

“Do-it-yourself justice”: considerations of social media use in a crisis situation: the case of the 2011 Vancouver riots

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ABSTRACT

On 15 June 2011, the ice hockey Stanley Cup final series between the Vancouver Canucks and the Boston Bruins took place in Vancouver. As the Vancouver Canucks were losing, riots started in downtown Vancouver. Social media were used to communicate between authorities and citizens, including the rioters. The media reporting on these events frame these communications with different narratives, which in turn raise different ethical considerations. This paper identifies those narratives and reflects upon the ideas of justice, fairness, responsibility, accountability and integrity as key ethical considerations. The paper also identifies some difficulties arising from the use of social media in crisis situations.

Keywords

Crisis situations; social media, ethics; media narratives.

INTRODUCTION

On 15 June 2011, the ice hockey Stanley Cup final took place between the Vancouver Canucks and the Boston Bruins in Vancouver, Canada. Riots started downtown as the Vancouver Canucks were losing the final. The riots lasted all night long (Furlong and Keefe 2011). At the same time and following the event, different people (mainly rioters, local authority officers, and Vancouver citizens) used social media to ‘cover’ the riots: the rioters took pictures and video of themselves and uploaded them; local authorities used social media to communicate with fellow citizens¹ and Vancouver citizens to help local authorities identify rioters², by sharing and tagging pictures of rioters and, last but not least, to enforce justice by themselves³. The use of social media during the riots has raised issues such as the quality of legal processes in which such media are used to provide evidence, mob behaviour, or vigilante justice.

In this paper we look at the story from the point of view of the news media narratives, i.e. what the media coverage echoed and commented on at the time of the riots, to gain an insight into the imaginaries behind the use of social media such as Facebook and Twitter. In particular, we will be looking at narratives about social media and ethical considerations as portrayed by the news media.

¹ See the VPD website: <https://riot2011.vpd.ca/> [last visit 11/02/2013].

² See e.g. <https://www.facebook.com/vancouverriot2011photos?sk=photos>; <http://www.identifyrioters.com/?photo=64>; or <http://www.techi.com/2011/06/social-media-used-to-identify-vancouver-riot-suspects/> [last visit 11/02/2013].

³ See the VPD website: <http://vpdreleases.icontext.com/2011/06/20/vpd-statement/> [last visit 11/02/2013].

STATE OF THE ART

The study of crowd dynamics has been in the literature for some decades (Gorringer, & Rosie, 2011). The authors provide a chronology of contemporary understanding of crowd behaviour. The representation of crowds as an irrational, senseless herd was challenged in the 1960s. At that time, crowds were seen as an attempt to short-circuit the political system and police intervention was considered the key solution to restore order in riot situations. The rational and interactive nature of collective behaviour was not given much consideration until later (Gorringer & Rosie, 2011). In the case of Vancouver 2011, the ‘crowd effect’ played an important role during the riots, but also after the riots, as citizens became involved in law enforcement activities in response to the Vancouver Police Department (VPD)’s asking them to send pictures and videos or identify the rioters.

In a crisis situation, the involvement of citizens in developing emergency response and relief plans for their immediate community is not new (Heverin, 2011). More specifically, in a violent crisis situation, citizens may collectively respond with a strong sense of justice, by demanding the arrest and punishment of the perpetrators (Heverin, 2011). However, in comparison to other cases of citizen involvement, the collective involvement of citizens in law enforcement activities – whether this is spontaneous or inspired by explicit requests such as the VPD’s – creates a greater risk of abuse and unexpected severe consequences. Heverin (2011) underlines that this risk increases exponentially with the use of social media, which “increase the visibility of participation, allow for instantaneous dissemination of information about police and perpetrators to a wide audience”. This is what happened after the Vancouver riots. This spontaneous way of capturing data in a crisis situation is also called “crowd-sourced surveillance” (Samuel, 2011). The author believes that this kind of surveillance is not without dangers: whatever the goodwill at the beginning of the public disclosure of information about the rioters, it has been belied by an increasingly violent tone; even if analysts and internet users condemn the Vancouverite social media responses as those of a “cruel, faceless, vindictive mob”, this does not take away from general awareness of how social media such as Facebook have been used and could be used to target any particular group; the Vancouver model of crowd-sourced law enforcement could be adopted in repressive jurisdictions or circumstances. Social media could be, and have already been, used by law enforcement officers to identify criminals. In this context, the ethical considerations with regard to this use of social media should focus on the legitimacy of such material (pictures, videos) and its use in identifying perpetrators and pressing charges. But automated or crowd-sourced identification could also be used by repressive law enforcement systems. This is a major cause of concern from the point of view of human rights. Another ethical consideration arises when citizens themselves initiate and participate in the crowd-sourced identification of others using social media, even if they are asked to do so by law enforcement officers. Crowd-sourced surveillance by citizens cannot be fully controlled by law enforcement officers, as was the case during the Vancouver riots.

In the literature, a crisis situation has been defined by reference to the degree of emergency that overrides a normal democratic process in decision-making (Mullins, 2005). In such a situation, decision-makers are likely to have to make complex ethical judgments under great uncertainty, time pressure, and heightened public scrutiny (Svedin, 2011). Public trust in governing institutions depends greatly on the way decision-makers deal with the ethical dilemmas and normative challenges that arise in a crisis. Most of these dilemmas come to the fore in circumstances where a number of fundamental ethical values are threatened in the light of modern legislation on human rights. The essence of a crisis lies in this threat to fundamental values. A crisis situation is characterised by the presence of value conflicts, doubts about the legitimacy of intervention, contradictory views regarding the private and public spheres, disruption of democratic processes, inadequate communication and participation, to mention but a few aspects (Svedin, 2011). In Western tradition, ethical principles are based on values that are the result of millennia of religious and humanistic study and practice, and are recognised by those who share the heritage of a democratic society (Zack, 2009). In a crisis situation, how good or bad the circumstances are, is determined by expectations: “bad circumstances are not an excuse for bad ethics” (Zack, 2009). The consequences of various alternative solutions can in some cases be quantified, using theories of risk assessment by trying to answer the following three questions: “What can go wrong?”, “How likely is it to happen?”, and “What are the consequences?” (Budinger, & Budinger, 2006). On this basis, there is little doubt that the Vancouver riots constituted a crisis situation during which local decision-makers (the Mayor, VPD officers, etc.) were obliged to make decisions quickly to protect the city, its citizens and their property from rioters. The call for volunteers to send pictures and videos and identify rioters online can be considered part of these decisions. The way citizens began to enforce vigilante justice, what we will call “do it yourself justice”, even before the VPD asked them to do so, infringed ethical values, even if at the time it appeared to them to be the right course of action. Responsibility therefore lies with local authorities.

METHODOLOGY AND RESULTS

Our aim is to examine the news media narratives around the time of the riots, i.e. what the media echoed and

commented on, in relation to ethics and social networks. We agree with the statement that “the construction of news is most of all a reconstruction of available discourses” (van Dick, 1983).

The riots received a lot of coverage in the Canadian news media. They also grabbed the attention of bloggers, and the reactions they provoked in the media and among the public show that the use of social networks raises awareness of how some ethical and moral values that were once taken for granted have now become moot points:

- Social media have proved an unexpected source of pictures, videos, etc. to help the VPD with their investigations and help them identify rioters.
- The use of social media in the current investigation process presents limitations and risks of error.
- Police and legal systems are overwhelmed by citizens’ involvement in the process of identification through social media websites.
- Because of their technical potential, social media can be used in support of mob behavior.
- The content of social media was used by citizens to enforce vigilante justice.
- Social media is a means of communicating with the public in crisis situations.

DISCUSSION

In this section we will examine media narratives and the ethical issues they raise, starting from the presumption that the case of the Vancouver riots is an example of a “crisis situation” where a “human crowd”, sends digital material to identify rioters in response to a police request, and feels empowered to enforce justice by itself thanks to social media.

We have identified the following main media narratives for this case:

- *Unverifiable quality* - a contribution of questionable quality from social media: it cannot be checked and can lead to unfairness and injustice; considerations regarding the legitimacy of using such material for police investigation.
- *Institutional Unpreparedness* - an unexpected and unmanageable social media contribution to an institutionalised procedure of enquiry: even though it was the authorities who requested it, no procedure seems to be in place to deal with the material received.
- *Unintended do it yourself society* - do it yourself justice: citizens overruling authorities and enforcing justice on their own terms and by their own means.
- *Unintended do it yourself society* - mob behaviour: following other trends, mainly in political contexts, social media showed its potential for prompting people to act. Anyone is entitled to take action and whoever does so decides what constitutes a legitimate motive to act.
- *Authorised do it yourself society* - innocuous use: social media as a means of communication between authorities and citizens.

The quality of social media material and legitimacy of its use in law enforcement and charge processes

The media narratives highlight the problems related to the governance of crisis situations and in particular the authorities’ use of social media in those situations. Whilst social media have provided an incommensurable trove of data, the use of such media in unexpected ways has disturbed the VPD’s usual process of investigation. The VPD got hold of suspects’ names before finding out exactly what they did and where they did it. Pictures and videos can easily be misinterpreted and police have to confirm the legitimacy of using them.

These considerations lead us to examine this issue in terms of quality. In Europe, computer evidence must fulfill a number of criteria. These are admissibility, which means the evidence must conform to certain legal rules before it can be presented in court; authenticity, which means it must be possible to relate it to the incident; completeness, which means it must tell the whole story, not a biased or partial version of it; and reliability, which means its authenticity cannot be questioned (Brezinski, and Killalea, 2002). In the case of the Vancouver riots, it appears that the material posted by social networkers did not tell the whole story. It therefore did not fulfill the completeness and authenticity criteria.

We would argue that the most relevant ethical consideration that emerges from this narrative relates to fairness

and justice, in light of the difficulties it created with regard to institutionalised procedures and the unintended use of technology.

Unregulated empowerment

Sophisticated technical ability is not needed to use social media to diffuse, publish or use information about a person. In the context of the riots, news media tell us that the VPD asked citizens to provide relevant material that could help them identify rioters. Despite the fact that citizens are supposed to be aware of the law as far as the online publication of “personal information” is concerned, actual awareness of such laws is low. In crisis situations, it is more likely that the law will be flouted and that people will not try to find out what the relevant legal provisions are. This problem is aggravated by the fact that, in this case, an authority asked citizens to contribute (‘to send’) material. This request made citizens feel “authorised” to publish their material. But is it fair to ask citizens to be aware of these legal provisions, let alone to be able to judge what they can do if called on to act by an authority?

We would argue that whilst the ethical responsibility for the authenticity of material sent by individuals could be attributed to individuals, accountability for any of the consequences of empowering citizens and involving them in law enforcement remains with the authorities themselves. It is clear that the consequences of “crowd-sourced surveillance” (Samuel, 2011) during the Vancouver riots were neither fully controlled nor thoroughly reflected upon. The ethical considerations that are most relevant in this narrative relate to integrity, responsibility, accountability and fairness.

Social media vigilantes

The news media narratives shed light on the fuzzy boundaries between supporting police departments and enforcing “vigilante justice”. They also show that the technical potential of social media i.e. instantaneous diffusion of information, tags, etc.) has enabled a shift from supporting the authorities to “do it yourself justice”.

News media regard social media vigilantism as a real danger. What happened during the Vancouver riots should not be considered an exception but a real threat to Western democracies (Samuel, 2011). Henry (2011) analyses the Vancouver riots from the legal point of view, reminding readers that exploring legal considerations about the hockey rioters marks “us” as a democratic society. A “do it yourself justice” is not acceptable looking at the consequences of acts (e.g. Velasquez, et al., 2009) and considering that, no matter how bad the circumstances are in a crisis situation “bad ethics” is not the answer (Zack, 2009). Moreover, “do it yourself justice” enforced by vigilante citizens using social media, did not respect normal legal process, in which a rushed judgment is not admissible when evidence is overwhelming (Henry, 2011).

The ethical considerations of this narrative are related to fairness and justice, as in the John Locke “rights ethics” (Internet Encyclopedia of Philosophy, 2001): “all men equally have the right to punish transgressors” but “men agreed to delegate this function to certain officers”. Then, the Vancouver “do it yourself justice” episode illustrates the infringement of a long-established “social contract” in which the function of establishing the law is assigned to the State.

Who decides what an issue is

Another interesting issue arising from these events and other events involving the use of social media is issue framing. This is closely connected with the “mob behaviour” narrative, in which any of us can initiate discussion of an issue online and invite others to participate in the discussion. This is particularly pertinent to the idea of a “do it yourself society”. Traditional ways of framing issues are fragmented, with anyone being entitled to voice what is important and relevant, raising ethical concerns around justice, responsibility and accountability.

CONCLUSION

In these concluding remarks, we draw on ideas of “imagined community” (Anderson, 2006). For example, a “nation” is in important respects “imagined” since each of its members will never know or meet, or even hear of, most of their fellow members, but the image of their communion lives in the mind of each member (Anderson, 2006). The nation is thus considered a “community” through the concept of “fraternity”. Vancouver citizens (the imagined community) reacted to the riots, first by sending digital material to the VPD, and then by trying to find and punish the rioters by themselves. They acted to protect what the “identity” and “reputation” of

Vancouver's community against what they saw as an attempt to undermine it. Pictures of rioters published online with the caption "Wanted for crimes against Vancouver"⁴ illustrate this sentiment. In response to the riots, Vancouverites who share and belong to the same community of Vancouver have engaged in "do it yourself justice", authorised by the VPD's request for digital evidence and emboldened by the potential of social media.

Mob behaviour can be exponentially increased by the use of social media: the opportunities they afford "increase the visibility of participation, allow for instantaneous dissemination of information about police and perpetrators to a wide audience" (Heverin, 2011). In this context, it is important for authorities to establish clear rules regarding citizen cooperation in a crisis situation: supporting justice does not mean allowing citizens to substitute the police or other agents of the law. This is of the utmost importance for fairness and the respect of 'our' democratic values (Henry, 2011).

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⁴ See e.g. <http://www.techi.com/2011/06/social-media-used-to-identify-vancouver-riot-suspects/> [last visit: 11/02/2013]