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#Vulnerability - Expectations of Justice through Accounts of Terror on Twitter

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Abstract

There is little doubt that new digital technologies have performed a dynamic function in transforming culture, both positively and negatively. In an increasingly networked world, social media platforms have not just transformed the way individuals communicate, but they have also amplified and intensified the way they interpret, critique and legitimise the achievement of law and justice within communities. Law now finds expression, facilitation and transformation in emerging digital media platforms and it is important to reflect on and explore the performance of social media in its role of challenging and transforming expectations of law and justice.

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#Vulnerability – Expectations of Justice through Accounts of Terror on Twitter

Cassandra Sharp¹

*The world we live in isn't as safe as it should be,
people shouldn't have to fear for their everyday lives²*

There is little doubt that new digital technologies have performed a dynamic function in transforming culture, both positively and negatively. In an increasingly networked world, social media platforms have not just transformed the way individuals communicate, but they have also amplified and intensified the way they interpret, critique and legitimise the achievement of law and justice within communities. Law now finds expression, facilitation and transformation in emerging digital media platforms and it is important to reflect on and explore the performance of social media in its role of challenging and transforming expectations of law and justice.

This article focuses on the ways in which terror events are responded to in the iterative narratives of social media, and how these narratives contribute to an emotional jurisprudence that impacts the public legal consciousness. It continues work begun in 2015, when I analysed the twitter responses to the Sydney siege.³ As a hostage crisis event, I argued that it provoked a storied critique of legality and justice through the emotional experience and expression of fear.⁴ In particular, the analysis demonstrated that, as individuals responded emotively to the Sydney Siege, the emerging narrative corroborated a 'just' worldview whereby (i) the protection of *innocence* was favoured as one key goal of justice;⁵ and (ii) the legitimacy of the law and its ability to cope with threatening crisis events was questioned. This was especially apposite given the information that came to light during the siege that the perpetrator

¹ Associate Professor, Law School, University of Wollongong (UOW) and member of the Legal Intersections Research Centre (LIRC). The author thanks the editors and the anonymous reviewers whose suggestions have enriched my arguments.

² Comment posted on Twitter in response to the Brussels event. In order to maintain some level of anonymity (see further explanation in Part IC of this article), extracted posts will be hereafter referenced by a code corresponding to the dataset on file with the author. That is, each tweet is allocated a number and will be paired with either a B or P for Brussels or Paris related tweets respectively. The one quoted above is thus coded: Tweet B1.

³ See Cassandra Sharp, '#fear&loathing in Sydney: Law, Justice and the Experience of Fear in a Hashtag World' (2018) 30(1) *Law & Literature* 29.

⁴ Sharp (n3), 30.

⁵ This was evident in tweets where individuals deploy the good versus evil narrative to emotively assign *innocence* to the victims in contradistinction to the *guilt* of the perpetrator, see Sharp (n3), 41.

(Monis) had been granted ‘bail for serious violent offences at the time of the siege’.⁶ Unsurprisingly, this research demonstrated that such information contributed to the conflation of law and justice in public comments surrounding the concepts of legitimacy, responsibility and accountability.⁷

This article builds on the Sydney Siege Twitter study by applying the same methodology to two new case studies. The first is the Paris terrorist attacks occurring on November 13, 2015 where 130 people were killed and 368 people were injured. The Parisian co-ordinated attacks were reportedly the deadliest in France since WWII, and of course France had been on high alert since the January 2015 attacks on the Charlie Hebdo offices. The second case study is the co-ordinated suicide bombings that occurred on 22 March 2016 in Brussels, Belgium, where 32 civilians were killed and more than 300 people were injured. Again, this was reported as the deadliest act of terrorism in Belgium’s history, with the government declaring three national days of mourning.

By specifically analysing the twitter narratives related to these two events, the article will explore the affective impact of social media interaction on everyday meaning-making about law and justice, and further demonstrate that the emotional responses to these events contribute to the construction and perpetuation of expectations of law and justice. Along these lines, the first section of the article will provide some context for the theoretical and methodological approach to this research; and the second section will use the key narrative of vulnerability to highlight some of the analysis from the European terrorist events

I. Emotional Jurisprudence through Social Media Stories

The widespread use of social media in everyday interactions means that it is now one of many cultural resources that individuals use to make sense of the world, and importantly, express their expectations of that world. Twitter, as a social media platform that celebrated its 10th anniversary in March 2016, has over 335 million monthly active users, with 500 million tweets sent per day.⁸ It ‘is a medium of immediacy, information, and interactivity’,⁹ that opens up another method by which publics can ‘engage with the cultural, social and political realities with which they are confronted.’¹⁰

⁶ Michael Thawley and Blair Comley, *Commonwealth of Australia 2015, Martin Place Siege: Joint Commonwealth – New South Wales review* (Canberra, Australia: NSW Government and Commonwealth Government, 2015) vi.

⁷ See further Sharp (n3), 40ff.

⁸ Salman Aslam, ‘Twitter by the Numbers: Stats, Demographics & Fun Facts’ (*OmniCare Agency online*, 18 September 2018) <<https://www.omnicareagency.com/twitter-statistics/>> accessed 2 October 2018.

⁹ Jane Johnston, ‘Courts’ New Visibility 2.0’ in Patrick Keyzer, Jane Johnston and Mark Pearson (eds) *The Courts and the Media: Challenges in the era of Digital and Social Media* (Halstead Press, 2012) 57.

¹⁰ Theresa Sauter and Axel Bruns, ‘Tweeting the Tv Event, Creating “Public Sphericules”: Ad Hoc Engagement With SBS’s *Go Back To Where You Came From* – Season 2’ (2014) 15 *Media International Australia* 13.

Twitter is primarily a public medium¹¹ – users can follow anyone with a public Twitter account without the reciprocal requirement being fulfilled. Of course, this then easily facilitates ‘the broad dissemination of emerging information within very short timeframes,’¹² and as Zappavigna argues, it fulfils ‘a social need among users to engage with other voices in public and private feeds’.¹³ As a microblogging service, Twitter allows users to post character-constrained messages (280 characters) across multiple devices, and because of this Twitter has ‘changed the concept of how people ...respond’¹⁴ to major societal events.

It is the very nature of Twitter, with its categorisation of Tweets using the hashtag symbol (#) combined with a keyword, that facilitates the creation of narratives surrounding current events and public issues. Clicking on a hashtag word in any message enables the identification of all the other Tweets marked with that keyword, and this means it is possible to observe the development over time of various narratives that are collectively formed by the contributions of users as they create and then deploy hashtags in their responses to key events.

Hashtagging is on the one hand, a ‘typographic convention used to mark the topic of a tweet’, but on the other hand, it is also an ‘emergent activity’ that ‘creates the possibility of ambient affiliation...where [individuals] affiliate with a co-present, impermanent, community by bonding around evolving topics of interest’.¹⁵ This medium of expressing personal evaluation to ‘a large body of listeners with which one can affiliate ambiently’ has a dynamic perspective – ‘these communities shift as hashtags shift’,¹⁶ and, importantly, a narrative of communal response can be identified in real time response to key events. This utilisation of hashtags within tweets reflects our communal innate drive to narrativise the experiences of our world,¹⁷ which is unsurprising given that narratives are essential to the experience of being human¹⁸ – to the ways we communicate, learn and reflectively make sense of the world. It is the aggregate of individual comments on social media that helps to shape legal narrative and impact upon ‘legal consciousness.’

¹¹ Twitter does have facilities for private communication via direct messages between users.

¹² Axel Bruns and Katrin Weller “Twitter as a first draft of the present – and the challenges of preserving it for the future,” in Wolfgang Nejdl, Wendy Hall, Paolo Parigi, and Steffen Staab (eds) (2016) *Proceedings of the 8th ACM Conference on Web Science*, ACM, Hannover, Germany, 183, 184.

¹³ Michele Zappavigna, “Ambient affiliation: A linguistic perspective on Twitter”, (2013) 13 *New Media & Society*, 788, 790.

¹⁴ Johnston (n9).

¹⁵ Zappavigna (n13), at 800. She argues that: ‘Interpersonally-charged tweets invite with their hashtags an ambient audience to align with their bonds’ at 801.

¹⁶ Zappavigna (n15), 803.

¹⁷ See further Sharp (n3).

¹⁸ Bret Rappaport, ‘Tapping the Human Adaptive Origins of Storytelling by Requiring Legal Writing Students to Read a Novel in Order to Appreciate How Character, Setting, Plot, Theme, and Tone (CSPTT) are as Important as IRAC’ (2008) 25 *T M Cooley L Rev* 267, 268.

A. Social Media Narratives and Legal Consciousness

As many scholars have argued, law is constituted by those narratives which give it meaning,¹⁹ and it is through everyday stories that normative expectations of law and justice are formed, contextualised and maintained.²⁰ Indeed this is one aspect of what Cover conceptualised in his idea of the ‘nomos’, a cultural world of law that includes what people believe law is and the stories they tell about it.²¹ Sherwin, Feigenson and Spiesel argue in relation to the ‘nomos’ that:

“[o]nce understood in the context of the narratives that give it meaning, law becomes not merely a system of rules. Law is a world in which we live.”²²

Law is viewed as ‘inseparable from the interests, goals, and understandings that deeply shape or comprise social life,’²³ and it is therefore appropriate to appreciate how individuals produce, interpret, transform and exchange meanings about law through reflections on life events. This article adopts this constitutive perspective that ‘firmly situates the law at the heart of everyday life.’²⁴ The literature describes this as ‘legal consciousness’, and the concept encompasses the entirety of ‘legal meaning making practices throughout society’²⁵. In this sense then, ‘legal meaning’ refers to the understandings and perceptions about law that are constructed and transformed within legal consciousness. This is key to recognising the interpretive nature of popular cultural texts and activities, and individual responses to them. For this reason, the article argues that individuals are active producers of *legal* meaning from within a specific cultural context and advocates the interpretive fluidity of making meaning within public *legal* consciousness.

B. Legal Consciousness and ‘Ethnographic Tradition of Law’²⁶

In demonstrating aspects of a public legal consciousness, the analysis shows that when individuals tweet about an event, they narrativise their primary emotional reactions and they inscribe themselves into the story, thereby petitioning other users towards a sense of communal understanding about a particular issue. This then has the

¹⁹ Richard Sherwin, Neal Feigenson and Christina Spiesel ‘Law in the Digital Age: How visual Communication Technologies are Transforming the Practice, Theory and Teaching of Law’ (2006) 12 *BUJ Sci & Tech L* 227, 258.

²⁰ Lieve Gies, ‘The Media and Public Understanding of the Law,’ in Steve Greenfield and Guy Osborn (eds) *Readings in Law and Popular Culture* (Oxon: Routledge-Cavendish 2008) 74. I have also argued this in relation to law student identity: Cassandra Sharp ‘“Represent a Murderer...I’d Never do That!” How Students use Stories to Link Ethical Development and Identity Construction,’ in Michael Robertson and others (eds), *The Ethics Project in Legal Education* (Routledge, 2011) 33; Cassandra Sharp ‘The “Extreme Makeover” Effect of Law School: Students being Transformed by Stories’ (2005) 12(1) *Texas Wesleyan Law Review* 233.

²¹ Robert M. Cover, “Nomos and Narrative” (1983) 97 *Harvard Law Review* 4.

²² Sherwin, Feigenson and Spiesel (n19), 258.

²³ Austin Sarat and Thomas Kearns, *Law in the Domains of Culture*, (Ann Arbor: University of Michigan Press, 1998) 6.

²⁴ Gies (n20), 74.

²⁵ Sherwin, Feigenson and Spiesel (n19), 259.

²⁶ Gies (n20), 75.

cumulative impact of facilitating a shared cultural consciousness through which a collective narrative is formed. Importantly, scholars have recognised that in the (re)telling of events and stories, individuals cannot help but to verbalise and render apparent the often unacknowledged emotions, desires and conflicting impulses ‘that circulate within the law’.²⁷ Emotion is carried, amplified and harnessed to connect communities or publics, and ‘every little tweet or comment ... accrues a tiny affective nugget’²⁸ that helps to make legal meaning visible and contestable.

Thus, while traditional law and media research has been often dominated by concerns with the ‘effects’ and ‘influence’ of various media on individuals, this article focuses on the emotional ‘use’ individuals have made of social media narratives. Individuals are no longer regarded as passively or blindly ‘affected’ by media, but rather they are seen as active producers of meaning who themselves use media to construct that meaning, and also participate in the ever-mutating construction of legal consciousness. For this reason in my research, I have adapted aspects of ethnography, an empirical and theoretical inheritance from anthropology, in combination with critical content analysis, to create a useful methodology for accessing individual and collective legal consciousness.²⁹

While in the context of media oriented cultural studies, ‘ethnography has become a code-word for a range of qualitative methods, including participant observation, in-depth interviews and focus groups’,³⁰ it is the qualitative understanding of cultural activity in context that is the key ‘spirit’ of ethnography,³¹ and that which is of value to an exploration of active, emotional and embodied expressions of legal consciousness and meaning. The qualitative concern of ethnography is details of life, while connecting them to wider cultural processes and existence, and this makes it well suited to be adapted to an analysis of the ambiguities, uncertainties and contradictions inherent within a study of social media narratives. In the burgeoning research space of social media, scholars now have ‘an unprecedented opportunity to observe behavior in a naturalistic setting’,³² and researchers have deployed aspects of ethnography³³ as a mechanism through which to appreciate the nature and practices of that setting.

²⁷ Richard Sherwin, ‘Symposium: Introduction: Picturing Justice: Images of Law and Lawyers in the Visual Media’ (1996) 30 *University of San Francisco Law Review* 891.

²⁸ Jodi Dean, *Blog Theory* (Cambridge: Polity Press 2010) 95.

²⁹ In utilising this methodology in projects over the last decade or so, I have been able to explore the ways in which different groups of individuals actively interpret, construct and embody legal meaning. See for example: Cassandra Sharp ‘Changing the Channel: What to Do with the Critical Abilities of Law Students as Viewers?’ (2004) 13(2) *Griffith Law Review* 185; Sharp (2011) (n20); Cassandra Sharp, ‘Let’s See How Far We’ve Come: The Role of Empirical Methodology in Exploring Television Audiences’ in Peter Robson and Jessica Silbey (eds) *Law and Justice on the Small Screen* (Hart Publishing, 2012).

³⁰ Chris Barker, *Cultural Studies: Theory and Practice* (2000) 28.

³¹ Barker (n30), 28.

³² Robert E Wilson, Samuel D Gosling and Lindsay T Graham, ‘A review of Facebook research in the social sciences’ (2012) 7(3) *Perspectives on Psychological Science* 203.

³³ For use of ‘virtual ethnography’ see: Sanja Milivojevic and Alyce McGovern ‘The Death of Jill Meagher: Crime and Punishment on Social Media’ (2014) 3(3) *International Journal for Crime, Justice and Social Democracy* 25.

Because the ‘ethnographic tradition of law in everyday life, which clearly adopts a constitutive approach, regards law as something that is deeply embedded in people’s consciousness’,³⁴ it is consciousness (rather than knowledge *per se*) that is the focus of this methodology. The aim is to do so much more than simply summarising a person’s attitudes and opinions about law and the legal system. Rather, it can help to reveal the deeply imbricated account of legality deployed by individuals and groups within these meaning-making practices. It is therefore an interdisciplinary methodology that is focused ‘less on an expedition for “the facts”’³⁵ and more on accessing personal, social and cultural conversations about the law, that are informal, active and spontaneously emotive.

C. Coding Emotions – Hashtag Methodology

In order to analyse the meaning that is circulated within public legal consciousness, the methodology of this project stands in contrast to the established quantitative media analysis tradition that is popular among social scientists for analysing user-generated content. It does so by eschewing quantitative sentiment analysis that measures emotional responses in social media on a statistical scale, in favour of in-depth qualitative methodologies that interrogate the expression and use of emotions in the digital sphere. As such, this project sits alongside an ‘emerging body of literature on the use of social media during crisis events’ and in particular, a small subset of social science research that ‘explores communal sense-making processes and the social space of crisis communication’.³⁶ Scholars such as Jean Burgess, Axel Bruns and Larissa Hjorth have undertaken some instructive research concerning emerging methods within the digital media sphere and particularly the impact of public ‘collective response’ to events on Twitter.³⁷ Following their lead, but with specific application to *law*, this research seeks to provide a qualitative account of the role of public comment and conversation in perpetuating a narrative of vulnerability through fear on social media. The methodological process for this account includes: data collection using keyword searches; an in-depth exploration of content involving a mix of Aristotelian rhetorical analysis; and critical discourse analysis. Each of these will be discussed in turn.

Data collection. In response to both the Paris and Brussels terrorist events, individuals provided a constant emotional narrativisation of the events on Twitter and it was easy to recognise the powerful work of fear as it moved its way into a collective consciousness. The co-ordinated terror events in Paris had a massive impact on social media, with well over 4 million tweets generated within the first 24 hours of the attacks to several key hashtags: #prayforparis was the most used hashtag globally, reaching

³⁴ Gies (n20), 75.

³⁵ Chris Barker and Dariusz Galasinski, *Cultural Studies and Discourse Analysis: A Dialogue on Language and Identity*, (Sage, 2001), 29.

³⁶ Frances Shaw and others ‘Sharing News, making sense, saying thanks: Patterns of talk on Twitter during the Queensland Floods’ (2013) 40(1) *Australian Journal of Communication* 23.

³⁷ Jean Burgess, Axel Bruns, and Larissa Hjorth ‘Emerging Methods for Digital Media Research: An Introduction’ (2013) 57(1) *Journal of Broadcasting & Electronic Media* 1.

over 600,000 tweets in the first two hours; #porteouverte³⁸ (used to promote solidarity and advertise options for those who needed a safe place) and #parisattacks (used to provide real time factual information) were also frequently utilised.³⁹ Following the Brussels attack, the hashtag #prayforbrussels trended in the wake of the Paris example, and along with #JeSuisBruxelles and #Brussels, it was one of the top trending Twitter hashtags worldwide.

To access the data, the research team⁴⁰ utilised Twitter's publicly available Search User Interface (UI) which enables the tailoring of advanced search functions to specific date ranges and hashtags. By tracking topical hashtagged tweets, it is possible to identify and collate a 'data set of the most visible tweets relating to the event in question, since it is the purpose of topical hashtags to aid the visibility and discoverability of Twitter messages.'⁴¹ Identifying the most used hashtags from these two events as a starting point (#prayforparis, #porteouverte, #prayforbrussels and #Brussels), and constraining the time stamp to within the first 48 hours of each event, the data set was established by applying search criteria that focused on the keywords: 'law' or 'justice' or 'fear'. By further eliminating tweets that merely contained links, or other superfluous aspects, the data set was reduced to 854 tweets. It is important to acknowledge that 'no retrieval methods guarantee a comprehensive capture of Twitter data'⁴² yet, as Highfield, Harrington and Bruns argue 'such research, nonetheless, remains valid and important ... especially where research focuses on identifying broad patterns in Twitter activity from a large data set.'⁴³

In the hyper-developing world of technology and social media research, debates also loom large concerning the ethics of privacy, consent and risk of harm for twitter users.⁴⁴ The most recent research indicates that 'while it is not possible to take a fixed position in relation to research on Twitter as different projects will have different aims and study different phenomena', ethical frameworks have been developed and suggested for researchers engaged in social media analysis.⁴⁵ This project adopted two particular positions concerning social media research ethics proffered by Townsend and Wallace. The first was that informed consent from twitter

³⁸ French translation: 'Open Door'.

³⁹ Jonathan Trajkovic '#ParisAttacks: How Twitter Tells the Story' (*Tableau*, 19 November 2015) <<https://www.tableau.com/about/blog/2015/11/parisattacks-how-twitter-tells-story-45940>> accessed 15 November 2018.

⁴⁰ The research team was comprised of myself and a Research Assistant who was funded by a small seed grant from the Faculty of Law, Humanities and the Arts. Absent significant funding for substantial data scraping, this was a modest research project in the style of a pilot study.

⁴¹ Tim Highfield, Stephen Harrington and Axel Bruns 'Twitter as a Technology for Audiencing and Fandom' (2013) 16(3) *Information, Communication & Society* 315, 321.

⁴² Highfield, Harrington and Bruns (n41), 322.

⁴³ Highfield, Harrington and Bruns (n41), 322.

⁴⁴ For an overview of this debate and associated concerns see: Matthew L Williams, Pete Burnap and Luke Sloan 'Towards an Ethical Framework for Publishing Twitter Data in Social Research: Taking into Account Users' Views, Online Context and Algorithmic Estimation' (2017) 51(6) *Sociology* 1149.

⁴⁵ Wasim Ahmed, Peter A. Bath, Gianluca Demartini 'Using Twitter as a Data Source: An Overview of Ethical, Legal, and Methodological Challenges' in Kandy Woodfield (ed) *The Ethics of Online Research (Advances in Research Ethics and Integrity, Volume 2)* (Emerald Publishing Limited, 2017) 96.

users is not necessary where specific hashtags have been utilised in order for their tweets to be publicly visible to a broader audience,⁴⁶ and the second was to take the ethical position of not publishing individual usernames with the quoted tweets.⁴⁷

Content & Aristotelian Analysis. This data set was then independently coded by the research team according to categories established from a mixture of critical content analysis and Aristotelian rhetorical analysis.⁴⁸ With tweets now being recognised as the ‘new sound bites’ of media that have significant rhetorical impact,⁴⁹ it was useful to track the deployment of Aristotle’s pathos as an expression of the experience of fear and vulnerability.⁵⁰ Recognising that there is a complex relationship between emotion and legal judgment, pathos was used as an interpretive category to acknowledge the distinct persuasive appeal often used to communicate everyday meaning. Pathos petitions the audience’s sense of communal identity through the deployment of emotion in language, and so coding categories were applied that exposed the variances in the use of pathos contained in the 854 tweets. This involved: coding against statements that expressed an appraisal of threat, danger or vulnerability; coding those statements that belied uncertainty around coping; and coding those expressions that attributed blame through anger.⁵¹

Critical Discourse Analysis. Critical discourse analysis is a tool that demonstrates the role of language within the constitution and governance of cultures.⁵² This methodological step involves identifying how social media actively contributes to the formation of critical legal discourses and how these shift around particular moments in time. In this research the process involved identifying a number of aspects of language that could be recognised in the data (e.g., rhetorical devices/linguistic elements) to isolate socially shared understandings and explore the ways different groups of individuals actively interpret, challenge, construct and embody legal meaning.

This combination of methodological tools was designed to facilitate immersion in the social setting of a trending Twitter hashtag occurring during occasions of

⁴⁶ Leanne Townsend and Clare Wallace, *Social media research: A guide to ethics*. The University of Aberdeen, 2016 <<http://www.dotrural.ac.uk/socialmediaresearchethics.pdf>>accessed 5 October 2018.

⁴⁷ This was further guided by the scaffolded ethical framework of Townsend and Wallace (n46), 8.

⁴⁸ The Aristotelian method has been used by several scholars to understand the nature and impact of online network discourse during election campaigns: See Tal Samuel-Azran, Moran Yarchi and Gadi Wolfsfeld, ‘Aristotelian rhetoric and Facebook success in Israel’s 2013 election campaign’ (2015) 39(2) *Online Information Review*, 149; J Bronstein, ‘Like me! Analyzing the 2012 presidential candidates’ Facebook pages’ (2013) 37(2) *Online Information Review* 173; and Kristin English, Kaye D Sweetser, and Monica Ancu, ‘Youtube-ification of political talk: an examination of persuasion appeals in viral video’ (2011) 55(6) *American Behavioral Scientist* 733.

⁴⁹ Johnston (n9), 55.

⁵⁰ The Aristotelian discourse analysis method thus acknowledges that speakers can use three distinct and powerful appeals of persuasion: logos, ethos and pathos. Logos utilises logic-based appeals. Ethos, emphasizes the speaker’s credibility and trustworthiness, and pathos appeals to the audience’s emotions. See further Samuel-Azran, Yarchi and Wolfsfeld (n48).

⁵¹ Some tweets contained more than one appraisal element, but the tweet was coded by primary element.

⁵² Barker and Galasinski (n33).

heightened threat and fear; and to interrogate and challenge law as expressed in comments made in response to these occasions. The analysis shines the spotlight on the perceptions of law and justice that are emotionally expressed on social media in response to two terrorist attacks (Paris and Brussels). The analysis in Section II will show that individuals implicitly respond to terror events by reinforcing a ‘just worldview’, while simultaneously using the emotional responses as a stimulus for, and vehicle of, the maintenance of retributive desire. In addition, the analysis demonstrates that by articulating their emotional response to the events as they happened, a collective westernised narrative of vulnerability was produced.

II. Twitter Analysis

A. Just Worldview

Theories of human motivations and behaviour in social psychology have for some time recognised that ‘human beings have a functionally autonomous need for justice that emerges as part of normal cognitive development’.⁵³ The work of Melvin Lerner, which has been highly influential in this regard, is founded on the basic premise that ‘the justice motive is a foundational component of everyone’s psychology’,⁵⁴ and that people have a strong desire to live in a fair world where people get what they deserve. His work explores the ‘belief in a just world’⁵⁵ and the implications of such an intuitive worldview ‘for how people construe daily experience in a manner that sustains the implicit assumption that the world is just.’⁵⁶

This ‘just worldview’ is integrated within the shared legal consciousness which provokes normative expectations of the law as the key institution that possesses the power and authority to keep the world safe and secure.⁵⁷ This is evident in the Twitter narrative produced through the narrative of vulnerability in response to terrorist attacks. Take for example these tweets which indicate a strong expectation and desire that our legal systems maintain justice goals:

“Appalled by #Brussels attacks. Our reaction can only be more democracy and rule of law!”⁵⁸

“Hey Paris, just stay strong. Don’t let those bastards take your light away. Justice will hunt them down.”⁵⁹

⁵³ John H. Ellard, Annelie Harvey, and Mitchell J. Callan ‘The Justice Motive: History, Theory, and Research’ in Clara Sabbagh and Manfred Schmitt (eds) *Handbook of Social Justice Theory and Research* (Springer New York, 2016) 127.

⁵⁴ Ellard, Harvey and Callan (n53), 128.

⁵⁵ Melvin J. Lerner, *The Belief in a Just World: A Fundamental Delusion* (New York: Plenum, 1980).

⁵⁶ Ellard, Harvey and Callan (n53), 128.

⁵⁷ Sharp (n3).

⁵⁸ Tweet B2.

⁵⁹ Tweet P1.

“May protection and justice reign in the midst of terrorism.”⁶⁰

When possessed of a belief that the world is primarily a place of justice, individuals will become vulnerable in the face of experiencing or witnessing injustice. In the context of this research, it is argued that when terrorism is feared, the imagined world is now made fragile and it becomes harder to believe that the world can be adequately protected from injustice, and the belief in a just world becomes threatened.

Interestingly, the language used in tweets surrounding the Paris and Brussels terrorist attacks strongly affirm this expectation and demand for a just world. By using the modal verb *should* in relation to issues of safety and security, individuals reflect the impact of an assumed threat to the just worldview (emphasis added):

“We shouldn’t have to be panicking like this all the time and living in fear. So upsetting.”⁶¹

“This is just not the world we should live in. Terror and fear around every turn. All of which is unnecessary.”⁶²

“We are living in a dark world, people should be able to live in peace not fear.”⁶³

The repetition of both *should* and its negative form *shouldn’t* indicates an expectation for the world to function in a way that protects citizens from harm, and it operationalises the just worldview. The deployment of language in this way proliferates the twitter narrative and is often combined in sentences that utilise first person narrative. For example, in the tweets above the use of the pronoun *we* represents the personal and plural nature of requiring and expecting protection in this world. It allows individuals to remove any feelings of isolation and emotionally associate with other twitter users by expressing a shared understanding about collective safety in the world. This is also illustrative of what Kamenka contends about the ideology of justice, which he argues ‘rests on the tension or contradiction between what is and what at least some men think ought to be.’⁶⁴ In this sense, tweets such as those extracted in this section, serve as a presupposition of criticism regarding the impact of injustice (this case through terrorism) on the existing reality, ‘allegedly in light of ...an ideal end state’.⁶⁵

The expression of a definite and absolute expectation of a just world through the use of the verb *should*, is in the following tweets also connected to a vulnerability

⁶⁰ Tweet B3.

⁶¹ Tweet B4.

⁶² Tweet P2.

⁶³ Tweet P3.

⁶⁴ Eugene Kamenka ‘What is Justice?’ in Eugene Kamenka and Alice Erh-Soon Tay (eds) *Justice: Ideas and Ideologies* (Edward Arnold London, 1979), 1.

⁶⁵ Kamenka (n64).

that is manifested in the absence of security and safety via words such as *no-one* (emphasis added):

“No ones [sic] life should be lived in fear. This is awful”⁶⁶

“No-one should ever have to suffer such tragedy and fear at the hands of reckless, remorseless extremism”⁶⁷

“No place is safe anymore and that’s so upsetting and messed up, no one should have to fear living”⁶⁸

The use of the indefinite pronoun *no* in relation to people and places in these tweets (particularly when paired with the condemnatory *should*) is an example of the manner in which the desire and need for the just world to be maintained is sustained through emotional responses to threatening events.

From this perspective, it is unsurprising that crisis events can so easily provoke fear, doubt and critique in the face of uncertainty about our level of safety in the world. The need to believe that the world operates on principles of fairness therefore influences the way law’s efficacy in the provision of justice goals are evaluated, and in moments of threat, fears become expressed as complaint or critique not only about those who might be responsible, but also about those whom may have had the power to prevent it from happening in the first place. For example:

“These attacks of terrorism make me frightened to grow up into this world of fear and devastation. Something needs to change”⁶⁹

“‘In times of war, the law falls silent.’ Cicero @ Palais de Justice #Brussels Perhaps it’s time to enforce the law.”⁷⁰

“How many more innocent people must die or be in fear before this is taken seriously?”⁷¹

In the moments of injustice, suffering and grief, the typical and repetitive catch cry is that justice is missing and/or absent. Take for example these questioning tweets: ‘My heart is now falling into pieces ...Justice where are you?’⁷², and ‘struggling to grasp the concept of this whole situation. where is the justice?’.⁷³ This existential call for justice on behalf of other people (and in particular of distant victims) ‘emphasizes the extent to which justice is a central organizing theme in people’s lives.’⁷⁴ Indeed, this ‘commonplace sensitivity people everywhere have to injustice experienced by others is

⁶⁶ Tweet P4.

⁶⁷ Tweet P5.

⁶⁸ Tweet P6.

⁶⁹ Tweet P7.

⁷⁰ Tweet B5.

⁷¹ Tweet P8.

⁷² Tweet P9.

⁷³ Tweet P10.

⁷⁴ Ellard, Harvey and Callan (n53), 127.

a hallmark of justice motive theory,⁷⁵ and feeds into what Lerner argues is the instinctive need to engage in coping strategies when injustice seems possible or probable.⁷⁶

B. Coping Strategies when the Just World is Threatened

Given the importance of a just world desire within individual psychology, Lerner argued that ‘people engage in various cognitive and behavioral “strategies” or “tactics” to maintain a perception of justice in the face of threat.’⁷⁷ These protective strategies are deployed by individuals in order to make sense of injustice in their lives, and include: taking action to assist the victim (either before or after injustice); adopting psychological frameworks that relate injustice to ‘ultimate justice’; and desiring that the ‘perpetrator(s) of injustice get their “just deserts”’. It is the latter two tactics that are most evident in the twitter narratives analysed for this research, and are discussed in turn below.

Ultimate Justice Reasoning – Justice Will be Done. The adoption of ‘ultimate justice framing’ enables individuals to cope psychologically with present injustice because it is an anticipatory and ongoing means of orienting one’s experience towards the belief that at some point justice will be achieved. As evident in the following tweets after the Brussels attacks, this particular protective strategy adopts a temporal framework which contains the ‘tendency to believe that forthcoming events will settle any injustice that occurs’⁷⁸ (emphasis added):

“The world mourns for you #Brussels. Peace and justice will prevail”⁷⁹

“Heartbreak in #Brussels today, please pray for the families and victims of these senseless tragedies. Freedom and justice will prevail.”⁸⁰

“We must increase security but not change our way of life. Freedom + tolerance underpin a modern, dynamic society and will prevail.”⁸¹

“Do not be discouraged. The power of Good will ultimately prevail over the Evil of our time.”⁸²

Notice that each tweet above uses the declarative and present-tense phrase *will prevail* to indicate expectations of future successful action. It would seem that ‘[e]ncounters with injustice are less problematic and threatening if one is committed to

⁷⁵ Ellard, Harvey and Callan (n53).

⁷⁶ Ellard, Harvey and Callan (n53), 131.

⁷⁷ Ellard, Harvey and Callan (n53), 131

⁷⁸ Jurgen Maes ‘Immanent Justice and Ultimate Justice: Two Ways of Believing in Justice’ in Leo Montada and Mervin J Lerner (eds) *Responses to Victimizations and Belief in a Just World* (Plenum New York 1998) 12.

⁷⁹ Tweet B6.

⁸⁰ Tweet B7.

⁸¹ Tweet B8.

⁸² Tweet B9.

the view that justice is being done or will be done.⁸³ An important aspect of Lerner's theory of justice motivation, this framework therefore powerfully allows for present injustice to be contextualised and endured by maintaining the belief that 'the world is basically a just place'.⁸⁴ Yet, this is also connected to the rational strategy that the 'justice' to be done will be retributive in nature.

Retributive Desire – Focus on Just Deserts. The innate desire to hold individuals responsible for their actions is also arguably a rational strategy associated with the justice motivation. That is, Ellard, Harvey and Callan have suggested that it is a protective tactic in the face of injustice to seek 'retributive action focused on bringing offenders in line with expectations for how the law should respond in a just world'.⁸⁵ Retributive theory argues that the state has a right and duty to punish the offender by virtue of their culpability for the offence, and links justice with desert. It is retribution's underlying *lex talionis* philosophy of an "eye for an eye" that is prominent within legal consciousness when instances of injustice are recounted and therefore become threatening. This is reflected for example in the following tweets where the populist notion of retribution invoked following the Paris attacks is equated with justice.

*"Thinking of those affected in Paris tonight. Hoping the full weight of justice is brought against the terrorist scum."*⁸⁶

*"The news is talking about justice for these terrorists. The only proper justice for these sick people is death"*⁸⁷

*"Whoever these bastard terrorists are, they deserve justice for what was done"*⁸⁸

*"Capital punishment wouldn't be enough justice for those victims in Paris!"*⁸⁹

It would seem that individuals consistently deal with the tragedy of terrorism by resorting to expressing retributive desires that the guilty must be punished. As one twitter user articulated: 'Sometimes eye for an eye seems logical!'⁹⁰ The collective narrative that is therefore perpetuated in response to these events is that retribution is a necessary reaction to such heinous injustice on undeserving or blameless victims.⁹¹ Moreover, as Lacey has argued, punishment represents 'a collective need to underpin, recognise and maintain the internalised commitments of many members of society' to

⁸³ Ellard, Harvey and Callan (n53), 135.

⁸⁴ Zick Rubin, & Letitia Anne Peplau, (1975) 'Who believes in a just world?' 31(3) *Journal of Social Issues* 65, 69.

⁸⁵ Ellard, Harvey and Callan (n53), 132.

⁸⁶ Tweet P11.

⁸⁷ Tweet P12.

⁸⁸ Tweet P13.

⁸⁹ Tweet P14.

⁹⁰ Tweet P15.

⁹¹ One user commented: 'Innocent people should never have to fear for their lives because of some senseless war': Tweet B10.

the rule of law.⁹² Punishment then can be conceived as a social practice that pursues (among others) retributive measures as a mechanism for satisfying the need to see, or at the least anticipate, justice being achieved. Notice in the following tweets how the use of another modal verb *may* belies hopefulness in the achievement of justice through retribution:

*“God help the people of Paris the world has spun out of control may justice be struck hard on the bastards who’ve done this”*⁹³

*“May these monsters be found and confronted, and may they face swift justice.”*⁹⁴

*“May the savages responsible for these attacks be brought to justice.”*⁹⁵

In these last two sets of tweets, it is also important to note the emotive descriptors assigned to the perpetrators of violence and terror. Evocative words such as *scum*, *sick*, *savages*, and *monsters* were often used when describing the attackers, with the derogatory *bastard* being the term most consistently used. Further examples included: ‘time for a show of justice, need to hang the *bastards* responsible’⁹⁶ and ‘Bring these *bastards* to justice’⁹⁷. These emotive responses embody the combination of Lerner’s two protective strategies at once: the adoption of a temporal ultimate justice framework; and the emotional expression of retributive desire. This embodiment is arguably ‘an inevitable cultural expression of the universal need for affirmation that the world is ultimately just’⁹⁸ and an important aspect of legal consciousness.

C. Referential Vulnerability

*“We’ve all grown to fear that at any moment, a neighbourhood can go from silent to violent. What has this world come to?”*⁹⁹

Recognising an inherent vulnerability in all social existence, Butler considers human life precarious because ‘one’s life is always in some sense in the hands of the other. It implies exposure both to those we know and to those we do not know; a dependency on people we know, or barely know, or know not at all.’¹⁰⁰ For Butler, precariousness is an ‘ineradicable part of human nature emerging from the fact that all lives are vulnerable’, susceptible or open to attack.¹⁰¹

⁹² Nicola Lacey, *State Punishment: Political Principles and Community Values* (Routledge London: 1988) 182-3.

⁹³ Tweet P16.

⁹⁴ Tweet P17.

⁹⁵ Tweet P18.

⁹⁶ Tweet P19. Emphasis added.

⁹⁷ Tweet P20. Emphasis added.

⁹⁸ Ellard, Harvey and Callan (n53), 129.

⁹⁹ Tweet P21.

¹⁰⁰ Judith Butler *Frames of War: When Is Life Grievable?* (London: Verso 2009) 25.

¹⁰¹ Kathryn McNeilly, ‘Livability: Notes on the Thought of Judith Butler’ (*Critical Legal Thinking*, 26 May 2016) <<http://criticallegalthinking.com/2016/05/26/livability-judith-butler/>> accessed 15 November 2018.

Because ‘human beings are especially interested in events that might affect them personally...[or] has implications for them’, the research combined Butler’s concept of precariousness with Ahmed’s argument that vulnerability involves a ‘particular kind of bodily relation to the world, in which openness itself is read as a site of potential danger’,¹⁰² to create the coding category of referential vulnerability.

The code of referential vulnerability was used to denote a particular performative evaluation where the individual expresses a disruption to their familiar worldview and subsequently relates it to their personal bodily experience. These emotive tweets are performative in the sense that they then create anxiety and discomfort in the safety with which law provides for the everyday. One set of examples demonstrates statements that suggested that in their everyday lives, users might be unable to protect themselves.¹⁰³

“The world is just...awful. It scares me to death, honestly, that we can’t go anywhere without fear of dying b/c of an attack”¹⁰⁴

“Its crazy that people can’t go anywhere anymore without the fear of never seeing their families again....Messed up world.”¹⁰⁵

“Nobody should have to go through the instantaneous fear of death while living their daily lives”¹⁰⁶

The ability to maintain a belief in a just world is crucial for meaning-making processes in the lives of individuals and communities. The literature in social psychology suggests however, that ‘finding meaning this way is not limited to how we react to injustice, but is also apparent in our ongoing construal of daily experience’.¹⁰⁷ This means for instance, that individuals will ‘construe causality, remember the past, and think about the future’¹⁰⁸ through the prism of a just worldview in relation to the everyday. This is evident in the analysis which shows a strong narrative that scripts individuals as ‘vulnerable and in dire need of protection’ in their everyday lives.¹⁰⁹ For example:

“No place is safe anymore and that’s so upsetting and messed up, no one should have to fear living.”¹¹⁰

¹⁰² Sara Ahmed, *The Cultural Politics of Emotion*, (Edinburgh: Edinburgh University Press, 2004) 69.

¹⁰³ Krista De Castella and Craig McGarty, ‘Two Leaders, Two Wars: A Psychological Analysis of Fear and Anger Content in Political Rhetoric about Terrorism’ (2011) 11(1) *Analyses of Social Issues and Policy* 186.

¹⁰⁴ Tweet P22.

¹⁰⁵ Tweet P23.

¹⁰⁶ Tweet B11.

¹⁰⁷ Ellard, Harvey and Callan (n53), 135.

¹⁰⁸ Ellard, Harvey and Callan (n53), 135.

¹⁰⁹ Julie Matthews, ‘Visual Culture and Critical Pedagogy in “Terrorist Times”’ (2005) 26(2) *Discourse: Studies in the Cultural Politics of Education* 204.

¹¹⁰ Tweet P24.

“I genuinely fear for the world! Is anywhere safe anymore?”¹¹¹

The prism of fear through which the public viewed these events sharpened the focus on an increasingly common perception of our everyday world as scary, unpredictable and chaotic, and the tweets within these particular hashtags demonstrated a heavy reliance on emotion as an effective method for referentially communicating the seemingly common global significance that the western world was coming under threat.

At this point, it is important to note that the data from this research appeared to represent a particularly westernised shared public vulnerability that plays on the precariousness of a western world that is supposedly no longer fully protected. Notice the repeated use of the adverb *anymore* connected with the word *safe* in the tweets above. This was a common collocation to represent that safety was no longer a guarantee within a western world that once provided security for many. Of course, actual precarity, in the Butler sense,¹¹² is prevalent in many other parts of the world and has been present there for a long time, but for westerners it seemed as though these events provoked enormous susceptibility to individual and communal freedoms and liberty. In part, this is due to the reality that western and European countries don't experience 'nearly as much terrorism as countries with comparable recent attacks, such as Lebanon or Kenya',¹¹³ and so western citizens start to imagine the worst:

“And every soul in Europe can't help but fear 'is my country next?' So close to home. So terrifying.”¹¹⁴

To fail to fully recognize the impact of this vulnerability on the western world, is what Butler has argued was a missed opportunity following 9/11. She argues that the 'exposure of America's fragility [should have been used] productively' to temporarily dislocate First World privilege and 'acknowledge a mutual corporeal vulnerability as a basis for a new interdependent global political community'.¹¹⁵ This threatened privileged western everydayness is precisely the reason why emotive appeals detailing our precariousness are so effectively circulated and repeated.

Similar to the articulated vulnerability in everyday life that I have previously argued was evident in tweets surrounding the hostage situation of the Sydney siege (where the banality of getting a morning coffee was now being corrupted by the

¹¹¹ Tweet B12.

¹¹² Her thesis differentiating between 'precariousness' – a general condition shared by all forms of life, and 'precarity' – a politically induced condition referring to specific populations exposed to state violence or neglect: Judith Butler (2009) *Frames of War: When Is Life Grievable?* (London: Verso) 25.

¹¹³ Brian J Philips, 'This is why the Paris attacks have gotten more news coverage than other terrorist attacks' *The Washington Post*, November 16, 2015.

¹¹⁴ Tweet P24.

¹¹⁵ Judith Butler, 'Mourning becomes the law. Judith Butler from Paris.' (*Verso*, 14 November 2015) archived at <<https://instituto25m.info/mourning-becomes-the-law-judith-butler-from-paris/>> accessed 15 November 2018. Quoted in Holly Brown, 'Judith Butler in Belgium: Reflections on Public Grief and Precarity in the Wake of the Paris Attacks' (2016) 3(1) *DIGEST* 8.

experience of fear),¹¹⁶ everyday activities in Paris, such as sport, going to the theatre and eating out, were tainted with vulnerability through fear:

“A restaurant, a concert, a stadium...entertainment & free time: terrorism is touching everyone.”¹¹⁷

“Scary scary world we live in. Can’t even go out for a meal in Paris without fear of being ambushed by cowards with guns”¹¹⁸

“Its frightening to consider how you can’t even attend a good music concert without fear. This is horrifying.”¹¹⁹

“Things have gotten to the point where people can’t even go to the restaurant or theatre. We’re all going to live in fear soon.”¹²⁰

The cumulative impact of this reinforced narrative of society’s vulnerability, is that possibilities of restrictions on liberty become realised, or at the very least, imagined. Again the use of language belies this awareness of westernised vulnerability – the repetitious use of the words *can’t even* reflects a perceived endangerment of the normal western practices of protected social existence are now being perceived as constrained. It’s the mundanity of life that is threatened – the very essence of living in a western world that is imagined as coming under threat – and this is something Judith Butler considered in her personal response to the Paris attacks. In ‘Mourning Becomes the Law’, Butler reflects on her own experience of being in Paris at the time of the attacks and asks why ‘the café as target pulls at my heart in ways that other targets cannot’.¹²¹ As Furedi argues, ‘the more powerless we feel the more we are likely to find it difficult to resist the siren call of fear.’¹²² Similarly, the more these emotional reactions are repeated, the easier it is to imagine how everyday lives could be so impacted by terrorism, and the very concept of westernised personhood becomes recast as the vulnerable subject.¹²³

III. Conclusion

Terror, whether real or imagined, is an evocative phenomenon that has the potential to fracture the just worldview to which global citizens hold so tightly, and the communal experience of fear and vulnerability as reflected in twitter narratives is one demonstration of emotional coping strategies in the face of such uncertainty. The response to the two terrorist events analysed in this article contributed to the production of a narrative on twitter that served as a practical illustration of emotional

¹¹⁶ Sharp (n3).

¹¹⁷ Tweet P25.

¹¹⁸ Tweet P26.

¹¹⁹ Tweet P27.

¹²⁰ Tweet P28.

¹²¹ Brown (n115).

¹²² Frank Furedi, *The Politics of Fear* (London: Continuum Books, 2005) 141.

¹²³ Furedi (n122), 141.

jurisprudence at work. In demonstrating aspects of legal consciousness, the analysis showed that on Twitter, it is through narrativised *emotional* responses to crisis events that legal meaning can be constituted, transformed and propagated. Through the articulation of fear and vulnerability, users contributed to a collective message that terrorist events are such horrific examples of injustice that they threaten individual and collective beliefs in a westernised 'just world'. Yet, the narratives also indicated that the expression of emotion through tweets at these times facilitate rational coping strategies which are underpinned by retributive desire and ultimate justice reasoning.