Article

Exploring the use of Humour, Vulgarity and Allegory in Social Media Discourses: The Case of Oscar Pistorius and Reeva Steenkamp

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Abstract

This article unpacks notions of humour, vulgarity, and allegory in social media discourses during the trial of Oscar Pistorius by analysing the dynamic interactions between South Africa's judicial system and multiple discourses on Facebook and Twitter. It explores whether social media, in this instance, provided a platform for citizen-led conversations on the South African judiciary's legal processes. It proposes that where the "legacy media" were constrained in facilitating case-related public discussions, social media created an alternative sphere for citizens to engage with the South African justice system throughout the trial. The article examines the popular views that were posted on Facebook and Twitter during the trial. Using a Foucauldian approach and Achille Mbembe's interpretation of the postcolony, the article argues that the trial of Oscar Pistorius can be used as a lens to examine the humorous, vulgar and allegoric views of South Africans towards the judicial system in the post-apartheid era. This is more so in a context where intersectional contestations of class, race, and gender exist within popular socio-political discourses of "rich white men's justice" versus "poor black men's justice."

Keywords: social media; power; allegory; humour; vulgarity; Oscar Pistorius; intersectionality; postcolony

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Introduction

In the early hours of 14 February 2013, on Valentine's Day; Pistorius, a male white and famous South African paralympic athlete, allegedly shot his girlfriend Reeva Steenkamp through the toilet door in his home in Pretoria (Langa et al. 2018; Swartz 2013), using a Taurus PT917 9mm pistol. According to Biber (2018), Pistorius fired four hollow-tipped "black talon" bullets from a high-calibre weapon through a bathroom door in his house, resulting in the death of his girlfriend, Steenkamp. This incident sparked social media outrage and debate, especially on Facebook and Twitter, and amongst South Africans and the world at large.

The incident brought a renewed interest in discourses of equality, women's rights, and social justice in the post-apartheid South Africa. The prominence of this chatter is evidenced by the fact that during the first two days of the first reading of the verdict the hashtag #PistoriusTrial had over 600 000 mentions on Facebook and Twitter, combined. According to eNews Channel Africa's (eNCA) (2014) analysis, the social chatter on Pistorius was on average, 15 422 posts per hour and 257 per minute, with 135 775 women (5000 more than men) engaging in the debate. Twtrland, an online social media analytics engine showed that the Digital Satellite Television (DSTV) Pistorius online page @OscarTrial99 ranked in the top 0.5 per cent of all social media users (Sparks 2014). Indeed, the trial did not only receive overwhelming attention from the South African community, but from the world at large (Bowman, Eagle, and Kiguwa 2018; Chuma 2016; Langa, Kirsten, and Swartz 2013).

In September 2014, Pistorius was charged with culpable homicide and an additional charge of reckless endangerment related to accidentally discharging a firearm in a restaurant, thereby receiving a maximum five-year sentence from the judge (Langa et al. 2018). This sentence sparked public outrage. The Supreme Court of Appeal, on the basis of *dolus eventualis*, later found Pistorius guilty of murder in December 2015 (Langa et al. 2018). However, this article only focuses on the period when Pistorius was convicted of culpable homicide, not murder. This is a context where the intersectional notions of "rich white men's justice" and "poor black men's justice" were hugely contested on social media platforms; mainly Twitter and Facebook, under the hashtag #OscarPistoriusTrial. This position follows Gqola's (2015) view that there were intersections of gender, class, and race in various aspects of the defense.

We propose that these discourses that emerged during the Oscar Pistorius trial be seen as a microcosm of a larger national debate on the efficacy and fairness of the judiciary in the greater South African society, where femicide statistics are high (Gqola 2015), poverty is rife, and race still influences the right to justice. This article, therefore, seeks to explore whether social media provided a platform for citizen-led conversations on the judiciary's legal processes. It also seeks to analyse intersecting discourses of gender, class, and race; evident in the social media content under analysis. It unpacks notions of

humuor, vulgarity, and allegory in social media discourses during the trial of Oscar Pistorius by analysing the dynamic interactions between South Africa's judicial system and multiple discourses on Facebook and Twitter. It proposes that where the "legacy media" (Chuma 2016) were constrained in facilitating case-related public discussions, social media created an alternative sphere for citizens to engage with the South African justice system throughout the trial. The article examines the popular views that were posted on Facebook and Twitter during the trial. Using a Foucauldian approach and Achille Mbembe's interpretation of the postcolony, the article argues that the Oscar Pistorius trial can be used as a lens to examine the humorous, vulgar, and allegoric views of South Africans towards the judicial system in the post-apartheid era.

The Context of Intersecting Class, Race and Gender Inequalities in South Africa's Society and the Justice System

Arguably, the emerging social media dialogues during the Oscar Pistorius trial were founded on the historically-grounded perceptions of the judiciary's (in) ability to serve justice at varying intersections of class, race, and gender in an unjust society (Biber 2018). South Africa, known as the "rainbow" nation; in founding father Archbishop Desmond Tutu's nomenclature, is a country that displays vast class, race, and gender inequalities. Although the term "rainbow nation" speaks to some degree of multiculturalism (Graziano 2004; Oswin, 2007; Van Zyl 2011), according to Obbard and Cork (2016, 418), it has a political bite, and many critics have suggested that "this myth of inclusion allows for social issues such as racism and the legacy of apartheid to be glossed over." Although South Africa has one of the most liberal constitutions in the world (Chuma 2016), it has, for several years in a row, been one of the most unequal on earth (Marais 2011). Scholars such as Hlophe (1995), Hoexter and Olivier (2014), Wesson and Du Plessis (2008), Obbard and Cork (2016) and Biber (2018) generally concur that the judiciary in the post-apartheid South Africa does not serve the interests of some sections of the population. This analysis suggests that the country's inequalities extend to the judicial system.

South Africa has a long history of discrimination, based on race (Dissel and Kollapen 2002). According to Biber (2018), South Africa's history of racial inequality has been deeply embedded within its criminal justice system. Due to the unavailability of statistics to account for the number of black or white people that are actually sentenced to imprisonment in South African courts, the article relies on Makou, Skhosana, and Hopkins' (2017) study, which found that 0.6 per cent of the prisoners were Asian/Indian, 1.6 per cent were white, 18.2 per cent were coloured, and 79.6 per cent were black. Although this is not evidence enough to suggest that blacks get harsher sentences, it speaks to how black and coloured people are relatively at the higher receiving end of South Africa's criminal justice system. The neo-liberal legal system in South Africa and the world over (as in the case of the OJ Simpson's trial) makes it less probable for those who can afford exceptionally good lawyers to be convicted (Jonker 2014;

Mnyongani 2011)—regardless of the crimes they have committed. Because of this racialised nature of access to resources in South Africa, black and coloured people are more likely to receive harsher sentences, as they often cannot afford exceptionally good lawyers.

Beyond race and class, scholars (see Hlophe 1995; Mnyongani 2011; Hoexter and Olivier 2014; Obbard and Cork 2016; Wesson and Du Plessis 2008) continue to see some injustices in post-apartheid South Africa as a consequence of the judiciary's unbalanced racial and gender composition. This is perhaps so because when South Africa was democratised in 1994, attempts to include more black or female judges were futile; leading to a democracy with a judiciary consisting of almost an all-white male panel of judges (Mnyongani 2011; Wesson and Du Plessis 2008). In respect of gender for example, Mnyongani (2011), and Obbard and Cork (2016) observe that although there have been considerable attempts to diversify the judiciary; little progress has been made in the area of gender transformation, with the leading reason being the unwelcoming nature of the legal world and courts to women (Bonthuys 2008). This is why we ascribe to journalist Davis' (2014) assertion that the murder of Steenkamp at the hands of Pistorius was a sign of unfettered power relationships that reminded people of the brutality and violence inflicted on women in the toxically hetero-masculine South Africa. Judge President Mlambo, in his judgment to broadcast the trial, took judicial notice of the manner in which most South Africans felt about the criminal justice system (Biber 2018) as "treating the rich and famous with kids gloves, while being harsh on the poor and vulnerable" (Multichoice 2014, 27). These include sexual minorities and women. Indeed, the country's criminal justice system has failed to address gendered violence. Hence, South Africa has the highest rate of rape and spousal homicide in the whole world (Goldblatt 2016; Smythe 2015).

Issues affecting the judiciary are multiple and extend to other political aspects. Mojapelo (2013) argues that although constitutionally the judiciary has its own authority, which lies in its power to determine the law, and how it should be applied to particular disputes, it does not have institutional autonomy on the ground. This state of affairs is attributed to the fact that regardless of its excellent and democratic formulations, the South African constitution does not explicitly make provision for the separation of powers amongst state organs. According to Mojapelo (2013), the principle of the separation of powers is only implied in the constitution, but there is little to suggest that it is practically tangible. This arrangement contradicts the neoliberal notion, which states that the same persons who have the power to make laws, should not, at the same time, have the power to execute them, as they may exempt themselves from the law, both in its making and execution (Mojapelo 2013, 37). Hence, Mnyongani (2011) argues that the fact that the judiciary has no institutional autonomy makes it vulnerable to abuse and potentially renders it the weakest of all state organs in South Africa. This article also unpacks whether "alternative voices" on social media during the trial alluded to some of these dynamics, which confer suspicion towards the judiciary.

The views of politicians also reflect pre-existing political contestations in South Africa's justice system. Although this is not an academic position, such assertions are indicative of society's suspicion of the judiciary. Political statements by actors such as former Deputy Minister of Correctional Services, Ngoako Ramathlodi, suggest that in South Africa there are still forces that resist change in the economy, judiciary, public opinion, and civil society (Hoexter and Olivier 2014). In its annual statement in January 2005 to mark the anniversary of the establishment of the African National Congress (ANC), the National Executive Committee stated that it was still faced with a challenge of transforming the judiciary, as well as transforming the collective mindset of the judiciary to bring it into consonance with the vision and aspirations of the millions who engaged in the struggle to liberate the country from white minority domination (Kruger 2012). Of the 233 judges appointed in the various Superior Courts, 168 are males (and this includes 71 whites, 69 blacks, 16 coloureds and 12 Indians), while 65 are female (comprising 25 blacks, 20 whites, 12 Indians and eight coloureds) (Kruger 2012). More still needs to be done to guarantee that the judiciary is appropriately positioned to respond to the diverse needs of society (Department of Justice and Constitutional Development (as quoted by Kruger 2012)).

As a result of this disparity, Chuma (2016) argues that the mediation of the Oscar Pistorius trial should not only be analysed against the backdrop of profound shifts and pressures of the mainstream media landscape in the country; but against increasing social inequalities, poverty, and crime as well. All these issues raise important questions about the material content of democracy, just over two decades after legislated racial segregation was formally ended. This literature does not engage with humour, vulgar, and allegory in social media posts, or treat these aspects as legitimate perceptions of the citizenry towards the state of the post-apartheid South Africa's judicial system.

Adopting an Intersectional Heuristic to Analyse Social Media Texts

It is clear at this juncture that issues affecting the public's perception of the judiciary are multiple and intersecting—the case of Pistorius and Steenkamp provoked multiple insights on race, gender, class (Gqola 2015), and disability (see Harvey 2015). It is, therefore, appropriate and logical to adopt an intersectional heuristic to analyse social media texts during the trial. Since the discourses of class, race, and gender—as well as the marginality they mediate are interconnected, this article treats the social media discourses that express particular perceptions about South Africa's judiciary as multiple and intersecting.

Intersectionality as a heuristic allows this article to flesh out the complexities of rich white male privilege. In as much as Steenkamp was white, she represented women across various racial spectrums and contexts of gender-based violence. In other words, the intersectionality theory allows the arguments advanced in this article to complicate the identities of Pistorius and Steenkamp, and what their multiple intersecting identities

mean for the discourses of justice in South Africa. Also, because of the difficulty associated with establishing the authenticity of the social media post author's class, race, or gender on Facebook and Twitter, an "intercategorical complexity" approach (McCall 2008; Nash 2002) has been adopted, as it enables the article to prioritise the content and context more than the author's identity. This approach acknowledges that relationships of inequality exist among the already constituted social groups, as imperfect and ever-changing as they are, and takes those relationships as its centre and object of analysis (McCall 2005, 1784–1785).

Intersectionality is a concept coined at the end of the 1980s in critical race studies by Crenshaw (1989) to refer to "intersections of axes of differentiation (race, gender, class, sexuality, and so on) and their contextual significations, informing the social identity and experiences of a person" (Roy 2012, 177). According to May (2015, 21), intersectionality highlights how lived identities, structural systems, sites of marginalisation, forms of power, and ways of resistance "intersect" in dynamic, shifting ways. If used correctly, intersectionality can address difference and sameness, simultaneously within a liberatory praxis. Intersectionality, therefore, does not promote static identity categories, but also refers to the lived experiences of power and privilege, as well as relational contact between identity categories. Interactions between social media authors' identities may be viewed as a dynamic contact, filled with alternating expressions of privilege and disadvantage, satisfaction, and dissatisfaction. Intersectionality as a heuristic allows this article to analyse multiple discourses of humour, vulgarity, and allegory as expressions of the South African judiciary's relationship with different class, race, and gender experiences.

Legacy Media's Coverage of the Oscar Pistorius Trial

It is also important for us to highlight in our analysis how we differentiate between different kinds of media. Throughout the article, we have adopted Wallace Chuma's (2016) notion of "legacy media" as an analytical tool to demonstrate the continuum that gives social media centrality in the lives of people. Chuma (2016) uses the term "legacy media" to refer to television and print media corporates that covered the trial. He suggests that there is an intimate relationship between the legacy media's coverage of high profile cases and revenue. The scholar also asserts that the Pistorius trial was the first trial to be broadcast live on television throughout. It was also the first trial to be allocated a dedicated 24-hour channel on the Digital Satellite Television's (DSTV) "Channel 199." The trial was also the most prominent, judging by the viewership during its course (Chuma 2016).

According to Meletakos (2014), "Channel 199" was the brainchild of a partnership between Multichoice and Eyewitness News. eNCA group head of news Patrick Conroy, in a bid to dismiss allegations of capitalising on the trial for financial gain contradicted himself by stating:

> You cannot interrupt a court feed for advertising - not unless you want to seriously anger the viewer. This means you actually reduce the amount of time available to advertisers and this can lead to a loss of revenue. (Meletakos 2014, 45)

This position suggests that revenue concerns were at the centre of the trial coverage, because the media often target advertising revenue, rendering their coverage of events intricately linked to profit (Willems 2010). The end result of these motives is often limited space for public feedback on aired programmes, because commercialisation prioritises adverts and limits the representation of diverse viewpoints (Hardy 2014).

According to Chuma (2016), the coverage of the trial was underwritten by hyper-commercial imperatives. As a result, its framing was consistent with the quintessential coverage of fallen celebrities; including the sensationalisation of the trial. The trial focused more on the "deviant" individual rather than the broader structure of the system (Chuma 2016). Such coverage, Chuma adds; was not meant to invite citizens to critically engage with the issues at play, but to appeal to an audience-consumer fascination with Pistorius, the fallen hero, in an era where the demise of public figures has become a selling point (Chuma 2016). Chuma's position suggests that television media did not offer room for critical public engagement with the trial. Instead, the Pistorius case had all the makings of a tantalising consumable mega-celebrity story: from a fallen, yet rich celebrity to a slain, beautiful blonde mixed with violence and guns, amidst allegations of cheating and betrayal, as well as the drama of courtroom argumentation (Chuma 2016). Therefore, the legacy media's coverage of the trial should be viewed in the broader context of a symbiotic relationship between the media and celebrity cultures (Chuma 2016), which narrows critical engagements around social justice issues.

In this sense, the legacy media's coverage can be seen as hegemonic. According to Gramsci (2009), hegemony involves the use of ideological state apparatus, such as the media to maintain consented rule, which in this world of commodification, is the rule of consumerist culture. The hegemonic mechanism of the legacy media also speaks to how the coverage of the trial did not warrant any critical introspection into the state of the South African society, or the judiciary. As Chuma (2016) posits, the coverage by the legacy media did not expose other issues such as crime, race, gender, and poverty. Although some media houses reported using a reference to the bigger picture of crime in South Africa, what was absent was what Chuma (2016) terms a deliberate, sustained reflection on this bigger national picture and context (of crime, race, gender, and poverty).

The "Subaltern" Speaking? Social Media as both Complimentary and Counter-hegemonic to Legacy Media

Social media is a space that has a potential to facilitate alternative discourses, which critically engage with other issues within the legacy media content. It has already been

established that during the Oscar Pistorius trial the legacy media produced hegemonic aesthetics that were aligned with the commercialisation of the trial. However, this domination is not indentured; because counter-power depends on breaking the control of communication (Castells 2009). Foucault (1982) argues that wherever there is power there is resistance. There is an emerging and a fast-established view among scholars that social media has "thrown into disarray the controlled broadcasting of messages from the dominant groups of society to the rest" **(**Mpofu 2014, 128**)**. Marginalised publics in South Africa, as elsewhere, are using social media as a medium to resist both political and economic domination; and this is the essence of counter-power (Castells, 2009). For example, before the age of social media, Rosenberg (1991) assumed that the public would get information from the courts only through the mainstream media—that court-related information would trickle in a top-down fashion (Peterson 2014). However, new media technologies have resulted in the flow of information being non-hierarchical and multi-directional; because the content is instead, user-generated, and people assume the role of both consumers and producers of news (Peterson 2014). Users are able to forward links to others, as well as access news stories before professional journalists are even able to. Scholars have conceived this as a form of counter-power for publics; since communication and information have been vital sources of power and social change throughout the ages (Castells 2007).

The place of social media is not isolated, but also convergent. Sparks has argued that the Oscar Pistorius trial allowed for online convergence of reportage and citizen participation (Sparks 2014). Jenkins defines convergence culture as that space where old and new media collide, where the grassroots and mainstream media collide, and where the power of both the media producer and consumer interact in unimaginable ways (Jenkins 2006). Because of convergence, users can now generate slogans or acronyms online from stories or news gathered from formal media platforms (Spitulnik 2017).

However, during the Oscar Pistorius trial, such an interaction largely depended on one's ability to access the proceedings of the trial on "Channel 199" and take the conversation to social media, as they watched, or after major judgments or decisions had been passed. Therefore, while some scholars would view social media as counter-hegemonic or as a space that allowed "the subaltern to speak" by interrogating what they saw, heard or perceived on "Channel 199" through these sites, it can be argued that social media was simply an extension of the viewing process. Meanwhile, the television set and the programme were an intrinsic part of the general environment in which viewing occurred (Tulloch and Moran 1986). In light of this, to say that social media indeed served as online "courtrooms" is problematic; since the elitist nature and form of social media could be yet another limitation to inclusivity.

Others have gone as far as suggesting that Pistorius experienced his trial, not only inside the walls of the Pretoria courtroom but outside as well; in the "court" of social media

(Sparks 2014). However, there is no absolute way of showing how social media contributed to the outcomes of the trial. Yet, there are various symbolic ways in which citizens expressed their alternative views, particularly those aligned with discussing the gendered, classed, and racialised structures of the South African judiciary's verdicts. Using Mbembe's notion of the "commandement", we conceive these views as public perceptions of the courts and the media's position as apparatuses and sites for the deployment of the "commandement's" phallic power (Mbembe 1992; 2001), which is inundated with symbols and signs of hegemonic rich white-male domination (See Langa et al. 2018).

Masipa's Courtroom: The "Commandement", Banality of Power, and Aesthetics of Vulgarity

This article conceptualises the courtroom as an embodiment of state power. Such an analysis is based on the Foucauldian perspective in its reading of the courtroom as a site of procedures that govern the production of discourse. The materiality of knowledge is "an instance of power" (Arribas-Ayllon and Walkerdine 2008, 99). The court, presided by Judge Thokozile Masipa, as argued in this article, is an embodiment of state power. A Foucauldian perspective suggests that unlike wealth, power is not allocated to an individual—but operates in a net-like format as individuals are consistently in positions to appropriate it or be dispossessed by it (Foucault 1982).

One Foucauldian theoretical position that disentangles the interaction between state power and the citizens is Mbembe's (2001) interpretation of the postcolony, in which he deploys ideas about the "commandement", "banality of power", and "aesthetics of vulgarity." South Africa's democracy, which is still in its infancy, still suffers from the "hangover" of apartheid. Therefore, Mbembe's interpretation of the postcolony is instrumental in explaining some of the phenomena manifesting themselves in the "rainbow nation" today. According to Mbembe (2001, 17) in the postcolony, the "commandement" seeks to institutionalise itself, to achieve legitimation and hegemony in the form of a fetish:

> The postcolonial 'subject' mobilises not just a single 'identity,' but several fluid identities which, by their very nature, must be constantly 'revised' in order to achieve maximum instrumentality and efficacy as and when required. (Mbembe 1992, 5)

These identities hold intersecting points of power and disempowerment. The signs, vocabulary, and narratives that the "commandement" produces are meant not merely to be symbols—but are officially invested with a surplus of meanings that are not negotiable and that individuals are officially forbidden to depart from or challenge (Mbembe 1992; 2001).

Judge Masipa's courtroom was conceived as a site for the deployment of the "commandement." Wittingly or otherwise, as a historic and contemporary institution of

hegemony, the courtroom is an institution of national commandments in South Africa. Its judgments are productive of signs, vocabulary, and narratives that superimpose the governmentality of poor black bodies, as was the case during legislated apartheid. But, at the same time, the court as an institution for the practice and deployment of hegemony is not one coherent "public space", nor is determined by any single organising principle (Mbembe 1992). It is rather, "a plurality of 'spheres' and arenas, each having its own separate logic yet nonetheless liable to be entangled with other logics when operating in certain specific contexts" (Mbembe 1992, 5).

While the courts of law are a reflection of the state's power to dispose and detain in the postcolony (Mbembe 2001), when citizens are allowed a gaze into the courtroom, they may use social media as a site to present numerous challenges to the "commandement" by producing alternative signs, vocabulary, and narratives. One of the manner in which this takes place is through the banality of power, which evokes those elements of the obscene, vulgar, and the grotesque, located in "non-official" cultures (Mbembe 1992; 2001).

Methodological Issues

This research was purely qualitative in nature, and the researchers relied on archival data under the #OscarPistoriusTrial hashtag on Facebook and Twitter between 14 February 2014 and October 2014. The research critically examined online engagements during the Oscar Pistorius trial and just after the verdict: where the South African paralympic athlete was found guilty of culpable homicide, and not murder. The sampling technique for this study was purposive, which is sampling based on the characteristics of a population and the objective of the study (Crossman 2017). In our sampling procedure, we selected tweets and Facebook posts under the hashtag #OscarPistoriusTrial, which was used mostly during the trial. From this sample, we purposively selected tweets and Facebook posts that elicited the most engagements in the form of comments, retweets, and shares. This technique was convenient because it suits the structural organisation of Twitter, where tweets which generate more debate tend to stay longer on the site's archives. The technique also suits the structural organisation of Facebook, because posts that generated more debate during the trial appeared first on the hashtag-based search.

The data were analysed using a Foucauldian discourse analysis. According to Arribas-Ayllon and Walkerdine (2008), Foucauldian discourse analysis does three things: First, it involves a historical enquiry into the genealogy of the data. Second, this analysis focuses on the mechanisms of power and how they function. And last, the analysis is directed at subjectification, which is the material/signifying practice, in which subjects are made up (Arribas-Ayllon and Walkerdine 2008). Because of the complexities associated with online research, such an analysis of discourse in a space where it is difficult to fully determine the communicator's identity is important because discourse

is not really a "theory" of the subject. What it offers is an explanation of the local and heterogeneous positioning of subjects within relations of power (Arribas-Ayllon and Walkerdine 1998). "Power, in this sense, is not in the possession of individuals, but operates *through* individuals by acting upon their actions" [emphasis in original] (Arribas-Ayllon and Walkerdine 1998, 94). Therefore, the main focus of our analysis was on the content and its implications for power, rather than on the identity of the communicator.

This does not, however, suggest that we did not purposively sample tweets and Facebook posts, based on the geographical location and gender of the user by going to the user's profile and verifying these aspects. While user profiles may be susceptible to deception, this screening allowed our findings to at least speak to discursive notions of power within the South African context. We were, however, unable to disaggregate our findings by race. The analysis enabled us to interpret opinions through texts and images without assuming that a particular social media user's race would influence their views of the intersecting gendered and racialised notions of the ruling. In some instances, critics of Masipa's ruling had "white names." Consistent with its heuristic, we treated posts expressing (dis)satisfaction with the justice system as intersectional.

Mocking the "Commandement": Exploring the Use of Humour and Vulgarity

This section unpacks how humour and vulgarity were used as mechanisms to mock the judiciary, a state organ that is conceptualised as an embodiment of the "commandement." As stated earlier, symbolism played a critical role in problematising Masipa's ruling. A tweet by Gary Trowsdale, directed at the South African government, on its official Twitter page read: "@South Africa Your fucking legal system deserves an Oscar for its brilliant acting in pretend justice #PistoriousTrial." To "fuck", according to Fairman, means "to copulate" or, figuratively, "to deceive" (2006, 11). This individual used the vulgar term to express that the judiciary is deceptive in nature and is not doing right, as per Gary's expectations. Hobbs (2013, 159) argues that:

> In phrases such as Fuck you, They fucked him over and They were fucking with me, the word fuck is being used metaphorically to describe domination: the concept of sexual penetration is used to structure the concept of domination as an essentially male relationship of power in which to fuck is to dominate.

Similarly, it could also be argued that the judiciary is perceived as unjust towards women, in cases of gender-based violence, for example. This metaphor speaks to Trowsdale's disappointment with the judiciary's phallic power in a performance that falls into what Mikhail Bakhtin et al (as quoted in Saber 2012) refers to as the obscene and grotesque, or what Mbembe (1992; 2001) refers to as the aesthetics of vulgarity.

The obscene and grotesque are existent in “non-official” cultures and intrinsic to all forms of exploitation as a means through which those systems are deconstructed (Mbembe 2001). The “non-official” is the non-regulated individuals, whose expression of ideas is not bound by institutional ethics or principles, but is driven by the need to express their views. In this context, social media became a “carnival” where vulgar discourses were deployed by South Africans to challenge state power, by tweeting directly on the government’s page, using unconventional terms that are considered unethical modes of engagement in the mainstream media. Also, although government agencies are increasingly using social media to connect with those they serve (Bertot, Jaeger, and Hansen 2011), because social media is hard to regulate, they became the space for what Mbembe (1992) notes through his idea of conviviality, as the grotesque and the obscene. The grotesque and the obscene can also be located in “the places and times in which state power organises the dramatisation of its magnificence” (Mbembe 1992, 4), which in this context, is the South African government’s own Twitter page.

After judgment had been passed on Oscar Pistorius, the #ThingsLongerThanOscarsSentence hashtag also became popular. The hashtag was used by many South Africans to show their dissatisfaction with Masipa’s judgment, reducing it to a joke of the century. The idea behind the hashtag was to scorn the sentence by posting anything one would think was longer than Pistorius' sentence. On 21 October 2014, one user by the name Sarah Jones tweeted "#ThingsLongerThanOscarsSentence a Kardashian marriage.” Another tweet posted by SC read: “#ThingsLongerThanOscarsSentence Mondays.” A final tweet was posted by popular South African House music and former Metro FM DJ Fresh, and read: “Taylor Swift's relationships #ThingsLongerThanOscarsSentence.”

In the first tweet, Sarah Jones suggests that even the short marriages of the famous Kardashians are longer when compared to Oscar's sentence. The Kardashians are well known in popular culture for having unstable, dramatic marriages that barely stand the test of time. From the tweet, we can see that the South African justice system is being accused of passing casual sentences similar to the nature of Hollywood marriages, which are generally assumed to be very short. In the second tweet, SC supposes that one of the few things longer than the sentence is Mondays. This is, in fact, a sarcastic tweet, in which the individual is challenging online followers to at least try and contrast the perceived heftiness and lengthiness of the first day of the week to that of the sentence. Meanwhile, DJ Fresh’s tweet reduces Oscar’s sentence to something way less serious as the famous Taylor Swift’s short-lived relationships. Altogether, these engagements can be read as a mockery to the justice system on this assigned sphere that draw their legitimacy on mocking the “commandement” through popular culture icons and narratives (Mbembe 1992). Such memes helped in disregarding the legitimacy of the judiciary as a state entity in the same manner that the views expressed in memes are easily disregarded by the state as mere fun.

Some Facebook users had already convicted Pistorius, using humour-laden images. One captivating post is that of Siya Mcukama, who on 13 August 2014, posted a 2-litre Coca-cola bottle, labelled "Oscar", with a caption: "Behind Bars." Mcukama's post had a lot of humorous yet symbolically significant pointers, to which Jinty Brown remarked, "Hurry up get this murderer behind bars." The bottle named Oscar, which is a form of Coca-cola marketing style to name bottles—represents, in symbolic ways Pistorius, the elites, and the multinational corporations. This representation suggests that Pistorius is wealthy and as such, a symbol of corporate wealth. This is because in overcoming his disability and achieving athletic success, Pistorious had secured wide corporate endorsements from top sporting brands and sponsors (Langa et al. 2018). Mcukama's Coca-cola bottle had been placed behind bars, as a symbolic way to say, he has to be detained.

Such an engagement is reflective of online users taking the law into their own hands virtually and imaginatively. Although Pistorius received a lighter sentence, such humourous actions perhaps gave people the satisfaction that they in fact, had some power to convict him, thereby reclaiming their own consumerist power in the temporal sense. Using a Foucauldian lens, this aesthetic can be read as an "ethics of self-formation"; a phrase that describes instances in which individuals engage in specific practices of self-regulation to "transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection or immortality" (Foucault 1988, 18).

Indeed, these findings suggest that power must be viewed as circulatory. It is never fixed "here" or "there"—thus, individuals are always in a position to experience or appropriate it (Foucault 1982). The banality of power was reflected in the ways in which the public could also speak back to the judicial power and authority in banal yet profound ways by using Facebook and Twitter to question and undermine Masipa's ruling. These responses went beyond racial, gender, or class divisions and categories. Thus, social media discourses were used as means of resistance to the dominant culture and as a refuge from it (Mbembe 1992). Obscenity and the grotesque became "parodies which undermine officialdom by exposing its arbitrary and perishable character, turning it all into a figure of fun" (Mbembe 1992, 4).

The Use of Allegory: "All Animals are Equal, but Some are More Equal than Others"

This section now examines other tweets and Facebook posts outlining one of the most outstanding themes—the discursive allegory of the perceived (in) equality between men and women, as well as black and white people in South Africa. The initial 10-month sentence passed on Pistorius by Masipa, sparked a debate around South Africa's "rainbow nation" discourse. While white and black social media "characters" used humour and vulgarity to undermine Masipa's ruling, the "mythical" idea of a "united" South Africa became evident. In essence, the ruling triggered debates on matters of class

and race in post-apartheid South Africa. The posts on Facebook and Twitter seem to suggest that South Africa exists as a microcosm of the famous novel *Animal Farm* by George Orwell, where in principle, "all animals are equal", but in practice "some are more equal than others."

In a Facebook poll carried out by SABC News (2016) through Facebook in 2014, 70 per cent of the respondents stated that Pistorius would walk free because he is rich, talented, and famous. One Siphokazi Azy said: "The court will be sympathetic towards Oscar Pistorius." Meanwhile, Rendani said: "Law is law but court just have to give Oscar other chance (sic). The man has got talent, he is raising a national flag during Olympics making everyone proud to be South African." While Azy expresses very little trust in the country's justice system, Rendani empathises with Pistorius, because of his previous achievements. Meanwhile, Melanie-ann Diesel said: "He is already getting massive public sympathy, so, yes, he will get preferential treatment."

This suspicion *vis-à-vis* the advocacy for Pistorius' potentially preferential treatment explains why there were some Facebook users who believed that the courts in South Africa favoured the rich, and thus, Pistorius would be given a light sentence. Gom Zangwana, for example, tweeted: "all animals are equal, but some are more equal than others #OscarPistoriusTrial." Disappointed with the ruling, Zangwana made allusion to *Animal Farm*. For Gom, Pistorius is just like the pigs on the farm that enjoy great privilege and exception from all commandments at the expense of "other" animals. These posts also scrutinised male privilege as relegating the humanity of female victims of violence in South Africa.

Thobious, a Facebook user also incited sentiments of racial privilege's complicity in the outcome of the case by announcing that if Pistorius was black, or his name was Oscar Mkhize—a popular black surname in South Africa—he would have received a 30-year sentence instead of his initial lighter sentence. Such posts are laden with the perceptions that are prevalent among many black South Africans, and how the latter perceives the South African justice system: that it has, for so long, protected the interests of the rich or white men. These assumptions also intersect with the social perception that black or poor men are the only people capable of committing crimes. This interpretation is consistent with Langa et al.'s (2018) view that race and class were not the only major issues that made the trial exceptional and newsworthy, but also, ultimately, black masculinity became the hidden casualty of the trial and its coverage.

Other Twitter users, Beaumont and Mimicentia were in agreement, and Beaumont even coined the hashtag "#OnlyCosHesFamous", which translates to the idea that Pistorius received a light sentence because of his celebrity status. Another Facebook post shows stacks of money placed in front of Masipa's desk, leading to a biased decision, owing to bribery. This juxtaposition is based on a form of citizen journalism that was characterised by "photoshopping", which involves image editing in order to construct

images of Masipa as the corrupt judge. These publics assumed that the justice system treats the rich and famous with kids' gloves, while being harsh on the poor and the vulnerable (Multichoice 2014). In other words, the image seems to suggest that the South African judicial system is in cahoots with "white monopoly capital."

One Twitter user by the name Becko Blues went as far as calling the ruling a "travesty of justice", and expresses the view that the ruling had let down the black majority. He insinuates that the South African judicial system lacked morality and that even on its best day, it could not execute justice. Navirepon, another Twitter user, called the South African justice system a disgrace on discovering that Oscar would serve only 10 months in prison, and the remainder of the sentence under house arrest. The naming and shaming of the judicial process had, in Navirepon's view, tarnished the positive perceptions that outsiders once held of the country as a progressive one. According to South African comedian and Daily Show host, Trevor Noah (on his Twitter feed), what was more confusing for South Africans was that a famous black South African musician by the name Jub Jub was convicted of murder in 2012 for killing four boys by hitting them with his car, while drag racing in a drunken and high state. Jub Jub is a South African Hip Hop artist who was initially convicted of murdering four boys in December 2012, only for the charge to be overturned into culpable homicide after an appeal in October 2014. It was argued that there was never any suggestion to the effect that Jub Jub had deliberately sought out the boys and mowed them down, and that the incident was an "accident" (Davis 2014). These intersecting comparisons between "white men's justice" and "black men's justice" were recurring features in the social media discourse surrounding the trial, and were strongly embedded in the recurring theme of George Orwell's *Animal Farm*.

The Place of "Professional" Journalists in Social Media Discourse

We have attempted to show how "the symbolic" played a key role in discursively subverting and interrogating Masipa's ruling. We have also alluded to the possibility of an online #OscarPistoriusTrial carnival that was centred on the trial and unpacked selected online users' perceptions of the judiciary. Now we turn our attention to the relationship between "professional" journalists and online publics on the two social media sites. Perhaps the most outstanding question at this juncture is, *Did the Oscar Pistorius trial "reinvent the wheel" in terms of the relationship between professional journalists and ostensibly news "consumers" who resorted to banal yet powerful modes of expression through humour, vulgarity and allegory?*

In as much as the findings so far suggest that social media provided a platform for South Africans and others interested in the Pistorious case to "speak truth to power", the adoption of social media journalism, otherwise known as cyber-journalism, presents a level of complexity to this question. The lines between newly-emergent journalists or organic journalists manifesting their professions online, particularly on Twitter during

the course of the trial were blurred. An article by the World News Publishing Focus points to the fact that in order to remain relevant in conversations, South African journalists and legacy media houses had to move into the new media space, live-tweeting about the trial all the way (World News Publishing Focus 2014). Their role was to present information to their followers, who would then determine the level of accuracy in these tweets. For example, one user asked the journalist, Rebecca Davis, if she was tweeting the facts of the trial or her own opinions. She responded, "Both, actually! Thanks for the interest RT @andreappolis: @becsplanb Are you giving your opinion or reporting on the Oscar trial". Firstly, Davis acknowledged that she was tweeting the facts. On the other hand, Davis stated that she was also tweeting her opinions. By relaxing their hold over professional news values such as factuality, journalists like Davis became more or less similar to online publics, who were sharing their personal views online. According to Scott (2016), by facilitating dialogue, journalists such as Davis and Du Plessis became participants rather than just news informants. Of course, this does not imply that they too were disseminating humorous, vulgar, or allegoric discourses. However, their contribution was important, because the courtroom information these journalists shared, and their expert opinions contributed to the discussions around the trial that were taking place online.

According to Scott (2016, 7), "The journalists further took on their role of informant in their clarification and correction of facts and details concerning the trial. Many users approached the journalists with questions about the proceedings." Du Plessis provided insightful, descriptive "action-packed" tweets such as, "#OscarPistorius again with his head in his hands at this wound reconstruction, appears to be blocking his ears with his thumbs." Furthermore, Gary Nel, who was in legal defense representing the state, was a cunning figure. When evidence surfaced that Pistorius had posted a clip of himself on YouTube shooting a watermelon, suggesting to some that he had the intentions to shoot Steenkamp, Davis captured this on her Twitter feed, "Nel: 'You saw how the bullet made the watermelon explode. You know that the same thing happened to Reeva's head.' RS's [Reeva Steenkamp] mom June bows head." These descriptions were great substitutions for the television, especially for those who did not have access to the exclusive Oscar Pistorius trial coverage on Channel 199. Thus, it is plausible that Facebook and Twitter, in as much as they facilitated convergence cultures, were also divergent in that they usurped the role of the television through the provision of appealing typed text, which created accessible aesthetics of the phenomenon under description.

Conclusion

The article has shown how social media provided a platform for online South African publics to participate in online banal, yet powerful inquiries into the state of the judiciary and society during the Oscar Pistorius trial. It has also explored how user-generated

content on Facebook and Twitter during the Oscar Pistorius trial provided evidence of the public's perceptions of the judiciary and the South African society as a whole. The article has further demonstrated the intersections of judiciary proceedings in South Africa with social media, and how this heuristic can be used to gain an understanding of society's perceptions of intersecting personal, political, social, and economic issues. These encompass gender, race, and class issues. Through the use of humour, vulgarity, and allegory, we argue that South Africans were able to critique the "commandement's" site for the exercise of power, which is the courtroom, in banal yet profound ways. The analysis has shown how these critiques are related to social issues currently debated in the South African democratic space. Some, which Chuma (2016) refers to as the "legacy media", did not fully engage with structural issues around the trial. Social media, however, presented a platform for the intersections of class, gender, and race to be probed by an online public in relation to how justice in the country is rendered.

By discussing the role of journalists during the trial, the article has shown that the online public spheres that were created during the Oscar Pistorius trial maintained, to some extent, their elite and stratified character. Yet, there is no denying that in spite of these hierarchies, there is a current evolution underway within the South African media landscape, where social media is the primary conveyer of breaking news, commentary, and discussion, with traditional media scrambling to catch up (Harber 2014). Daily news articles, for example, were greatly overwhelmed with the pace of news updates and competition from social media outlets.

Thus, the Oscar Pistorius trial created an alternative platform for some South Africans to interrogate issues of justice and equality in the post-apartheid state in banal yet profound ways that the traditional media has not afforded them before. This is evidenced by the vulgar and explicit comments that individuals made towards Pistorius, the rule of law, and other powerful entities, such as the South African judiciary and government.

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