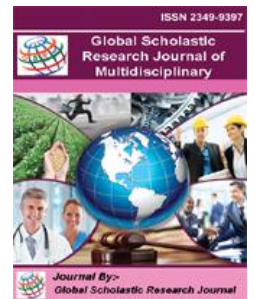




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**PARTNERING WITH EFCC: INVESTIGATIVE JOURNALISM IN THE SERVICE  
OF THE NIGERIAN PUBLIC**

**PATRICK EDEM OKON, PH.D**

Mass Communication Department, Covenant University, Canaanland, Ota, Ogun State,  
Nigeria

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**Abstract**

*This paper examines the ways investigative journalists in Nigeria can partner with the Economic and Financial Crime Commission (EFCC) to effectively control financial crimes and corrupt practices. The two questions to be answered are: What role can investigative journalism play in nation-building, particularly in the fight against corruption in Nigeria? How can investigative journalists function to assist EFCC in the investigation of economic and financial crimes in the interest of justice and the good of the Nigerian people? Oral interview is used as the method for empirical investigation and four samples, drawn from different media houses and the academia, are selected to provide the resources for data. Two communication theories - developmental media theory and the narrative paradigm theory - are used to give theoretical direction to this paper. Findings show that the 'synergy' is germane, crucial, and necessary. The paper concludes that investigative journalism, if strategically utilized by EFCC, can offer the much needed assistance in the prosecution of its investigative tasks and the control of economic and financial crimes in the country.*

**Key words:** Synergy, anti-graft agency, EFCC, investigative journalism, strategy, economic and financial crime, nation-building.

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## 1. INTRODUCTION

Investigative journalism, on the one hand, is traditionally viewed as a ‘specialist’, ‘non-profit’ and ‘data-based’ professional practice. Journalists who engage in this *genre* of the practice are expected to regularly explore and expose crimes, corrupt practices and other forms of deliberately concealed events that can potentially harm public interest. The Economic and Financial Crime Commission (EFCC), on the other hand, is a Federal institution established with a legislative mandate to investigate, on the basis of submitted petitions, allegations of financial and economic crimes, with the sole aim of securing justice through the prosecution and conviction of any offender in the law courts in favour of the Nigerian public.

However, EFCC has frequently been criticised as being inept and ineffective in the exercise of its legislative functions. Understanding *why* and *how* investigative journalists and EFCC can strike a lasting partnership and work together in the furtherance of justice and good practices across Nigeria is the central concern of this paper. The paper begins to explore these issues from the point of view of the story of Femi Fani-Kayode, the former Nigeria Minister of Aviation. This is followed by the explorations of the two theories that give foundations to this study, as well as issues about EFCC and investigative journalism.

## 2. FANI-KAYODE AND EFCC

The story about Fani-Kayode and EFCC was carried by a number of newspapers (both online and offline). Ibeh of *Premium Times*, for example, wrote that (online, June 16, 2015) a Federal High Court in Lagos discharged and acquitted Fani-Kayode of corruption charges on July 1, 2015, on the grounds that EFCC failed to prove beyond reasonable doubt its case against the former Aviation Minister. In her judgement, Justice Ofili-Ajumogobia noted that the prosecutor’s case was “feeble” and failed to provide “copious evidence” linking the former minister to money laundering, and that EFCC had failed to prove its allegations against Fani-Kayode beyond reasonable doubts; and consequently, the accused person was discharged and acquitted by the law court. Ibeh’s report further indicates that EFCC, through its spokesperson, Wilson Uwujaren, received the news of the acquittal with great shock and determination to respond appropriately to the court ruling.

This story about Fani-Kayode is just one instance of the many EFCC’s faulty prosecutions of Nigerians. For example, between March and July of 2015, it is on record that EFCC had lost

three high profile court cases. These were cases that had generated public interests. The cases involved three public office holders, namely, Timipre Sylva, the former governor of Bayelsa State; Francis Atuche, an ex-Managing Director of Platinumhabib Bank Plc; and Femi Fani-Kayode, the former Minister of Aviation. A Federal High Court sitting in Abuja dismissed the 42-count charge filed against Sylva for lack of diligent prosecution. Atuche got a reprieve from a Lagos High Court on the ground of jurisdiction which the court said it lacked on the matter. The Federal High Court in Lagos ruled that Fani-Kayode's prosecution lawyer failed to prove its case beyond reasonable doubts. There have been, in the past years or even the current year, similar cases lost purely on legal or technical grounds or both, regardless of the merit or demerit of the cases. This development is, indeed, questionable and worrisome.

The rampancy of EFCC's failed court cases is, on the one hand, a proof in support of the arguments of ineptness and inefficiency often levelled by the Nigerian public against EFCC. On the other hand, it provides convincing evidence that, in order to succeed and win cases, EFCC would need to assess and reassess its partnership culture with a number of other stakeholders, including investigative journalists and media institutions spread across the country. In view of this, it may be argued that investigative journalism, and indeed, interpretative journalists, have a significant role to play in the fight against financial crimes and corruption in Nigeria, through a well-structured partnership deal with the anti-graft agency or any other body mandated by the government to oversee the prosecution of corrupt officers and economic and financial crimes offenders. The rest of the paper seeks to prove or disprove this assumption.

### **3. SETTING THE THEORETICAL FRAMEWORKS**

The two communication theories that can help us make sense of how investigative journalists can work with EFCC to redress some of its limitations and, indeed, improve the image of EFCC are the 'narrative paradigm' and the 'developmental media' theories.

Fisher's (1984) 'narrative paradigm' theory, on the one hand, advocates the development and spread of stories that are compelling enough to elicit positive public response for change. Fisher is of the belief that humans are essentially storytellers; that people are more persuaded by a good story; and that human beliefs and behaviours are driven by values, emotions, and aesthetical considerations encapsulated in a good story. The narrative paradigm simply asserts that narrative logic is preferred over the traditional argumentative logic and "that

people judge the credibility of speakers by whether their stories hang together (have coherence) and ring true (have fidelity)” (West & Turner, 2014: 357). Thus, the power of credible stories rests on their capability in inducing a ‘paradigm shift’ in the way most people make sense of the world around them.

Though Fisher’s theory has been criticised on a number of points - for being too broad in scope by bringing all communication arts under the logical frame of narrative; and for its lack of uniformity with some of its claims about the logical consistency of narratives -, this paper finds the theory still relevant for grounding its arguments on the following areas: It helps the understanding of issues relating to the multiple logics at work in human communication encounters; and the understanding of the democratic process that ought to drive rhetorical analysis, whereby people’s lived experiences can make them capable of analysing rhetoric and accepting it to drive decisions and social actions (West & Turner, 2014: 365). Besides, it provides a meaningful paradigm for gaining new knowledge about how investigative journalism could be more properly conceptualized as a storytelling process.

McQuail’s (1987) developmental media theory, on the other hand, is “a normative theory calling for government and media to work in partnership to ensure that media assist in the planned beneficial development of the country” (Baran & Davies, 2009: 122). This theory is essentially different from the democratic participatory communication theory and functions as an alternative to the traditional normative theory of social responsibility of the media. The developmental media theory is also closely aligned with the Agenda-Setting theory. McCombs and Shaw’s (1972) version acknowledged that it is the media that tell us what to think and what not to think about social realities and events. In other words, the amount of attention given to an issue of public interest in the media affects the level of importance assigned to that issue by media audiences. Again, though media, through its agenda-setting processes, may not completely change people’s perspectives on a particular issue, they do however influence their perception of what is fair and good. It is precisely this inherent influencing power of the media that makes them to be seen and used as important instruments in supporting government’s developmental policies (Inuwa, 2007).

Though the developmental media theory has been criticized for its alignment with the authoritarian normative theory of the press, the value of the theory to this discourse rests on the following: its promotion of media’s support, through information flow, for government

(or its agencies) in the drive towards national development; the recognition by communication scholars (Baran & Davies, 2009) that media's function to support government should not only be in favour of the *status quo*, but should also function to challenge the dysfunctional nature of existing regimes and their political systems or institutions. However, it is the inherent national development logic that is seen to be essentially vital in describing and advocating a partnership deal between EFCC and other stakeholders to ensure increased efficiency in the actualization of planned government's political agendas for the country.

#### 4. EFCC AND LEGAL MANDATES

EFCC was established by the National Assembly on the 14<sup>th</sup> of December 2002, by means of the *Economic and Financial Crimes Commission (Establishment) Act 2002, Laws of the Federation of Nigeria* (as amended in 2004). Its members were drawn from across a number of institutions and ministries. Based on the provisions of the law, the legal mandates of the agency were stretched to cover a number of areas, including:

- the enforcement and administration of the provisions of the EFCC Act;
- the investigation of all financial crimes;
- the co-ordination and enforcement of all economic crimes laws;
- the adoption of measures to identify, tract, freeze or seize proceeds derived from terrorism, economic and financial crimes and other related offences; and
- the adoption of measures to eradicate the commission of economic and financial crimes;

Other functions were:

- the examination and investigation of all reported cases of economic and financial crimes with a view to identifying individuals, corporate bodies or groups involved;
- the supervision and co-ordination of all investigating units and activities relating to the investigation and prosecution of all offences connected with economic and financial crimes, in consultation with the Attorney-General of the Federation; and
- the carrying out and sustaining of rigorous public enlightenment campaigns against economic and financial crimes within and outside Nigeria, just to mention a few.

- The Commission is also expected to carry out such other activities as are necessary for the full discharge of all the functions conferred on it under the Act.

The list of the legal mandates is very lengthy. From the list, it is clear that the responsibility imposed on the Commission by the Federal government of Nigeria is simply enormous, if not overwhelming. Again, all members expected to assist in carryout these functions, except the Chairman who is also the Director General of the Commission, are part-time members (Section 2.2). This membership structure, in a way, can also impact negatively on its efficiency. This paper is of the view that some of these legal mandates, especially the Commission's powers of investigation and prosecution of alleged crimes, could be more meaningfully exercised when (and if) done in partnership with other stakeholders outside those listed in the enabling law, especially investigative journalists.

## 5. EFCC'S FULFILMENT OF LEGAL MANDATES

While the legislative powers of EFCC stretch to cover quite a number of areas and issues, how the Commission actually and faithfully satisfies these mandates over the past fifteen years remain contestable, if not questionable.

The golden years of the anti-grafts Commission are generally tied to the periods between 2002 and early 2007, under the Presidency of Olusegun Obasanjo and the pioneering Executive Chairmanship of Mallam Nuhu Ribadu. After Ribadu's era, the general claim is that the Commission's achievements have been relatively modest. A number of critics admit that the Commission has, over the years, grown to become "a toothless bulldog", especially under the leadership of Mrs. Farida Waziri, Mr. Ibrahim Lamorde, and now Mr. Ibrahim Mustafa Magu who took over the administrative seat of the Commission on November 11, 2015, first as the acting Chairman and now as the Director General of the Commission (*Sunday Vanguard*, March 6, 2016: 1).

In his verbal attack of the Commission, Olusegun Obasanjo, the former president of Nigeria and the man under whose tutorship the pioneering activities of the anti-graft agency were honed, for example, affirmed the popular acclaim that the Commission, since after the exit of Ribadu, has failed in the performance of its mandates. Obasanjo "wondered what had happened to the anti-graft agency that led to its present status" (*Sunday Vanguard*, March 6,

2016: 5). For him, the questions to be answered are, how did the Commission go down? How did it lose its force and investigative powers? (p. 5).

Iheanyi Enwerem (2015), a Catholic Priest of the Order of Preachers (O.P.), also admits that though for the eight years of Obasanjo's presidency, it is alleged that he was using the EFCC to selectively fight his political opponents and settle political scores, the achievements of the Commission over those years is incomparable to the subsequent administrative years of Late President Umaru Musa Yar'Adua or his successor, President Godluck Ebele Jonathan. He argues that the depth in crime investigations, the availability of logistics, tenacity, the personages investigated and brought to justice, as well as the positive outcomes recorded during the times of Obasanjo are never the same with the realities in the post-Ribadu eras.

Again, the Commission's development of a national anti-corruption strategy, the establishment of a national network of civil society organizations advocating for the fight against corruption and governance reforms, development of specialized non-conviction based asset forfeiture legislation aimed at furthering the effectiveness of law enforcement action against corruption, the recovery of stolen public funds and properties, as well as the return of recovered stolen public money into the Federal government's treasury, are never commensurate with the amount of public funding that has been logistically committed annually into the Commission, both by the Federal government of Nigeria and her foreign partners, such as the European Union and the United Nations Office on Drug and Crime (UNODC). For him, the years of Jonathan's Presidency is known particularly to have recorded the worst and, perhaps, more subtle outcomes since the inception of the EFCC.

Justice Mahmud Mohammed of the Supreme Court (Abuja), in turn, offered a number of reasons why the two anti-graft agencies in Nigeria – EFCC and ICPC – often failed to successfully prosecute high profiled criminal cases in the country (Nov. 2, 2015). As reported by Nnadozie and Nnochiri for *Vanguard* (online, November 2, 2015), he indicted the two anti-graft agencies of often embarking on adjudicatory processes that are defective *ab initio* and, thus, bungling the cases they bring before law courts in Nigeria even before the hearing began. Apart from conducting shoddy investigations before bringing an accused person before a law court, the agencies frame far too many charges against the accused person. For him, crucial to success in the adjudication of any high profile criminal cases are proper investigation, collection of evidence, coherent presentation of cases, and judicial trial. He

argued that the “judiciary is like a builder, and works with materials that are brought to it. As such the materials necessary for construction (of judgement) must measure up to standard in order to be applied by the courts” (www.vanguardngr.com).

The Chief Justice advised EFCC and ICPC to review their mechanisms of investigations and prosecutions of financial crimes, particularly in the areas of proper investigations of alleged crimes even before the arrest of alleged offenders, the imposition of excessive offence charges against an accused, and the use of questionable witnesses. He maintained that if the cases brought by the anti-grafts agencies to the law courts must succeed, they agencies should also work to create synergy with other stakeholders.

## 6. THE RELEVANCE OF CRITICS’ POSITIONS

Seen together, the views of the critics of EFCC can offer the *rational* for understanding why EFCC should create and maintain a partnership deal with investigative journalists in the country. Such partnership, it is argued, could supply for the *lacuna* in the narrative of EFCC’s successes (or lack of successes) in the investigations of grafts, through the opening up of *spaces* for the use of more credible evidences and trustworthy witnesses to enable the anti-graft body succeed in prosecuting high profile criminal cases.

Again, critics’ views can provide the cultural and business contexts for locating the value of investigative journalism in nation building, particularly in the fight against economic and financial crimes, as well as in helping redeem the image of the anti-graft Commission.

## 7. INVESTIGATIVE JOURNALISM: A CONCEPTUAL REVIEW

Investigative journalism is an integral part of the broader journalistic profession. There are multiple definitions available, due perhaps to the long-term alignment of the practice with a number of content forms – commercialized, sensationalized and populist forms (Bromley, 2005). However, the common characteristics running across most definitions are that investigative journalism is a non-profit, evidence-based, aggressive and adversarial journalistic practice. It is a special reporting that is more thorough than conventional news reporting; it uncovers information not before gathered in order to inform the public of events that might affect their lives. Burgh (2008: 3) describes it as a distinct *genre* of journalism and a vital means of accountability. Brooks et al. (2005) view it as the ‘most glamorous’ and



important form of journalism whereby the practitioners can even become heroes to their peers.

This paper, however, adopts Unesco's definition, whereby investigative journalism is viewed as "the unveiling of matters that are concealed either deliberately by someone in a position of power, or accidentally, behind a chaotic mass of facts and circumstances that obscure understanding - and the analysis and exposure of all relevant facts to the public. It requires using both secret and open sources and documents" (Unesco, 2011: 1). The Unesco's Manual apparently suggests two models of the practice:

- ❖ The 'linguistic' model – which represents investigative journalism as a means of resistance through linguistic analysis meant to de-silence those under scrutiny and their accomplices as well as dispel myths surrounding national issues.
- ❖ The 'dramaturgic' model – that interprets individual behaviour and social actors' interactions as a projection of a chosen self and as involving self-impression management.

Based on Unesco's definition, it may be taken that "the credo of investigative journalism is uncovering information that is in the *public interest* to know" (Harcup, 2004: 75). In this way, investigative journalism is seen as capable of playing a crucial contributive role towards the promotion of freedom of expression and freedom of information, as well as the promotion of democracy and national development.

## 8. THE GLAMOUR OF INVESTIGATIVE JOURNALISM

Bromley (2005) is of the view that investigative journalism has been idealized in contradictory ways that are sometimes complementary and sometimes antagonistic, all of which are indicative of "a broader contestation around the meaning and purpose of journalism" (p. 320). He argues that most debates about the broader field of journalism have often been framed from a binary perspective - "information or entertainment; serious or trivial; objective or subjective; facts or comment; accuracy or misinformation; freedom of expression or censorship; democracy or demagoguery" (p.320). For Bromley, issues about the glamour of investigative journalism goes beyond this binary approach, to the question of how investigative journalism functions to salvage the deficits inherent in the mainstream media practices, to set agendas for public conducts, and to frame information "in redactional form" (p. 321) to meet up with public expectations.

Additionally, its glamour should not be seen in terms of its occasional alignments with the “demands for marketable, sensationalist and populist content” (p. 322), but rather in terms of its ability to dig out facts, toothcomb through documents, trail slippery persons, advance democratic rights, and function to provide journalists with a rallying-point, around which to measure and position the ideology and authority of journalism (p. 321). Bromley (2005) submits that investigative journalism should, thus, be seen to represent “a confrontation between the ‘culture of journalism...and the culture of money and profit’ inherent in the media” (p. 321).

## 9. THE PARADOX

Though glamorous, the value and effectiveness of investigative practice in contemporary times is still viewed as paradoxical. Burgh (2008), for example, argues that it can be used to right wrongs and overcome evil in a society by drawing attention to failures within a society’s systems of regulation and to the ways in which those systems are being circumvented to favour only a few. It can also be put to partisan, commercial or corrupt use when it aligns itself with the rich, the powerful and the corrupt.

Again, compared to other forms of reporting, investigative journalism is still more risky in terms of the personal safety of the reporter and/or his information sources; it is more time consuming; and it requires more money to accomplish than conventional reporting. Hence, though valued, only a small percentage of journalists are willing to take the risks and only a few media organizations can afford the type of capital required to embark on and sustain the practice.

## 10. THE PUBLIC INTEREST PARADIGM

Interestingly, explicit or implicit references are usually made in most definitions of investigative journalism available to the notion of *public interest*. The Press Complaint Commission of the United Kingdom (UK) outlines the issues of *public interest* that could be investigated to include: detecting or exposing crime or a serious misdemeanour, protecting public health and safety, preventing the public from being misled by some statement or action of an individual or organization, exposure of corruption, conflicts of interest, corporate greed or hypocritical behaviour by those in power. Thus, in their mission and commitment to serve public interest, investigative reporters should work to uncover corruption, injustices, maladministration, and lies. They should seek to document the truth in depth and provide a

voice for those without one, as well as hold the powerful to account. However, to be able to fulfil these tasks, investigative reporters must also be willing to draw on certain well-tested methodologies.

### **11. METHODOLOGIES OF EFFECTIVE INVESTIGATIVE PRACTICE**

A number of strategies have been proposed to ground the effectiveness of investigative practice. These include the need for a thorough field research into wrongdoings; scepticism of the reporter about the veracity of the issue in question; dogged determination to uncover the truth; team effort; and the support of editors and proprietors (Harcup, 2004).

However, the Unesco's 2011 manual is of the view that this journalistic *genre* should be approached principally as a "story-based inquiry" (pp. 3-4). For Unesco, the basic methodological issue is not about finding information; rather it is about telling a story: "we use stories as the cement which holds together every step of the investigative process, from conception to research, writing, quality control and publication" (p. 4). The manual calls this approach the "hypothesis-based inquiry".

The core requirement is that the storytelling process begins with the formulation of a 'hypothesis' – a tentative statement about the truth of the issue in question - that will require verification. The material for the hypothesis could be drawn either from a hunch or a tip from a whistle blower, or a petition from a petitioner. From the formulation of a hypothesis, the reporter can then proceed to seek for the information necessary to prove or disprove it, assess the cost and reward feasibility of the project, decide on the way to organize the materials in a few hard-hitting sentences to form the final story that could be defended, as well as facilitate quality control in terms of ensuring that the story meets up to the ethical criteria set out by the profession. In a nutshell, the Unesco's manual presents the methodological strategy of investigative practice as highly distinctive: it involves original research into wrongdoing based on a tentative assumption and a well-crafted storyline that can be promoted and defended. It is different from the simple description of events of the conventional reportage or from mere rhetorical arguments.

Bromley (2005: 321), in turn, emphasizes the need for investigative journalism to go beyond the mere over-privileging of experience and mission zeal as a reporter, to the question of subjective competence, effective connection with policymakers, political advocacy that

facilitate debates, and mobilization of the public for social action for public interest. For him, the practice should also strategize to work against the historical privileging of the public as mere spectators to information supply, by repositioning the public as ‘active’ consumers whose ability to help investigative reporter generate contents is in itself immeasurable.

Other methodological strategies that have been historically recognized include the need for investigative journalists to develop a forensic skill - to talk to witnesses and immerse oneself in thousands of relevant documents; to find ways to make one’s discoveries resonate with the experience of readers; the need for them to work with ‘computer’ and ‘computer-based knowledge’ which allows reporters today to compile and analyse masses of data, perform complicated statistical evaluations, make charts and graphs that could enhance the understanding of their stories (Brooks et al., 2005).

Also, drawing support from available constitutional laws and legislative acts when necessary, especially the Freedom of Information (FOI) Act, has also been viewed as highly significant. The FOI Act, in particular, essentially functions to provide journalists the rights to access records or seek orders from the law courts, through formal applications, for disclosures of withheld information by individuals, groups, or institutions that is of public interest to know.

## **12. INVESTIGATIVE JOURNALISM IN NIGERIA**

In Nigeria, investigative reporting has remained, over the years, more dominant within the magazine sector of the print industry than it has been in the newspaper sector. *Newswatch* magazine, for example, played a crucial role in the institutionalization and repositioning of the investigative and interpretative practice. The broadcasting sector’s rising inclusion in the field came only of recent, with Channels Television still playing a mentoring role.

A turning point in the history of Nigeria’s investigative practice came in the 80s and 90s when the political climate was very tense under General Ibrahim Babangida and, later, General Sanni Abacha. The ethically conscious investigative journalists, such as Dele Giwa, Ray Ekpu, Dan Agbese, Yakubu Mohammed and others, for example, did not spear high-hitting languages in criticising and exposing threats to national development. Their styles of writing were highly pungent. Together, these reporters introduced an aggressive dimension to investigative reporting, blazing the trail for a new approach to journalism in Nigeria. Giwa’s eventual death during the military rule of Ibrahim Babaginda has long been attributed to his

unflinching commitment and adversarial methodology in exposing the hidden corruption in government circles.

### 13. INVESTIGATIVE JOURNALISM AND NATION-BUILDING

Nation-building is a very broad and evolutionary concept that captures a wide range of issues, programmes, and modes of social relations that impact on the life of citizens and the well-being of a nation. It is a social process that is long-term and is a result, not only of political leadership, but also of changes in technology, economic processes, as well as communication, culture, civil society, interdependence of political structures, globalization, and so on (Stephenson, 2005).

Within the Nigerian context, the specific issues and programmes that nation-building addresses are wide ranging. However, it is within the context of the fight against crimes (financial, economic or otherwise) and corrupt practices that the place and importance of investigative reporting in nation-building is more logically located in this paper.

Understanding the role of investigative journalism in nation-building is, therefore, not far removed from understanding the importance of the broader field of journalism as a professional practice in national development. The basic requirements are that, outside the core roles of educating and entertaining citizens, investigative journalism should function as exemplary organ for informing the citizens about controversial issues, for coordinating information flow between government and the public, for shaping societal norms and values, for the resolution of social problems, for promoting national integration, and for upward mobility. Through its adopted indepth research and storytelling approaches, the investigative practice, more than any other *genre* of the journalistic profession, is expected to help in the creation of awareness and the formation of public opinions with regard to the dysfunctional national structures and/or individual or organizational actions (or inactions) that could constitute sources of harm to the Nigerian citizenry.

As a form of ‘crusading journalism’, investigative journalism can also provide the needed mechanism, pragmatic platforms and infrastructures for campaigning for socioeconomic and political reforms within Nigeria. However, the exercise of the powers of investigative journalism in nation-building must go beyond the simple creation of awareness or shaping of

public opinion to getting the citizens, government's agencies, and NGOs to rise up and act on the basis of the information provided for the good of the nation and justice for the citizens.

#### 14. FIELD RESEARCH AND FINDINGS

Telephone interviews were held between July and September 2016 with two practitioners from the *Wale Soyinka Centre of Investigative Journalism (WSCIJ)* (Interviewee 1) and the *Daily Mirror* newspaper (Interviewee 2), both in Lagos, as well as with two academics - a retired Professor of Mass Communication in Ogun State (Interviewee 3) and an Associate Professor with the Department of Linguistics and Communication, the University of Calabar (Interviewee 4). The interviewees were purposively selected. Each interview lasted for about thirty minutes.

Issues addressed during the interviews included the current state of investigative journalism in the country (1); the active (or non-active) involvement of the local journalists in the practice (2); the media houses that are currently expository-oriented (3); whether investigative journalism can assist EFCC in the investigation and prosecution of financial criminals and corrupt individuals in Nigeria (4); the possible strategies that could be adopted to ensure and strengthen such collaboration (5); the possible benefits of such partnership on both parties and the nation at large (6); and the problems associated with the FOI law in Nigeria and how these could be mitigated to reinforce the practice of investigative journalism(7).

#### Empirical findings are summarized as follows:

- ❑ Investigative journalism, as a culture, is still very active in Nigeria and quite a number of journalists are interested in the practice; that is because, the practice provides a distinctive voice for those in the media and a place to work above the ground and step out of the zone of ordinary reporting.
- ❑ However, investigative journalism is no longer being practiced by reporters in Nigeria the way it has, historically, been conceptualized. "The steam is down and the practice is not well directed" (interviewee 4). "All papers tend to have the same headlines; no difference in terms of breaking news made on the basis of thorough investigation into issues of high national significance. No serious attempt at undercover practice to produce new data never before discovered" (interviewee 2).
- ❑ The aspects most neglected are follow-up on stories and training for personal competence necessary for digging deep into private affairs or events without incurring

people's wraths. "Many reporters in Nigeria who call themselves investigative journalists are not really skilled at it" (interviewee 3). These neglected elements tend to delimit today the culture and potency of investigative practice in Nigeria.

- ❑ The change in investigative practice in Nigeria has an historical birth line. This dates back to the death of Dele Giwa in 1986.
- ❑ There are inhibiting factors responsible for the unserious manner the practice is currently being approached: lack of institutional support in terms of funding, enabling working environment and reward system; the security risk involved in the practice.
- ❑ Others: the culture of impunity which makes it difficult for journalists to access evidence to pin down corrupt officials. Even when some degree of evidence has been established, government officials who want to protect their colleagues hardly follow-up on those emergent stories.
- ❑ The setbacks notwithstanding, a few media outlets are still expository-inclined:
  - For the print sector, *Newswatch* and *Tell* magazines, *The Punch*, *The Nation*, *Newsday*, *The Guardian*, and *The Sun* newspapers. *The Sun* newspaper, though investigative, is biased towards sensationalization and marketization of its stories. *The Nation* and *The Guardian*, in turn, still have investigative departments that have not been too active in recent times - Most of their investigative reporting is undertaken as one-man's affair. For the online print outlets, *The Sahara Reporting* and *The News Now* are listed.
  - For the broadcasting sector, the *Television Continental* and the *Channel Television* are singled out. *Channels Television* digs deep into news before they become public. Though *Television Continental* has a good investigative unit, it is often biased towards ownership policy.
- ❑ WSCIJ currently has a big challenge in monitoring the optimum performance in the broadcast sector. Interviewee 1 notes that for four years, WSCIJ was unable to get price winners from the television and other broadcasting sectors. It was only two years ago that two award winners finally emerged from *TV Continental* and *Channels*.
- ❑ Traditionally, from the international perspective, the print media has always been seen to be better in investigative reporting. But these days, the broadcast media are doing much better than the print (e.g. the CNN - CNN, as a practice policy, investigates, monitors, and provides follow-ups on events until there is nothing more to report about the event). But from the Nigerian scenario, it is now very difficult to make a clear distinction between the performance of the print and broadcast media. Yet, *Channels TV* still remains the most outstanding in the broadcasting industry (interviewee 3).

- ❑ All the interviewees agree that the country needs the ‘synergy’ between investigative journalism and EFCC and that it can be of great benefit, not only to EFCC’s self-image, but also to the development of the country. The partnership will go a long way to ensure success for the agency and victory for the citizens. It will enable follow-ups on petitions.
- ❑ But such partnership will work well only if investigative reporting is practiced correctly: “It can open up spaces for EFCC to follow-up breaking news as provided by the media. EFCC can pick up on these stories and investigate deeper into them. That is what FBI, for example, would do if CNN was to provide breaking news of alleged corrupt practices in the United States” (Interviewee 2).
- ❑ There are two dimensions from which the partnership could be viewed:
  - ❖ *The positive side* - it can provide leads for EFCC to follow-up on stories and get public officers to do the right thing, knowing that they could be investigated by journalists.
  - ❖ *The negative side* - no investigative report can be tendered directly in the law courts in Nigeria as evidence. From this legal angle, investigative stories may have little direct impact on EFCC’s persecutions. They will be beneficiary only to the extent that they are approached by EFCC for background information on submitted cases.
- ❑ However, the partnership will work well only if EFCC provides investigative journalists the information they should use to dig deeper into issues of national concern and if investigative journalists provide EFCC the information it can use to prosecute cases and enforce anti-crime laws.
- ❑ The relevant unit of WSCIJ, for example, has tried to bridge the information gap between the Centre and EFCC in relation to the oil and gas project the Centre has been running for years now. WSCIJ made a petition to EFCC in 2014 against some offenders in the oil and gas industry. This was in response to a call from EFCC for such a petition. Thus, petition writing against offenders remains the most visible evidence of the existence of any collaboration between WSCIJ and EFCC. The status of that collaboration could improve in the next couple of years.
- ❑ The strategies proposed to ensure, orient, and strengthen IJ-EFCC collaboration include the following:
  - ✓ a more effective use of EFCC’s press centre to link up regularly with media establishments and investigative journalists;
  - ✓ a more intelligent and proactive use of other EFCC’s ways of reaching out to media reporters;



- ✓ a rethinking of how media is seen and used by EFCC - So far, EFCC sees the media only as ‘public advertising’ partners, in an attempt to make itself look good in the eyes of the public. Media should be seen more as effective investigative collaborators;
  - ✓ the need for both EFCC and the media to have a better understanding of each other’s working platform;
  - ✓ a few investigative journalists could be further trained for competency, employed and attached to EFCC to provide it with the necessary link to diverse media houses who have the resources for thorough investigations;
  - ✓ the agency can be a funding partner to allow investigations and follow-ups on petitions by journalists; that is because thorough investigation involves huge capital; as well as the provision of training supports to those media houses with investigative and interpretative units; and,
  - ✓ the need for the terms of such partnership to be carefully and properly honed out to avoid possible misconceptions and rancour.
- The FOI Act of 2011 simply reinforces other laws in existence that deal with issues of freedom of expression. But the current challenge with the law is the question of usage: “Before the Act was signed into law, people acted as though if they have it they would move mountains. Now the Act is in place, not many have actually used it to bring corrupt people to the law courts or expose offences” (Interviewee 3). Secondly, “Nigeria is not yet mature enough to utilize the law effectively. Information is still, more or less, being treated as a private property in the country by public officers” (interviewee 4). How the powers of the FOI Act can be invoked to support journalistic practice remains the big question.
- To mitigate this challenge, the interviewees agree,
- ❖ Journalists need to press against all obstacles in trying to use the law as nothing good comes easy.
  - ❖ There is need for national mobilization and enlightenment campaigns to assist a better utilization of the law. NGOs, in particular, can assist in championing the cause for the full implementation of the FOI Act.
  - ❖ Public officers who refuse reporters access to information should be made to face legal consequences for such breaches.
  - ❖ The assumption of interviewees is that “when fully activated and implemented, the FOI policy can go a long way in enabling investigative journalists get information easily and overcome some of the security challenges they are facing in the course of their investigations” (interviewee 2).
- All interviewees also agree that IJ-EFCC partnership will benefit the country:

- ❖ The media offers a platform for reaching out to a large number of people. If the media is involved with EFCC, the agency's work will have improved skill both at the investigation and litigation levels.
  - ❖ "If a report is produced by the media about issues of national importance and EFCC investigates them, it will help dispel rumours and place certain things in their right perspectives" (Interviewee 4).
  - ❖ "When forensic evidence are produced and it leads to successful litigations, citizens will know who to elect into public offices and politicians will be encouraged to do things the right way for the good of the country" (interviewee 3).
- *As free comments:*
- ❖ EFCC needs to change its 'temperament' in terms of promptness and depth in responding to petitions and media reports. People already have a particular perception of EFCC. Regardless of how regularly the agency tries to put up positive appearance through the media, it cannot change the way people currently see it. The public perception can change only if there is a transformation in EFCC's working approaches, particularly its attitude towards media reports and how it follows-up on such reports.
  - ❖ EFCC practices selective love, whereby only a few journalists that are close to the agency are trusted and approached for information. This is working against the body. EFCC needs to build trust across the broader industry.
  - ❖ Media houses and their proprietors should also be prepared to fund their investigative units. Providing follow-up coverage on events and the financial expenses this requires should be dimmed highly necessary. So far, not many media houses in the country are willing to bear that financial burden. This is a question that media organizations need to resolve in the spirit of sustained partnership with other agencies of government.

## 15. DISCUSSION ON FINDINGS & RECOMMENDATIONS

The assumption of this paper, at the onset, was that investigative journalism, if strategically utilized, can assist EFCC in the investigation and control of economic and financial crimes in the country. Data drawn from the four samples have offered a reasonable level of proof that this assumption is true. The only exception clause comes from a data that indicates that, though investigative journalism can assist EFCC, investigated narratives cannot be explicitly tendered or admitted as evidence in the law court in Nigeria. Such narratives can offer only resources from which EFCC can draw background information, connect with credible witnesses, and build follow-ups on cases. The accuracy, reliability, and generalizability of

this evidence are never in doubt. Data precision is also never in question. However, a few issues from the data require further elaboration and analysis:

The call for EFCC and investigative journalist to work in partnership to ensure that the media assist in the planned beneficial development of the country, through the control of economic and financial crimes, is in sync with the theoretical orientation of McQuail's (1987) developmental media theory. The need for the media to provide forensic journalistic support for government should never be undervalued in a country like ours where corruption is the bane of the day, eating so deep into the moral and social fabric of our nation and destroying all that we hold dear. Such support can go a long way to influence citizen's perception of what is fair and good and ensure that public business is conducted with a good moral taste. Again, if government must be seen to be capable of doing justice at all levels and maintaining good will across the diverse social and political units in the country, such partnership between government agencies and forensic journalists must be seen to be more than necessary and must be encouraged through regular workshops, seminars, and public campaigns.

The public perception of EFCC, as noted earlier, is a narrative of ineptness, ineffectiveness, and inefficiency. EFCC's relationship with the media over the years has, fundamentally, been directed towards the reversal of this negative perception. Evidence suggests that, beyond the attempts to improve its image through public advertising, EFCC should work to reverse its public image, not only by strengthening synergy (as important as that might be), but also by repackaging its legal narrative style and transforming its overall *modus operandi*. If analysed on the basis of Fisher's (1984) 'narrative paradigm', it is worth noting that for any legal story told by EFCC to be compelling and elicit a positive response, it must have 'coherence', 'fidelity' and a 'good sense'. The storyteller himself must be seen to be credible. Any legal narrative from EFCC based only on mere logical argument, as Fisher's theory suggests, should not be seen, either by the public or EFCC itself, as sufficient to bring about a 'paradigm shift' or even social public action for change.

In the same vein, for any investigative reports provided by investigative journalists in support of EFCC to have a persuasive force, it is expected that the power of such reports should rests on nothing more than the rationality and truthfulness of their contents, as well as on how they connect with the experiences of Nigerians. In other words, the space to pursue

credible stories for EFCC should not be defined solely by how interesting the stories might turn out to become, but more importantly by the notions of ‘truth’, ‘affectivity’, and ‘objectivity’ (Okon, 2015). Again, while the forensic reporter is expected to occasionally question his own expectations and assumptions during the course of investigation, it is also required that he keeps his nose clean by avoiding doing any illegal or unethical things that, if somebody found out, could be used against him as blackmail to drop or change his narrative.

The fourth issue has to do with the proposition by some of the interviewees that EFCC should fund media houses’ investigative departments or journalists to cater for the balance in the heavy capital required to engage in any forensic activities in support of EFCC. The position of this paper is that such proposition should be taken with careful consideration. The call for EFCC to become a funding partner should be seen not just in terms of EFCC giving money to media organizations (as this may be misconstrued) but in terms of supporting the training of investigative journalists and organizing seminars/workshops on investigative practice to draw in new entrants into the field. Based on their improved knowledge, these journalists would be better positioned to offer services to EFCC.

Another alternative model for upsetting any heavy financial burden would be for EFCC to encourage local communities to draw on the services of investigative reporters and to fund investigations undertaken on their behalf in support of any petitions raised by them against any person or organization. This model, in the view of this paper, would be more proactive in joining local communities and investigative journalists in the struggle for justice.

## 16. CONCLUSION

The aim of this paper was to examine the ways and strategies of a possible lasting partnership between investigative journalists and EFCC in Nigeria. Femi-Kayode’s story and others were used to argue the problems currently confronting EFCC and to offer justifications for the much needed synergy, in the bid to improve EFCC’s performance. Empirical findings have confirmed that a working partnership between EFCC and Investigative journalists is possible and necessary for the country. In particular, investigative journalism should be approached, not merely as an advertising partner, but as a necessary partner in nation-building, particularly in the fight against financial and economic crimes. However, to be effective, there is the need for the forensic practice to draw on known strategic methodologies and to strike a meaningful balance between the demands of proprietorship and citizenship.

A number of strategies have been suggested by interviewees to drive and sustain any partnership between forensic reporters and EFCC. In particular, the proposal for a funding support from EFCC is outstanding. But this paper suggests that that proposal be considered with care. As an alternative model, rather than fund media houses directly, this paper recommends that local communities be empowered by EFCC to increasingly use and provide funding support to investigative journalists in their effort to build petitions against corrupt individuals, groups, and institutions. Also, in their work with EFCC, investigative journalists need to build for EFCC evidence-based narratives that are authentic, accurate, and empathetic, and that can provide resources for EFCC to access credible witnesses and background information to prosecute crimes and convict offenders.

Also, in recognition of the effectiveness of the FOI Act in supporting the practice, investigative journalists would need to work with NGOs and other stakeholders to activate and use the Nigerian FOI policy when necessary, to enable them access information kept secret by public officers; that is, if their work must have the necessary power to bring about a paradigm shift and social action for change in Nigeria.

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