Ethical Dilemma of Investigative Journalism: An Islamic Perspective

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Abstract

Investigative reporting is increasingly becoming a popular trend in the field of journalism with many news organizations attempting to establish a foothold in its practice. Viewed as a distinctive brand of journalism, investigative reporting could perhaps not be new or different from everyday journalism save for its quest to use a plethora of methods to uncover and expose information. This paper examines the ethical conundrum of investigative journalism from an Islamic point informed by the recurring debate among scholars, professionals and would-be practitioners about its legality or otherwise due largely to ethical concerns. These concerns stem from reporters' resort to such controversial techniques as undercover entrapment, covert operation, privacy invasion and the use of illegal equipment and clandestine technique to sourcing for information for their stories vis-à-vis Islamic teachings against those questionable practices. The paper proposes an Islamic approach to investigative reporting that upholds the primacy of public interest over private and personal interests based on the highly-established Islamic jurisprudential principle. It provides religious justification for the practice of investigative reporting on the basis of public interest and identifies the limit practitioners can go.

Introduction

There are several definitions of investigative journalism all of which agree that it is a kind journalism that goes beyond everyday news reporting. It rather involves in-depth reports that "dig beneath the surface" to uncover secrets presumed to be of public significance (Itule & Anderson, 2008: 397). According to Forbes (2005, p.1), the term investigative journalism is used "to cover a range of reporting activities, from simple news-based enquiries to undercover operations that piece together a jigsaw puzzle of events, resulting in a final exposé or scoop." Ballard, Levy, Stefanski and Tchatchev (2011) define investigative journalism as brand of journalism in which reporters deeply investigate a single topic of interest to undercover truths often involving crime, political corruption or corporate wrongdoing. For Stovall (2011), investigative journalism involves uncovering information that has been kept from public view or scrutiny. The watchdog role of the media has made them crusaders against public corruption. Hence, the media have waged the fight for what is considered the public good and exposed dishonesty and violation of public trust. Harcup (2009) cites Ulmann and Honeymoon (2001) defining investigative journalism as the type of reporting, through one's own work product and initiative, matters of importance which some persons or organizations wish to keep secret. According to the authors, the three basic elements of investigative journalism are that the investigation be the work of the reporter i.e. not a report of an investigation made by someone

else; that the subject of the story involves something of reasonable importance to the reader or viewer and that others are attempting to hide these matters from the public. Coronel (2012) stresses that investigative journalism is not and should not be misunderstood for leak journalism, reporting based on a single source, using information for extortion and paparazzi journalism.

Public interest – which investigative journalism is anchored on – refers to a quality whereby a community will be disadvantaged by not knowing this information or will benefit either materially or through informed decision-making by knowing it (Nazakat, 2017). Aljazeera Media Center stresses the need to differentiate public interest from national interest. While national interest is the term which is sometimes used by governments for illegal, dangerous or unethical acts to discourage journalists from reporting on a significant problem, public interest on the other hand, means uncovering information about issues important to a significant part of the population in order to protect their lives, health, property and rights as well as secure justice and the rule of law (Aljazeera Media Institute, 2020). More reference to public interest shall follow in subsequent discussions.

Efforts in recent years to promote investigative journalism and entrench its practice have created a wrong that investigative reporting is just emerging. This may not be true strictly speaking. The so-called Watergate scandal that led to the resignation of President Richard Nixon in 1974 is widely believed to involve different kinds of investigations including those by the media. The *Washington Post* and *The New York* Times have carried out investigative reports that increased publicity and consequent political and legal repercussions. Stovall (2011) argues that what is today called investigative journalism was first developed by magazine journalists at the beginning of the twentieth century. At that time, journalists wrote long series of articles about exploited workers, unsanitary food processing and other social problems. Theodore Roosevelt tagged them "muckrakers" because of the way their reports stirred social consciences and brought about changes in laws that improved society. In Nigeria, some of the erstwhile prominent magazines like *Newswatch*, *Tell* and *The Citizen* did a number of investigative stories that could be seen as the dawn of investigative journalism in Nigeria especially during the era of military regimes.These magazines were critical of military dictatorship and had published stories that exposed corruption and impunity under the military governments of Generals Ibrahim Babangida and Sani Abacha. The assassination of *Newswatch*'s Editor-in-Chief, Dele Giwa, through a parcel bomb in 1986 was blamed on former President Babangida's military government. Mr. Giwa was said to be in possession of certain investigative news facts or classified information which the government was not comfortable with (Ogaraku, 2019).

The maxim "good journalism is ethical journalism" underscores the imperative of ethics in journalism practice. Ethics is generally concerned with right or wrong as well acceptable or unacceptable behaviour. As with other professions, ethics has remained an important concern in the field of media and journalism. Its essence is to ensure that practitioners are provided with an expected way of behaviour with a view to earning and maintaining public respect. The approach to ethics may vary but concern about ethical behaviour remains constant so much that professional conducts and practices usually come under scrutiny and made to pass ethical tests. Investigative journalism as a practice has always come under criticism with questions raised about its methods. Prominent investigative reporters have often been criticized for using underhand methods of investigation contrary to the ethical desire to keep sources of information clean and open. Concerns about ethical impropriety of investigative journalism have presented

reporters with a dilemma uncertain whether to proceed in the practice or not. This shall be further explained later.

Why Investigative Journalism?

Investigative journalism is arguably the most valuable form of reporting today in view of the kind of attention it is receiving globally. As the main source of information among citizens and as a vital link between citizens and government, the media have become an indispensable partner in a democracy. Media's role is therefore crucial for entrenchment of democracy, promotion of good governance and accountability. Through investigative reports the media give voice to the voiceless, help in fighting corruption and sleaze as well as exposing political scandal. Widely acclaimed as the "fourth estate of the realm", the media are expected to work with other branches of government to provide checks and balances. The media in particular are shouldered with the watchdog role aimed at preventing abuse of power and holding leaders accountable. OECD (2018) notes that media reporting is an essential source of detection in corruption cases, either for law enforcement authorities that investigate allegations contained in the press, or indeed for companies that decide to conduct internal investigations or self-report, or anti-money laundering reporting entities that make suspicious transaction reports, following queries from the media or published articles.

Over the past few years, support for investigative journalism has been growing in view of its importance in entrenching good governance and accountability. Nearly $150 million is spent annually by US donors on international media assistance in addition to more millions spent by overseas donors. A significant amount from this goes to investigative reporting projects by centers, NGOs, universities and fellowship programmes globally (Kaplan, 2007). More avenues for support have continued to be worked out courtesy of Center for International Media Assistance (CIMA) as a result of the field's rapid growth over the years making it to spread more rapidly around the world (Kaplan, 2013). The Global Forum for Media Development is, through the Fund for Investigative Journalism (FIJ), providing a grant worth ten thousand dollars to journalists, reporters and media outlets to "produce high-quality, unbiased, non-partisan stories that have impact" (www.gfmd.info). All across the world, support for investigative journalism has been increasing in different forms, shapes and sizes – such as funding, research grants and fellowships to centres, institutions and individual journalists embarking on investigative projects. This support is provided by such entities/partners as MacArthur Foundation, Adessium, USAID, Open Society Foundation, Ford, Kinght, to mention a few. Investigative journalism conferences have become a regular feature of journalistic calendar in North America, Europe, Africa and other parts of the world bringing together scholars and professionals to brainstorm towards forging common ground and experience sharing.

Centers and Awards for Investigative Journalism

In reflection of the growing interest over investigative journalism, several centers have been established across the world with a view to facilitating training and sharing of information as well as providing various kinds of support and assistance for the investigative reporters whose primary purpose is to give citizens the information they need to be free and self-governing (Kovach and Rosenstiel, 2017). Prominent among these include the International Consortium of Investigative Journalists (ICIJ), International Centre for Investigative Reporting (ICIR), Global Investigative Journalism Network (GIJN), Premium Times Centre for Investigative Journalism

(PTCIJ), Aljazeera Investigative Unit (The I-Unit) and Wole Soyinka Center for Investigative Reporting (WSCIJ).

Several awards have also been instituted to recognize and reward the efforts, sacrifices and works of investigative journalists. Global Investigative Journalism Network (GIJN) gives a number of global and regional journalism awards for investigative reporters as well as excellence in the field of journalism generally. This includes Global Shining Light Award, Investigative Reporters and Editors Award, The TRACE Prize for Investigative Reporting, CEI SEEMO Award for Outstanding Merits in Investigative Journalism, Latin American Investigative Journalism Awards, Pulitzer Prize, Nobert Zongo Investigative Journalism Prize, Southern African Media Award in Social Accountability Reporting, The Arab Reporters for Investigative Journalism Annual Awards, to mention a few (www.gijn.org/awardsforinvestigativejournalists). Wole Soyinka award for Investigative Reporting is probably Nigeria's most prestigious award for investigative journalism. It was conceived with the aim of rewarding, promoting and encouraging best practice in journalism works as well as aiding the development of an investigative reporting culture in the Nigerian media. The award, which was instituted in 2005, has been an annual event. The 17th Edition, being the latest, took place in December 2022 with 13 journalists honoured across different categories (www.wscij.org).

To qualify for most of these awards, journalists are either invited to apply with their stories or are nominated. Submissions are subjected to some established criteria with winners in most cases emerging through a selection process conducted mostly by an appointed panel of judges.

Techniques of Investigative Reporting

It is clear that investigative journalism has no single methodology/approach; everything depends on the initiative, craftiness and ingenuity of the reporter. To retrieve relevant information, various approaches are adopted – from the relatively less-controversial sifting through "classified" documents and official records to the more extreme and questionable approach of using of spy cameras, hidden recording technologies and other illegal equipment. These methods sometimes allow for privacy invasion by way of phone tapping as well as deep search into otherwise secret materials and documents. This makes investigative journalism a problematic subject to deal with from an ethical point of view. While gathering information through documentary and electronic information from company records, government departments as well as banks statements and other records may appear less problematic, the same cannot be said about privacy invasion and entrapment through the use of covert and clandestine methods involving going undercover to catch suspects "red-handed". In the US, the Code of Ethics of Professional Journalists mandates that reporters should "avoid undercover or other surreptitious methods of gathering information except when traditional methods will not yield vital information to the public. The use of such methods should be explained as part of the story". The resort to subterfuge and desperate means probably explains why investigative journalism is called 'journalism of outrage' and is wrongly confused with the duties of detectives. While detectives work to prove who committed a crime, investigative journalism does not prove guilt but simply bears witness and provides evidence of potential wrongdoing through meticulous examination of patterns in events or happenings (Nazakat et al, 2016). The major preoccupation of investigative journalists is to cast a spotlight on corruption and injustice.

The serious contention borders on journalistic investigations' lack of universally acceptable approach which makes it prone to extreme means of extracting information that may not necessarily pass ethical test. As Darko (2020) puts it, employing methods that are both legally and morally questionable such as sting operations, invasion of privacy and filming people without their consent has pushed journalism ethics to the limit. The famous Ghanaian investigative reporter, Anas Armeyaw Anas, is a hugely popular journalistic figure who has won several accolades and awards internationally. Yet, his methods have been criticized for being too extreme. Anas' true identity remains unknown to the public due to his face cover. His critics believe this is way too far and beyond acceptable limits. Anas has always defended his approach which, according to him, remains the only way to expose rampant corruption in Ghana. For the award-winning journalist, the end justifies the means and no measure could be too extreme.

Theoretical basis of Investigative Journalism Ethics

Ethics is the branch of philosophy concerned with regulating human conduct by determining what is right or wrong, good or evil, moral or immoral as well as acceptable or unacceptable behaviour. Simply put, ethics is the study of what constitutes right or wrong or good or bad human behaviour. According to Wimmer and Dominick (2011), the problem of determining what is right and proper (as against what is wrong and improper) has been examined for many decades. There are several approaches to ethics in journalism of which two have become most widely mentioned: deontological and teleological. Deontological ethical theory is based on the principle that what is right for one is right for all. Based on Immanuel Kant's categorical imperative, the approach espouses that to measure a correct human behaviour we need to ask the question if such behaviour is something we would want to see universally applied. Deontologists claim certain behaviour is right or wrong regardless of their consequences. Immanuel Kant argues that actions are moral only when they are done out of our sense of duty to be fair and honest. For him, action must, in addition to having good intention, employ proper means. The result is of no essence once this is done. On the other hand, teleological theory (also known as utilitarianism) argues that ethical conduct is one that produces the greatest possible result for everyone involved. This is often called 'Robin Hood' ethics or *Robinhoodism*. A foremost utilitarian, John Stuart Mill, argues that neither the intent behind the action nor the fundamental rightness or wrongness of the action is an issue, only the consequences. Thus, this approach espouses the thinking that the rightness or wrongness of any action is dependent on the outcome that derives from it. The approach, therefore, emphasizes greatest good for the greatest number of people: the end justifies the means.

Most investigative journalists appear to tilt towards utilitarianism as their actions are justifiable in the light of benefits derived on behalf of the public whose interests are given priority. Although motive is of essence but the resort to subterfuge and clandestine means, in many cases, is capable of negating any claim to deontology. Most journalists engaged in investigating others may not be themselves favourably disposed to being thoroughly investigated under the same circumstances. Nor will they support the culture of investigation being widely and universally applied on all and sundry. The relationship between teleology and the Islamic jurisprudential rule upholding public interest over narrow individual interest will be discussed later.

Islam, Transparency, Accountability and good Governance

Investigative journalism is regarded as the most valuable genre of journalism for the simple reason that it exposes political corruption, checks administrative excesses and uncovers financial sleaze and malfeasance among public officials. Nevertheless, investigative journalism may appear somehow controversial, burdensome and an extremely risky endeavor that requires the reporter to be careful about what to report and the methods adopted in sourcing information.

Islam regards leadership positions (elected or appointed) as a trust. It reiterates the need for public officials to be above board by exhibiting the highest standards of integrity, accountability, transparency, fairness and justice. There is so much within the canon of Islamic law that seeks to uphold the virtues of accountability, probity and financial responsibility among political leaders and other public officials. Islam emphasizes the fact that public funds are people's common patrimony that must be held with utmost sense of responsibility. Islam makes every attempt by occupiers of positions of authority to shortchange the public for selfish reasons utterly wrongful and ultimately reprehensible. Thus, Islam strongly admonishes whoever is trusted with public office against self-enrichment, outright stealing, embezzlement, inducement and graft in whatever form.

It is reported in Sahih Al-Bukhari (Vol 2 B24 No 576) that the Holy Prophet Muhammad (peace be upon him) once appointed a man called Ibn al-Lutbiyya to collect Zakat from Bani Sulaim and took him to account upon his return. More detailed versions of the incident revealed how the Holy Prophet took strong exception when Ibn Al-Lutbiyyah claimed that part of the collected alms was "gifted to him". "Why wouldn't he stay in his mother or his father's home and see if anything would be gifted to him?", the Prophet queried in a rather harsh tone. Commentators view this incident as a very strong and unequivocal verbal condemnation of graft by public officials. Al-Baghawiy in *Sharh-as-Sunnah*says: "this Hadith is a proof that taking graft by public officials, political leaders and judges is akin to bribery and amounts to illicit proceeds."

To explain the Qur'anic verse "…Whoever betrays trust (by taking illegally from war booty) will come with that which he took on the day of resurrection…" (Q3:161), Ibn Kathir, the foremost *mufassir* of the Holy Quran, relates a number of Prophetic traditions warning looters of public treasury against Allah's wrath when they will be forced to bring back what that they took away in whatever form. Animals as big as camels (modern day's cars, ships, planes, etc) and items as small and meagre as needle shall all be accounted for as looters were compelled to bring back their loots on their necks. Many contemporary scholars agree that the *gulul* referred to in the verse can be equated to *khiyana* (dishonesty) that describes modern day leaders' thievery and embezzlement since both share one thing in common: taking illegally from the public pool.

Great Islamic leaders like Caliph Umar bn Khattab (may Allah be pleased with him) and Umar bn Abdulaziz (may Allah be pleased with him) have set a good example of probity, financial accountability and prudent management of public resources for upcoming leaders to emulate. Umar bn Khattab once compelled Wahb bn Munabbih to refund an amount he (Wahb) reported missing from the treasury under his watch. Caliph Umar (may Allah be pleased with him) said he was neither questioning Wahb's piety nor his integrity, but was simply exercising an obligation – as the overall custodian of public fund – to hold everyone to account. In *Dhiya-us-Siyasat*, Sheikh Abdullahi bn Fodio condemns any kind of wicked and self-serving politics as unacceptable and forbidden in Islam. According to him, politics can only be permissible when

built on the foundation of justice that ensures the protection of the weak from the corruption and injustice of the strong.

Investigative Journalism and Privacy Invasion in Islam: Another Dilemma?

An important way to expose corrupt officials is through journalistic investigation. But investigative journalism may appear extremely controversial from an Islamic religious perspective given a plethora of traditions against some of its adopted methods. For instance, Islam forbids spying on others and upholds people's right to privacy. It also makes it a virtue to conceal others' wrongful acts and not disclose them. A more reasonably justifiable approach is therefore, encouraged to balance the need for investigative reporting and respect for peoples' privacy and dignity as firmly established in Islam. In other words, violating others' right to privacy and personal dignity must only be allowed for reasons or pretexts that are excusable in Islam. While it may be understandable to investigate records of suspicious financial transactions and corruption, the use of spy camera and invasion of privacy can be seen from an Islamic point of view to be a step too far. The following teachings must always be considered:

i. **Prohibition of spying and invasion of privacy:** Allah says: "And do not spy (on others)" (Q49 V12). The Holy Prophet (peace be upon him) says: "Do not spy on one another. Do not look for other's fault…" (Bukhari and Muslim). Ibn Mas'ud (may Allah be pleased with him) is reported to have said: "…We have been forbidden from spying. What becomes clear/apparent to us we act based on it" (Abu Dawud).

ii. **Prohibition of backbiting and speaking ill of others**: Allah says: "And do not backbite each other. Would any of you like to eat flesh of his dead brother? (Q49: V12). It was asked, 'O Allah's Messenger! What is backbiting? He says: "Mentioning (Talking) about your brother in a manner that he dislikes". He was asked: What if my brother was as I mentioned? He says: "If he was as you mentioned, you will have committed backbiting. But if he was not as you mentioned, you will have falsely accused him" (Tirmidhi).

iii. **Prohibition of eavesdropping:** "Whoever listens to the talk (conversation) of some people while they dislike that, molten lead shall be poured into his ears on the Day of Judgement" (Bukhari: 720).

iv. **Prohibition of trailing others' wrongdoing with the intention of exposing them:** The Holy Prophet (peace be upon him) says: "If you search of faults of people (or Muslims') you will destroy them or you nearly destroy them" (Abu Dawud: 4888). He also says: "…O you who accepted Islam with his tongue while faith has not reached his heart! Do not harm the Muslim, nor revile them, nor spy on them to expose their secrets. For indeed whoever tries to expose the secret of his brother, Allah will expose his secret wide open even if he were in the depth of his house" (Tirmidhi: 2032). Another version of the Hadith says: "O gathering of who believe with their tongues but faith has yet to enter into their hearts, do not backbite the Muslims and do not search into their privacy. Whoever searches for the privacy of his brother, Allah will follow up on his privacy. And he whose privacy Allah follows; he will expose him even (if his act were done) in the depth of his house" (Ahmad and Abu Dawood).

v. **Prohibition of suspicion:** Allah says: "O you who believe, avoid much negative assumption/suspicion. Indeed, part of suspicion is sin" (C49 V12). The Holy Prophet

(peace be upon him) says: "Beware of suspicion, for suspicion is the worst of false tales…" (Bukhari and Muslim).

vi. **The virtue of non-disclosing others' wrongful deeds:** Allah says: "Verily, those who like that lewd sinful act should be propagated among those who believe, they will have a painful torment in this world and in the Hereafter" (Quran C24: V12). The Holy Prophet (peace be upon him) says: "Whoever conceals the fault of a Muslim, Allah will conceal his faults in this world and Hereafter"

vii. **Upholding the honour and dignity of a man:** Allah says: "Indeed, we have certainly honoured the children of Adam…" The Holy Prophet (peace be upon him) says: "Verily, your lives, your property and your honour/dignity are sacred (forbidden for you to violate) as this day of yours, in this month of yours, in this city of yours…" (Bukhari [67] and Muslim [1679]).

As much as investigative journalism is worthwhile especially for encouraging transparency and accountability, reporters must think about the right approach to adopt and, when constrained to use unethical means, they must try to find justifications for their actions. For instance, given that Islam has recognized man's inalienable right to privacy, what ground should justify infringing or violatingit? The foregoing traditions have disproved modern media's core principle of public's right to know (often characterized by invasion of privacy, appeal to idle curiosity and circulating of discomforting and scandalizing news) and that nothing is sacred for being inherently un-Islamic. Investigative reporting could be allowed only to the extent of drawing attention to social, political and economic misdemeanors. And since its recourse to unethical methods of sourcing information had appeared to have contradicted well-known Islamic traditions, it therefore needs religious validation to remain legally permissible.

The right to privacy is nonetheless not absolute just as the rules against exposing one's secret are not without exception. Circumstances exist where the right to privacy is forfeited. Engaging in acts of corruption and immorality as well as impunity in committing sins are good examples. Al-Hasan al-Basri is of the view that there is no problem inquiring about the affairs of these people in order to establish the prescribed punishment against them. Ibn 'Uthaymeen argues that though concealing the sin of a person is ordained, yet it may be forbidden in some instances like where a wicked person is indulging in sinful acts and concealing such sin will only increase the person's evil and wrongdoing. Such should be exposed to serve as deterrence.

Public interest is another ground upon which people's secret could be exposed and their privacy infringed upon in Islam. Public interest has to do with informing the public about matters they need to know about especially because they are affected by them one way or the other. How public interest is perceived in Islam, its application, its preference over individual interest as well as its use as framework for investigative reporting are discussed next.

Contextualizing the rule "Public interest takes precedence over individual interest" (*al-Maslahah al-'Ammah Muqaddamah 'ala al-Maslahah al-Khassah*)

This is an Islamic jurisprudential rule that presupposes common good for the generality of members of the community with little or no regard to individual interest. It holds that in the event of clash between public and individual interests, the public interest shall take precedence and preference should be given to the common good of the society. The individual or individuals

affected are also regarded as members of the society/community hence among the beneficiaries of that good. Public interest represents what is good for the majority in terms of health, security and general welfare. Individual interest on the other hand stands for what is good or of benefit only to a few members of the society often at the expense of the majority. The main thrust of the rule therefore, is that individual interest is subjected to public interest and the latter is accorded priority especially where there are no clear injunctions resolving clash between both interests (Rahmani, 2019).

The basis for the public interest rule is established in the Holy Quran where Allah says: "And give not unto the foolish your property which Allah has made a means of support (livelihood) for you, but feed and clothe them therewith, and speak to them words of kindness" (C4 V5). This verse, according to al-Maududi, emphasizes that wealth is one of the main supports of human life and should not be left under the care of those who are incompetent to handle it properly even when they are the legal of owners as heirs. Misusing such wealth could destroy the bases of social and economic life and wreak the foundation of human society. Allah informs us that the right to private ownership of wealth is not absolute and the public reserves the right to withhold such belongings from incapable owners to prevent them from reckless expenditure. This affirms the primacy of public over individual interest.

Among the various prophetic traditions that support this rule is the prohibition of hoarding of food and other essential items needed in the society. The Holy Prophet (peace be upon him) says: "Do not hoard; otherwise Allah will withhold from you" (Sahih al-Bukhari and Muslim on the authority of Asma bint AbuBakr). He also says: "No one hoards but one who is in error" (Sahih Muslim on the authority of Ma'mar bn Abdallah). According to al-Nawawi, '*khaati*' in this context means someone who is a sinner and is in open disobedience to Allah. By prohibiting the financial benefits that accrue to hoarders at the expense of the people, the Holy Prophet (peace be upon him), has prioritized the welfare of the general population and their common good over and above individual gain.

However, this rule applies only when it becomes impossible to harmonize and accommodate the different interests. And where the individual interest revolves around life or survival or other pressing needs and the interest of the public has comparatively limited effect, individual interest can now take precedence.

Worth noting is that the rule has wider and far-reaching applications especially in the area of public administration, good governance and politics (Rahmani, 2019; Al-Jaff, 2019). The idea is to put people's welfare and their common good at the center of leadership and prevent those in position of authority from exploiting their offices at the expense of their subjects. In addition to making leaders accountable, the import of the Rule could rid them from self-centeredness, personal aggrandizement and corruption. The masses come first and their common good is treated as utmost priority of government policies and programmes. Public funds are deployed to cater for public needs and under no circumstance should it be diverted to serve the interest of the ruling class at the expense of the masses.

The historical precedent of Islamic leadership illustrates how the early set of leaders put public interest over their narrow personal interest despite their power and authority to take decisions. This greatly helped in restoring justice and fairness in leadership as well as establishing honest and thriving societies up until the period when leadership started to misuse power and authority. Modern societies where public interest is considered first and foremost have

continued to show greater sign of public honesty, economic prosperity and political stability much more than what obtains in countries where selfish personal interests of the rulers are prioritized.

A framework for Investigative Journalism in Islam?

As pointed out earlier, Islam enshrines transparency and accountability among leaders and those entrusted with public office. Islam would thus, support every endeavor aimed at making leaders more transparent and accountable to the people. This may include investigative journalism. Yet, the fact that some of its techniques and methods belong within the realm of prohibited acts, an attempt must be made to legitimize its practice. This could be done through the instrumentality of the public interest rule. For instance, since the right to privacy is a personal entitlement while exposing sleaze, official corruption and malfeasance is meant to serve the greater interest of the public, hence investigative journalism becomes permissible. The idea that public interest should always take precedence over private interest provides the ethical justification for investigative reporters to deploy the necessary techniques to dig out information that will serve public interest including the resort to evasive and clandestine techniques particularly where those are the only means available to the reporter.

However, this is without prejudice to the fact that spying, prying, eavesdropping and other forms of privacy invasion remain improper and reprehensible. Permission is made only to uphold the public's right to know especially in matters of interest to them or where they are about to be shortchanged.Consequently, public officials forfeit their right to privacy once public interest is involved. It is assumed that the fear of being caught and exposed could potentially make leaders more accountable thereby impacting positively on the security and general wellbeing of the citizens.

Conclusion

This paper is about investigative journalism i.e. the kind of journalism in which reporters go beneath the surface to uncover stories of public interest. As worthy and useful as it is, the practice of investigative journalism is often criticized due to the reporters' use of unethical and non-conventional methods of gathering information. Such methods may include use of hidden cameras and other illegal devices, spying, phone tapping and other methods of privacy invasion all of which are forbidden in Islam. Also forbidden is exposing the hidden faults of individuals instead of drawing their attention and counseling them.

To this end, investigative journalism faces an ethical dilemma including from a religious point of view. This paper recognises public interest as journalists' motivation to uncover hidden truth and report same regardless of whoever is involved in the attempt to keep it secret. The paper also proposes the use of Islamic jurisprudential rule of public interest to provide moral and ethical support and justification for the practice of investigative reporting. Hence, investigative journalism is justified when public interest is involved notwithstanding the enormity of the prohibitions against some of its adopted techniques. Journalists interested in investigative reporting are therefore warned to avoid undertaking it for the sake of expose, fishing expedition, blackmail, media witch hunt, name and shame motive or political vendetta.

References

Al-Jaff, A.A. (2019) Public Interest: Its meaning and Characteristics under Islamic Jurisprudence and Positive Law. Being a paper presented at the 3rd International Conference on the Protection of Public Interest and Constitutionality, MKSQ Vol 34, Issue 1 (Pg 10 – 73)

Ballard, S. Levy, D. Stefanski, K. and Tchatchev, I. (2011) Ethical Issues in Investigative Journalism. USA: Prezi

Coronel, S. (2012) Digging Deeper: A Guide for Investigative Journalists in the Balkans (2nd ed.): Balkan Investigative Reporting Network (BIRN)

Darko, S. A. (2020) Investigative Journalism in Ghana: Balancing Public Interest and Individual Privacy in Media and Communication Studies, Vol. 6, Issue 1, 2020 https://doi.org/10.1080/23311886.2020.1772444

Forbes, D. (2005) A watchdog's guide to investigative reporting: a simple introduction to principles and practice in investigative reporting. Johannesburg: Konrad Adenauer Stiftung

Harcup, T.(2009) Journalism Principles & Practice (second edition.) London: SAGE Publications Ltd

Hume, E. and Abbott, S. (2017) The Future of Investigative Journalism: Global, Networked and Collaborative

Itule, B. & Anderson, D. (2008) News Writing and Reporting for Today's Media (7th ed.) New York, USA: McGraw Hill

Kaplan (2007) Global Investigative Journalism: Strategies for Support. A Report to the Center for Media Assistance (CIMA)

Kaplan (2013) Global Investigative Journalism: Strategies for Support (2nd edition). A Report to the Center for Media Assistance (CIMA)

Kovach, B., & Rosentiel, T. (2014). The Elements of Journalism: What Newspeople Should Know and the Public Should Expect (Rev. ed.). *New York:*

Nazakat, S. & the KAS Media Programme (2017) (eds.) How to Become a Mouthpiece for the People: A Manual for Investigative Journalism. Investigative Journalism Manual: Konrad Adenauer Stiftung

Ntibinyane, N. (2018) Investigative journalism in Africa: An Exploratory Study of Non-profit Investigative Journalism Organizations in Africa. Reuters Institute Fellowship Paper, University of Oxford

OECD (2018), The Role of the Media and Investigative Journalism in Combating Corruption,

Ogaraku, H. (2019) Newswatch magazine: its founding, flourishing and perils. Lessons for the print media. Retrieved from www.researchgate.net on 3/12/2023

Rahmani, S. (2019) The jurisprudence rule "Public Interest Takes Precedence over Private Interest" and its role in fighting corruption in Mujallat-al-Ihya (Arabic) Vol 19, Issue 22, 2588-2406, September 2019 (Pg. 377-402)

Sharife K & Van Schalkwyk F (2016) Panama Papers and Investigative Journalism in Africa: Lessons learned from and about the data. Washington DC: World Wide Web Foundation

Stovall, G. S. (2011) Journalism: Who, What, When, Why and How. New Delhi: PHI Learning Private Limited. *Three Rivers Press*www.oecd.org/corruption/The-role-of-media-and-investigative-journalism-in-combatingcorruption.