

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

Abraham Gert van der Vyver¹
¹School of IT, Monash, South Africa

The court of public opinion has undergone a revolutionary makeover since the advent of the social media. These changes have seldom been more clearly reflected than in the reaction of the public and the media during the Oscar Pistorius trial.

On 3 March 2014, Oscar Pistorius, a leading South African runner, who competed at the Paralympic games and the 2012 Summer Olympics went on trial for the murder of his girlfriend, Reeva Steenkamp. In the early morning of Thursday, 14 February 2013, Steenkamp was shot and killed by Pistorius at his Pretoria home. Pistorius said that he mistook her for an intruder. On 25 February 2014, the High Court in Pretoria ruled that the entire trial may be broadcast live via audio and that parts of the trial may be broadcast live via television, namely the opening and closing arguments, the testimony of consenting state witnesses, the judgment, and the sentencing if applicable. A large part of the trial was thus televised as “reality television.” Cyberspace was turned into a court of public opinion with Facebook and Twitter carrying millions of comments. Experts and laypersons enthusiastically participated in the debate in cyberspace.

The researcher conducted purposive sampling of tweets collected from the #Oscar Pistorius handle during the trial. He qualitatively compared the input from members of the formal media with those of citizen journalists. The results of this analysis are embedded in this paper.

Keywords—Citizen journalism, Court of public opinion, professional journalism, Twitter.

I. INTRODUCTION

THE OSCAR PISTORIUS CASE in which this paralympic megastar was prosecuted for the shooting of his girlfriend, Reeva Steenkamp grabbed the imagination of millions throughout the world. The case generated a tsunami of public responses thereby clearly indicating the growing importance of the social media. Social media like Facebook and Twitter were turned into a court of public opinion. Citizen journalists competed vehemently against professional journalists for scoops and novel news angles. With the case being televised in real time, the playing field was now level.

In this paper a concise analysis of the extant literature pertaining to relevant constructs like public sphere, public opinion, citizen journalism, professional journalism and the social media will be discussed. The methodology used for sampling, data collection, and analysis will be described. Subsequently the findings as well as suggestions for future research will be addressed.

II. LITERATURE REVIEW

A. The Public Sphere

Over the past decade scholars and commentators have enthusiastically applauded the rise of citizen journalism. It has been seen as the advent of a true public sphere, a concept that grabbed the imagination for centuries.

The public sphere of the 18th century was described as elitist and bourgeoisie. According to Hauser [1] it is a discursive place where people can interchange their opinions to create a common judgment. According to Habermas [2] “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” [1]. The task of a public sphere is that society can become engaged in “critical public debate” [2]. 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. Goldberg [3] acknowledges that there is an array of viewpoints on what constitutes the modern public sphere. “I will assume a basic and widely shared definition: a site of social activity comprised of rational discourse which occasions the informal constitution of the public will.”

B. Public opinion

It is ironic that a high profile court case like The State vs. Oscar Pistorius triggered a total rethink of the Court of Public Opinion, a concept that has been debated in the P.R domain for decades. The case of O.J. Simpson needs no introduction. The retired football star and actor 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 before the trial that “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” [4]. According to Hudson, “(i)t’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” [5].

Bady [6] feels that there is no such thing as the Court of Public Opinion.

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 [6]

Scheier [7] differs from him and declares Facebook and Twitter as battlegrounds where these reputational battles are fought.

“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.

[7]

Pistorius implemented an unconventional strategy by employing a team of public relations experts to manage his presence in the public domain. The International Business Times revealed that “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” [8].

According to the British daily newspaper, The Independent, Pistorius employed the services of a London-based PR practitioner, Stuart Higgins who immediately showed his hand. “Mr Pistorius’s PR team were 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,” said Higgins

[9].

Part of the Twitter war that erupted during the Pistorius-case was fought between followers and adversaries of the disgraced athlete.

C. Professional journalism vs. citizen journalism

A professional journalist is, for the purpose of this study, an individual who earns an income from producing content from a media outlet. All professional journalism, whether analog or

digital, has at its core an aspiration toward accuracy, precision in communication and fairness [10]. In order to subscribe to these values, most professional journalists belong to professional associations. These so-called press clubs promote and enforce their own ethical codes. The Oscar Pistorius trial has been commemorated as the National Press Club’s Newsmaker of the Year for 2014. “This includes the roles played in the trial by Oscar Pistorius himself, Judge Thokozile Masipa, prosecutor Adv Gerrie Nel and defence lawyer Adv Barry Roux.” [11].

The question immediately arises whether this statement also applies to the world of journalism where thousands of citizen journalists are in competition with professional journalists.

Citizen journalism that is defined as “the process of members within the public playing an independent role in collecting, reporting and distributing, current and breaking news events, has recently become very popular” [12].

“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, and may feature plain language, distinct story selection and news judgment, especially hyper-local issues, free accessibility, and interactivity”[10].

According to Harper [10] “the increasing presence, speed and accessibility of advanced cellular phones and other media sharing devices has allowed citizen journalists to report on breaking news not only to a larger, global, audience, but also more quickly than traditional news reporters.”

After the September 11 attacks, Gillmor [13] wrote:

But something else, something profound, was happening this time around: news was being produced by regular people who had something to say and show, and not solely by the ‘official’ news organizations that had traditionally decided how the first draft of history would look. This time, the first draft of history was being written, in part, by the former audience. It was possible – it was inevitable – because of new publishing tools available on the internet.

The advent of the social media not only provided an array of new and highly accessible platforms for citizen journalists to apply their trade, it also underscored the dualism between professional journalism and citizen journalism. Both forms of journalism are conducted according to their own set of rules and governed by their own gatekeepers yet they all fall within the broad domain of journalism.

Citizen journalism that is defined as “the process of members within the public playing an independent role in collecting, reporting and distributing, current and breaking news events, has recently become very popular [3]. Citizen journalists often get the news in the public domain before the

professional journalists because they are less hampered by the codes and conventions of the news room. The only gatekeepers they face are the editors of the electronic platforms on which they publish. Harper [10] pointed out that “(n)ew media technology such as social networking eg: Twitter, Facebook and Blogger, have given everyday citizens the ability to transmit information globally; a power which was once only reserved for large media corporations.”

Where professional journalism is a fully-fledged profession regulated by codes and conventions that are enforced by professional bodies, most citizen journalists function as free agents. Gatekeeping is the process that distinguishes these two practices. Harper explained:

This relies on all experienced and trained journalists and editors to filter any nonfactual information from news reports before publication or broadcasting. Citizen journalists are untrained in such journalistic methods and are therefore at risk of using unreliable sources and publishing incorrect or infactual news [3].

Gatekeeping also applies to participatory journalism. Participatory journalism that originated as the letter columns in the printed media has now evolved to multimedia platforms provided by established media. CNN launched its iReport website on 2 August 2006. iReporters draw on CNN’s clout to disseminate their messages across a wide variety of multimedia platforms. Their unpaid labor simultaneously bolsters the power of the CNN brand while also illuminating the social hierarchies long associated with traditional journalism, thus serving as an example of the increasingly “symbiotic relationship” between mainstream media and citizen journalists [14].

In the case of iReport the producer of the webpage verifies the content. The contributor is contacted if necessary [15].

Goode [16] pointed at two other dimensions of the definition of citizen journalism that needs to be taken into account. Firstly, citizen journalism is not restricted to digital content. Broadcast news often include eyewitness footage from cell phones while print media incorporate soapbox features [16].

Secondly Goode [16] raised what he called “the most vexing question about the boundaries of citizen journalism” namely “whether we should restrict its definition to practices in which citizens act as content creators, producing original news material.” This question relates to other ways citizens voice an opinion or make a contribution to the news environment e.g. by “rating, commenting, tagging and reposting,” all acts of contribution that is seen as “considerably less significant than ‘real’ citizen journalism” [16]. Goode offered the following clarification: “if a user posts a comment on an existing news story but, in doing so, brings to light new knowledge about that event or topic, then it is not clear that this contribution can be classified only as ‘metajournalism’. 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 [17]. As such, a broad conception of citizen journalism appears

warranted on the proviso that the important democratic function of bringing new knowledge into the public sphere is not downgraded as equivalent to secondary commentary” [16].

In the Twitter analysis that forms the empirical part of this paper, tweets represent both broad categories, i.e. new information and/or opinions but also the mere recycling of other people’s contributions. Some of the tweets in the sample have been the subjects of large-scale metajournalism.

D. The social media

During the last decade the social media has become the dominant force in cyberspace. Alejandro [18] explained that “(t)he 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.”

More and more readers, listeners and viewers are going online to get their news. Newspapers and magazines that determined the news agenda for many decades have closed down or gone online. “What makes social media of particular interest to journalism is how it has become influential as a communication and news-breaking tool” [18].

There can be no doubt that the conventional media faces severe competition from citizen journalists. Krotoski writing in the *The Guardian* (UK) acknowledges that the conventional media has lost the battle [19].

(T)echnology has improved the processes of identifying stories that are newsworthy. Feeds from social networking services such as Facebook and Twitter provide a snapshot of events happening around the world from the viewpoint of first-hand witnesses, and blogs and citizen news sources offer analytical perspectives from the ground faster than print or television can provide.

[19]

The Oscar Pistorius case has caused such a media rush that competition between the conventional media and the social media reached ballistic levels.

In this paper the role of Twitter as a tool for professional journalists as well as citizen journalists is investigated. Twitter is an online social networking and micro-blogging service, which allows users to write short messages or tweets as text and to send these to the system. There is a limit of 140 characters per tweet. Users are also able to follow other users of Twitter and view their tweets. Unregistered users are only able to read tweets posted, but are not able to respond to a tweet or to quote (re-tweet) the message [17]. “Tagging enables you to link a picture, post, or status to another user or business. Tagging not only alerts users that they have been tagged in something relevant but it also increases the reach of the post or tweet” [20].

E. The ethics of journalism and social informatics

The dualism between professional journalism and citizen journalism has forcefully impacted on the ethical domain. “We

stand at a moment when the journalistic ethical codes that American society has known for decades are now under tremendous pressure, as the underlying business model continues to erode, news and information are increasingly consumed in personalized ways on commercial platforms, and every journalistic story must compete for attention amid an overwhelming sea of what is generically being called “content” [12].

It is clear that the playing field for professional journalists and their citizen peers is not level. No logical solution is on the cards. The legendary Walter Lippman, American journalist and political commentator was not convinced that journalists were good at providing their readers and/or audiences with the truth [21].

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 [22].

III. RESEARCH METHODOLOGY

The author analysed tweets from professional journalists as well as tweets from citizen journalists. 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 and tweets from citizen journalists. Where relevant, comparisons were drawn. The American Association for Public Opinion Research is of the opinion that “(t)here are legitimate quality concerns with using social media in research. Not every member of the public uses these platforms and those who do use them in different ways. In this respect, social media may provide useful insights for a particular set of questions, but perhaps not more specific point-estimates which are generalizable to a broader population.” In this case the author conducted an interpretive analysis. No quantification was executed.

IV. TWITTER ANALYSIS

A. Tweets by professional journalists

The second tweet in the sample contained a strong historical reference. It reads: Scorched earth policy by Nel as he goes through some amended dates for photos... trying to leave #OscarPistorius defence nothing to challenge. It was posted by a BBC reporter which explains the reference to the British war practice of destroying anything that may be useful to the enemy. The principle was applied to the tactics used by the public prosecutor who handled the case against Pretorius. The tweet proves that the journalist thought laterally and creatively about the case and that he has a knowledge of war history.

Media can use tweets to focus the attention on other multi-media initiatives they have staged In the tenth tweet in the sample, City Press, a leading Sunday newspaper tweeted a reference from Deborah Patta, an influential investigative

journalist who conducts video reports on its behalf. This illustrates the major paradigm shift that many conventional newspapers embarked upon in the environment. The tweet reads; “@Deborapatta's diary: When can you shoot an intruder?”

A news monitoring service, News Detector, retweeted the following tweet from news24: Oscar Pistorius trial enters pop culture <http://n24.cm/1iSb7Ho>. The original tweet refers to an article that appeared on the website news24. The article gives examples of how the case has grabbed the imagination of the general public and how it impacted on group and individual behaviour. The journalist who was not named wrote:” Turns of phrase from the courtroom - the defense lawyer's "I put it to you" challenge to prosecution witnesses - are creeping into popular culture”

A tweet from 567Cape Talk reads OscarPistorius 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 photo where Pretorius accepts the gift as well as an update from Eye Witness News that reads:

EWNUDATESAS #OSCARPISTORIUS LEFT THE HIGH COURT IN PRETORIA, A SUPPORTER WAS WAITING OUTSIDE WITH FLOWERS AND A BOOK OF PRAYER FOR THE ATHLETE. SHE SAYS HE NEEDS TO KNOW HE HAS HER SUPPORT.#OSCARTRIAL

The tweet “31 seconds of silence: <http://ow.ly/vJfiU>” serves as a cross-reference to a news report in City Press that was also published on the4 news24 website. The introductory paragraph of the report reads:

“Thirty-one seconds – that’s how long Oscar Pistorius was silent for when asked by Prosecutor Gerrie Nel if he heard Reeva Steenkamp scream after he fired the first of four shots that killed her.”

The tweet is an example of a tweet that could not have been created by an individual who was not present in court since Pretorius’s evidence was not televised.

Another tweet that cross-referenced an article in a popular electronic newspaper, The Daily Maverick, reads: Oscar’s ‘involuntary action’: Thin ice, Mr Pistorius <http://tinyurl.com/o8be47o> by PIERRE DE VOS .@pierredevos.

De Vos, a law professor at the University of Town, is highly critical of Pretorius’s explanation of his state of mind during the shooting. The article is based on expert opinion. De Vos extensively referenced another case, S. v. Humphreys, in which the same legal questions were asked. Regarding the Pistorius case, De Vos explained:

[U]nder cross-examination Pistorius seemed to suggest that the gun had gone off in his hands, but that he had nothing to do with it. This defence – if it was indeed the defence offered by Pistorius – is not easy to sustain. However, if it is sustained, the accused is acquitted of all charges. This is so because it is a trite principle of our law

that a voluntary act is an essential element of criminal responsibility. [6]

It needs to be pointed out that expert opinion can also be leveled in the form of citizen journalism with reference to a blog or a vlog.

The next tweet was posted by the esteemed journalist, David O' Sullivan on behalf of EWN. It reads "Coverage of Oscar trial reached highest point yet, according to Tonya Khoury from @DDIAfrica: pic.twitter.com/Rr1FqFa3tZ" and refers to a graph of the media coverage patterns released by, DDIAfrica, a well-known media research concern.

Journalists also linked to other genres as the following example of a cartoon illustrates. The tweet read "Masipa: OP knew that there was a person behind the door, he chose to use a firearm - Guilty of Culpable Homicide - [http://www.zapiro.com/Pistorius-Right-to-a-fair-trial-140227tt/ ...](http://www.zapiro.com/Pistorius-Right-to-a-fair-trial-140227tt/)"



Fig. 1 Cartoon of Oscar Pistorius [24]

A video link was also referenced by AIO News. The tweet referred to a yelling noise made by a neighbor who imitated the sound she heard from the crime scene. It read: "#OscarPistorius's neighbour imitates 'high pitched scream' - video <http://q.gs/6tQr7>"

B. Tweets by citizen journalists

Citizen journalists are not bound by ethical rules and gatekeeping practices. They don't hesitate to ask tough questions. In the first tweet in the sample the following question was posed:

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.

The problems with the interpreters that performed in the case were well-documented. One tweet stated in no uncertain terms that "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"

The following two tweets were written 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?"

Not only can citizen journalists get away with the use of informal terms like loo, they can also get away with abbreviations and acronyms that have a vulgar meaning as illustrated by the following tweet: "Firearm fetish, perhaps?? WTF" This tweet undoubtedly resembles a line from a stand-up comedy routine.

The rules of grammar and spelling do not apply to citizen journalists. They often sacrifice accurate spelling in order to retain the core message and there is no sub editor to veto the text. "Can someone pls explain the bloodied bat, blood splatter on/under duvet and left side of the bed"

Personal queries can be embedded in the writings of citizen journalists. The following tweet proves this point: "Am I really being too naïve by believing OP didn't do it on purpose?"

There is no embargo against sarcasm in citizen journalism. "Roux wanted to bring in the metadata yesterday. That says a lot about his knowledge of cameras." Another tweet read: "you'd think the police would have learnt not to tamper with evidence at scenes. I mean even I know that from watching TV."

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."

Twitter has no prescriptions regarding style and tone. The following tweet, despite poor syntax, displays suspicion: "#OscarPistorius ... natures call & whilst he was being careful & quiet, surely Reeve would've flushed & OP would have heard the flush?"

"Oscarpistorius said towards end of Friday he "knelt down". HUGE, I hope #Gerriene1 picked it up. He had his prosthesis on," An important anomaly is pointed out.

This microblog can also be used to introduce technical detail that was not mentioned in court: "U can't use2 dif camera's metadata re. time to compile the same sequence.they must be seperate as times can b set different."

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."

Many of the tweets carried strong opinions about the credibility of testimony. "The only - but huge - inconsistency w #OscarPistorius' story so far: wounds suggesting Reeve was in a defensive position (& prob screaming)."

Similar content is allowed in reports of conventional journalists. A tweet like "Oscarpistorius said towards end of

Friday he "knelt down". HUGE, I hope #Gerrieneel picked it up. He had his prosthesis on."

Some of the tweets border on defamation. Although a tweet like "Still incredulous that #BarryRoux +team not know/understand parallax error. Or was this rank dishonesty in court?" may lead to a defamation suit on grounds of innuendo, it is unlikely that the source of the message can be traced in cyberspace.

Fans of the accused or any famous individual who is involved in a polemic matter can voice their support as illustrated by the following tweet: "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>."

As could be expected in such an emotive case, some of the tweets contains hate mail. Many tweeters call for Oscar to admit to murdering the deceased. This following example contains abuse: "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..."

C. A grey area

The question arises whether there is a grey area where journalists who work for a news corporation can tweet in their personal capacity. 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."

Until the courts haven't ruled on this issue, it will be clouded by legal uncertainty.

D. Impact on the court of public opinion

Professional journalists

It has been established that the modern court of public opinion consists of a wide array of input from the formal media, public participation fora, and the social networks. In this paper two sets of input from the twitterati was analyzed. Although the samples of tweets that were drawn are two small to warrant any scientific quantification, it makes sense to inspect the impact of metajournalism on the distribution of the selected tweets.

The controversial media personality, Gareth Cliff, tweeted "Let me put it to you (again) - latest blog on the #OscarPistorius trial <http://www.garethcliff.com/blog/?p=491>." Cliff tweeted to point his followers to his latest blog. Although nobody engaged in conversation with him, he got 88 retweets and 66 favourite nominations.

A tweet from the British TV channel, Sky, got 90 retweets and 46 favourite nominations. It read: "#oscarpistorius has stumbled and stuttered and wriggled and retracted and added all morning. Not been a pretty sight".

As could be expected, a tweet on the controversial verdict that was later overturned on appeal, generated the most metajournalism. It generated 18 conversations, 747 retweets, and 1268 favourite nominations.

Citizen journalists

The tweets from citizen journalists, although more quirky, drew very little metajournalism. The tweet, "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 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.

CONCLUSION

The paper provides clear evidence that the historic concept of the "court of public opinion" has been redefined by the advent of the internet and the social media. A domain that was previously controlled and monopolized by the formal media has now been made accessible to the general public. Members of the public who act as citizen journalists can now constructively contribute to the public, as well as the media agenda. Although the formal media supported by metajournalism still remains a tour de force, the citizen journalists hold their own through unconventional style, strong opinions, and bold conversations.

REFERENCES

- [1] Hauser, Gerard A. (1999). *Vernacular Voices: The Rhetoric of Publics and Public Spheres*. Columbia: University of South Carolina Press. p.61.
- [2] Habermas, Jürgen. (1991). *The Structural Transformation of the Public Sphere. An Inquiry into a Category of Bourgeois Society*. Cambridge, MA: MIT Press.
- [3] Goldberg, G. (2010). Rethinking the public/virtual sphere: The problem with participation, in *New Media & Society*, 13(5) 739–754, retrieved from DOI: 10.1177/1461444810379862 nms.sagepub.com
- [4] Anon. (1994). The Court of Public Opinion, in *Maclean's*, 107 (27), p. 54, 7/1/94.
- [5] Hudson, H.P. (1994). The Court of Public Opinion, in *Public Relations Quarterly*, 39, 2.
- [6] Bady, A. (2014) . There is no such thing as the Court of Public Opinion (but maybe there should be), in *The New Inquiry*. Retrieved from <http://thenewinquiry.com/blogs/zunguzungu/>
- [7] Schneier, B. (2013). The Court of Public Opinion is about mob justice and reputation as revenge, in *Wired*, 26 Feb. 2013, retrieved from <http://www.wired.com/2013/02/court-of-public-opinion/>
- [8] Palmer, E. (2014). Oscar Pistorius: PR team creates Twitter account to reveal “truth” during Reeva Steenkamp murder trial, in *International Business Times*, retrieved from <http://www.ibtimes.co.uk/oscar-pistorius-pr-team-creates-twitter-account-reveal-truth-during-murder-trial-1437738>
- [9] Howden, D. & Burrell, I. 2013. Trial by media of Oscar Pistorius: facts, guesses and spin surround Reeva death, in *The Independent*, 19 Feb. 2013, retrieved from <http://www.independent.co.uk/news/world/africa/trial-by-media-of-oscar-pistorius-facts-guesses-and-spin-surround-reeva-death-8500370.html>
- [10] Harper, A. (n.d.). Citizen journalism vs. professional journalism, in *Journalism: The Future*, retrieved from <https://journalismthefuture.wordpress.com/citizen-journalism-vs-professional-journalism/>
- [11] National Press Club. 2015. *Oscar Pistorius Trial Commemorated as Newsmaker of the Year for 2014*. 15 May, 2015, retrieved from <http://www.nationalpressclub.co.za/releases/20150515.php>
- [12] Harvard Kennedy School. (2016). *Journalism Ethics in the Digital Age: A Model/Open Source Syllabus*, retrieved from <http://journalistsresource.org/syllabi/journalism-ethics-digital-age-syllabus#sthash.2Lbcm0xr.dpuf>
- [13] Gillmor, D. (2009). *We the Media. Grassroots Journalism by the People, for the People*. Cambridge, MA: O'Reilly Media.
- [14] Friend, C. & Singer, J.B. (2007). *Online Journalism Ethics*. London: Routledge.
- [15] Silverman, C. (2012). How CNN's iREPORT verifies citizen content, in Poynter, 26 Jan. 2012, retrieved from <http://www.Poynter.org/2012>.
- [16] Goode, L. (2009). Social news, citizen journalism and democracy, in *New Media & Society*, Vol 11(8), pp. 1287 – 1305, DOI: 10.1177/1461444809341393.
- [17] Boyd, D., Golder, S. & Lotan, G. (2010). Tweet, Tweet, Retweet:
- [18] Alejandro, J. (2010). *Journalism in the age of Social Media*. Oxford: University of Oxford. Reuters Institute for the Study of Journalism.
- [19] Krotoski, A. 2011. What effect has the Internet had on journalism, in *The Guardian*, 19 Feb. 2011.
- [20] Thrivehive. (2014). *How to tag somebody on Facebook and Twitter*, 22 April 2015, retrieved from <http://Thrivehive.com/how-to-tag-someone-on-Facebook-Twitter>.
- [21] Lippman, W. (1922). *Public Opinion*. New York: Harcourt, Brace & co.
- [22] Boeyink, D.E. & Borden, S.L. 2010. Making Hard Choices in Journalism Ethics. London: Routledge.
- [23] Conversational Aspects of Retweeting on Twitter. HICSS-43. IEEE: Kauai, HI, January 6
- [24] Zapiro. (2014). Right to a fair trial vs. public's right to know, in *Mail & Guardian*, 27 Feb. 2014.

Abraham Gert van der Vyver is a senior lecturer at Monash South Africa. He has obtained degrees in law, marketing, communication, and information systems and the other authors may include biographies at the end of regular papers. His PhD is in political communications. He has also obtained an Australian Higher Education Diploma.

His fields of interest and research are social informatics, development informatics, cyberlaw, and ethics.