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Watchdog watching itself: Analysis of media discourse on the ethical breach in the Pretoria News story of the Tembisa 10 babies

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Watchdog watching itself: Analysis of media discourse on the ethical breach in the *Pretoria News* story of the Tembisa 10 babies

Dissertation

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DECLARATION

I declare that this dissertation is the result of my own original research and has not been submitted for any degree or examination at any other institution. Any work done by others or by me previously has been acknowledged and referenced accordingly.

Kgabo Cybrien Senyatsi



31 March 2025

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1.1. Abstract

The media is often described as the fourth estate that exercises checks and balances over the executive, judicial and legislative arms of the State. This idea reflects the realisation that the media acts as the counter-power (Marsili 2021:24) that fulfils their normative societal role in many ways. Among others, they set the agenda for public debate and can make or destroy reputations. They are also described as the watchdog that holds politicians accountable and demands the highest standards of ethical conduct from them. However, any power can be abused and thus needs checks and balances (Curran et al 1982). If the media are the watchdogs of other forms of power in society, who then watches the watchdogs? The answer is to be found in mechanisms of self-regulation (Krüger 2009:12) and media accountability structures.

The publication of a story by *Pretoria News* and the Independent Group in June 2021 about the birth of ten babies (Pretoria News 2021) was therefore a turning point in South African journalism and brought into sharp focus, the importance of media accountability. The story caused a huge media storm and drew widespread criticism from within the industry and outside. It set the agenda for debate about media ethics, the role of journalists in society, 'fake news', and the effectiveness of South Africa's print media self-regulatory regime.

Using the analysis of content and media discourse, this research revisits the role of journalists in society and explores media accountability and intermedia agenda-setting theory to understand how leading news media and commentators reacted to the ethical breach. It found that media accountability is alive in South Africa's print media landscape and confirmed that the watchdog can indeed watch itself by speaking out against the subversion of media ethics.

1. INTRODUCTION

> 'Journalism's first obligation is to the truth; its first loyalty is to citizens; its essence is a discipline of verification…' Kovach and Rosenstiel (2021:1).

1.2. Introduction

On 8 June 2021, South Africa and the world woke up to a story of a woman from Tembisa in Johannesburg who had apparently given birth to ten babies. The story, published by the *Pretoria News,* under the Independent Media group – was written by the newspaper's news editor, Mr Piet Rampedi (Pretoria News 2021). In the wake of more inquiries, the hospital denied knowledge of such a birth (News24 2021). As days passed, the newspaper and the editor became "the story", as attention shifted from the mother to suspected unethical conduct.

The story fell apart when the newspaper could provide no evidence to back up the claim and it turned out that no one, not even Rampedi, or the babies' alleged father had seen the newborns (Harber 2021). The newspaper and its news editor began to face backlash from fellow media houses when the story was suspected of being fabricated. Although the veracity of the story was never tested by the Press Council of South Africa, the Independent Group later received complaints from its former journalists and an independent panel was constituted by the Group's internal ombudsman, which found that the story about the birth of decuplets 'failed to pass the basic principles of journalism' and amounted to a 'hoax' and a 'scam' (Davies 2021).

Other news media outlets such as the *Daily Maverick, The Conversation*, and *News24* led the charge in condemning the story and dominated the media discourse with counter-presses[1], mainly labelling the story as a "fabricated scam piece", as later confirmed by

[1] A reaction to a publication by a publication

the Group's own internal ombudsman, who found that the story was a hoax (Davies 2021). The author, Rampedi rejected the Internal Ombudsman's findings and accused the government of covering up a human trafficking syndicate (IOL 2021). The Public Protector of South Africa conducted its own investigation, revealing that medical evidence showed the woman did not give birth to ten babies nor was she ever pregnant with decuplets (Public Protector 2022:27).

1.3. Aim of study

Drawing on media ethics, media accountability and intermedia agenda setting theory, this study uses content analysis to examine the media's role in condemning the alleged ethical breach in the Tembisa 10 story. The study does so to answer the central research questions of –

a) How did the *Daily Maverick*, *News24* and *The Conversation* use their editorials and news articles to condemn the ethical breach in the Tembisa 10 babies' story?
b) In what way could the print self-regulation regime or the Group's internal ombudsman have deterred this ethical breach?

1.4. Significance of study and rationale

This study is important because studies that have dealt with journalism ethics were mainly exploratory studies of media ethics and South Africa's media regulation system. These include Kumwenda (2010), Edwards (2012) and Thompson (2016) which did not explore the analysis of media discourse on ethical breaches, but only examined South Africa's print media regulatory regime. Since the story gave the media industry a critical voice about itself, it opened a gap in the literature regarding how journalists hold each other accountable for a breach of journalism ethics. This makes media accountability and intermedia agenda setting underexplored theories by local researchers, which is a necessary ground to traverse and examine how the watchdog can watch itself. It is

therefore hoped that this study contributes to the understanding of media accountability in local scholarship and society.

2. OVERVIEW OF PRINT MEDIA IN SOUTH AFRICA

2.1. Introduction

This section provides a snapshot of South Africa's media landscape, comprising print media groups that publish newspapers with national and metropolitan footprints. The print media landscape in South Africa is highly concentrated in the hands of a handful of big conglomerates, notably Media24, Independent Media, Arena Holdings, Caxton, *Mail & Guardian* and the *Daily Maverick*. This chapter also reflects on consumption trends and dynamics, particularly the counterbalance of the gradual decline of mainstream media and the rise of digital media consumption.

2.2. Major print conglomerates

Post-apartheid newspaper growth of South Africa's media landscape has been more of a mixed bag than broadcast (Berger 2004:10). It is led by the 'big five' and characterized by a diverse array of publications on the newsstand and digitally, each catering to different segments of the market, as shown below.

Media24 is a leading media company in South Africa with a diverse portfolio in digital media, newspapers, magazines and e-commerce. It is a subsidiary of Naspers, formerly the Afrikaans Press group *Nasionale Persa,* and a multinational group of media and e-commerce platforms which dominates the print media through its subsidiary Media24 (Rumney 2014:12). The Group publishes prominent newspapers such as *City Press, Daily Sun, Rapport, Beeld,* and *Die Burger*. Its digital news platform is *News24* (Media24.com).

Arena Holdings is another significant entity and Africa's largest English-language news publisher, with a portfolio that includes the *Sunday Times, Business Day, Financial Mail, Sowetan,* and *Daily Dispatch*. Its online replicas of the paper editions come in the form of digital platforms such as *TimesLIVE, SowetanLIVE,* and *BusinessLIVE* (Arena.africa).

Independent Media is a key multi-platform conglomerate, boasting 20 prominent print and digital news offerings, including publications such as *The Star* and the then *Pretoria News,* among others (See Table 1). Its online presence for the print stable is on *IOL.com*. Owned by Sekunjalo Investments, the company has a strong presence in major metropolitan areas such as Durban, Johannesburg, Pretoria, and Cape Town (IOL.co.za). Since Sekunjalo acquired full ownership of the stable, the Group endured hostility from critics in the industry, particularly after the Group exited the Press Council of South Africa in 2016. Before its closure, *Pretoria News* was among the premium English dailies in the Group (IOL.co.za).

Caxton and CTP Publishers is one of South Africa's oldest and largest media groups. It's a publisher of newspapers, magazines, and commercial print. Founded in 1980, the Caxton publishes a flagship national newspaper - *The Citizen,* which also publishes digitally, along with various local or community newspapers countrywide (Caxton.co.za).

Mail & Guardian is a high-end national title that has since the mid-1980s built a good reputation for its investigative reporting and political coverage (Otter and Grant 2017:35). It is owned by the Media Development Investment Fund (MDIF), a non-profit organization that invests in independent media around the world. The publication provides in-depth coverage and analysis of important issues (mg.co.za).

Daily Maverick is an emerging 'hybrid' player founded in 2009. It started as an online news platform, publishing a blend of in-depth news, opinion and analysis of political,

social, and economic issues in South Africa. Recognizing the value of a tangible product, it launched a weekly print edition, *Daily Maverick 168* in 2020 to reach audiences who still prefer both print and digital media consumption. The publication therefore epitomises a notable example of a digital-first publication that successfully expanded into print in a rapidly evolving media landscape (DailyMaverick/About).

2.3. Emerging digital-only news media

Alongside popular online news portals such as *News24*, *IOL* and *TimeLive* discussed above, there are other 'independent' news outlets that only publish digitally. The distinguishing characteristic of these media outlets is that they are not affiliated with any of the traditional media companies (Otter and Grant 2017:36).

These include news sites such BusinessTech (businesstech.co.za), MyBroadband (mybroadband.co.za), together with Primedia's **Eyewitness News** (ewn.co.za), which have for a while now provided new sources of news (Sanef 2022:22). Another one is **The Conversation,** which is also a promising, rising online portal that provides in-depth analysis and informed commentary, it collaborates with academics and researchers to produce content that is both accessible and authoritative (The Conversation/Africa).

Then there are 'donor-funded' online news organisations such as **amaBhungane**, **Bhekisisa**, and **GroundUp** which play a crucial role in South Africa's media landscape. AmaBhungane (amaBhungane.org) is an investigative journalism organisation focusing primarily on exposing corruption, while Bhekisisa (bhekisisa.org) specialises in narrative, solutions journalism focusing on health and social justice issues (Rupiah and Finlay 2021:34). GroundUp (groundup.org.za) is a news agency that covers various social justice issues, including housing, education, and labour rights (JamLab.africa).

2.4. Digital migration and citizen journalism

Reflections on South Africa's media landscape would be incomplete without the analysis of the convergence, diversification and rapid migration of readers from print to digital media consumption as readers walk around with digital newsstands in their pockets, which the above print media conglomerates have been trying to tap into in recent times, as it affects their viability and survival.

Gaps in the mainstream news in the South African media landscape have meant that small, independent online news platforms have played a prominent role in news production in areas such as investigative reporting, health news and human rights journalism for several years now (Rupiah and Finlay 2021:34). They leverage communication opportunities presented by the internet and take advantage of audiences who consume online content.

Audiences have begun to migrate online, and at the same time, traditional media houses have carved out an online presence. All the big print conglomerates have a substantial online presence, but other independent news websites are also holding their own (Satchwell et al 2021:107). Notably, Media24 announced in 2024 that it was accelerating its transition to digital and "closing its print publications". This means that the print editions would be closed in favour of the transition to digital only (Daniels 2024:12). Indeed, in 2025, the *City Press*, *Daily Sun, Rapport* and *Beeld* took the big leap into becoming fully digital publications (Makhanya 2025). Editor Mondli Makhanya declared in a letter to the readers -

> If you are reading this article in print, this will be the last time you will be feeling the paper, smelling this ink and paging through, as you lie on your back or lean over your table.

According to Daniels (2020a), traditional journalism declined when advertising went online, especially to Facebook and Google. Still, online publications such as *News24* are

in the lucky position of being the biggest by far with over 8 million users, offering the scale to compete with Google and Facebook in a way that can sell to a local audience (Satchwell et al 2021:107). There are other pressures too, such as journalists competing in a much larger pool. They are now up against bloggers and 'citizen journalists', among others (Gunter et al 2009). Although scholars do not agree on whether 'citizen journalism' is an appropriate term to describe the participation of amateurs in the news, the term entails the participation of citizens in the news as an evolving disruptive practice in digital journalism. The rise of citizen journalists is an important reminder of the professional field's failure to effectively respond to the changing nature of public communication. These changes have helped to create new spaces for new actors; in such places, traditional as well as upstart forms of journalism negotiate and compete, ultimately aiding the journalism field in creating its future (Wall 2015:1).

Palmer (2017) argues that professional journalism has often failed to bring citizens closer to the news, instead keeping them at a distance. Communities that traditional journalism purports to represent often express a sense of distrust of professional journalists. In South Africa, citizen journalism has played an important role in facilitating conversations between the elite and ordinary citizens (Mpofu 2019: 88), essentially becoming the 'fifth estate', which are media critics who can criticize suspected unethical reporting. It's a specialised form of journalism monitoring the news media and reporting critically about them for a mass audience (Bertrand 2000:116).

According to Gunter et al (2009), the internet has entrenched the competition between journalists, bloggers and other content creators who sometimes break stories before journalists do.

2.5. Job losses and low standards in the newsrooms

The opening of democratic space led to a flowering of media – print and online. Often, far more newspapers are started than the market can sustain and are produced by people with more enthusiasm than skill. South Africa's media landscape is economically difficult: readerships are fractured, and a large number of titles compete fiercely for a small number of readers. (Krüger 2009:26).

The newspaper industry is threatened by restructuring; retrenchments; loss of senior staff, loss of potential mentors, loss of knowledge in the industry, fewer journalists doing more work, 'juniorisation' of the newsroom and greater demands on newsroom staff for a multiplicity of reasons (Satchwell et al 2021:206). Daniels (2020:4) contends that the level of under-investment, resultant juniorisation, and low-quality outputs do a disservice not just to those who practise it, but to democracy at large.

In addition, many media organizations tightening their belts have not tried to retain senior journalists, often retrenched on a rather large scale. A result is the juniorisation of newsrooms (De Beer et al 2017:180). These challenges led to a situation where mainstream newsroom training is almost extinct (Satchwell et al 2021:204), leaving newsrooms with low levels of skill, and this affects the standards of professionalism (Krüger 2009:26). The 2017 State of the Newsroom report revealed that newsrooms preferred to employ junior staff to work across multimedia platforms rather than to reskill senior journalists to do the same (Finlay 2018). According to Kumar (2023:1), juniorisation in the newsrooms is a challenge as mainstream news organisations appear to be chasing new and social media at the expense of experienced journalists. Editors have again begun to favour journalists who have large reader followings, especially on social media (De Beer et al. 2016).

According to the 2019 State of the Newsroom Report, the professional journalist workforce in full-time jobs has been depleted by approximately half since a decade ago,

from about 10,000 full-time journalists to about 5,000. Arena Holdings retrenched 65 employees in 2019 and declared an intention to retrench a further 52 in 2020. Media24 retrenched 446 people between 2013 and 2014; the South African Press Association (South Africa's oldest news agency) closed down in 2018 (Daniels 2019:18). The 2024 State of the Newsroom Report revealed that newsrooms that work in print appear to be shrinking across the board, with some resilience among a few newsrooms that publish on both internet and print (Finlay 2024:20). However, while many mainstream newsrooms were freezing salaries and laying off staff, three of the established newsrooms surveyed - GroundUp, Bhekisisa and amaBhungane, were hiring (Finlay 2021:34).

According to Satchwell et al (2021:253), the future of the media industry in South Africa remains challenging. There will be continuing closures and reduced diversity. Economic pressures are passed on to journalists who frequently work without secure contracts. With no collective agreement in place and the labour syndicates regarded as a dead letter, journalists are vulnerable to exploitation (Krüger 2009:26).

2.6. COVID-19 disinformation and declining trust in the media

The story of the Tembisa 10 babies made headlines during the height of COVID-19 and with the finding that it was fabricated, the story thus formed part of the disinformation or ‘fake news’ concerns that preoccupied the media landscape and the public. According to Casero-Ripollés (2020:1), the pandemic significantly exacerbated the spread of fake news online, leading to a marked decline in public trust in the media.

The term ‘fake news’ has become a catchphrase with an interesting history. Besides its origin in the 19th century in the United States, it gained widespread popularity and a more modern connotation during and after the 2016 US presidential election and was frequently overused by then-President Donald Trump to describe and discredit negative news coverage about him. A study by Allcott and Gentzkow (2017:212) that explores the

historical context and contemporary analysis of the term, describes how Trump contributed to the semantic evolution of the term in contemporary discourse. Since then, the concept has been studied and critiqued widely by researchers in the wake of COVID-19 and got thrown around randomly to dismiss certain types of information about the pandemic and "appropriated by politicians to describe news organisations they find disagreeable" (Wardle and Derakhshan 2018:5). Wasserman (2020:4) agrees that the notion of 'fake news' has recently taken on new, and more pejorative meanings and "the declining trust in mainstream media could be both a cause and a consequence of fake news gaining more traction" (Allcott and Gentzkow 2017:215).

As a highly contested concept, scholars acknowledge that the term 'fake news' is a misnomer and colloquialism (Grieve and Woodfield 2023) that is "woefully inadequate to describe the complex phenomena of presenting false information as news" (Wardle and Derakhshan 2018:15). It's a vague and ambiguous term (Zuckerman 2017). In their attempt to provide a definitional rigour, Ong and Cabañes (2018) observe that people have always been fascinated by what is new and previously unheard of, which is what 'fake news' is about. In their seminal work on the contradictory use of the term 'fake news' in referring to it as 'news', Wardle and Derakhshan (2018:2) also address the misuse of the term and provide guidance that emphasizes the importance of rather locating 'fake news' in any of the three terms (i.e. misinformation, disinformation, and mal-information) – all which are about false information presented as or purported to be news. They therefore define disinformation as "false information that is deliberately created or disseminated to cause harm, while misinformation is a message that is false, but not intended to cause harm", and mal-information is "information that is based on fact but used to cause harm or attack". It is therefore clear from the above distinction that the difference between the three terms is motive or lack thereof. But for this study, the phrase 'fake news' is used in inverted commas to retain its use in literature and sampled articles and to illustrate that it is used to describe disinformation, misinformation, hoax, fabrication or propaganda.

The 2020 Global Disinformation Index, in presenting risk ratings for South Africa, revealed that 41% of people in South Africa distrusted the media during the pandemic and that 43% didn't trust the news they see on social media (Satchwell 2021:76). Another report, the 2022 Reuters Institute for the Study of Journalism revealed that news published by South African media outlets was trusted by 61% of the population, an increase from 49% in 2019 (Gumede 2022). While trust in the media was historically strong in South Africa, it is now in decline. Disinformation had a role to play. Findings show that 70% of those surveyed in South Africa were concerned by what news was real and 'fake' online (Satchwell 2021:76).

Although initially, the outbreak of the pandemic saw an increase in digital media use as people looked for trustworthy sources of information (Balliah 2020), a rapid shift to such platforms soon became a fertile ground for misinformation and fake news, thus compounding the problem (Bantourakis 2023), and mainstream print media did very little to debunk it. A content analysis study by Wasserman et al (2021:344) which examined newspaper coverage of the pandemic found that a very small percentage of newspaper reports (3%) debunked myths, rumour-mongering and fake news about the pandemic. This is in line with the argument by Grieve and Woodfield (2023: 70) that fake news in the mainstream press is where the most societal damage can be done and this is why we cannot trust the news media to address the problem of fake news.

This was also reflected in the indifference and inertia of many media outlets in the story of the decuplets during the pandemic, which makes them culpable in the wave that contributed to the reported decimation of trust in the media.

2.7. Summary

This section has laid out the context of this study by reviewing South Africa's media landscape, examining issues that the industry had to contend with, such as the concerns

about the rampant wave of disinformation and the resultant growing distrust between the media and audiences.

3. *PRETORIA NEWS* AND THE INDEPENDENT GROUP

3.1. Introduction

This section reviews the history of Independent Media by documenting its ownership changes and how the new owner attracted criticism for his leadership style and alleged interference with editorial decisions. It also contextualises the locus of the then *Pretoria News* in the Independent Media group, and its viability by looking at its rise as a tried and tested daily with a strong readership base. It also documents the events and circumstances around the story of the Tembisa 10 babies, its declining readership and ultimate closure.

3.2. History of the Independent Media

Soon after democratisation in 1994, the Independent Media Group was acquired by Irish businessman Tony O'Reilly who first bought and took control of the Group when it was called Argus Newspapers and renamed it Independent Newspapers. It became a wholly owned subsidiary of Independent News and Media Limited. At the time, it published 14 daily and weekly newspapers in the country's three major metropolitan areas, namely Pretoria, Cape Town and Johannesburg (Tomaselli 2000:284).

In 2013, the Group was sold to a businessman, Dr Iqbal Survé who acquired full ownership of the newspapers when his holding company, Sekunkanjo Independent Media took control of the Group and renamed it Independent Media (IOL.co.za). The sale saw the ownership of the company return to South African hands after two decades under the Dublin-based Independent News and Media (Daniels 2013:4). It now publishes

13 daily and weekly newspapers in South Africa's four major metropolitan areas, namely Durban, Johannesburg, Pretoria and Cape Town (Bassie: 2006:48) - in print and online.

It is worth noting that the Group embraced convergence and harnessed digital capabilities to reach new audiences by pulling stories together from across its publications portfolio and publishing them on a news site - IOL.co.za (Berger 2004:15). Below is a snapshot of how the Group was structured before the *Pretoria News* was closed.

Newspaper	Frequency	Circulation area
The Star	Daily	National
Cape Argus	Daily	Cape Town
Isolezwe	Daily	Durban
Daily News	Daily	Durban
Cape Times	Daily	Cape Town
The Mercury	Daily	Durban
Pretoria News	**Daily**	**Pretoria/ Tshwane**
Diamond Field Advertiser	Daily	Kimberly
Business Report	Daily	Durban, Cape Town
The Post	Bi-weekly	Durban
Sunday Tribune	Weekend	Durban
Saturday Star	Weekend	National
Sunday Independent	Weekend	National
The Voice	Daily	Cape Town

Table 1: The Independent Media: Courtesy Independent Group

In 2021, a media scholar and commentator, Anton Harber observed that the Group's newspapers began to lose their foothold. "The *Pretoria News* only sells under 1,900 copies a day, down from 30,000; the *Cape Argus* is under 8,000 from a peak of nearly 80,000; the *Cape Times* under 9,000 from over 50,000; the *Daily News* 7,600; and the flagship *The Star* is below 15,000 when it was 220,000" (Harber 2021). Research by Daniels (2020:4) which examined job losses in journalism as a result of downsizing, revealed that the Group "at one point had just under 6, 000 staff and has now shrunk to

just about 1 400 in 2020, inclusive of support staff". The Group stated in an article that its low market performance was a result of "a general decline in advertising in the sector" (IOL.co.za). In and around March 2023, the Group's financial challenges began to affect employees when employees were informed that they would receive "salary cuts and restructuring due to a "very precarious position", with the indications that the owner was ready to relinquish ownership and focus on other projects because of the "reputational headaches that have come with ownership of the newspaper group" (Davies 2023).

3.3. Criticism about the ownership of the Independent Group

Since the change of ownership to Independent Media from the Irish businessman Tony O'Reilly, Dr Survé has been criticized for his management style. Among those critics were former editors, media scholars and other news media who alleged editorial interference by him and subsequent loss of credibility for not only the *Pretoria News* but also that of all other titles within the Group. In the book, *Paper Tiger,* Dasnois and Whitfield (2019) documents instances of Survé's (mis)management and interference with the editorial decisions.

Former editors spoke out on the reasons for their departure and gave details of a "circus" at the Group, such as one occasion where all the editors were instructed to run the same front-page story by Survé, and where an avalanche of independent and experienced editors and journalists fell into disfavour with him and then departed. The situation at the stable was described as "reminiscent of an earlier era when owners were editors and vice versa (Dasnois and Whitfield 2019). A former editor, Moshoeshoe Monare revealed that he had to resign as the editor of *Sunday Independent* in 2014 "when it was very clear that my independence as an editor was compromised", while fellow editor Philani Mgwaba left after "editors began to receive instructions from Survé's underlings and acolytes to publish opinion pieces that shamelessly flattered and promoted him

and/or defended him from legitimate questions that were being raised about his curious business interests" (Satchwell et al 2021:145).

Another former editor, Fikile-Ntsikelelo Moya criticised Surve's management style, stating that, "my experience in the last two years (i.e. 2016-2018) of working as an editor at an Independent Media publication was a complete farce. The man has proved to have been the bad news his detractors had described – even if they did not have any evidence at the time" (Moya 2019). It was "commonplace for reporters to be sent on assignments without the news editor knowing because decisions are taken in collaboration with politicians". When a reporter files a story and it has passed checks for fairness, balance and accuracy, word will come from "upstairs" that the story is "not correct" (Satchwell et al 2021:135).

Wasserman (2020:462) added by describing Survé as a "controversial businessman, who has been widely criticised for his role in eroding the editorial integrity of these papers and for his firing journalists who disagreed with him". According to Haffajee (2019), "Iqbal Survé wields power through his control of mass media titles which has turned into weapons he trains on perceived enemies as the walls close in on his empire". He uses newspaper titles to further his agenda and those of individuals, groups, factions and causes to which he is sympathetic. He is systematically destroying what used to be a serious, credible set of newspapers (Harber 2020:304). There are 16 titles in the Independent Group. All have seen an almost total circulation collapse since Survé bought out the group in 2013 (Harber 2021).

Sepotokele (2021) added that "it is an open secret that since taking over the Independent Media, Survé has nailed his colours to the mast and that the relationship between him and other media outlets is frosty". Rampedi was also not spared from criticism. He was, according to Sepotokele (2021) appointed the editor of the *Pretoria News* "amidst

criticism from certain quarters that he would bury the newspaper with a factional stance and unethical journalism".

Rampedi began making a name for himself and brought his integrity into question in 2011 with an article in the *City Press* that linked the former mayor of Polokwane, Mr Freddy Greaver to a network of corrupt Limpopo politicians (City Press 2011:1) without giving him the opportunity to comment. After failing to get the publication to retract and apologise, Greaver successfully approached the court and was awarded compensation for damages, along with an apology and the right to reply (News24 2012). Rampedi resigned soon afterwards. In 2015, he co-authored another news scandal about the so-called SARS rogue unit in the *Sunday Times*. The newspaper was later ordered to retract after the Press Council found that the story was fabricated (Daniels 2020b:52). Rampedi resigned after the scandal and joined the Independent Group as the investigative editor for the *Sunday Independent*. He was later promoted to the position of news editor for the *Pretoria News* in January 2021 (IOL.com). Six months later, Rampedi authored the Tembisa 10 story.

3.4. Rise and fall of *Pretoria News*

The *Pretoria News* was a daily newspaper established in Pretoria, Gauteng, South Africa in 1898. It published a daily edition from Monday to Friday and a Weekend edition on Saturday and Sunday. It was an independent newspaper in the English language that served the city of Pretoria and its direct environs (IOL.co.za).

According to Bassie (2006:52), "a major competition of the *Pretoria News* was minimal, as it contested space with newspapers with a national footprint such as the *Sowetan*, and *The Citizen*, as well as online publications such as the *News24.com.* It was thus arguably not at a disadvantage from a competition perspective, with sought-after editors and reporters creating an atmosphere of envy and antagonism with its

competition. Given its position in South Africa as the premium English daily circulating title, the *Pretoria News* newspaper represented an important voice within the South African media discourse". The newspaper had over 30,000 copies in circulation in 2009 (Harber 2021).

In January 2021, the Independent Group appointed Mr Piet Rampedi as the news editor of *Pretoria News.* Six months later, in June 2021, the newspaper and the Group made national headlines with the Tembisa 10 babies story. Classen (2021) recounted that "the dubious news of a woman giving birth to 10 babies hit the front page of a newspaper that has built a reputation of quality over more than a century". So unbelievable was the story that it shocked the readers and baffled scientists. According to Burkley (2024), conceiving up to six babies is extremely rare (let alone ten), with odds of about 1 in 4.7 billion. Yet, the front page on 08 June 2021 screamed, *"Exclusive: Gauteng woman gives birth to 10 children, breaks Guinness World Record"*. The lead declared –

> Pretoria - A Gauteng woman has given birth to 10 babies, breaking the Guinness World Record held by Malian Halima Cissé who gave birth to nine children in Morocco last month. Gosiame Thamara Sithole, 37, gave birth to her decuplets – two more than doctors had earlier detected during the medical scans – at a hospital in Pretoria last night, said her partner Teboho Tsotetsi (Pretoria News 2021:1).

The circulation figures of *Pretoria News* began to dwindle in 2021, and Davis (2021) attributed the poor market performance to "the Independent Media's reputation being put at risk and the trust factor in media being seriously compromised".

Newspaper	December 2012	December 2017	December 2022
Pretoria News	17, 576	12, 570	1, 274

Table 2: Comparison of *Pretoria News* circulation figures 2012 /2017 /2022. Courtesy ABC

As shown in Table 2, the 2022 Audit Bureau of Circulation of South Africa ("ABC") showed that the readership of the Independent newspapers declined from 17, 576 in 2012 on the eve of the Sekunjalo's takeover to 1,274 in 2022 (ABC 2022). This is a 92% decline over a 10-year period! The newspaper resigned from ABC in October 2022 shortly after the release of the above figures (third quarter) (Cronje 2023). This means that there are no verified circulation figures for the fourth quarter (October - December 2022), and first quarter of 2023 (January – March 2023). However, Beard (2023:11) noted that while the newspaper circulation decreased drastically over time, its historical legacy in South Africa, and its positioning as one of the premier English newspapers in the economic heart of the country, its influence, while reduced, could still be regarded as significant. In March 2023, after 125 years, the Group announced the closure of *Pretoria News* -

> From 15 May 2023, *Pretoria News* will be incorporated into *The Star*; this will be in the form of a branded Pretoria-focused section in *The Star*, to be distributed in Pretoria and its usual areas. Similarly, *Pretoria News Weekend* will be incorporated into the Saturday Star. In essence, what this means is that *Pretoria News* and *Pretoria News Weekend* will no longer be available as free-standing publications (IOL 2023).

Although the Group claimed the closure was more about digital migration (IOL 2023), their competitors such as *News24* and *Daily Maverick* did not miss an opportunity to infer the nexus between this decision and the much-discredited story of the decuplets (News24 2023) and the events that suggested an impending demise.

3.5. The Tembisa 10 story: The timeline

08 June 2021, South Africa and the world woke up to a story of a woman from Tembisa in Johannesburg who had apparently given birth to ten babies ("the decuplets"). "We learnt a new word, 'decuplets', and international media started picking up on the story, and for a few days, we had something new to talk about" (Wasserman 2021). In October

2021, an inquiry by the Group's internal ombudsman found that the story was fake. The finding was quoted in the *Daily Maverick* –

> The story should have been more thoroughly confirmed and certified by science. It was difficult to avoid the inference that this story was concocted for nefarious purposes.

On 17 June 2021, the publication published a follow-up that rejected assertions that the story was fabricated and accused authorities of a "cover-up of medical negligence that involved senior politicians and public servants (IOL 2021). On 22 June 2021, Rampedi apologised to his colleagues, expressing regret that "some aspects of the story could have been dealt with differently, especially the verification process" (Bhengu 2021). On 27 October 2021, the Group made claims that they uncovered a syndicate of human traffickers central to whom are several obstetricians and gynaecologists operating in the private sector and using state hospitals (Lee-Francke 2021).

On 03 November 2021, the Public Protector announced she was investigating alleged maladministration, abuse of power and improper conduct. This followed allegations that the mother was held at a psychiatric hospital against her will (Tshikalange 2021). On 31 December 2022, the Public Protector concluded the investigation and found that medical evidence presented showed that the woman in question did not give birth to 10 babies, nor was she ever pregnant with the decuplets (Public Protector 2022:27). The report further declared that -

> Sithole was never admitted at Steve Biko Hospital for delivery of decuplets during 2021 as alleged, but only in 2014 for the delivery of her twins; It is not clear precisely where Ms Sithole further alleged that she gave birth to decuplets at Steve Biko Hospital, Sunninghill Hospital and Mediclinic Medforum Hospital, which all facilities disputed (PPSA 2022:51).

Finally, proof emerged that the Tembisa 10 were, in fact, the Tembisa Zero. There were no babies. In a statement released Wednesday 9 June 2021, the family resolved that "there are no decuplets born between Tebogo Tsotetsi and Gosiame Sithole" (Wasserman 2021).

3.5.1. Backlash from industry

News outlets such as the *Daily Maverick, the Conversations,* and *News24* published a series of counter-presses against the story. The South African National Editors Forum (SANEF) also entered the fray and welcomed the findings of an independent inquiry, which found that *Pretoria News* was reckless when it published the story without due diligence. SANEF called it "a clear case of a gross lapse of ethical journalism that has done untold damage to the profession at a time when we are focused on rebuilding the trust relationship with the public". SANEF used the opportunity to urge the Group to re-join the Press Council, so that the company's publications can be held to the same industry-accepted rules, as other media companies (Sanef 2021).

The backlash from the industry included opinion pieces on *News24*, *Daily Maverick* and *The Conversation* by renowned media scholars and columnists such as Mondli Makhanya, Howard Fieldman, Anton Harber, Herman Wasserman, Themba Sipotokele, Glenda Daniels, Chris Roper, George Claasen, Sheldon Morais and Ben Winks – who, in their collective punditry, critiqued the journalistic failures and broader implications of the story.

Among other contentions, Wasserman argued that in an era where disinformation is rampant, where an overwhelmed public craves clear, authoritative information, where trust in the media is low, and where there is a myriad of serious issues in the country to be investigated, the type of journalism we saw in the *Pretoria News* is the opposite of what we need. Journalism ethics can be complex at times, but it can also be elementary. It could be summed up in four basic guidelines: maximise truth, minimise harm, act

independently, and be accountable to the public. Rampedi failed dismally on each of these counts (Wasserman 2021).

3.5.2. Refusing to retract or apologise

While insisting that the babies existed, the newspaper and Rampedi failed or refused to apologise to the readers, who were ignored after asking - Where are the babies?. There was no apology to the public – that's who journalists write for – nor to the rest of the media industry, which had all been tainted (Daniels 2021). Instead, on 22 June 2021, Rampedi only wrote an 'apology' and addressed it to his colleagues, in which he apportioned the blame to his foes –

> The story provided detractors with an opportunity to cast aspersions on the professional integrity of not only myself, but also my colleagues in the Group. For that, I am extremely sorry. It was unfortunate" (IOL.com).

Daily Maverick reported that the Group's internal ombudsman rejected this apology as "very flimsy and did not seem to comprehend the extent of the damage caused". By being recalcitrant and only apologising to his colleagues and not to the readers, the news editor trivialised the breach, refused to take responsibility, and essentially mounted a defiance campaign against the Group's internal Ombudsman and the ruling of the Group's independent inquiry into the scandal. Skjerdal (2010:413) contends that whenever it is recognized that an inaccurate, misleading or distorted report has been published, it should be corrected promptly. Corrections should report the correct information and not restate the error except when clarity so demands. By refusing to apologise, the actions of the news editor prove that their in-house ombudsman was "a watchdog having a hearty bark with no bite" (Pearson 2003:1), the right step in the wrong direction.

Dr Survé stood by Rampedi and pleaded that he should be 'cut some slack', as Rampedi was dealing with a 'feel-good' story rather than an investigation (Daily Maverick 2021).

Harber (2021) retorted that Survé was "undermining the credibility of journalists and news outlets in general and fuelling a popular cynicism towards the media, creating a situation, as we have seen elsewhere, ripe for malicious disinformation and dangerous populism. Critically, Survé may have understood the humiliation and embarrassment of apologising; of admitting a wrong. Former Press Ombudsman Joe Thloloe foretold this kind of combative posture when he argued that "having to apologize publicly on a front page for a mistake you made erodes your credibility, hence journalists have to guard their credibility with their lives by getting it right the first time" (Mataboge 2010:9). The Group's internal ombudsman reportedly concluded that –

> The entire decuplets saga "brought the news editor, a 123-year old title, the entire Independent Group and South African journalism in general into disrepute". The inquiry therefore recommends a "cool-off remedial period: for Rampedi (Davis 2021)

On 30 January 2023, almost a year after story made headlines, Rampedi resigned as the news editor. The *Daily Maverick* (2023) reported that at the time of his departure, Rampedi still stood by the accuracy of the story. Although he was not the first to leave the Group in the same period, Rampedi resigned three weeks after the Public Protector found that the story was a hoax (PPSA 2022:51).

3.6. Summary

This section has provided a background to the study by reviewing the ownership history and structure of the Independent Media group and the locus of the now-defunct *Pretoria News*. It has also analysed the market performance of the newspaper and reconstructed the timeline of the Tembisa 10 babies' coverage.

4. PRINT MEDIA REGULATORY FRAMEWORK

4.1. Introduction

The media ethics discourse has been a terrain of much debate since the democratisation of the country (Wasserman 2020:463). This section therefore revisits that debate by first, reviewing the structure of print media regulatory mechanisms, interrogate the effectiveness of the media regulatory regime, examine the internal self-funded regulatory model adopted by the Independent Media as an attempt to move away from the authority of the industry-funded Press Council.

4.2. Print media regulation and the concept of self-regulation

The Constitution of the Republic of South Africa (section 16)[1] guarantees the right to freedom of expression, which includes freedom of the press. In the case of broadcast media, pieces of legislation such as the Broadcasting Act[2] and the ICASA Act[3] were enacted to give expression to this right and provide a basis for the regulation of radio and television. However, the print media have been left chiefly to control themselves through a range of partly effective mechanisms (Pearson 2003:2).

The purpose of media regulation is to ensure that the right to freedom of expression is exercised responsibly (Presscouncil.org.za). This is because according to the Preamble of the Press Code, "the basic principle to be upheld is that the freedom of the press is indivisible from and subject to the same rights and duties as that of the individual and rests on the public's fundamental right to be informed and freely to receive and to disseminate opinions, and the primary purpose of gathering and distributing news and

[1] Freedom of Expression - Everyone has the right to freedom of expression, which includes - (a) freedom of the press and other media; (b) freedom to receive or impart information or ideas; (c) freedom of artistic creativity; and (d) academic freedom and freedom of scientific research.
[2] Act 4 of 1999
[3] Act 13 of 2000

opinion is to serve society by informing citizens and enabling them to make informed judgments on the issues of the time; and the freedom of the press allows for independent scrutiny to bear on the forces that shape society" (The Press Code of Conduct 2020).

In 2011, the Press Council solicited input from the public on how to improve its system of self-regulation. The outcome of this process was a revised Press Code and Constitution for the Press Council, which allowed for increased and more direct, public participation in these processes. Another process, the Press Freedom Commission, was established in the same year to investigate the self-regulatory process and to make recommendations to the media industry. These two processes were concluded and resulted in the restructuring of the Press Council into a more participatory body with more members of the public sitting in the Appeals Council. This mechanism is designed to provide impartial, expeditious, and cost-effective resolution of disputes, ensuring that the media adheres to high standards of journalistic ethics and practice (Presscouncil.org.za).

Although this system can now more accurately be referred to as one of voluntary co-regulation rather than self-regulation, the ethics of the journalism industry remain under scrutiny and the regulatory processes continue to be contested. It should therefore be clear that more than two and a half decades into democracy, the South African media's normative frameworks, as well as its regulatory processes, continue to be contested and debated. This is an indication of the extent to which the media remains a proxy for larger debates about democratic society, participatory citizenship and freedom of expression (Wasserman 2020:463).

4.3. Press Council of South Africa

The story of the Tembisa 10 opened the door to debates around the sting of the Press Council as the regulatory authority of most print and online media in South Africa. According to Wasserman (2020:460), this regulatory body has seen strong contestation

about its code, role and membership. It's not a creature of any statute, neither does it accredit journalists, but merely a creature of the media themselves that involves journalists, often represented by a union and the public. It deals with complaints about alleged breaches of the Press Code of Conduct and enforces the South African Press Code, which is a framework that sets out the ethical guidelines for print and online media. Most of the print and online publications subscribe to the Code and thus submit to the authority or jurisdiction of the Council (Krüger (2009:18).

The Council comprises the Press Ombudsman and the Appeals Panel. All member publications have an obligation to include the Council's logo in all publications, along with details of how the readers can lodge a complaint about any breach. Complaints are first considered by the ombudsman, while the 'public advocate' mediates between the complainant and the publication. If a hearing is required, either the ombudsman or his deputy presides over the case in addition to a representative from the media and the public. All decisions can be appealed by the Appeals Panel (Lloyd, 2011:14) after which the decision will be final. Krüger (2009:24) adds that the Council's activities must be published, particularly its rulings as this would enhance the Council's credibility.

Furthermore, hearings should be open to the public (Krüger 2009:24). At the end of the hearing, the Press Council can order a publication that is found to violate the code to publish the ombudsman's and the Appeals Panel's rulings, correct the story, and/or publish an apology to the affected individuals or groups (Lloyd, 2011:14. The Council must show a willingness to act decisively when warranted (Krüger 2009:24) and equally, member newspapers must show willingness to subject themselves to the authority of the Council. That means, crucially, that they must abide by the rulings and comply with the directions to publish the rulings if the Council orders them to do so (Satchwell 2021:22). If the Council's authority is undermined, it risks becoming a laughing stock (Ronning 2002). This is because its rulings are the expression of the Council's regulatory authority and are binding to any member publication to whom they apply.

4.4. Press Code of Conduct

The Press Council exists to enforce the Press Code of Conduct, which is adopted by member publications including media practitioners, and is usually informed by the formal or informal social controls of the group. In this Code, the broad normative ideals and culture of a profession are articulated as norms (Oosthuizen 2002:55). It emphasizes the importance of accuracy, fairness, and independence in reporting. It mandates that journalists verify information before publication, avoid conflicts of interest, and respect the dignity and privacy of individuals. The Press Ombud investigates complaints and can order corrections, apologies, or retractions if a publication is found to have breached the Code. The Appeals Panel provides a further layer of oversight, ensuring that decisions are fair and consistent (Presscouncil.org.za).

The following is an excerpt of clauses from the Press Code of Conduct that are relevant regarding the reporting of news:

a) The press shall be obliged to report news truthfully, accurately and fairly.
b) News shall be presented in context and in a balanced manner, without any intentional or negligent departure from the facts whether by:
    i. Distortion, exaggeration or misrepresentation;
    ii. Material omissions; or
    iii. Summarization.
c) Only what may reasonably be true, having regard to the sources of the news, may be presented as fact, and such facts shall be published fairly with due regard to context and importance. Where a report is not based on facts or is founded on opinions, allegations, rumour or supposition, it shall be presented in such a manner as to indicate this clearly.
d) Where there is reason to doubt the accuracy of a report and it is practicable to verify the accuracy thereof, it shall be verified. Where it has not been practicable to verify the accuracy of a report, this shall be mentioned in such report.
e) A publication should usually seek the views of the subject of serious critical reportage in advance of publication; provided that this need not be done where the publication has reasonable grounds for believing that by doing so it would be prevented from publishing the report or where evidence might be destroyed or witnesses intimidated.

f) A publication should make amends for publishing information or comment that is found to be inaccurate by printing, promptly and with appropriate prominence, a retraction, correction or explanation.
g) News obtained by dishonest or unfair means, or the publication of which would involve a breach of confidence, should not be published unless a legitimate public interest dictates otherwise.
h) In both news and comment the press shall exercise exceptional care and consideration in matters involving the private lives and concerns of individuals, bearing in mind that any right to privacy may be overridden only by a legitimate public interest.

According to Satchwell (2021:100), codes will not necessarily affect the behaviour of journalists, because many will lack the interest or integrity to abide by them. All the checks and balances in the world will do nothing if individual journalists continue to be ethically weak or compromised, and it requires deep introspection and circumspection about the cause of ethical failures and the direct role that individual journalists have played in this.

By isolating itself from the Press Council, the Independent Group bypassed this regulatory framework and sought an alternative (internal) mechanism, which rendered the hand of the Press Council shorter in reaching them to hold them accountable for the breach in the Tembisa 10 scandal.

4.5. The role of SANEF in the regulation system

The South African National Editors Forum (SANEF) is a non-profit organisation that was established in 1996 as a non-racial professional body through the merging of the Black Editors Forum and the Conference, a body established by predominantly white English and Afrikaans newspaper editors (SANEF, 2014). According to Wasserman, (2010a:20), Sanef is one of the “watchdog” organisations that have been established to uphold freedom of speech and media independence “and has become the pre-eminent group representing the media” (Krüger 2009:38).

SANEF established the Press Freedom Commission of South Africa (PFCSA) in 2011, with a mandate to identify the most efficient and effective regulatory system for the print media in South Africa. Various forms of regulation were examined and the PFCSA determined that independent co-regulation would be the most appropriate for South Africa. Specific proposals were made to strengthen the role and participation of the public in wider access to the Public Advocate and to both the Press Council and its Appeals Panel (Satchwell et al 2021:75). Its membership includes senior journalists, journalism trainers and editors from all sectors of the South African media (SANEF, 2014). Through the Forum, members of the public have been given recourse to formal complaint mechanisms for issues with the media (Wasserman 2010b:242).

The history of the organisation has been characterised by vigorous debate over controversial topics in the media industry. In 2019, the Forum commissioned an Inquiry into media ethics and regulation (Wasserman 2020:463) after noting a number of disturbing trends in our industry including the erosion of public trust, the decline of editorial independence due to a number of ethical issues including the encroachment of media owners. The aim of the inquiry was to 'investigate what went wrong with some of the journalism in recent years and the industry we can fix these gaps and loopholes so that trust and alliances between us and the public can be built' (SANEF 2019). According to Satchwell et al (2021:255), the Forum has the background, credibility, contacts, and commitment to both news media and democracy to work towards ensuring ethical media practice survives.

4.6. A space for in-house Ombudsman

Ombudsman is a mediator between the readers and the editorial staff of their medium, tasked with taking on the complaints, discussing them with the responsible reporter or editor, and giving feedback to the complainant afterwards (Evers et al 2009:5). Frequently, ombudsman positions are held by veteran journalists with significant

experience in the news business. Since they are usually not members of the newsroom but report solely to the publisher or editor-in-chief, ombudsmen are, in theory, expected to act as independent representatives of the media's public (Fengler 2019:7).

The internal ombudsman applies that medium's institutional code of conduct but not all media organisations have formal codes of conduct, but this does not mean that some level of professional ethics is not practised in such organisations. Formal or informal editorial guidelines, or internal media policy, usually contain ethical guidelines (Oosthuizen 1989:63-70). Resistance to adopting codes is inter alia ascribed to the view that Codes of ethics represent a form of self-censorship (a point of contention in liberal democracies) (Day 1991:38). According to Krüger (2009:23), there are often some titles that choose to stay outside the Press Council system, but credibility is undermined if that group is too large or influential.

The number of publications that subscribe to the Press Council of South Africa do not include *Pretoria News* or its media group in its entirety as they do not (at the time of this study) subject themselves to the jurisdiction of the Press Council, and neither do they uphold the Code that is enforced by the Press Council. According to Davis (2021), the complaint about the Tembisa 10 story had to be brought to the Group's internal ombudsman since the newspaper group withdrew as a member of the Press Council of South Africa in 2016. This came "after being criticized for too many spectacular ethical breaches over the past decade" (Duncan 2014). The other reason is that the Group decided to part ways with the Press Council for not re-introducing a waiver clause to the Council's Complaints Procedures that forces complainants to the Press Council to relinquish their rights to institute civil proceedings against media houses and since leaving the Press Council, the Group has published stories that would not have passed the scrutiny (Robertson 2024).

According to Oosthuizen (2002:55), the Group has a long history of using an internal ombudsman and *The Star* was one of the first newspapers to appoint an internal ombudsman. Retief (2002:244) recounts that around the year 2000, several other South African newspapers had their own ombudsmen. These included *Sowetan, Sunday Times, City Press* and *Mail & Guardian* who established their own Press Codes as well (McQuail 2009). *News24* also has its own Public Editor/ Ombudsman - George Claasen (Satchwell et al 2021:229). Nevertheless, they still voluntarily subscribe(d) to the South African Press Code. This is an indication of the willingness of the press to maintain high journalistic standards through self-regulation in an effort to enhance press freedom. However, internal control cannot be relied upon to satisfy the wider social need for accountability since internal mechanisms can either be too strict, thus acting as a form of self-censorship, or too much directed at serving the interests of the media organisation (McQuail 2009).

The effectiveness of the Independent Media's internal ombudsman came into sharp focus in the wake of the story of the Tembisa 10 babies. It was tested when the complaint about the story was brought to the Group's internal ombudsman, who then initiated an 'independent inquiry' (Davis 2021) to examine the story's compliance (non-compliance) with the Group's Code of Ethics. However, the 2019 Inquiry into Media Ethics and Credibility gave internal ombudsmen a nod when it recommended the establishment of the position of an internal ombud/complaints officer in all media houses and for the ombud to have such sufficient authority in management structures that their recommendations are heeded (Satchwell et al 2021:17).

4.6.1. IOL Group's Code of Ethics

The following is an excerpt of clauses from Chapter 1 of the Independent Media Press Code of Conduct (IOL.co.za/press-code/) that are relevant to this study regarding the gathering and reporting of news:

I. The media shall:

a) Take care to report news truthfully, accurately and fairly;
b) Present news in context and in a balanced manner, without any intentional or negligent departure from the facts whether by distortion, exaggeration or misrepresentation, material omissions, or summarization;
c) Present only what may reasonably be true as fact; opinions, allegations, rumours or suppositions shall be presented clearly as such;
d) Obtain news legally, honestly and fairly, unless public interest dictates otherwise;
e) Use personal information for journalistic purposes only;
f) Identify themselves as such, unless public interest or their safety dictates otherwise;
g) Verify the accuracy of doubtful information, if practicable; if not, this shall be stated;
h) Seek, if practicable, the views of the subject of critical reportage in advance of publication, except when they might be prevented from reporting, or evidence destroyed, or sources intimidated. Such a subject should be afforded reasonable time to respond; if unable to obtain comment, this shall be stated;
i) State where a report is based on limited information, and supplement it once new information becomes available;
j) make amends for presenting inaccurate information or comment by publishing promptly and with appropriate prominence a retraction, correction, explanation or an apology on every platform where the original content was published, such as the member's website, social media accounts or any other online platform; and ensure that every journalist or freelancer employed by them who shared content on their personal social media accounts also shares any retraction, correction, explanation or apology relating to that content on their personal social media accounts;
k) prominently indicate when content that was published online has been amended or an apology or retraction published. The original content may continue to remain online but a link to the amendment, retraction or apology must be included in every version of the content which remains available online;
l) not be obliged to remove any content which is not unlawfully defamatory; and
m) not plagiarise.

Furthermore, the Group's Code introduced a waiver clause to the complaints procedure that precludes complainants from suing the publication if the decision does not please them, but can only refer their appeal to the Ombuds Appeals Chair for determination (IOL.com), which will be the finality of the matter. Put differently; by signing the complaints form, the complainant relinquishes any right in law to approach the Court

should they be aggrieved by the decision of the Group's internal Ombudsman. This is contrary to the provisions of the Press Code of Ethics which is enforced by the Press Council of South Africa.

4.7. Ethical issues and recent media scandals in South Africa

Before the Tembisa 10 scandal, South African audiences witnessed some journalism scandals that slipped through the media regulatory framework and impugned the integrity of the South African media landscape without much consequence.

In 2006, the SABC got embroiled in a 'blacklisting controversy' and was condemned for failing in its mandate as the public broadcaster when the director of news, Dr Snuki Zikalala took a controversial arbitrary decision to exclude commentators such as Karima Brown and Aubrey Matshiqi (Cowling 2007:62) who were viewed as "critical of the government" on SAFM's morning talk show (Patel 2007:65). The SABC was accused of editorial interference, gatekeeping and self-censorship by suppressing debate, silencing the critical views and dissenting voices. The controversy featured predominantly in the media discourse and was condemned by print media, academics and civil society who exercised a policing role of what they perceived as an aberration of journalistic norms. The print media, in particular, led the charge with columns to hold the SABC accountable (Patel 2007:65).

Another case of irresponsible journalism unfolded in 2011 when *City Press* implicated the former Polokwane mayor, Freddy Greaver, in tender corruption. The article, authored by Piet Rampedi and Adriaan Basson, with a front-page headline *"Meet the Limpopo mafia"*, was accompanied by an infographic which labelled Greaver 'a political czar' in a web of a corrupt network of politicians and businesspeople in Limpopo. They were accused of manipulating tender processes for personal gain (City Press 2011:1). The article thus depicted Greaver as corrupt without affording him the opportunity to

comment. His determination to get the newspaper to retract fell flat as the then editor, Ferial Haffajee stood by the two journalists. Greaver subsequently filed a defamation lawsuit against the newspaper, which he won, and despite being awarded R100 000 compensation for damages, along with an apology and the right of reply, he maintained that the "label of corruption" would continue to haunt him forever (Greaver 2012). The newspaper faced backlash for reckless reporting.

Another scandal that stood out of the crowd and prompted SANEF to commission an inquiry into media ethics (Satchwell et al 2021:1) was the so-called 'rogue unit' investigation by *Sunday Times* which alleged that the South African Revenue Service (SARS) had unlawfully established a surveillance unit to spy on ANC politicians (Thamm 2015). The scandal gained significant traction, leading to public outcry and multiple investigations until the story's credibility began to unravel when tested by the Press Council and the newspaper was subsequently ordered to apologise (O'Regan 2022), a move that was seen as a significant blow to the reputation of the newspaper for spreading "fake news" and subverting media ethics (Daniels 2020b:41). The scandal highlighted the dangers of relying on unverified sources and the importance of rigorous fact-checking in journalism (Hogg 2018).

All these scandals, including the Tembisa 10 babies did not only ignite conversations in the industry and amongst scholars but also provided an opportunity for a reflection on media regulation and shone the light on the role of the media in society.

4.8. Criticism of the media self-regulatory system

According to Wasserman (2021:457), the normative self-regulatory regulatory system, especially as applied to the print and online news media by the Press Council of South Africa, has regularly been subjected to criticism. This includes concerns that the regulatory system is toothless and ineffective (Harber 2021).

The genesis of the criticisms as well as the calls for stronger sanctions can be traced back to a controversial proposal by the ruling ANC through its 2010 discussion document to establish a media appeals tribunal. According to Wasserman (2020:8), the proposal was an indirect response to a long push-and-pull relationship between the media and the ANC. In justifying the tribunal, Mthembu (2010:13) argued that the self-regulatory mechanism does not go far enough to deter wrongful, malicious and defamatory reporting by the print media. The tribunal would thus be the means to ensure access to recourse by any South African who was unfairly or maliciously reported on by the print media. He argued -

> There should be no holy cows in any societal debate. Those who have appointed themselves as watchdogs of institutions of power should also be watched by the institutions of society. They should not cry foul when society criticises them. They should be mature enough to stand up to scrutiny.

Mthembu (2010:13) contended that the tribunal would complement the existing Press Ombudsman to introduce punitive measures by disaggregating the "crimes" that can be committed by journalists. Media ethics scholars and journalists took a dim view of the proposed tribunal, arguing that statutory regulation of the media would be an affront to the freedom of the press. Krüger (2010:34) contended that this is the kind of strict State control that exists in Zimbabwe, where journalists need a licence and can be barred from working, or jailed if their work displeases the authorities. However, the 2019 Inquiry into Media Ethics and Credibility, which SANEF commissioned, called for the review of the sanctions regime by, inter alia, imposing a variety of sanctions to a hierarchy of infractions, including monetary fines - in addition to an apology, in order to ensure that the sanction is proportional to the offence or extent of damage (Satchwell et al 2021:21).

When the story of the Tembisa 10 babies broke out, it re-opened this debate and re-ignited criticisms, which primarily raised questions about the sting of the Press Council. Critically, the Press Council has been accused of siding with the media industry, and for

not imposing strong sanctions. This is because the Council merely demands apologies in the form of "space fines", which is an apology of similar length and prominence as the offending article (Wasserman 2021:463), which Fengler (2018:181) says is rather symbolic and nothing that the media are afraid of. The criticism was also fueled by the resistance of the Independent Group to subscribe to the Press Council, but instead, opted to establish their own internal ombudsman to enforce the Group's Code of Ethics. Another criticism is that the system is purely reactive, only taking up issues where there is a complaint. Credibility would thus be enhanced greatly if self-regulation was more strongly self-initiated (Krüger 2009:22-30). This means that the Press Council must become more muscular and proactive (Bertrand 1990:7). Failure to live up to the expectations of both its membership and the public may inspire more print media houses to establish their in-house ombudsmen – a move that would undermine the standing of the Press Council and usurp its authority.

4.9. Summary

Self-regulation in South Africa often allows ethical breaches to go unpunished unless challenged by powerful media entities. This underscores the social responsibility and media accountability roles of the media outlets themselves as an informal regulatory force, where dominant outlets step in to establish journalistic boundaries when formal mechanisms fail. The Tembisa 10 scandal raised red flags about the effectiveness of this self-regulatory regime and used other cases of ethical scandals involving newspapers to underscore concerns about the perceived weaknesses of the system. All these scandals, including the Tembisa 10 story, serve as a stark reminder of the contemptuous patterns of ethical lapses in South Africa and are emblematic of the cautionary tales about the perils of irresponsible reporting.

5. THEORETICAL FRAMEWORK AND LITERATURE REVIEW

5.1. Introduction

A thorough literature in this kind of study summarises the available data and identifies any gaps; it highlights the current data, identifies ignorance, and offers areas for further research (Petticrew and Roberts 2008). This lays the groundwork for the review of existing academic literature by scholars on journalism ethics, social responsibility theory, media accountability, and agenda-setting theories.

5.2. Media accountability as a structural foundation

Accountability has taken on ever-increasing importance over the years as an element of journalism ethics (Krüger 2009:16). Research on accountability in journalism has focused on normative aspects and to a lesser degree, on empirical studies. Until recently, media accountability has been an understudied academic field (Fengler 2019:13) globally and in South Africa, not enough attention has been paid to the need to build strong structures of media accountability, where journalists subject their ethical standards to the scrutiny of their peers (Krüger 2009:10).

A seminal work by Bertrand who pioneered the comparative analysis of media accounting systems in the year 2000, examined the nature of media accountability as any "non-state means of making media responsible towards the public" (Bertrand 2000:151). For McQuail (2005:207), the process of compelling the media to conform to the standards of society and holding them answerable to those standards is what media accountability is about. He further defines media accountability as all "the voluntary or involuntary processes by which the media answer directly or indirectly to their society for the quality of and/or consequences of publication, the core reference of which is a process of public scrutiny, whereby the public activities of the media are confronted with legitimate expectations of the society".

According to Fengler (2008:175), media accountability in the digital age can be enforced through instruments such as press councils; ombudsmen; media criticism in the mass media; letters to the editor, correction boxes, editorial weblogs and media critics on social media. In addition, she lists transparency instruments such as bylines and more complex participatory instruments, like comment functions, buttons to report errors, media blogs, Facebook and Twitter profiles that are used for media criticism - which also apply to the South African context, as it was seen with the Tembisa 10 story and previous journalism scandals when the public assumed their 'fifth estate' role as media critics (Bertrand 2000:116).

However, Eberwein et al (2011:11) argue that such instruments may be too weak to have any considerable (even measurable) impact on the quality of journalism. Media scholars agree that media accountability therefore needs to evolve from the traditional oversight role by non-state institutions alluded to above and widen the parameters to include peer review mechanisms of accountability such as collective reputation-damaging condemnation. According to Campbell (1999:761), since the prescribed sanctions by regulatory bodies are not deterrent enough, journalists can only be successfully deprived of their reputation and credibility when their violation of ethics is publicly condemned by their peers. Fengler (2012:182) concedes that too often, knowledge about journalistic mistakes circulates only inside the profession – while journalists continue to demand full transparency, i.e. from the political sector.

Limor and Himelboim (2006: 265) argue that members of the press just don't apply the same ethical standards to their peers that they apply to politicians. They have a limited interest in fully exposing problems in their profession since they seek to remain on good terms with their colleagues and supervisors (Malik 2004). This is echoed by studies that found that journalists who cover media issues for quality shy away from criticizing their colleagues and supervisors (Fengler 2019:13). Pritchard (2000:2) adds that the essence

of accountability lies in naming, shaming and claiming. Essentially this means identifying a problem, naming the offending media, and claiming an apology.

Duncan (2014) argues that good journalists should not hesitate to speak out if any of their peers erode media ethics through poor ethical conduct. Peer review is an important principle for journalists as they have (or should have) no vested interests other than protecting the principles of their craft, while the same cannot be said for media owners, big business, governments, parliaments and others in positions of power, including in civil society. A growing number of scholars emphasised the need to hold each other to account. This includes an open letter by Joseph (2012:11) to fellow journalists who echoed the need to talk honestly and openly about ethics. She wrote –

> This is to ensure that we are holding each other, and ourselves, to account. We owe our audiences that much as we tread ever closer to a South African information landscape ruled more than ever before by secrecy and silence.

As media accountability manifests through peer-driven corrective mechanisms, this study illustrates that media outlets like *News24*, *Daily Maverick* and the *Conversation* acted as accountability enforcers in the Tembisa 10 scandal, demonstrating that journalistic integrity is often upheld by peer criticism rather than formal regulatory bodies.

5.3. Social responsibility theory as the normative imperative

Closely linked to media accountability is social responsibility theory, which mandates ethical journalism in service of the public good (Siebert et al 1956). This theory underscores the watchdog role of the press, but also extends to self-policing, where journalists uphold ethical standards by exposing errors in their own profession. This study confirms that the reaction to the scandal was an example of media accountability

in action, proving that social responsibility is not just about holding institutions to account, but also fellow journalists.

Historically, social responsibility theory of the media is known to describe the traditional, democratic role of informing citizens to enable them to make informed decisions (Satchwell et al 2021) and has since evolved to encompass a civic duty of using the power that the media wields to protect the public from harmful reporting by other media. Its origin can be traced back to the six normative media theories by McQuail (1987), that was developed from the four theories of the press by Siebert et al in 1968 in their book *Four Theories of the Press* (1956).

According to Fourie (2017:110), traditional normative media theory concerns the perceived and ideal role that the media plays in a society, or how to operate and perform if certain social values are to be observed or attained, and if the media is to contribute to the development and sustainment of democracy. The purpose of normative theory is also to be a yardstick against which the media's social responsibility can be judged.

Salas (2018:139) argues that social responsibility theory allows a free press without censorship and imposes an obligation on the media to accept public interference, professional self-regulation, or both. The theory lies between both authoritarian theory and libertarian theory because it gives total media freedom on one hand but external control on the other. Here, the media have an obligation to the public that amounts to a form of public stewardship. The theory links with the democratic process and the media are guardians of that process, vigilant on behalf of the citizens, with a duty to be honest and fair to all. The theory therefore balances the claims for freedom with the need for responsibility. It urges that in the public interest, and in the interest of true representation, both sides of a case should be stated. Professionalism was created in the media by setting up a high level of accuracy, truth, and information (Salas 2018:139).

Although Siebert et al (1968) placed emphasis on the media's responsibility to use its powerful position to ensure the appropriate delivery of information to audiences, if the media fails to carry out this responsibility, it may be relevant to have a regulatory instance enforce it. This theory therefore defines the media as a vanguard that protects the public from harm, the abuse of trust and holds others accountable. In this sense, the purpose of the normative theory, as Fourie (2017:111) argues, is to develop a yardstick against which media performance, accountability and quality could be measured and if needed, controlled.

Clearly, the idea of the media as having an indispensable democratic function is inextricably linked to its ethical obligations towards society. This normative thought is, for instance expounded in the preamble to the Code of the South African Press Council as it says, "ethical journalism is essential to realising the promise of democracy".

Therefore, the media's social responsibility to produce and distribute a diversity of content and facilitate debate about all the issues affecting the orderly functioning of society, is supplemented by the duty to expose anything that threatens social values and norms (Fourie 2017:110). This therefore calls on journalists to raise their hands to protect the news organization's reputation by pointing out errors, flagging important omissions, questioning misguided assumptions, or even revealing wrongdoing (Salas 2018:14).

It is clear from the above discussion that the responsibility to open the eyes of the public to irresponsible reporting and empower them to be more discerning in the consumption of news cannot be delegated to anyone else but the media itself. This redefines this theory by adding the dimension of media accountability to the traditional, societal role of the media.

5.4. Intermedia agenda-setting as the mechanism of influence

The agenda-setting function of the media, particularly inter-media agenda-setting, explains how dominant media outlets shape media discourse. This study examined how *News24* and *Daily Maverick* established skepticism as the dominant narrative, influencing smaller media outlets like *The Conversation* to follow suit in condemning the *Pretoria News* story. This reinforces the idea that media self-policing does not occur in isolation but operates within networks of interconnected editorial responses.

As a theory, agenda setting has been studied widely, applied, critiqued and developed by scholars over the decades. Historically, McCombs and Shaw (1972) laid a foundation for this theory, which examined the power of the media in determining which issues the audiences should focus on. Cohen (1963) observed that the media may not always be successful in telling people what to think but be successful in telling people what to think *about*. Conversely, media scholars argue that the original or 'first level' agenda-setting theory suggests that the media influences 'what' we think about (Wanta et al 2004), while the 'second level' agenda-setting in the digital era tells the audience *how* they think about an issue (Bro 2016), by persuading audiences to take a particular view or sway them in a certain direction of discourse.

In recent times, McCombs (2020) took it further with a new line of research by turning the focus inward to examine a phenomenon of media setting the agenda for each other, also known as 'intermedia agenda-setting'. His research documented evidence of a two-way relationship between media outlets, where both agendas mutually reinforce each other (Vargo and Guo 2017:1). This means that while journalists have been trained to report on stories with news values, they often look at their peers to validate their sense of newsworthiness (McCombs 2005) and to amplify their voices.

Media scholars acknowledge that research examining agenda-setting theory has evolved with the growth of digital media and acquired new nuances. According to Vargo and Guo

(2017:1), the diversity of media platforms does not necessarily translate to the diversity of content offered, they still share a highly similar news agenda and the new agenda-setting theory continues to take place online. While the original agenda-setting theory sees the media as a collection of independent actors, the inter-media agenda setting aggregates them as "nodes in a social network whose actions are influenced by the other nodes in the network" (Stern et al 2020).

Therefore, when *News24*, *Daily Maverick* and the *Conversation* led the charge as agenda setters in condemning the story by publishing counter-presses, they did not only get audiences preoccupied with the condemnation but also validated each other's editorial position on the controversy. Thus, the more negatively these news media portrayed the *Pretoria News* and the Independent Media group as journalism delinquents, the more they set the agenda for other news media and triggered similar reactions to the story, the reporter, the newspaper and the Group. Studies in this theory have examined how prominent media houses influence the agenda of smaller, less influential media outlets (Su and Xiao 2021). This was seen with the speed of reaction to the story by the *Conversation* (as a less influential outlet) when the *Daily Maverick* and *News24* led the charge as first-and-fast movers and the market leaders. By so doing, the two elite media outlets challenged the credibility of the *Pretoria News* and the Independent Group.

Patterns that emerged from their coverage mirrored each other - *News24* consistently reported that there was no medical evidence supporting the alleged birth of the decuplets. They cited findings from the Public Protector and the Department of Health. In furthering the agenda, *Daily Maverick* framed the story as an example of journalistic failure, emphasising how Rampedi was found to have acted recklessly in publishing the story. They both used analysts and media commentators who all spoke in one voice when questioning the story. This demonstrated the ripple effect that this had on other media. Once *News24* and *Daily Maverick* established the dominant narrative, other media outlets (notably the *Conversation*) followed suit, reinforcing skepticism, discrediting the story and ultimately enabling readers to dismiss, ignore or ridicule claims of a cover-up.

5.5. Scoop: The danger of being the first wrong

Journalism ethics form the moral compass that governs reporting decisions. Ethical breaches such as scoop-driven sensationalism without verification, undermine credibility and can trigger corrective responses from peer outlets. While scoops can set some media outlets apart from the rest by gaining respect from peers and audiences as a resourceful messenger, the pitfall lies in dying to tell it first without due diligence. In the context of the Tembisa 10 story, this study examines the theory of scoop and analyses debates by scholars and media commentators on the dangers of ignoring a basic tenet of journalism – verification!

Whilst at *Sunday Independent* in 2020, Piet Rampedi was praised for his sterling job in exposing the "PPE scandal" during COVID-19. The story implicated the husband of President Ramaphosa's spokesperson, as a beneficiary of the government's R125 million COVID-19 personal protective equipment contracts (Sunday Independent 2020:1). Sepotokele (2021) recounts that a year later, Rampedi decided to embroil himself in the decuplets scandal, all because of "scoop syndrome". Sepotokele therefore lays the blame for the decuplets saga at the door of pushing for a scoop. He argues that like in the PPE scandal, it is obvious that the "sources" trusted Rampedi, and they agreed that it would be his exclusive scoop because "that's how journalists operate, they like scoops because exclusive stories make one stand head and shoulders above the rest, and ultimately win awards" (Sepotokele 2021). The Group's internal ombudsman agreed with this assertion when they ruled that "the zealousness for a national celebratory scoop should have been balanced against the basic investigative tool" (Davies 2021).

Iggers (1998) defines a scoop as a piece of exclusive information obtained by a journalist or teamwork through private sources. Alejandro (2010) contends that it is linked to aspects such as fame and competition which impact on the work of journalists and the credibility of news. When a journalist thinks of getting a scoop ahead of other journalists, they are said to have "scooped" the competition. The scoops can take a lot of types and

forms such as scandals and hidden information, which by their very nature tend to be greeted with interest when their followers are exposed to the news (Pearson 2007). The story may also simply be significant or fascinating; breaking news is often a scoop (Safori et al 2017:59).

According to Adeyanju (2015:5), good scoops will attract a great deal from the journalists and media involved to get private information. Most media encourage their staff to pursue as many scoops as possible to increase the prestige, power, and perceived value of their organization. Mateus (2015:52) argues that one of the characteristics of the relationship between a scoop and the credibility of the news is that a journalist who is known for the speed of receiving a scoop may increase the degree of his credibility among the public, especially if the proportion of correct news was more than wrong, so, the proportion of follow-up be higher than his peers.

Phillips et al (2010) add that the ability to obtain exclusive information and publish it as a scoop is an advantage contributing to the spread of news and information between citizens and making the journalist an important source of knowledge of the latest information and current events. However, should the breaking news turn out to be incorrect, it will affect the credibility of the journalist and raise doubts about the future news published by him (Butler 2009). To be acceptable, the scoop must therefore be accurate, objective and honest (Pjesivac and Rui 2014), failing which credibility will collapse when journalists prioritise speed over accuracy, forcing elite media to intervene to restore trust (Campbell's 1999).

5.6. Foregrounding 'fake news' – disinformation and misinformation

The story of Tembisa 10 reminded audiences about journalism scandals that were born out of fabrications in recent times, which are revisited here to emphasise that the ethical lapse in the Tembisa 10 story was not a new phenomenon, but rather the same offence by a different offender.

As discussed in Chapter 2, fabricated information and hoaxes are far from new (Sunstein and Vermeule 2009:202) and disinformation is probably as old as the time when human beings started to live in social settings (Burkhardt 2017:5). The Book of Genesis in the Bible, for example, tells a story of how Adam and Eve were fed fabricated information by the 'crafty serpent' in order to disobey God's instructions (Jamieson 2018). In South Africa's national psyche, the word disinformation evokes a chilling memory of terror, frozen in apartheid strategy and tactics. In his book, *Confessions of a Stratcom Hitman*, Erasmus (2021) gives an account of how the apartheid regime ran a vast disinformation network called 'Stratcom', which created and disseminated false or misleading information to discredit anti-apartheid leaders and movements and influence international opinion. The book further lays bare the corruption and miscreants that permeated journalism praxis in which apartheid operatives and agents paid journalists to write negative stories about freedom fighters and pit them against each other.

Burkhardt (2017:5) contends that the "manufacture and spread of fake news has gone through phases of metamorphosis from the days of the pre-printing press to the printing press and now the age of social media and the internet" and the media has long disseminated misleading stories for their shock value (Wardle and Darkhshan 2018:10). The 'shocking' story of the decuplets thus gave rise to renewed concerns about disinformation and ignited debates about how newspapers take reputation-damaging risks, especially if they serve discerning audiences.

South Africa is no stranger to disinformation scandals that shaped the public and media discourse in recent times – key being the public relations 'white monopoly capital' campaign that was designed to counter the allegations of corruption against former president Jacob Zuma and the Gupta family and portray them as victims of white racism, aided by the mainstream media. The campaign was driven by a UK-based public relations agency, Bell Pottinger, and to achieve the campaign goals, hosts of fake pro-

Zuma Twitter accounts were created to counter the allegations against Zuma and vilify journalists who wrote about Zuma and the Gupta family. An analysis of where the tweets originated from seemed to point to media houses owned by the Guptas – the television channel *ANN7* and the newspaper *The New Age* (Wasserman 2020:7).

In another disinformation warfare involving media houses, the Independent Media, *News24* and *Daily Maverick* have in recent times accused one another of peddling disinformation about each other. In 2022, *News24* published the story from a leaked internal document - '*Inside Operation Hlanza*', which alleged a planned news strategy by the Independent Media to influence the outcome of the 2022 ANC elective conference (Singh 2022). In a counter-press, the Independent Media accused *News24* of engaging in nothing but yellow journalism, propaganda, and fake news (Dlamini 2022). The two traded blows since the Tembisa 10 story and their squabble caught the attention of the 2024 Reuters Digital News Report, which found rising misinformation concerns among South African consumers and highlighted mistrust in the South African media that was also driven by squabbles between news organisations -

> Some compromised news organisations continue to produce and disseminate misinformation, resulting in an unedifying to and fro between media titles, with the most obvious example being Independent Media's ongoing publishing of misinformation about *News24* and *Daily Maverick*, apparently in retaliation for investigative pieces by those titles (Bhana 2024).

The Report noted that 81% of South Africans were worried about misinformation, significantly higher than the global average. This report underscores the impact of 'fake news' on public trust and the media landscape in South Africa (Bhana 2024). It is clear that the phenomenon of 'fake news' has been harmful to South African democratic debate and journalistic values (Wasserman 2020:10).

5.7. Self-regulation and the culture of impunity

The story of the decuplets foregrounded scholarly conversations about journalists' obligation to abide by the ethics code and raised questions about the effectiveness of the media self-regulation system in South Africa. This study actively illustrates that there can be no debate about ethical, responsible reporting without reference to the (self)regulation model of the press. This study therefore adds empirical data to the ongoing debate about the sting (or lack thereof) of media self-regulation in South Africa.

Sepotokele (2021) observes that since the dawn of democracy, South Africa has had its fair share of journalism scandals, and "some are unforgiven, while some are not just scandals, but rather cardinal sins". Hadland (2007:12) recounts that senior South African journalists have in the past got themselves into difficulty with poor ethical conduct, which collectively has brought disgrace to the profession and diminished its social standing. A recent example includes the 2016 scandal by the *Sunday Times* in which the newspaper had to apologise and retract SARS 'rogue unit' articles after the newspaper was called out and shamed in the public sphere (Daniels 2020b:41).

Harber (2021) adds that over the years, there have been complaints that the self-regulatory system is toothless and ineffective, and incidents like the "Tembisa 10" story may fuel arguments for tighter regulation of journalism. But, he warns that it would be a mistake to go down this road. He argues that there is no possible system of control that can completely prevent misreporting, whether deliberate, manipulated or by mistake. Middleton (2009) contends that self-regulation is more or less effective depending on the individual journalist or media organization and lies at the mercy of the journalists' consciences.

According to Satchwell et al (2021:289), South African print journalism is replete with incorrigible violators of media ethics who leave and then later re-enter the profession.

They argue that there is a sense of impunity around misconduct. Journalists who have committed ethical breaches tend to quietly leave the profession and are seldom held accountable and later reinvent themselves elsewhere. These cases, as reviewed below - highlight that impunity is pervasive in journalism and that the self-regulation system could have done very little to deter the ethical breach in the Tembisa 10 story.

Examples of such cases or journalists who previously offended and later re-invented themselves include Piet Rampedi, Rob Rose, Mzilikazi wa Afrika and Stephan Hotstatter who by-lined the 'SARS roque unit' stories in 2015 and were, according to Daniels (2020b:52), all allowed to reinvent themselves. Rampedi resigned after the rogue unit scandal and later joined the *Sunday Independent* under the Independent Group as the investigative editor - four years before his appointment as the news editor of the *Pretoria News* (IOL.co.za). His then colleagues, Rob Rose, Mzilikazi wa Afrika, and Stephan Hotstatter followed suit and none of them seemed to realise the damage they had done, except for Rose. Wa Afrika, who was previously fired by the same *Sunday Times* for unethical behaviour, was later rehired and after the rogue unit apology, he remained in the Group. Rose later joined the *Financial Mail* as the editor, while Hofstatter defiantly launched a book on state capture (Pauw 2018).

5.8. Summary

This section has reviewed the corpus of literature to thrash out and critically examine the scholarly debates in relevant theoretical frameworks as the lens through which this study was approached. The examination of these theories reveals that most of these theories - if not all, have evolved in some way or the other to apply to the contemporary study of journalism, embrace the changing newsroom dynamics and respond to new challenges in the practice of journalism.

6. RESEARCH METHODOLOGY

6.1. Introduction

This section outlines research design, sampling, data collection techniques and analysis methods, highlighting their relevance and application in achieving the research objectives. In selecting the appropriate methodology, this study was thus guided by the nature and amount of data needed in order to fulfil the goals of this research endeavour.

6.2. Research design

This study is a mixed method of quantitative and qualitative research, which is a hybrid approach that involves collecting and analysing numerical and non-numerical data (i.e. text) to measure and understand concepts, opinions, or experiences (Bhandari 2020). The study is also exploratory in design with some descriptive dimensions. Reid-Searl and Happell (2012) contend that a qualitative exploratory design allows the researcher to explore a topic with limited coverage within the literature and allows a contribution to the development of new knowledge in that area. Sandelowski (2021:34) adds that a descriptive design should be the methodology of choice when the research aims to produce a straight-forward description of the phenomena.

6.3. Data sampling and collection

Sampling is a method to take subsets of documents to study, and in practice, it can be used to reduce voluminous data to a manageable amount of data (Neal 2013:517). The study sampled 78 articles and opinion pieces that appeared in the *Daily Maverick*, *News24* and *The Conversation* as the leading voices in this discourse – all of which were sufficient to answer the research question. The inclusion criteria required articles published between June 2021 (when the story broke) and March 2023 (when *Pretoria News* ceased to exist) as well as articles that explicitly reported on the story. This study

therefore used the desktop method of gathering the editorials and news articles from the *Daily Maverick, News24* and *The Conversation* published on their respective websites during the period under review and examined them for analysis of content and discourse. The researcher therefore visited their websites – www.dailymaverick.co.za, www.news24.com and www.theconversation.com to easily access the relevant articles. The fact that all these sampled news outlets are online publications made data collection easier than expected.

To ensure rigorous selection, the study employed a structured content search methodology, using specific keywords, phrases, and filtering criteria to identify relevant articles. Search terms included "Tembisa 10" and "decuplets story" which were entered onto the news websites of the sampled publications. Articles were filtered based on relevance to the research topic, ensuring the inclusion of pieces that engaged directly with the discourse surrounding the scandal. To filter in only articles with striking relevance to the topic, the 78 sampled articles and opinion pieces were cross-referenced for recurring themes and perspectives and coded accordingly to allow for accurate sampling and nuanced application of relevant theories. To ensure content accuracy and consistency, the researcher documented the specific dates when searches were conducted, tracking variations in media coverage over time.

This sampling strategy was intended to reflect leading South African print and online dailies, weeklies and investigative titles, thus capturing iverse perspectives (Wasserman et al 2018:149) as well as the range of constituencies they target as readers. The aim was to get a broad sense of the dominance and type of reporting found in leading news media across a spectrum of audiences. The inclusion of the *Conversation*, despite its lesser contribution, provided an academic lens on inter-media influence and journalistic ethics, ensuring a more comprehensive analysis.

The Table below shows a data sample of media outlets and the number of articles which appeared across their platforms between 2021 and 2023.

Year	Publication	News articles	Columns	Total
2021	News24	8	2	**10**
	Daily Maverick	7	6	**13**
	The Conversation	2	2	**4**
2022	News24	9	4	**13**
	Daily Maverick	8	6	**14**
	The Conversation	1	2	**3**
2023	News24	6	3	**9**
	Daily Maverick	5	4	**9**
	Conversation	1	2	**3**
	Total	**47**	**31**	**78**

Table 3: Articles about Tembisa 10 babies from sampled publications

This Table shows the number of sampled articles (78) about the story, which is essentially a sum of all articles and opinion pieces that were found and identified during the search across the three publications. As shown, this distribution reflects the initial surge in coverage in 2021, when the story first broke, followed by continued scrutiny in 2022 and 2023, as media outlets revisited the scandal in discussions on journalistic ethics and media accountability, as well as the announcement of Rampedi's resignation.

6.4. Content and discourse analysis

As a method of analysing the data, the study applied content analysis to quantify salient and manifest features of a large number of texts, and the statistics drawn are used to make broad inferences about the process and politics of media representation (Deacon et al 1999: 141). The aim was to examine the frequency of reactionary reporting, and the primary units of analysis were the counting of individual articles and editorials in the sampled publications, while secondary units of analysis were the headlines, paragraphs and sentences for thematic and tonal analysis. As shown in Table 4, the researcher

systematically developed a coding scheme with quantitative coding categories, their description and examples to reflect the discourse elements or themes expounded in the theoretical framework as metrics (e.g. ‘fake news’, accountability, media regulation, public trust, scoop etc) and analyse them for findings.

When manual coding is to be performed or research-intensive interpretation is required for the entire text collection, it simply requires two major activities: identify the complete text collection and identify units of analysis within these texts (Bernard and Ryan 1998). The coding process was thus carried out manually to systematically track each article and quantify how frequently each code appears across the three sampled publications. The researcher had to read each article fully and tag relevant passages according to the code category and name. Some articles had multiple codes depending on their content. In the findings (Tables 5 and 6), coded data were then analysed quantitatively (frequency of themes across outlets) and qualitatively (tonality, subtext, editorial patterns and strategies). Comparisons were made across the three publications to identify the extent and tone of condemnation and differences in how reactions to the ethical breach were framed. This rigorous coding and analysis process enabled the study to draw evidence-based conclusions about the media's self-reflexivity and editorial positionality in this scandal.

As discussed in Chapter 7, findings from the coding process were integrated with theoretical insights on media accountability, intermedia agenda-setting, media ethics and the social responsibility role of the press. This thematic coding with narrative analysis allowed for an informed, contextual understanding of how these publications engaged with one of the country’s most controversial media scandals.

Code category	Code name	Description	Example extract/s
Tone	Negative	Article, headline or paragraph explicitly criticises the story or the breach	'*It is difficult to imagine a bigger journalistic disaster than the decuplets story'*.
Framing	Sensationalism	Use of exaggerated, dramatic or emotionally charged language, sarcasm, metaphors	Terms such as '*car crash journalism'*, '*media frenzy'*, and framing the decuplets as '*mythical creatures or tokoloshe'*
	'Fake news' (misinformation, disinformation)	Articles or headlines or paragraphs explicitly labelling the story 'fake news', hoax, propaganda, false report	'*Internal report on the decuplets story found it was a hoax and demanded an apology'*.
	Scoop and sensationalism	Articles criticising the pursuit of exclusives over accuracy or failure to fact-check	'*Rampedi decided to embroil himself in the decuplets scandal, all because of scoop syndrome'.*
	Credibility challenge	Language that questioned the veracity of the story	*'The Group's independent inquiry found that the story was a hoax.'*
	Public trust	Articles discussing media credibility, loss of trust, declining readership, and reputational damage	'*Poor market performance of the Pretoria News as a result of trust factor being seriously compromised'*.
	Media critique	Attacks on Rampedi, Survé or the media group	*'Survé is destroying what used to be a credible set of newspapers'*
		Called for the newspaper to retract or apologise	*"This was a low point in journalism, there is a need for trust-restoration"*
		Called for Rampedi to resign	'*If Rampedi had any decency, he would have resigned. If there were any accountability left at the Independent Group, he would have been fired'*.
Media ethics discourse	Media accountability	Discussed the importance of media accountability	That Rampedi is *'accountable to the public'*
	Self-regulation critique	Discussed the effectiveness of the Press Council, or mentions Press ombudsman complaints, ethics codes	Traces of words such as '*toothless', ineffective', 'reactive'*
Cross-media referencing (Agenda-setting)	Focus on other news media by news media	Quoted or cross-referenced another media outlet for alignment of narratives	'*As reported on News24…*'

Table 4: Coding scheme for content analysis

To circumvent the shortcomings of the quantitative content analysis method, such as the neglect of latent meanings of texts or the context of news production (Wasserman et al 2021:337), the researcher added a qualitative dimension of a subjective and interpretive approach in the form of discourse analysis. This was informed by the research objective, which was centred around examining the use of language and other subtleties, identifying recurring narratives and discerning underlying editorial ideological stances and biases, as well as themes that were omitted. While keeping the research question in mind, the analysis looked at the headlines and the body of the articles and editorials to understand the narratives, language and tone.

This method is in line with a view by Schreier (2012) who contended that content analysis has evolved from 'a counting game' to a more interpretative approach within the qualitative paradigm. This is important for two reasons: discourse analysis is used as an analytical framework and qualitative content analysis as a method, and the results of content analysis are interpreted through the lens of discourse (Alejandro and Zhao 2024:464-5). In addition, a critical element of discourse analysis is also to review what is 'excluded from the text' (Cramer 2009:222) and reference to what was excluded from the texts provides an understanding of the editorial approaches of sampled publications on the scandal. These helped the researcher to identify any differences between the sampled publications as well as shifts in discourse over time.

6.5. Research limitation

This study did not focus on any previous ethical breaches by the Group or *Pretoria News,* but specifically on the decuplets story and the snowballing events that followed during the period under study (i.e. June 2021 to March 2023). The study was also limited to the analysis of text and did not analyse the use of images such as photos, cartoons, graphics or other visual material that may have accompanied the sampled articles to reinforce the

message. Lastly, it was not the scope of this study to look into any link between the effect of the reaction, loss of credibility if any, and the ultimate closure of the *Pretoria News.*

6.6. Ethical considerations

Given that this study exclusively involved the analysis of textual data and did not engage human participants, an ethics waiver was granted. Despite the absence of direct human involvement, ethical considerations were still paramount, such as the need to ensure the authenticity of the news articles, opinion pieces, and other internet sources. This measure was crucial to upholding the ethical standards of the research and the credibility, validity, and reliability of the findings.

7. FINDINGS

7.1. Introduction

This section presents the findings from collected data mainly to answer the question of how the sampled publications used their editorials and news articles to condemn the ethical breach and enforce media accountability. The analysis links the findings to the theoretical framework, particularly agenda-setting, media accountability, social responsibility theory, and media ethics. It also provides a comparative analysis of the subtle differences in editorial approaches, interprets the findings, and discusses the significance and implications thereof.

7.2. Analysis of data

In answering the question of how the sampled publications used their articles and opinion pieces to condemn the story, coded data shows that the three publications mirrored each other while noting some differences and variations in how they handled the controversy and fared in the discourse.

Code	News24	Daily Maverick	The Conversation	Total
Labelled the story ‘fake news’, hoax, fabrication, propaganda	11	12	2	**25**
Critiqued media frenzy	11	12	2	**25**
Examined impact on public trust	11	12	2	**25**
Tone (exaggerated, dramatic language, sarcasm)	5	7	1	**13**
Credibility challenge (language probing the veracity of the story	6	8	2	**16**
Criticised scoop-driven journalism	1	2	0	**3**
Importance of accuracy and truth	7	6	0	**13**
Importance of media accountability	8	7	4	**19**
Criticised Rampedi, Survé, Independent Media group	3	3	1	**7**
Called for Rampedi to retract or apologise	1	1	1	**3**
Called for Rampedi to resign	2	2	0	**4**
Discussed Press Council and self-regulation	3	3	1	**7**
Referenced external media coverage (agenda-setting)	4	5	4	**13**

Table 5: Content analysis of coverage

This Table compares the number of articles that quantify the coding frequency or how often each publication engaged with key themes such as ‘fake news’ (i.e misinformation or disinformation, media accountability, media frenzy, public trust, and self-regulation. *News24* and *Daily Maverick* each published 11 and 12 articles, respectively, which

declared the story as ‘fake news’, indicating a deep critique of the story and its broader implications. This Table displays the number of articles in which the sampled publications decried the media frenzy or sensationalism, which was notably strong, with *Daily Maverick* (12 articles) slightly leading *News24* (11 articles) in critiquing the sensationalism surrounding the false story. This aligns with *Daily Maverick’s* editorial style, which uses sarcastic and metaphorical framing, as seen in its references to the decuplets as ‘*tokoloshe* journalism’. The finding also confirms that journalistic scandals can heighten discourse on media trust, as seen in *News24’s* framing of the issue within the broader concern over fake news and media credibility (Wasserman 2021). The media frenzy critique also highlights its negative effects on public trust., which is consistent with the 2022 *State of the Newsroom Report*, which found that trust is increasingly the currency foregrounded by South African news sites, but that some news sites were actively contributing to an erosion in trust, which could be found in the “concocted” decuplets story (Gumede 2022).

The Table also highlights reflections on scoop journalism which appears far less frequent, indicating that while the publications condemned reckless reporting, they did not explicitly critique scoop culture as a systemic issue. This could reflect a reluctance to discourage investigative journalism altogether, even as they acknowledged its pitfalls when verification is neglected. Nonetheless, this finding reinforces previous research indicating that scoops without verification can be landmines in a field, waiting to torpedo negligent media outlets, in line with Campbell’s (1999) argument that credibility can collapse under public scrutiny when factual errors are exposed. The frequency of media critique - *News24* (3) and *Daily Maverick* (3), which was essentially about attacks on the Independent Group, Rampedi and Survé, confirms that the watchdog function of journalism, demonstrating that peer-driven condemnation plays a critical role in enforcing journalistic accountability. Furthermore, *News24* and *Daily Maverick* each published 2 articles pushing for Rampedi’s resignation, while *The Conversation* did not explicitly advocate for his removal but instead focused on media accountability as a

structural issue. *News24* and *Daily Maverick* framed his removal as a necessary accountability measure that could have set a precedent for similar scandals in future, called for by journalists themselves as they felt his continued presence at the Independent Group undermined journalistic credibility. This is in line with Duncan's (2014) argument that "good journalists should not hesitate to speak out if any of their peers erode media ethics. Peer review is an important principle for journalists as they have (or should have) no vested interests other than protecting the principles of their craft."

Another key observation is that while media critique was strong, direct demands for accountability through retraction or apology were less frequent, with the three publications running one article each to call on Rampedi or Survé to retract or apologise. It is worth noting that three pieces discussing the need for retraction or apology were published *after* Rampedi addressed an 'apology' to his colleagues in which he made it clear that he would not retract, as he stood by the story and blamed the government and his detractors (IOL.com). Demanding a retraction or apology after such an obstinate attitude would have thus been futile; hence one article apiece.

The Table further provides a comparative analysis of how these publications fared in highlighting the significance of accuracy and accountability. *News24* and *Daily Maverick* each published 11 and 12 articles out of 25, respectively, reflecting their unwavering emphasis on the importance of accuracy and accountability. They collectively understood that "accuracy is not only demanded by the Ethics Code but also entrenches professionalism in the media by setting up a high level of truth, and information" (Salas 2018:139). This synergy between the two not only strengthens their individual credibility but also collectively shapes public discourse, reinforcing the importance of responsible journalism. The consistent focus on these themes across all three publications underscores the importance of the role of journalists in society in holding each other to account and being critical of those who erode public trust in the media through unethical reporting. This is in line with the argument by Pritchard (2000:2) that the essence of

accountability lies in naming, shaming and claiming. Essentially, this means identifying a problem, naming the offending media, and claiming an apology. This finding therefore confirms that the competing theories of media accountability and journalism ethics tend to share a common baseline – that media self-criticism and accountability are alive and have not faded into the background. As it would be expected, *The Conversation*, with just two articles, did its bit in the discourse, although to a lesser extent, because its approach to the discourse is more academic and theoretical in posture.

The Table also provides insights into the publications' reflection on media regulation, including the limitations of self-regulation. Interestingly, the scant focus (7 in total) on media self-regulation is an oddity that deserves emphasis as they all missed an opportunity to heighten debates about South Africa's self-regulation regime, especially amid concerns that the 'Press Council is considered a weak, inadequate' instrument (Harber 2021). As journalists acted as self-regulating watchdogs, criticizing the breach rather than waiting for formal sanctions from regulatory bodies. This aligns with Bertrand's (2000) perspective, which argues that non-state accountability measures, including peer review and public denunciation, are critical in maintaining ethical journalism. The backlash was therefore a real-world demonstration of how journalists hold each other to higher ethical standards - a key pillar of social responsibility theory.

The Table also reveals how often each publication referenced or engaged with the coverage of other media outlets regarding the Tembisa 10 story. A total of 13 articles were found to have been cross-referenced (with hyperlinks) between publications, thus allowing readers to navigate seamlessly between their reactionary coverage of the Tembisa 10 story. This finding reinforced the intermedia agenda-setting effect, where these sampled publications influenced each other's coverage of the reaction to the story. The three publications thus mutually reinforced and amplified each other's editorial narratives, as argued by Vargo and Guo (2017:1), and served as echo chambers of each other's ideological standpoints.

7.3. Comparative discourse analysis of editorial approaches

While *News24*, *Daily Maverick*, and *The Conversation* collectively shaped media discourse and denounced the Tembisa 10 story, their editorial strategies subtly differed in tone, emphasis and depth.

Publication	Editorial approach	Tone and style	Key focus
News24	Investigative, Factual	Institutional, Neutral	Verification, Institutional accountability
Daily Maverick	Critical, Analytical	Sarcastic, Reflective	Ethical failure, media regulation, ownership issues
The Conversation	Scholarly, Theoretical	Academic, Authoritative	Media accountability, journalism ethics, broader misinformation trends

Table 6: Comparative discourse analysis of editorial approaches to the Tembisa 10 scandal

As shown in Table 6, the three publications played complementary roles in shaping the narrative condemning the Tembisa 10 scandal. *News24* led the investigative response, *Daily Maverick* critiqued the ethical failures with sharp analysis, while *The Conversation* provided scholarly reflections on media accountability, as analysed interpretatively hereunder, using representative quotes to illustrate each theme.

7.3.1. News24

News24 adopted a fact-driven, investigative approach, positioning itself as the first elite media outlet to challenge the accuracy of the story. It focused heavily on verifying claims and relied on government sources, hospital records, and legal experts. Its early skepticism and reporting of official denials set the tone for other outlets to follow. Additionally, their coverage emphasized institutional accountability rather than individual journalistic failure. By consistently referring to government statements,

hospital denials, and public protector findings, *News24* framed the story as an exposé of journalistic malpractice affecting broader trust in the media. Their first article, "*No record of 10 babies born in any Gauteng hospital, says provincial government"* (09 June 2021) was published a day after the decuplets story made headlines, thus arguably making it the first 'competitor' to react and contradict the *Pretoria News* and the Independent Group. Gauteng Premier's spokesperson, Thabo Masebe, said the provincial government had checked with private and public hospitals across Gauteng and found no record of the woman and her babies. He added –

> Since yesterday (08 June 2021), we checked all public hospitals and none of them are aware of the babies. We also checked with all private hospitals, and none of them are aware of the woman and her babies. Maybe it happened in other provinces but definitely not in Gauteng.

News24 therefore did what the *Pretoria News* should have done – verifying the alleged 'birth' and confirming with government authorities before publishing the story as fact. This corrective approach to news implicitly declared the *Pretoria News'* version of the story as a dance around the facts. While the *Pretoria News* mainly quoted their own "sources" within the Group, *News24* went the extra mile and spoke to the family relatives, government authorities, media law experts, medical experts, medical lawyers and other credible voices who were drawn from diverse backgrounds to provide insight and unravel the story. And in all 45 sampled articles, they examined the unfolding events and revealed various claims and counterclaims, leading to investigations and the eventual debunking of the story. Conflicting statements from the family, government officials, and media outlets were analysed, along with efforts to verify these claims. The chronological account begins with the initial report of the birth and concludes with the admission that no decuplets existed.

In another piece, *"Tembisa 10: Car-crash journalism"* (18 June 2021), the publication describes the scandal as a significant ethical lapse.

> If Rampedi had any decency, he would have resigned. If there were any accountability left at the Independent group, he would have been fired. But we know that for Independent Media, accountability is an inconvenience - otherwise, they would not have withdrawn from the Press Council, which certainly would have found Rampedi to again be in breach of its Press Code.

Wasserman decries the decadence at the Independent Group and condemns them for lack of accountability in their failure to acknowledge that they got it wrong. He further contends that their withdrawal from the Press Ombudsman was a firm strategy and a calculated tactic to evade scrutiny and consequences from an independent regulatory authority. Overall, Wasserman uses strong, unequivocal language to rebuke a laissez-faire type of leadership from Survé, which he implies cascaded down to Rampedi or the senior editorial staff, and thus morphed into an organisational culture of impunity.

7.3.2. Daily Maverick

Daily Maverick took a more reflective, analytical stance, focusing on broader implications of journalistic ethics, media regulation, and ownership interference. Unlike *News24*, which emphasised verification and fact-checking, *Daily Maverick* foregrounded Rampedi's credibility, exploring how his previous journalistic scandals contributed to this ethical failure. Its coverage was more critical of Independent Media's leadership, particularly Survé's role in eroding the credibility of his newspapers (Harber, 2021). *Daily Maverick* was unapologetic in condemning the media frenzy, using sarcastic and metaphorical language such as likening the decuplets to the *tokoloshe* (a mythical creature), to highlight its absurdity. Moreover, *Daily Maverick* engaged extensively with media ethics scholars, drawing on theoretical perspectives in its editorial critiques, something *News24* did less. In the first opinion piece, "*The disappearing decuplets: deconstructing the fable of the 10 babies*" (16 June 2021), the publication confirmed that

the ‘Tembisa 10’ babies never existed and critiqued the media frenzy and public gullibility surrounding the story.

> They never existed. The 10 tiny babies we yearned to see lined up next to each other in gender-matching bootees: they weren’t real. Mourn them at your leisure but mourn them we must. They are as fake as Hitler’s diaries, as the Cottingley fairies, as the *tokoloshe* stealing your life force.

The choice of the word “fable” in the headline, and the analogy in saying that the alleged birth is akin to “tokoloshe” suggest that the *Daily Maverick* dismissed the story as a mythical, phantom puff piece that shouldn’t have gained traction. It also suggests an element of mischief on the part of the Independent Group in running such a story. In another news article, “*Independent Media’s internal report on Rampedi’s decuplets story found it was a hoax and demanded an apology”* (29 October 2021), the publication vindicated itself for being among the first to discern and declare to the readers that the story was fabricated.

> “Why was the main headline on a world exclusive story about a mother giving birth to decuplets angled on an appeal for donations? Why would a ‘feel-good story’ of about 20 paragraphs contain 13 references to appeals for donations in cash and kind, as well as two graphics containing bank account numbers of Sithole and the alleged father and drop-off details for donations?”

As a novelty, the story and the appeal for donations may have attracted sympathy from readers through massive donations to secure the welfare of 10 newborns and lift the burden off the shoulders of the parents and family. The use of critical, sarcastic and analytical language in this condemnation therefore was intended to probe the unscrupulous motives of the Group, uncover the truth and hold the Group to account. The language suggests that the story was a calculated hoax, a scam that was designed to swindle unsuspecting readers and good Samaritans into opening their hearts and wallets

towards a non-existent cause. This represented a commitment to truth and transparency, emphasizing the role of the media in protecting society from abuse of trust, fighting impropriety by journalists themselves; and a demonstration that journalists are indeed not beyond reproach.

7.3.3. The Conversation

In contrast, the *Conversation* provided fewer articles (3%), but its analysis was deeply rooted in academic discourse and media ethics debates. It framed the story within the historical context of disinformation, ethical breaches, and declining media trust rather than merely exposing factual inaccuracies. The *Conversation* examined the institutional failures of South African journalism, discussing how self-regulation and ethical accountability need reforms to prevent similar breaches. It positioned the controversy within the global concerns about misinformation, linking the case to broader scholarly discourse on journalism credibility.

It published two editorials on the story. For example, in the article, "*Why the handling of a false South African news report about 10 babies has set off alarm bells*," (4 November 2021), penned by a renowned media scholar, Anton Harber who laid into the owner, Dr Survé – criticising his leadership style of subverting media ethics.

> South African newspaper proprietor Dr Iqbal Survé has long pushed the boundaries of credibility, but recently he crossed the line into full fantasy. Should South Africans pay any attention to Survé? And what is to be done with a rogue publisher? As a media practitioner and commentator for over four decades, I am of the view that Survé is systematically destroying what used to be a serious, credible set of newspapers.

Harber employed a narrative style that not only recounts the contemptuous circumstances of the ethical breach but also interrogates the underlying factors such as media frenzy or sensationalism that may have contributed to such a sustained spread of the fake news

story. This attitude emphasises that journalism reserves particular scorn for the violators of its honour and integrity. In another article, "*False story about decuplets was a low point for journalism: how to fix the damage*" (02 July 2021), the author went to great lengths, focusing on the ethical lapses and the need for improved journalistic standards of conduct. He reflects -

> It is difficult to imagine a bigger journalistic disaster than the recent Decuplets story. But it may present an opportunity to think anew about what could be done to address journalism's crisis of trust.

The publication here highlighted the repercussions of publishing unverified information and the subsequent erosion of trust in the media. However, it also flashes the lights of caution against the temptation to use this story to paint the media as a whole with the same brush, and consequently fuel arguments for tighter regulation of print journalism. The subtext and tonality therefore reflected a critical but reflective tone, intended to encourage deep introspection within the media industry and provoke thought about how journalists can be paragons of virtue who espouse exemplary, servant values as truth crusaders. The article is a call to action, urging editors, journalists and readers to be more diligent and discerning in the production and consumption of news.

7.4. Discussion

The findings are conclusive in their purpose as they have adequately answered the critical question of who watches the watchdog in the event of an ethical breach. It is indeed the journalists themselves who wield the power and resources to hold each other accountable for unethical reporting in order to restore public trust in the media and secure the credibility of the individual media outlets. This aligns with Bertrand's (2000) concept of media accountability, which posits that journalism is self-policing through peer-driven corrective mechanisms. *News24* and *Daily Maverick* did not merely expose the falsehood but actively contributed to the reputational damage of *Pretoria News*, exemplifying non-state accountability enforcement. This also resonates with McQuail's (2005) argument

that media accountability is often more effective through informal industry responses rather than formal regulatory intervention. The three publications were therefore successful in exercising their power without leaving it all to regulatory bodies but collectively assumed positions of power as the unparagoned guardrails of oversight and the newly emerging structures of media accountability.

The editorial ideologies of the three publications mirrored each other as agenda-setters when they embraced unprecedented courage to condemn a media group as powerful and influential as the Independent Group. The Tembisa 10 story serves as a crucial case study in how journalistic missteps can trigger industry-wide corrections, reinforcing intermedia agenda-setting, which confirms McCombs' (2005) argument that journalists often look at their peers to validate their sense of newsworthiness and amplify their voices. The findings also support social responsibility theory, which emphasises that journalism must serve the public interest (Siebert et al. 1968). By framing the Tembisa 10 scandal within broader concerns of 'fake news', the three publications exercised their watchdog function, ensuring that fabricated stories do not remain unchallenged. The backlash was thus not just about rectifying a falsehood but also restoring public trust in credible journalism. This therefore, represented a shift in the media discourse from the old ostrich-in-the-sand approach to a sword-wielding vanguard in action.

Moreover, the study foregrounded critiques of the limitations of not only the media self-regulation system but also the inadequacy of the internal ombudsman. The failure of the Group's internal ombudsman in preventing the Tembisa 10 scandal or adequately enforcing compliance with their recommendations (retraction or apology) casts doubt on their authority and legitimacy. It thus suggests a need to abandon such individualised internal oversight instruments, echoing Krüger's (2009) argument that such systems often serve media owners' interests rather than the broader journalistic integrity. This case also validates Middleton's (2009) assertion that internal ombudsman is only as effective as individual journalists' commitment to ethics, rather than the strength of regulatory institutions.

The backlash also provided ethical lessons to all print media houses about the importance of balancing a scoop with factualness and accuracy in order to maintain credibility through the discipline of verification. Beyond feeding the body of journalism scholarship, the implication of these findings extends to the practice of journalism. The study may have sampled and examined only three news media outlets, but it generally highlights the deeper impact of material omissions in story writing. Print media should therefore never take verification for granted, which Salas (2018:111) says is what separates journalism from other modes of communication, such as propaganda, fiction or entertainment. Therefore, earnestly wanting to tell it first without verification and subsequently obstinately refusing to apologise upon being made aware of the breach or after being ordered to do so is a cardinal sin that can be costly to the reputation of a journalist and the credibility of a publication. It is argued in the reviewed literature that the media can make and break the reputations of others (Curran et al 1982), equally, the media can also make and break itself. In this regard, the findings of this study have highlighted the fatal consequences of unethical reporting, which can, in serious cases such as this, make a media outlet fall on its sword.

7.5. Summary

This section has presented the findings, which answered the two research questions of (a) how the three sampled media outlets used their news articles and opinion pieces to condemn the ethical breach in the Tembisa 10 story and (b) how or whether the media self-regulation system could have deterred the breach. The sampled and analysed data illustrated that the news media do not shy away from exercising the normative role of holding the violators of media ethics to account and protecting the public from harmful reporting.

8. CONCLUSION

This study has examined the reaction of *News24, Daily Maverick* and *The Conversation* to the Tembisa 10 story through the lens of social responsibility theory, media accountability, agenda-setting and media ethics. Using analysis of content and discourse as a method, the study has answered the central research question of how the media can hold itself to the same ethical standard of conduct that they do unto those who hold the levers of State power. By leading the discourse against ethical breach in the Tembisa 10 story, the three sampled media outlets did not only provide a template for media accountability, thus redefining the normative role of the media in society as a watchdog that watches itself, but also set a precedent for themselves and the entire local media landscape for a future impetus to do the same in the event of another serious scandal, or possibly deter any breach.

The Tembisa 10 scandal illustrated that self-regulation in journalism is not just an abstract principle but an active process, where competing media outlets shape ethical boundaries through peer-driven accountability mechanisms and intermedia agenda-setting. This underscores the public stewardship role of elite media in zealously guarding the integrity of journalism, thus redefining the watchdog role of the media. The study has highlighted that journalistic credibility is often preserved not by formal sanctions but by reputational consequences, as seen in how *News24*, *Daily Maverick's* and The *Conversation* sustained scrutiny that forced *Pretoria News* and the entire media group into a credibility crisis. This aligns with global discussions on misinformation and media trust, proving that competitive editorial forces can act as *de facto* regulators when formal regulatory structures are weak or absent. South African journalism can thus learn from this scandal by embracing mechanisms that formalise peer review.

The study has also raised critical questions about the limitations of the Press Council, particularly when major players are allowed to opt out on a whim to go and do as they

please. This thus opens a window for future research. However, the question of whether or not the Press Council is effective in enforcing the Ethics Code is a debate that will rage on between researchers, journalists and students whenever there is an ignominious ethical scandal. Nonetheless, the researcher agrees with the argument that it would be wrong to causally compare the deficits in news reporting with any lack of quality in self-regulation. After all, one cannot blame the high crime rate on the quality of our courts (Krüger 2009:25). Ethical breach is an individual conscience issue before it's a regulatory issue. The Press Council alone cannot fight and end ethical breaches, no matter how hard it tries. Ethical reporting needs every single journalist to uphold and respect the Press Code. It also needs like-minded media outlets to rise to the occasion and speak out against the subversion of media ethics. More importantly, the ethical lapse of one offender should not be imputed to other journalists because, as Robertson (2024) reveals, "there are several good journalists who work at Independent Media whose work is compromised by the ethical breaches of a few".

At the time of this research, the decuplets would have been four years old – had they been real. *Pretoria News* would have been 127 years old and probably still leveraging its history to serve its metropolitan foothold. However, the reputational damage it suffered from this scandal was arguably too severe for the newspaper to withstand. It is said that correlation does not prove causation but can be an important piece of evidence (Meyer 2009:223). The researcher therefore treats this as a puzzle since it was not the scope of this study to examine or find a causal link between the decuplets' story, loss of credibility and the closure of this publication. However, scholars agree that unethical reporting does lead to a loss of credibility. Elsewhere, an ethically compromised person is very unlikely to rise to a position of trust; it dogs the offender through life like an albatross around the neck (Hile et al 2023) and in the case of *Pretoria News*, this unethical conduct cannot be discounted or ignored in the study of its fate and the story may have done an injustice to the newspaper's bottom line. The story of the Tembisa 10 babies may thus be remembered as a scandal that overshadows and outlives the legacy of the *Pretoria News*.

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