

Introduction

In the early 1990s, the American television landscape saw the emergence of a new, hybrid genre, nowadays most commonly referred to as reality television.¹ Facilitated and driven by the rapid expansion of new technologies, the competitive commodification of news, and incentives for increased public input and participation, reality TV became a staple of American popular culture and a pertinent solution to the increased costs of scripted programming. It successfully merged a variety of factual and fictional formats such as the documentary, the sitcom, and the prime-time drama, which allowed the hybrid genre to extend its reach into virtually all areas of American television (Edwards 11, Bell 38–39). It was in this time that legal proceedings were transformed for entertainment purposes in a process called “teletigation” (Schuetz 1), which established the “gavel-to-gavel courtroom coverage” (Thaler, *Watchful Eye* 58) as a new and profitable reality television sub-genre. As the US entered the age of “tabloid justice” (Fox, Van Sickel, and Steiger 6), traditional and newly emerging media outlets began shifting their focus away from the didactic function of the press and towards the sensationalistic and histrionic details of high-profile trials and investigations (6). Court procedures were changed in their

1 According to media scholar Chad Raphael, reality “programs include the extensive use of ‘actuality’ footage of their subjects, [...] reenactments of events, performed by professional actors, the people who experienced them, or a mix of both; a tendency to avoid the studio in favor of on-scene shooting, sometimes at the same place where the events they represent occurred; mixing footage shot by unpaid amateur videographers with that of professionals; appealing to the conventions of ‘liveness’ and ‘immediacy’ [...], and the pretense to spontaneity” (Raphael 124). The commonly known expression reality television only became prevalent around the year 2000 (Huff 11) and was used to categorize law and order programs such as *Cops* (1989-) and *America’s Most Wanted* (1988–2012), which exhibited tapes of actual police work, interviews, and dramatic reenactments of the presented crimes (Rapping 55). Earlier reality-themed programs were still labeled documentary (McKenna xii), “nonfiction entertainment” (xii) or direct cinema. Scholars also spoke of “reality-based-tv” (Wegener 15), “actuality programming” (Glynn 3), “staged actuality” (Deery 2), “confrontainment” (Glynn 2), “tabloid television” (2), “popular factual television” (Hill, *Audiences* 2), “on-scene shows” (Raphael 119), and “unscripted drama” (Magder 137).

structure and dynamics by institutionalized mass media² through the blending and blurring of visual styles conventionally associated with the documentary with techniques ascribed to fictional genres such as the drama or soap opera.

Yale Law School graduate Steven Brill was one of the first entrepreneurs to recognize the profitability of covering legal proceedings and subsequently provided a platform for the extensive coverage of selected cases. Driven by the desire to create a network devoted to twenty-four hours a day, seven days a week coverage and commentary of criminal and civil trials, he officially launched the Courtroom Television Network (Court TV) on July 1, 1991. Court TV broadcast selected live and taped trials and filled intermissions and recesses with voiceovers and commentary provided by legal experts. In addition, it televised shortened and edited trial stories that combined trial footage with interviews of various court participants, including attorneys, judges, or witnesses. During the day, Court TV aired programs such as *Yesterday in Court* or *Docket Report*, which updated the audience on previous or recent cases.

In December 1991, William Kennedy Smith, member² of the prominent Kennedy family, stood trial for rape charges. Having the rights to televise the proceedings, Court TV registered unprecedented audience numbers, surpassing those of popular soap operas and talk shows (Thaler, *Watchful Eye* 58). By February 1992, 5.5 million homes in 43 states followed the Courtroom Television Network (57), and by late 1992, Court TV had aired more than 240 trials in total (70). However, the network's most significant and profitable years came with the arrest and indictment of O.J. Simpson on double homicide charges. The former football star—one of the most resonant media figures of the nineties—was charged with the murders of his ex-wife Nicole Brown Simpson and her friend Ronald Goldman in June 1994.³ While the prose-

2 In the context of the present study, the term institutionalized mass media encompasses the communication channels of the press, broadcast radio, and television as well as the Internet. While the significance of all outlets is addressed in the realm of the O.J. Simpson case, particular focus is aimed at print and digital media for they have proven to bear the greatest transformative character in the US in the 1990s.

3 In the late hours of June 12, 1994, a barking dog led Brentwood residents Sukru Boztepe and Bettina Rasmussen to the front porch of 875 South Bundy Drive, where they found the bodies of 35-year-old Nicole Brown Simpson and her friend, 25-year-old waiter Ronald Lyle Goldman, who had come by Nicole's house to return glasses her mother had previously forgotten at the Mezzaluna restaurant. The same night, O.J. Simpson boarded a late flight to Chicago to attend business commitments the following day. After being informed of the murders by the police, Simpson returned to Los Angeles and was arrested as a suspect at his Rockingham home shortly after his arrival. An autopsy conducted on June 13 revealed that the homicide victims had suffered and died from multiple stab wounds. Nicole Brown Simpson's throat had been slashed so deeply that the injury had nearly decapitated her. Ronald Goldman had tried to resist his attacker, discernible by numerous cuts all over his body, but had succumbed to two particularly deep knife wounds on his neck.

cution's subsequent criminal case against O.J. Simpson relied heavily on DNA evidence, the defense accused members of the Los Angeles Police Department (LAPD) of racism and planting evidence to frame the celebrity. Simpson's acquittal on October 3, 1995, divided people into proponents and critics and reignited public discussion on the state of the American justice system. To this date, no other case in the nation's legal history has been talked about and dissected so intensively in the court of public opinion as the O.J. Simpson murder trial.

This study illuminates the mediatization of the Simpson case, taking a highly interdisciplinary approach to the so-called 'Trial of the Century.' While most of the scholarly work written on the subject focuses on the question whether Simpson's acquittal was justified by examining the evidence that was presented or withheld from the jury during the trial (see e.g., Rantala 1996; Geis and Bienen 1998; Campbell, *The Year the Future Began* 2015) or the racial implications of the case (see e.g., Abramson 1996; Carter, Branston, and Allan 1998; Hayslett 2008), this study combines analytical methods and strategies from Media and Film Studies, Dramaturgy, Celebrity Studies, Cultural Studies, Sociology, Anthropology, New Historicism, and Performance Studies to demonstrate the pivotal role information technology played in the excessive distribution of the case. O.J. Simpson's story, often labelled a quintessentially American tragedy,⁴ and the trial participants were commodified and reconceptualized as performers in a play to generate viewers, readers, and monetary gain.

Mediatization, the eponymous and conceptual background of the present study, was developed by media scholars Friedrich Krotz (2001), Winfried Schulz (2004), Stig Hjarvard (2004), and others in the early 2000s. It operates on the notion of social constructivism and assumes—as the term suggests—that all social and cultural life is constructed (Couldry and Hepp 21). As Nick Couldry and Andreas Hepp⁵ contend, the mediatization process rippled through the decades in form of mechanization, electrification, and digitalization and increasingly deepened people's "technology-based interdependence" (53). In the mid 1990s, sociologist John B. Thompson initially coined the homogenous term "mediatization" (Thompson 46) to describe the systematic cultural transformation initiated by technical innovations such as printing (46). His understanding of communicative action through media is comparable to today's concept of mediatization, which ascertains that the core elements of cultural and

4 There are several ironic parallels between O.J. Simpson's case and Theodore Dreiser's 1925 novel *An American Tragedy*. The canonic author tells the story of Clyde Griffiths, whose life becomes contorted by money, jealousy, and impulsive rage, which culminates in the death of a young woman and a subsequent sensational trial. In contrast to Simpson, however, Griffiths was convicted of murder and ultimately sentenced to death.

5 To avoid redundancy and facilitate readability, all scholars I refer to only by name are situated in the field of Media Studies.

social activity as well as their institutions and orbital rhetorical strategies are constrained by forms suitable for media representation and partly bend to the media's logic (Hjarvard 106). More precisely, mediatization transforms "the agents who can act in a particular field, how they can act, with what authority and capital" (Couldry 377). As this study will show, telelitigated or, alternatively, telemediated legal procedures offer substantial indicators for the workings of the forces of mediatization.

As indicated above by example of John B. Thompson, the wider consequences of diverse media forms for the social and cultural world attracted several labels in the academic sphere over the years until the establishment of mediatization as the contemporary expression for such transformative processes. E.g., "medialization" and "digitalization" (Lundby 133) all contemplate "the regulated production of meaning" (Coward 85) through print and digital media formats to varying degrees. However, research into the implications of 'mediation' is most commonly contrasted to findings and analytical approaches proposed by mediatization scholars. Whereas the latter is bound to the realm of Media Studies, the term mediation also finds broader use in Sociology, Education, and Psychology (Couldry 379). Mediation encompasses the general "intervening role that the process of communication plays in the making of meaning" (379); it is not restricted to forms of mass media. Within media research, the concept of mediation can be understood as the "act of transmitting something through the media" (379) or the "overall effect of media institutions existing in contemporary societies" (379). Thus, to demarcate the fields of Sociology and Media Studies, Thompson coined the expression *mediatization*, which has since been modified to and accepted as mediatization. The general question of media institutions' ramifications covered in the field of Mediation Studies has thus been narrowed down to "a series of specific questions about the role of the media in the transformation of action in specific sites, on specific scales and in specific locales" (380). Similarly, Andreas Hepp and Friedrich Krotz see the link between the two concepts in that "mediatization reflects how the process of mediation has changed with the emergence of different kinds of media" (Hepp and Krotz 3). O.J. Simpson's telelitigated trial proceedings offer insight into the media's symbiosis as a mediator between and creator of meaning in contemporary American society.

Apart from Mediatization Studies, Richard Schechner's⁶ performative method of participant observation (Schechner, *Performance Studies* 324), an analytical approach adapted from Anthropology, serves as a way of understanding how "media content can be used as cultural resources for understanding agency, identity and power" (Hill, *Reality TV* 8). Participant observation, as applied in this study, makes palpable how the American mass media "interpreted, filtered, parsed, distributed, and largely created feelings and perceptions that Americans had of the times in

6 Richard Schechner is considered one of the founders and key figures in Performance Studies.

which they were living” (2). In the analytic process, I identify the place(s) of performance with the goal to describe “how a given setting structures presentations, actors, purposes, and the products of performances” (Shulmen 17). In a second step, I focus on the players in the performances to describe their social roles and purpose in the legal play (17). Analogous to watching a goldfish in its glass bowl, the electronic coverage of criminal trials invites outsiders to consume what Kirshenblatt-Gimblett titled “social pornography” (Kirshenblatt-Gimblett 54)—the process of “the private made public” (54):

In what is a logical corollary of the autonomous object, people, their realia and activities, are mounted in a hermetic aesthetic space—fenced off in a zoological garden, raised up on a platform in a gallery, placed on a stage, or ensconced in a reconstructed village on the lawn of the exhibition grounds—and visitors are invited to look. (47)

Audience perception and inclusion thus play an equally important role in the consideration of how the actors used the props and facilities available to them to establish their narrative. Erving Goffman’s principles of impression management further help illustrate the medial creation of *le drame quotidien* and its entrapping character. The Canadian sociologist studied everyday human behavior to reveal “the larger underlying pattern of the structure of society” (Winkin and Leeds-Hurwitz 6), which is “created and maintained through social rules, obligations, and gatherings” (6). The last analytical stage of Schechner’s method brings these prior steps together for a final assessment by considering the intended and unintended consequences and reactions to the performances.

A thorough examination of the O.J. Simpson case thus underlines that legal proceedings are innately performative and suffused with elements of ceremony and ritual. They, much as the traditional understanding of performances, are “performed for someone, some audience that recognizes and validates [them] as performance” (Carlson 5, emphasis original). Much like going to the theatre, attending a court session is a public event that requires adhering to a particular code of decorum and restraint. Speech is highly regulated and circumscribed, and the audience is expected to receive the play in silence (Abercrombie and Longhurst 41). However, in contrast to theatre or drama, performance does not connote fiction or artifice but makes claim to authenticity (Bial 60). Contemporary Performance Studies do not bind the concept of performance to the theatre and the employment of (professional) actors but move it from the stage to the *quotidian*. The mere presence of a “consciousness of performance” (4) in individuals transforms their ‘actions of doing’ into ‘actions of performing’ as they follow a set of forms of communicative behavior with the goal to create an effect on the respondents. Simon Shepherd points out that although performances constitute “an apparently habitual part of everyday living, such behavior

is nevertheless constructed” (Shephard 137). Similarly, anthropologist Victor Turner understood cultural performances as

a dialectic of “flow,” that is, spontaneous movement in which action and awareness are one, and “reflexivity,” in which the central meanings, values and goals of a culture are seen “in action,” as they shape and explain behavior. A performance is declarative of our shared humanity, yet it utters the uniqueness of particular cultures. (Schechner and Appel 1)

It is for this reason that the Simpson case deserves close attention. It reveals not only the everyday codes of behavior and decorum of a 1990s social and legal performance but allows scholars and audiences to experience what Michel Benamou calls “the dramatization [or mediatization] of life by the media” (Shepherd 140).

Simultaneously, this study further obviates television’s power to create meaning or, to use Walter Lippmann’s words, the “manufacture of consent” (Lippmann xv). The concept of framing, particularly on news formats, will come into play in conjunction with the approach of gatekeeping, during which news editors exert their power to select and reject stories for coverage (Selby and Cowdery 140). Based on this, framing “suggests that the way in which [a] story is covered affects how people will perceive and respond to that particular issue” (Cooper and Bailey 135). Controversial and complex issues such as climate policies, war, and, specifically in the US, putting an African American celebrity and sports hero on trial for murdering his Caucasian ex-wife and her friend, are oftentimes told from the perspective of diverse players, all of whom aim to manifest their own point of view as the dominant position. As the German scholars in *Communication Studies* Hans-Bernd Brosius and Viorela Dan contest, these players, may they be involved in politics, economics, or socially engaged, generally lack the will or the ability to consider all facets of the dispute at hand (Brosius and Dan 265), thus highlighting certain aspects of a story while neglecting others. The media scholars summarize that framing concerns “Ursachen, AkteurInnen, Lösungen und Konsequenzen von Themendarstellungen. Frames legen eine Interpretation nahe, was das Problem ist, was/wer es verursacht hat, wie es bewertet werden sollte, und von wem und wie es zu behandeln ist” (266).

This study thus evidences how images are made intelligible and are “transformed into symbolic discourses for television’s purposes” (Langer 351) by use of “certain codes, conventions, operational rules [and] structures of usage” (351). When certain news or images are broadcast to viewers’ homes, they believe them to be of particular importance, and the way these images are presented divide people’s worldviews in a particular manner. Expanding on Roland Barthes’ concept of description-produced reality effects (Barthes 1989), French philosopher Pierre Bourdieu described this phenomenon with reference to the moving images of television in 1998:

They [images] show things and make people believe in what they show. This power to show is also a power to mobilize. It can give a life to ideas or images, but also to groups. The news, the incidents and accidents of everyday life, can be loaded with political or ethnic significance liable to unleash strong, often negative feelings, such as racism, chauvinism, the fear—hatred of the foreigner or, xenophobia. The simple report, the very fact of reporting, of *putting on record* [...], always implies a social construction of reality that can mobilize (or demobilize) individuals or groups. (Bourdieu, *On Television* 21, emphasis original)

Television, and by extension, reality television, always “mediate[s] reality through narrative practices; aesthetic choices; geographic constructs; thematic interests; casting decisions; and social, economic, political, and cultural power” (Kraszewski 17), employing minimal effort to communicate its ideas (Deren 150).

The O.J. Simpson trial, whose conclusion encompassed over nine months, 126 witnesses, 50,000 pages of transcripts, and \$9 million in court expenses, prompted the production of an extensive number of documents and publications. In addition, between 1989 and 1998, the murder trial (civil trial included) was the main feature of a total of 22,610 newspaper articles, of which 1,471 were front page stories (Fox, Van Sickle, and Steiger 72). In 1994 and 1995, the Simpson case was the focus of 679 and 882 news segments on television, respectively (72). This unprecedented media coverage was only surpassed by the Clinton-Lewinsky investigation in 1998. Consequently, I considered the three key moments of the trial for my analysis: the Bronco Chase, the glove demonstration, and the verdict announcement. The context and necessary background information surrounding these events is provided in the respective chapters. I worked with court transcripts and video footage from the 1994/95 proceedings; the latter source material was digitalized and subsequently uploaded to the video-sharing platform YouTube by the CONUS Archive.⁷ Whenever possible, I accessed and referenced additional material from the archives of the original broadcasting and online source (e.g., *CNN.com*, *abcnews.go.com*). These findings were then compared to and complemented by print media coverage of the Simpson case. I studied ‘quality newspapers’ such as the *Los Angeles Times* and *The New York Times* in addition to popular tabloid magazines of the 1990s (e.g., *National Enquirer*

7 According to its website, “CONUS was born in the 1980s through its pioneering work in the development of the satellite uplink truck as a newsgathering tool [...]. This technological breakthrough allowed local television stations nationwide to provide live coverage from across the U.S., and easily exchange video with others. These capabilities were at the core of the CONUS News Service that, in addition to expediting live transmissions, provided footage exchanges and coordinated coverage of major news events [...] of the day. [...] At the end of 2002, CONUS undertook a restructuring that led to a cessation of newsgathering operations, but licensing of the video gathered over those two decades continues today through the CONUS Archive.” (<http://www.conus.com/AboutConus/tabid/54/Default.aspx>)

and *Star*) to illustrate the diglossic modes of production and staging practices involved in the coverage of murder trials in the US.

The O.J. Simpson trial is not a relic of the past. To the contrary, it continues to intrigue people and has been repeatedly referenced in contemporary American popular culture. Examples of such mediatized approaches to the case abound and can be found in a variety of artistic forms and projects, including documentaries (*O.J.: Made in America*, 2016), rap songs (“The Story of O.J.” by artist Jay-Z), and animated television series (“The Juice Is Loose” on *Family Guy*). In 2016, Simpson’s story was made into a true crime anthology series for FX Networks, titled *The People v. O.J. Simpson: American Crime Story* (ACS, *American Crime Story*). The season consists of ten episodes that address the different stages of the case with a noticeable focus on the main trial participants and their personal assessment of the events. The present study explores the potential effects of the fictional series on a new and possibly uninformed audience and evaluates the dialectical relationship ACS establishes to the original footage with a particular focus on the question whether the series’ planned and synthetic images capture the essence of the O.J. Simpson trial, which has intrigued the American nation for years, in a mere ten episodes. It will be shown that factual and fictional television formats share various commonalities for they all constitute constructs of staging and (re-)enactment. The original footage and its filmic pendant both depict a “camera-reality”⁸ (Kracauer 114) that challenges the prevalent understanding of factual and fictional TV in a culture, where television remains the “optical truth” (Bermingham 239) and sight symbolizes “the apparent mirror of the world” (Urry 71).⁹

8 In the context of the television realm, it is also common to speak of reality effects, “structured reality,” and “tele-verité” (Mirzoeff 97).

9 In the first half of the 20th century, during a time when film makers still attempted to establish their work as a form of art, adaptations—the transfer from one artistic medium to another, most commonly from literature to motion picture—were considered inferior to the written word and called “impure cinema” (Cartmell and Whelehan, *Screen Adaptation* 2) due to their supposed dependency on literature. Since the 21st century, however, film and television adaptations have increased in number and quality, seemingly indicating the progressive substitution of literature with digital media as the deliverer of narratives. Most critics judge the success of an adaptation by its strict adherence to the source material with the goal to preserve as much of the essence of the literary text as possible (2). Contemporary Adaptation Studies noticeably move away from such an arguably restricting perspective for “films that endeavor to give the impression of accuracy in the representation of a literary text, historical event, or period [...] are inevitably doomed to be inferior to [their] original (2). Instead, adaptation scholars direct their focus at the nuanced relationships filmic adaptations establish with their literary counterparts.

Book Outline

This study is divided into three chapters. The first chapter focuses on and the events surrounding the Bronco Chase, whose media coverage has only been addressed by few academic works in detail albeit its uncontested cultural importance. I demonstrate how the sensational reality TV show that the O.J. Simpson trial would become was ritualistically initiated by the slow-speed car chase along the Los Angeles freeways on the evening of Friday, June 17, 1994, and subsequently contrast those memorable images to their filmic pendants in *American Crime Story*. Reference to the Bronco Chase—so distinctive it demands capitalization—still evokes a wide range of emotions and reactions in at least the nearly 100 million Americans who watched the events unfold on live television, “[forming] what was at the time the second-largest TV audience ever” (Fiske 283). The *Los Angeles Times* called the Chase “one of the most surreal moments in the history of Los Angeles criminal justice” (*Los Angeles Times* Staff, *LA Times*, 17 June 2014) and “the defining moment [that] locked people into this common emotional experience” (Shaw, *LA Times*, 9 October 1995). It also “marked the moment when television itself became a major player in the Simpson story and a force to be reckoned with” (Thaler, *Spectacle* 7). Indeed, the Bronco Chase was etched so deeply on the collective memory of Americans that its grip on the nation is often equated with historical events such as the assassination of President John F. Kennedy in 1963 or the 9/11 terrorist attacks in 2001 (ACS, “Special Features,” disc 4, 13:01).

The first chapter also demonstrates the techniques and processes involved in transforming press conferences into performance stages and how such events provide a particularly suggestive and equivocal space where differing narratives are spread among the public, even when they address one and the same event. For this purpose, I include the first three press conferences held in the wake of Simpson's disappearance on June 17, 1994, by the Los Angeles Police Department, the District Attorney's Office (DA's Office), and O.J. Simpson's defense team in my analysis. By example of Robert Kardashian's¹⁰ 1996 interview with Barbara Walters,¹¹ the first chapter also gives insight into the rising popularity of what media scholars refer to as “personality journalism” (Sternheimer 217) and how television newsmagazines such as ABC's *20/20*, NBC's *Dateline*, or CBS' *60 Minutes* have actively contributed to the sensationalization and exploitation of criminal investigations and trials on TV.

10 Robert Kardashian was an American attorney, who gained national recognition for joining O.J. Simpson's defense team alongside Robert Shapiro and Johnnie Cochran. After the criminal trial, Kardashian expressed doubts about Simpson's innocence and ultimately severed ties with the athlete. In 2003, Kardashian died of cancer at age 59.

11 Barbara Walters is an American television personality, who has hosted a variety of popular programs such as *Today*, *The View*, *20/20*, and the *ABC Evening News*.

Furthermore, I expand on how the celebrity defendant's arraignments following his arrest and their broadcasting on Court TV marked the final transformation of the Simpson case into a "media spectacle" (Kellner 1), which Douglas Kellner defines as a combination of events that "seize [large] audiences and increase the media's power and profit" (1) by playing out social and political conflicts "on the screens of media culture" (1). "Megaspectacles" (2) are staged and created around evocative images with excessive attention directed towards the personalities involved, their idiosyncrasies, outward appearance, and relationships (2, 93), and conversely, with a lack of focus on legal relevancy. In the "society of the spectacle" (Debord 12), French theorist Guy Debord notes, "[a]ll that once was directly lived has become mere representation" (12), and life has become a movie for public consumption and evaluation. The inclusion of ACS and the director's take on the Bronco Chase will demonstrate the blending of factual and fictional elements in detail and examine the messages and connotations music carried to the audience in the TV series.

In the second chapter of this study, I examine the depiction and understanding of the concept of celebrity in American society and reality TV in the late 1990s in reference to Leo Lowenthal's notion of 'idols of production' and their subsequent replacement with 'idols of consumption' (Lowenthal 1961). It will become evident that fame and celebrities have become valuable commodities in the United States which are established and maintained through television's production practices. Reality television makes use of "strong characterization, and/or serial narratives, in order to attract repeat viewers" (Hill, *Audiences* 52). Likewise, Fox, Van Sickle, and Steiger identify "serialization, personification, and commodification" (Fox, Van Sickle, and Steiger 29) as the dominating elements of telelitigation. Conclusively, it is reality TV's *modus operandi* to

personalize[...] whenever it can, rarely using a concept or idea without attaching it to or transforming it through the 'category of the individual'. As a result, 'good television' is television that embodies and articulates a world of 'personalities' who thoroughly penetrate and organize its viewing agendas, or enter television by being on those agendas. (Langer 352)

By means of this encoded "personality system" (182) and the reinforcement of individuals as identifiable characters television establishes part of its ideology, a dogma that aims to "become the currency of common sense, appearing to be the only form[...] of intelligibility available, the only field of possible meanings from which to choose, both for audience *and* for those who make television programmes" (351, emphasis original). Eric Peterson suggests that "performance draws on the reenactment of social relations that are easily recognized and commonly held by the participants" (Peterson 3). Upon close inspection of reality television's mediated space, one can always observe varying degrees of conflict between the multifarious contestants that participate in a format, for the shows "that draw the

largest audience [...] are those where the casting [is] a mix of caustic, caring, and daring people” (Huff 32). As the present study’s chapter “Stardom and Celebrity” demonstrates, an explicit categorization of participants ensures an interesting and complex dynamic within the group which ultimately contributes to more capturing storylines. Janice Schuetz underlines: “Teletitigation and its media spin-offs [...] focus on the personalities of the participants of an investigation and trial, stress conflict and the dramatic elements, and capitalize on the feelings of the public about the participants in the trial, the legal issues, and the social issues raised by the trial” (Schuetz 18). In this respect, mediated representations can be understood as “cultural texts—floating signifiers that are continually invested with libidinal energies, social longings, and [...] political aspirations” (Coombe 722) and analyzed as such:

From the reception end, reality TV characters should be understood under the guise that they are “ordinary” people made “extraordinary” as a consequence of their participation and exposure on reality TV [...]. The specifics of this “extraordinary” quality vary and are usually less “extraordinary” and more exploitative, but it is a disparate cultural circumstance from ordinary American life, to be sure, if nothing else for the fact so many viewers are looking in on a group of people and so few are looking out. (Duplantier 50)

Bignell suggests that “[t]he comparisons between characters and the judgments about identifiable human figures that the text invites the viewer or reader to make are reliant on a common code of judgment, a notion of ‘normality’ that the text works to establish” (Bignell 112). Thus, realism, he argues,

refers [...] both to the plausibility of behavior and events that are represented, and also to the world in which character and action take place. For reality television, the unscripted actions of its participants are to be measured in relation to the world that enfolds them and that forms the terrain on which the viewer’s relationships with characters can occur. (112)

This approach becomes most apparent in the social typing and celebrification processes of all main trial participants in the Simpson case. For my analytical framework in chapter 2.2, “Pin-Up, Hero, Villain, Fool,” I consider O.J. Simpson, LAPD Homicide Detective Mark Fuhrman,¹² Judge Lance Allan Ito, attorneys Marcia Clark, John

12 Homicide Detective Mark Fuhrman found a bloody leather glove, which presumably belonged to the murderer of Nicole Brown Simpson and Ronald Goldman, on Simpson’s property. Simpson’s defense team claimed that Fuhrman had planted that glove and other evidence to frame their client on the grounds of racism. Fuhrman perjured himself during cross-examination in March 1995, when he asserted that he had not used the ‘n-word’ in the past ten years. In August, audio tapes surfaced, which disproved his statement and heavily weakened the prosecution’s case as a result. Soon after his appearance in court, Fuhrman retired

nie Cochran,¹³ and Christopher Darden,¹⁴ as well as witness Brian “Kato” Kaelin¹⁵ and the female murder victim, Nicole Brown Simpson.¹⁶ Albeit the complex and multi-faceted nature of each individual, I propose that there were only particular characteristics about them that were highlighted during the trial, further strengthening the argument that televised courtroom trials are subject to the same mechanisms which shape traditional reality formats. In fact, the sensationalized nature of the Simpson case was the fertile ground for the ascription of such types that are, according to sociologist Orrin Edgar Klapp, communicated through (dramatic) storytelling rather than self-evident facts (Klapp 59). Social typing and celebrification are reductionist processes that not only lessen complex personalities to univocal characters but encourage the reduction of intricate issues to binary dichotomies.¹⁷ The order of analysis, beginning with the female key figures, continued by Simpson and Fuhrman, Kaelin and Ito, and concluding with Cochran and Darden, reflects the way these individuals were typecast and repeatedly and purposefully contrasted to each other. A subsequent juxtaposition of ACS with Court TV’s coverage reveals similar personification processes in the filmic adaptation. Additionally, it will be shown that the liberal retelling of past events from an authorial view or the purposeful omission or addition of elements can change the focus and essence of a case, event, or personality and thereby distort public perception to a high degree.

The second chapter of this study not only substantiates that character commoditization suffused every fiber of the Simpson case, but it also expounds the

from the LAPD and moved to Sandpoint, Idaho. He went on to become a best-selling author and occasionally works as a commentator on national news programs.

- 13 Johnnie Lee Cochran Jr. was an American lawyer and civil activist until his death from a brain tumor on March 29, 2005. He is best known for his defense leadership in the O.J. Simpson case, during which he coined the rhyme “If it doesn’t fit, you must acquit.”
- 14 Christopher Allen Darden is an American lawyer and author. In 1995, he gained national attention and criticism for his involvement as a co-prosecutor in the O.J. Simpson case.
- 15 Brian “Kato” Kaelin was a friend of Nicole Brown Simpson’s and staying at a guest house on O.J. Simpson’s Rockingham estate in 1994. Kaelin took the stand for the prosecution in 1995, as he was present at the compound on the night of the two murders, and his version of events seemed to contradict Simpson’s in numerous aspects.
- 16 Nicole Brown met O.J. Simpson while working as a waitress in Los Angeles. The couple got married in 1985 but divorced in 1992, whereafter Nicole Brown Simpson moved to 875 South Bundy Drive. During the trial, it was established that she had suffered and documented over 17 years of emotional and physical abuse during her relationship with O.J. Simpson.
- 17 The verdict in the Simpson matter, for instance, was not considered a multidimensional reflection of several, intertwined, and mutually dependent social issues but always pertained to one particular and isolated subject such as (inter-) racial conflicts, sports hero worship, domestic violence, or a rags-to-riches fairy tale. This one-dimensional view of the case diminished the gravity of a double homicide case, which was observed akin to a fictional movie and less analyzed as a complex historical event.

adamant commercialization of factual genres in general and the news in particular, which portends to the demise of public service television in a highly competitive environment where notions of the real constitute the focal selling point. In *Reality TV: Remaking Television Culture*, seminal scholars in the field, Laurie Ouellette and Susan Murray, discern that reality television is fundamentally “an unabashedly commercial genre” (Murray and Ouellette 3), and Aaron Duplantier speaks of TV shows as “packaged goods” (Duplantier 33) that are “concerned with capital first and aesthetics after” (Bell 36) as they “must [...] fill some monetary requirement in order to exist” (Duplantier 34). Historically, even the breakthrough of factual television in the United States, the “Republic of Entertainment” (Gabler 11), can be attributed to economic factors. By the early 1980s, the three major American networks—CBS, ABC, and NBC—faced numerous challenges that noticeably altered the television landscape in favor of reality formats: federal deregulation of the media led to shifting syndication and an expansion of independent television stations across the States which, in turn, increased competition and audience dispersion (McKenna xiv). In addition, production costs for original scripted content multiplied during the writer’s strikes in the 1980s and the invention of home video devices and games that fragmented audiences even further. June Deery argues that even employing ordinary people or nonprofessional actors in reality formats is first and foremost a commercial decision and not a political strategy to “give voice to the powerless” (Deery, “Mapping” 12). In capitalistic societies, attention is monetized and (self-)branding becomes a crucial strategy for exposure and, ultimately, financial gain (Wilson 446). Facilitated by the episodic nature of legal proceedings, distinct performances are produced by placing familiar cultural archetypes such as the hero, villain, or fool in structured and externally regulated environments to create an entertaining and emotionally charged televisual text. In this respect, the gavel-to-gavel coverage of criminal trials is not dissimilar to traditional surveillance-based formats on reality TV such as *Big Brother*¹⁸ or *Survivor*.¹⁹

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- 18 *Big Brother* is a surveillance-based reality television game show originally created by Dutch producer John de Mol in 1997. A diverse group of contestants is placed inside a custom-build house, where cameras film them around the clock. Weekly competitions and evictions serve to find a final winner for the monetary prize. In the US, *Big Brother* launched on the television network CBS in July 2000 to a very successful start. The format is currently running on its 24th season.
- 19 On the reality-based competition TV show *Survivor*, a group of contestants are marooned to a remote location, where they must find and fight for food, water, and shelter. The successful completion of different challenges is remunerated with rewards or immunity from elimination by fellow contestants. The US format is based on *Expedition Robinson*, a Swedish television series created by Charlie Parsons in 1997. Hosted by TV personality Jeff Probst, *Survivor* premiered in May 2000 on the American television network CBS.

The third chapter of this study traces the history of cameras in American courtrooms and details the numerous points of contention associated with the electronic coverage of criminal proceedings on television. These general arguments are then applied to two specific events in the O.J. Simpson murder trial—the glove demonstration and the verdict announcement—to outline how the use of modern equipment and trained operators marked the beginning of the “technospectacle” (Kellner 14) and telelitigation on American television. In reference to Richard Huff, who identified good storytelling as one of two crucial elements essential for the success of a reality show (Huff 32), I then present the numerous, oftentimes sensationalized and conspiratorial narratives told in the courtroom by attorneys and outside sources during the Simpson trial. This expansive view helps advance the understanding of the reconceptualization process involved in the staging of courtrooms as sets and accentuates the intricate relationship between storytelling and performance, two key processes in human communication and interaction, while illuminating the critical role the courtroom camera played in establishing familiarity and proximity between performers and audiences through its uninterrupted gaze.

Furthermore, the third chapter considers the Court TV coverage of the glove demonstration and the verdict announcement within the framework of cultural anthropologist Victor Turner’s concept of the social drama, which he introduced in his 1982 essay “Are There Universals of Performance in Myth, Ritual, And Drama?” Through drama, Turner asserts, humans experience their deepest emotions (Turner 8) and as it unfolds in communities, life becomes a lived performance; “a mirror held up to art” (17). Turner’s model details four stages (Breach, Crisis, Redress, and Reconciliation or Schism) that facilitate the consideration of macro historic events from an elective micro perspective by “distill[ing] complicated events into manageable forward-moving units” (Schechner, *Performance Studies* 155). The selection of a starting point and a finishing point allows a plenary observation of events that otherwise may appear inchoate (155). Richard Schechner describes Turner’s theory of performed narrative as a “macrodrama” (Schechner, “Magnitudes of Performance” 44) which involves a viewing of “large-scale social actions [...] performatively” (44) as “whole communities act through their collective crises” (44).

Lastly, the third chapter of this study juxtaposes the Court TV coverage of the glove demonstration and the verdict announcement with the filmic adaptation of the events on *American Crime Story*. Camera styles, picture quality, and the interpretation of the main trial participants were significant criteria in the analysis approach, leading to the conclusion that both genres “occupy an intermediate space between fact and fiction” (Hill, *Restyling* 89). They challenge the audience to interpret and reflect on the presented narrative strings and work through the deliberately “constructed real world” (89) of the format. This type of creative freedom has not been without its share of critics, however, not only in the visual world of television but in literary circles as well. Truman Capote’s true-crime account of the Clut-

ter murders, *In Cold Blood* (1966), is considered a classic in the nonfiction genus, but was harshly judged with regard to the author's reproduction of certain dialogues he could not have known about, much less heard occurring himself, thus raising suspicions about the accuracy of the information provided in the book. Capote freely admitted that he believed true crime writing and creative freedom were not mutually exclusive:

I make my own comment by what I choose to tell and how I choose to tell it. It is true that an author is more in control of fictional characters because he do [sic] anything he wants with them as long as they stay credible. But in the nonfiction novel one can also manipulate: If I put something in which I don't agree about I can always set it in a context of qualification without having to step into the story myself to set the reader straight. (Plimpton, *NY Times*, 16 January 1966)

Similarly, numerous episodes of *ACS* are replete with dramatizations, omissions, and other directorial influences, revealing acrimonious differences and impeccable similarities between the two television genres at once.

