

Cancelling crusades as a strategy of societal reaction

Cruzadas de cancelamento como estratégia de reação social

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Article received in 05/30/2021 and accepted in 01/23/2022.



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Abstract

In this theoretical essay, we shed light on new forms of public stigmatisation and their possible outcomes for the criminal justice system. We present some examples of the phenomenon we name “cancelling crusade” in this paper. We try to describe it step by step, then bring the theoretical framework. Finally, we analyse the impacts of these cancelling crusades on the criminal justice system.

Keywords: Cancelling crusades; Social reaction; Social networks.

Resumo

Neste ensaio teórico, tenta-se entender novas formas de estigmatização e seus resultados para o sistema de justiça criminal. Apresentam-se alguns exemplos do fenômeno aqui chamado “cruzada de cancelamento”. Descreve-se o seu passo-a-passo e um quadro teórico é proposto. Enfim, analisam-se os impactos dessas cruzadas de cancelamento sobre o sistema de justiça criminal.

Palavras-chave: Cruzadas de cancelamento; Reação social; Redes sociais.



1. Introduction

This theoretical essay sheds light on new forms of public stigmatisation and their possible outcomes for the criminal justice system. Drawing on some classic theoretical tools that date back to the criminology of the 1960s (BECKER, 1963; GUSFIELD, 1963), we aim to analyse a new phenomenon that is particular to a society where new forms of communication shape the public debate landscape. Public shaming, cancel culture, call-out culture — among others — are all names that imprecisely try to capture a form of societal reaction through social networks to perceived deviance.

However, these popular names fall short when we systematically observe the phenomenon. If, on the one hand, the recent popularity of this notion of cancel culture is a good hint that there is something new surfacing in terms of social reaction to deviance, on the other hand, the theoretical criminologist should not take media categories at face value. With this precaution in mind, we ask questions to better understand the phenomenon. How can we think about the social reaction to deviance in times of social media? What are the characteristics of this phenomenon of public indignation in social networks that react to a perceived misdeed? Can we consider the display of public indignation mediated by social networks as a new form of social reaction to deviance? Are classic theoretical tools from social reaction studies such as “moral entrepreneurs” and “moral crusades” (BECKER, 1963) still appropriate to explain the phenomenon of reaction to deviance? How have new communication venues, specifically social networks, been used as a platform for social reaction to deviance? Do they foster punitive consensus throughout Society? And how has this public display through social media of outrage about deviance impacted the criminal justice system?

To develop these questions, we draw on the criminological literature and bring in theoretical elements which may help to explain how the transformations in communication and information technologies (BOYD, 2014; CASTELLS, 2008, 2015) have led the way for new forms of social reaction to deviance. Besides, it is our interest to describe the phenomenon to grasp the research object. In the next pages, what we call cancelling crusades is a phenomenon that is tricky to analyse, specifically due to its complex contours. Like the sociology of rumours, this sociology of moral crusades in times of social networks needs to advance the tangibility of the phenomenon as a research object.



We organise this paper into five sections. After this introduction, the second section explores selected cases that exemplify the phenomenon we are trying to understand. Still in the second section, our goal is to systematise the characteristics of this phenomenon, showing what these episodes have in common. In the third section, we introduce the theoretical tools used to analyse these cancelling crusades. Our plan here is to clarify our choice of this name for such a phenomenon. In the fourth section, we discuss the impact of these online shaming events on the criminal justice system. Finally, in the fifth and final section, we draw a few closing remarks about the analytic difficulties of making sense of these cancelling crusades when such cancelling crusades happen so often.

2. Cancelling crusades in the brave new digital world

2.1. “You taught someone a lesson”: when the hunt for deviance and deviants goes online

In 2013, Justine Sacco was trying to kill some time while waiting to board a plane from England to South Africa when she tweeted a few words for her followers, who numbered a little over one hundred people. Amid her other sarcastic comments, she posted: “Going to Africa. Hope I don’t get AIDS. Just kidding. I’m white!” Soon after posting, she began her overnight journey to Johannesburg. While she was in the air with no internet connection, her tweet went viral. It was perceived as an unequivocally racist comment and became a worldwide trending topic. When Justine reconnected to the internet after the plane landed, messages flooded her phone: friends, coworkers and countless unknown people were letting her know that her racist behaviour was unacceptable. Amid the insults and condemnation, she found a message from her employer firing her for the racist behaviour on Twitter.¹

In 2012, Lindsey Stone and a friend visited the Tomb of the Unknown Soldier in Arlington (VA), a monument dedicated to unidentified deceased US soldiers. Stone and her friend had the habit of taking ironic pictures near plaques and statues, e.g., a photo of them smoking near a non-smoking sign. So, Stone took a picture just beneath the

¹ The first author that brought this case to our attention is Ronson (2015), who describes in great detail the episode and some outcomes for Justine’s life. Ronson also described the cancelling of Lindsey Stone due to a picture, discussed in the next paragraph.



cemetery's plaque of "Silence and Respect", pretending to shout and showing the middle finger. The friend later posted Stone's picture on Facebook. One month later, the wrath of the social networks reached Stone: the image went viral, perceived as an unacceptable disrespect to the memory of the deceased military members. Among the insults and threats levelled at Stone, a "Fire Lindsey Stone" Facebook page and a Change.Org petition asking the same were created. Lindsey was eventually sacked.

In June 2020, Emmanuel Cafferty, a 47-year-old inhabitant of San Diego, headed home after a day of work at the San Diego Gas & Electric Company. Driving his employer's truck, Cafferty kept his arm outside the vehicle, cracking his knuckles with his fingers while driving. Later that day, Cafferty got a call from his supervisor saying he was suspended from work without pay. Someone on Twitter had posted a picture alleging that Cafferty was making a White Power hand sign (similar to the "Ok" sign) while driving the company's truck. The tweet went viral, and the company was flooded with messages of people outraged by the action of its employee. A few days later, the company terminated Cafferty's contract, despite his claims that he was of Mexican descent, he had no ties or even knowledge of activities of white supremacist groups, and that it had all been a misunderstanding.²

In the same month, Amy Cooper, a 41-year-old New York City resident, took her unleashed dog to walk in Central Park. When Christian Cooper (not related), a black man birdwatching in the area, confronted her and asked her to put the dog on the leash, she reacted aggressively. She called the police to say a black man was threatening her. Christian took his phone and started filming her phone call to the police. Later that day, he posted this footage online, and the video soon became viral. With millions of views, the video sparked outrage due to her reaction to his harmless behavior, mainly because of the racial implications. Indeed, the Central Park incident happened one day before the police killing of George Floyd initiated the height of the 2020 Black Lives Matter mass demonstrations. Police laid criminal charges against Amy Cooper for falsely accusing the bird watcher, and she lost her job after the incident's online repercussion.³

Aziz Ansari's cancelling happened in 2018, in the context of the #MeToo movement. A news/entertainment website called Babe.com published the interview of a woman identified only by the pseudonym "Grace," that accused Ansari of inappropriate

² <https://www.bbc.com/portuguese/geral-53458452>. Cafferty's ordeal has also been shown in the documentary 15 Minutes of Shame (2021).

³ <<https://www.nytimes.com/2020/07/06/nyregion/amy-cooper-false-report-charge.html>>



sexual behaviour (Internet sleuths later discovered Grace’s true identity). She said she had met Ansari at a social event, and the two went out for dinner a few days later. He invited her to his place, and she accepted willingly. They drank a little, and Ansari began to escalate to more sexual interaction. She demonstrated her discomfort in non-verbal communication, but he persisted. Finally, she verbalised it, and he did stop, but she became annoyed when he insisted a second time on going further. She decided she wanted to leave, and he called an Uber, so she left. Grace’s account soon became very visible amid all the accusations surrounding the #MeToo campaign despite the different interpretations of the facts. An avalanche of online criticism and defamation followed the accusation. Ansari stayed out of the public eye until October of that same year. As of March 2021, the search for Aziz Ansari’s name on Google continues to associate him with Grace’s accusation.⁴

Finally, Jimmy Galligan was in high school when he got an upsetting message on his phone. It was a three-second video starring one of his classmates, a white 15-year-old girl, saying “I can drive...”, followed by the n-word (a racial slur in the English language). Because his complaints to the school administration about similar behavior from other students were never effective, he decided to keep the video for a future opportunity to have his claims heard. Four years later, in December 2020, when Mimi Grooves, the schoolmate who appears in the video, was accepted by a prestigious university, Galligan posted the video. It soon gained a lot of attention. The reactions to the video were so overwhelming that the university’s admissions office asked Grooves to decline the admission offer. In an interview with the New York Times⁵, Galligan showed no remorse and expressed pride:

For his role, Mr Galligan said he had no regrets. “If I never posted that video, nothing would have ever happened,” he said. And because the internet never forgets, the clip will always be available to watch. “I’m going to remind myself, you started something,” he said with satisfaction. “You taught someone a lesson.” (New York Times, 2020).

Despite the particularities of each case described above, they all have something in common: the public exposition on the internet of behaviours considered unacceptable. Either private or public behaviours were perceived as wrong, and someone saw the internet as the appropriate forum to denounce and even punish the

⁴ <<https://www.vox.com/culture/2018/1/17/16897440/aziz-ansari-allegations-babe-me-too>>

⁵ <<https://www.nytimes.com/2020/12/26/us/mimi-grooves-jimmy-galligan-racial-slurs.html>>



alleged behaviour. In the following section, we try to systematise the characteristics of these events.

2.2. Steps of a cancelling crusade

What do these cases have in common? It is possible to establish, with the examples, a sequence of events that are usually present in what we henceforth call *cancelling crusades*. This rough draft of the cancellation process will help us understand these phenomena from a non-essentialist viewpoint. Moreover, it will help construct the concept of cancelling crusades as a social process, which we will later characterise as a type of social reaction.

It is important, though, to be clear about the nature of this theoretical exercise. In this paper, we focus exclusively on social reaction. The cases described above certainly have different offence degrees to different social groups. Even among the authors of this paper, the moral judgments we make on the cases vary. Therefore, we do not intend to draw attention to perceived deviant behaviours. As criminological research has extensively done since the 1960s, this research focuses on how people react to the perceived misdeed, not on the behaviour itself. Regardless of the moral judgments and the theoretical analysis we can make out of that deviant behaviour, what is under analysis in this paper is only the social reaction.

Having made this remark, how can we describe the sequence of events in the cases narrated above? It seems that some features are constant and can be summarised as follows:

- 1) An individual or a group perceives a situation as somehow problematic, offensive, outrageous, etc. This situation may have been experienced or witnessed in-person or through social network communications or even be something seen on traditional media.
- 2) There is a clear identification of a person or group responsible for the offensive behaviour.
- 3) This individual or group shows their indignation through either traditional media or social networks.
- 4) Many social media users replicate the outrage at the offensive act (replicating or responding to the original content of the call-out or creating new content).
- 5) That social response to the offence snowballs, gains momentum and becomes visible to many people. In this way, many people talk about it and



gain knowledge of it when news of the episode spreads on social networks and eventually in the traditional news media.

6) The offender(s) will be the object of depreciative comments and threats. In addition, they will have their life/lives searched for other offences, and personal data is shared without consent (a practice known as doxing).

7) Finally, the content of the online reaction assumes different forms. The crowd might simply “expose” the offence and the offender, stigmatising the offence or the offender. However, the public can also demand or threaten to take concrete actions: employers and business partners might be pressured to cut ties with the offender; death threats may be made; if they are cis or trans women, their appearance will be insulted, and they will be threatened with rape; people of colour will receive racial slurs family and friends of the target might also face similar consequences.

8) The snowball effect eventually fades away. The crowd loses interest in the episode and the target. In some cases, the interest disappears after some tangible consequences to the perceived culprit: public shaming, a lost job, an indictment, financial losses, etc. In other cases, the episode stops generating interest even without actual results and may be replaced by a new social media outrage event.

We understand these cases as moments of construction of social problems (BLUMER, 1971), and, more specifically, moral crusades. This construction, however, is not the same as described in classic criminological and sociological literature about the social problems and moral crusades written in the twentieth century. That is because the popularisation of information and communication technologies (ICT’s) changed the access and effectiveness of how people communicate their grievances and spread their concerns. Therefore, we will examine in the next section how ICTs make a grander scale and speed of cancelling crusades possible and, in the final section, how moral crusades are a valuable lens to interpret these public shaming events.

3. Making sense of cancelling crusades in the age of ICTs

Knowing that these are cases of outrage against a perceived misdeed, we might wonder what the difference is between these cases and older forms of public opposition against deviant (BECKER, 1963) behaviour. The main answer to this question relates to the use of new means of communication brought by information technologies: how people express that outrage, by what means, is distinctive to cancelling crusades.



Indeed, a structural change in Society has taken place in the last decades of the twentieth century, according to Castells (2008). He argues that we are going through a technological revolution by establishing a new technological paradigm. This “new technological paradigm organises itself around information technologies” (CASTELLS, 2008, p. 87), which, for the Spanish author, includes microcomputers, telecommunications, radio communications, computing, optoelectronics, and genetic engineering. David Lyon (2007) defines information technologies in the following way:

Information technology (IT/ICT): Sometimes also referred to as ‘information (Lyon, 2007) and communication technologies’, or ICT, information technology refers to the use of electronic systems for processing and communicating information. More broadly, IT may refer to networking, hardware, software or professionals working in these areas. These are primary technologies that facilitate surveillance today as they provide the infrastructure on which other systems, such as video, genetic or biometric, depend. (LYON, 2007, p. 202 bold in the original)

In this new frame, Castells (2008) believes that the effects of the design and the use of technology penetrate all aspects of our culture and remodel the material basis of Society. Society, now, is being restructured in a networked and flexible logic, and specific technologies – such as the TV or the radio – converge to the same integrated system (CASTELLS, 2008). This networked structure allows the receptors of a given communication to respond – differently from the receptors of mass media communication, like radio and TV audiences, who could not directly respond to what they were watching. People who enter a news website, for example, can watch a video, listen to a podcast, read the news, and also comment, share, like, criticise, “memefy”, transform it into music – the possible reactions are limitless. And *mass self-communication* has arrived in these possibilities of “interactive, multidirectional communication on the internet and, even more so, in wireless communication networks” (CASTELLS, 2015, p. 218). As defined by Castells (2015):

It is mass communication because it processes messages from many to many, with the potential of reaching a multiplicity of receivers, and of connecting to endless networks that transmit digitised information around the neighborhood or around the world. It is selfcommunication [sic] because the production of the message is autonomously decided by the sender, the designation of the receiver is self-directed and the retrieval of messages from the networks of communication is self-selected. Mass selfcommunication [sic] is based on horizontal networks of interactive communication that, by and large, are difficult to control by governments or corporations. (CASTELLS, 2015, p. 27).



Mass self-communication made it technically possible for these cancelling crusades to happen. With mass self-communication, the misdeeds of one person might spread to millions of others on the whim of a single sender. Moreover, the receivers can respond differently from how a television audience since they also have a mass audience, spreading cross-messages endlessly. Attacks like the ones described at the beginning of this work were made possible by the activity of multiple individuals in their use of mass self-communication, spreading and criticising the target's words. In Stone's case, for example, an online petition was created (H, n.d.) demanding that her employer fire her, with 2500 supporters; likewise, a Facebook Page, "Fire Lindsey Stone" was also created and gathered 12000 likes (RONSON, 2015). Cancelling crusades, therefore, are only possible due to mass self-communication.

However, new cancelling crusades are not characterised simply by the use of mass self-communication, but by their dependency on this new media. In the example of Sacco, who flew to Johannesburg, the global visibility of her tweets and the possibility of a mass response by the online public were both essential for her downfall; without Twitter, it would be hard to imagine her words spreading so fast and mobilising so many.

That is different from what became known as, for instance, the lynching of the "Guarujá Witch", the housewife Fabiane de Jesus.⁶ Indeed, de Jesus's lynching is an example of how mass self-communication played a role but not an essential one. Undoubtedly, the spreadability of mass self-communication allowed the local community where Fabiane lived to fear the supposed witch, but that is very similar to a nineteenth-century rumour or the distribution of "wanted" pamphlets leading to a lynching. In de Jesus' case, Facebook worked almost like a newspaper spreading a rumour, and individuals did not use it to express their discontent and attack the perceived wrongdoer. In sum, the allegations of deviance were posted on that medium, but there was no use of mass self-communication to react to the deviant behaviour.

⁶ In 2014, the Facebook page *Guarujá Alerta* posted that, in the city of Guarujá, a woman was kidnapping children to do black magic rituals. De Jesus lived in Morrinhos, a neighbourhood of the city of Guarujá, with her husband and two children. On the Saturday morning, she left her house to pick up the Bible she had left in the church. She stopped to buy bananas and offered a banana to a child, whose parents looked at Fabiana and believed she looked like the Witch of Guarujá. This interaction led to the lynching of Fabiana by men, women and even children. The lynching was recorded in video by the locals with their cellphones. The images were shared online and were later used to condemn five men for Fabiane's homicide. After the occurrence, the owner of the Facebook page titled "Guarujá Alerta" received several threats. He left Guarujá and the social networks for a few years, coming back later. At the time, he gave an interview saying: "What makes me sad is to see people lynching our [Facebook page] team. They [the people] are doing to me what they did to her [Fabiane]" (Campanha, 2014)



Therefore, we address cases in which mass self-communication allows multiple individuals to *react* to some wrongdoing. For example, even in the case of Aziz Ansari, in which the publication initially occurred on the Babe.net news site, the reactions on social networks were essential for the repercussions against the act perceived as deviant. Besides, the Babe.net news site itself posted on social networks about the allegations, which fomented public knowledge and comments and reactions.

As we can see, mass self-communication makes these cancelling crusades possible. Logically, the characteristics brought by this new type of communication to the public debate will affect how cancelling crusades develop. These characteristics are what we are going to explore next.

3.1. Visibility, persistence, searchability, and spreadability

The work of danah boyd (2014) is helpful to specify some characteristics of mass self-communication that are relevant to our purposes in this paper. Boyd draws on Castells, Habermas, and Anderson's imagined communities to argue that social networks can constitute a public sphere, which she names networked publics. Networked publics are

...publics that are restructured by networked technologies. As such, they are simultaneously (1) the space constructed through networked technologies and (2) the imagined community that emerges as a result of the intersection of people, technology, and practice (BOYD, 2014, p. 8).

Because of their technological nature, for boyd (2014) networked publics will have differences compared to other publics. Boyd explored such changes, reaching similar conclusions to those of Mayer-Schönberger (2009), who wrote about the effects of ICTs on memory. For Mayer-Schönberger, the effects of ICTs relate to their digital format, cheap storage, easy access and global reach. These features generate the characteristics that boyd calls visibility, spreadability, searchability and persistence. We believe these characteristics directly impact the development of cancelling crusades.

Firstly, as Mayer-Schönberger (2009) explains, digital technologies allow the infinite reproduction of specific content and its distribution without loss of quality, erasing the distinction between original and copy. Boyd (2014) calls this "... ease with which the content can be shared" (BOYD, 2014, p. 11) spreadability. This spreadability enables anything – rumours, memes, political movements – to be quickly shared.



Secondly, visibility refers to the fact that the content is accessible by an audience more extensive than the one within the physical space in which it is produced initially: being open to the public, and not localised and private, is now the default.

Networked publics also are characterised by searchability and permanence (BOYD, 2014). Indeed, the days of chasing a reference in the library's index cards catalogue, one by one, are gone. Google it. Easy, cheap, and more thoroughly access to information are enabled by digital search engines (MAYER-SCHÖNBERGER, 2009), in what boyd (2014) calls searchability. Moreover, storing data, which has always been expensive, complicated or inaccessible, also became much cheaper: images do not need to be printed in photographic material or painted in oil; they can be digitised and stored: remembering, not forgetting, is now the default (MAYER-SCHÖNBERGER, 2009). Boyd (2014) calls this persistence, which means that communications, today, are not as fleeting as speech. As characteristics of the networked publics, visibility, spreadability, searchability and permanence are also available to cancelling crusaders.

Through persistence, one can search the past life of the cancelling target, and it becomes nearly impossible to erase all online evidence of a topic. Sacco's tweet and Stone's picture, long deleted from their social networks, persist online to prove the two women's misdeeds. Internet users looking for more wrongs searched for and found Amy Cooper's Instagram account, with pictures of her dog with some wounds; Cooper ended up giving the dog back to the animal shelter from where she adopted it⁷. With *persistence*, the past remains eternally under scrutiny, and forgiveness for misdeeds does not seem plausible.

Of course, searchability facilitates persistence, which allows information about public shaming events to be easily retrieved on the internet. The ease of "Googling it" makes it easier for the stigma to remain, associating in its search results the targeted person and the deviant act. For example, in the case of Sacco, even today, it is possible to find her infamous tweet as if she had never erased it.

Furthermore, visibility and spreadability amplify the contents' reach on the internet and reactions to the case. With a potential audience of all the internet users globally and the near-frictionless ease of reproducing content, a vast number of social media users will feel outraged and replicate this outrage. In this fashion, the social

⁷ <<https://www.insider.com/amy-cooper-surrendered-dog-animal-rescue-video-black-christian-2020-5>>



response to the offence snowballs, gains momentum and becomes visible to a vast number of people.

Visibility and spreadability allow crusaders and targets not to be in the same family, business, group of friends or even country; attackers are not direct victims or witnesses of the deviant act. The visibility of social networks mainly allows a random person in New York to tweet about how Cafferty's seemingly innocuous hand gesture was a racist White Power hand sign.

And that is why visibility and spreadability differentiate cancelling crusades from other similar phenomena such as cyberbullying. In cyberbullying, children from, e.g., the same school attack their colleagues online in a behaviour that, among other characteristics, involves a *power relation* (SLONJE et al., 2013). However, even though acquaintances might be part of the cancelling crusade, thousands of people, unknown to the target, are the leading force in the cancelling process, thanks to the internet's networked architecture.

That is because a large public, unrelated to the original context, place and participants, can actively give their opinions, judge, share and demand changes or punishments. This is different, then, from being attacked by a known public, a closed group reacting to a member's misdeeds with access to a part of the case context. When a large public such as thousands of Twitter users react, the group has even more limited context than a closed group, such as students from one high school.

Therefore, we have facilitation, by information technologies, for agents out of the original context to participate and engage in the attack of a given person. Now that we have exposed the role of ICTs in the public shaming events under analysis, we move to understand how these events can be perceived as moral crusades of the twenty-first century.

3.2. A perceived wrongdoing and the creation of a social problem

Indeed, if we observe the phenomenon, we might notice it as a reaction to something perceived as wrongdoing. Surely, in all the cases observed, acts or facts perceived as some mistake, wrongdoing, or deviance are always present. In this sense, the cases observed here are different from laudatory actions, which make charity work, noble gestures, or captivating viral stories. Campaigns such as the "Ice Bucket



Challenge”⁸ are a similar phenomenon, but not our subject. Neither are the stories with a pure comic appeal, such as the “David after dentist” (BOOBA1234, 2009)⁹ viral YouTube Video. Therefore, our subject's behaviours go viral because of their perceived breaking of rules or perceived attack on group values. The fact goes viral not as a funny meme, but rather because of the outrage it causes. See, for example, Justine Sacco’s Twitter feed less than a day after she posted a tweet considered racist:

[her Twitter feed]...had become a horror show. “In light of @Justine-Sacco disgusting racist tweet, I’m donating to @care today” and “How did @JustineSacco get a PR job?! Her level of racist ignorance belongs on Fox News. #AIDS can affect anyone!” and “I’m an IAC employee and I don’t want @JustineSacco doing any communications on our behalf ever again. Ever.” [...] The anger soon turned to excitement: “All I want for Christmas is to see @JustineSacco’s face when her plane lands and she checks her inbox/voicemail” and “Oh man, @JustineSacco is going to have the most painful phone-turning-on moment ever when her plane lands” and “We are about to watch this @JustineSacco bitch get fired. In REAL time. Before she even KNOWS she’s getting fired”. (Ronson, 2015c)

In this way, the existence of a fact perceived as a misdeed is necessary, excluding similar situations involving information technologies’ viral capacity. This perception of a particular fact as a problem, and as a problem that deserves social attention and reaction, is the first link to understand these cases as moral crusades of the twenty-first century or, as we have been naming it here, cancelling crusades.

3.3 Constructing a Social Problem from a wrongdoing

Indeed, the first thing that must happen for the creation of a new moral code of right and wrong, according to Blumer (1971), is the identification of a problem: a group of people must look at some situation and be aware of it as a problem – this is the *emergence* of the social problem. Christopher Cooper tapes Amy Cooper at the Central Park; someone photographs Cafferty in his car; a follower reads Sacco's tweet and sends it to a journalist. In all cases seen here, the actual events are perceived by someone as

⁸ The “Ice Bucket Challenge” was a viral campaign which raised US\$ 220.000.000,00 to amyotrophic lateral sclerosis research in 2013: “To complete the challenge, people would dump a bucket of ice water over their heads and post the video to social media, challenging others to do the same or make a donation to ALS research. Often, people did both” (Patrick Quinn: *Ice Bucket Challenge activist dies aged 37*, 2020).

⁹ The “David after dentist” video shows seven-year-old David after a trip to the dentist. Due to the anesthesia, the boy’s cognition is comically impaired, saying things such “Is this real life?”. The currently has 139.915.554 views video on YouTube only (BOOBA1234, 2009).



problematic. This recognition by a group, notwithstanding, is not enough: the problem must pass through a process of *legitimation*, it "must acquire a necessary degree of respectability which entitles it to consideration in the recognised arenas of public discussion" (BLUMER, 1971, p. 303). Nowadays, legitimation is sought in the networked publics.

Entering the public arena creates clashes and debates among those who recognise the problem and those who have other views or interests in the area. Thus, to influence the construction of the problem, it is necessary to have the power to influence the public understanding of reality (GUSFIELD, 1981, p. 13). Some groups can represent themselves and sponsor their interests in moral debates, while unorganised and underfinanced groups stay outside (BECKER, 1963). Here we can see how mass self-communication plays a central role in facilitating the organisation of such interests. To express an opinion that can reach millions, be easily spread and searched, generating more social knowledge and reaction.

Once in the public arena, the problem will be the object of contrasting interests to only then, perhaps, be officially addressed by accommodating the different points of view. This accommodation has not only instrumental but symbolic importance: the recognition by the government of a particular worldview demonstrates the superiority and hegemony of the group which holds it (GUSFIELD, 1963).

Becker (1963), examining the practices that lead to a new piece of legislation, also stresses the existence of multiple points of view and interests. He highlights "the possible presence of an enterprising individual or group", that is, "people attempting to enlist the support of coordinated groups and using the available media of communication to develop a favourable climate of opinion" (BECKER, 1963, pp. 145-146), who he calls rule creators.

Rule creators are those people and groups who engage in creating a rule for various reasons. Considering the reason that might lead a creator into engaging in the rule-making process the "prototype" of the creator is the *crusading reformer* or *moral crusader* (BECKER, 1963, pp. 147–148). We believe that people engaged in what we have been calling cancelling crusades are moral crusaders due to their missionary tone, absolutism, and will to use any means necessary to achieve their goals, as we will demonstrate next.



3.4. Cancelling crusades as moral crusades

Indeed, events as the ones narrated above share common characteristics that allow their analysis through what Becker (1963) called moral crusades: the chase of a righteous cause, such as the temperance movement or the anti-pornography leagues, entrenched in an absolutist logic, by which every evil of every size is equally harmful and must be fought against.

To Mathieu (2005b), moral crusades are usually associated with a right-wing, conservative ideology, or with the maintenance of a dominant social class or even by their non-materialistic take. However, as the author points out, these are complex movements that are better understood observing their universalist, missionary logic: the crusader's wish to expand and impose their views on everyone. This missionary logic authorises the use of any means possible to save the good perceived as in danger.

Indeed, Gusfield (1963), for example, analyses the temperance movement as a way of reaffirming the status dominance of rural, native, protestant Americans in opposition to urban, non-protestant immigrants. The incorporation of the crusaders' moral rules by society symbolises the preference by the group and its lifestyle. Indeed, *Symbolic Crusades* was the book that marked the "...shift of emphasis from a more economic class based version of status discontent toward a style of life or 'status group' version" (WOOD & HUGHES, 1984, p. 87). For Gusfield (1963), "These movements are not easily understood by sociological models of economic class conflict (p. 13)". Zurcher *et al.* (1971) arrived at similar conclusions while analysing moral crusades against pornography (con-porns). To the authors, the con-porn movements protected status dominance since counter-cultural attitudes challenged traditional values relating to religion, sex, work and other topics. Luker (1984), in his turn, associated the anti-abortion campaign in the 19th Century with the professionalisation of medical doctors. In an era in which medicine was not regulated, the medical doctors' used the cause to establish their superior technical and moral status in relation to their competition – "folk" doctors or anyone with an alleged healing capacity.

The association of crusades and status defence, though, is challenged by Beisel (1990), for whom class dynamics are important to fully comprehend the moral crusades phenomena. Analysing the anti-vice movements at the beginning of the 20th Century in Boston, New York and Philadelphia, the author shows how the anti-vice movement in



the two former cities was victorious, while in the latter, it did not go far. This difference is because, in New York and Boston, upper classes were suffering more significant economic pressure from immigrants, which was not the case in Philadelphia. Thus, Beisel does not discard status politics. Still, he interprets these as "...a form of class politics (...) lifestyle politics are one form of conflict between classes, and moral reform movements may be linked to other battles over economics politics, or culture" (BEISEL, 1990, p. 45).

On the other hand, Wood and Hughes (1984) focus "not on economic of power-induced deprivations, but upon the presence of cognitive processes and learning" (p. 90). Taking into account culture and socialisation processes (age, sex, religion, and education being the most important variables), they conclude that class and status are less important than principle, beliefs and ideology to predict the support of an individual to a moral reform against pornography. Page and Clelland (1978), paradoxically, adopt a very close position to that of Wood and Hughes, even though not giving up the social status theory. They characterise social status struggles not as maintenance of social prestige but as the defence of a certain worldview and lifestyle. Thus, movements like busing, anti-pornography and, in their case, disputes over schools' books content, "...are not simply examples of irrational, displaced aggression in response to a [sic] economic deprivation or some general undefined frustration. ... they are attempts to build and sustain moral orders which provide basic meaning for human lives" (p. 279).

In sum, we can see here how one after another, the possible social basis for the moral crusades – status maintenance, class struggle, middle-class moralism, socialisation processes, mobilisation resources – reveals themselves as insufficient to explain the phenomena. Multiple causes, in a complex relationship, are more likely a reasonable explanation for the moral crusades. None of these potential causes, therefore, should be considered the definitional aspect of a moral crusade:

The identification of their social bases is undoubtedly crucial for the intelligibility of moral crusades. However, it is exposed to reductionism when it leads, as some of the authors just mentioned do, to reserve this category for the mobilisation of populations predefined by their status (declining) or their values (puritanical) (MATHIEU, 2009, p. 9 – our translation)

Moreover, as the author suggests, the ideological preferences of a movement should not define, either, what moral crusades are. Multiple examples demonstrate how moral crusades happen all over the political spectrum, and it is sometimes hard to



pinpoint its ideological affiliation (MATHIEU, 2015). Abolitionist feminists, for example, united with conservatives during the Bush government to fight sex traffic in a movement that silenced liberal feminists with different positions concerning the sex industry (WEITZER, 2007). In the temperance movement, one of its most prominent leaders, Frances Willard, second president of the Women's Christian Temperance Union, was a socialist feminist who got the union support for the cause of women's vote (GUSFIELD, 1981; MATHIEU, 2005b). The examples show not only causes on apparently opposite sides of the political spectrum but also that these movements are composed of various actors and interests that might endorse different ideologies.

To Mathieu (2015), then, what characterises moral crusades are their missionary and universalist undertones: the movement's will to become universal and to convert all members of society. Of course, moral crusades might be (even more frequently than not), reactionary, created in defence of social status or a social class, in favour of some moral good. Its core, though, is the missionary, universalist logic. Indeed, while explaining the process of moral enterprise and rule creation, Becker (1963) defines that the prototype of the rule creator is the crusading reformer or moral crusader. The crusader is interested in the *content* of the Law since he perceives evil which can be only fought against by the creation of legislation:

The existing rules do not satisfy him because there is some evil which profoundly disturbs him. He feels that nothing can be right in the world until rules are made to correct it. He operates with an absolute ethic; what he sees is truly and totally evil with no qualification. Any means is justified to do away with it. The crusader is fervent and righteous, often self-righteous. (BECKER, 1963, pp. 147-148)

To Becker (1963), the crusader chases a "sacred mission" that, he believes, will benefit other people by freeing them from a preventable evil. Crusaders focus is not necessarily on imposing their morals. Still, they do it anyway because this is, for them, in the best interest of others – it is a humanitarian cause to make other people's lives good, thus. Like a medieval crusader, then, who goes long lengths to universalise a single faith, converting or coercing (GUSFIELD, 1963) non-believers, infidels, into their cause. As observed by Zurcher et al. (1971) while talking to crusaders against pornography ("conporn"):

It was generally believed that humans, especially young ones, were basically morally weak, and the stronger had an obligation to help the weaker, even if help was not requested. Conporn, like Temperance crusaders (Gusfield,



1963:79), clearly perceived themselves to be morally stronger (87 percent) and to be so obliged (43 percent). (ZURCHER et al., 1971, pp. 223-224)

As Mathieu (2005b) explains it, what is essential is the absolutist logic that leads to the imposition of that way of thinking to other people. It is not enough to guarantee to the crusader to live as he pleases since he needs to impose the best moral choice (his own) on others. For example, Weitzer (2007) points out that the abolitionist feminist movement obtained hegemony in the institutionalised public space to talk about sex traffic; other feminists or contrary voices lost space almost completely – it was inadmissible to think of prostitution as a choice. Therefore, it is not enough to be part of the public debate as a relevant voice; no dissonant opinions should be accepted on the topic. There is no other choice than the right choice:

...we consider that the moral crusades differ of other kinds of mobilisation in that its members do not only target the defence of the ethical values or behavioral norms, but also, and above all, they aim to impose these values and norms upon the rest of the population .(MATHIEU, 2005b, p. 6–7, our translation).

Crusaders, then, seek to impose their morals on others, their ideas, their lifestyle. However, Becker (1963) says that even though a crusader can be "...a meddling busybody, interested in forcing his own moral on others" (p. 148), that is not always the case. That is because, more than imposing a particular moral on others, what matters to the crusaders is seeing people doing what is good for *them*. It is a humanitarian interest to improve other people's lives: "He [the crusader] believes that if they [other people] do what is right it will be good for them. Or he may feel that this reform will prevent certain kinds of exploitation of one person by another" (p. 148)¹⁰.

¹⁰ We agree with Mathieu that a characteristic of the moral crusades is this missionary logic, the will to make its values known and accepted by all, beyond the original group. However, as the previous definitions, Mathieu's suggestion does not grasp the complexity of the moral crusades. Firstly, because Mathieu believes that the missionary aspect of moral crusades is incompatible with movements for minority's rights or that defend the right to difference. And, at first glance, Mathieu's argument makes sense, since minority's movements and the right to difference do not intend, in theory, to impose themselves on others, but to only guarantee the equal right and respect for their participants. Crusaders, on the other hand, seek to impose their morals on others, their ideas, their lifestyle. Notwithstanding, Becker (1963) says that even though a crusader can be "...a meddling busybody, interested in forcing his own moral on others" (p. 148), that is not always the case. Because, more than imposing a certain moral on others, what matters to the crusaders is seeing people do what is good for *them*. We see, then, that the missionary logic in the sense of imposing a set of moral upon others, is a characteristic that might or might not be present in a crusade. Crusaders can have humanitarian intentions, to help others achieve a truly good life. We understand, then, crusaders as interested in fighting a certain, absolute, evil, despite other people's morals and perhaps in their own benefit, and society's moral code needs to change for that.



Cancel crusades also work under a missionary logic, of imposition of specific values for the good of Society. Sacco, Ansari, Stone, Cafferty and Cooper must learn better ways or to be punished for offending certain high values. However, the cancelling crusades seek to impose the defended values targeting not a government or a company, but rather a single person or group. Unlike 1960s con-porns picketing in front of adult bookstores, cancellers seek to punish the wrongdoer for the act by any means available. This punishment works as a proxy for a more significant cause. Sacco's, Cafferty's and Groves' punishment was part of a fight against racism; Stone's was the proxy of safeguarding the nationalist memory of the dead soldiers; Ansari represented the fight against sexual assault. Therefore, cancellation crusades events are proxies for bigger causes, purposes, and ideas.

However, besides the missionary aspect of crusades, we must highlight another two aspects of moral crusades: first, the "absolut ethic" of the crusader, and, second, the use of any justified means to achieve the necessary change (BECKER, 1963, p. 148). Indeed, the crusader identifies only absolute evil, with no space for negotiation; furthermore, being this evil so great, so damaging, any means necessary are justified to wipe it out from the face of the earth.

This *absolutist logic* is apparent, for example, in cases such as Sacco's, Stone's and Cafferty's, who were punished by simple expressions perceived as offensive. Mere opinions must also be cancelled because the canceller, as a crusader, "...operates with an absolute ethic; what he sees is truly and totally evil with no qualification" (BECKER, 1963, p. 148). Even minor offences are to be persecuted by the crusader: evil is evil, no matter what size. A word, a gesture, an encounter: these are all worth crusading for, for the sake of a greater good.

It is essential to observe that these educational missions might lead to more coercive formulas. Gusfield (1963) explained that crusades might assume an assimilative form or a coercive one. So it is interesting to see that another possible association between cancelling crusades and moral crusades is that in both, "Any means is justified to do away with it" (BECKER, 1963, p. 148). Proselytism is as much a strategy as is punishment. That is well represented in all the threats, and actual attacks people receive in a cancellation event. Any means are suitable to achieve these higher causes, and nothing else than the absolute silence of the other part is wanted. Cooper was fired, and crusaders denounced the alleged mistreatment of her dog, which she gave back to the



shelter; Sacco, Cafferty and Stone were also fired. Groves lost her spot in the University. And there are also the not rare cases in which more serious threats are made: death, rape, attacks to friends, family and employers, the release of private data, defamation etc (on these more violent ways of silencing someone on the internet, e.g. JANE, 2017; MASSANARI, 2017; RONSON, 2015).

Furthermore, as we can see, moral crusades have a missionary logic that seeks to impose particular value upon others; that imposition is valid to oppose the smallest evil, and it calls for all means necessary. Under these characteristics, cancel crusades fit perfectly in the category: allowed by mass self-communication, people can easily and quickly perceive an offence to their values and react accordingly. Any minor wrongdoing is perceived and shared, becoming visible in the networked public. Crusades will then react, punishing the offender by any means possible (exposing, offending, threatening). Crusaders will search, share and make more visible the misdeed, which will become permanent on the internet. In this way, their values, the right values, were affirmed, protected and the great evil represented in a minor offence will be silenced.

We are not suggesting that the internet only allowed for moralist attacks of wrongdoers, nor that the crusades analysed here are all illegitimate. What makes these movements crusades is their modus operandi and the missionary intentions of the participants. That might involve legitimate interests and cause. Indeed, since the advent of ICTs, scholars have shown great interest in how these new ways of interaction give way to the construction of identities, especially those which challenge the social norms on what is acceptable or not. In this sense, several works (ALVAREZ, 2014; ATTWOOD, 2011; CASTELLS, 2015; HASINOFF, 2013; JANE, 2017; MARTINEZ, 2019; MARWICK & BOYD, 2011) have shown the opportunity the ICTs give to the construction of new subjectivities; individualities and causes once silenced find a safe space to manifest. As we can see, these online campaigns may aim to demonstrate the existence of a public problem yet unknown or non-recognised, trying to bring it to the networked public as a means of legitimisation. It is clear, then, that those networked publics are being used as a medium to create and legitimise public problems, as much as it is used by individuals deemed deviant to challenge their heterodeinition.

Indeed, there is historically a common assumption that the internet would create a human community without prejudice, among equals, horizontal, without agonistic politics, where the individual, by himself and with technology, would be able to



change the world (TURNER, 2006). Maybe then the construction of public problems would be rationalised and decided independently of power differentials. As Lyon (2007) puts it, however, "...[w]hy anyone ever dreamed that cyberspace would be primarily a realm of freedom defeats logic" (p. 99).

About power differentials online, boyd (2014) concluded that "...the colorblind and disembodied social world that the internet was supposed to make possible has not materialised" (p. 23). The "upload" of offline power dynamics is also well-exposed by Massanari's (2015, 2017) ethnographic study of Reddit and by Jane's (2017) research on online misogyny. Both authors show how online environments can be used to attack people in positions of less power – black people, women, e.g. The point is: at the same time, ICTs provide a powerful instrument for the privileged and the underprivileged.

Power dynamics, in this way, continue to exist online and cannot be ignored in the analysis of cancelling crusades. Cancelling crusades, as moral crusades are better understood as a process, a dispute, over the meanings supported by society (GUSFIELD, 1981). And the missionary logic, the absolutist views, and the will to use any means possible are strategies and ways to understand the world that can belong to both sides of these power dynamics. As seen above, the ideology defended is not relevant to define a crusade.

That is why cancellation crusades might benefit from a moral crusades analysis of the power relations and disputes involved in developing a society's moral code. This code is the object of dispute, alliances, convincing and silencing alternative world views (BECKER, 1963; GUSFIELD, 1981). Seeing cancelling crusades in this manner allows us to understand them as social processes that construct a new reality of meaning, changing how society sees its problems.

4. Cancelling crusades and the impacts on the criminal justice system

This section deals with the emerging impacts of this new era of cancelling crusades on the criminal justice system. It may be a little early to grasp how essential shifts in communication trends in Society impact legal proceedings or legal outcomes, and it may appear reckless to some readers to try to make sense of something from which it is hard to have distance due to its ubiquitous presence in our daily lives. We are aware of these



difficulties. However, we still believe that it is crucial to draft some theoretical points to make sense of what we have seen in the past few years in a theoretical essay.

As is widely known, moral disputes in society have repercussions for the criminal justice system. From new criminalising legislation to changes in legal procedures, there is a vast field of possibilities for moral issues in dispute to impact legal responses. It is not different when we discuss moral disputes of the twenty-first century that take place in the digital ground of social networks. What are these repercussions that we can observe? And what are the potential changes that can emerge from these disputes related to cancelling crusades?

The cases presented above (section 2) bring some elements for this analysis, but some of the possible effects are still theoretical without further empirical evidence. Two of the cases have clear criminal consequences for the targets of the cancelling crusades (Amy Cooper and Aziz Ansari), while the others may have legal consequences outside the realm of criminal Law. However, no matter the actual outcomes, we believe that it is important to analyse from a theoretical standpoint the potential for trouble that cancelling crusades bring when we think about the criminal justice system.

4.1. Avoiding the criminal justice system

The cancelling crusades may also be described as an aggregate of different public manifestations. There is no univocal result of the forces in a cancelling crusade, from ironic comments to demands for punishment, from harsh criticism to demands for legal actions. However, frequently and notoriously, attitudes about avoiding the criminal justice system surface and become visible during cancelling crusades.¹¹ In the presence of morally unacceptable behaviour or speech, many observers of the behaviour will not count on the legal system as the primary answer. To them, the public denunciation of the offending behaviour and the public defamation of the original perpetrator seems to be the "appropriate" response. The possibility of broadcasting one's indignation through social networks and the participation of thousands of people adding up messages of outrage gives the individual a certain sense of power. The sentiments of the cancellers seem to be "I am being heard," and "I am part of a moral community," when they are

¹¹ In the cases described in section 2, the reaction of Jimmy Galligan is the perfect example of this attitude of avoidance, not only of the legal system, but also of any authority linked to the school.



calling out the cancelled behaviour and its perpetrator. The collective feedback of endless posts carrying similar messages boosts the cancellers' sense of self-righteousness. At the same time, their individual expression of outrage adds up and helps to give visibility and authority to the public condemnation of the perceived deviant and his behaviour. This feedback forms a cycle of personal reinforcement of moral certitude and group reinforcement of moral condemnation of deviant behaviour.

Those familiar with the literature on public lynching will quickly notice some similarities between the events of public lynchings and cancelling crusades. Public lynchings and cancelling crusades arise from a collective buildup or frenzy where individuals feel a sense of reinforcement through peer participation. Being a part of a crowd allows a momentary feeling of satisfaction for accomplishing a public good and, at the same time, gives a sense of not being responsible for the deleterious effects that the crowd actions had on the perceived wrongdoer.

Besides, both public lynching and cancelling crusades share a mistrust in the criminal justice system. The individuals who perpetrate both the public cancelling in the digital era and the public lynchings described in the literature (MARTINS, 2015; SINHORETTO, 2001) may justify their actions by asserting that "something had to be done" to counter an outrage or offence. Since there is mistrust that the legal institutions will have the appropriate response to the perceived deviant behaviour, the discourse that emerges among the crusaders is that "we better render justice ourselves." The recourse provided by legal institutions may seem insufficient. The timing of the criminal justice system may seem infuriatingly slow vis-à-vis the outrage caused by the offender. Besides, cancellers and lynchers may distrust the judicial system's punishments or even whether offenders will be punished at all. The legal proceedings may seem too complicated and may seem to benefit the accused. The criminal justice system may seem permeable to undue influences, such as the social status of the deviant or the corruption of judges, lawyers, and juries. In short, for both public lynchings and public cancellations, in the face of the moral outrage of the offence, individuals believe they had better take matters into their own hands.

However, two crucial aspects clearly distinguish the two phenomena of public lynchings and cancelling crusades. First, it is evident that one takes place mainly in the digital world and, for that reason, the degree of actual physical violence is unmatched compared to public lynchings. The second aspect, which is of special interest in this



paper, is the degree of separation of canceller from cancelled that the mediation of a computer or a cell phone allows. Since the "canceller" and the "cancelled" are people with no previous connection to each other, as mentioned in section 3.1., the burden of accusing or insulting someone becomes practically nonexistent. The first person to blow the whistle may or may not be someone who knows the offender, but the vast majority of the cancellers who will join the public process of stigmatisation will be entirely unknown for the appointed deviants.

4.2. When the cancellers reach the gates of the justice system

When the cancelling crusades reach the criminal justice system, there is an extraordinary potential for worrisome outcomes. First of all, one can hardly argue that there is something new in a scenario where the criminal justice system faces highly publicised cases. In recent decades, a large body of criminological literature¹² has shed light on how legal systems in different countries deal with public pressure and mediatisation. However, even if it is commonplace for legal systems to face public pressure and mediatisation, the past few years have witnessed a new and different kind of public pressure and mediatisation. Instead of big media companies talking about criminal cases, covering criminal trials and following the steps of the legal proceedings, mass self-communication about crime has spread across the landscape (see section 3 above). Instead of a slim fragmentation of the media coverage with a few experts who comment on the case and set its moral tone, many social media users voice as many opinions as possible in endless threads on Twitter or Facebook. In other words, new cancelling crusaders put pressure on the criminal justice system in a different way than earlier mediatisation did: not an organised and editorialised opinion of few media companies, but a multitude of anonymous cancellers who, in the aggregate, became a visible and influential moral discourse on the criminal justice system.

The novelty of cancelling crusades consists, therefore, in an increased pressure on the criminal justice system. We have evolved from a scenario of few sources of pressure (media companies) inciting dissatisfaction with legal proceedings to a multitude of more or less informal "influencers" giving visibility to every single step of

¹² In this extensive literature, some works are particularly useful. In the Brazilian scenario, see Schreiber (2008). On penal populism, see Pratt (2007).



the criminal proceedings (and possibly criticising it). As one of the authors of this paper have demonstrated elsewhere (Xavier, 2012; Xavier, 2014), increased pressure on the criminal justice system does not necessarily guarantee the desired outcome. However, it creates a turbulent environment and many hurdles to the legal actors to accomplish usual tasks. For justice actors, the visibility brings the same possibility of being publicly shamed for performing their jobs as cancelled people face. Judges, prosecutors and lawyers have to consider that they may enter the belly of the cancelling beast. Even if these legal actors have always been visible in traditionally mediatised cases, at least it was formerly possible to identify and respond to the accusers who worked for identifiable media companies. In the age of mass self-communication, however, it is much harder to identify (and eventually prosecute) those part of the attacking crowd.

Besides the pressure of mediatisation and judicial actors' fear of being cancelled themselves, the content of the messages in these public cancelling events is predominantly unidimensional regarding the expectations towards the criminal justice system. Even though a cancelling crusade is a crossing of power differentials with various demands, when the crusade reaches the criminal justice system, the demand is for the target to suffer to pay for the perceived deviance literally. In this sense, cancelling crusades, even though often intend to protect progressive values, is anything but progressive when it comes to the demands of criminal responsabilisation (an infliction of severe punishment). Moreover, this is what makes this phenomenon even more interesting from a criminological point of view. If the moral crusades theoretical framework, back in the sixties, had conservative movements in mind, it is unsettling to realise that the cancelling crusades of the 21st Century are often carried out in defence of values identified with progressive groups.

Despite the progressive values of many cancelling crusades, the ideas contained in these public shaming events are anything but innovative. Pires' sociology of penal ideas (PIRES, 2004, 1999, 1998) considers that one of the most significant obstacles for a more humanist criminal justice system is the system of ideas that colonises the practices of the criminal justice system. When we think about the punitive discourses contained in these cancelling crusades, we can see how modern theories of punishment are mobilised in the discourses. The demands for justice often demand retribution (an evil [punishment] for an evil [crime]) as the only way to re-establish justice to the situation. These public demands are also demands for deterrence, both



individual and collective: "they should learn a lesson"; "it will make them an example"; "all the others who act the same will now fear the consequences". Finally, these are also demands for neutralisation: "someone has to stop this person".

However, at the same time that these cancelling crusades are very modern when it comes to justifying the punishment (in the sense that they reinforce theories of punishment that emerged in the late eighteenth century and are with us up to these days), they are also pre-modern in some aspects. They are pre-modern in the sense that they mobilise ideas that modern western criminal justice systems have rejected. The regressive face of public cancelling events is in the demands for considering accusations on their face value, in the protests against an adversarial criminal proceeding, in the valorisation of the victim, in the stigmatisation of the accused and in the suggestion that the criminal response lacks proportionality.

In short, the most concerning aspect of this new phenomenon of public shaming seems to be a dissatisfaction with the criminal justice system that demands changes towards not more conciliatory, forgiving or humane practices, but rather towards moralising practices that reinforce penal harshness and undermine legal guarantees long established. The instantaneous "communities" formed out of a shared perception of deviance frequently seems to take the form of a community of vigilants who represent the episode with an unquestionable clear moral cut. There is an evident outrageous behaviour, a despicable culprit and an innocent victim¹³ ready to be transformed in political discourse about impunity or the degradation of society's values.

5. Final remarks

The main goal of this paper is to theoretically delineate a new social phenomenon and its implications for the criminal justice system. Since we are dealing with a reasonably new phenomenon, there are at least two important hurdles we have tried to overcome to accomplish this task.

¹³ Garland (2001), using the expression, innocent victim, was one of the first authors to make a very convincing analysis of the emergence of the victims in the penal discourse of the late 20th century. For an analysis of the emergence of the victims as an important actor for the criminal justice system in the past decades, see also Erner (2006) and Salas (2005).



The first hurdle was to try to delimitate these cases of cancelling crusades. Despite being very tangible for its targets, the phenomenon of online shaming is still something quite foggy when it comes to grasping it in criminological terms. It lacks precise definition and theoretical density when it comes to academic understanding. We hope we bring enough detailed description to show the readers that an interesting new phenomenon needs to be better studied and comprehended.

The second hurdle was to find adequate tools to advance the understanding of the phenomenon. Calling it "cancelling crusades" was an explicit attempt to renovate a traditional theoretical framework, moral crusades, of the criminology of the twentieth century. Since this framework was created before the advent of widespread online disputes, we have also added more recent tools that shed some light on online behaviour.

Besides these two challenges, one important underlying observation has motivated this paper. The authors' great political and theoretical concern is the renewed faith in punitive solutions for social problems. The emergence of new information and communication technologies has completely transformed how we live and communicate. In this brave new world of an explosion of communication possibilities, demands for rights, justice, equality, visibility, etc. are all a breath of fresh air for those who believe in a more humane and inclusive society. Users of social networking platforms build solidarity. However, the emergence of mass-self communication, which allows progressive values to be disseminated, also allows the proliferation of new forms of punitive demands associated with these values. As we have discussed in section 4, the demands for a more humane society based on promoting an inhumane criminal justice system are not new in any sense. Nevertheless, the emergence of the cancelling crusades seems to intensify this paradox.

6. References

ALVAREZ, Sonia E. Para além da sociedade civil: reflexões sobre o campo feminista. *Cadernos Pagu*, n. 43, p. 13–56, 2014.

ATTWOOD, Feona. Through the Looking Glass? Sexual Agency and Subjectification Online. In: GILL, Rosalind; SCHARFF, Christina (Orgs.). **New Femininities: Postfeminism, Neoliberalism and Subjectivity**. Great Britain: Palgrave Macmillan, 2011. Disponível em: <<https://b-ok.cc/book/890286/5ae704>>. Acesso em: 28 jul. 2020.



BECKER, H. S. **Outsiders: Studies in the sociology of deviance**. Oxford, England: Free Press Glencoe, 1963. p. x, 179

BEISEL, N. Class, Culture, and Campaigns against Vice in Three American Cities, 1872-1892. **American sociological review**, v. 55, n. 1, p. 44–62, 1990.

BLUMER, Herbert. Social problems as collective behavior. **Social Problems**, v. 18, n. 3, p. 298–306, 1971.

BOOBA1234. David After Dentist. [s.l.: s.n.], 2009. Disponível em: <<https://www.youtube.com/watch?v=txqiwrbyGrs>>. Acesso em: 31 dez. 2020.

BOYD, D. **It's complicated: The social lives of networked teens**. [s.l.] Yale University Press, 2014.

CAMPANHA, Diógenes. Estão fazendo um novo linchamento comigo, diz dono de "Guarujá Alerta" - 07/05/2014 - Cotidiano. Folha de S.Paulo. Disponível em: <<http://www1.folha.uol.com.br/cotidiano/2014/05/1450848-estao-fazendo-um-novo-linchamento-comigo-diz-dono-de-guaruja-alerta.shtml>>. Acesso em: 13 jan. 2021.

CASTELLS, M. **Networks of outrage and hope: Social movements in the Internet age**. [s.l.] John Wiley & Sons, 2015.

_____. The new public sphere: Global civil Society, communication networks, and global governance. **The annals of the american academy of Political and Social Science**, v. 616, n. 1, p. 78–93, 2008.

_____. A sociedade em rede. Trad. Roneide Venâncio Majer. São Paulo: Paz e Terra, 2008.

_____. **Networks of outrage and hope: social movements in the internet age**. Cambridge, UK: Polity Press, 2015. (Web 2.0 in Travel and Tourism: Empowering and Changing the Role of Travelers).

ERNER, Guillaume. **La société des victimes**. Paris: La découverte, 2006.

GUSFIELD, J. R. **Symbolic crusade: Status politics and the American temperance movement**. Oxford, England: U. Illinois Press, 1963. p. ix, 198

_____. **The culture of public problems: Drinking-driving and the symbolic order**. [s.l.] Chicago: University of Chicago Press, 1981.

H, Thammy. Fire Lindsay Stone for her disrespect of our nation while on company time. Change.org. Disponível em: <<https://www.change.org/p/lindsay-stone-fire-lindsay-stone-for-her-disrespect-of-our-nation-while-on-company-time>>. Acesso em: 8 fev. 2021.

HASINOFF, Amy Adele. Sexting as media production: Rethinking social media and sexuality. **New Media & Society**, v. 15, n. 4, p. 449–465, 2013.

JANE, Emma A. 'Dude ... stop the spread': antagonism, agonism, and #manspreading on social media. **International Journal of Cultural Studies**, v. 20, n. 5, p. 459–475, 2017.

_____. **Misogyny online: a short (and brutish) history**. [s.l.: s.n.], 2017.



LUKER, Kristin. **Abortion and the politics of motherhood**. Berkeley: University of California Press, 1984. (California series on social choice and political economy).

LYON, David. *Surveillance studies: an overview*. Repr. Cambridge: Polity Press, 2007.

MARTINEZ, Fabiana. Feminismos em movimento no ciberespaço. **Cadernos Pagu**, n. 56, p. e195612, 2019.

MARTINS, J. **Linchamentos: a justiça popular no Brasil**. [s.l.] Editora Contexto, 2015.

MARWICK, Alice E.; BOYD, Danah. **The Drama! Teen Conflict, Gossip, and Bullying in Networked Publics**. Rochester, NY: Social Science Research Network, 2011. Disponível em: <<https://papers.ssrn.com/abstract=1926349>>. Acesso em: 30 jun. 2020.

MASSANARI, Adrienne Lynne. #Gamergate and The Fappening: How Reddit's algorithm, governance, and culture support toxic technocultures. **New Media & Society**, v. 19, n. 3, p. 329–346, 2017.

_____. **Participatory culture, community, and play: learning from reddit**. New York: Peter Lang, 2015.

MATHIEU, Lilian. Repères pour une sociologie des croisades morales. **Deviance et Societe**, v. Vol. 29, n. 1, p. 3–12, 2005.

MAYER-SCHÖNBERGER, V. Can we reinvent the internet? **Science**, v. 325, n. 5939, p. 396–397, 2009.

_____. **Delete: The Virtue of Forgetting in the Digital Age**. Princeton and Oxford: Princeton University Press, 2009.

MCCARTHY, John D.; ZALD, Mayer N. Resource Mobilization and Social Movements: A Partial Theory. **American Journal of Sociology**, v. 82, n. 6, p. 1212–1241, 1977.

NIR, Sarah Maslin. How 2 Lives Collided in Central Park, Rattling the Nation. **The New York Times**, 2020. Disponível em: <<https://www.nytimes.com/2020/06/14/nyregion/central-park-amy-cooper-christian-racism.html>>. Acesso em: 4 fev. 2021.

PAGE, Ann L.; CLELLAND, Donald A. The Kanawha County Textbook Controversy: A Study of the Politics of Life Style Concern. **Social Forces**, v. 57, n. 1, p. 265–281, 1978.

Patrick Quinn: Ice Bucket Challenge activist dies aged 37. BBC News. Disponível em: <<https://www.bbc.com/news/world-us-canada-55038786>>. Acesso em: 13 jan. 2021.

PIRES, A. “A racionalidade penal moderna, o público e os direitos humanos.” **Novos Estudos CEBRAP**, n.68, 2004, p.39-60.

PIRES, A. “Alguns obstáculos a uma mutação ‘humanista’ do direito penal.” **Sociologias**, ano 1, n.1, 1999, p.64-95.

PIRES, A. “La Formation de la Rationalité Pénale Moderne” In: C.Debuyst, F.Digneffe e A.Pires., **Histoire des Savoirs sur le Crime et la Peine, vol2**. Bruxelles: Larcier, 1998.



PRATT, John. **Penal Populism**. London and New York: Routledge, 2007.

RONSON, J. **So you've been publicly shamed**. [s.l.] Riverhead Books, 2016.

_____. "Overnight, everything I loved was gone": the internet shaming of Lindsey Stone. **the Guardian**. Disponível em: <<http://www.theguardian.com/technology/2015/feb/21/internet-shaming-lindsey-stone-jon-ronson>>. Acesso em: 8 fev. 2021.

_____. How One Stupid Tweet Blew Up Justine Sacco's Life. **The New York Times**, 2015. Disponível em: <<https://www.nytimes.com/2015/02/15/magazine/how-one-stupid-tweet-ruined-justine-saccos-life.html>>. Acesso em: 4 out. 2020.

SALAS, D. **La Volonté de Punir : Essai sur le Populisme Pénal**. Paris: Hachette, 2005.

SCHREIBER, S. **A publicidade opressiva dos julgamentos criminais**. Rio de Janeiro: Renovar, 2008.

SINHORETTO, J. Os justiçadores e sua justiça. **Linchamentos, costume e conflito**, v. 1, 2001.

SLONJE, R.; SMITH, P. K.; FRISÉN, A. The nature of cyberbullying, and strategies for prevention. **Computers in human behavior**, v. 29, n. 1, p. 26–32, 2013.

_____. The nature of cyberbullying, and strategies for prevention. **Computers in Human Behavior**, v. 29, n. 1, p. 26–32, 2013. (Including Special Section Youth, Internet, and Wellbeing).

TURNER, Fred. **From counterculture to cyberculture: Stewart Brand, the Whole Earth Network, and the rise of digital utopianism**. Chicago: University of Chicago Press, 2006.

WALSH, E. Resource Mobilization and Citizen Protest in Communities around Three Mile Island. **Social problems** (Berkeley, Calif.), v. 29, n. 1, p. 1–21, 1981.

WEITZER, R. The Social Construction of Sex Trafficking: Ideology and Institutionalisation of a Moral Crusade. **Politics & Society**, v. 35, n. 3, p. 447–475, 1 set. 2007.

WOOD, Michael; HUGHES, Michael. The Moral Basis of Moral Reform: Status Discontent vs. Culture and Socialisation as Explanations of Anti-Pornography Social Movement Adherence. **American sociological review**, v. 49, n. 1, p. 86–99, 1984.

XAVIER, J. R. F. **La réception de l'opinion publique par le système de droit criminel**. PhD Thesis—[s.l.] Université d'Ottawa/University of Ottawa, 2012.

_____. A opinião pública e o sistema de direito criminal: sobre as dificuldades de compreender essa relação complexa. **Revista do IBCCRIM**, n.112, 2015.



ZURCHER, Louis A; KIRKPATRICK, R. George; CUSHING, Robert G; et al. The Anti-Pornography Campaign: A Symbolic Crusade. **Social problems** (Berkeley, Calif.), v. 19, n. 2, p. 217–238, 1971.

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