

CHAPTER ONE



What is investigative journalism?

Learning objectives

By the time you have read this chapter and worked through the exercises and reading, you will know how to:

- Define the practice of investigative journalism
- Discuss the mission of investigative journalists and some of the ground rules they need to observe
- Discuss the skills and personal qualities investigative journalists need
- Identify topics and approaches appropriate for investigative stories and
- Discuss, critique, and derive pointers from examples of African and other investigative journalism.

This first chapter will also provide a map of the chapters that follow, and provide you with some tools and terminology that we'll be using throughout the book.

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Defining investigative journalism

*Congolese Eric Mwamba is a freelance journalist. He and colleagues, some of whom worked on *Le Rebond* newspaper, were distressed by what they saw as the hypocrisy of their government, which came to power denouncing the corruption of the previous regime, but rapidly became embroiled in scandals of its own. Here, he tells the story of his paper's efforts to reveal what was going on.*

Why did you do this investigation?

The need to do this article arose from our wish to clarify the duplicity in the political discourse of our country's leaders – actually of all politicians, whether in opposition or in power. Jean-Jacques Rousseau said it already: "Politics is neither religion nor morality". We saw a need to enable the people, often illiterate and naive, to understand the vast difference between electoral promises and the actual exercise of power.

We are now led by an elite who for 30 years took great pains to denounce corruption, fraud, bad governance, political assassinations and the force-feeding of an official ideology, with the objective of achieving a democratic alternative. In opposition, these people claimed that if they were elected they would lead the way towards the collective well-being that people craved.

But only seven years after these 'socialists' obtained supreme power, they are at the centre of financial scandals and with personal wealth estimated in billions, whilst the people's misery has become intolerable.

How did you tackle the story?

In order to get to the bottom of the rumours, colleague Paul Arnaud Digbeu investigated the bank accounts of the men and women in power. He compiled a list of 38 names and published the list in an article titled "The FPI's 38 billionaires". (*Le Rebond* no. 203 of 12/09/2007) The FPI is the Front Populaire Ivoirien, the party of President Laurent Gbagbo.

What happened after you published?

The amounts found were so high that everybody was asking if it was really possible for these individuals to have amassed such riches in such a short space of time, and many even doubted the veracity of (Digbeu's) report on that basis. After the publication, *Le Rebond* was charged with "insult to the Head of State" by chief prosecutor Raymond Tchimou, and was also hit with a civilian charge for "defamation" by a parliamentarian close to the presidential couple, joined for the occasion by the first lady herself.

Did you do any follow-up investigations?

We had to continue the investigation in order to establish that our figures were correct. Our follow-up was published in the pan-African paper *Africa News*, in its 1 December issue. During the investigation, we sought to understand the system put in place by the predators, the techniques, methods and state, parastatal and private structures used as sources of enrichment. We also sought to understand the consequences of this for the state and the people. We assembled newspaper articles, NGO reports, and expert sources: an economics professor, a political author, civil servants at the Departments of Economy and Finance and Environment, a banker, customs officials.

How long did the work take you, what difficulties did you encounter, and how did you overcome them?

We worked for two months. The published article is only a partial reflection of this work, because we are still faced with massive difficulties. We deal with mistrust from those who possess information, no access to official documents, lack of financial means, death threats and intimidation.

The majority of those who hold important documents and first hand information have advised us to remember our "obligation to treat information in a particular way" in "times of war".

Another difficulty is that doing this type of investigation requires a lot of money. One may have to buy documents and also pay for expenses for transport and communication. In front of the wall separating the press and official sources, one may have to resort to leaks, private detectives and others, all in need of finance.

Until the next episode.

Eric's account reveals many of the difficulties encountered by investigative journalists in Africa, and also some of the dilemmas and contradictions involved. For example, he talks of 'buying' documents, and of being forced to resort to money-hungry sources. These are issues we'll discuss in our chapters on sources, interviewing and ethics, later in the book.

But Eric's story provides us with an example of an investigative project that fits most people's idea of what investigative reporting is all about: "Investigative reporting reveals scandals, and shames corrupt individuals. It uncovers secrets somebody wants to keep hidden." For others, however, Eric and his colleagues were simply doing what any good journalist would do. For them, "Investigative reporting is simply good reporting."

Investigative journalism: **competing definitions**

But are these the only ways to define the field? There are probably as many definitions of investigative reporting as there are journalists working in the field. One reason for this is that investigative journalism as a specialism within the profession is relatively new, and we are still developing appropriate models. And all journalism belongs to one community and field of endeavour. So there is no wall between 'community journalist', 'environmental journalist' and 'investigative journalist': any journalist becomes an investigative journalist when their story grows in scope and depth beyond a routine report.

Investigative journalism in Australia, America and Europe

Good journalists have always been investigators, and still are. Journalist John Pilger has written in the *Sydney Monitor* about his fellow Australian Edward Hall Smith who, as far back as 1826, when Australia was still a colony, began campaigning against official corruption and the ill-treatment of convict labourers – and went to jail for his efforts.

But it was only a century or more later, when news media had grown much more established, larger, and more diversified, that specialised investigative 'desks' began to emerge, often to work on longer stories that needed more resources and skills. And for many readers, it wasn't until the 1960s and 1970s and, most prominently, the worldwide publicity given to the Watergate investigation in the USA and journalists Bob Woodward and Carl Bernstein, that the idea of the 'investigative journalist' took root. Woodward and Bernstein followed up a tip to uncover and painstakingly prove large-scale illegal activities by then US President Richard Nixon and his agents. Nixon was forced to step down, and the book – and later a film – *All The President's Men*, made Woodward and Bernstein, what they did, and how they did it, the foundation for much popular discussion and imaging of investigative press work.

But other investigative stories have made a similar impact in America. Seymour M Hersh helped uncover the massacre at My Lai during the Vietnam War, and has recently contributed to the debate over the US occupation of Iraq by exposing the abuse of prisoners at Abu Ghraib detention centre. Stephen Grey has revealed the story of 'extraordinary renditions' whereby terror suspects are secretly relocated by the US from prisons in countries that do not allow torture to prisons in countries that do.

In recent years, journalism students at Northwestern University near Chicago worked in a team with their law professor and some local reporters to investigate death-row prisoners. They discovered that around 60 percent of those convictions were unsafe; the prisoners were released and the governor of the state resigned.

The devastating failure to provide adequate relief to the city of New Orleans after Hurricane Katrina was revealed by local reporters refusing to take official statements at face value. Perhaps some of the most courageous investigative reporting has taken place in the countries of the former Soviet Union where, for example, Russian journalist Anna Politkovskaya was assassinated for digging too deeply into the abuses that accompanied Russia's military campaign against Chechen separatists.

But because the term is relatively new, one of the most regularly recurring images of the investigative journalist at work comes from a film. The movie *All The President's Men* left the legacy of a particular image of investigative reporting: brave and quite individualistic reporters, alerted by tip-offs, bringing down a powerful and corrupt figure. This image has shaped many of the definitions of investigative reporting we encounter. But as we'll see, while it is important, it doesn't present the whole picture of investigative journalists and their work worldwide.

Many news organisations in Africa, for example are not yet large and diversified enough to afford a specialised investigative unit. Many journalists lack access to formal skills training. Many African countries – and especially their rural areas – have poor communications infrastructure and limited access to official archives and records. Sometimes official archives are incomplete, poorly-maintained and subject to tough official secrets or privacy laws, often left over from the colonial era. So trying to follow the 'Woodward and Bernstein model' may not always be practical, and African journalists may have to be far more creative and flexible to find alternative routes to the evidence they need.

But there are also debates about whether 'the Woodward and Bernstein model' is the only possible model.

As well as being built on the practice of a country where infrastructures and resources are far more readily available, it also tends to suggest investigative reporters should focus only on the very biggest stories: presidents taking multimillion bribes from oil companies, or rigging elections, for example.

While such stories definitely must be investigated, they are only one part of a broad range of issues that are worth media scrutiny. There are very complicated relationships between the media, civil society, ideas of democracy and power, and processes of social change. Taking this model at face value may stop us from thinking more deeply about those relationships, and especially about how they work in our own countries. While this is a practical handbook, not a thesis on media and democracy, reporters do need to consider these issues to develop an ethical approach to their work, and we'll look at some of them in Chapter 8.

A good definition has to include all the relevant aspects *and* rule out what investigative journalism isn't, so we can distinguish it from other areas of media activity.

READ Which of these is real investigative journalism?

respond

Read the following short descriptions of reporting projects. Which would you say qualify as investigative reporting, and which don't? Why/why not? Take 5-10 minutes to think about this before you read on.

- 1 Your newspaper receives an anonymous fax of pages from an as-yet-unreleased commission of enquiry report, confirming that a senior cabinet minister under investigation for corruption had indeed received bribes and awarded contracts corruptly. You check as best you can that the pages look authentic, and publish the contents, under the headline "He did it, says report."
- 2 A man comes into your newspaper office with his hand heavily bandaged. He shows you his injuries and describes how his boss forced him to use unguarded machinery and would not supply protective gloves. You phone the employer, who denies everything. You take pictures of the man's mangled hand and run a front-page story demanding that the factory be inspected.
- 3 You are a TV reporter. You go out on assignment in a local police patrol car, and record on a hidden camera everything that happens, including the violent arrest of two men police tell you are notorious drug-dealers. When you return, you edit your recording into a half-hour programme to show the reality of police work.
- 4 A reporter comes back from an event at a casino resort with photographs that show a well-known, married, industrialist kissing and cuddling with a woman who is not his wife. You check carefully, and establish from the hotel front desk and room staff that he and the woman were booked in as "Mr & Mrs" and spent three nights together. You manage to identify the woman, and discover that she too is married to someone else: another highly-placed tycoon. You are certain that your sources are reliable, and publish a story about the scandalous misbehaviour of public figures.
- 5 You notice that what looks – and smells – like untreated sewage is running down the gutter beside the spot where you catch your taxi to work. You take a sample of the stuff in an old jar, and take it to a friend who works in a lab, for analysis. You walk up the road and see that the sewage is flowing from a hole in the pavement. You check with the council and discover from interviews that two different departments are involved in getting such problems fixed, and that there is poor communication between them. You run a story that starts with 'your' leak and its risks, but focuses mainly on the lack of coordination in local government.

The way we define investigative reporting will determine our answers to these questions. Let's look, first, at what everybody agrees on.

Investigative journalism: the common ground

Journalists, media academics and commentators all agree about certain aspects of investigative journalism:

- ✓ **It's about digging deeply into an issue or topic**
As the word 'investigative' implies, simply relaying a simple 'bite' of information – "A cattle fair will be held in X village next month" – cannot count as investigative journalism.
- ✓ **The issue or topic has to be of public interest**
'Public interest' means that either a community will be disadvantaged by not knowing this information, or will benefit (either materially or through informed decision-making) by knowing it. Sometimes what benefits one community may disadvantage another. Forest-dwellers can demand better prices if they know the world market value of trees that logging companies want to fell. But the logging industry may not want this information spread, as logging will then cost it more. Reporters need a clear sense of

what their mission is and whom they serve, and this can involve heated newsroom debates. 'Public interest' means the interest of the community affected. It does not have to be the whole country, and, indeed 'public interest' may be different from 'national interest'. That term is sometimes used by governments to justify illegal, dangerous or unethical acts on the excuse of 'my country, right or wrong'; – or, indeed, to discourage journalists from reporting on a real problem. We'll look at finding such story ideas in Chapter 2.

✓ **It's a process, not an event**

Investigative journalism never provides an instant story. It goes through recognised stages of planning and reporting, and has to work to accepted standards of accuracy and evidence.

✓ **It's original and proactive**

Investigative stories have to be based on the work of the journalist and (where resources permit) his or her team. Although an investigative story can start with a tip, simply reporting the tip, or printing the secret document that is anonymously faxed through to you, is not investigative journalism. In fact, doing such a thing may be both lazy and careless. It carries huge risks, since you have not investigated the identity, bona fides or motives of your source or the authenticity of the evidence. You may end up defaming someone, printing lies or being framed by somebody's agents. Instead, you must develop hypotheses about what the tip means and plan additional research, decide on the relevant questions, and go out to ask them. You must see evidence, and hear and analyse answers for yourself, and go beyond simply verifying the tip.

'Thabogate' (South Africa)

On 3 August 2008, the Johannesburg-based *Sunday Times* published a story alleging that the German arms company MAN Ferrostaal had "paid" (then) South African President Thabo Mbeki "R30 million" (approximately US \$4 million) to win its contract in the notorious South African arms deal. The story was based on a confidential report compiled by the UK-based risk consultancy firm Kroll (which was not named in the original article), which had previously assisted the South African prosecutorial authority, the NPA, in investigating some aspects of the same arms deal. MAN Ferrostaal and Thabo Mbeki have consistently denied the accusations. The *Sunday Times* labelled the story an "investigation". But was it? Was obtaining an (explosive) report and verifying its authenticity and origins, as the authors clearly had done, enough to qualify as an investigation?

✓ **It should produce new information or put together previously available information in a new way to reveal its significance**

If the information, or the understanding of its importance, isn't new, what exactly are you investigating?

✓ **It should be multi-sourced**

A single source can provide fascinating revelations and (depending on who the source is) access to insights and information that would otherwise be hidden. But until the story from that source is cross-checked against other sources – experiential, documentary and human – and its meaning is explored, no real investigation has happened. We'll look at the research tools you'll need in Chapter 6.

✓ **Because of its in-depth nature, it calls for greater resources, teamworking and time than a routine news report**

You'll see that many of the case studies we use in the book are the result of team investigations. But this poses problems for small local and community publications with small staffs and limited time, money or specialised skills. A journalist may need to seek grants to support an investigation, and learn to tap the skills of others outside the newsroom to help with specialist expertise.

Is teamworking always a good idea?

DRC journalist Sage-Fidèle Gayala puts forward the arguments for and against teamworking:

"It can be productive to work in a small team, where you have established that each participant has a useful specialism... one can do the investigation on the ground, another can specialise in research and compiling documentation, and the third in writing up the story. A team has a good chance of working quickly and breaking a story in a timely fashion. Also, a journalist working alone can easily be snuffed out without anybody knowing what he was working on or why he was killed, as was the case with Guy-André Kieffer (see the *Introduction* to this handbook).

"But we must also recognize that many newsrooms in the countries where we work are not clean. Newsroom players can be drawn in many ways into the traps laid by industry, business or policy-makers, whether these involve threats or 'buying' journalists. Even many of our newspapers themselves have dubious origins, having been given start-up funding by one interest group or another. Editors are primary targets, and sometimes the main offenders, and when working in such a context a young journalist will have great difficulty in completing an investigative project. Drafts may be monitored or rewritten by an editor. So in many cases, despite the slowness and the risks, a one-person investigation has a better chance of succeeding."

Investigative journalism: **definitions that need care**

Some other definitions, however, such as the ones we began with, are more debatable.

Four myths about investigative reporting

Edem Djokotoe revisits the mythology inspired by All The President's Men

Myth 1 It's glamorous and can be career defining to the point where it creates stars

Perhaps this is why on the cover of my copy of the book on which the film was based, the people on the cover are NOT the authors but the actors who played them: Robert Redford and Dustin Hoffman. But as this handbook shows, investigative journalism is more often hard, humdrum and sometimes dangerous work.

Myth 2 Journalists can indeed be bigger than the stories they report

Investigative journalism is a public service, not an ego trip, and being an investigative journalist gives you no right to flout professional ethical standards.

Myth 3 The investigative journalist is a kind of Lone Ranger

From the point of view of film-making, it is practical to have one hero because the action can revolve around him. It helps if the star is as handsome as Denzel Washington in *The Pelican Brief*, based on the novel by John Grisham. In reality however, investigative journalism is not sustainable unless it is a team effort. Bernstein and Woodward express this in the acknowledgements of the book: "Like the Washington Post's coverage of Watergate, this book is the result of a collaborative effort with our colleagues—executives, editors, reporters, librarians, telephone operators, news aides."

Myth 4 Investigative journalism is the preserve of the private media

Not entirely true. It is mainly driven by the private media but there are well-known examples where government-owned media have undertaken ground-breaking investigations against government. See the account of the Willowgate investigation in the *Introduction* to this handbook.

? "Investigative reporting is simply good reporting."

This definition comes out of the traditional view of journalists as 'watchdogs', whose mission is to sniff out wrongs, point fingers at those to blame, and report in a way that brings about change. And that is certainly part of our role.

When reporters are successful in their efforts, life may genuinely get better, and public appreciation of the importance of a free press is strengthened. But reporters are not the only watchdogs today; they function alongside a range of civil society organisations, some (such as Transparency International) explicitly tasked with keeping an eye on power and sniffing out wrongs. And reporters do many things besides being watchdogs: in the words of the old slogan, the media "inform, educate and entertain". So while investigative journalists must draw on all the skills of good reporting – observation, research and the determined pursuit of answers – at a very high level, that doesn't completely sum up their work nor make it distinct from the work of others.

? "Investigative reporting uncovers secrets somebody wants to keep hidden."

This is the kind of investigative reporting that hits the headlines – not only in the newspaper that did the investigation, but sometimes across the world. Those headlines often trumpet the word "Revealed!" The Watergate investigation was one of these. So is the current work of the UK *Guardian* newspaper (and several South African journalists, most notably at the Johannesburg-based *Mail & Guardian*) to discover and detail under-the-counter payments made by British arms manufacturer BAE in securing international contracts.

And when Sierra Leonean journalist Sorious Samura made his 2000 TV documentary *Cry Freetown* about the atrocities of his country's civil war, he was revealing horrors he felt nobody wanted to highlight:

"To attempt to explain what really happened in Sierra Leone to anyone who has never seen or tasted a war of our magnitude is a real uphill task, especially after the refusal of international media to send journalists to cover the world's worst crimes against humanity at the end of the 20th century. People will just not believe you - they'll simply think you're inventing things. People will only believe that things like mass killings, rapings, amputations, maimings and so on are stories of the past, (...) when people like Jesus Christ were beaten and nailed on crosses. I know you will say such things don't happen now - these are modern times - we are civilised people living in a modern world. Well, all these atrocities were committed here on earth, in Sierra Leone, a small West African state just as we approached the turn of a new century - the 21st century."

But as Samura implies, it's not just about investigating secrets that are locked up through laws and concealment. Sage Gayala from the DRC talks about the role of journalists in uncovering "social, economic or cultural developments too recent to have been identified by experts, hidden by received wisdom and masked by media sensationalism. For example: the relationships between

farmers and the urban community; the true lives of workers in our country; the reappearance of the kind of poverty that social benefits were supposed to cure. It is important that investigative reporters focus on these; our first job is to inform, educate and so help transform society for the better."

UK journalist and novelist George Orwell, who worked in Europe around the time of the Second World War, talked about "unpopular ideas and inconvenient facts": ideas that are buried simply because it is thought unacceptable, impolite or even unpatriotic to talk about them. Sometimes conventional thinking in a society, rather than the deliberate actions of individuals, creates a blanket of secrecy that journalists have to tear apart. Many journalists working on issues around gender violence or sexuality have faced this kind of secrecy. Activist Elinor Sisulu, who has worked to document the post-independence *Gukurahundi* massacre in Zimbabwe and current government abuses of power there, has said of Africa: "Ours is a continent of silences." Perhaps the job of the investigative journalist is to identify those silences and make them speak.

African silences

Edem Djokotoe suggests some examples of areas IJs might look at:

"Investigating powerful institutions like the Catholic Church is one example. In Zambia, where I live and work, the voice of the bishops in the politics of the country is loud. And given that more than 60 percent of Zambian Christians are Catholic (according to the Central Statistical Office), you can imagine what kind of power they wield. Interestingly, while they are very vocal about democracy and power sharing, the Church to which they belong is most autocratic. It took a Zambian cleric, Archbishop Milingo's much-publicised wedding to a Moonie to show that there was indeed a movement that wanted the Catholic Church to revisit its doctrine on celibacy. That – and the growing number of children in Catholic-run orphanages allegedly fathered by Catholic priests and the growing number of nuns and fathers said to be contracting HIV. Of course, the Church is not keen to face up to these realities for reasons I cannot explain, but such issues invite media investigation.

"Powerful institutions bring to mind the Freemasons which have for centuries operated behind a thick cloak of secrecy. Books like Martin Short's *Inside the Brotherhood* and Stephen Knight's exposé *The Brotherhood* open a whole range of possibilities about what painstaking research and investigation can reveal.

"But the Freemasons do not hold the monopoly on secrecy. All across the African continent, there are secret societies where all kinds of rituals are performed. There are veils of secrecy surrounding the institutions of chieftaincy. Among many ethnic groups in Africa, when a chief dies, the fact is not announced. Sometimes, the death is kept secret for months. In times past, this was to facilitate the smooth transition to new leadership so that there was no power vacuum. There is speculation that the secrecy was to enable the royal executioners to kill people to accompany the dead ruler to the next world. Among other groups, those who were buried with the king were said to be still living. Again, it is difficult to know where myths end and fact begins, but I think our sense of curiosity about our own ethnic groups should inspire us to find out what we think we need to know about ourselves. The possibilities are infinite."

READ respond

What are the "unpopular ideas and inconvenient facts" – the silences – in your community?

Take a few moments to identify and note down the issues nobody really wants to talk about. There may be investigative stories here although, as we'll see in Chapter 2, there's work to be done before you can move from an idea to a story plan.

“Investigative reporting reveals scandals, and shames the individuals involved.”

Investigative journalism isn't always popular. Obviously, people caught out in wrongdoing never like it. But sometimes readers have their doubts too. And very often it is this type of investigative journalism – “muck-raking”, it's sometimes called – that makes the public unhappy. Simple scandal-mongering may have no purpose beyond appealing to people's nosiness about the private lives of others. To be worth investigating, a ‘scandal’ must go beyond personal misbehaviour into the kind of wrongdoing that affects the public interest and where there is a lot at stake.

From the Constitution of the Forum for African Investigative Reporters (FAIR):

“[Our work] moves beyond a simplistic focus on corrupt individuals in favour of a more systematic and contextualised exposure of corruption.”

It is important that corrupt individuals are stopped. But if an investigative report doesn't look beyond the criminals to the faulty system that allows them to get away with it, it has simply cleared the ground for a new bunch of crooks to do exactly the same thing (and has probably taught them how to do it better). An investigative story needs to alert those who can close the loophole that has been exposed. If those in power don't do this, a further investigative story is needed to find out why.

However, the rich, famous and powerful are not our only targets. Journalism professor Anton Harber, a former editor of the Johannesburg-based *Mail & Guardian*, addressing a gathering of pan-African investigative journalists, noted:

“We normally talk about investigative journalism in terms of big, dramatic, ground-breaking, earth-shattering stories that bring down governments. Of course, we all love those once-in-a-lifetime stories... But on a more regular, day-to-day level, it is also about bringing the techniques and attitudes of that kind of story and that kind of reporting to everyday, fairly ordinary reporting: probing, testing whether the words of the authority are true, exposing them when they are not, finding out what it is they do not want you to report, as opposed to reporting what they tell you to report. It is also about gathering the evidence to be able to report it. And it is an attitude that belongs not just in political reporting, but in business reporting, culture reporting, health reporting, even sports reporting.”

So investigative journalism:

- employs the toolkit of any good reporter, but at a very high level of skill;
- uncovers both facts formally defined as secret and issues nobody wants to talk about; and
- looks beyond individuals to faulty systems and processes.

All of that, though, raises further questions. It sounds as though the investigative journalist looks only at failures, breakdowns, corruption and the abuse of power, and as though he or she is largely the media equivalent of a police detective. Is this accurate?

Investigative journalism: **topics for further discussion**

Does investigative journalism focus only on bad news?

The answer is “A lot of the time”. The priority for communities and the media that serve them is to discover and correct harm and wrongs as quickly as possible. So this, particularly in situations of limited newsroom resources, is where the investigative reporter will most often focus. But investigative journalism sometimes has a role in uncovering the positive too. Counteracting unbalanced, negative images of people or communities, for example, could form the basis of real and good investigative stories. However, such stories would have to be deeply and skillfully researched and bring to light important new information. Shallow ‘sunshine journalism’ or praise songs would not qualify. And investigative journalists can also apply their skills to ideas: a story that unpacks in detail the theory and practice of a political party's policies would not have to be a ‘knocking story’ to be a solid, useful investigative piece.

Are investigative journalists detectives?

If we're talking about the skills they employ, the answer is “Yes”. An investigative story starts with a question. The journalist researches to formulate a ‘hypothesis’ (a best guess) about the answer and its social meaning. He or she then does more research: following paper trails, doing interviews that may sometimes feel more like interrogations, putting together a mass of evidence, some of it extremely detailed or technical.

The journalist applies recognised standards (related to those that would be used in a court of law) to both what counts as valid evidence and whether it adds up to conclusive proof. Because laws of defamation (libel and slander) exist, the standard of the journalist's investigation and fact-checking should not be lower than those of a detective putting together a prosecution case. (You'll find more about all these processes in Chapters 3-7.)

Sometimes, though, this question means something else. What's really being asked is: “Because investigative journalists are uncovering wrongs, is it OK for them to behave like detectives, including working undercover and using techniques such as hidden microphones and cameras?”

The answer here is more complicated. Investigative journalists – including some of the best – do use these techniques. But it is worth remembering that the scope of a detective's undercover work, and the rights of citizens being investigated by the police, are usually governed by some kind of legal framework. Journalists rely on their own ethics, and are not exempt from privacy laws. So both in order to ensure ethical journalism, and to avoid prosecution, investigative journalists need to ask themselves searching questions before they act in this way (see Chapter 8). It's not automatically the right, best or only technique for gathering information. Remember that hidden cameras and recorders only add to your store of raw evidence, and do not substitute for the work of analysing, checking and contextualising this evidence and constructing a meaningful story. A huge amount of evidence is available in publicly-available documents, if you simply know where to look and how to put it together, and this will be the subject of Chapter 6.

And investigative journalists also do different work from that of detectives. Sometimes the purpose of their investigation is not to prove guilt, but simply to bear witness: to tell it – in carefully checked detail – like it is. *Drum* journalist Henry Nxumalo's undercover account of his stints in jail and as a forced labourer (see case study) were these kinds of investigations. So were parts of *Cry Freetown*.

Detectives stop when they have discovered and can prove who committed the crime. Investigative reporting goes further than simply finding an answer. It gathers the right facts, gets the facts right, and by doing so reveals the meaning of the story; showing a pattern in events, actions or evidence that answers the question: "Why?" It explains the context and subtleties of an issue, rather than simply pointing an accusing finger.

It's by reaching this degree of depth in their work that investigative journalists deal with questions about their 'objectivity'. Certainly, investigative reporting, which has been called "the journalism of outrage", does not seek to produce an artificially balanced account of two sides of a story. If a process permits customs officers to take bribes, and some do, that is the story that will be presented. There will be no equivocating about "We might be wrong" or "We might be misinterpreting." If such doubts still exist, the investigation has not gone deep enough and the story is not ready to be published.

But there are never only two sides to a story. And balance in an investigative story comes from explaining this many-sided situation and telling the public not only what happens but why. Are the customs officers' wages too low to survive on? Is morale weak? Do they operate within a culture of corruption that extends to the very top? A detective leaves the explanation of what might be mitigating circumstances to defence lawyers. The good investigative journalist explains the full context.

There's also a sense in which an investigative journalist is actually a scientist. Our working methods require that we keep an open mind until we have amassed enough evidence to support our story idea, that we do not ignore evidence that contradicts it, and that we change our findings if the evidence points in a different direction. In all those ways, our work resembles science, where researchers will put forward a hypothesis (for example: polluted water causes cholera) and test it until they know whether it is correct or not.

We are also managers. Particularly on a big, long-run project where we are involved in deep research, putting documents together and working with other newsroom and non-newsroom role players, we need the ability to keep the work flowing smoothly and to plan, and the ability to communicate clearly and keep the team together.

READ

So which is real investigative journalism?

respond

Now let's look again at those examples of reporting in the exercise.



The anonymous fax

No, this isn't investigation. You've had a windfall of anonymous, unverified information that you have made only the barest attempts to verify. What you've done is lazy, risky and may be defamatory. We'll look at how to handle tip-offs and sources whose main trading good is 'spin,' in Chapter 4.



The mangled hand

No, this isn't investigation either. A phone call to achieve tokenistic 'balance' is not an adequate way of checking this out. You have not even visited the factory: your front-page call for factory inspectors to do so is a cheap way of ducking your own responsibility to verify information before you print. In 2005, the majority of complaints to South Africa's Press Ombudsman concerned stories like this, which attacked institutions without fully investigating the allegations made against them. Supposing the man had actually damaged his hand while fixing his car after work? How would you know?



On patrol with the local police

Whether this counts as investigation depends on how it is framed and presented. If you introduce this footage as simply bearing witness to the tough and stressful lives of the police – one truth out of many – it may qualify. You can't claim more for the programme unless you do more investigation of the situations portrayed, or even make follow-up programmes from different viewpoints. What you currently have was handed to you on a plate by the police, and interpreted through their words to you. You must treat the footage of the two arrested men very carefully and within your country's court and crime reporting guidelines. You have done no investigation and have only the police's word that they are criminals.

READ**So which is real investigative journalism? (cont.)****respond****✘ Adultery in high places**

At first glance, this LOOKS like investigative reporting. You have checked all the details carefully, have both photographic and interview confirmation, and have accurately identified the people involved. But why are you doing it? There's no public interest here. The only people concerned are the two lovers and their spouses. This isn't investigative reporting, just a way to try and sell papers using scandal about well-known names. Gossip, even if meticulously researched, is still only gossip.

✔ Sewage in the gutter

This may be a small, local story, but it is real investigative journalism. You've verified information, consulted role players and experts, identified the meaning of what you noticed and broadened it out into a story of genuine public interest.

Why do investigative reporting?

Investigative journalism, we've seen, can be time-consuming, expensive and risky. And often African investigative journalists find their editors need convincing that it is worth taking those kinds of risks when they can produce a perfectly satisfactory newspaper by simply reporting on day-to-day events. So let's look at some of the objections, and at the reasons why investigative projects are worthwhile.

1 "Investigative journalism is a European or American thing; it won't work in a developing country."

As we've seen, the anti-colonial and anti-apartheid media in the past, and campaigning independent newspapers today have long proved that this is not true. But it's also worth pointing out that there is no one style of IJ, and no one national model. That's even true in Europe. A study in 2005 by the Dutch-Flemish Association for Investigative Journalists (VVOJ) found that there was no distinct 'European' culture of investigative journalism, and that practices varied enormously from country to country. For example 90 percent of journalists in the UK and Finland thought that it was most important for journalists to be watchdogs of government, but only 30-40 percent of journalists in France and Germany felt the same way.

2 "It's too expensive!"

The VVOJ study found there was no correlation between whether a medium was in good financial shape and whether it undertook investigative projects. In fact, they often found a more substantial commitment to IJ in small, poor independent media. Professor Harber points out that in South Africa: "It doesn't always have to take a lot of time and money and when we look at some of the great investigations in South Africa's history a number of them were not based on huge time and resources, they were based on determination and commitment."

Small publications, of course, are usually free of corporate 'strings' that often set a conservative policy. There are now funds that support such media in important projects. But their commitment to investigation also rests on another key argument.

3 "Investigative journalism wins readers and grows publications."

Gavin Macfadyen, Director of the UK-based Centre for Investigative Journalism made the point cogently in his address to the 2007 Taco Kuiper Awards ceremony for investigative journalists in Johannesburg:

"When serious investigations appear, people talk about it. Many know, driven by word of mouth. Sales rise, viewing figures climb, programmes acquire real credibility and more importantly still they achieve a loyal following. When news really affects people, they talk about it and they will follow it. This seems to be true in most countries. It also affects the culture of the press. Editors and producers become more sophisticated practitioners, or more combative, knowing how to use media law to enable rather than put the brakes on exposure, building viewers and readers by more aggressive reporting."

And finally...

4 "Investigative journalism helps build democracy."

Reporting that never seeks to move beyond the event or the official release allows those in power to set the agenda. News is made from the top down. The principles that create democracy, popular participation, accountability and the transparent operation of government, remain paper concepts if nobody is asking questions and providing information and analysis, looking beyond the claims and counter-claims of contending factions. In the final analysis, investigative journalism is the right thing to do.

The value of investigative journalism

Mark Hunter and Luuk Sengers made the following points about the value of IJ at the 2007 Investigative Journalism Workshop in Johannesburg:

What value do you have to others?

- You help consumers to make better choices.
- You help investors make better decisions.
- You identify promising or threatening products, policies etc.
- You find sense in confusing information.
- You denounce false information.

What qualities does an investigative reporter need?

From what you have read so far, stop for ten minutes and try to make your own list here of the personal qualities you think an investigative reporter might need.

You may have included some or all of these:

1 Passion

Says South Africa-based Evelyn Groenink: "Let's face it, most investigative journalists will never be played by Robert Redford or Cate Blanchett in a Hollywood movie, no matter how brave and important the work they did or do! Most investigative journalism is a thankless endeavour, time- and energy-consuming, that will get your editor impatient and powerful people annoyed with you. If you like a stable income with regular promotions; if your deepest wish is a management position with matching salary and if you enjoy being invited to dinners and parties given by VIPs in your country or community, then investigative journalism is probably not for you. But if you enjoy challenges, have a passion for truth and justice, and want to serve your readership or audience with stories that matter, no matter how much time and energy it costs you – and even if some powerful people will end up with maybe less-than-friendly feelings towards you – then, by all means, go for it!"

2 Curiosity

Asking questions is where investigative journalism starts. The questions can be about events in the news, or about things you see or hear about in your day-to-day life.

Asking questions is where it starts

In 2004, Kenyan journalist Joyce Mulama heard from both women she met and health workers that it was becoming much harder to obtain or dispense contraception and abortion advice. She investigated, and discovered this was happening in health programmes funded from US aid, and was a consequence of 'morality' rulings embedded in the latest American aid regulations. She also discovered that journalists in both America and other aid-receiving countries were also investigating this problem, and that it was a significant problem affecting women's lives worldwide.

3 Initiative

As we've noted, many newsrooms operate on limited resources and all run on tight deadlines. So an investigative idea you mention at a news conference won't always be instantly adopted, particularly if it is un-formed and vague. You need to take the initiative, do your own preliminary checking and shape the idea into a solid story plan. If your newsroom still isn't interested, you may need to take further initiative in identifying support (such as an investigative grant) for the work needed. (See Chapters 2-3.)

4 Logical thinking, organisation and self-discipline

Investigative reporting takes time and, because of the legal risks it often carries, must be verified down to the smallest detail. So you need to become a careful planner to make the best use of your time, and obsessive about checking and re-checking everything you discover, and making sure your story fits together.

5 Flexibility

An investigation can take unexpected turns. Sometimes the question you began by asking turns out to be a dead-end, or opens the door on another, far more interesting but less obvious question. You need to be prepared to rethink and redesign your research when this happens, and not stay wedded to your first ideas.

The Jacob Zuma corruption investigations: South Africa

For years, political debate in South Africa was dominated by investigations into whether African National Congress President Jacob Zuma received bribes from European arms companies. The media seemed wedded to their view of the investigative focus here as 'arms deal corruption'. FAIR co-ordinator Evelyn Groenink criticised this focus. "Any arms deal investigator will tell you that if Zuma got anything at all, it is very little. The question arises why the suspicion of a small slice for Zuma was more important to virtually all journalists in the country than the issue of the arms deal in its totality. The main, most expensive contracts, had nothing to do with Zuma." In the end, the spotlight did indeed shift to the main contracts. The charges against Zuma were dropped (in 2009) because of evidence of manipulation at the level of the prosecuting authority.

6 Teamworking and communication skills

Movies often portray the investigative reporter as a 'lone wolf'. Sometimes, there are situations where secrecy is so important that a story cannot be shared with others until certain safeguards are in place. But very often the best stories come out of a co-operative effort that uses all the available skills in (and even outside) the newsroom. An investigative story may call upon knowledge of anything from science and health to economics and sociology, and no one journalist, however strong their general knowledge, can be an expert in all these. For example, if you are following a paper trail through company audits and no-one in the newsroom

has a sophisticated grasp of accounting, you'll need to identify an expert who can help you. So good contacts and networking form part of your teamwork. And you'll need to be a good enough communicator to ensure that the team understands the purpose of the story and the standards (accuracy, honesty, confidentiality) expected of everybody on it.

Were Woodward and Bernstein actually lone wolves who 'brought down a president'?

Many journalists only know about the famous Watergate exposé from the movie. But the movie version, and therefore the prevalent view of Woodward and Bernstein as lone wolves, is incomplete and simplistic. Alicia C. Shepherd, in her book *Woodward and Bernstein: Life in the Shadow of Watergate*, points out that other media (including CBS, *The New York Times* and the *Los Angeles Times*) added their own deep reporting, that there was solid teamwork at their own newspaper, *The Washington Post*, and that 'bringing down the President' also involved institutional role players within the US system such as courts, grand juries and congressional committees. The two journalists have always pointed out that nothing happens in a vacuum, and recognizing this takes nothing away from their brave, determined and extensive efforts.

7 Well-developed reporting skills

This doesn't mean you have to have a degree in journalism. But you need enough of either training or experience, or both, to know how to identify sources, plan story research, conduct good interviews (and sense when an answer doesn't ring true), and write accurately and informatively. You also need to know when you are out of your depth, and have the humility to ask for advice or help. If you are relatively inexperienced, good teamworking (again) will help you to tap into the skills of others when this happens. Sometimes, people who don't have a reporting background do have these skills. Researchers and community workers have often also been trained to interview and identify and sift facts, although they may need the help of newsroom workers to package a story attractively and accessibly for readers, listeners or viewers. We'll look at effective writing and storytelling techniques in Chapter 7.

8 Broad general knowledge and good research skills

Understanding the context of your investigation can help you avoid dead-ends and spot relevant facts and questions. But if your investigation takes you into an unfamiliar area, you must be able to familiarise yourself with at least the background, conventions, terminology, role-players and issues of that area quickly. The ability to have a searching, informative conversation with an expert, use computer search engines, or locate and skim-read useful books are all vital here. Above all, you must read – everything, whenever you have the time. You never know when a bit of background will prove useful for your work.

9 Determination and patience

Investigative reporting will bring you up against all kinds of obstacles, from sources who disappear and records that don't exist, to editors who want to can the story because it is taking too long or costing too much. Only your own motivation and belief that it is a worthwhile story will carry you through what is often a slow process of discovery.

10 Fairness and strong ethics

Investigative stories may put the security, jobs or even lives of sources at risk. They also risk putting their subjects at similar risk if reckless accusations are made. So an investigative reporter needs to have a strong, explicitly thought-out set of personal ethics, to ensure that sources and subjects are treated respectfully and as far as possible protected from harm. In addition, newsrooms that support investigative stories need to be guided by ethical codes and have a process in place for discussing and resolving ethical dilemmas. Sometimes public trust is your best protection, and you lose this if you behave unethically. More on this in Chapter 8.

11 Discretion

Gossips do not make good investigative reporters. As we've seen, loose talk can put the investigation – and lives – at risk. But in addition, it can tip off commercial rivals who will then scoop your story, or alert interviewees before you get a chance to talk to them. In a whole range of ways, talking too much can sabotage the story.

12 Citizenship

IJ's are often attacked as 'unpatriotic', but we do not see our role like that. We believe that what we investigate and discover is driven by concern for the public interest and what will make our community better. Zambia-based Edem Djokotoe warns: "You might have the best research and writing skills in the world, but if you aren't driven by personal convictions to contribute your skills to your society as a citizen, your story will lack purpose and heart."

13 Courage

It isn't only subjects and sources that are at risk. Reporters may be threatened with legal action or violence, jailed, or even assassinated for their investigations. In the face of these risks, you may succumb to pressure and censor yourself. You need to believe in what you're doing, have the courage to carry on, and if possible have personal and professional support structures (for example, family or partner, religious community, counsellor, legal advisor, supportive editor and team) in place for when times get tough.

What are the rewards?

Mark Hunter and Luuk Sengers point out that while IJ is tough, sometimes dangerous, and distinctly un-glamorous, it's also one of the most rewarding areas of journalism to become involved in.

- **“You’re the one person who knows the most about one thing – that’s priceless!**
- **You develop skills that set you apart from the masses of scribes, and which are marketable (75 percent of journalism is news- and PR-based reporting)**
- **You gain independence and a certain amount of power over the environment you live in**
- **You make money, more so if you identify niches – specialist reporting areas – and occupy those**
- **You enjoy the constant challenges**
- **You [may] win awards!**
- **You have served your community, increased public knowledge or prevented harm”**

Case studies

This book will contain many case studies: in-depth looks at how reporters around Africa have found, planned and carried out investigative projects. Some of these are exciting accounts of adventurous and risky journalism; others are more sober stories of amassing paper and meticulously cross-checking facts. Some produced nation-shaking results, some simply won a small community justice or a much-needed resource – and some got stalled by problems and still need completing.

Case studies aren’t just exciting ‘war stories’, however. To get the most out of reading case studies, you need a framework for analysing them.

We suggest that you use the following process to get the most out of the investigative case studies you read. Take time to read the case study and let it sink in. First impressions can be misleading. It’s easy to assume you can simply ‘borrow’ a topic or approach wholesale and apply it to your own work – or that circumstances are so different that there’s nothing you can learn. Instead, ask the following questions:

- ❓ What kind of reporter, publication or broadcast did the investigation? How did that reporter’s situation resemble or differ from your own?
- ❓ How did they encounter the topic or issue?
- ❓ Is it a topic or issue that has parallels in your community/society? If there’s a similar issue in your community, are there differences in context or circumstances?
- ❓ How did they formulate the investigative question or hypothesis?
- ❓ What resources did they need/use?
- ❓ What snags did they hit, and how did they deal with them? Which of their strategies were effective and did any fail? Why?
- ❓ What did those reporters achieve (impact), and what did they learn?
- ❓ If you’d been in their shoes, what might you have changed about the investigative approach?
- ❓ If you were going to tackle a topic like this in your community tomorrow, how would you approach it?

Case study #1

Drum magazine: The story of Bethal

Our first case study is a ‘classic’. It illustrates once more that investigative reporting is not something new or foreign to Africa, but has its own well-established history and traditions here. It’s *The Story of Bethal*: a March 1952 investigation by Henry Nxumalo of the South African magazine *Drum* (his nickname was ‘Mr Drum’) under apartheid, into the conditions of contract labourers on farms.

Context

Drum was a legal publication, with a white owner and editor but serving a large black readership, and prepared to take some risks in reporting on topics of public concern. However, censorship was in force, and the security police kept a close eye on *Drum* journalists. They had to be careful – and, indeed, Henry Nxumalo was mysteriously killed some years later while investigating an abortion racket. Budgets were limited and access to official records beyond published documents such as laws and statutes was not a right. Editors also had to make sure that the way stories were written did not appear to attack the apartheid government directly.

How did the story get started?

The story was picked up from talk among ordinary people on the streets: that the contract labour system was corrupt; that workers did not have full information and were trapped into contracts on farms where they were starved, abused and ill-treated. This general outrage was focused for Nxumalo when one of his colleagues on *Drum*, Arthur Maimane, told the story of his cousin's ill-treatment on a Bethal farm. *Drum* was looking for a big investigative story to mark its first anniversary as a publication. Nxumalo said: "I'd better go and have another look."

What process did Nxumalo follow and what did he find out?

To find out what happened on the potato farms, he went to the Bethal district and interviewed more than 50 labourers on eight farms. He used his powers of observation to take graphic descriptive notes: he painted word-pictures of what he observed. He was accompanied by a white *Drum* photographer who had recently arrived from Germany, Jürgen Schadeberg. With his heavy German accent, Schadeberg was easily able to pose as a tourist and take 'scenic' photographs of farms and labourers.

Nxumalo then back-tracked the process to the recruitment stage in Johannesburg, posing as a job-seeker, and was picked up by a recruiter who took him to a labour agency compound.

There, he obtained and examined a contract, observed the signing process, and asked questions to see if he would receive truthful answers. Unlike many real labourers, his English was fluent, and he could analyse and memorise documents.

He compared his experience with what the relevant legislation set out, and noted the failures in compliance.

When he got back to Johannesburg, Nxumalo also tracked previous reports of attempts by political organisations to get government action, and incorporated that information into his final story too.

Results

The white, right-wing *Die Transvaaler* newspaper denounced *Drum's* story as "written to stir up trouble and cause ill-feeling". But questions were asked in parliament and a parliamentary commission of enquiry was appointed, although its findings were never published. *Drum* was flooded with letters praising 'this wonderful Mr Drum'. There was so much popular outrage at the conditions the story exposed that black political organisations organised a potato boycott among consumers. Even today, some older black South Africans remember and talk about the horrors of the potato farms that they read about in *Drum*.

Extracts from The Story of Bethal

At the recruiting office:

When the contract came to be signed the interpreter read out a small part of the contract to a number of recruits together, while the attesting officer held a pencil over the contract. No-one asked the age of any of the recruits (they should have the consent of parents if under eighteen) and Mr Drum was told nothing about whether his pay would be monthly or deferred, what food he would be entitled to, or what length of shift he would work...[The clerk called a roll of everyone on the contract sheet, read extracts from the contract and then said]: "Have you got that?"

Mr Drum and the other recruits: "Yes."

Clerk: "You will now proceed to touch the pencil."

...As a result of holding a pencil for a second, (50 recruits were attested in a few minutes) the recruits were considered to be bound to a contract. But in fact the contract had not been signed and had not been fully understood. So it seems that none of the recruits 'signed' in this way are valid at

all (Native Labour Registration Act of 1911 as amended 1949).

On the farms:

Out of over 50 labourers interviewed in eight farms stretching from Witbank to Kinross, not a single labourer said that he was satisfied with the conditions. Those who did not express this view refused to comment altogether, for fear that they might be victimized.

Two-thirds of those consulted said they were sent to Bethal under false pretences: they were either promised soft jobs in Johannesburg or on dairies in the Springs district, but they subsequently found themselves being made to alight at Bethal station and told they were going to work there...

The pay on the farms is between £2 and £3 a month, and the food consists mainly of porridge, with meat sometimes once a week, if that.

Months are calculated on the basis of 30 full working shifts, excluding non-working

Extracts from The Story of Bethal (cont)

days such as Sundays and public holidays, and the wages for the first month are spent in repaying train fares and money advanced to the labourers as a loan on recruitment.

For example R-F-(60) employed on the farm of Mr B, was recruited by Z's agency of Johannesburg. He earns £3 a month and has a wife and four children to support at home.

His fare to Johannesburg was £1 6s 11d., and his whole wages for the first month repaid this sum. He will have £15 3s 1d to his credit at the end of his six months contract. But if he decides to return home he will be minus another £2 16s 11d when he reaches Louis Trichardt, which means that he will be left with £2 6s 2d in cash, or even less should he ask for tobacco or clothes on credit from his employer before that time, to say nothing of what he will spend on his journey home. And that for half a year's work... Older men prefer to wear sacks in which holes have been cut for head and arms, and sleep on sacks instead of blankets rather than incur more debt...

A unique feature of [one farm] is that it has its own private hospital, a crowded, dirty small brick building with iron beds and sick labourers lying on mattresses without

blankets and vice-versa. They sleep in their dirty working clothes and I was told by the man in charge P-T—that the men are sent to Bethal Hospital if they do not improve after receiving treatment from a local doctor. P-has been working on the farm for 32 years and is better known by the name of 'doctor'. He is probably the best-paid African farm labourer: he earns £8 plus a bag of mealie meal a month and has his family living with him on the farm. He told me that his treatment for sick farm labourers consists mainly of regular doses of Epsom Salts.

Next to the 'hospital' is the compound and the kitchen... The cook was the only other person wearing boots on the premises, the others being bare-footed. But the cook's clothes were as filthy with grease as those of an engine-fitter who has not changed his overalls for many months. The filth shone at a distance.

The men ate out of improvised zinc containers which they made themselves. One labourer told me he could not afford to buy himself a proper dish at this stage in his contract; but this was an improvement on what I saw at some farms at lunchtime, where the labourers not only wore sacks but ate on them.

Difficulties in doing this investigation

Nxumalo and Schadeberg overcame the secrecy and refusal of labour agents and farmers to deal with journalists by using subterfuge with those in authority. "There was really no other way to do the story," Schadeberg recalled. "Henry had to discard his suit, dress in tattered clothes like a farm labourer and go and find work on the farm... Then he escaped at night... Then the two of us went back and we drove around the district interviewing people and taking photographs. He was my 'boy' whenever farmers stopped us, which they often did... Not that there was much risk of Henry being recognised because for one thing he had a suit on now."

At the labour agent's office, "fortunately we found an open window into the room where the pencil-touching procedure was taking place. I think I stood on some bricks to see in, or maybe I was jumping up and down, anyway I clicked off a few shots and ran. Nobody chased us, but we could hear them shouting in the room."

It didn't always work

"I met the European in charge of the farm on my second visit but he refused to allow Mr Drum to take pictures of the compound and stated that I had erred by asking his men about working conditions on the farm on my first visit there without his permission."

Nxumalo did tell the farm labourers he talked to who he was. But because of the strict laws of the time, he had to be careful not to be arrested for being an 'agitator' (a union organiser or someone stirring up revolt). So he made sure to include in his story the line:

"Mr Drum was very careful not to cause any trouble or enmity on the farms and never tried to influence what people said."

He also protected his sources from being fired or worse, by not using their full names or other identifying details (such as which recruitment agency they came from) in the story.

Summing up the case study

Consider how Nxumalo used a combination of human sources, his own experience and observations, and paper sources (the relevant laws and contract papers) to build up his story. His descriptive writing was vivid (think of the cook's greasy clothes "shining at a distance"!) and his explanations were meticulously detailed: for example, the breakdown of one labourer's earnings and expenditure to the last penny. And he managed to tell a great deal of hard-hitting truth without compromising his sources or throwing wild accusations that could have put the survival of his magazine at risk. He balanced human accounts of individual suffering with broader analysis of how the contract system broke laws and amounted to abuse. There was even humour, for example in the way he describes the crowd in the agency office chorusing "Yes" and "touching the pencil".

Despite the restrictions on what could be written, the story made an impact on popular consciousness that still survives today among old people who read it in their youth.

Avoiding the wrath of government

The magazine also had to take care to avoid being closed down for publishing an anti-government story. So this is how it dealt with suggestions that the government did not care about or colluded in the mistreatment of labourers.

Last December, the Bethal branch of the African National Congress invited Dr H F Vervoerd, Minister of Native Affairs, to visit the area in connection with the deteriorating position of the African farm labourers. The Minister replied through his private secretary that he was unable to do that before the present parliamentary session; at any rate he was kept fully informed on matters in the Bethal area, and the information at his disposal was the same as that given by the chiefs who recently

visited the area, namely, that the workers were 'generally very well treated by their employers and had no real grievances.'

But Congress officials deny all knowledge of these chiefs and their visit to Bethal, and hardly anyone at Bethal knew anything about them...

It is obvious that care has been taken by the authorities to protect these people and equally plain that they have failed.

? Do you think the subterfuge and 'undercover' work was justified?

? Are there areas of labour hardship and abuse in your community that might be worth this type of detailed investigation?

Case study #2 **Prisongate 2006**

South African prisons are still a potent source of investigative stories, as reporters Adriaan Basson and Carien du Plessis of *Beeld* and *Die Burger* newspapers found. However, their investigation focused on the fact that prison contracts are now big business, and thus fertile ground for cronyism and corruption. Their series of stories was published between 31 March 2006 and 1 December 2006. The Prisongate series was awarded the prestigious Taco Kuiper prize for investigative journalism in 2007. It was described as "the stuff of powerful, thorough and ground-breaking reporting". Here, Basson describes the stories and the work they involved.

How did the stories get started?

The Prisongate series of investigative articles has its roots in a meeting of Parliament's portfolio committee on correctional services, which questioned the Department of Correctional Services (DCS) about a multi-million rand tender awarded to install new televisions in all the country's prisons. At the same time, Du Plessis, who was then *Die Burger's* political correspondent in Parliament, got a tip-off about this and other huge contracts being awarded by the DCS to the Bosasa group of companies. Bosasa was an unknown player in the security industry and serious questions were asked about the enormous successes of this inexperienced rookie.

How did you go about the investigation?

Beeld and its sister newspaper, *Die Burger*, cooperated in a unique project to uncover the political connections that bound the different players and the blatantly fraudulent way in which Bosasa was allowed to influence an official state process. The investigation was conducted over a period of nine months and we are still busy uncovering the shady business dealings of Bosasa and its entities (Basson now works as an investigative reporter on the *Mail & Guardian* and Du Plessis is based in *Die Burger's* Port Elizabeth office).

Information was sourced mainly from a wide range of role players in the state and private sector, as well as from public documents and other documentation provided to us by sources in the know.

What sources did you consult?

Some of the most important documentary evidence was sourced from the following public resources:

- State tender bulletin
- Departmental tender documents
- Registrar of companies (Cipro)
- Share registers
- Newspaper archives
- Internet, and
- University libraries.

How did the story develop?

The first breakthrough came when we uncovered a link between the National Commissioner of Correctional Services Linda Mti and Bosasa, to whom contracts of more than R1 billion were awarded by the DCS in less than a year. Mti subsequently resigned.

After months of work to get even closer to tangible evidence of criminal activity, we made a further breakthrough towards the end of 2006 when we proved, by way of a forensic computer investigation, that Bosasa themselves wrote parts of a tender document which was awarded to them.

This was a contract for the supply, installation and maintenance of security systems at 66 prisons, awarded to Bosasa affiliate Sondolo IT for R237 million. The contract was later dubiously extended to include the staffing of control rooms at prisons at an additional R257 million.

An inside source provided us with an electronic document, thought to be an early version of the official state tender advertised in the state's tender bulletin. It was alleged that a Bosasa employee created this documented months before the contract was advertised and we contracted a computer forensic expert to analyse the file. The results showed that the document, which formed the backbone of the final contract eventually advertised by the state, was indeed written on Bosasa computers by a Bosasa employee months before the official process started.

The question remained: who were the faces behind Bosasa and its affiliates, particularly the little-known Sondolo IT? By using the access granted under the Companies Act we inspected the different companies' share registers and discovered more crucial information: Sondolo IT was owned by a number of prominent South Africans, including President Thabo Mbeki's then political advisor Titus Mafolo.

In the last story of the series, we exposed the lack of qualifications of the department's financial chief, who was intimately involved with the awarding of the Bosasa tenders.

Were there follow-ups?

Most of our stories were followed up by colleagues in the rest of the media and it also led to a number of questions being asked by opposition parties in Parliament.

What challenges did you meet and how did you deal with them?

One of the challenges we faced was constant threats of legal action. However, none of the parties ever took us to court.

Other challenges included convincing insiders, often scared and intimidated, to speak; understanding intricate paper trails and specialised subject language; and consistent denials and a lack of co-operation by the DCS.

We eventually succeeded in getting the stories by convincing people that it is in the public interest to speak out, by following the paper trail and learning how the tender processes work, and by persistently looking for more proof, even when you are accused of being liars, agenda pushers or even racists (as happened) by the subjects of your investigation.

What impact did the story make?

Some of the most important results were:

- Mti's resignation months before his contract with the DCS ended;
- An investigation by the Public Service Commission (PSC) into Mti's private business interests (still ongoing);
- Investigations by the Special Investigating Unit (SIU) and the Auditor General (AG) into the tenders awarded by the DCS to Bosasa (still ongoing)
- The appointment of a new, highly qualified chief financial officer at the DCS, and
- The story won the Taco Kuiper Award.

Note how, in the very different climate of post-apartheid South Africa, Basson and du Plessis were able to access documents in the public domain, and confront role-players openly in a way that Nxumalo would not have been able to do. But notice that fear of speaking out was still a very potent barrier to communication with sources.

Key points from this chapter

Investigative journalism:

We can define investigative journalism as:

- An original, proactive process that digs deeply into an issue or topic of public interest
- Producing new information or putting known information together to produce new insights
- Multi-sourced, using more resources and demanding team-working and time
- Revealing secrets or uncovering issues surrounded by silence
- Looking beyond individuals at fault to the systems and processes that allow abuses to happen
- Bearing witness, and investigating ideas as well as facts and events
- Providing nuanced context and explaining not only what, but why
- Not always about bad news, and not necessarily requiring undercover techniques – though it often is, and sometimes does.

Investigative journalism:

An investigative reporter needs to have:

- Curiosity
- Passion
- Initiative
- Logical thinking, organisation and self-discipline
- Flexibility
- Good teamworking and communication skills
- Well-developed reporting skills
- Broad general knowledge and good research skills
- Determination and patience
- Fairness and strong ethics
- Discretion
- Citizenship
- Courage.

And finally

Finally, we have noted that though there are shared goals and common standards, there isn't one, universal model for investigative reporting, and that to get the most out of studying case studies of other investigations, you need to think carefully about the similarities or differences in context between the case study and your own situation as a reporter.

Glossary

- **Balance (in a story)** – making sure that all relevant viewpoints are covered, that sources form a representative selection of people involved, and that any judgements in the story are supported by the evidence
- **Conclusive proof** – evidence that is so complete and compelling that it points to only one explanation
- **Contract labour** – short-term work governed by a contract between employer and employee; often implies exploitative labour conditions because short-term workers do not have the same legal protections as regular employees
- **Ethics** – system of belief about what is ‘right’ or ‘wrong’; behaving in accordance with this belief
- **Hypothesis** – a proposition put forward as the basis for argument or investigation without any advance assumption that it is true
- **Infrastructure** – the basic foundations or resources needed e.g. for social, economic, military or journalistic operations
- **Niche** – a specialised area or section: a niche publication serves a small, specialised readership
- **Objectivity** – assumption in science that reports of observations are completely uncoloured by feelings or opinions
- **Parastatal** – an organisation that has some political status and operates in some relationship – sometimes indirect – with the state
- **Public interest** – in the interests of the people; something that benefits the people or prevents harm to them
- **Source** – in journalism, an informant or interviewee. Single-sourced describes a story based on information from one person only; multi-sourced, a story based on a wide range of informants
- **Tender** – a document submitted by a company to bid for a contract: it describes the company, what it can offer and the conditions and targets relating to the proposed work. Also the document put out by the procuring organisation
- **Undercover** – journalistic techniques involving subterfuge, for example, using a hidden microphone or taking on a false identity (see also ‘Using covert techniques’ paragraph in Chapter 8)

Further reading

- Read the full speeches of Anton Harber, Gavin Macfadyen, Mark Hunter/Luuk Sengers and more on the Wits University journalism site at <http://www.journalism.co.za>
- You can find more information about the Forum for African Investigative Reporters at <http://www.fairreporters.org>
- For a discussion of the history of investigative reporting in the rest of the world, see the Introduction to *Tell Me No Lies: Investigative Journalism and Its Triumphs*, edited by John Pilger (London, Vintage, 2005)
- To find out more about the investigative work of South African pioneer Henry Nxumalo, see *A Good Looking Corpse* by Mike Nichol (London, Minerva, 1995) and *Who Killed Mr Drum?* by Sylvester Stein (Cape Town Mayibuye Books, 1999).
- Read Adriaan Basson and Carien du Plessis’ prizewinning story (it’s in Afrikaans) at <http://www.journalism.co.za>.