

# **The State vs Oscar Pistorius: a critical analysis of the court of public opinion**

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# The Oscar Pistorius case

- This paralympic megastar was prosecuted for the shooting of his girlfriend, Reeva Steenkamp.
- It grabbed the imagination of millions throughout the world.
- 14 February 2013 (Valentine's day)

# Geo-location map of tweets for Oscar Pistorius case



# Sample frame

Oscar Pistorius Trial	3 weeks	± 180,000 tweets	47.22% Geo- locatable
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# A brief analysis

- The majority of the tweets coming from South Africa as would be expected.
- Strong negative sentiments towards Oscar Pistorius.
- Mostly negative sentiments are seen throughout the world, especially where there are larger numbers of tweets or for those countries that may have been more involved or interested in this story.
- The two main exceptions are: Greece, with the second highest number of tweets; and Greenland, with the third highest number of tweets. Both countries show an overall positive sentiment.
- Certain countries seem to show unusually high tweet counts

# Analysis of geo-location map

- In order to geo-tag the tweets, the time-zone field was used, as it contained a date time-stamp and regional information.
- A Global Map Table, containing each country, the related date time-stamp and regional information, was used to create the mapping needed.
- Not all tweets have their geo-location setting enabled – this could be as a result of security or privacy preferences

# Sentiment analytics

- Sentiment Analysis is the process of opinion mining, which involves: identifying and extracting subjective information from text or linguistics; and trying to create greater meaning or contextual understanding of the sentiment (Liu, 2012)
- Sentiment Analytics associates tweets with a sentiment score, in order to determine positive, negative or neutral scores for tweets



# Sentiment analytics: the data dictionary

- The Data Dictionary used is a sentiment lexicon containing 6800 words from the English language, their part of speech (e.g. noun, verb, adjective), and a sentiment (positive, negative or neutral)
- A polarity was given to each sentiment (i.e. positive = +1, negative = -1 or neutral = 0)
- It allowed the aggregation of words, sentences and tweets to get an overall tweet polarity that was then converted back to a sentiment for readability index (i.e. positive  $> 0$ , negative  $< 0$  or neutral = 0).

# Classifying a tweet

- Each tweet was segmented into sentences using a full stop as the delimiter;
- thereafter each sentence was segmented into words, using a space character as the delimiter.
- Each word was mapped to the Data Dictionary, in order to apply a polarity code;
- if the word in the tweet could not be mapped to the Data Dictionary, a neutral polarity was given to the word.
- Each tweet was aggregated using the polarities; this resulted in the tweet being rated greater than, less than or equal to 0.

# An example of classification

- 'Justice being served or not, being a victim carries a life sentence.'[#JubJub](#) [#DewaniTrial](#) [#Oscar](#)
- Justice (+1) being (+0) served (+1) or (+0) not (-1) , being (+0) a (+0) victim (-1) carries (-1) a (+0) life (-1) sentence (-1).
- [#JubJub](#) [#DewaniTrial](#) [#Oscar](#)
- +1+0+1+0-1+0-1+0+0-1-1+0-1-1
- = -4
- = tweet embeds a negative sentiment

# Literature review: the public sphere

- The rise of citizen journalism has been seen as the advent of a true public sphere, a concept that grabbed the imagination for centuries.
- The public sphere of the 18<sup>th</sup> century was described as elitist and bourgeoisie.
- According to Hauser it is a discursive place where people can interchange their opinions to create a common judgment.
- According to Habermas “the bourgeois public sphere flourished in the high-minded and open London coffeehouses and Parisian salons of the eighteenth century.”
- Habermas warned that “(t)his critical nature is endangered by the power of the mass media that transforms most of the society in a passive public, the objectives of a consumer's culture were forced onto the public.”

# The public sphere

- The role of a public sphere is that society can become engaged in “critical public debate” .
- The public sphere would therefore require media for information and communication and access by all citizens.
- The social media of today is probably the closest one can get to the idealistic phenomenon that Habermas described.

# Public opinion

- A well-researched construct
- Collective evaluations expressed by people on political issues, policies, institutions, processes and people
- Public opinion polls are the norm

# The court of public opinion

- The retired football star and actor, O.J. Simpson was acquitted of killing Nicole, 35, his ex-wife, and her friend Ronald L. Goldman, in her Los Angeles home.
- The popular publication, Macleans, reported as follows before the trial: “But already the case is being tried in the court of public opinion. Leaks to the media by anonymous police sources have created a circus-like atmosphere. Among damaging reports that were debunked last week was one that police had found a blood-stained ski mask at the crime scene”

# The court of public opinion (cont.)

- “It’s hard not to notice the rapidly increasing volatility in the relationship among the law, the press and public relations. The three professions’ objectives often intersect, frequently coincide and more frequently collide” – Hudson
- The court of public opinion is an alternative system of justice. It’s very different from the traditional court system: This court is based on reputation, revenge, public shaming, and the whims of the crowd. Having a good story is more important than having the law on your side. Being a sympathetic underdog is more important than being fair. (Scheier)



# The court of public opinion (cont.)

- When people use the phrase, they strongly imply—even outright state—that newspaper articles, op-eds, “litigation by hashtag,” and general opinion-having by the unwashed masses constitutes a kind of parallel legal system in which “mob justice” is meted out by “villagers with torches.”
- In the Court of Public Opinion, they believe, “the one-eyed man with the most Twitter followers is king,” and all the checks and balances of law and order are suspended - Bady

# The PR strategy of Pistorius

- Pistorius implemented an unconventional strategy according to SA standards by employing a team of public relations experts to manage his presence in the public domain.
- Just days before his murder trial begins, Oscar Pistorius' PR team have created a Twitter account which they say will reveal the "hard truth" surrounding the court proceedings. It was named **@OscarHardTruth** (The International Business Times)
- Pistorius employed a London-based PR practitioner, Stuart Higgins who initiated the relaunching the athlete's website to publish sympathetic comments he has received.
- "Our job is to capture some of the support that Oscar is receiving from all over the world, lots of positive messages from people who still believe in him"

# Professional journalism vs. citizen journalism

- A professional journalist is, for the purpose of this study, an individual who earns an income from producing content for a media outlet.
- Citizen journalism is defined by a number of attributes which make it distinct from professional journalism, including unpaid work, absence of professional training, and often unedited publication of content.
- It may feature plain language, distinct story selection and news judgment, especially hyper-local issues, free accessibility, and interactivity
- There is also a grey area.

# The grey area

- The Twitter profile of one of the most influential journalists in the country, Adriaan Basson, reads:

Netwerk24 editor-in-chief / hoofredakteur. Author of 'Zuma Exposed' (Jonathan Ball). Digital first. Views are my own.

# Professional journalism vs. citizen journalism

- They both form part of the public sphere
- In the grey area professional journalists tweet in their personal capacity to convey an opinion that is not the official line of the news institution for which they work.

# The social media

- The great wave of web innovation since Google in 1998 has been in social media.
- Social media is about networking and communicating through text, video, blogs, pictures, status updates on sites such as Facebook, MySpace, LinkedIn or microblogs such as Twitter - Alejandro

# Metajournalism

- Other ways citizens voice an opinion or make a contribution to the news environment are by “rating, commenting, tagging and reposting
- These acts of contribution are seen as “considerably less significant than ‘real’ citizen journalism” - Goode
- Features such as hashtags and retweeting help spread news and information faster than other media, whether in normal or crisis situations, and get people with shared interests closer to each other

# The ethics of journalism and social informatics

- Walter Lippman, American journalist and political commentator was not convinced that journalists were good at providing their readers and/or audiences with the truth.
- The most journalists do, Lippman argued was to “signalize an “event” in one spot for a moment, leaving the area around it in darkness. That signalizing is like a spotlight that focuses on new facts while the context of these facts, “the picture of reality on which men can act” remains hidden in the shadows. That’s news, not truth.
- Lippman (1922)



# Methodology

- Purposive sampling of tweets was conducted during a 10 day window during the trial.
- These tweets were then divided into two categories namely tweets from professional journalists (100) and tweets from citizen journalists (200).
- No quantification was done. Only qualitative content analysis.

# Tweets from professional journalists

- Provide electronic links to news reports
- Provide pointers to hard copy
- Present new content, often scoops
- Provide links to multi-media content

# Tweets from professional journalists

- Interesting historical angle
- [Scorched earth policy by Nel as he goes through some amended dates for photos... trying to leave #OscarPistorius defence nothing to challenge.](#)
- Posted by a BBC reporter which explains the reference to the British war practice of destroying anything that may be useful to the enemy during the Anglo-Boer war.

# Tweets from professional journalists (cont.)

- Media can use tweets to focus the attention on other multi-media initiatives they have staged.
- In a tweet, City Press, a leading Sunday newspaper referenced Deborah Patta, an influential investigative journalist who conducts video reports on its behalf.
- The tweet reads; “@Debora\_Patta's diary: When can you shoot an intruder?”
- This illustrates the major paradigm shift that many conventional newspapers embarked upon in the environment.
- **Media convergence** is the merging of mass communication outlets – print, television, radio, the Internet along with portable and interactive technologies through various digital **media** platforms

# Another multi-platform example

- A tweet from 567Cape Talk reads Oscar Pistorius accepts a gift from a supporter while leaving court after his 5th day in the witness box.  
<http://bit.ly/1erDEC2>
- The link opens to an Instagram video showing where Pretorius accepts the gift.

# Linking to other genres

- Journalists also linked to other genres as the following examples of cartoons illustrates.

# Zapiro



THE TIMES 4-3-14 ZAPIRO ©





# Tweets by citizen journalists

- Citizen journalists are not bound by ethical rules and gatekeeping practices.
- They don't hesitate to ask tough questions
- If you fear for life with broken window on ground floor...why not activate alarm? #OscarTrial199 #oscarpistorius #oscartrial
- A professional journalist would have to adopt a more subtle approach to address such an issue.

# Harsh comments: problems with the interpreters

- “We need an interpreter to interpret the interpreter” #OscarTrial #OscarPistorius.
- Another contributor was more direct: “This translator is embarrassing\_kick her off and get someone who can translate clearly and properly”

# In interrogation mode

- How on earth is there a blood splatter on the wall above the bed when the shooting was in the bathroom?
- Blood splatter above #OscarPistorius headboard? This is getting interesting. Did he assault her in the bedroom and she ran to the loo?

# No rules for grammar and spelling

- Citizen journalists often sacrifice accurate spelling in order to retain the core message and there is no sub editor to veto the tweet.
- “Can someone pls explain the bloodied bat, blood splatter on/under duvet and left side of the bed”

# Sarcasm

- No embargo against sarcasm in citizen journalism.
- “You'd think the police would have learnt not to tamper with evidence at scenes. I mean even I know that from watching TV.”

# Hostile and comic rants

- Twitter is often a playground for hostile and/or comic rants.
- This young man #OscarPistorius will regret day he was born. At rate his defence claims(R50 000/day) he's gonna sell his artificial limbs too.
- From "Bitch Don't Kill My Vibe" to "Jesus Loves Me This I Know" quicker than you could slam a bathroom door #OscarPistorius

# Comments on procedural matters

- Procedural matters can in Twitter be addressed in unconventional ways.
- “With all the adjournments it should be like football injury time and added on the end of the day, finishing at 3.30 is daft.”

# The fans

- “Osci Love you stax my HERO !! Believe it was a tragic accident Be strong and know you are blessed.”
- The following call for support has a philosophical ring to it as well as a link to a website: “If I were to remain silent, I'd be guilty of complicity” - Einstein - Show support for Oscar at: <http://supportforoscar.wordpress.com/> #OscarPistorius.”



# And the haters

- “Dear Oscar. Just admit you intended to kill her. You're wasting my precious bloody tax money, you bastard.”
- Last but not least, the most predictable punchline: “[The Oscar for the best actor in a dramatic role goes to....#OscarPistorius...slow clap...](#)”

# Conclusion

- A level playing field?
- Editorial restrictions for professional media
- Extensive freedom for citizen journalists
- Two genres on the same platform
- Both part of the public sphere

# The great equaliser: metajournalism

- OscarPistorius verdict is "not justice for Reeva" her parents say  
<http://bbc.in/1pXch1r>
- Generated the most metajournalism. It generated 18 conversations, 747 retweets, and 1268 favourite nominations.
- The best metajournalism numbers generated by a citizen journalist in the sample is 71 retweets and 40 likes. The tweet reads:  
Justice being served or not, being a victim carries a life sentence.' [#JubJub](#) [#DewaniTrial](#) [#Oscar](#)

# Citizen journalism = less metajournalism

- The tweets from citizen journalists, although more quirky, drew very little metajournalism.
- [“Why did OP shout/wail for help, when he had Frank on the premises, surely calling the live in housekeeper would be obvious #OscarPistorius,”](#) generated 10 conversations, 4 retweets, and 2 favourite nominations.
- The only other tweet from a CJ that impacted on all the categories of metajournalism read [“#OscarPistorius In his written statement. Oscar refers to himself \(‘I’\) 82 times. He refers to Reeva just 6 times. Surely that's moody?”](#) Five conversations, 4 retweets, and 7 favourite nominations were recorded.

# Verdict

- The case exposed a vibrant court of public opinion
- A much expanded public sphere
- A wide array of electronic platforms that are now part of this revolutionised public sphere
- A new form of multimodal professional journalism that are challenged and supplemented by free-flowing citizen journalism