁵. These actions were to voice concerns about the Sri Ram Sena (and similar radicals) and the constraints placed on women’s behaviors by some in India.

(Partially) Leaving the System

Exit is the second most populated option (26.2%) for the sampled initiatives. The crowd addresses injustices without the explicit intent of using assistance from the State. Similar to voice and loyalty, exit behavior is still often mediated through digital platforms, third party companies, charities or another independent initiator. Most of the exit actions are normatively compliant (74.07%), while only about a quarter of them are normatively challenging (25.93%).

Sharing to Assist

Many exit, normatively compliant actions resemble that of loyalty normatively compliant responses with the exception that the authorities are not involved. Within exit responses, sharing (in some form) is the prominent response from the crowd.

Like loyalty, people share information. In exit, however, the crowd does not report this data to the State (or an indirect party that will relay this information to the State). Instead, third parties often curate the collected reports and share them openly with the public. One such initiative is SpotCrime, a digital platform (SpotCrime, n.d.). The crowd can submit a crime tip to the platform, with details about location, date/time and descriptions. The platform uses this information alongside crime data from police agencies to map crime occurrences. The digital map and associated crime occurrences allow the public to have a better understanding of what is happening in their community.

Another example of sharing information is #KitoAlert (@kitoalerts; KitoDiaries, n.d.). In Nigeria, homosexuality is stigmatized and illegal. LGBTQ+ members are often faced with violence and extortion when their identities are revealed. To protect others, the crowd can share information and photos (on Instagram or at www.kitodiaries.com) with the hashtag #KitoAlert. The offered report shares facts about people (including police) that pose as queer online to gather information about persons that identify as LGBTQ+ to rob, blackmail or threaten them. The police are traditionally responsible for addressing concerns of criminal offenses (such as robbery); when reporting to the police, the sexual identities of victims do not need to be mentioned and thus the extortion and attacks could be dealt with formally (some LGBTQ+ folks

³⁵ The Sri Ram Sena threaten forced marriage to unmarried couples celebrating the day.

are encouraging formal reports) (KitoDiaries, n.d.). However, those participating in #KitoAlert are circumventing the system to mitigate the perceived injustice independently of the system out of fear of further prosecution and the potential harm by the police (the involved parties are therefore not resolving the root cause of the concern, but helping others avoid victimization).

A second way that people share outside the system (without state involvement) to address injustice is through donations to different causes; these causes are not affiliated with the State. The crowd, for instance, can donate to The Charley Project which serves as a clearinghouse for information (e.g., from news accounts, law enforcements, friends and families) about missing person cases from the United States (CharleyProject, n.d.). The donations provide administrative support to run and host the website. The State is traditionally responsible for addressing these concerns; however, perceptions of deficiencies lead people to alternatives that circumvent traditional routes.

Lastly, people can offer up their time. In particular, a few initiatives provide an opportunity for the crowd to transcribe records. With Scotus Notes, for example, the public can transcribe “handwritten conference notes left by Supreme Court justices...[to] provide unprecedented access to the justices’ conversations in thousands of Court decisions” (SCOTUSNotes, n.d., para 1). The initiative is run by two professors of political science. Mediated through the platform Zoouniverse, the public receives an image of a handwritten document to which they type up the contents. The initiative tackles a need for increased transparency with criminal justice documents and provides the crowd an opportunity to address this concern outside the system. The documents are publicly available from the State (the State is not involved in the process or outcome), but the public is addressing the need for greater accessibility of court decisions.

Hexing, Hacking, and Doxing

About a quarter of exit behaviors are normatively challenging. This grouping of responses is the only one that does not heavily rely on the provision of information. When information is provided, it is done to actively subvert the efforts of the authorities.

As an example of exit, normatively challenging behaviors, the crowd has trolled or undermined the work of law enforcement in their attempt to protect the identities of protestors. In 2020, the crowd (with many being K-pop fans) flooded the iWatch application of the Dallas Police Department. The Department requested video clips of “illegal activity from the protests” from the public in hopes that these films could assist their efforts to identify and arrest offenders (Alexander, 2020, para 1). However, the day after their request, the Department sent out another tweet: “due to technical difficulties iWatch Dallas app will be down temporarily” (para 2). The technical difficulties were the influx of clips of K-pop groups, anime GIFs, Animal Crossing clips, and other such items. The crowd spread the call to spam the application on social media. As allie #BLM, ACAB wrote: “guys download the app and fucking FLOOD that shit with fancams make it SO HARD for them to find anything besides our faves dancing” (Yeo, 2020, para 10). Working with the police was clearly not an option. However, instead of simply voicing their concerns about protestors being arrested, this crowd took action to protect certain protestors from arrest and effectively challenged the State as a result.

Instead of a heavy reliance on information provision, exit, normatively challenging actions often involve doxing, hacking and even some good ole fashion hexing.

The first type of response is doxing, which is the publishing of personally identifiable information on the Internet with malicious intent. Doxxing is often done to punish or shame someone for their actions (Lee, 2020; Trottier, 2017). In such cases, responsible entities are not relied upon but instead the crowd becomes, as the popular saying goes, judge, juror and proverbial executioner.

One well-known instance of doxxing is the case of Dog Poop Girl, or Gae-Ttong-Nyue (Ogreenworld, 2005). In Seoul, South Korea, a woman refused to clean up her dog's excrement on a subway. Fellow travelers expressed their irritation and asked her to remove it. She refused. Rather than addressing the concern with the transport authorities, a traveller pulled out their camera phone and took pictures of the incident and uploaded them to a popular website. Within hours, the woman soon received the unflattering name of Dog Poop Girl; her identity and past history were revealed on social media (such as name, school and age). Days after, the Internet was still ablaze with chatter about her parents, relatives and calls for more invasive measures. The woman ended up leaving her university studies out of embarrassment. Distressed by the response, she eventually posted an apology: "I know I was wrong, but you guys are so harsh" (para 14)³⁶

Another less-known example is the LoSHA list. The document is a crowdsourced catalogue of sexual harassers within academia (Cassin & Prasad, 2017). It was started in 2017 by a law student, Raya Sarkar, at the UC Davis School of Law. The catalogue not only names and shames sexual harassers but provides a non-system response to protect other students from similar maltreatment. In the words of Raya: "I wanted to make my friends and friends of friends aware and wary of different sexual predators – based on firsthand testimonies" (para 3). The list circumvents the university reporting system. Raya mentions in her rationale that students fear reporting to university officials who could be friends with the accused. For Raya, she is "coming from a place of helplessness" (para 15). The system is perceived to have failed these students and is unresponsive to their pleas, making exit an attractive option.

Another type of action involves hacking (often alongside doxxing). The information released is (often said to be) found through illegal entry in a system or computer. Some of Anonymous operations fall within this category³⁷, such as Anonymous: Operation Darknet, Anonymous & Amanda Todd, and Anonymous and Operation KKK.

In the instance of Operation KKK, members of Anonymous reacted to racial violence and in particular the Ku Klux Klan (KKK), a white supremacist terrorist group. In 2014, the KKK distributed flyers threatening the use of deadly force against Ferguson protesters who rallied after the fatal shooting of 18-year-old Michael Brown (BBC, 2015). Rather than turning to the state to address the concern, the members took matters into their own hands in the form of doxxing the KKK. From one of their press releases: "We never forgot your threats to the protesters in

³⁶ This quote is a translation of the apology. Therefore, it may not be completely accurate.

³⁷ There is debate about whether the released information was actually found by hacking for some of their operations.

Ferguson, and we certainly never forgave you” (Storm, 2015, para 9). In a series of dumps, Anonymous released personal information of alleged KKK members, such as phone numbers and email addresses. They named a pastor, cops and senators. Unlike the example of the Cincinnati data dump, this doxx was a form of punishment without a call for change.

The last, and quite unique, response in exit normatively challenging is hexing. This type of action involves putting a jinx or spell over someone. In 2018, a coven of witches circumvented the justice system to address a perceived injustice. During the confirmation process for Associate Justice of the Supreme Court in the United States, Brett Kavanaugh was publicly accused of sexually assaulting (at least) two women (Bort, 2018). The FBI looked into the allegations and presented their report to Senators. Despite the allegations, the Senate voted for him to serve in the position. To address this perceived injustice, the New York City coven placed a public hex on Justice Kavanaugh. On the event page, the group states: “We are embracing witchcraft’s true roots as the magik of the poor, the downtrodden and disenfranchised and it’s [sic] history as often the only weapon, the only means of exacting justice available to those of us who have been wronged by men just like him” (Catland, 2018, para 1). In this instance, the coven did not work with or even voice their concerns to the State; it was likely perceived to be unresponsive to their concerns, and in such case, handling the concern outside the system becomes the better option.

Conclusion

The crowd responds in many ways to perceived injustices. By viewing the reactions broadly, we begin to see how many of their core actions are often similar. However, how they react to authorities (exit, voice or loyalty) sets them apart. We can also start to notice some likeness among perceived injustices (e.g., procedural or retributive) within action type. Some broad responses may be better suited for addressing particular injustices or, as mentioned in the proceeding chapter, certain injustices might simply deter particular responses. The next chapter explores these issues further.

Ch 7: “May Justice be With You”

Crowds fighting against injustice are basically made up of individuals; they may act mostly independently (e.g., like it appears in crowdsourcing) or in more formally organized collaborative efforts. The people involved may be physically together or separated by thousands of miles and connected only through the Internet. Despite the precise formation that emerges in a given event, individuals are making personal choices about whether to participate, support, ignore or even condemn a crowd-sourced initiative.

The broad support or condemnation of the public is an important social infrastructure for crowds. Crowd initiatives without the support of the public will likely be comparatively lacking in potential participants, engagement, and probably face greater risk of sanction for their activities than groups with higher levels of public sympathy and support. Take for instance, the Anonymous operation (#opOlympicHacking), which attacked companies and institutions connected with the 2016 Rio De Janeiro Olympic games (Cimpanu, 2016; Segal, 2017).

In this initiative, Anonymous members shared with the general public a free distributed denial of service³⁸ (DDoS) tool. From their hacking tutorial video:

Dear Brothers and Sisters, we are Anonymous. Today we are making a simple tutorial on how to send a DDoS or distributed denial of service attack towards a website and shut it down. This is not an advanced tutorial, but it will give you the general knowledge to stand up for what is right and to protest online for our freedom. May justice be with you³⁹.

The tool allowed anyone with an Internet connection, located anywhere in the world, to launch DDoS attacks against a particular set of targets (established by Anonymous), all with a few clicks of a button. The broader public, if they so desired, could and did become involve.

On the other hand, people may be outraged at the efforts of the crowd. They may strongly oppose particular actions taken to fight a seemingly unjust situation, combat the efforts, or even work with the authorities to fully remove the initiative. Without (some) popular support (or with strong opposition), these initiatives might simply fade away and/or find it difficult to accomplish their goals.

The German Whore Hunt 2.0, for example, was one such initiative (Cafolla, 2016). It lacked public support and found itself inactive just several days after launching. The initial efforts of the crowd (the so-called Hunters) involved constructing a digital crowdsourced map (overlayed on Google Maps) that identified both the work locations (e.g., brothels and spa-clubs) and home addresses of persons linked with the sex trade. Sex work is legal in Germany, and the publishing of personally identified information could severely harm those within the trade. As put by Fabienne Freymadl of the Professional Association of Erotic and Sexual Services, “publishing

³⁸ A DDoS attack is a way to overload websites and online services. It swamps them with more traffic than their server can deal with. It is kind of like flooding a store with non-customers to overwhelm the employees and block others from frequenting the building.

³⁹ If interested, check out the tutorial here: <https://www.youtube.com/watch?v=tFWBpp6q8gw> . This is a re-posting of the tutorial.

their addresses to anyone opens them up to forced outing and violence... If [the information is] readily available, anyone can access the data” (Cafolla, 2016, para 13). In strong opposition to the initiative, sex worker activists quickly mobilized a counter-initiative and reported the map to Google. It was shut down shortly afterwards.

Because for most initiatives anyone can become involved (directly or indirectly), the perceptions of the general public towards responses to injustice can be quite revealing. They can inform us about what actions are generally supported and which are not, to what degree, and potentially under what conditions. These beliefs can also provide some insight into the public’s willingness to engage in such responses, assuming some amount of motivated support is a prerequisite for action. Although support is not a perfect comparison to willingness to participate in an initiative, it can match up relatively well.

College students, for instance, completed a questionnaire about their attitudes towards a list of unethical behavior, such as theft, deception and corruption (Chen & Tang, 2006). They also indicated their propensity to engage in these behaviors. Their attitudes and willingness corresponded quite well. Those that considered the behaviors to be unethical were also less likely to report engaging in them. Four weeks later, the students returned to complete another questionnaire. And again, attitudes and behaviors matched for a common unethical behavior type (one that students actually had opportunity to engage in).⁴⁰ Students that considered the abuse of resources (such as wasting time at work) as more ethical on the first questionnaire were more likely to report doing so within the four weeks between the two surveys. In other words, attitudes seem to connect with behaviors with some degree of slippage.

Even if there is an association between attitudes and behaviors, actual willingness to engage will be less pronounced than support for a response and support itself can be important for the efficacy of groups. Someone might enthusiastically encourage protesting on Twitter, but, when handed a picket sign, they might be a little more reserved. However, the people that strongly oppose protesting (and there are several) are most likely not going to be congregating outside the governor’s mansion with an angry worded banner anytime soon. Needless to say, there will not be a perfect overlap between attitudes and behaviors but studying the attitudes of the public can be telling of their potential behaviors.

Studying the opinions of the general public will also allow us to better understand the connection between types of crowd initiatives (EVL) and perceptions of injustice. For instance, does perceiving the system as ineffective in doling out punishments lead to more support for circumventing the system (exit)? Does this perception instead lead to working with the system to ensure people are punished (loyalty)? How about preference for normatively compliant or challenging behaviors? Do perceptions of ineffective punishment influence people to favor more extreme responses (normatively challenging)? These are the types of questions that an assessment of the general public’s attitudes can help us understand.

⁴⁰ The other included behaviors were not associated with attitudes. However, most students would not have had the opportunity to engage in all the unethical behaviors listed within the four-week time. For example, not many students will have laid “off 500 employees to save the company money and increase one’s personal bonus” or “take no action for employees who steal cash/merchandise” (Chen & Tang, 2006, p. 66).

Not all Actions are Supported Equally

The crowd responds to injustices differently. As we discussed in the preceding chapters, some people choose to assist the State; others voice their concerns towards the authorities, while others still exit the system to try and resolve, manage, or address their perceived issues. Each of these actions can be done in either normatively challenging or compliant ways.

With such variation in reactions, it is not surprising that the general public differs in their opinions of these groups and their activities. In a representative US-based online questionnaire, launched with Dynata (a survey sampling company), 1,001 people were asked how much they supported (from strongly oppose to strongly support) a range of behaviors, such as filming police altercations (voice, normatively compliant), naming and shaming someone on social media for their wrongdoing (exit, normatively challenging), and reporting a crime to the police (loyalty, normatively compliant). When given the list, the behaviors were described to the participants as potential behaviors by the public to address perceived injustices in society. The individual levels of support for discrete actions were combined and averaged to represent each of our six types of actions (EV and L, normatively compliant and challenging).

Figure 7.1. summarizes the public's level of support for each of the potential responses to injustice. For those unfamiliar with boxplots, the colored squares/rectangles represent the spread of responses for the middle 50% (when ordered from lowest to highest) of the respondents for each respective action. For exit normatively challenging actions, for example, the middle 50% (from the 25th and 75th percentile) of values range between 1.5 (in between strongly oppose and oppose) and 3 (neither oppose nor support). The line inside the colored box is the median value (or the middle value). The whiskers (or the lines protruding from the box) represent the other 50%, one quarter on top and the other quarter on the bottom. For exit normatively challenging (like most actions), people's opinions fell across the entire scale, but clustered between 1.5 and 3. In other words, some out there strongly opposes all of the exit normatively challenging actions, while others strongly support all the actions. Most, however, trend towards opposition.

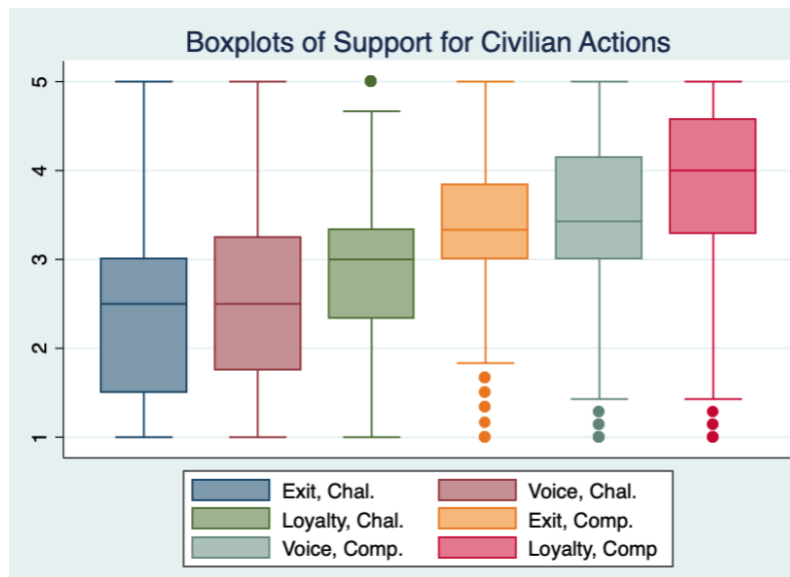


Figure 7.1. Support for potential responses to injustice.

The boxplot also shows some differences in support for the various actions. First, the public generally has greater support for normatively compliant actions (the last three boxes) than normatively challenging (the first three boxes),⁴¹ regardless of the action type (EVL). This finding is not overly surprising. Normative responses conform to the dominant social system whereas normatively challenging behaviors are often considered illegal or unacceptable by society (Shuman et al., 2016). This difference in support, however, does allude to the need to separate exit, voice and loyalty actions by their relative normative alignment and not focus only on the action types per se. Providing information to the police (loyalty, normatively compliant), for instance, should be considered within a different category than confronting suspects before calling the police (loyalty, normatively challenging).

Second, when comparing between support for normatively challenging and compliant responses, median support is higher for loyalty than voice and exit actions. In other words, people have more support for responses that work with traditionally responsible entities than for those voicing concerns or exiting the system to resolve issues. The criminal justice system is the prominent institution (now and historically) that addresses (or is supposed to address) criminal-justice related concerns within the United States. With this in mind, it is not overly surprising that the US general public has high support for actions that work with the State as opposed to critiquing it or attempting to go around the routine way things are usually done.

Generally, there is little difference in support between voice and exit actions. For normatively compliant actions, both voice and exit stay within a socially acceptable realm. Actions include participating in protests (voice) and donating to social justice causes (exit). With such actions that reinforce commonly held rules of behavior for civilians, it is not too surprising that support is similar between the two. Normatively compliant and challenging voice and exit actions also appear similar. However, a larger group of people indicated fully and strongly opposing exit, normatively challenging (15%) rather than voice, normatively challenging (10%) behaviors. The difference here might simply be explained by the purpose of the actions. Normatively challenging voice behaviors might be interpreted as efforts of last resort to address an injustice (e.g., turning up the volume when the system is not listening), whereas exit includes behaviors that seek to punish people outside the system. People may simply be more sympathetic to people fighting an unresponsive system than they are toward to the idea of extrajudicial retaliation.

Personal Characteristics Matters for Support of Exit, Voice and Loyalty

Society is diverse. People differ by age, education, ethnicity, gender, and sexuality, alongside a host of other psychosocial dimensions. They have varying experiences and belief systems. Each of these factors influence how they interact and see the world. Perceptions of fighting injustice are no different. The identity of a person can influence their support for exit, voice and loyalty actions as well as normatively compliant and challenging behaviors. We can begin to see these differences between categorical groups with statistical tests (See Methods and the Appendix).

Table 7.1 presents the results of six linear regressions and displays group support for actions relative to a comparison group (such as males versus females) when there are statistical differences, taking into account all of the other included group identities. For instance, looking at

⁴¹ Loyalty (M= 3.95, SD = .78 vs. M=2.80, SD = .94), Voice (M= 3.51, SD = .80 vs. M=2.59, SD = 1.00), and Exit (M= 3.42, SD = .69 vs. M=2.44, SD = 1.05) for normatively compliant and challenging respectively.

normatively compliant loyalty, we can see that compared to people aged 18-34 years old, those aged 35-54 had more support for these behaviors (accounting for gender, race, political views, educational attainment and victim experience). Alongside the effect size, the variance of each action grouping explained by the identities together is included at the bottom of the table. Any blanks in the table simply indicates that no group has statistically higher support than the baseline.

Table 7.1: Groups with statistically more or less support for particular actions						
	Loyalty, Normatively Compliant	Loyalty, Normatively Challenging	Voice, Normatively Compliant	Voice, Normatively Challenging	Exit, Normatively Compliant	Exit, Normatively Challenging
Compared to 18–34-year- olds:						
35-54	More (.28***)			Less (-.23**)		Less (-.29***)
55+	More (.57***)	Less (-.76***)	Less (-.14*)	Less (-.99***)		Less (-1.10***)
Compared to males:						
Females		Less (-.40***)		Less (-.39***)		Less (-.42***)
Compared to Whites:						
Black			More (.23**)	More (.28**)	More (.22**)	More (.28**)
Multiracial or other	Less (-.18**)					
Compared to Liberals:						
Moderates	Less (-.16**)		Less (-.50***)	Less (-.22**)	Less (-.26***)	
Conservatives			Less (-.63***)	Less (-.38***)	Less (-.31***)	
Educational attainment						
More than Bachelor's			More (.28***)			
Compared to non-victims						
Victims	More (.16**)		More (.28***)		More (.16**)	
Adjusted R ²	0.13	0.16	0.16	0.25	0.07	0.24
<i>Note:</i> Check out the full models in the Appendix. Coefficients and p-value thresholds are in the brackets: *** = p<0.001; ** = P<0.01; * = p<0.05; Hispanic (race), some college and bachelor's degree (educational attainment)						

were non-significant for all action types and therefore to simplify the presentation of the findings removed them from this table.

From these findings, a couple of patterns start to emerge. First, the greatest levels of support for loyalty, normatively compliant behaviors are from persons that are older (compared to younger persons), White (compared to multiracial or other); in contrast, support for exit, normatively challenging actions is highest among young, males, and who identify as Black. As we discussed in the proceeding chapters, people may exit the system if it is perceived to be unavailable to them (Black, 2010). Because society has treated membership in different identity groups disparately, it is not surprisingly that we see differences on who is and is not willing to work with traditional authorities (Demuth & Steffensmeier, 2004; Pierson et al., 2020; Schlesinger, 2007).

Young Black males, for example, are disproportionally represented in disadvantaged neighborhoods where informal social control is weakened and, through decades of discrimination, the system may seem more unavailable to them. And when they do interact with the system, it ends up penalizing them. Black males are more likely to be stopped by police, arrested, put in prison or jail, and end up on probation or parole (Mauer & Huling, 1995; Nellis, 2016; Pierson et al., 2020; Smith & Petrocelli, 2001). Within the formal system, like the men from St. Louis from the preceding chapter, alternative measures that circumvent the system might seem more attractive.

Another pattern that presents noticeably in the data is that males have greater support for normatively challenging actions across the board. Our normatively challenging actions include potentially illegal or aggressive behaviors, such as cyber targeting someone for their wrongdoing (exit), confronting the police in a protest (voice), and conducting undercover investigations (loyalty). Generally, women are more risk averse than men. Men take on more risk when gambling (Hartog, Ferrer-i-Carbonell, & Jonker, 2002); they are more financially risk accepting than women (Charness & Gneezy, 2012); and take more sexual risks (Poppen, 1995). Men are also more likely to become engage in deviant and criminal activity (e.g., Connolly, 2017; Freeman & Sandler, 2008; Steffensmeier, Zhong, Ackerman, Schwartz, & Agha, 2006). This propensity for risk-taking and illegal activities likely explains the gender difference in support for normatively challenging actions.

Lastly, victims of crimes consistently report greater support for normatively compliant actions than non-victims. All the included actions (compliant or not) are done to fight injustices and to (hopefully) help those that have suffered from the injustice or to prevent further wrongdoing. Yet, normatively challenging actions can go too far, leaving a wake of wounded persons. People who are themselves victims might be sensitive to this collateral damage. Consider, for example, the efforts of Anonymous, which intervened in the rape case of 15-year-old Rehtaeh Parsons (Weitzenkorn, 2013). Anonymous went after the boys responsible for the assault after Rehtaeh committed suicide following months of bullying related to the rape (e.g., a photo of the assault was circulated). Anonymous threatened to release the names of the boys if the police did not take immediate action: “Our demands are simple. We want the N.S. [Nova Scotia] RCMP [Royal Canadian Mounted Police] to take immediate legal action against the individuals in question” (para 12). Calls for justice for Rehtaeh were loud, and threats against the boys came from across the world.

Rehtaeh’s mother, Leah, however, asked for them to stop:

In her words: “I want the justice system to go after those boys for sending those pictures. She was 15 years old. I don’t want people to go after those boys. People are threatening to do that. I don’t want more bullying. Rehtaeh wouldn’t want more bullying. I don’t think that’s justice” (para 15-16).

Although the intentions are (most likely) sincere, normatively challenging actions can clearly cause additional harm. Actions from external persons (unrelated to the unjust situation) may overlook the desires of the victim and the victims’ family. In this case, the crowd’s own personal need for justice started to trump justice for the victim (Hampson & Jardine, 2017). This potential for further harm may be the reason that victims are more supportive of compliant actions than non-victims.

Personal Characteristics Matter for Normatively Compliant/Challenging Actions

Since we see such a difference in support for normatively compliant and challenging actions, it is important to also examine variation by group identities for each of these categories combined. In other words, who supports normatively compliant actions the most and who supports normatively challenging ones? Table 7.2 presents the results of two linear regressions, in which support for normatively compliant and challenging is combined, respectively, across the exit, voice and loyalty behaviors.

Table 7.2: Group differences for normatively compliant and challenging actions		
	Normatively Compliant	Normatively Challenging
Compared to 18–34-year-olds:		
35-54	More (.12*)	Less (-.21**)
55+	More (.12*)	Less (-.97***)
Compared to males:		
Females		Less (-.41***)
Compared to Whites:		
Black	More (.15*)	More (.08**)
Compared to Liberals:		
Moderates	Less (-.30***)	
Conservatives	Less (-.30***)	Less (-.21**)
Educational attainment		
More than Bachelor’s	More (.13*)	
Compared to non-victims		
Victims	More (.21***)	
Adjusted R ²	0.09	0.27

Note: Check out the full models in the Appendix. Coefficients and p-value thresholds are in the brackets: *** = $p < 0.001$; ** = $P < 0.01$; * = $p < 0.05$; Hispanic, and multiracial or other racial category (race), some college and bachelor's degree (educational attainment) were non-significant for all action types and therefore to simply the presentation of the findings removed from this table.

We see a similar profile to before for those with more support for normatively challenging behaviors (relative to a reference group). Younger persons, males, people that identify as Black, and Liberals report more support relative to their respective reference identity or experience group. As mentioned above, (perceived) inaccessible legal systems are likely motivating this profile of support.

Interestingly, persons that identify as Black also report greater support for normatively compliant actions compared to people who identify as White. Looking at Table 7.1, we see that persons that identify as Black have more support for normatively challenging and compliant voice and exit actions. This general support for articulating issues to the State and circumventing the system to resolve, manage or address issues is likely behind this finding.

Looking closer at education, people with more than post-secondary education (this includes a professional degree or graduate degree) have the most support for normatively compliant actions. One possible reason for this difference could be the perception of law's availability. Normatively compliant actions (or simply successful normatively compliant actions) may be less (or perceived to be less) accessible to those with lower levels of educational attainment (e.g., corporate banker versus a factory worker). However, we do not see education mattering for perceptions of normatively challenging behaviors.

In sum, there are differences in the level of support that people have for exit, voice, and loyalty actions. This level of support depends on whether the actions are normatively compliant or challenging as well as the personal identities and backgrounds of the public.

Perceptions of Injustice

Everyone has different opinions and perceptions of the injustices occurring within their society. As a refresher, we looked at procedural (interactions and processes of the state), restorative (repairing harm) and retributive injustice (punishing offenders). In aggregate, however, the US population has only slight variations in their thoughts about the criminal justice system. On the survey, they were asked to think generally about typical crimes, punishments or circumstances and then indicate how much they agreed (on a scale from strongly disagree to strongly agree) with statements that pertain to these areas. Like before, the items were averaged for each of our six justice types: retributive, restorative, and procedural for both distributive and ideal justice. In this case, higher scores entail greater perceptions of injustice in that category.

A perception of ideal injustice occurs when there is an incongruence between someone's desired and actual outcomes. Distributive injustice is the gap between real things but requires a comparison (such as variation in access to economic wellbeing between groups within society).

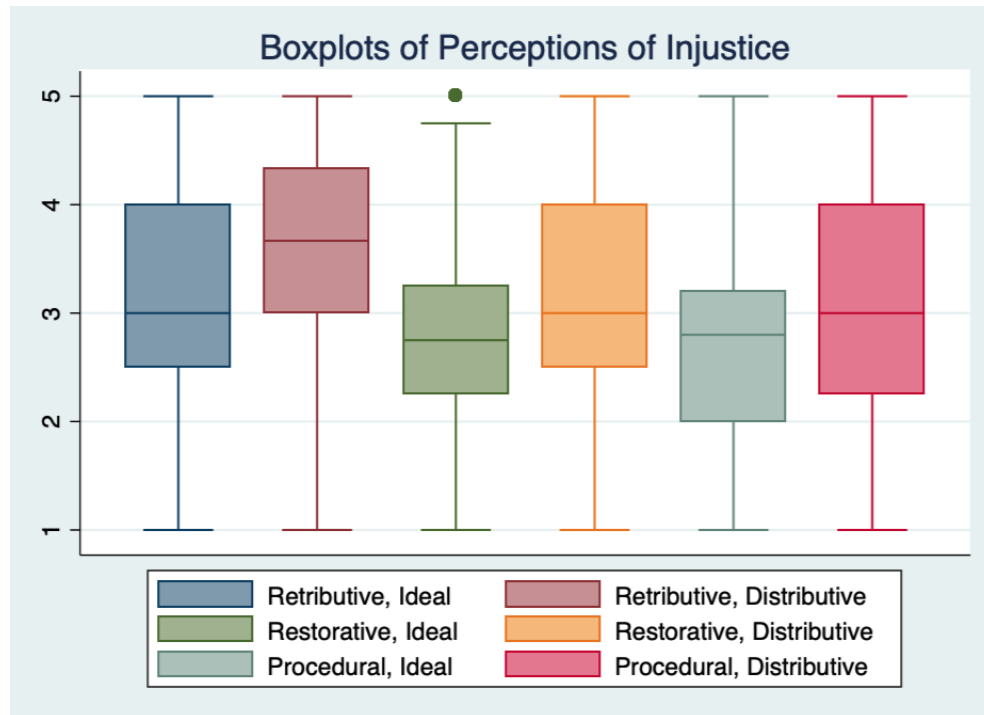


Figure 7.2. Perceptions of Injustice

Looking at the boxplot (Figure 7.2), variation in median support exists between the justice types⁴². First, we can see that a difference in the box shapes for ideal versus distributive restorative and procedural injustices (the last four boxes). The larger box size represents a larger spread of the middle 50% or, in other words, a less homogeneous public in their perceptions of these injustices. Distributive injustices focus on a comparison of groups, such as the criminal justice system treating certain groups in an unfair manner. This graph does not take into account differences by group membership; an explanation for this larger spread is that those faced with injustices because of their identities might perceive the system as more unjust than others. We will explore this more below.

Of all the justice types, the median perception of retributive distributive injustice is the highest. Some of the items on our survey for distributive retributive injustice that respondents included “punishments are biased against minorities” and “the poor are punished more severely than the rich.” Knowledge of systematic inequalities in punishments, such as mass incarceration, may be worsening perceptions of distributive retributive injustice. In an ACLU (2017) survey, for instance, most Americans recognized racial bias within the system and a need to reduce the prison population. With a greater awareness of the issues, it would then not be unexpected that Americans have higher perceptions of injustice within this area.

⁴² Retributive, ideal (M=3.21, SD=1.04); retributive, distributive (M=3.59, SD=1.03); restorative, ideal (M=2.80, SD=.92); restorative, distributive (M=3.15, SD=1.08); procedural, ideal (M=2.79, SD=.98); and, procedural, distributive (M=3.10, SD=1.12).

Personal Characteristics and Perceptions of Injustice

Based on group identities, how people perceive typical crimes, punishments and circumstances differs. Looking at statistical differences (i.e., linear regressions) across group membership (relative to a baseline), we see some consistencies on identities that have higher perceptions of injustice (See Table 7.3).

	Ideal Retributive	Distributive Retributive	Ideal Restorative	Distributive Restorative	Ideal Procedural	Distributive Procedural
Compared to 18–34-year-olds:						
55+	Higher (.72***)			Higher (.58***)		Higher (.46***)
Compared to males:						
Females	Higher (.40***)		Higher (.29***)	Higher (.41***)	Higher (.32***)	Higher (.39***)
Compared to Whites:						
Black		Higher (.33**)			Higher (.20*)	Higher (.28**)
Hispanic			Higher (.24**)		Higher (.23*)	
Compared to Liberals:						
Moderates	Lower (-.15*)	Lower (-.53***)	Lower (-.21**)	Lower (-.32***)	Lower (-.20**)	Lower (-.42***)
Conservatives	Lower (-.38***)	Lower (-.79***)	Lower (-.49***)	Lower (-.70***)	Lower (-.57***)	Lower (-.80***)
Educational attainment						
Some college	Higher (.22*)					Higher (.23*)
Compared to non-victims						
Victims	Higher (.51***)	Higher (.28***)	Higher (.35***)	Higher (.54***)	Higher (.39***)	Higher (.53***)
Adjusted R²	0.19	0.12	0.10	0.18	0.12	0.18
<p><i>Note:</i> Check out the full models in the Appendix. Coefficients and p-value thresholds are in the brackets: *** = p<0.001; ** = P<0.01; * = p<0.05; 35-54 (age), multiracial or other racial category (race), bachelor’s degree, more than bachelor’s degree (educational attainment) were non-significant for all action types and therefore to simply the presentation of the findings removed from this table.</p>						

First, compared to men, women reported a greater sense of injustice for all types, except for distributive retributive. Looking at the association between gender and perceptions of injustice more broadly, the results are somewhat mixed. In some research (like this one), women report greater perceptions of injustice (Buckler, Wilson, Hartley, & Davila, 2011), while in some instances of gauging perceptions of injustice, gender does not seem to matter (Henderson et al., 1997).

One explanation put forward is that women might be more sensitive to injustice than men (Schmitt, Baumert, Gollwitzer, & Maes, 2010); in other words, they might be more attuned to wrongdoing. When psychological factors (such as social influence, stress immunity) are taken into account, for instance, gender no longer becomes a significant predictor of perceptions of injustice (Decety & Yoder, 2016). The difference between males and females might then simply be the result of dissimilarities in empathic responses to moral information (Fumagalli et al., 2010; Gleichgerrcht & Young, 2013).

Unsurprisingly, victims too perceive more injustices occurring within society. Crimes have emotional effects on people that can influence the way they see the world. Personally experiencing an unjust occurrence (like theft or violence) will likely alter people's perceptions that the world is a just place (Koster, Kuijpers, Kunst, & Van der Leun, 2016).

Liberals consistently perceive greater injustices in society. This finding is similar to past work within the area (Buckler et al., 2011; Henderson et al., 1997). Liberals and conservatives have different opinions toward criminal justice, with liberals more often acknowledging inequalities in society. For example, liberals emphasize structural racism in problems of mass incarceration, whereas conservatives may see the same problem as the expansion of big government or as an issue of personal responsibility without significant systemic components (Dagan & Teles, 2016). With such differing viewpoints, we would expect to see pronounced difference between the viewpoints for the different types of injustice.

Fourth, although we see that Black Americans have higher perceptions of some injustices, overall, there is not much consistent difference between racial categories for perceptions of injustice. This finding is surprisingly considering White Americans tend to have lower perceptions of injustice than other racial groups (Buckler et al., 2011; Engel, 2005; Henderson et al., 1997; Tyler & Sevier, 2013). As some examples, compared to White Americans, Black Americans perceive more injustice for Black Americans (Henderson et al., 1997); Black and Hispanics are more likely to perceive racial issues in court disparities than Whites (Buckler et al., 2011), and Black Americans are less likely to believe that the courts function with fair procedures (Tyler & Sevier, 2013). These previous findings, however, are more closely related to procedural injustice (where we do see a difference for Black and White Americans).

Part of the difference in results might be a function of changing social salience of justice-related issue within White populations. The US respondents were surveyed (in March 2021) after the 2020 Black Lives Matter protests (mentioned in Ch. 4). Topics pertaining to racial and other injustices within the system were consistently highlighted by the US media in the proceeding year. People started educating themselves about the injustices in the system. For instance, books such as Ijeoma Oluo (2019)'s *So You Want to Talk about Race* and Robin DiAngelo (2018)'s

White Fragility: Why it's so hard for white people to talk about racism became increasingly popular (sales of top books increased by 6,800%). Our findings might be the result of such consciousness-raising efforts; people (particularly White Americans) might have altered their views on injustice or, alternatively, simply reported in a way that suggests that their views have changed.

In sum, differences in perceptions of injustice exist. Certain categories of group membership (such as gender) perceive greater injustices in society. We looked at differences in support for exit, voice and loyalty and for justice perceptions, in the next section we will see whether perceptions of injustice influence support of injustices responses.

Exit, Voice, Loyalty and Perceptions of Injustice

We started to see with crowd-based initiatives (Ch. 4) that some types of civilian actions appeared to address certain kinds of perceived injustice, such as voice addressing distributive concerns. These groupings become more obvious when viewing how perceived injustices influence support for action behaviors among the general public.

Rather than asking respondents directly if they preferred exit, voice or loyalty actions (terms which might be unfamiliar to most), people were retroactively placed within one of the three categories depending on their overall support for these actions (on their mean support). The first group of people are those that across all questions about civilian actions indicated the most support for loyalty actions (e.g., they might strongly support loyalty, somewhat support voice, and strongly oppose exit). The second category of people had most support for voice (compared to the other two); and lastly, the third group are people that supported (on average) exit more than the other two actions. You can think of these categorizations as sorting the respondents so that one person in the sample is a member of either a loyalty favorable, voice favorable, or exit favorable group.

Using relative risk ratios, this type of grouping allows us to see whether certain justice types influence people's support for exit, voice versus loyalty as a baseline attitude and behavioral mode. Relative risk ratios are the ratio of the probability that an event occurs within one group versus the probability of an event occurring in another group. The models tell us the relative risk of people falling within our above three categories (of most support for loyalty, voice or exit). To put it another way, the models tell us the chances that people will deviate from a loyalty stance to choose either a voice or exit position.

Table 7.4 summarizes two multinominal regressions in a user-friendly way (see Appendix for the full table). The normatively compliant and challenging columns list where people are expected to fall within the three categories if certain perceptions of injustice worsen (the rows).

Table 7.4: The Action Type with Greater Support when Justice Increases		
If perceptions of this type of injustice increase:	People are expected to fall within the following action category:	
	<i>For normatively compliant</i>	<i>For normatively challenging</i>

Ideal retributive	Loyalty (versus exit) (.49**)	
Distributive retributive	Voice (1.74***)	Voice (1.30**) and Exit (1.42**)
Ideal restorative	Exit (2.77*)	Voice (1.51*) and Exit (1.89*)
Distributive restorative	Loyalty (versus voice and exit) (.60* and .47*, respectively)	Loyalty (versus exit) (.33***)
Ideal procedural	Voice (2.59***)	
Distributive procedural		
Pseudo R²	0.19	0.08
<i>Note:</i> rrr and p-value thresholds are in the brackets: *** = p<0.001; ** = P<0.01; * = p<0.05; for exit and loyalty, the baseline is loyalty. E.g., exit relative to the choice of loyalty; non-significant relationships are not shown here. ⁴³		

For normatively compliant actions, deteriorating perceptions of ideal retributive and distributive restorative injustice actually decrease the risk of choosing an alternative action to loyalty (only versus exit for ideal retributive). In other words, people seem to believe that working within the system rather than outside of it (including articulating concerns) may be a better option when addressing ideal retributive and distributive restorative issues.

One mechanism that might be driving this finding could be perceptions about the system's desire to actually help in these areas. The general public may believe traditionally responsible entities want to improve but simply need assistance in doing so. For instance, people likely assume that the system wants to ensure offenders are caught, the punishment is severe enough and that the punishment comes swiftly after the act (our retributive injustice). In addition, people may assume that the system does want to ensure all people feel safe after harm has occurred (distributive restorative). However, in both cases, when injustices are perceived to be worsening, the system just needs more help.

In contrast, the general public has a greater risk of having high support for voice when their opinions about distributive retributive justice fall (i.e., injustice worsens). Although similar to ideal retributive injustice, distributive focuses on equality between groups in terms of punishment (such as punishments are biased). Similar to the mechanism above, this could be an area where the public does not believe the system is as willing to change. Mass incarceration, for example, has continued for decades, despite widespread knowledge of its scope (Mauer & Huling, 1995). Alongside creating inequalities, it has provided jobs for people within the criminal justice system. Rather than working directly with the institution, raising the issues externally and placing pressure on them (voice) might seem more effective in fighting the injustice.

⁴³ The control variables were gender, race, age, and political views. Because of the number of respondents in each category for exit, voice and loyalty (minimum $n = 100$), only four controls were used. Results for these items are in the Appendix.

Rather than falling within the loyalty category like worsening perceptions of distributive restorative justice, deteriorating views of ideal restorative justice increases the chance of falling within the exit category. Ideal restorative injustice focuses on whether the system is adequately helping victims and communities after crime has occurred (such as making people feel safe). In liberal societies, the system has increasingly shifted responsibility for assisting victims and restoring a sense of community onto the communities themselves. In this sense, it is also socially acceptable (and somewhat accepted) to assist victims outside the system. This perception is likely the mechanism that connects ideal restorative injustice and exit behaviors.

Lastly for normatively compliant actions, the relative risk of having stronger support for voice is more likely with increases in ideal procedural injustice. And, although distributive procedural injustice was not statistically significant, it was leaning in a similar direction. As we discussed before, people who believe the system is procedurally unjust are less likely to cooperate with its actors (Sunshine & Tyler, 2003; Tyler & Fagan, 2008; Tyler & Huo, 2002a; Tyler & Sevier, 2013). Instead, voice becomes an attractive option. Although exit is theoretically a possibility, this alternative provides less opportunities for actually correcting the issue. If the issue is the system (i.e., how it treats people), voicing the concern will bring it to the attention of responsible entities.

Somewhat similar results are found for normatively challenging actions. People are expected to fall within the loyalty category (compared to exit) when distributive restorative injustice increases. This finding is like support for normatively compliant actions. People might assume that the system wants to help, and the actions can actually make a difference when situations worsen.

For distributive retributive and ideal restorative, alternative actions were still preferred. People were at risk for favoring both types (voice and exit) over loyalty. As mentioned above, the system might not be seen as an effective option in solving these concerns (so working outside in some capacity seems better) or that there is simply another option that can help resolve the issue (such as helping victims without the State’s involvement).

Predicting Normative Versus Non-normative with Injustice Perceptions

Our next model, a logistic regression, uses a different measure known as odds ratios. Here we are modelling the odds of an event happening (e.g., having most support for loyalty) when there is a particular exposure (e.g., injustice) compared to the odds of the outcome happening without the exposure. Table 7.5 shows the outcome of a model that uses odds ratio to see how perceptions of injustice influences favoring normatively challenging actions over compliant ones.

Table 7.5: Justice and Normativity of Actions	
If this type of injustice is increased:	Choosing normatively challenging over normatively compliant actions becomes:
Ideal retributive	less likely (.51**)
Distributive retributive	
Ideal restorative	more likely (2.07*)
Distributive restorative	less likely (.49*)

Ideal procedural	
Distributive procedural	
Pseudo R²	0.19
<i>Note:</i> Check out the full models in the Appendix. Odds ratios and p-value thresholds are in the brackets: *** = p<0.001; ** = P<0.01; * = p<0.05	

With worsening perceptions of ideal retributive and distributive restorative injustice, people are less likely to support (49% and 51%, respectively) normatively challenging behaviors over normatively compliant activities. In our previous model, both of these injustices are connected with higher risks of falling within the loyalty category. By keeping within the normatively compliant realm, it fits with people’s preference to remaining loyal when these types of injustices worsen.

Normatively challenging behaviors are more likely favored (by 107%) when ideal restorative perceptions worsen. As before, we see ideal restorative also connected with voice or exit options. The system might be perceived as being ineffective or unwilling to address these areas, so when perceptions of injustice increase people become more supportive of alternatives actions and unconventional means to fight the perceptible injustice.

In sum, we find that different types of injustice alter the general public’s favoring of loyalty versus voice or exit. Loyalty is favored for certain perceived wrongdoings, whereas alternative measures are preferred for others.

Loyalty as an Attitude

Loyal crowds perceive the system to be legitimate (Tyler & Jackson, 2014; Tyler & Sevier, 2013). They accept that the system exercises its power and maintains order in society (Sunshine & Tyler, 2003; Tyler & Fagan, 2008; Tyler & Jackson, 2014; Tyler & Sevier, 2013). Returning again to an analysis (using multinominal models) that models relative risk ratios, we find that higher perceptions of legitimacy increase (the risk of) falling within the loyal category (i.e., reporting greatest support for loyalty actions). This finding stands for both normatively compliant and challenging actions. If people do not see the system as legitimate, then they will not remain loyal.

Looking at the particular relative risk ratios within each set of models (normatively compliant vs. challenging) (see Table 7.6), the risk of favoring voice tends to be slightly more likely than exit (both vs. the baseline loyalty). For example, for normatively compliant actions, for each increase in legitimacy, the relative risk of falling within the voice category would be 0.36 times more likely. For exit, it would be 0.28 times more likely. In other words, exit appears to be favored more than voice, because a lower score below 1 implies a greater relative risk. The overall difference, however, is only slight.

The models also included an all-encompassing injustice item (all justices grouped together). When merged and legitimacy is taken into account, a worsening sense of justice actually increases the risk of falling within the exit category. In other words, people support circumventing the system more when its perceived as unjust. This finding aligns with our

previous conversation (and Black’s theory about self-help and the accessibility of law) about circumventing the system when it is perceived to be failing or inaccessible (Black, 1983, 1990). In addition, this finding is supportive of previous findings about vigilantism, vengeance and violence (Apel & Burrow, 2011; de Haan & Nijboer, 2005; Haas et al., 2014; Wilkinson et al., 2009). If the system is perceived to be failing, then a (perceived) better alternative ends up being one that does not involve the deteriorating system (de Haan & Nijboer, 2005; Haas et al., 2014). Furthermore, these findings are supportive of conceptualizing legitimacy as an attitudinal loyalty within our adjusted Hirschman framework.

Table 7.6: The Action Type with Greater Support		
If these perceptions are increased:	Respondents are expected to fall within the following action category:	
	<i>For normatively compliant</i>	<i>For normatively challenging</i>
Legitimacy	Loyalty (versus voice and exit) (.36*** and .28***, respectively)	Loyalty (versus voice and exit) (.56*** and .45***, respectively)
Injustice	Exit (.43***)	Exit (.64*)
Pseudo R²	.19	.09
<i>Note: Check out the full models in the Appendix. Rrr’s and p-value thresholds are in the brackets: *** = p<0.001; ** = P<0.01; *= p<0.05; for exit and loyalty, the baseline is loyalty. E.g., exit relative to the choice of loyalty; non-significant relationships are not shown here. ⁴⁴</i>		

We can also test whether favoring normatively challenging over normatively compliant behavior is influenced by legitimacy (see Table 7.7). Because normatively challenging actions are sometimes illegal, people that believe the system has the right to govern (and that we should listen to it) should be less likely to favor noncompliant actions. And this is exactly what is found among the representative sample. Every increase in perceptions of legitimacy (on our scale) makes favoring normatively challenging actions about 62% less likely.

Table 7.7: Normativity of Actions	
If this item increases:	Choosing normatively challenging over normatively compliant actions becomes:
Injustice	Less likely (.32***)
Legitimacy	Less likely (.38***)
<i>Note: Check out the full models in the Appendix. Odds ratios and p-value thresholds are in the brackets: *** = p<0.001; ** = P<0.01; *= p<0.05</i>	

⁴⁴ Additional control variables were added. The control variables were gender, race, age, political views, educational attainment, victim, region, and income. Because of the number of respondents in each category for exit, voice and loyalty (minimum n = 100), only four controls were used when the justice categories were disaggregated.

Similarly, worsening views of justice (again, every unit increase) also makes choosing normatively challenging actions less likely (about 68%). Although this finding may seem counterintuitive to our previous conversation that worsening conversations lead to alternative measures, it appears that people have a preference of normatively compliant actions within exit, voice and loyalty responses. If you remember our discussion about Anonymous and Rehtaeh Parsons (her mother asked for the attacks against her rapists to stop), normatively challenging behaviors can become malicious and cause further injustice. People with higher perceptions of injustice likely prefer not to cause further harm (or more injustice); they simply want the issue to be addressed (which can often be done in a normative way). Normatively challenging may just be an option when all else fails.

Conclusion

An association exists between perceptions of injustice and the type of response the public favors. How legitimate the general public sees the system ultimately influences their preference for others working within the system, voicing their concerns, or circumventing it all together. In the last chapter, we will connect some of the pieces from the proceeding work to address why all of this is important.

Conclusion: Snail Farming and the Road to Chad/Darfur

James Veitch received an email from a Oramaeze Maxwell: “I need an investor to invest 30,0000\$ [sic] in farming that will produce a profit of 6,000,000\$ in eight months!”. Rather than deleting the message, Veitch responded: “What sort of farming are we talking about? Question: Will I need to milk a cow?”. The back-and-forth emails started a discussion of their new business opportunity:

“No cow business but snail farm only.”

“How are we supposed to get milk from snails? Have you thought this through?”

“No, I don’t mean that we milk snail but farm snail so that all that want snail can eat snail”

“Amazing. How easy are they to catch?”

“It is being hunt in the night because they move only in the night for food”

“How fast do we have to be though? When I was younger, I tried to catch a rabbit and it was very very very hard”

“Snail move slowly”

“How slowly?”⁴⁵

The emails continued. To many (and to Veitch), the message was obviously a scam. But rather than deleting the message like most of us do, Veitch responded. His purpose was for comedy. But many other people spend countless hours engaging with scammers to waste their time and resource. Scambaiting is another area where people are attempting to address, resolve or otherwise manage a criminal-justice related injustice in society (in this case, an exit action).

Although crowds are no strangers to fighting injustice, advances in technology have proliferated the ways the crowd can engage and participate. Scambaiting would take significantly longer in the ages of snail mail. Today, the back-and-forth banter between the baiter and scammer can happen within seconds. The costs of most crowd activities have likely fallen as technology has proliferated. Now, people can also fight human trafficking with their mobile phones, raise awareness about sexual assault from their couch, or scroll the Internet for hours finding information for missing persons cases. The opportunities are abundant, and crowd participation will only continue to increase. With this proliferation of opportunities, it is imperative for us to understand the injustices crowds are fighting and their methods of redress.

This dissertation focused on just that. Some in the crowd, for instance, want to ensure illegal or deviant behavior gets punished. They want the killers of Christy Mirack, a 25-year-old teacher, and Michella Welch, a 12-year-old, punished for their wrongdoings. Put in the language of this work, they are motivated by a sense of retributive justice.

Others want to provide restoration after harm has happened. Some people provide (or are trying to provide) answers to families that are left in an emotional limbo waiting for any possible information about the disappearance of their loved ones. The crowds want closure, for example, for the families of Bradford Pholi, Laureen Rahn, and Ludovic Janvier, children and teenagers all missing for decades (NSW, n.d.; Wikiwand, n.d.).

⁴⁵ Watch the video here that details their correspondence: https://www.youtube.com/watch?v=7zloN__16n4

Others yet focus on addressing unfair processes within and outside the criminal justice system. These people are concentrating on injustices in interpersonal treatment by state officials, transparency around state procedures, and the balance of civil liberties and crime control. The crowd wants to know, for example, how many people have been killed by police within the United States? How many animals? Both information not publicly nor easily accessible from the State.

Once motivated to act, the dissertation also provides a way to categorize and explain not just why groups act, but how. The adapted Hirschman's Exit Voice and Loyalty framework used here links seemingly unrelated occurrences into a coherent framework. In the face of injustice or discontentment, people have three main ways they can act. They may choose to cooperate or involve the state in their attempts to resolve, manage or otherwise address their issues (loyalty). For instance, the crowd identifies offenders for formal prosecution, they monitor geographical spaces for suspicious behaviors, and spend hours investigating criminal cases. People also have the option of articulating their concerns to the State (voice). They can, for example, protest an injustice, inform a third-party of State misconduct, and/or raise awareness about victimization. In a manner contrary to commonly held rules, the crowd might also troll, doxx, or hack in their efforts to voice their perceived injustice. The crowd can also remain outside the domain of the State when contending with a perceived injustice (exit). People might share information with a third-party to keep community members safe from violence or donate money to support the psychological, emotional or even day-to-day needs of victims. The crowd might also release information about the police to punish them, use violence to "resolve" their problems or even place a hex on someone.

People's motivations for action and their subsequent behavioral modes are linked. In the general public, perceptions of injustices predict what types of action in which people are most supportive. How someone feels about ideal procedural injustices, for instance, is telling about whether they support staying loyal to the state or voicing their concerns. Similarly, perceptions about ideal retributive inform us about someone's preference for staying loyal or circumventing the system. These insights allow us to think further about the behaviors and motivations of crowd.

The Road to Chad/Darfur

Most of us probably laughed along with the comedian baiting the scammer. Veitch wasted the time of the scammer. He got into a back-and-forth debate about farming snails. Although comedic, Veitch and scam baiters like him are managing a perceived issue by providing an allegedly beneficial service. From the 419eaters, a scambaiter webpage, in their call to others, "you will be helping to keep the scammers away from the real potential victims and screwing around with the minds of deserving thieves...much fun can be had and at the same time you will be doing a public service." (para 3)⁴⁶ By occupying the scammers time, Veitch and scam baiters like him theoretically prevent another person from being a victim from a similar ploy, all while punishing the scammer for their actions.

⁴⁶ <https://www.419eater.com/>

However, such actions are not always beneficial. Take for instance, the infamous Road to Chad/Darfur scam baiting. In 2006, a scam baiter talked two scammers into travelling from Lagos, Nigeria to the Chad/Sudan border. Awaiting at the border for the scammers was an elderly reverend from the Church of Goodwill (a ploy). The reverend was allegedly miles away from a bank and needed help in depositing a large donation. During this time, however, tensions were high between Chad and Sudan, with deadly clashes occurring along their joining border (Behrends, 2007). The prospect of income, however, appeared to outweigh the perceived risk to the scammers.

A third scammer allegedly named Barrister Koffi Kuku stayed behind in Lagos and communicated with the baiter. From one of their last correspondence, Barrister Koffi Kuku writes:

“I received the news from Sudan that the boys are in jail in Khartoum the capital of Sudan. The police say they can not [sic] talk on the phone until august. They are being exploited by bastard police who is very wicked and says the boys are terrorists. [...] Getting to Sudan is difficult for me because of many regulations in Nigeria. May God continue to be with us” (RoadtoChadDarfur, 2006).

The baiter was tracking the email IP address and it seemed like Kuku did travel to Khartoum to inquire about his associates. In a later follow-up email, Kuku wrote:

“Smart guy, the officials that I talk to say that your church does not exist anywhere and is not at any camp in chad [sic]. I can see now that you are a fraud playing serious games. What do you gain with this? I just want to know why. I have never know [sic] anyone like you. You are a [sic] unimaginable bastard pig to do this to me” (RoadtoChadDarfur, 2006).

There was no indication from Kuku that the two associates were located; they did come in contact with an actual UN security personnel near refugee camps in Eastern Chad in some stage of their travels (verified by the baiter). And local news reports indicated the men may be imprisoned (but not in Khartoum).

The scammer did receive a response to his question. In the baiter’s words: “It’s mostly because I hate people that try to scam honest, hard working people out of their life savings” (RoadtoChadDarfur, 2006).

It is important for us to understand what underlying injustices propels people into action and, particularly, what makes them take normatively challenging (and potentially harmful) behaviors—think too of the angry mob in Colquechaca, Bolivia. Our framework provides us with a way to conceptualize the actions of people like this baiter and to understand their responses (among many possibilities) in the face of discontentment (i.e., scammers). This understanding can help us begin to mitigate some of the risks that come with civilian action.

Baiters, like all of us, have options (although at times limited) in how we respond to perceived injustice. We can remain passive or silent, or become active. We can work with the police or take matters into our own hands. From the viewpoint of the State, staying within a normatively compliant boundary is typically optimal.

The perception of legitimacy and injustice that one has directly influences their decisions. These are the areas that the State needs to continue to work on to ensure a certain threshold of people say loyal. The State, in particular, needs the populace to stay loyal to help it govern effectively. The State wants people to report crimes to the police. It wants people to cooperate with their requests. However, as we saw from the results of the questionnaire presented in chapter six, some types of perceived injustices turn people away from relying or cooperating on the State, and instead foster exit behaviors.

Procedural justice is well-known to influence people's decision to cooperate with the State (Cronin & Smith, 2011; Jackson et al., 2013; Kelloway et al., 2007; Snipes et al., 2019; Tankebe, 2009a, 2009b; Tyler & Sevier, 2013; Vermunt et al., 1996). How the police, for example, treats people (or is perceived to treat others) will directly influence whether people will cooperate with them.

However, retributive and restorative injustice are not often investigated in terms of cooperation with the State. This is concerning considering these two injustice types are actually our most populated injustice categories and influential in predicting preference for EVL options. We need to expand our focus to see how the State is responding to restorative and retributive justice needs. These injustice types can also push and pull people into action with and without the state.

The State itself must pay attention to the public's response to perceived injustices. Actions without the state (voice or exit) are warning signs that the criminal justice system is failing in some area, be it interpersonal treatment of the public or providing financial and psychological services to crime victims. Without redress by the State, civilians might escalate their actions (such as voicing louder) or resolve the manner in a way that conflicts with the ultimate goals of the State (lawlessness). Even when direct conflict between state goals and the actions of crowds do not occur, non-State involved behaviors can still harm the legitimacy of the criminal justice system and the State's ability to control its populace through ideological power. In the extreme, these outcomes can lead to a failed state where civil unrest is pervasive and directed against the State (Rotberg, 2003). The inattentiveness of the State becomes the rationalization or justification that people hold for participating in such unrest (often accompanied by violence). In the end, how people perceive an injustice and the State can be the deciding factor between reporting a spammer and sending them into a conflict zone.

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Appendix A: Full Models

Chapter 6: May Justice be With You

Table 6.1: Groups with the statistically more or less support of particular actions

	Loyalty, Normatively Compliant	Loyalty, Normatively Challenging	Voice, Normatively Compliant	Voice, Normatively Challenging	Exit, Normatively Compliant	Exit, Normatively Challenging
	Coef.(Std. Err)					
Age						
35-54	.28(.06)***	-.08(.07)	.02(.06)	-.23(.07)**	.04(.06)	-.29(.08)***
55+	.57(.06)***	-.76(.08)***	-.14(.07)*	-.99(.08)***	-.11(.06) ^a	-1.10(.08)***
Gender						
Female	-.03(.05)	-.40(.06)***	-.03(.05)	-.39(.06)***	-.06(.05)	-.42(.06)***
Race						
Black	-.04(.08)	.15(.09)	.23(.08)**	.28(.09)**	.22(.07)**	.28(.10)**
Hispanic	-.11(.07)	-.02(.09)	.06(.08)	.11(.09)	-.01(.07)	.12(.09)
Multiracial or other	-.18(.07)**	.01(.08)	.03(.07)	.08(.08)	-.06(.06)	.12(.09)
Political views						
Moderate	-.16(.06)**	-.01(.07)	-.50(.06)***	-.22(.07)**	-.26(.05)***	-.10(.07)
Conservative	.04(.06)	-.09(.07)	-.63(.06)***	-.38(.07)***	-.31(.06)***	-.12(.08)
Education						
Some college	-.04(.07)	-.13(.09)	.02(.08)	-.16(.09) ^a	-.11(.07)	-.10(.09)
Bachelor's degree	.03(.07)	.06(.08)	.05(.07)	-.06(.08)	-.02(.07)	.03(.09)
More than Bachelor's	.09(.08)	.11(.09)	.21(.08)**	.04(.09)	.08(.07)	.15(.10)
Victim	.16(.05)**	.01(.06)	.28(.05)***	.03(.06)	.16(.05)**	-.11(.06) ^a
Constant	3.58***	3.66***	3.48***	3.69***	3.49***	3.65***
Adj. R ²	0.13	0.16	0.16	0.25	0.07	0.24
n	937	939	932	944	945	945

Note: *** = p<0.001; ** = P<0.01; * = p<0.05; ^a = p<0.10

Table 6.2: Group differences for normatively compliant and challenging actions

	Normatively Compliant	Normatively Challenging
	Coef.(Std. Err)	
Age		
35-54	.12(.05)*	-.21(.06)**
55+	.12(.05)*	-.97(.07)***
Gender		
Female	-.04(.04)	-.41(.05)***
Race		
Black	.15(.06)*	.25(.08)**
Hispanic	-.03(.06)	.07(.08)
Multiracial or other	-.07(.05)	.08(.07)
Political views		
Moderate	-.30(.05)***	-.11(.06) ^a
Conservative	-.30(.05)***	-.21(.07)**
Education		
Some college	-.04(.06)	-.13(.08)
Bachelor's degree	.02(.06)	.01(.08)
More than Bachelor's	.13(.06)*	.10(.08)
Victim	.21(.04)***	.10(.08)
Constant	3.51***	3.66***
Adj. R ²	0.09	0.27
n	927	937

Table 6.3: Groups with statistically higher perceptions of injustice

	Ideal Retributive	Distributive Retributive	Ideal Restorative	Distributive Restorative	Ideal Procedural	Distributive Procedural
	Coef.(Std. Err)					
Age						
35-54	.13(.08) ^a	.06(.08)	-.05(.07)	.06(.08)	.05(.07)	.10(.08)
55+	.72(.08)***	-.05(.08)	.08(.08)	.58(.09)***	.12(.08)	.46(.09)***
Gender						
Female	.40(.06)***	.05(.07)	.29(.05)***	.41(.07)***	.32(.06)***	.39(.07)***
Race						
Black	-.03(.10)	.33(.10)**	.11(.09)	.10(.10)	.20(.10)*	.15(.11)
Hispanic	-.07(.10)	.03(.10)	.24(.09)**	.15(.10)	.23(.09)*	.13(.11)
Multiracial or other	-.03(.09)	.09(.09)	.08(.08)	.06(.09)	.13(.09)	.07(.10)
Political views						
Moderate	-.16(.07)*	-.53(.08)***	-.21(.07)**	-.32(.08)***	-.20(.05)**	-.42(.08)***
Conservative	-.38(.08)***	-.79(.08)***	-.49(.07)***	-.70(.08)***	-.57(.06)***	-.80(.09)***
Education						
Some college	.22(.10)*	-.04(.10)	.14(.09)	.13(.10)	.15(.09)	.23(.11)*
Bachelor's degree	.10(.09)	.10 (.09)	.13(.08)	.16(.10)	.08(.09)	.17(.10) ^a
More than Bachelor's	-.06(.10)	.13(.10)	-.03(.09)	-.06(.11)	-.10(.07)	-.11(.11)
Victim	.51(.07)***	.28(.07)***	.35(.06)***	.54(.17)***	.39(.06)***	.53(.07)***
Constant	4.27***	3.45***	1.96***	1.81***	1.83***	1.86***
Adj. R ²	0.19	0.12	0.10	0.18	0.12	0.18
n	944	946	943	946	943	943

Note: *** = p<0.001; ** = P<0.01; * = p<0.05; ^a = p<0.10

Table 6.4: For normatively compliant: the Hausman-McFadden test revealed the categories are independent: Loyalty ($X^2(13) = 6.91, p=0.91$), voice ($X^2(13) = 9.56, p=0.73$), and exit ($X^2(13) = 6.69, p=0.92$). For normatively challenging: the Hausman-McFadden test revealed the categories are independent: Loyalty ($X^2(13) = 7.20, p=0.89$), voice ($X^2(13) = 12.13, p=0.52$), and exit ($X^2(13) = 13.13, p=0.44$).

Table 6.4: Multinomial Models with Relative Risks Ratios

	Normatively compliant		Normatively challenging	
	Voice	Exit	Voice	Exit
Ideal retributive	.79(.15)	.49(.12)**	1.06(.17)	.91(.18)
Distributive retributive	1.74(.20)***	1.22(.16)	1.30(.13)**	1.42(.17)**
Ideal restorative	1.14(.21)	2.77(.87)**	1.51(.30)*	1.89(.49)*
Distributive restorative	.60(.15)*	.47(.15)*	.74(.16)	.33(.09)***
Ideal procedural	2.59(.58)***	1.72(.50)	1.11(.21)	1.58(.40)
Distributive procedural	1.02(.23)	.86(.25)	1.09(.22)	1.02(.25)
Age	.67(.05)***	.75(.06)**	.89(.05)*	.86(.06)*
Gender	.88(.17)	.95(.23)	1.01(.18)	.90(.20)
Political views	.78(.05)***	.82(.06)**	.85(.05)**	1.02(.07)
Black	1.53(.45)	1.96(.66)*	1.29(.35)	1.19(.40)
Hispanic	1.09(.31)	.75(.29)	.62(.18)	1.19(.37)
Multiracial or other	1.15(.34)	1.17(.43)	1.20(.29)	.96(.33)
Constant	.23*	.94	.21**	.26*
X2 (model)	271.52***		121.77***	
df	24		24	
Pseudo R2	.1913		.08	
n	822		771	

Note: Loyalty is the baseline; * = $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$

Table 6.5: Hosmer and Lemeshow tests (using 10 groups) indicated model fit was good ($X^2(8) = 8.22, p=0.41$).

Table 6.5: Logistic Regression for normativity of actions

	Odds Ratio (sd. Err.)
Ideal retributive	.51(.12)**
Distributive retributive	1.15(.14)
Ideal restorative	2.07(.63)*
Distributive restorative	.49(.15)*
Ideal procedural	1.37(.39)
Distributive procedural	.90(.23)
Age	.64(.06)***
Gender	.74(.18)
Political views	1.08(.07)
Black	1.37(.44)
Hispanic	.93(.32)
Multiracial or other	.68(.28)
Constant	1.53
X2	116.01***
Pseudo R2	0.1866

Note: 0= greater support for normatively compliant than challenging and 1= greater support for normatively challenging than normatively compliant; n* = p<0.05; ** p<0.01; *** p<0.001

Table 6.6: Multinomial Models with Relative Risks Ratios

	Normatively compliant		Normatively challenging	
	rrr(se)			
	Voice	Exit	Voice	Exit
Justice	1.00(.15)	.43(.09)***	1.22(.16)	.64(.11)*
Legitimacy	.36(.06)***	.28(.06)***	.56(.09)***	.45(.09)***
Age	.70(.05)***	.77(.07)**	.92(.05)	.85(.06)*
Gender	.83(.17)	.84(.21)	.93(.17)	.81(.18)
Political views	.76(.05)***	.80(.06)**	.85(.05)**	1.03(.07)
Black	1.59(.48)	1.79(.63)	1.15(.32)	1.05(.37)
Hispanic	1.07(.31)	.81(.31)	.52(.15)*	1.07(.33)
Multiracial or other	1.00(.29)	.94(.34)	.96(.24)	.73(.25)
Education	1.06(.09)	.97(.10)	.90(.07)	.99(.09)
Victim	1.26(.27)	.93(.27)	.92(.18)	.65(.17)
Northeast	.98(.32)	.57(.24)	.87(.24)	.82(.32)
South	1.23(.31)	.99(.32)	1.04(.25)	1.56(.49)
West	1.28(.41)	1.14(.44)	1.47(.41)	2.20(.79)*
Income	1.03(.06)	1.04(.07)	.98(.05)	.98(.06)
Constant	95.56***	2435.14***	41.66***	5.52
X2 (model)	262.64***		131.14***	
df	28		28	
Pseudo R2	.1864		.09	
n	814		764	

Note: Loyalty is the baseline; * = $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$

Table 6.6: For normatively compliant: the Hausman-McFadden test revealed the categories are independent: Loyalty ($X^2(15) = 7.35$, $p = 0.95$), voice ($X^2(13) = 16.44$, $p = 0.35$), and exit ($X^2(13) = 16.49$, $p = 0.35$). For normatively challenging model: the Hausman-McFadden test revealed the categories are independent: Loyalty ($X^2(15) = 11.55$, $p = 0.71$), voice ($X^2(13) = 8.86$, $p = 0.89$), and exit ($X^2(13) = 13.16$, $p = 0.59$).

Table 6.7: A logistic regression was used. Hosmer and Lemeshow tests (using 10 groups) indicated model fit was good ($X^2(8) = 7.87$, $p = 0.45$).

Table 6.7: Normativity of Actions	
	Odds Ratio (Std. err)
Injustice	.32(.07)***
Legitimacy	.38(.08)***
Age	.63(.06)***
Gender	.67(.16)
Political views	1.11(.08)
Black	1.22(.41)
Hispanic	.94(.33)
Multiracial or other	.59(.25)
Education	1.15(.12)
Victim	1.24(.34)
Northeast	.74(.31)
South	1.49(.50)
West	1.13(.47)
Income	.97(.07)
Constant	.32
X2	113.53***
Pseudo R2	0.1870

Note: 0= greater support for normatively compliant than challenging and 1= greater support for normatively challenging than normatively compliant;
 n* = $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$