

Story-Based Inquiry: A manual for investigative journalists

BY MARK LEE HUNTER

WITH (IN ALPHABETICAL ORDER)

NILS HANSON, RANA SABBAGH,

LUUK SENGERS, DREW SULLIVAN AND PIA THORSEN

PREFACE BY YOSRI FOUDA

This manual provides a guide to basic methods and techniques of investigative journalism, and it consciously fills a gap in the literature of the profession. The majority of investigative manuals devote a lot of space to the subject of where to find information. They assume that once a reporter finds the information he or she seeks, he or she will be able to compose a viable story.

We do not share that assumption. We do not think that the only issue is finding information. Instead, we think the core task is telling a story.

That leads to the basic methodological innovation of this manual: **We use stories as the cement which holds together every step of the investigative process**, from conception to research, writing, quality control and publication. We also call this approach **hypothesis-based inquiry**, to underline that a story is only a hypothesis until it is verified.

By verifying or disproving a story, a reporter can more easily see which information to seek, and how to interpret it. An editor or publisher can more easily assess the feasibility, costs, rewards and progress of the investigative project.

As research progresses, the reporter or investigative team will be organising their material for composition, and composing specific parts of the final story. This, in turn, will facilitate

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quality control, and enable closer insight into whether the story meets legal and ethical criteria. At the end of the process, the result will be a story that can be summed up in a few hard-hitting sentences – a story that can be promoted and remembered.

We do not claim to have invented hypothesis-based inquiry. Similar methods have been used in business consulting, the social sciences, and police work. What we have done is to work through their implications for the journalistic process, and for the goals of investigative journalism – to reform a world that generates useless, needless suffering, or conversely, that ignores available solutions to its problems.

This has been a long and collective project. The catalysts were *Rana Sabbagh* and *Pia Thordsen*, who conceived and outlined the idea of a manual of basic investigative processes, and asked me to contribute. For me, it was the perfect moment, and a continuation of my work at the Institut français de Presse of the Université de Paris II/Panthéon-Assas, where for the past ten years I have benefited simultaneously from the company of generous and committed colleagues, and enthusiastic masters-level students. They allowed me to field-test many of the methods advocated in this manual on a scale beyond the activities of an individual reporter.

In 2001, I began what I thought would be a sabbatical at INSEAD, the global business school. A temporary research position evolved into an adjunct professorship, and more important, enabled me to benefit from the insights and experience of colleagues like *Yves Doz*, *Ludo Van der Heyden*, *Kevin Kaiser*, and others. Their influence on this manual is indirect but powerful. These scholars helped me to think at a more abstract level about media practices, and to consider how processes can be improved to create greater value, including in journalism.

Like my co-authors, I was simultaneously engaged in investigative reporting as a practitioner. Also in 2001, the creation of the Global Investigative Journalism Network, of which most of us are founding members alongside drivers *Nils Mulvad* (then with the Danish Institute for Computer-Assisted Reporting)

and *Brant Houston* (at the time director of Investigative Reporters and Editors), created an extraordinary forum for the exchange of best practices. In particular, it emerged that hypothesis-based inquiry was being explored in several countries simultaneously and independently – an unmistakable sign of a major development.

This manual has benefited directly from the Network, not least because that's where we found our contributors. The principal co-author of this manual, *Nils Hanson* of Sweden, has taught in the Network since its beginning. His name appears first on chapters where he took the lead in drafting. *Luuk Sengers* (from Holland) discovered that hypothesis-based inquiry could be applied to project management. *Flemming Svith* (a Dane) developed simple and robust computer tools for organising investigations. *Drew Sullivan* (an American expatriate in the Balkans) codified reporting practices on organised crime that can be applied to many other situations. Most important, perhaps, positive feedback and criticism from participants in the Network's bi-annual congresses confirmed that there was a need and a desire for the material in this manual.

The process of collective development was powerfully reinforced by the creation of the Centre for Investigative Journalism of London and its annual Summer School. Over several years, founder *Gavin McFadyen* and his team allowed us to explore new ways to teach the process of finding and composing stories. Finally, ARIJ's seminars in Arabia provided the opportunity to test the presentation of the ideas in this book as it was being composed, in a trans-cultural context. This process, like ARIJ itself, was funded by International Media Support and the Danish Parliament.

Investigative journalism is a profession, and a skill set. It is also a family. I grew up in that family, and have watched it grow. This manual is your door into the family. Please become a member we can honor and admire, for your professionalism, ethics and engagement.

Mark Lee Hunter

Editor and principal author
Paris – Aarhus – Amman – London – Lillehammer

Preface : Investing In Investigative Journalism

BY YOSRI FOUDA, AL JAZEERA CHIEF INVESTIGATIVE CORRESPONDENT

After the launch of Al Jazeera in 1996, I summoned my courage and put an outlandish idea to its management: to be allowed to disappear for two months at a time in return for a bi-monthly, 45-minute investigative piece. The norm in Arab TV then was that you were only allowed to disappear for 45 minutes if you promised to come back with two months' worth of rushes (I am exaggerating only slightly). Rather expectedly, the proposal generated some kind-hearted laughs, and I almost entered yet another cycle of professional depression.

A few months later, however, Chairman Hamad Bin Thamer Al Thani decided for some reason to offer me the chance to produce a pilot report. With a budget of next to zero, this pilot report had to be prepared, filmed and edited where I lived – London. Anthrax sounded like a good topic to me. Apart from the obvious interest, the location would be easily justifiable in light of recent leaks which implicated the previous British government in facilitating the export of so-called “dual-use equipment” to Saddam Hussein’s Iraq. Under UN sanctions, it was illegal to export to Iraq any civil equipment which could be adapted for military purposes.

By yesterday’s standards the pilot report, according to many, was something of a breakthrough on the road to an Arab concept of investigative journalism. So much so, that it was unexpectedly broadcast and then re-broadcast several times. At a time when Al Jazeera was openly deplored and fiercely attacked by most Arab governments, it also represented the Qatari channel in the Cairo Festival for Radio and TV Production in 1998, and came back with an award. That was the first and last time that Al Jazeera took part in such a competition. But it was only the start of a 10-year series for “Sirri Lilghaya” (“Top Secret”).

Despite some previous shy attempts at this kind of journalism in Arab newspapers, the increasingly popular, first pan-Arab 24-hour news and current affairs channel managed to identify an area of interest that was largely new to the Arab audience. I had no illusions as to the potential hazards and troubles that would come in the same bag, given the particular realities of our part of the world. At various levels, these difficulties still represent a huge challenge in the face of young Arab reporters and producers who aspire to become serious investigative journalists.

First, from an industrial point of view, most of our news organizations are not as familiar with the culture of quality as they are with the culture of quantity. Among other things, quality requires a highly educated management, continuous training, integrated teams, realistic budgets and – dare I say – time. You will hardly come across a manager or an editor who does not passionately praise in-depth reporting. But rarely will you find them equally enthusiastic for, and capable of, translating their praise into reality. They are traditionally part of the problem, although it is much better to see them as part of the solution in a comprehensive attempt to change the culture. The good news is that our backwardness in this area has nothing to do with our genes. But the bad news is that if we remain incapable of getting our own kitchen working, we will neither deserve nor achieve the honour of beginning to face up to external – and more serious – challenges.

Second, from a personal security point of view, the saying that “to be a journalist is to look for trouble” could not apply to any form of journalism more than this one. Risk calculation thus becomes a crucial concept in investigative journalism, based on the fact that there is no

single story that is worth the life of a journalist. As deceptively simple as this principle may seem, it evokes reasons for concern in a part of the world that is still learning about investigative reporting. The Arab world is full of young, impressionable journalists who are eager to prove themselves, sometimes at any cost, with very little knowledge about safety and security, or even means of survival. Their courage is a promising phenomenon but it can also be a recipe for disaster. Part of the responsibility for resolving this situation lies with media departments and training centres, another part with management, but the biggest part remains on the shoulders of the journalist. He or she is the one who will pay the ultimate price should someone die, and he or she is the one who can decide to live for one more story.

Third, from a legal point of view, investigative journalism is a minefield. It often frequents the same club where corruption, negligence and failure of systems can be found. Mixing with such bad company is a tremendous legal hazard, as the investigator always sets out to find answers to questions that begin with "how" and "why". To do this, he or she sometimes must apply less than transparent methods in the name of the greater good. Few journalists will be able and willing to see the difference between the public interest and the passing interests of the public. Fewer will be able to land a scoop and stay within the law at the same time. Obviously, legal awareness is crucial.

Fourth, from a political point of view, most Arab governments still see danger in empowering their citizens with information. It is a fact that should always be observed and wisely put in context in a way that does not compromise our sacred goal: to arrive at what we honestly believe to be the truth, and relay it to our readers and viewers, rulers and ruled. Given Arab political reality, the margin of error is indeed one of the smallest in the world, which offers yet another interesting challenge. Some journalists do cherish this kind of challenge, but this requires knowledge and experience – a lot of both. The mechanisms that govern the journalist's relationships with politicians are in one key sense similar to those that govern his or her relationships with prostitutes. They are both sources, and they both aim to use him or her for one thing or another. It is not a zero sum game. There is always a third way which will enable the journalist to arrive at what he or she aims for, and to stay alive.

Fifth, from a cultural point of view, it is not easy for serious investigative journalism to flourish in a predominantly oral culture. Our culture does not appreciate numbers, figures and statistics as much as it is moved by words, rhythm and structure. Fortunately, this does not have to get in the way. On the contrary, mastering your tools can help turn it into a huge advantage. And this is another curious area which obviously can benefit from some investment. Where the real problem lies is in the general understanding – or lack of it - in our societies of what investigative journalism is all about. We still have some educating to do in order to have the general public on our side. Otherwise, it will always be rather easy to be accused, while you are trying to figure out how many young Egyptians married Israeli nationals last year, of being a spy.

Needless to say, there are also mental, emotional, psychological and social hazards attached to this cutting edge form of journalism. It can be so ridiculously demanding that it easily takes over your life – quite literally. You want to be somebody in this field? You might as well kiss "the pleasures of ordinary life" goodbye – well, not always, fortunately. You have a burning passion for it? Not a bad start. What you will be able to get in return is the joy of picking up threads and connecting dots and the ultimate, indescribable pleasure when you arrive at a moment of discovery. But above all, nothing is like that healing feeling you get when someone who was not meant to know suddenly approaches you to say: "Thank you." And that will be enough to send you back on the road for another investigation.



subject

1

What is investigative journalism?

Investigative journalism is not reporting as usual

BY MARK LEE HUNTER AND NILS HANSON

The process so far:

We give ourselves a good idea of what we're doing, and why.

Investigative journalism is not reporting as usual

What is investigative journalism? How is it done? Why should we do it? Nearly half a century after Watergate, the defining moment in the history of the genre, neither the public nor journalists agree on the answers. What we think is this:

Investigative journalism involves exposing to the public 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. It requires using both secret and open sources and documents.

Conventional news reporting depends largely and sometimes entirely on materials provided by others (such as police, governments, companies, etc.); it is fundamentally reactive, if not passive. Investigative reporting, in contrast, depends on material gathered or generated through the reporter’s own initiative (which is why it is often called “enterprise reporting”).

Conventional news reporting aims to create an objective image of the world as it is. Investigative reporting uses objectively true material – that is, facts that any reasonable observer would agree are true – toward the subjective goal of reforming the world. That is not a license to lie in a good cause. It is a responsibility, to learn the truth so that the world can change.

Contrary to what some professionals like to say, investigative journalism is not just good, old-fashioned journalism that is well done. True, both forms of journalism are

focused on the elements of who, what, where, and when. But the fifth element of conventional reporting, the “why”, becomes the “how” in investigation. The other elements are developed not only in terms of quantity, but also in terms of quality. The “who” is not just a name and a title, it is a personality, with character traits and a style. The “when” is not the present of the news, it is a historical continuum – a narrative. The “what” is not merely an event, but a phenomenon with causes and consequences. The “where” is not just an address, it is a setting, in which certain things become more or less possible. These elements and details give investigative journalism, at its best, a powerful esthetic quality that reinforces its emotional impact.

In sum, though reporters may do both daily reporting and investigative work in the course of a career, the two roles involve sometimes profoundly different skills, work habits, processes and goals. These differences are detailed in the following table. They should not be read as distinct, irreconcilable opposites. Rather, when a situation corresponds more to the left side of the table, it means that the reporter is doing conventional reporting; as the situation shifts toward the right of the table, the reporter begins to act in an investigative manner.

We discover a subject.
 We create a hypothesis to verify.
 We seek open source data to verify the hypothesis.
 We seek human sources.
 As we collect the data, we organize it – so that it is easier to examine, compose into a story, and check.
 We put the data in a narrative order and compose the story.
 We do quality control to make sure the story is right.
 We publish the story, promote and defend it.

CONVENTIONAL JOURNALISM	INVESTIGATIVE JOURNALISM
Research	
Information is gathered and reported at a fixed rhythm (daily, weekly, monthly).	Information cannot be published until its coherence and completeness are assured.
Research is completed swiftly. No further research is done once a story is completed.	Research continues until the story is confirmed, and may continue after it is published.
The story is based on a necessary minimum of information and can be very short.	The story is based on the obtainable maximum of information, and can be very long.
The declarations of sources can substitute for documentation.	The reportage requires documentation to support or deny the declarations of sources.
Source relations	
The good faith of sources is presumed, often without verification.	The good faith of sources cannot be presumed; any source may provide false information; no information may be used without verification.
Official sources offer information to the reporter freely, to promote themselves and their goals.	Official information is hidden from the reporter, because its revelation may compromise the interests of authorities or institutions.
The reporter must accept the official version of a story, though he or she may contrast it to commentaries and statements from other sources.	The reporter may explicitly challenge or deny the official version of a story, based on information from independent sources.
The reporter disposes of less information than most or all of his sources.	The reporter disposes of more information than any one of his sources taken individually, and of more information than most of them taken together.
Sources are nearly always identified.	Sources often cannot be identified for the sake of their security.
Outcomes	
Reportage is seen as a reflection of the world, which is accepted as it is. The reporter does not hope for results beyond informing the public.	The reporter refuses to accept the world as it is. The story is aimed at penetrating or exposing a given situation, in order to reform it, denounce it or, in certain cases, promote an example of a better way.
The reportage does not require a personal engagement from the reporter.	Without a personal engagement from the reporter, the story will never be completed.
The reporter seeks to be objective, without bias or judgement toward any of the parties in the story.	The reporter seeks to be fair and scrupulous toward the facts of the story, and on that basis may designate its victims, heroes and wrongdoers. The reporter may also offer a judgment or verdict on the story.
The dramatic structure of the reportage is not of great importance. The story does not have an end, because the news is continuous.	The dramatic structure of the story is essential to its impact, and leads to a conclusion that is offered by the reporter or a source.
Errors may be committed by the reporter, but they are inevitable and usually without importance.	Errors expose the reporter to formal and informal sanctions, and can destroy the credibility of the reporter and the media.

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Does it look like investigation is a lot more work than ordinary journalism? In fact, it is more work, at every step of the process, though you can do it efficiently and with pleasure. It is also much more rewarding – for the public, for your organisation, and for you.

For the public:

Viewers love stories that bring them added value – information that they can't find anywhere else, that they can trust, and that gives them power over their lives. The information can be about politics, or finance, or the products they use in their homes. What matters is that their lives can change because of what we have to say on these subjects. So take note: Investigative journalism is not only or mainly a product, it is a service, and that service is making peoples' lives stronger and better.

For your organisation:

Do not let anyone tell you that investigation is a luxury for news media. Most news media lose money, but media that conduct and manage investigations properly, and use them to enrich their value, may be very profitable. (The weekly *Canard enchaîné* in France and *The Economist Group* in the UK are two very different examples.) Moreover, such media gain great influence and good will in their communities, which increases their access to information and hence their competitive position.

For you:

In the decades we have spent training investigators, we often heard them say: "Won't I make enemies?" The truth is that if you do the job right, you will make many more friends than enemies. You will also make yourself much better known in the profession and outside it. Your skills will be highly valued; whether or not you remain a journalist, you will never be far from a job. That is not true of journalists who lack investigative skills; they are very easily replaceable, and their skills don't go far in the workforce.

Most important, you will change as an individual in astonishing ways. You will become stronger, because you will know yourself to be capable of finding the truth on your own, instead of waiting for someone to hand it to you. You will learn to master your fear while listening to your doubts. You will understand the world in a new, deeper way. Journalism makes many people cynical and lazy, truly good for nothing; investigation will help you to avoid that fate. In short, the rewards are so great that if you care about journalism and yourself, you will offer yourself, your viewers and your colleagues the added value that investigation creates.

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Choosing a story for investigation

Beginning reporters often ask: “How do you select a story to investigate?” Not infrequently, they have a difficult time finding one. But as one of my students once said, “Material is everywhere.” The problem is seeing it. Luckily, there are many ways to notice a story that calls for investigation.

One is to watch the media. In general, it is a good idea to monitor a given sector, so that you can begin to identify patterns, and thus realise when something unusual occurs. If you finish a story and think, “Why did that happen?”, the odds are good that there is more to investigate.

Another is to pay attention to what’s changing in your environment, and not take it for granted. The great Belgian reporter *Chris de Stoop* began a landmark investigation of the traffic in women after noticing that the Belgian prostitutes in a neighbourhood he crossed on his way to work had given way to foreigners, and wondering why.

A third is to listen to peoples’ complaints. Why must things be that way? Can nothing be done? Anyplace where people gather – village markets, Internet forums, dinner parties – you will hear of things that sound strange, shocking, or intriguing.

Finally, do not look only for things that involve wrongdoing. It is often more difficult to do a good job of reporting on something that is going right – to understand a new talent, or a development project that met its goals, or a

company that is creating wealth and jobs. Identifying the replicable elements of success, or “best practices”, is a valuable service to your viewers.

Remember: Especially when you are starting out, there is no such thing as a small investigation. The skills needed for an inquiry in a distant village are the same skills that you will need later in the capital. That is not a theory, it is our experience. Use the stories that appear where you are now to begin building those skills. Do not wait until you are involved in a high-stakes investigation to learn what you are doing.

Last and first, follow your passion. There are two aspects of this principle.

The first is what we call the “broken leg syndrome.” We call it that because, until one of us broke his leg, he never noticed how many people limp. In general, we do not notice phenomena unless we are already sensitive to them. So allow your existing passions to sensitize you to stories that no one else seems to take seriously.

The second aspect is that if a story does not fascinate you, or outrage you, or give you the intense desire to see something change, you should give it to someone else. Likewise, if you are an editor, pay attention to whether your reporter is treating an investigation like a mere task. If so, take back the assignment and give it to someone else.

Why? Remember: Investigation involves extra work. If you don’t care about a story, you will not do that work. Of course you will have to use your critical mind to get it done; of course your manner must remain professional in all circumstances. But if the story does not touch your passions, one way or another you are going to fail with it.

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Is the story worth it?

Too many investigations have been done for the wrong reasons. Though passion matters, vengeance is a passion, and some reporters and publishers use inquiries to accomplish a personal vengeance. Though investigations are hard work, some of them are done only because they are the easiest stories available. And far too many investigators never ask whether a given story is important to their viewers, and why.

So ask yourself the following questions when you assess whether or not a story is worth the work it will require of you:

How many people are affected?
(We call this “the size of the beast”.)

How powerfully are they affected?
(Quality matters as much as quantity here. If just one person dies, or his or her life is ruined, the story is important.)

If they are affected positively, can the cause be replicated elsewhere?

Or, are these people victims?

Could their suffering be avoided?

Can we show how?

Are there wrongdoers who must be punished? Or at least, denounced?

Is it important in any event to tell what happened, so it will or won't happen again?

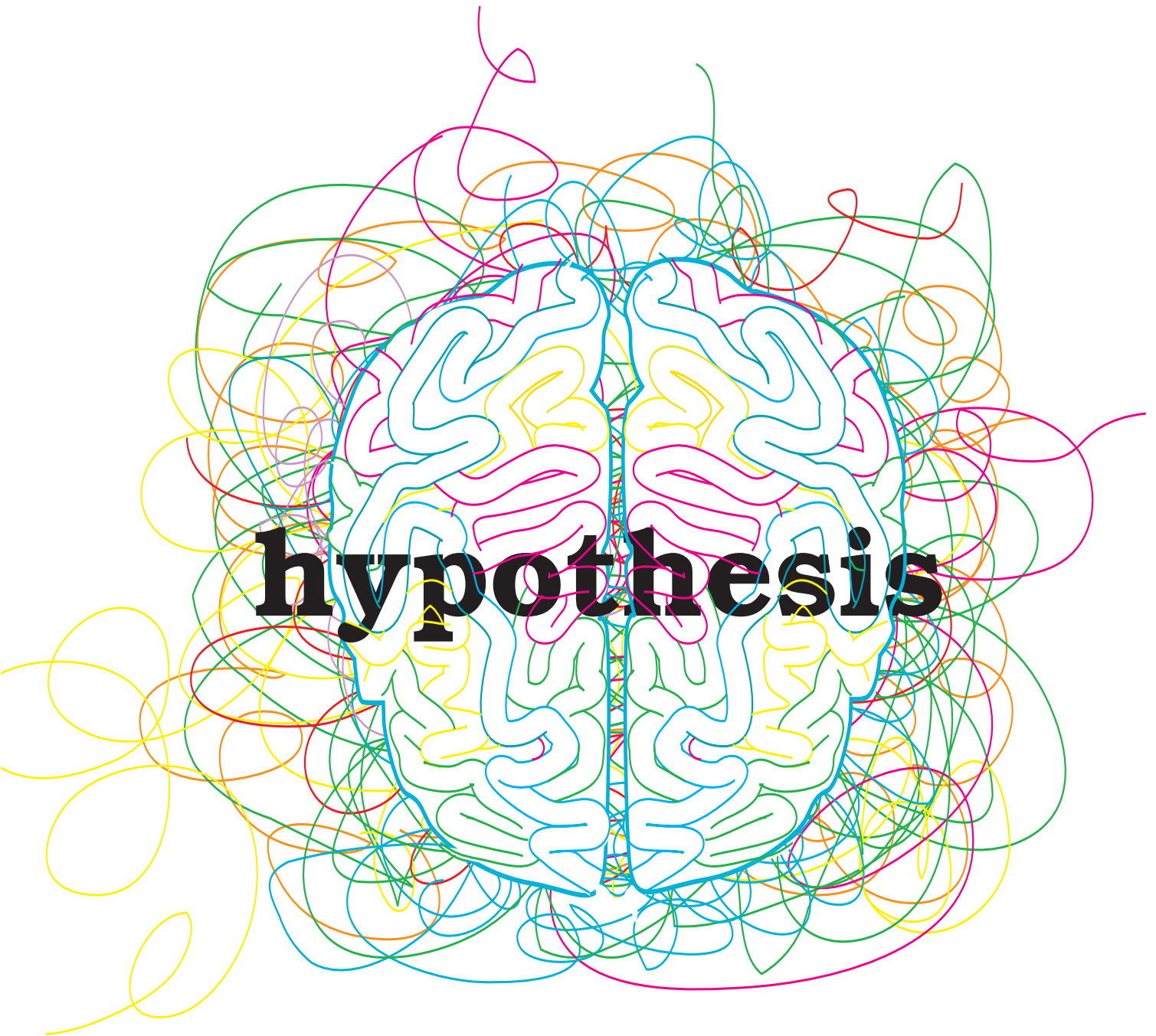
This is how one of us looks at it: The world is full of suffering, and much of that suffering is useless, the result of vice and error. Anything that lessens suffering, cruelty and stupidity is worth undertaking. Investigation can further that end.

Try to put that service first, rather than simply making use of it to advance your career. Never forget that investigation is a weapon, and you can hurt people with it – deliberately, or by your own carelessness. (Not enough is made of the fact that Woodward and Bernstein of Watergate fame, by their own admission, destroyed the careers of several innocent people along with Richard Nixon's.) In the course of your career, you are going to be the best and the worst thing that ever happens to some other people. Be careful about which role you play, and for whom, and why. Take a good look at your own motives before you investigate others. If the story is not more important for others than it is for you, you probably shouldn't be doing it.

In the course of our careers, we have done hundreds of investigations. In every one, at some point, someone walked up to us and said: “Why are you asking all of these questions? What are you going to do with this information? What gives you the right?” If we didn't have a good answer to that question – and saying “the public has a right to know!” is not a good answer – the investigation was finished. Usually, we said something like this: “What is happening here is important, for you and others. I'm going to tell that story, and I want it to be true. I hope you'll help me.”

Whatever you say at a moment like this, you'd better believe it, and more important, it has to make sense to whoever you're talking to. People hate journalists, and one of the reasons is that they distrust our motives. We expect you to help change that, too.

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Using hypotheses: The core of investigative method

BY MARK LEE HUNTER, LUUK SENGERS AND PIA THORSEN

The process so far:

We discover a subject.

We create a hypothesis to verify.

A hypothesis is a story and a method for testing it

Reporters are always complaining that editors refuse their great story ideas. Sure, it happens. But often, what the editor refuses isn't a story at all. It's an invitation to disaster – a poorly planned inquiry that will burn time and money for a very uncertain result. When we were younger we offered a few of these lame horses to editors, and we were very lucky that they nearly always shot the stupid beasts dead before we could mount them.

For example, saying “I want to investigate corruption” is not a great proposition for an editor. Of course corruption exists, everywhere in the world. If you spend enough time looking for it, you'll find some. But corruption in and of itself

is a subject. It is not a story, and what journalists do is tell stories. If you pursue a subject instead of a story, you may become expert in the subject, but a lot of time, money and energy will be wasted along the way. And that's why any editor with a brain will tell you, “No.”

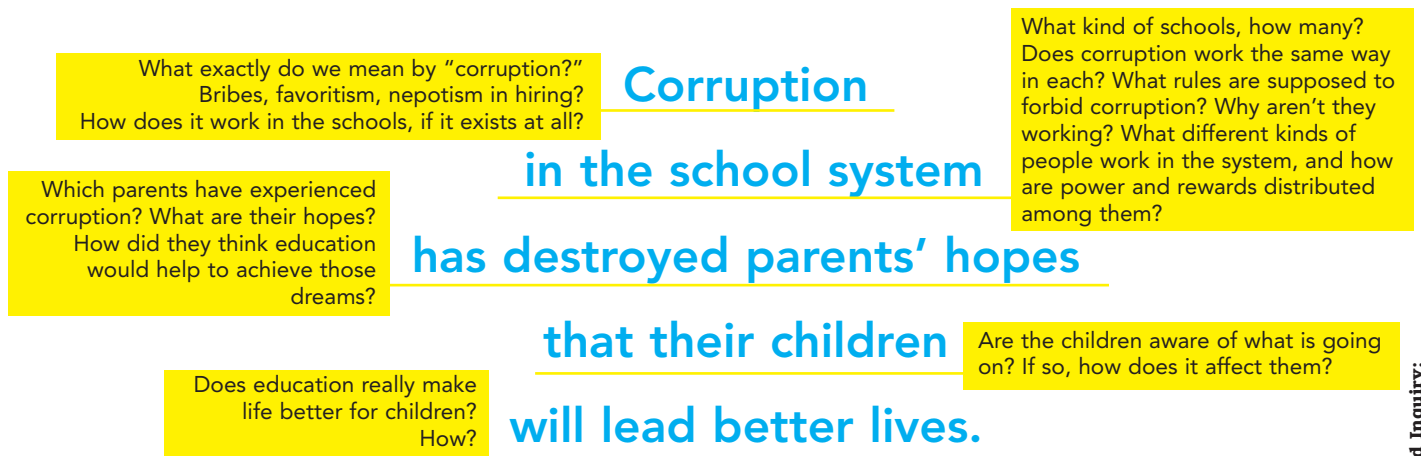
If instead you say, “Corruption in the school system has destroyed parents' hopes that their children will lead better lives,” you are telling a specific story. That's already more interesting.

Whether you know it or not, you are also stating a hypothesis – because you have not yet proven that your story is the right one. You are proposing that corruption in the schools exists, and that it has devastating effects on at least two groups of people, parents and children. That may or may not be true; you still have to get the facts.

In the meanwhile, your hypothesis defines specific questions that must be answered if you want to find out whether or not it makes sense. This happens through a process in which we take apart the hypothesis and see what separate, specific claims it makes. Then, we can verify each of those claims in turn. Moreover, we will also see what we mean by the words we use to tell the story, because we have to discover and define their meaning to get anywhere.

HERE'S A GRAPHIC WAY OF LOOKING AT THIS PROCESS

First, we set out the hypothesis > Now we separate the different terms it includes
 > Next we define each term more closely, and see what questions it generates



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You can answer these questions in any order, but the wisest order is almost always the one that you can follow most easily. Any investigation will become difficult sooner or later, because it involves a lot of facts, a lot of sources – which means a lot of organizing your material – and a lot of worrying over whether you got the story right before risking your reputation.

In our hypothetical example, probably the easiest place to start is by talking to parents and children about their hopes and their despair.

Once you have found at least four sources who confirm to you that there is indeed corruption in the schools – less than four is a very risky base to stand on – you can start looking at how the school system functions. You will need to study its rules, its procedures, its stated ideals and mission.

When you know how the system functions, you will see the gray and black zones in which corruption can occur. You can then compare the reality of what you have heard and discovered to the system's claims.

The advantages of hypothesis driven investigation

Does the above example sound like a lot of work? That's because it is a lot of work – but only if you compare it to the way most news stories are written, which is by talking to a source or two or rewriting a press release. If you compare the hypothesis method to most other ways of investigating, the labor-saving advantages are obvious:

1. A hypothesis gives you something to verify, instead of trying to uncover a secret.

People do not give up their secrets without a very good reason. They are much more likely to offer confirmation of information that is already in your possession, simply because most people hate to lie. A hypothesis enables you to ask them to confirm something, rather than to advance information. It also puts you in the position of someone who is open to discovering that there is more to the story than he or she thought at first, because you are willing to accept that there are facts beyond what you suspected at the start.

2. A hypothesis increases your chances of discovering secrets.

A lot of what we call “secrets” are simply facts that no one ever asked about. A hypothesis has the psychological effect of making you more sensitive to the material, so you can ask those questions. As the French investigator *Edwy Plenel* said, “If you want to find something, you have to be looking for it.” We would add that if you're really looking for something, you'll find more than you were looking for.

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3. A hypothesis makes it easier to manage your project.

Having defined what you're looking for, and where to start looking for it, you can estimate how much time the initial steps of the investigation will require. This is the first step to treating an investigation as a project that you can manage. We'll return to this point at the end of this chapter.

4. Hypotheses are a tool that you can use again and again.

When you can work in a methodical way, your career will change. More important, you will change. You will no longer need someone to tell you what to do. You will see what needs to be done to combat some of the chaos and suffering in this world, and you will be able to do it. Isn't that why you became a journalist in the first place?

5. A hypothesis virtually guarantees that you will deliver a story, not just a mass of data.

Editors want to know that at the end of a specific period of time – a specific investment of resources – there will be a story to publish. A hypothesis hugely increases the likelihood of that outcome. It enables you to predict a minimum and maximum positive result for your work, as well as a worst case.

- The worst case is that verification of the hypothesis will quickly show there is no story, and the project can be ended without wasting significant resources.
- The minimum positive outcome is that the initial hypothesis is true, and can be quickly verified.
- The maximum is that if this hypothesis is true, others must logically follow, and either a series of related stories or one very big story will result.

There are even more advantages, but before going further, let us give you a word of warning.

Hypotheses can be dangerous

Beginning reporters worry a lot about what will happen when they get a story right. Will there be vengeance? Will they be sued? Experienced reporters know the worst problems happen when you get a story wrong. Of course they can be sued, and sometimes they can be thrown in jail, whether they are right or wrong. But less apparently, telling an untrue story makes the world a sadder, uglier place.

So keep this in mind, please: If you merely try to prove at any cost that a hypothesis is true, regardless of the evidence, you will join the ranks of the world's professional liars – the crooked cops who condemn the innocent, the politicians who sell wars as if they were soap. Investigation is about more than proving you are right. It's about finding the truth. Hypothesis-based investigation is a tool that can dig up a lot of truth, but it can also dig a deep grave for the innocent.

Specifically, to make the world worse, all you need to do is leave out the facts that disprove your hypothesis. Or you can be careless (mistakes probably add as much to the confusion and suffering of the world as outright lies). Either way, you make your job easier, and you let someone else clean up the mess. Plenty of people do so every day, but that doesn't make it acceptable. Our theory is that there are lots of journalists in Hell, and misusing hypotheses is one way they got there. So be honest and careful about how you use hypotheses: Try to disprove them as well as prove them. We will say more about this subject in Chapter 7, "Quality Control."

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How hypotheses work

1. Why it doesn't matter if the first hypothesis is true

Framing an investigation as a hypothesis is a procedure as old as science, and it is used successfully in domains as different as police work and business consulting. (In fact, it is an aberration that it has only recently been imported into journalism as a conscious method.) In essence, it is based on a mental trick. You create a statement of what you think reality may be, based on the best information in your possession, and then you seek further information that can prove or disprove your statement. This is the process of verification. As we showed above, if the entire hypothesis can't be confirmed, its separate terms can nonetheless be verified. If not, go back to step one and make a new hypothesis. A hypothesis that can't be verified in whole or part is mere speculation. If the statement is reaffirmed by the evidence, that's great: You have your story. Less apparently, it's also great if the statement is not true, because that means there may be a better story than the one you originally imagined.

2. Structuring the hypothesis to succeed

The initial hypothesis should be no longer than three sentences, for two very good reasons. If it is longer than that, you can't explain it to someone else. More important, if it is longer than that you probably don't understand it yourself.

The hypothesis is stated as a story. This matters hugely, because it means that you end where you began – with a story. We are

not just collecting facts, we are telling stories that we hope can change the world. The hypothesis will help you to explain the story to others, starting with your editor and publisher, and then to the public.

In its most basic form, the story is nearly always a variant of these three sentences:

- We are facing a situation that is causing great suffering (or that deserves to be more widely known as a good example)."
- This is how we got to this point.
- This is what will happen if nothing changes... and here is how we could change things for the better."

Notice something about these sentences: They have an implicit chronological order. It may not seem apparent, because the order is not a straight line from the past to the future. Instead, it tells us:

- The news of the problem, which is the present;
- The cause of the problem, in the past.
- What must change for the problem to end, in the future.

Thus, when we compose our hypothesis, we are already beginning to compose a narrative – a story that involves people who move through a particular place and time. One of the most difficult things in investigation is to keep your focus on the narrative, and not to get buried by the facts. Your hypothesis can help you. When you feel overwhelmed, stop digging and start looking at the story your facts are trying to tell you. If they don't fit the original hypothesis, change it. After all, it's just a hypothesis.

By the way, it can be very, very difficult to show how we can put an end to a given problem. Sometimes, the best you can do is to denounce an injustice. But often, someone connected to your story has looked for a solution. Don't neglect to look for that person.

3. The four keys to making hypotheses effective

Using hypotheses is not a complicated trick, but unless you are a lot more gifted than us (we accept this possibility), it will take you

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several tries before the method is natural to you. There are four things you need to keep in mind to make it work:

Be imaginative.

Normally journalists react to situations. They report what they see or hear or read, or follow up on yesterday's news. An investigator is trying to reveal something that is not yet known. He or she is not just covering news, but making it. So he or she necessarily makes a leap into an uncertain future. That means trying to picture the story, and this is creative work.

Be very precise.

If you use the word "house" in your hypothesis, is it a villa, or a penthouse, or a shack? The answers matter. The more precise you can be about a presumed fact, the easier it is to verify.

Use your experience.

If you have seen how the world works in certain ways, that may be applicable to the story you are trying to prove. Your experience can help to furnish a hypothesis. Please remember that even the most experienced people can be surprised by something they never saw before, and even self-respecting people can discount their own experience.

Example:

A massive consumer boycott in France failed, according to the target company. The media accepted the company's version. We began an investigation that proved the contrary when we realized that everyone we knew had boycotted the company.

How could there be no effects?

Be objective.

By objectivity, we mean three very precise things.

- The first is that we have to accept the reality of facts that we can prove, whether we like them or not. In other words, we are objective toward the facts. If the facts say the hypothesis is wrong, we change the hypothesis. We do not try to make the facts disappear.
- The second is that we have to do this work with the understanding that we could be

wrong. If we do not keep that in mind, we will not get the help we need from others. Would you help someone who already knows all the answers, and isn't listening to what you have to say?

- Even if you remain objective toward the facts – and you must – there is a subjective basis to this work that will not go away. Trying to make the world a better place is not an objective goal. We are not recorders when we investigate; we are reformers. We use objective facts, and are objective toward the facts, to further that goal, because we happen to believe that any attempt to reform the world will fail if it is not based on reality. In other words, we use our subjectivity as an incentive to remain neutral toward the evidence, and to incite us to take all the evidence into account.

4. What if the facts go against your wonderful hypothesis?

Easy: accept the facts, and make a new hypothesis.

The difficulty here is to neither cling too hard to a mistaken hypothesis, nor leap in a new direction at the first contrary fact. The best sign that something is wrong comes when you are finding a fair amount of information, but it doesn't make sense. When that happens, either you are looking at the wrong information, or it makes sense only when you have changed your hypothesis.

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Using the official version as a hypothesis

It isn't always necessary to create a hypothesis. Sometimes the reporter can treat an official statement, or an anonymous tip, as a detailed hypothesis that demands verification – a simple technique that can have amazing results.

Remember an important principle: Most investigations are about the difference between a promise and the reality of whether or not it was kept. Thus the official promise often serves as a hypothesis, and verification shows whether or not the promise has been kept.

Example:

One of the greatest stories in the history of investigative journalism, the revelation of France's "Contaminated Blood Affair", began like this: Reporter Anne-Marie Casteret was contacted by a hemophiliac. Hemophiliacs are men with a genetic disorder that suppresses clotting factors in the blood, so even a slight cut in the skin can lead to unstoppable, fatal bleeding. At the beginning of the AIDS epidemic, he claimed, a French government agency had deliberately and knowingly sold hemophiliacs and their families special blood products that were contaminated by the AIDS virus.

Casteret went to see the head of the agency, who told her: "It's true that the hemophiliacs were contaminated by AIDS in our products. But..."

- "At the time no one knew that AIDS was in the blood supplies we used to make the products.
- "No one knew how to make safer products, so none were available on the market.
- "The best thing we could do was to make sure that we didn't spread the virus further, by making sure that no one who was not yet infected received contaminated products."

That was the official story, and it makes coherent, logical sense. But when Casteret started checking it as though it were merely a hypothesis, she gradually discovered that none of the facts it contained could be proved. On the contrary:

- The scientific literature showed that the problem of AIDS in blood supplies was known at the time. (In fact, the agency was warned that its own supplies were infected.)
- There were pharmaceutical companies and other government agencies who knew how to make safe products, but they weren't listened to.
- The agency that sold the contaminated goods had no idea of whether or not the people who used the infected products were healthy or not, because they had no tests for AIDS infection. And in any case, it is terrible medical practice to re-infect people who are already sick.
- In the end, faced with incontrovertible evidence that all of its products were contaminated by AIDS, the agency made the decision to continue selling them until it had used up all the contaminated stocks.

It took Casteret four years to get all of that story. Were they worth it? Well, the story put a few white-collar criminals behind bars, it gave some victims the comfort of knowing they were not alone, it led to the electoral defeat of a government that tried to conceal the scandal, and it forced reforms of a health system that had become a killing machine. If you won't take the time to do a job like that, you can still be a journalist, but you shouldn't be an investigator.

You may be wondering why no one but Casteret took the time. The main reason – aside from the fact that at least one of her competitors worked on the side for the same people who committed the crime – is that no one could believe that respectable people could do such a thing. We will tell you something more than once, and this is a good time to start: More investigations are sabotaged by reporters who can't accept the truth of what they've found than by targets seeking to protect themselves.

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Start with a strategy!

Take time to consider your investigative strategy – the order in which you will execute specific tasks, and how they will fit together. Believe us, in the end this will save you a lot of time. This will require an initial list of questions that must be answered. (For example: Who makes blood products? How do they know whether their products are safe or not?)

It is a very good idea to begin research with the easiest questions, meaning those you can answer with information that does not require talking to people. Generally, the first impulse of a news reporter is to pick up the phone and start asking questions. We are of course not saying that you should not talk to people. What we are saying is that there are a lot of advantages if you start research in a way that makes no noise. Once you are further down the path, a great many people will know what you are doing.

That is why you need to know whether or not there are open sources – public documents, news reports, and so on – that can serve to verify or elucidate parts of your hypothesis. If so, consult them first. You will have a better understanding of the story before you speak to people, and they will appreciate it.

At the Center for Public Integrity in the US, beginning investigators are required to do several weeks of research before they are allowed to call sources. You may not need that much time. But if you're like us and nearly all the hundreds of people we have taught to investigate, you do need to break the habit of relying on other people for information that you can find yourself. In the next chapter we will look at how to find and use open sources in detail.

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A case study in hypothesis-driven inquiry: The Tragedy of Baby Doe

Let's consider an extended example of how hypothesis-based investigation works. It began when we were told by the boss to investigate a tip from one of his friends. The friend said: *"Doctors are killing prematurely-born babies to stop them from growing up with handicaps."* The boss made it clear that if we didn't get the story, we would lose our job.

1. Isolating the terms, finding open sources

What's wrong with this story? For a start, do you really believe that a bunch of mad doctors, trained in saving lives, have suddenly turned into baby-killers? Did you ever see a doctor wearing a pin that says, "I kill babies as a public service"? Neither did we. Just where do you think you'd find them, assuming they exist? Are you going to call a hospital and ask, "Got any killers there?" Us neither.

What's right with this story, however, is that it contains several terms we can verify:

What kind of doctors deliver prematurely-born babies?
(If you said "obstetricians", you're wrong.)

"Doctors/
are killing/

How do you kill a baby in a hospital?

How many babies are born prematurely?
Is the number rising or falling?

prematurely-born babies/
to stop them from growing up with
/handicaps/."

What kind of handicaps do they have?
Is the number of handicapped children rising or falling?

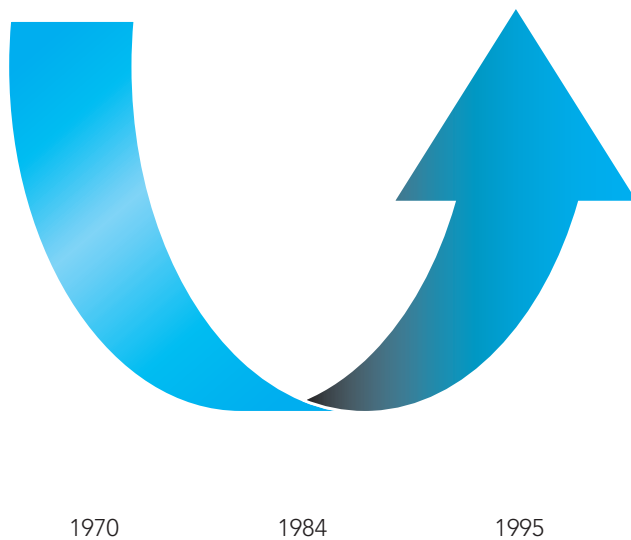
The hardest thing to verify above is how you would kill a baby in a birthing ward. (No, you cannot just call a hospital and ask: "Have you killed any babies lately? How?") So we put that aside. Instead, we looked for the right medical specialty, which would enable us to peruse the latest medical literature, and we also sought statistics on premature birth and handicaps. They were all freely available at the local library – the archetypal example of an open source.

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2. The first analysis: Does the hypothesis stand up?

The next step was to pull the data together a little, to see if they supported our hypothesis. From the national statistics on birth weights for babies, the standard measure of prematurity, and scientific studies that gave handicap rates for these children, we discovered a trend curve that looked like this:

NUMBER OF PREMATURELY-BORN
AND HANDICAPPED BABIES IN THE USA,
1970-1995



In other words, from 1970 to 1984 the number of prematurely-born babies fell sharply. Since prematurity is also associated with handicaps, the number of handicapped kids fell, too. Then from 1984 on, the numbers rose again, inexorably.

Does this support or deny our hypothesis? Neither. This data doesn't tell us whether there are baby killers out there. Maybe the fact that the number of handicapped, prematurely-born kids went up again after 1984 inspired some crazies to stem the tide. We don't know yet. Nor do we know whether these crazies were at work from 1970-1984, and then decided to stop before they were caught. All we know is that something changed in 1984.

3. Further verification

We returned to the library to collect more scientific articles on handicapped, prematurely-born kids. One of the articles referred to something called "Baby Doe." We called the author and asked her what "*Baby Doe*" meant.

She replied: "*It's a law that requires us to make every possible effort to save the lives of prematurely-born babies, regardless of their handicaps or the wishes of the parents.*"

That single fact could destroy our hypothesis – if, that is, the law was enforced. So we asked if doctors obeyed the law. "*We have to,*" she said. "*There's a hot line to call the prosecutor in every hospital. If someone thinks you're not doing your job, you get arrested.*" We asked if she knew of places where that happened. Yes, she did. (Later, we obtained reports on enforcement from a Federal agency.)

Then we asked when the law had taken effect. You guessed it: 1984.

The original hypothesis looks very weak right now. But a new hypothesis is taking shape: "*A law passed in 1984 forbade doctors to allow severely handicapped, prematurely-born babies to die a natural death at birth. The result is a new population of the handicapped.*"

In the following days we documented that population, because we needed to see how big the story might be. First we calculated the additional numbers of prematurely-born babies who survived, thanks to that law, between 1984 and 1995 – that is, babies who would previously have been allowed to die. This was a simple matter of subtracting the figures for premature births in 1983, the last year before the law took effect, from the figures for succeeding years. Then we calculated how many would be born with handicaps, based on scientific studies that correlate prematurity with handicaps.

Then we checked with epidemiologists, because we are not doctors or mathematicians, and we could be wrong. More important, we couldn't believe the numbers we had calculated. It looked like there were at least a

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quarter-million severely handicapped children – blind, paralyzed, awfully retarded – because of that law.

The experts said our numbers looked right. But there was another crucial part of the story, and it required a new hypothesis. Which brings us to a key part of the process.

4. **Make new, subsidiary hypotheses to account for different angles of the story.**

Depth research nearly always turns up new story possibilities that were unknown when the investigation began. They often require new hypotheses that can be verified in turn. If they're not related to your original investigation, you may choose to ignore them for the moment.

But sometimes, the new discovery may be more important than what you were seeking in the first place. And other times, the new hypotheses will illuminate your initial hypothesis in a startling way. If so, you will lose the opportunity for a major story if you ignore them.

In the case at hand, we have powerful statistical evidence that a quarter-million handicapped children had been kept alive because of an obscure law. But that raises a question: What happened to those kids?

We noticed that the USA had just reformed its social security laws to make it more difficult for people to obtain benefits. The population that receives benefits – poor, and largely non-White – also suffers disproportionately from premature births. So our hypothesis was: “The welfare reform will make it harder to take care of prematurely-born, handicapped children.” Very quickly, we obtained open source verification.

There were still plenty of facts to come, but the story we wanted to investigate was in place.

We went to see the boss, and said:

“Boss, we can't prove your story. You can fire us if you like. But this is a story we can

prove:

- *A law passed in 1984 forbade doctors to allow severely handicapped, prematurely born babies to die a natural death at birth.*
- *The result was a quarter-million crippled kids, and we cut their social security.*
- *One law forced crippled children to live, and another law threw them on the street.*
- *Do you want to help change those laws, boss?”*

Remember this: If your boss tells you “no” in a situation like this, it's time to find another boss. The original hypothesis, which we had shot down, was the boss's. Bad journalists try to make the facts fit their hypothesis. Good journalists change the hypothesis to fit the facts, whether they like the facts or not.

No, he didn't fire us. We published the story and won two prizes for it (you can find this and other works through our bibliography at the end of this manual). But the laws are still on the books. Do we regret that? Yes. But we'd regret it even more if we never told the story.

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Using hypotheses to manage an investigation

Managing means nothing else than formulating targets and making sure, through constant checks, that the targets are met. It is standard procedure in every well-run organization in the world, with the usual exception of journalism.

We suggest that once you have defined a hypothesis and obtained evidence that it appears valid, you set down the following parameters of the project:

1. Deliverables:

What is the minimum that you can commit to delivering, in terms of finished stories? What is the maximum?

- We suggest that the minimum be a single original story, based on the initial hypothesis or a different hypothesis discovered through verification. If the hypothesis is of sufficient richness, it can be expanded to a series or a long-form narrative. Do not promise more than you can deliver, and try not to accept less than the project deserves.

2. Process milestones:

How much time will you need to consult the first open sources? When will you contact and interview human sources? When will you be ready to begin drafting the story or stories?

- We suggest that the reporter and involved colleagues conduct a weekly review of progress. Verification of the hypothesis and discovery of new information are the first concerns, but whether or not the project is on track in terms of time and costs also matters. Delays which threaten the future of the project must not be tolerated. Individuals who do not deliver on commitments should be released from the team.

3. Costs and rewards:

Besides your time, which is hardly worthless, there may be travel, lodging, communications and other costs. What are they? Be as complete as you can.

- If the reporter is working independently, he or she should consider whether these costs will be justified in terms of additional revenues, new knowledge or skills gained, new contacts, prestige or other opportunities. The organization must consider whether the project costs can be amortised through increased sales, prestige or reputation. All involved must consider whether the project is justified from a public service perspective. All of these parameters are forms of value.

4. Promotion:

Who will this story interest? How can this public be made aware of the story? Will this involve additional costs (including your time and the time of others)? What benefits can be gained for you or your organization through this investment?

- It makes absolutely no sense to invest in an investigation that is not promoted by the media which publish it. Moreover, promotion decreases the risks of counter-attack by targets, on condition that the investigation is accurate, because it attracts the attention of potential allies. Promotion can be as simple as a headline, or as complex as using Internet forums to generate “buzz.” We will discuss this more fully in Chapter 8.

These processes can be abused. For example, an editor can set unrealistic targets, with the unspoken goal of making a reporter fail. But nearly always, it's very valuable to replace daily deadlines with some other structure in which there are expectations to be met.

When all goes as it should, the hypothesis and its verification will serve as benchmarks for your progress, and as indicators of what must be done next. It is also smart to think beyond the story itself, to how it will be received by the public. Your hypothesis, which gives your story in a few sentences, is the tool that will enable you to interest others.

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Stay focused on the story

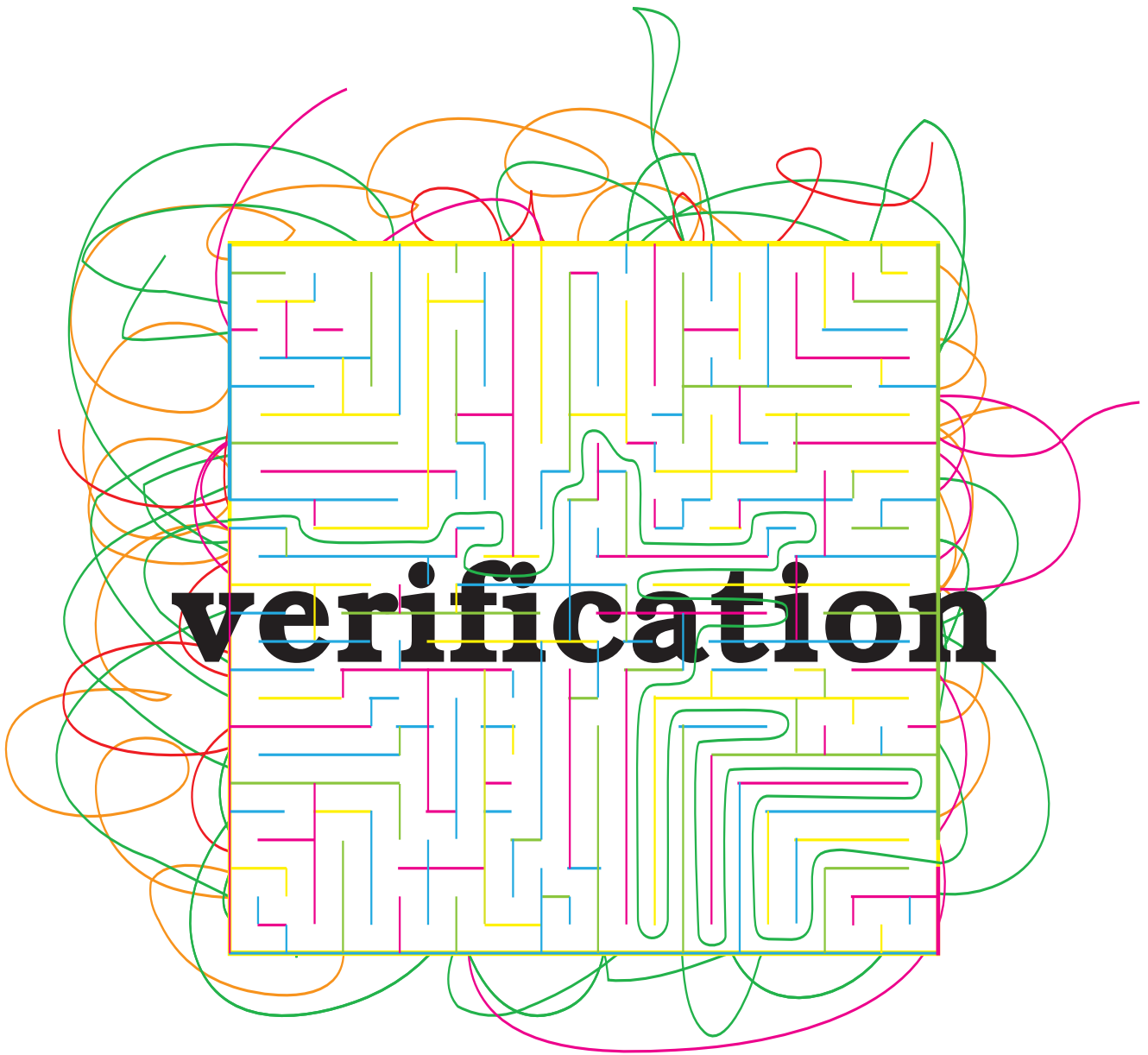
Always remember: Every hypothesis set forth by a reporter must be framed as a story that could be true. It contains news, a cause, and a solution. This means that by keeping the hypothesis firmly in view, the reporter is focused on the story, not just the facts.

The facts may be the basis of your story, but they don't tell the story. The story tells the facts. No one can remember three lines from an address book, but everyone remembers a story about every name in their address books. By framing your investigation as a story (that may or may not be true, remember) from the beginning, you don't just help your eventual readers or viewers to remember it. You also help yourself to remember it. Believe us, that's the hardest part of investigating – to remember the story as the facts add up.

Take the time to become expert at this method. Practice it every time you investigate. It will make you lucky, and it will allow you to repeat your luck.

And now, let's see where we can find our open sources – or as we like to call them, **“open doors.”**

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Using the Open Doors: Backgrounding and deduction

BY MARK LEE HUNTER

The process so far:

We discover a subject.

We create a hypothesis to verify.

We seek open source data to verify the hypothesis.

Introduction: Take the open door

In a film called “Harper”, actor Paul Newman plays a private detective who finds himself facing a door with a kid who wants to prove how tough he is. “Please, please, can I go through the door?” he begs. “Sure,” says the detective. The kid hurls himself into the door and nearly breaks his shoulder. Harper walks over to the door, turns the knob, and opens it.

In my experience of teaching and practicing investigation, I see a lot of people who act like that kid, trying to break down barriers that aren't really closed, or that they can easily bypass. Typically these people suffer from a delusion: They think anything that is not secret is also not worth knowing. So they spend their time trying to get people to tell them secrets. Even people who are very, very good at this (Seymour Hersh and New Zealand's Nicky Hager come to mind) are obliged to move slowly and carefully on this terrain.

Unfortunately, for most of us, it's hard to tell a secret from a lie. Meanwhile, you're making a fool of yourself, because usually asking people to tell you something makes them very powerful and makes you very pitiful.

Intelligence professionals, whose concerns include living long enough to collect a pension, use a different approach, based on different assumptions:

- Most of what we call “secrets” are simply facts that we haven't paid attention to.
- Most of these facts – the usual estimate is about 90% -- are available for our perusal in an “open” source, meaning one that we can freely access.

We have often heard that in this or that country, open source information is limited and of poor quality. That may be more or less true. But we have also noticed that there is always more open source information around than journalists are making use of. Getting your hands on it and making stories from it are often easy wins, because the competition usually isn't doing this work. Instead, they're begging someone to tell them a secret.

An example among many:

In the 1980s, a young French reporter named Hervé Liffra from the weekly *Canard enchaîné* was assigned to cover the city hall of Paris, but discovered that officials were under orders not to speak to him. The only office he could freely enter was the city's administrative library, where copies of all internal reports and contracts were kept. One of his first scoops was the revelation that the city had signed contracts that were scandalously rich for big water companies, and scandalously costly for taxpayers. When people inside the city hall saw that Liffra could not be stopped, they began talking to him. Later, he used freely available voting records to expose election-rigging in the city of Paris, by checking the lists to see if voters whose official addresses were city-owned buildings truly lived there.

You get the idea. Any fact that is recorded somewhere, and is open to the public, is yours for the taking. Do not assume that because it is open to the public, this information is old, worthless, already known. Just as often, it may have explosive implications that no one ever considered. Do not just look for specific pieces of information; that's what amateurs do. Instead, look for types of sources and approaches that you can use again and again. Your ability to use this material will be a crucial factor in your reputation.

Never forget:

It is always easier to get someone to confirm something you already know or have understood, than to get them to volunteer information you do not possess. We will return to this below, under “open sources are a source of power.”

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What kinds of sources are “open”?

In the contemporary world, open sources are practically infinite. They include:

Information

that has been published in any freely accessible media. Usually these can be accessed at a public library or through the archives of the media concerned:

- News (newspapers, magazines, TV, radio, Internet)
- Special interest publications (unions, political parties, trade associations, etc.)
- Scholarly publications
- Stakeholder media (such as Internet user forums, financial analysts, union newsletters or magazines, protest groups, etc.)

Examples:

- death notices can help you find family members of people you are interested in.
- protest groups may be tracking legislation or court cases.
- the offices of political parties may provide not only party literature, but newsletters, tracts, and independent publications from party members, etc.
- news clips can serve as ice breakers in interviews; the reporter may ask the source to confirm whether the information in the stories is accurate and go from there.

Educational libraries,

including public or private universities, medical schools (or teaching hospitals), business schools, etc. These institutions frequently have more up-to-date equipment and deeper resources than public libraries, including news databases like Factiva or Lexis-Nexis or company databases such as Dun & Bradstreet, and highly-trained personnel. See how (not if) you can negotiate access.

Example:

An investigation of a consumer boycott that the target company said had failed, but which in fact gravely damaged its market capitalisation, relied on financial analyst reports contained in a database at the INSEAD business school library.

Government agencies

generally produce more information than any other source, and this is true even in countries that we consider authoritarian or that lack freedom of information laws. You can almost always obtain more information from them than you think.

Some examples:

- Incident reports: Agencies have rules they're supposed to follow. But employees make "mistakes." The occasions when such errors or mishaps require an official report will be spelled out in the agency's manual or legal codes. Demand those reports.
- Inspection reports: Numerous agencies, responsible for everything from restaurants to highway bridges, compile reports on what operations or installations. Find those reports and their authors – especially if a disaster occurs. If there's no report, that's a story: Why wasn't the agency watching? If there is, and it predicts a disaster, why was nothing done to prevent it?
- Complaints: The public complains, and sometimes those complaints are justified. Who gets the complaints? Do they do anything? What?

Government libraries.

Governments at national and municipal levels, as well as parliaments generally have their own libraries and archives. So do many ministries. The parliamentary record or official journal are two key records generally kept in these libraries, but there are others.

Examples:

- A reporter in Syria obtained reports that the secret services refused to provide to him through the National Library.
- An investigation of France's alcohol lobby began with a trip to the Parliament to review voting records, and then to the Journal Officiel, the record of governmental activity, to review campaign financing records. The hypothesis was that officials who proposed amendments to laws that favored the alcohol lobby had received campaign donations from lobby member firms, and it was true.

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Courts.

At a minimum, courts keep records of judgments. In some countries, such as the United States, they provide open records of all the evidence introduced into a trial. Always seek out any and all court documents involving your targets in every country where they operate. Testimony in trials is generally protected from prosecution. If you are present at a trial, note testimony in detail, especially if no court stenographer is present.

Example:

Ida Tarbell's classic investigation of the Standard Oil Trust was based largely on trial records from lawsuits involving the company.

Promotional offices.

The local chamber of commerce typically publishes masses of material on its region or municipality, providing information on employment, types of industry and business, etc.

Example:

In an investigation on an infant death at a hospital, a handout from the Chamber of Commerce gave the name of a citizens' group that had filed suit against the hospital for its maternity ward policies. The lawsuit resulted in a government report containing essential information about the hospital.

Cadaster offices.

These offices and related bureaus gather information on property ownership, and often on outstanding loans concerning the property.

Example:

In France, information about property belonging to politicians has been used to show that they have amassed far more wealth than their publicly-disclosed revenues can explain.

Publicly-owned company reports and press releases.

Annual reports, regulatory filings and the like contain a wealth of information about companies. So do press releases, which typically provide the company rationale for strategic actions. If the firm has foreign operations, its filings abroad may contain more information that is easier to access than domestic filings.

Example:

Annual reports and regulatory filings with the US Securities Exchange Commission by a secretive French financier enabled reconstruction of a bond portfolio acquired under disputed circumstances, and worth billions of dollars. The regulatory filings provided names of associates who sat on the boards of the companies that issued the bonds.

Tribunals or registers of commerce.

In every country there is an office that keeps records about who owns companies, whether or not they sell stock. The amount of information that firm owners are required to disclose may vary, but it is usually more than what reporters who never use these resources expect. In France, for example, the information disclosed includes the number of employees, revenues, debts, profits and margins, etc. Names of directors are also provided.

Example:

Using this information, one of us showed that a website which pretended to be a consumer defense organisation in truth belonged to a firm specialised in economic intelligence for big companies.

International institutions that provide aid or information concerning situations in particular countries (like the European Union, United Nations, etc.).

Example:

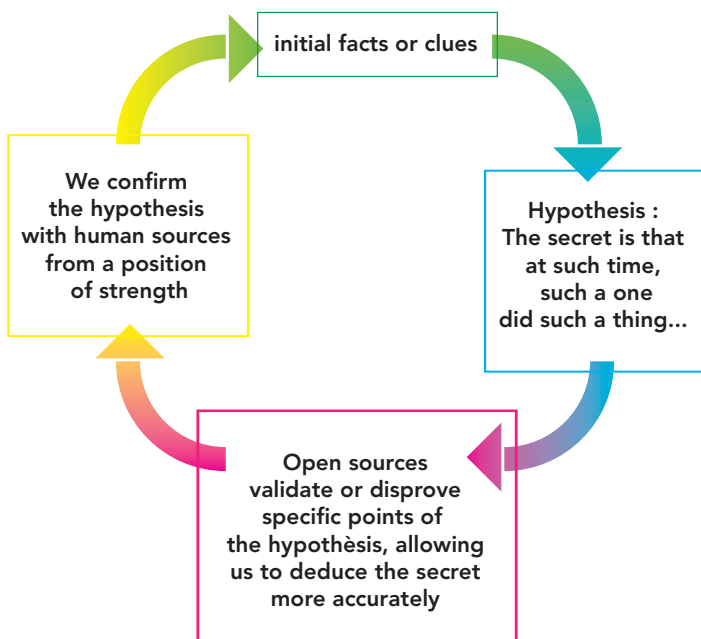
A newspaper in the Ivory Coast used a European Union audit to show that the national government had misappropriated tens of millions of dollars in aid.

We could continue this list indefinitely. A serious professional will compile his or her own lists of open sources, and update them regularly as specific projects require. They are just as important as your human sources.

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An open source strategy for investigation

What open sources mean for our method is that, instead of seeking sources who promise us access to secrets, we deduce from accessible facts what the secret might be. The whole process looks like this:



Once again, as a brief formula:

- We start with a few clues or facts.
- We hypothesize the facts we don't know yet.
- We seek confirmation of our hypothesis from open sources.
- We question people who can complete the information we found in open sources.

Example:

France's National Front, an extreme right political party, proposed a program of "national preference" through which French citizens would be granted employment, government benefits, and other rights before even legal immigrants. Such a policy is illegal under French and European law. However, a Front official told us that the movement's strategists believed it could be enacted by making use of the "gray zones" in French law on governing municipalities. When asked for specifics, he shut up.

Step 1:

We hypothesize that in cities controlled by National Front mayors, the illegal "national preference" program is being enacted, and that this is achieved by targeting ambiguities in pertinent laws.

Step 2:

We review Front National campaign platforms, an open source document available from bookstores, to define the pertinent measures of the "national preference".

Step 3:

We consult news articles, municipal bulletins, Internet forums and citizen group newsletters and reports for first confirmation that this program is being applied in National Front cities.

Step 4:

We continue the preceding step by interviewing human sources from the Front and its opposition. We also interview legal experts on how the Front's measures could be applied without breaking the law.

Outcome:

Not only did we verify the hypothesis and confirm the practices on our list; Front officials, when asked to confirm the practices we identified, spontaneously offered others. But why? See below.

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Open sources are a source of power

Open sources place us in a position of relative power, compared to the usual situation of asking someone to tell us a story. It is quite another to ask someone to confirm a story. It's the difference between saying, "What happened?" and saying "This is what happened, isn't it?"

Of course, it is much harder to mislead a person who asks the second question. Less obviously, it is also much more interesting to have a conversation with such a person, because he or she can appreciate the value of information and respond to it more deeply than someone who has no independent knowledge. That is probably why Front officials gave us examples of the national preference policy that we hadn't thought of; they knew we could appreciate their work.

By making use of open sources, you demonstrate to your human sources that:

- 1**
You are interested in the subject to the point where you commit time and energy to it.
- 2**
You do not expect them to do work for you that you can do yourself.
- 3**
You are not dependent on them for information.
- 4**
You have information to share.
- 5**
You cannot be prevented from doing the story simply because someone does not want to talk to you.

Learn to go through the open doors to information before you pick up your telephone to call someone. It's a key part of becoming a worthy witness – a person that sources want to talk to, because he or she understands and appreciates what is being said.

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Finding open sources

1. Mapping the subject

Your first task is to get an overview of the field under investigation. This process is also called “backgrounding”, which refers to finding what lies behind and around the subject in the foreground. The tasks include:

- Identify key actors (individuals and institutions)
- Identify key issues that concern the actors
- Understand key dates and events in their history to the present

Your starting point is whatever facts you have in hand. If you begin with the name of an actor or institution, seek material related to that element. Then, follow references or allusions in that material in order to locate other material.

Example:

An American museum refused to say why it “loaned” a contested painting to the French national museums. News clips suggested the national museums had “impacted” its exhibitions. Annual reports showed that international loans of paintings to the museum had stopped. The French had made it happen.

When you find yourself blocked, take note of the obstacle, and seek information about something related to it instead. Try, try and try again to avoid placing yourself in a position where you absolutely require specific information from one source to advance. By defining your situation thus, you place all power in the hands of the source.

Instead, collect data about actors, institutions or events that are one step removed from the immediate object of your inquiry. This information can provide perspective, and open a path to new sources. Very often, when your intransigent “unique” source realises that everyone involved with the story is speaking to you, except for him or her, they’ll come around.

Obviously, this work can quickly generate a lot of data. Please read Chapter Five to see methods of organising it from the beginning of the inquiry. You will need them.

2. Use general sources to direct you to the expert sources.

General sources like those described above have their place, but you need expert open sources as well. For example, a press article about a scientific discovery is a general source. The original scientific research, which may have been published in a specialised journal, is an expert source, containing a richer level of detail. In an investigation, that detail can be critical to success, not only because the facts may be of great interest, but because knowledge of the details enables you to dialogue with sources more powerfully. They will recognise you as someone who is making an effort to understand the story, not just copying someone else’s work.

The best way to discover expert open sources is to ask the professionals in a given sector which sources they use.

- Government officials can tell you who keeps reports, in what form and where.
- Elected officials can tell you how legislative processes work, and what kinds of paper they generate at different stages.
- Property agents will know which offices keep track of property records.
- Professional investors can tell you where to find company information, and how to read it.

And so on. When you speak with such professionals, be sure to ask them the source of facts that you find fascinating. This also applies to conversations with other investigators, including journalists, police or auditors. Don’t just collect facts: Collect the methods by which the facts are found.

Example:

A gendarme found a key witness in a murder case by learning her first name, and the fact that she was pregnant at a given moment; he went to municipal birth registries to locate women with the right name who gave birth at the right time, and found his witness.

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3. Keep track of these sources and their coordinates.

Make a point of using them often enough so that you do not forget how. For example, if there is a free Internet database you use for company information – in France, it is called *societe.com* – check on the status of the companies you do business with.

4. Harvest documents in the field

You need to cultivate the habit of collecting information in depth wherever you happen to be. The information most pertinent to a given activity is nearly always found where the activity takes place. So collect all documents in sight whenever you visit a place as a reporter.

Example:

If you are in an office and there are documents on display, pick them up and study them, so no one takes you for a thief, then ask if you may keep them. When we covered the Front National, we went to their headquarters every week and collected the journals on display. Many were otherwise unavailable, published by obscure groups or individuals within the larger movement. Others were available only to card-carrying members of the party, but were handed to us when we requested them. These were invaluable sources of information on the movement's activity at local and regional levels, which the news media never discussed.

Using experts to exploit your sources

1. Archivists are angels

The fact that a source is open does not mean that you can access it efficiently, particularly where specialised libraries or archives are concerned. The solution: find out who manages the archive, and ask them to help. In fact, it is a good policy to always obtain the name of a staff archivist when you enter a library. Our experience is that archivists rightly feel under-appreciated, and someone who approaches them with respect for their expertise will be rewarded.

Examples:

For a follow-up investigation of France's contaminated blood affair, the first task was to assemble all the scientific literature on blood transfusion and AIDS before the scandal erupted. The manager of the library of a major Paris teaching hospital provided us with a full list of relevant articles through her institution's database, and the library contained nearly all the journals on the list. The task was completed in an afternoon.

For an investigation of a Paris art dealer, we called the Ministry of Culture to ask for information about subsidies to the art market, and were directed to a certain functionary. As we spoke on the phone, the sound of typing on a computer keyboard was audible. When asked what she was typing, she said that she was consulting a Ministry database. Asked if it were public, she replied yes. The database contained all recipients of Ministry subsidies, and was available through a public library, to which the functionary directed us.

2. Understanding what you've found

Obtaining a document is not the same thing as understanding it. The language of official reports in the public or private sector is often very particular, and requires interpretation.

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This applies to open sources as diverse as annual reports or the minutes of meetings. When you find yourself confronted with such a document, your next task is to find an expert interpreter of its language and substance. In general, seek someone who is involved in the sector you are investigating, and who will find the story worthy of interest, but who has no conflict of interest in the case at hand.

Example:

To understand how the Front National manipulated city finances to eliminate opposition groups, we obtained a freely-available report on municipal subsidies from a city controlled by the Front, then examined it line by line with a former municipal employee of a similar city who worked on budgetary matters.

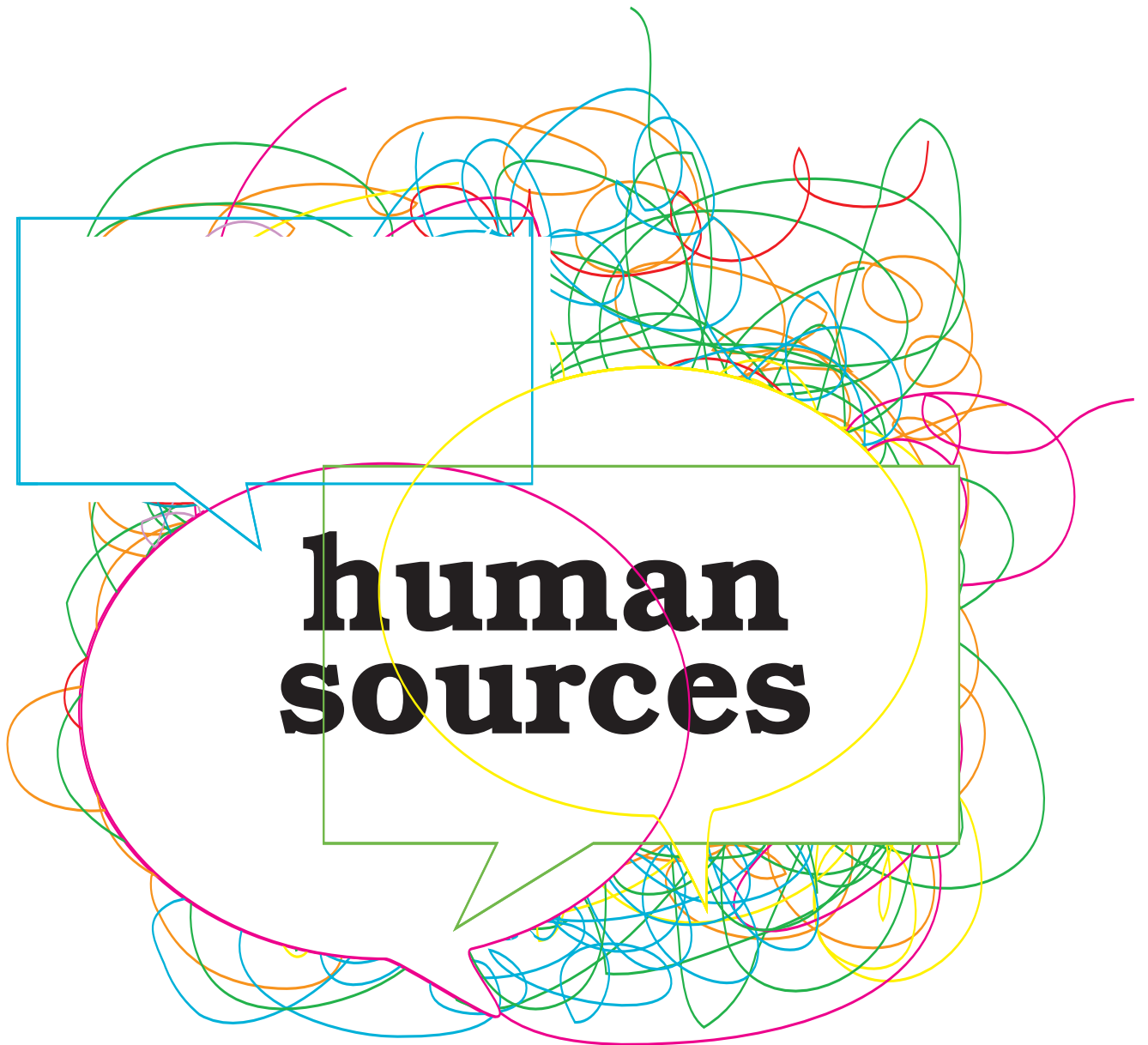
Do not seek perspective from someone who will report your conversation to others, if you can avoid it. In particular, avoid discussions with individuals who have business of any kind with actors in your story, unless you are interviewing them. These people can trade their knowledge of what you are doing to their own advantage, and they will.

Start fast... but easy!

We strongly suggest that you begin an inquiry with the easiest information you can obtain from the most wide-open sources. Any investigation becomes more complex and difficult as it proceeds. But if it begins that way, something is usually wrong. Specifically, if none of the elements in your hypothesis are supported in open sources, it is a sign that either your hypothesis is seriously mistaken, or someone is working very hard to conceal the story.

Conversely, if the first verifications are successful, it is a sign that you can accelerate and widen the inquiry. When this momentum begins, exploit it. Take the open source data as far as it will go. Deduce its meaning, and add it into your hypothesis. In the next step, you enter the space where the truth is not in a document.

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Using Human sources

BY NILS HANSON AND MARK LEE HUNTER

The process so far:

We discover a subject.

We create a hypothesis to to verify.

We seek open source data to verify the hypothesis.

We seek human sources to enrich our understanding.

Source mapping

The most exciting information is usually not in open sources – it’s in people’s minds. How do we find these people? How do we get them to tell us what they know? Do not under-estimate the value of these skills. Not everyone has them, and your work as an investigator will develop them to a high degree. Do not abuse them, either. Never forget that as a journalist, you can hurt people – in their feelings, their livelihoods, even their personal safety. Make sure that you do not hurt them just because they were foolish enough to talk with you. In this chapter, we are going to consider the art of becoming a worthy witness – someone that a source may safely and usefully speak to.

The way most news reporters find someone to quote is to read the first published story on a given matter, pick out the names of people cited in it, and call them. Those few sources may get hundreds of calls in a day. Will they say anything new to the hundredth caller, if they pick up the phone? No. So why not find someone whom no one else has questioned?

Your open source work will provide you with a list of far more interesting names to call. For example, to investigate a company you may begin by reading financial analyst reports that describe the position of the company and its toughest competitors.

- Next, speak with the analysts, and then to the competitors.
- Through them and industry media, find people who have left the company, either for other jobs or to retire. (Seymour Hersh found many of his sources on the CIA by following retirement announcements.)
- Through these sources, find people still within the company who wish to speak.

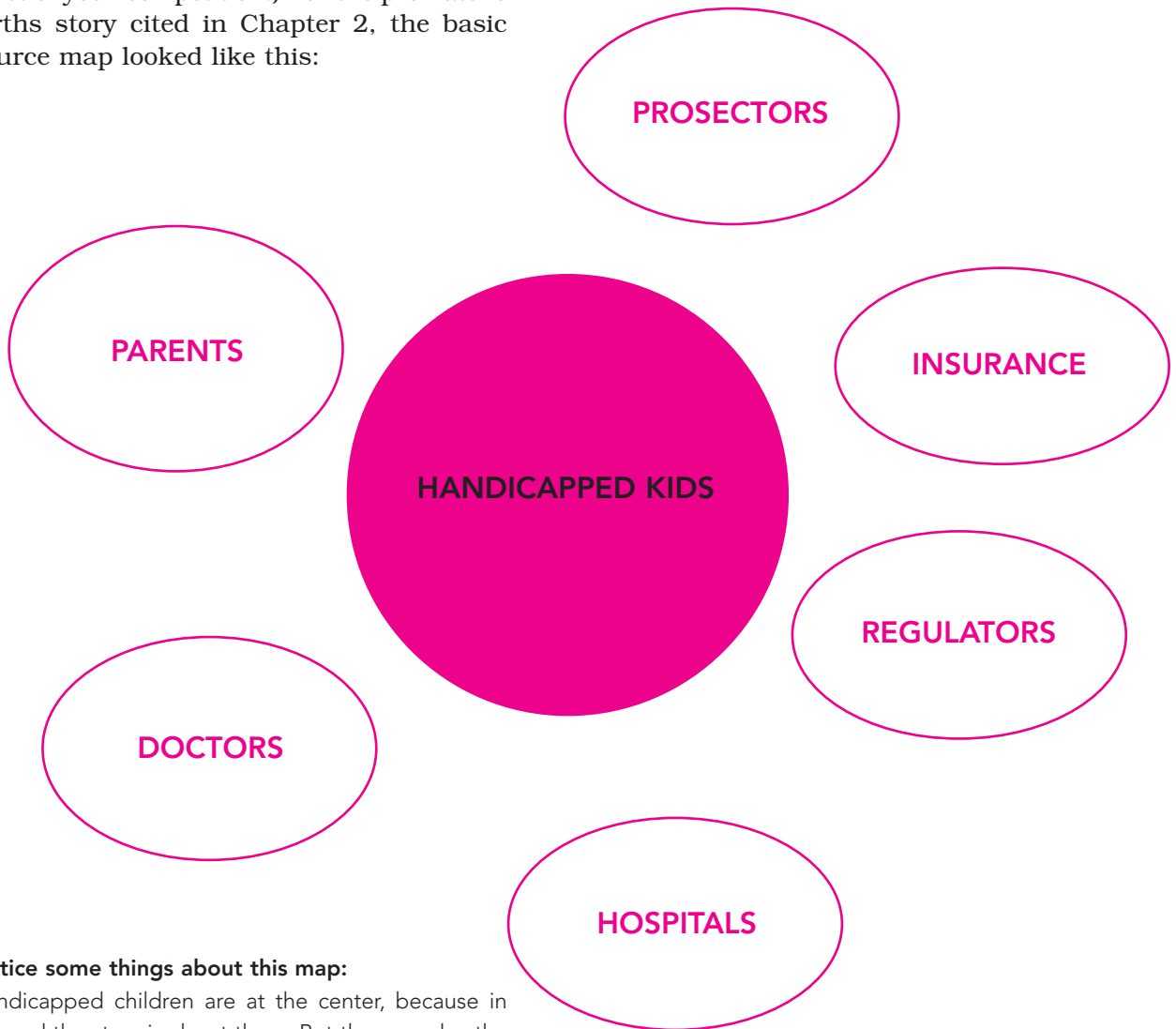
We advise you to make a simple source map as soon as you can. This is a graphic representation of all the people who are or may be directly involved in your story. The map looks like the houses of a village in which everyone knows everyone else, and the village is where the story takes place.

You can make the map as complicated and rich as you like – for example, by noting the physical locations of individual sources, their birthdates or jobs, or whatever you please. But in the beginning you can be much simpler,

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and you may not need to go further. (Even a simple source map, which takes a few minutes to prepare, will give you an advantage over most of your competition.) For the premature births story cited in Chapter 2, the basic source map looked like this:



Notice some things about this map:

Handicapped children are at the center, because in the end the story is about them. But they are also the hardest people to find, and to speak with. Every other source we might speak with fits around them, because in one way or another, every other source is connected to those children. Likewise, doctors are between parents and hospitals. Why? Because that's who doctors talk to the most.

This is the point:

When you make a source map, use it to show the relationships between the actors of the story, so that if one source is blocked, you can go to another source who can see past the obstacle. When the people in one part of your map accept you, your chances of acceptance elsewhere on the map go up.

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Give sources a reason to speak

People with interesting facts or stories to tell may have strong reasons not to answer your questions. In a general sense, they do not know if you are professional, responsible, and fair (many reporters are not). Even if you are, they cannot control what you will do with information they consider valuable. Finally, your use of the information may harm their careers, their relationships, or even their physical safety.

So keep this in mind when someone hesitates to speak with you: You could turn into one of the worst things that ever happens to them. The surprising thing is not that people refuse to speak to journalists, but that most of them, most of the time, do.

Why do they?

There are two general reasons, and they are called pride and pain. You must offer your sources the chance to satisfy one or the other.

- People will talk because something excites them -- a talent or thing of beauty they have discovered, a success they have had or will soon have, a plan they have created to save the world. Discussing these subjects makes them feel happy, important or both.
- Or, as doctors know, they speak because they are in pain and they badly wish that someone would help them. Generally, pain is stronger than pride, and that is why the first people to speak in most investigations are victims – those who have been wronged in some way, or whose values are deeply offended by what they have witnessed.

There is also a specific reason that someone will speak with you: He or she believes that doing so is safe. For this to occur, and keep occurring, you and the source must create a relationship. In that relationship, each of you will count on the other to do certain things, more or less reliably. Both you and the source may furnish each other information, and make certain engagements. Whether or not the source keeps them, you must keep yours. It is not merely a professional obligation. It is also a matter of character. You must be instinctively trustworthy, or people will sense that they cannot trust you.

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First contacts: Preparation and invitation

1. Preparing for the meeting

The safest way to communicate with a source (unless the source is physically dangerous) is in a face to face meeting. The purpose of your first contact is to make that meeting happen.

Before that first call you should do some research on the person and the issues, using open sources.

Concerning the person:

The absolute minimum is to “google” him or her. Any news articles or other writings in which the source is mentioned should be consulted; if there are too many to read all, choose a few. The purpose here is to demonstrate your interest in the source, and knowledge of his or her career. Never go to an interview and ask a source with a public history to recount his or her career. You should know about it before you arrive.

If the source has written articles for news media or specialized publications, obtain them and read them. Even secretive or shy individuals reveal their personalities, values and concerns when they write. These materials can furnish hypotheses that can later be tested in an interview.

For example, from his published articles and speeches we hypothesized that a certain high public official in France hated to lie, but was an expert in avoiding subjects he considered sensitive or dangerous. Thus by observing how and when he changed subjects, we could identify the precise points he wished to obscure, and then investigate them further. When asked to confirm our conclusions directly, in keeping with our hypothesis about his character, he did not lie.

Concerning the issues:

You should be aware of the latest news and public statements related to the issues. You do not need to be an expert. However, you must demonstrate awareness, if not understanding, of key terms in the language of the source’s world. You may then ask the source to explain them to you.

2. Making contact

Contact can be made by phone or letter – but only to the person’s home. Never call him or her at work, unless you are absolutely sure it is safe to do so. The boss might be listening, and the call can be traced (more about that later). The same applies to e-mail, even if the content is harmless. It is easy for an employer to find out who received an e-mail from a journalist.

We are not speaking theoretically here. We once saw an investigative team that targeted a public official who was said to be tyrannical and paranoid, as well as corrupt. They wrote to his secretary, at their office, asking her to help them. She refused. But when the boss learned of their investigation, as targets always do, how do you think he treated that poor woman?

Think about how to present yourself before making contact. You must tell the source who you are, and what you are doing, with confidence in your mission and your ability to succeed. You don’t need to say so, but you do need to feel, that you are going to get this story and tell it, and the world will be a better place when you do.

Consider these examples of the right and wrong way:

Wrong: “I want to ask you something, if it’s not too much trouble...”

What’s wrong: *You don’t want to ask, you ask. You don’t suggest to the source that speaking with you means trouble, and that you’re embarrassed to be asking.*

Right: “Hello, my name is... I am a journalist, working for a media called and I am working on the story of I believe it’s an important story,

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and I want to tell it fully and accurately.
When may we meet to discuss it?"

What's right: *You identify yourself and your purpose fully, and you give the source a good reason to speak with you. You do not ask if you may meet, you ask when. You do not use the word "interview," which invites the source to connect his or her own name with headlines and a future full of trouble. If you are not working for a specific media, you may say which media you have worked for. If you have not worked for any, say which media you will submit the story to.*

Remember:

what matters is not who you work for, it's how you work.

Wrong: "Please help me, you're the only one who can!"

What's wrong: *If no one else wants to help you, and you can't help yourself, why should we?*

Right: "I understand that you are a true expert on this subject, and I would greatly appreciate your insight."

What's right: *You're flattering the source, but if the flattery is justified, there's no reason not to. You are also letting the source understand that you have other sources, who may be equally expert.*

The underlying principle:

Always assume that you are a fascinating person doing important work, and that anyone would be delighted to encounter you. If this is too difficult for you, please consider finding work better suited to your complexes.

3. Where to meet

If the source cannot be located to request a meeting, or refuses to meet you, or sets unreasonable time delays, consider presenting yourself in a place where the source can't just go away. If the source is on trial, go to the courtroom. If the source is a professor, go to a lecture. Once a high-ranking French official refused to see us for months, until we went to an office where he had weekly meetings with his constituents, and took our place in the waiting line. When it was our turn to enter the office we said: "We're

the last in line, and you still have 20 minutes left. Let's talk now." He laughed and said yes.

If the source is willing to meet you, go to the source's home or another place where he or she feels comfortable. If the investigation is related to the source's work, and the source's organization is aware of the interview, the source's office is usually the best location. The office will present a great deal of information about the source – what he or she reads, his or her tastes, how he or she responds to interruptions, etc. (One of the revealing moments in Connie Bruck's landmark study of Wall Street, *The Predators' Ball*, takes place when a financier screams at his secretary for no good reason.)

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Beginning the relationship: Goals and roles

In the news world, relationships with sources are often like one night stands that leave the partner disgusted. This is particularly true at the scene of a disaster, where reporters arrive in a mass, trample everything in sight, then leave after commenting on how bad the local food, drink and manners are. Investigators are not trying to be ideal lovers – seriously, sleeping or even flirting with your sources is nearly always a terrible idea – but they are certainly seeking a more stable, long-term relationship. The beginning of the relationship is thus a key moment, which largely defines what follows.

1. First and last: Protecting source anonymity

The most important single thing you can do in an investigation is to protect the confidentiality of sources who can be endangered by being in contact with you. This requirement is especially strong where sources who request anonymity are concerned. Promising anonymity means you must do everything not to leave any traces of the source. This includes situations where your notes may be seized by police or lawyers.

The following methods may be used:

A / Don't call the source at work. Such calls can be traced. To be fully safe, both of you need to use mobile phones with prepaid cards.

B / Avoid contact via e-mail. It's like sending a postcard. Secure e-mail contact requires encryption, a method that stands out and can bring unwanted attention.

C / Meet the source at safe places where there is minimal chance for either of you to be recognized.

D / Give the source an alias or a code name ("Source A", "Source B"). Never use the real name of the source in discussions or notes.

E / Lock up all material related to the source, ideally in a place that is not identified with yourself.

2. Setting your goals

Before the first encounter, define for yourself what you wish to achieve.

At a minimum this should include:

The assets you wish to acquire.

Assets may include documents, confidences, interpretative insights or analysis, and names of further sources to contact.

- You may seek only limited assets in a given meeting. Our friend Philip Madelin, a specialist on the French secret services, says that in a typical interview he will seek to confirm or extract only one piece of information.
- Or, you may seek a maximum, taking every document in sight. In that case, make sure the source knows why you are taking them.
- Generally, the last asset we seek in a meeting is the name and contact information of the next person we should speak with. We usually say: "Who do you respect for their insight into the matters we've discussed? Do you know how we can contact them?"

What you wish to reveal to the source about your project.

You should expect to be asked – if not by this source, then by another – why you are involved in this project and what you hope to gain from it. Whatever answer you give to this question, it must be given on the spot, and with sincerity. We suggest that you follow the three rules of British diplomacy:

- Never lie.
- Do not give false information unless you

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absolutely must. Bear in mind that the discovery of a lie will expose you to consequences that range from getting thrown out of the room to being shot through the feet and tortured (which is what happened to a Brazilian undercover reporter whose hidden camera was discovered in a meeting with drug dealers).

- Never tell the whole truth.

For example, when working with the extreme right, we would say: “The image of your movement in the media does not seem accurate to us, and we want to know the truth.” We did not say, “The truth may be even worse.”

- If you can’t answer a question, say so – and say when you will answer it.

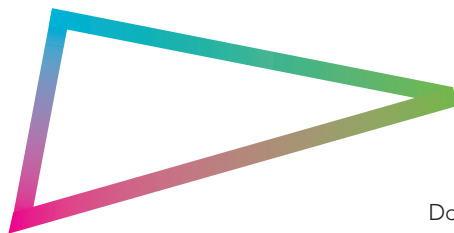
What you wish to learn about the source.

What kind of person are we dealing with? What cues or stimuli do they respond to? What are their goals in speaking with us? Do they simply want or need to tell their stories, or are they using us to a further end? British intelligence uses a three-cornered diagram that corresponds to the criteria at Sweden’s SVT television network:

Please remember the following as you use this diagram:

MOTIVATION FOR COLLABORATING

- Revenge?
- Justice? Ambition?
- Desire for recognition or power?



ACCESS TO INFORMATION

- Is the source in the necessary position to access the information?
- Who else has access?
- Can the information be used without the source being identified?

Regarding motivation:

It does not matter what the particular motivation may be. It does matter that it be comprehensible and convincing.

Regarding quality of information:

In news reporting, the highest quality of information is assumed to be from the highest-level source. Investigators assume that the highest-level source is less concerned about truth than about achieving personal or organizational goals. From that perspective, higher quality information will come from those lower in the organization, who are opposed to personal ambitions or organizational goals.

Regarding access to information:

As suggested above, the ideal source in most investigations is someone in the middle ranks of an organization, at operational or planning levels. These people have access to significant documents, but have very little influence on how policies are formed or implemented. Likewise, they are extremely vulnerable within their organizations.

Therefore, when such a source gives you confidential information, ask her or him immediately: “Who else knows this?” Explain that you do not want to cite information that can be directly traced to the source. If you note restricted information during a meeting, put a mark beside it to indicate that you must not quote it (we use “NFC”, meaning “not for citation”), and tell the source you are doing so. In short, let the source see that you are thinking of how to protect her or him, and then make sure you do.

QUALITY OF INFORMATION

- Has the person experienced, heard or seen what he or she is talking about, or is it second hand information?
- Does the source have documents or the names of other sources to confirm the information?
- Does the information fit with other data?
- Has the source something to hide?
- Has the source links to other persons or organizations that you should know about?
- Has the source provided correct information before?

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3. Choosing your roles

There are two primary roles that you may play during your interviews.

The Expert

knows most of the answers, and can fully appreciate the sometimes technically involved information that an equally expert source may provide. For the expert, conversations with sources take place at a high level that ordinary mortals might have difficulty following. We have heard sources say, *“It’s good to speak with someone who really knows the case, it means I can try out my ideas.”*

However, if you begin as The Expert, be very sure that you will not be forced to admit, later in the interview, that your knowledge is less extensive than you pretend. You will lose face.

The Innocent (or Candid)

is speaking to the source precisely because he or she knows very little, and yearns to be enlightened. That does not mean that The Innocent is a fool, though he or she may sometimes prefer to be under-estimated by the source. If you have ever watched Columbo, you have seen The Innocent at work. It is probably the strongest role, because it allows you to ask naïve, simple questions as well as more complex ones. Because The Innocent needs to ask about everything, he or she avoids the danger of indicating to the source what the journalist seeks and how much the journalist already knows.

Often, investigators will begin an interview as The Innocent, and then reveal themselves as The Expert as the conversation progresses. If you do this, be careful not to give the source the impression that you have lied to him, unless your precise goal is to ambush a source you will never meet again.

You may use either or both of these roles during an interview. **The key is to feel certain of your authenticity in a given role at a given moment.**

Your role vis-à-vis the source may evolve over the course of a relationship. It is a great pleasure for many sources to see that The Innocent becomes more and more able to pose Expert questions, because it shows that the investigator is listening and learning. The natural evolution of a source relationship, over time, is in this direction.

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Interview tactics

Every reporter has a personal stock of interview tactics, and many reporters never change them, like seducers who know only one line. As an investigator, spend time with people whose job includes asking questions – not just other reporters, but also police, prosecutors, lawyers, salespeople, auditors, and so on. Ask them how they respond to specific situations, or to tell their war stories. The best interview tactics reflect the interviewer’s personality, so take that into account as you develop your own repertoire. Meanwhile, here are some of our favorite tricks.

1. Bring the gift of news

Investigators often intervene after a case is well underway, which means that the news media have compiled a more or less substantial record. But that record is usually full of mistakes. To start an interview and a relationship, try bringing a number of these clips. Ask the source to review them with you, so that you can see which facts are true. You do not need to explain that you consider the truth more important than your sloppy news colleagues do.

2. Take control of the situation

Once we read an article in *Rolling Stone* magazine by a fellow who found himself hosting Mick Jagger one day, completely to the host’s surprise. He was so nervous that he forgot to offer his guest a cold drink on a hot day. When our turn came to interview Jagger, we made a point of serving him tea – not to be servile, but to make it plain he was

on our ground. He appreciated the gesture and the interview began well.

Think of what happens in the interview as a power struggle, because that’s what it usually is. Try to choose the spot where you sit or stand; move until you are comfortable. Keep control of your tools; do not, for example, allow the subject to handle your recording machine or notepad. (You would be amazed how often this happens.) If they do, say: “Those are my tools. I don’t handle yours, and don’t handle mine without my permission.” Do not say, “May I record this interview?” Say, “I am recording this interview to make sure it is accurate,” turn on the machine, and state the date and place of the interview and the name of the subject. If you think the source will object, bring a witness to the interview and say, “To be sure our notes are accurate, I have asked a colleague to assist me.”

3. Keep your distance

Some people become journalists in order to meet people and bask in their company. That’s fine, but if an investigator needs a friend that badly, he or she should buy a dog. If you become friends with your subjects, you will end up betraying them. Apparent victims are not always as innocent as they seem, visionary politicians are sometimes charlatans, captains of industry may drown their crews. Don’t sink with them.

4. Use the source’s defenses against him or her

Oriana Fallaci’s classic interview with Henry Kissinger began with a humiliating encounter: He turned his back on her, then asked her if she was going to fall in love with him. Fallaci was furious, and then she realized that Kissinger had a certain problem with women. She also concluded that such an unscrupulous man, who would abuse a journalist doing her job, was not worthy of her pity. In the interview that followed, she alternated questions focused on precise bits of informa-

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tion with questions that used feminine wile to provoke and flatter (such as: “So now I ask you what I asked the astronauts: What can you do after you have walked on the moon?”). Progressively unbalanced, Kissinger lost control of the conversation, and finally of himself. The resulting disclosures opened a door on the heart of power.

Be like Fallaci: Have no pity for the powerful, especially when they do not play fair. If you see their weakness, use it. For example, if the record on a public figure shows that he or she prefers statements of principle to hard facts, come prepared with facts from his record that contradict the grand principles he or she likes to repeat.

5. Surprise the source

If you are interviewing a public figure, the odds are that he or she has been interviewed numerous times on exactly the same subjects. You can use that fact to prepare an interview that breaks new ground. Simply review what’s been done, and do something different. It is sometimes astonishing what reporters have ignored. Mick Jagger, for example, had been interviewed on virtually every subject but how he made music. He turned out to be very glad to discuss it.

6. Let the source surprise you

News reporters are always in a hurry, and one way they show it is by framing a question that doesn’t allow the source to say what he or she thinks is really important. Part of what will set you apart from these practices is paying attention to what the source believes is important.

In particular, a source will often say something like, “I can answer your question, but there’s a question you haven’t asked that matters more.” The wrong response is: “Later.” The right response: “Tell me about it.” The answer will sometimes show you an entirely different story, and it may be more important than the one you were working on.

7. Make the source work

Particularly in cases where the chronology is important, a good way to begin successive interviews is to lead the source through the events that have been discussed, verifying the chronology and the details of each event (such as who was there and what was said). Sources rarely recall an event accurately or completely the first time they discuss it. Their memories must be stimulated, and painful experiences must be released. Do not be shocked when stories change as a result of this work.

8. Listen to the subtext

In theatrical language, the “text” is the explicit dialogue pronounced on stage; the “subtext” is what’s behind the dialogue. Be careful that in an interview you do not ignore the subtext. In particular:

- Listen for moments when the subject’s voice changes pitch, a sure sign of tension.
- Also pay attention to moments when the source’s language becomes vague or repetitious, without the addition of additional information. (Repetition helps the memory, but it should result in new details being uncovered.)
- Finally, be alert when the source answers a question that you did not ask. Is the source trying to tell you what really matters, or trying to avoid a certain territory? If the latter, that territory is probably the one you most need to explore, now or later. If you are using a recording device, be very alert to these moments when you play back the interview.

9. Get the source involved

Remember that the relationship with a source may be more important than any specific information the source provides in a given interview. Over time, that relationship creates mutual bonds and obligations. As this occurs, beginning investigators may

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unconsciously feel guilty that they are penetrating so deeply into their sources' experience. Just as unconsciously, they will avoid the source.

This is exactly the wrong thing to do. Instead, be in regular contact with the source. Call to share information, to ask for the latest news, or to solicit comment on something the source knows about. Do not wait for the moment when you need a crucial piece of information to remind the source that you exist.

By doing so, you get the source more and more deeply involved in the project. By keeping him or her informed of your progress, and your growth, and by soliciting his or her information and insight, you have given the source a stake in the outcome of the story. In effect, the source becomes your consultant on a very important issue.

10. Review your notes right away

Try to leave time immediately after the interview – a quarter-hour may be enough – to quickly review your notes and see if there is anything you forgot to take down. Impressions of moods, ambiguities, and other details will appear to you once you leave the room. Capture them.

11. Get some rest when you can

Reporters accustomed to the brief exchanges of news reporting find it very strenuous to engage in extended conversations with sources. News reporters may never conduct an interview longer than an hour or two. Investigative interviews may last for days. The reporter must be aware that during this time, fatigue or the tension of the subject at hand may make him or her aggressive. Be careful that you do not say something gratuitously nasty to your source when this happens.

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On, off or anonymous?

Sources love to say, “This is off the record.” Problem is, usually they do not know what they are saying. Unfortunately, neither do many reporters. The various categories of anonymity or attribution can be stated as follows:

Off the record:

The reporter promises not to use the information provided by the source, unless the information comes from another source entirely. The source cannot forbid the reporter to use the information under those conditions.

Not for attribution:

The reporter may use the information, but may not attribute it directly to the source. Another appellation, such as “a source close to the judicial hierarchy”, must be agreed on between reporter and source.

On the record:

The reporter may use the information and attribute it to the source.

The crucial thing to know here is that when many sources say, “*I want this off the record*”, what they really mean is, “*I want you to use this information, but not if it’s attributed to me.*” Ask the source, “*Do you mean you don’t want me to use this information, or you don’t want me to use your name?*” If the source says, “*I don’t want you to use my name,*” ask: “*How many other people know this information? If I use it, can anyone be certain that it came from you?*” If answer is no, ask: “*How shall we refer to the source?*” Do not say, “*Then what should we call you?*”

It is the source’s choice to remain anonymous or not. We can hardly expect people to provide us with information under their own

names if that means risking their careers and safety, and they are usually better judges of the risks they are running. It is your responsibility to make sure the source’s choice is respected. Facts must be used in such a way they cannot be traced to the source. Likewise, be very careful not to ask questions based on knowledge that could only come from one or a very few sources.

Using anonymous sources transfers the risks of using the information from the source to you. Your credibility is at stake if the information is wrong. If you are prosecuted, you will have no proof of either your good faith or the accuracy of your information. For that reason, we strongly advise that you do not publish material based on anonymous sources, except under one of the following conditions:

- Documentary evidence can be found from other sources.
- The information provided by the anonymous source fits into a pattern with other, verified information.
- The source has been credible in the past.
- If the source bases his or her information on a document, and the document cannot be traced to the source, demand the document. Do not allow a source to quote from a document without knowing the full context of the quote. (In France’s contaminated blood affair, the career of Le Monde’s medical reporter was shattered in part because a source used this trick on him.)

If you cannot find such evidence, ask the original source if he or she will accept to be named, so that his part of the story may be told. On at least one occasion, when we felt that a source was on the verge of allowing attribution, we said: “We will do this story with your name included. But you will review the parts where you are cited before publication. If you are not satisfied with what you see, we’ll take it out.” Often the sources decided to allow attribution of at least some facts.

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Using Emotions

(instead of being used by them)

Throughout this chapter, you may have noticed a continuing thread: **The importance of emotion and psychology in your relations with sources. Let's consider several aspects of this theme in detail.**

1. Emotion is information

A classic error of reporters trained in the canons of “objective” reporting, or of reporters in a hurry, is to listen to sources only for information, and not for emotion. They tend to consider emotion as noise – including their own emotions. In his classic work *The Powers That Be*, David Halberstam suggests that this is why two relatively inexperienced reporters from the Washington Post got the Watergate story, and not their competitors. The young reporters allowed themselves to be impressed by the fear of their sources, and to feel it themselves: The fear told them the story was major.

At a minimum, emotion tells you that something is happening, and that what is happening matters. At a maximum, it indicates a direction to follow.

Example:

At meetings of the Front national, we found ourselves constantly drawn to one side of the room, where the same people gathered. These people were members of the Front's integrist Catholic wing, whose racist, violent tendencies are well documented. We wondered why we were, in effect, avoiding the people on the other side of the room. Who were they? Why were we afraid of them? Investigation showed that they were pagans – worshippers of Norse gods. Unlike the Catholics, their violence was not constrained by adherence to the Ten Commandments. They were objectively more dange-

rous than the Catholics, and that is why we avoided them. The facts that they were so present in the party hierarchy, and were in visible conflict with the Catholics, were highly significant. We would have missed those facts had we denied our fear.

2. Emotional osmosis

As said above, the early sources in nearly every investigation are the victims, who have urgent reasons to seek aid and comfort. To the extent that the reporter opens up to their stories, the reporter is going to absorb their pain and rage. Be careful not to whine about this absorbed pain, especially with sources. But recognize that you may become depressed at some point in your investigation, usually before you are ready to write the story that will evacuate your feelings. Chris de Stoop, the Belgian reporter who spent a year undercover in the sex clubs of Northern Europe for a masterful investigation of sexual slavery, told us that near the end of that year, he went through a few weeks where he was so depressed, he couldn't leave his house.

One way to deal with this syndrome is to work in a team, whose members can provide perspective and balance for each other. If your editor does not understand or recognize this syndrome, it is a sign that he or she is incompetent concerning investigation; seek support elsewhere.

3. The flypaper syndrome

A reporter on an extended investigation becomes unusually sensitive to the things that motivate, excite or anguish the story's sources, and starts collecting them like flypaper collects bugs. One sign of this is that the reporter begins seeing references to aspects of the story in the news, that he or she would not have noticed before. Another is that the reporter's hearing will change; he or she will begin picking up conversations across rooms in which certain key words appear. (Yes, it's happened to us, and it will happen to you.)

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This is an incredibly exciting sensation, and can add to your energy, but it's also unsettling. If you aren't careful, this new sensitivity can blind you to the world outside your story. You lose a sense of what is normal, and of the fact that society actually functions pretty well most of the time, because you are so attuned to a piece of life gone wrong. If you feel this happening, make sure you spend some time thinking about other things than your story.

4. The sense of impotence

Some years ago, in the midst of a five-year investigation, we realized that sources we liked, well-respected, charming people, happened to be guilty of crimes, and it was our job to prove it. They were also powerful individuals, which made the prospect of telling the truth scary. In such situations, some reporters get physically sick. These crises tend to hit at the exact moment when you're asking yourself, as every honest reporter does, if you really have every fact you need to prove your case, and if there isn't something important you missed. On the one hand, you've seen and heard enough to make you ill; on the other, a part of you still wants to believe it isn't so, which leads you to think you'll never have enough data. Remember this: If you do not publish, you are in a worse position than if you do. Stay within the limits of what you have found, but show respect for your own work, and get it out.

5. Objectify the emotions

There is a simple method for dealing with these sorts of emotional reactions: Notate your emotions in the course of the investigation.

- Write down what you are feeling, and what led to the feeling. Who were you speaking with? What did they say? What thoughts came into your head?
- By setting down your feelings, you transform them into material that can be objectified and manipulated.

- This material can be verified like any other. Use it to identify patterns in your interactions with sources, and in particular, the danger points in your investigation. Anxiety or fear tend to arise at specific moments. These emotions can indicate a need for new research. Or, they can indicate that you feel isolated, without defenses. Either way, you can act – by seeking allies, or by confirming your information.

6. Don't forget tomorrow

Too often, journalists forget their sources after publication. Don't be one of them. If you cut off contact once the story is published, the source will perceive you as a traitor. If you keep in touch, you will begin to build a network of sources for future investigative projects. If you're not smart enough to do the latter, you're probably not smart enough to be an investigator.

One last thing: Our journalism students often say, "Won't we make enemies by investigating?" Sure. But if you do the job correctly, and deal with people in a way that respects their rights and your own, even your enemies will probably respect you. More important, you will make more friends than enemies, and the friends will probably be people of higher quality.

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organization

5

How to Set Yourself Up to Succeed

BY MARK LEE HUNTER AND FLEMMING SVITH

The process so far:

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compose into a story, and check.**

Investigative research generates considerably more material than conventional news reporting, and this material must be effectively organized on an ongoing basis. This organizational work is part of a systematic writing and publishing process: **You do not do research, then organize, then write. Instead, you organize as you research, and this organization prepares and initiates the writing process.**

If you do not take the time to organize, you will need twice as much time for the project in the end (that's a minimum), and your work will be harder to compose, explain and defend. Besides, you will not have as much fun, because you will be worried all the time and... disorganized, frantic, and frustrated. So here are some easy steps that you can build into your routine work.

Organize your documents

The first time we published an investigation in a major US magazine, there was a wonderful anecdote we had to leave out. One of the principal actors had lied on the witness stand during a court hearing. But we weren't there, and we'd lost the newspaper clip attesting to the event. A colleague once had to abandon an investigation when he left a briefcase containing key files in a taxi. Another spent a year looking for proof that her targets had conducted a certain study, and then realised that she already had it in her files.

Organisation can help you avoid these problems. Investigative organisation is about making sure that:

- You know what documentation you have found and the information it contains (the "assets"),
- You know where a given asset is and can put your hand on it immediately (meaning within 30 seconds)
- You can make connections between related facts across your assets.

If you know what you have and can access it swiftly, your investigation will not collapse on its own. Just as important, you can access the same information for future projects; it's like building a capital fund. If you can't do this, your work and your career will be poorer. So please do not think this is a minor part of the job. You can't spend all your time on it, but you have to spend enough time so that you maintain mastery of your data and documentation at every step of the inquiry.

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There are two parts of this process.

- The obvious part is that you are building a database – a searchable, orderly archive or library of your documentation.
- Less obviously, as you structure your database, you are structuring your story and building your confidence in it.

1. Making a database

Building a database or archive can be done with paper folders, electronic data, or a combination of both. There is, however, no point in building it if you don't use it, so the structure has to be robust and rapid. We suggest the following simple, efficient basic process.

A/ **Collect documents.**

A source's business card is a document. So is an official report, a news clip, interview notes or transcripts, etc.

B/ **Review the document in order to assess its contents.**

Underline or highlight any passages that appear of particular importance, and place a physical marker at the passage. If a paper document seems particularly crucial, make at least one paper or electronic copy.

C/ **Give the document a title or number, if it doesn't already have one.**

Any title will do as long as it reminds you of what the document contains. (This is especially important for web pages! Saving a web page under its original title is sometimes the same thing as hiding it in plain sight on your hard drive. Make sure you either change the title to save it while recording the original URL elsewhere, or copy the content that interested you in another document with the URL reference.) For interviews, we suggest you use the subject's name. If the subject is confidential, give him or her a code name.

D/ **File the documents.**

Put them in an order that feels natural to you. We prefer to file documents alphabetically, in a physical file or a computer folder. We also prefer subject filing: we will open a

subject file with a single document, then expand and sub-divide the subject headings as more documents arrive. Within subject files we arrange documents chronologically, with the more recent first.

E/ **Review the documents periodically.**

Once a month is sufficient. Make sure that the different documents are filed correctly. If a document looks unfamiliar to you, take a moment to read it. The point of this exercise is not just to keep your files updated, but to ensure that you know what they contain.

F/ **Exchange documents across files.**

If a particular event or series of events leaps out of the file to suggest a separate story, copy related documents from all pertinent files and begin a new file. Be sure to leave copies of all documents in their previous files. This is a technique used by the FBI: Whenever a document refers to another (for example, if both contain the name of the same person), copies of each document are placed in both files. The reason for this technique is that it increases the chances you will make connections between disparate bits of data.

G/ **Make backups.**

If documents are sensitive, prepare copies and store them in a place that is not your home or office, and to which you or a colleague can have access. Do not put sensitive data, such as the names of confidential sources, on your computer. Any and all data on your computer cannot be considered secure.

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Structuring the Data: Creating a master file

Your assets will do you no good unless they add up to a story. Your hypotheses will help to remind you of the core of your story, and to guide your research. But they will not suffice to compose a tight, well-structured narrative. To do that, you need another key tool: the master file.

At the most basic level, a master file is a “data department store” – a place where you throw all the assets you’ve collected. But it is not a chaotic dump, because you are going to give it order. The point is to have all of the information that you may use in a single location and form.

1. Basics of the master file

A / Create a new word processing file or data base file on your computer. Either one will do; use the one with which you are most comfortable.

B / Move your data into this file.

- By “data” we mean all the facts you need to do the story: your sources, interview transcripts, document extracts, notes, etc. We suggest putting sources first, so that you can find them easily.
- If the data is in electronic form (extracts from online documents or web pages, scanned illustrations, etc.), copy it directly into the file.
- If the data is not in electronic form – for example, paper documents – and the original form is important, scan the document, save it to an easily accessible location on your hard drive, and insert a hyperlink to the document’s location in your master file. Of course, you may include hyperlinks to web pages or other online

sources.

- Please do not be lazy about transcribing key passages from interviews. Every hour you spend on this part of the investigation will save several hours later on.
- Make sure that every piece of data that you put in the file includes information concerning its source. For published sources, give the full bibliographical information.
- Make sure as well that you document your contacts with sources. The master file should include such information as when you made the first contact with the target, what he or she said, when you made a promise to a source, and so on. This information can be of critical importance if your investigation is challenged, because it demonstrates that you made a serious effort of research.
- Repeat: do not put information in the master file that may compromise the security of a source. Assume that anything on your computer may be accessed by someone else.

C / As you enter data in the master file, if it has a physical location (like a file folder), note where it can be found. This will be of tremendous help later on. If you have questions about a given document you can find it easily. Just as important, if your lawyers want to know what proof you have before it is published, you will be able to hand them a document within seconds. (This is a heart-warming experience that no lawyer should be denied, especially the one who may have to defend you in case legal action is taken against you.)

D / When you move the data, give it a preliminary order. The simplest order and the most powerful from an organisational standpoint is chronological. Stack your events in the order they occurred. Insert portraits or biographical data about actors in the story at the moment they first appear in it.

E / As you create the master file, connections between different data points, as well as events or facts that seem to make no clear sense, will become evident to you. So will entire sentences or paragraphs of exegesis on your material. Note those insights in the master file. Identify them by a keyword (for example, you may use the word NOTE, in

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capital letters, or TN, meaning “to note”).

F / Be sure that you always enter dates using the same format (mm/dd/yyyy, for example). Also, make sure that you enter names the same way every time. Otherwise you will not be able to search the master file properly.

2. Segmenting the Master File

A more detailed approach to this above system has been developed by Flemming Svith, formerly the co-founder of the Danish Institute for Computer-Assisted Reporting (DICAR). Rather than use a word processing file to collect and track data, Flemming uses Excel or open-source spreadsheet software to create an index and master file of different aspects of his investigation.

The method is simple: He creates a spreadsheet for the investigation. Then, he creates separate pages under the following headings:

A / Document list.

Flemming prefers to use a chronological sequence for his documents. In any case, he insists: “Give all documents a number and keep the paper documents in numeric order.” If there are electronic documents on his list, he includes a hyperlink to the online or hard disk location.

He sets up columns of data concerning the documents as follows:

No	Date	From	To	Subject, content, keyword	Form
1	01/02/05	Last name, First name	Last name, First name	keyword, keyword, keyword	email
2					letter
3					telephone

B / Source list.

This is where Flemming keeps track of his contacts. The data sheet looks like this (all coordinates but his name have been changed!):

No	Title	Person	Organisation	Adress	Zip	Country	Tel Org.	Tel
1	Editor	Flemming Svith	Dicar	Olof Palmes Alle 11	8200	Denmark	+45 89440493	+45 89440480
2								
3								

C / The chronology spreadsheet gives the sequence of events that appears in the investigation, including all contacts with sources. It looks like this:

Date	Source	Organisation	Event (act)	Content, keyword	Source
1/02/03	Last name, first name	Name	Interview with...	Corruption, etc.	
			Meeting between...		
			Release of a document....		

Date	Time	Researcher	Person (Source)	Org.	Contact	Answer	Content
01/02/03	13:22	Name	First name, last name	Name	yes	Interview	done corruption
					Call again 15.00		
					email set 13.05	Email answered	

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D / Next is a **contact log**, which looks like this:

As you can see, *Flemming* separates different kinds of information that other reporters (like me) would put into a single file. One advantage of his method is that it builds redundancy into the system: The same information will turn up in more than one place. (A disadvantage is that there are more opportunities to create errors, too.) A second, huge advantage is that spreadsheet applications allow you to sort through files quickly to find and group all references to a particular actor or element in the investigation. You can't do this with a word processor.

We suggest that you use whatever software you're comfortable with, until it becomes obvious that it is insufficient or inadequate for your needs. In the meanwhile, if word processors are your favorite tool, use them. If you're handy with spreadsheets, use them. But use something that allows you to put the power of a personal computer behind your work.

3. Why bother? When?

You do not need to go to these lengths on every story. But if you do not create a master file in some form for an investigation that involves, say, more than a dozen documents or sources, you will regret it later. A key distinction between investigation and daily reporting is that investigation involves more information and contacts, and different kinds and qualities of information, than ordinary news reporting. The systems offered here will help you deal with that situation. You can improve them or alter them, or find a better one of your own.

But don't think that if you skip this task, you'll go faster. You'll either slow down, or you'll crash. The most obvious advantages of using your computer to create one of the systems described above are:

- When it's time to write, having your data ready to hand and in order will help you

avoid forgetting everything but the last thing you found.

- When it's time to fact-check, having your data and your sources in one place will save huge amounts of time and anguish.
- In short, you will write faster and better.

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Making connections across files

By making your documents easier to collect, track and review, you make it easier for your mind to make connections among the data. You will surely notice that the data generates questions that have not been answered. Thus your archive is telling you what data it needs to be completed. You will also become more sensitive to new data that relates to your hypothesis, and thus you will make unexpected discoveries.

An example of the process of making new connections:

Step One (initiation):

In working on the Front National we observed that they were frequently on trial for various acts, and we hypothesized that judicial activism was central to their strategy. We collected documents related to their judicial problems, including news clips and court papers.

Step Two (diversification):

As the number of assets increased, we divided them by type. There were new files for cases involving accusations of electoral fraud, violent crime involving suspected Front members, and so on.

Step Three (focus):

Because some of the accused in the assault cases were skinheads -- that is, neo-Nazis with shaven skulls -- we hypothesized that despite official denials, the FN maintained some sort of connection to the skinhead movement. We opened a file on skinheads, too. Eventually we noticed a report concerning the trial of two skinheads and a FN municipal council candidate who had attacked a long-haired man with a baseball bat, leaving their victim permanently handicapped. We contacted the victim's lawyer.

Step Four (seeing connections):

The lawyer offered access to information suggesting that another group of assailants was involved, but they had never been identified. These assailants appeared to be pagans (in this specific case, worshippers of Norse Gods). We had been keeping another file on the FN's pagan underground. We now added documents from the skinhead file. Our working hypothesis, based on contacts within the FN, was that the pagans were the FN's link to the skinheads.

Step Five (reviewing and regrouping):

We assembled the material from various files, looking for connections between the pagan underground, skinheads, and violent acts involving the FN. The material on hand included interviews with FN officials about skinheads, clips from FN publications, interviews with pagans from the FN, and other assets. This file became the basis for a chapter in the book detailing the assault described above, and using it to expose the connections between the pagan underground, skinheads and the FN.

Review: Key principles and tools of the organising process

1

Organise documents, clips, etc. in a way that allows immediate access to specific points.

2

Name, review and file data as it comes in.

3

Create a master file that groups assets and references into a single sequence.

4

Use the organisation process to identify holes in the research and objects of further study.

5

Cross the data in specific files with data from other files through review and regrouping.

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writing

6

Writing investigations

BY MARK LEE HUNTER

The process so far:

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Elements of style

1. Please stop being dull.

Most of us have been trained to think that the job of a reporter is to simply present the facts and allow the viewer to draw conclusions. Thus the facts must be uncolored by the reporter's voice or feelings. Any other approach will not look "serious."

Of course, such a tone can have great effect when used properly and consciously. But it is nonetheless strange to hear that reporters should not allow their passions, personalities and values to appear in their work. To absorb meaning, viewers must also open their senses. In various ways, they must feel the impact of what they are seeing and hearing, or they will not understand it. An investigator who fails to give them this opportunity will fail, period.

Yet the investigator must also be objective in a specific way: neutrality and honesty toward all the facts in a given situation. Such neutrality does not, and cannot, mean indifference toward the consequences of certain facts, which is what many politicians would love to obtain when they accuse reporters of lacking objectivity. The fundamental purpose of investigative reporting is reform, and the desire to reform the world is inherently individual and subjective.

Objective facts – facts whose existence cannot seriously be questioned, regardless of whom observes them – are the means rather than the end of this process. Viewers do not want or need only information. They also require meaning, and someone must create that meaning. Part of the meaning is that the story matters, and so the reporter has felt it. In short, tell the story in a way that gets attention, and that the facts support.

Writing an investigative story is not the same task as writing a news story. We've already discussed how organising plays a crucial role, because it turns research work into part of the writing process. When it's time to compose the final story, different skills are required and different creative conventions are involved than in news writing, drawing on the rules of narrative in more complex ways. The reporter must at once use the power of devices associated with fiction, and avoid composing a fiction. Finally, your emotional state enters into the text, consciously or not.

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Most writers worry too much about style. Our conviction is that authentic style is personal and a function of character, and that it will emerge naturally over time. Your style should not overcome the material; if it does, the material seems unimportant. Remember that a simple style can easily be made more complicated, but a complicated style is hard to simplify. Do not get caught in your own devices and mannerisms. The key to investigative writing is rhythm, and too much style will slow it down.

2. The peril of doubt

Most reporters are treated like lackeys or cretins by their wealthy or powerful sources. That's one reason why some reporters do not have faith in their own worth. They become journalists so that they may frequent people they believe are more interesting, active and important than themselves.

These attitudes are fatal to investigation, and they are more common than you may think. Every year, among the journalists I train are several who find a perfectly good subject, do excellent research, and then betray their own findings. They discover an unpleasant truth, but they allow a well-placed source to explain that it is not the truth, after all. Typically the well-placed source adopts a tone of that mixes wisdom and warning, and the reporter unconsciously submits.

For example, listen to this famous doctor at the end of an investigation into medically terminated pregnancies: *"Sometimes uncertainty can lead couples to make choices that are acceptable for some, and less so for others."* The doctor sounds very nice, but he is denying the facts discovered by the reporters, which is that medical personnel, and not couples, were making these life and death decisions. By giving him the last word, the reporters subverted their work. Watch out for those moments of self-doubt.

A variation of this mistake is the reporter who launches a savage attack on his or her

target, then in the last lines says something like, *"Oh, he's really not so bad after all."* This is an expression of the reporter's unconscious fear and longing for approval. If you found the truth, tell it. Resist seeking reassurance from sources who simultaneously congratulate you for your intelligence and take you for a fool.

3. Be cruel, not nasty

The stress of conducting and concluding an investigation can lead to fatigue, frustration and anger. All of these contribute to the danger that the reporter will adopt an insulting, aggressive tone. It's a defense mechanism, but it signals weakness to the viewer and the target, and bad faith if you go on trial for defamation.

Don't pollute serious accusations with petty insults. You will pay for it dearly. Be sure to reread your drafts for signs of gratuitous nastiness, and cut them.

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Backgrounding your style: Using models

Nearly every problem in narrative art has already been faced and solved by someone of genius, and even the geniuses adopted certain techniques and resources from someone else. (Shakespeare, for example, borrowed plots from other playwrights or historians.) You can do the same, whether or not you're a genius. Looking for such models should be part of your research, on the same level as seeking information.

When you undertake a specific project, identify narrative artists who have dealt with similar issues in their work, and study them for the elements that most concern you. This is particularly important when dealing with longer narratives. You will simply not have time to manage the information and invent all of the narrative devices you require.

For example, the exposition of judicial procedures is a major task for investigators, because such processes are the conduits for a great deal of harm. The problem of how to make them interesting is eternal, and no one solved it better than Balzac in *Splendors and Miseries of the Courtisans*. Another recurrent problem for investigators is how to deal with large casts of characters, because unlike the writer of fiction, the reporter cannot simply kill off distracting personages for the sake of narrative simplicity. The English novelist Anthony Trollope developed a scene-by-scene narrative structure that solves this issue, by breaking his casts of characters into smaller units. Roman historians like

Tacitus and Suetonius respectively developed the nonfiction action narrative and the political portrait to high levels. The filmmaker King Vidor experimented assiduously with the use of rhythmic devices in acting, filming and editing.

Whichever tradition is most familiar to you, use it. Study your art, not just your craft. Take what you need, and be sure to give credit for what you take.

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Defining the narrative structure: Chronology or odyssey?

Investigations overwhelm the typical structure of a news story, which simply gives us the famous “five W’s” – who, what, when where and why. An investigation includes those elements, but in a much deeper, wider form. An investigation involves characters who have motivations, physical traits, personal histories, and other traits beyond a title and an opinion. It takes place in locations that have specific characters and histories of their own. It shows us a past in which the story began, a present in which it is revealed, and a future that will result from the revelation. In short, it is a rich narrative. If you want it to work, you must structure it.

There are two primary ways of structuring a rich narrative:

- In a **chronological structure**, events are ordered by time, with each successive action altering the possibilities for those that follow.
- In a **picaresque structure**, events are ordered by place, as actors move across the landscape. Each section can stand on its own, because it covers all the needed elements to create a coherent mini-narrative.

For the classic examples of these structures, the best example we know is the Greek poet Homer. *The Iliad*, his account of the Trojan War, proceeds chronologically through events.

In *The Odyssey*, the sequence of events in time is less important than the story’s movement through successive places, each of which decisively influences action.

One of these two forms is right for your story.

The choice should be made according to the material. Some stories convey the implacable unfolding of destiny, and these stories must be told chronologically. Others convey the sense of a world filled with surprising places, and in these places are powers we previously ignored. A picaresque structure works best here.

For example, we used a picaresque structure in covering the Front National, because it is a heterogeneous movement with strong local roots. If the FN had turned out to be the centralized bulldozer of a movement depicted by some of its enemies, a chronological portrait of its development would have been more appropriate.

Each form has specific advantages.

The picaresque structure allows you to suggest the scope and scale of a given situation more easily than a chronology would do. But a chronology is usually far superior as a means of finding the roots of a given situation.

Avoid trying to fit your material into a preconceived structure, just because it feels more “natural” to you that way. In this as in other ways, Michael Moore is an interesting example. His natural form is picaresque, and his typical narrative shows a sardonic stranger (Moore himself) riding through a weird land. In most of his films, it works brilliantly. It does not work in “Fahrenheit 911”, in part because the film attempts to penetrate the relationship between the Bush family and the Saudis, a friendship that could only develop over time.

Let the material tell you if it is a journey in time, or in space. When you’ve made that decision, you – or more exactly, you and your computer – can start shaping the outline.

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Building and bending the chronology

According to Aristotle in *The Poetics*, narratives have a beginning, middle and end. That's very useful to know, but it doesn't resolve key problems of journalistic narratives.

First, we usually don't know what the end of a story might be, even when we're ready to write it. For example, we may have found a murderer, but we're not the ones who decide whether he or she is going to jail. Moreover, we are working for a public whose first concern, and expectation, is that we will tell them something that matters to them right now. In other words, they are less concerned by where the story began than by its latest developments.

Thus in an investigative narrative, we often begin where we are now (the present moment), go back to show how we got here (the past of the story), bring the story back to the present (to allow the reader to absorb the story), then say where it is going next (the possible future resolution).

This structure – present, past, future – replies to three key questions that any viewer will want answered by the reporter:

- Why should I care about this story?
- How did this terrible or wonderful event come about?
- Will it ever be over? How?

The facts that this is the most common narrative structure used in long-form journalism,

and that it is very effective in most situations, in no way oblige you to use it. In fact, the chronological principle is so powerful that when used properly, it can be reconfigured anyway you choose. For example, we wrote a feature about a murder case that began with the future: the parents of the victim would be hounded to trial for a crime they did not commit. The story then went into the past of the case, showing how the police had fed the press appallingly speculative information. It concluded with the present, a denunciation of this trial by opinion. Conversely, you could begin a story where it began, in the past, and proceed straight through to the question: "How can this end?" But in most cases, the core of your story will be the answer to the question: "*How did this come about?*"

There are two major things to keep in mind when you set the chronological order of the material in your outline.

- First, **start with the moment that will hook the viewer – the most powerful scene you have.** It could be someone who is suffering in the present moment. It could be the moment in the past when something changed forever. It could be an unbearable future that is coming our way. Whatever it is, it must lead the viewer to ask: "*How did this happen?*"

- Second, **please do not subject the viewer to repeated back and forth motion in time.** If you were driving a car and you did that to your passengers, they would get sick. So will your viewer. If you take the viewer into the past, stay there long enough to say what happened, then come back to the present. Do not leap from 2008 to 1995, then to 2006, then to 1982... keep the chronological motion as direct and simple as possible. The exception to this rule requires a picaresque structure: The narrator of a picaresque story may hear of the same events from several different people, at different times and places. Keep that in mind when you choose your overall structure.

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Using the master file

Remember the master file – the one that has all your document extracts, portraits, ideas, and notes in it? It’s about to make you very glad you put it together. That’s especially true if, like us, you dislike trying to make an outline before you write.

1. Outlining with the master file

- First, open the master file and read it through.
- Then, save a version for editing.
- Now, read it through again. This time, cut material that you will not use.
- Read it through yet again. This time, cut and paste the material into the order in which you think it should be used, on a chronological or picaresque basis.
- Repeat the above two steps until you feel you have the material you like best, ordered for use.

Congratulations.

You just wrote your preliminary outline. Now you can “write through” the file, turning notes and data into text. Simply scroll down the page of the file and rewrite as you go. Don’t forget to cut and paste document references into footnotes. Later on, this will make fact-checking and legal review far simpler.

2. Scene by scene construction with the master file

Another approach, if you prefer picaresque construction, is to write headings for the scenes you know you will use. Make absolutely sure that:

- Each scene makes a key point that advances your story.

- The transitions between scenes – the reasons we are going from one place to another – are evident.

Then, cut and paste the material appropriate to each scene from the master file. Confirm that you know: what the place is like, who was there, what they did, what they said (dialogue), and how you know it. These are the elements you need to build a scene.

In the following passage from a true crime investigation, two witnesses to the crime alert their superior. Notice how details are used to give authority to their accusations by authenticating a key document:

“They entered the office of their boss, Hubert Landais, and handed him the Christie’s catalogue. The company was selling a smuggled painting by Murillo, they said.... Landais asked: ‘Do you have proof that the picture was in France recently?’ Laclotte opened his file and took out a sheet of paper, typed over by a worn machine. It was a report on the Murillo, compiled in the Louvre’s own laboratory, signed by the lab’s former Chief Curator, Magdeleine Hours, and dated April 17, 1975.”

If you don’t have detailed material to build each scene, or the scenes do not follow naturally, you’re not ready to write. In the first case you need more reporting, and in the other you need a better understanding of your story.

3. The story > the facts

The classic compositional error of investigators is to bury us in facts. This error comes about either because the reporter cannot manage the sheer quantity of material he or she has accumulated, or because the reporter wants to impress the viewer with everything he or she has discovered. There are two major techniques to resolve this issue.

- **Think of facts as details,** not just as information. We tend to think we can’t have enough information. However, we

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can easily have too many details. Details should add essential color and meaning to your story. So present only the details that command attention (“*the house was burning*”), or that provide deep insight. For example, the way an official’s office is decorated, the objects with which he or she is surrounded, can quickly tell the viewer what that person considers important. Our colleague Nils Hanson calls these details “nuggets” – glittering morsels of precious metal that shine out from the stream of the story.

- **For each new fact, change the scene.**

This means that a new source, or a new place, or a new time must be shown. These elements become vehicles for the facts.

Remember:

The facts do not tell the story.

The story tells the facts.

If the story bogs down under the weight of the facts, the reporter will fail. Do not use a fact that does not illuminate the meaning of your story, no matter how interesting it otherwise appears to you.

Specific compositional techniques

1. The “nut graf”, or what to do with your hypothesis.

At some point near the top of your story, you must compose a paragraph that tells us the essence, core or nut of the story (and by extension, why we are viewing it). If you have defined and verified a hypothesis, most times it will serve as the nut. If you do not have the paragraph, viewers may not understand where you are taking them and why.

Here is an example of a “nut graf” from an award-winning story:

“In 1992, a Socialist government sought to discourage politicians from holding several offices at once - a peculiar French twist on electoral democracy - by capping their salaries. But they forgot to define what would happen to the excess revenues the ‘pols’ couldn’t collect. Our investigation shows that in the following decade, \$45 million was quietly transferred from the state to the pockets of pols on the Left and Right alike.”

Keep the nut down to a few short sentences. If you can’t say what the story is about in that space, you don’t understand it yourself.

2. The Face of Injustice: Personification

One of the oldest techniques in literature is to personify a situation through a given character. This technique is probably over-used in journalism, but it remains valid, both for viewers and for reporters who are trying to

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sense the emotional foundation of a story. Showing the viewer a victim can be a powerful way to get at the sense of a story quickly.

A variation on this technique is to open a passage or a story with the description of a place. The technique is cinematic: We love through the environment to the core of the action. The technique does not work unless the setting has character, and unless you tell us the significance of the different traits of the setting.

If you use personification, make sure of the following:

- Your example really fits the story. Do not show us a dramatic case and then tell us that the story is about something else.
- Use each example once, and well. Do not keep returning over and over to the same case, unless your story is about that one case.

Consider the following award-winning example, in which a mother tells us what her daughter endured, so we can see the tragedy behind her – a law that should never have been written.

“There were times when Carol Castellano wondered if her daughter would be better off dead.

‘Born in 1984 after only 23 weeks in the womb, Serena Castellano is one of more than a quarter of a million disabled children who owe their lives to ink: The Baby Doe legislation of 1982-84, which made it a crime for doctors to do less than the maximum to keep even the least tenable prematurely-born infants alive. But the government that snatched these babies back from death left them crippled – then abandoned them and their families.

‘Like so many others in this virtually unnoticed, unreported population, Serena Castellano would not have survived the delivery room only years earlier. Born blind, brain damage prevented her from speaking or chewing, and pulmonary and abdominal abnormalities

required six operations in her first eight months – not one with anesthesia.

“If I’d had some way of knowing what [extremely premature] babies endure, I wouldn’t have wanted my baby to go through that,” said Carol Castellano, president and co-founder of New Jersey Parents of Blind Children. “I adore my daughter. I’d never wish her away. But if I were in premature labor, I wouldn’t go to a hospital. I’d stay home and let nature take its course.”

Note the following in this passage:

- The sight of Carol Castellano pondering her daughter’s fate poses a question for the viewer: Why would any mother wish her child were dead?
- This allows us to go straight to the nut paragraph and tell the reader why we are telling this story.
- In the third paragraph, we show viewers some truly awful details. Be careful: Viewers cannot absorb too much pain. Thus when we cut to Carol Castellano, calmly telling us what she learned, we give the viewer the benefit of her hard-earned wisdom, but we also give the viewer relief from contemplating a child who has suffered terribly.

3. Beware of putting yourself in front of the victim.

When writing about or filming victims, reporters may figuratively or literally step in front, forcing the reader to watch their outrage or sorrow instead of the victim’s pain. It’s easy to make this mistake. In an investigation into abortions in France, some of my students showed a woman whose abortion was a nightmare, then insisted: *“She and her husband would live a traumatizing experience.... Shock gave way to incomprehension for the young couple.”* Notice how the reporter’s interpretation is suddenly more present than the victim’s suffering? Unconsciously, the reporter is avoiding the sight of pain. But the viewer

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will see a reporter who considers himself or herself more important than the victim. If someone has suffered for your story, show them, not yourself.

If you do step in front, stay beside the victims. A classic role of investigation is to defend those who cannot defend themselves. This was the role of Zola in *J'accuse!*, of Norbert Zongo in Burkina Faso, and of others too numerous to mention. If you play this role, you are justified in showing your character and presence. But be careful. There is little glory in building your own reputation if you do not help to save the victim's.

4. Let the sources speak

A huge amount of time is wasted in journalism by trying to say something that a source has already said perfectly well. It's regrettable, because people who lived a story tell it best, with the most expression and passion. Why try to write a perfect sentence when they've already done it for you?

The best method is to weave sources' statements into your own texts as if you had written them, allowing them to advance your story. In this example, we let the spokesperson for a hospital express the ruin and horror of the Baby Doe laws with intimate knowledge:

"Last year, doctors at Cedars Sinai Hospital in Los Angeles saved a newborn who weighed just 13 oz. Six months and \$1 million in medical bills later, the infant was discharged. He died two weeks later. 'The family were lucky - they had indemnity insurance,'" said Charlie Lahaie, a spokesperson for Cedars Sinai. 'Can you imagine paying a \$1 million bill and your baby's not even alive?'"

In the passage below, we quoted a Front national official at length, using an audio recording we made as source material. (We do not like recording in general, because transcribing is slow. But in this case we made an exception, because the FN loves to

sue for defamation, and a recording is evidence that they were accurately quoted.) The informational value of the passage is practically zero; the man is talking nonsense. But the mentality of the man matters, and we couldn't get it without using the whole passage. When the book was published, this was the first excerpt taken by a magazine.

"There are, in this government and its back alleys, people who should be in prison for pedo-phi-lia. You hear me? You hear me? You can say Roger Holeindre told you that! You can give the hour! It's a quarter to five, I think! YOU HEAR ME? Well, I was saying the other night, 'We should hang all this scum,' and a lady in the room said, 'Ah, Mr. Holeindre, that isn't nice, why do you want to hang them?' And I replied: 'Yes, Madame, do you know what it is, pedophilia?' 'Ah, no, I don't know.' 'Well, it's men who profit from their positions... TO RAPE LITTLE CHILDREN OF THREE, FOUR OR FIVE YEARS OF AGE!' 'Oh, we have to hang them!' 'You said it, Madame!'"

Remember: People are not just listening to you for the facts. They want to know the character, the tone, the color of the sources you will present to them. Dialogue is the single best vehicle to convey those elements. Edit it for length and impact, but use as much as you need.

5. Basic editing

In journalism, editing is the art of making a story better than it was. At a minimum, a good outside editor should be able to suggest material that enriches your story, and tactfully suggest ways in which the writing can be improved. But before anyone else gets involved, editing should be a continual process. Get in the habit of sculpting your text every time you open it, sharpening terms and phrases. Be sure to save the latest version under a different file name (for example, including the date or version number) so that you do not continually lose or misplace material.

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a. The three criteria of editing

Editing should serve to make your work more limpid, and more rhythmic. These criteria help you see those qualities: The edited story should meet three basic criteria:

- Is it coherent?

That is, do all the details fit together? Have all contradictions that emerged in the evidence been resolved?

- Is it complete?

Have all questions raised by the story been answered? Are the sources for each fact that is cited appropriate?

- Does it move?

If the story slows down or doubles back on itself, you lose the viewer.

The best way to see if these criteria have been met is to examine the story for moments of incomprehension, when the viewer may wonder what you are talking about. The most common causes of narrative fog, and quick cures, are as follows:

- The passage is written from an inside perspective, using technical or bureaucratic jargon. It needs to be more basic, less expert.

- The sentences are too long.

Cut long sentences into pieces. But be careful: Too many sentences have the same slowing effect as very long sentences.

- The paragraphs are too long.

When a person, place or idea changes, so should the paragraph.

b. A good story is like a train.

It moves powerfully toward its destination. It may slow down to take on more passengers, or to allow you to focus on a particularly great piece of scenery, but it must not stop. So when you write and edit, focus on the rhythm of the story. The viewer must feel carried from one passage to the next. If this isn't happening, the story isn't working. Do not change the entire structure. Identify the passages where there is a problem, and cut or add material to make them more effective.

c. Rewrite only when necessary.

If the techniques evoked above do not assure a story that is complete and coherent and that moves at a strong rhythm, you have to rewrite – not just change a word or two, but restructure and recompose. Try to identify passages that work, and avoid touching them. Instead, focus on points where something goes wrong in the story. Most often, the passages that don't work need to be more compact. Choose the strongest elements you want to communicate, and compose around them, leaving the rest aside.

d. Three ways to solve 95% of writing problems:

Cut, cut and cut.

The easiest and usually the best way to edit a problematic passage is to cut it. If you attempt to rewrite a passage more than three times, it is probably a waste of time to continue, and you should move on. There is a passage in Hemingway's novel, *For Whom the Bell Tolls*, that he rewrote over 60 times. It still doesn't sound right. If Hemingway couldn't make it work, neither could you. So cut.

e. Let obstacles in the text give you feedback

If a passage can't be made to work, either you do not understand what you are trying to say, or it is not worth saying. Usually, it's the latter. But if it's too important to cut, take the time to think about what you are really trying to say. This is the true work of writing, and it is in these moments that your story gets deeper and stronger.

f. How Long Should You Go?

Thirty years ago, it was common for magazines in the US to publish stories up to 7000 words. Now, magazines and newspapers rarely publish stories, even investigations, over 2500 words. Likewise, the market for video or film investigations now requires shorter formats.

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One solution to this situation is to accept the space limitations with which you are faced, for the sake of publishing the story – or sometimes, because the condensed or edited version has more impact than the original, and reads or views better. (There is a lot of fat in most media.) A second solution is to propose alternatives to simple cutting. There are several publication strategies in the history of journalism that can increase the impact of a long story, as well as the benefits for the public and the media:

- **Serialisation:**

- **Write or edit it as a series.**

Instead of one long story, write several shorter ones. It will be easier for the media to publish. It will also be easier and more powerful to promote, because each installment of the series will call attention to the others. The media may also reprint the series as a whole.

- **Leveraging:**

- **Spread the story across different media.**

A newspaper may have room for only a short version of the story. But a web site may be able to accept a longer version. Make sure that you keep the rights to different versions of your story, and that you distribute it as widely as possible among different media.

- **Branding:**

- **Establish pre-eminence through regular appearances.**

How much space do you really need? A great many investigative stories are over-written, and too long. Very often, they contain material for more than one story, on different aspects of the initial hypothesis. Rather than publish a single blockbuster story, consider publishing related stories regularly – at greater intervals than a series, but not so great that the public forgets the issue and your expertise. This is one way of building your brand as a journalist, and of building the media's brand.

6. The temptation of the ending

Narrative art requires a satisfying closure – but unfortunately, journalists do not have the right to invent one. Instead of endings, we must compose closers. The difference is significant. An ending resolves all the mysteries of a narrative. A closer simply marks the spot where the narrative stops moving forward.

On the one hand, you must be careful to resist the temptation to give your story a final resolution when it doesn't have one. On the other hand, you must suggest what such a resolution could be like. It doesn't have to be long. Albert Londres's brilliant exposé of France's penal colony in Guyane closed with the words: *"I've finished. The government must start."*

Let the reader know if anyone has an idea about what must be done. You can expose your own ideas, because if you've done the investigation properly, you're now one of the experts on the subject. You may evoke those who've solved similar problems, and point to those who have responsibility for solving it now. A trick that often works is to allow a source, someone who lived the story, to give the last word.

Another is to consciously collect moments that can serve as your ending, when you research the story. Here is an award-winning example, which we seized while investigating France's contaminated blood scandal. It is composed of a source statement combined with a description of the place where it happened, a brutal, ironic thought that occurred to us as we took notes ("the victims used to have children of their own"), and a final outraged judgment:

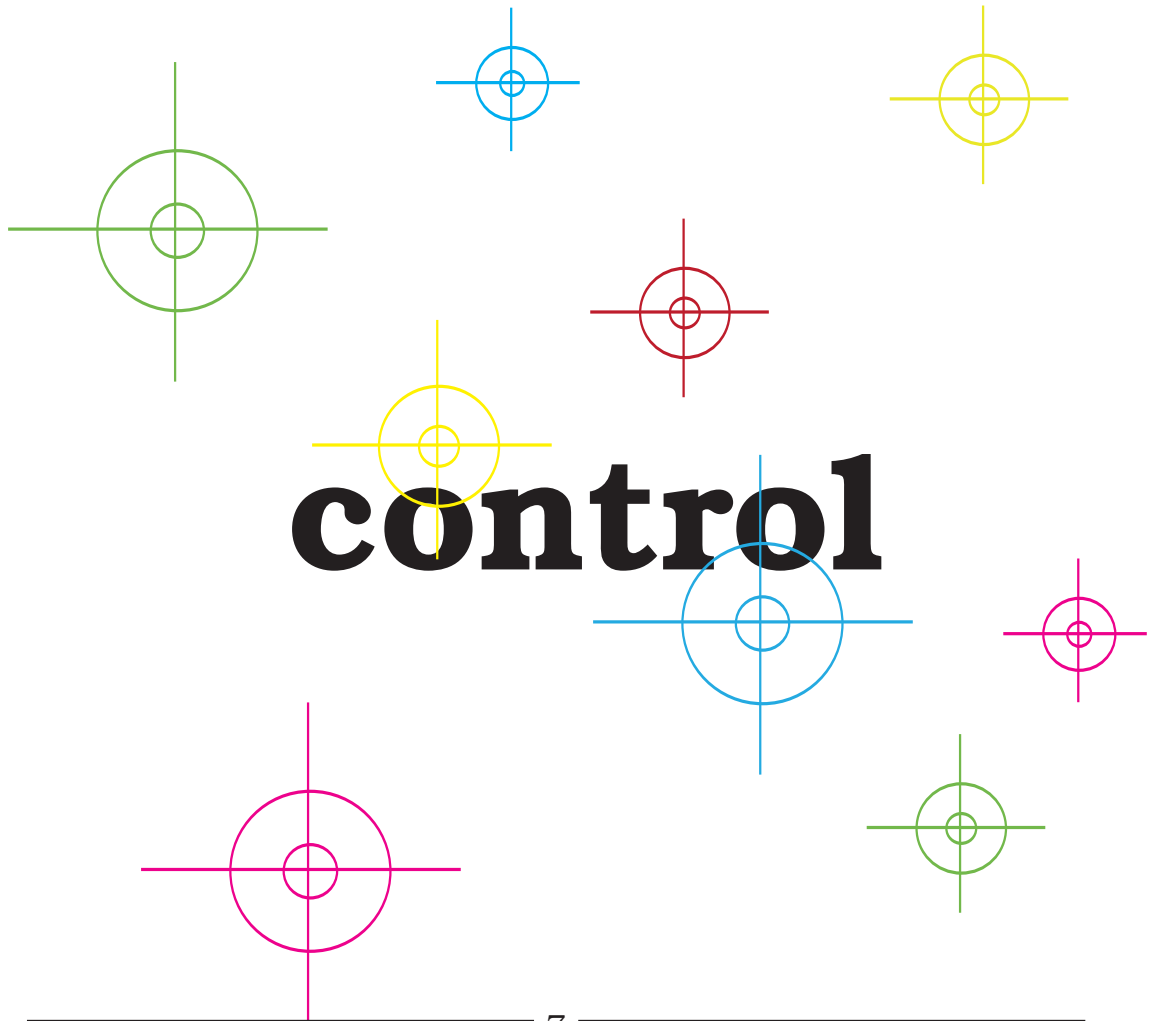
"Should doctors be better than the rest of us? Why blame this one, for example? Asked during the trial why he didn't simply resign and denounce what was going on, he said, 'I have children to support.' Behind him was a courtroom full of people who used to have children of their own. Their sons are dead now, because men like this – and others, whose names we may never know – betrayed them."

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Whether you speak yourself, or someone speaks for you, be sure that the last word is a true word. A lot of investigations are sabotaged by the author in the last lines, because the author does not want to hear what the story is saying, or because the author is unconsciously afraid to say it. We'll repeat the two most common cases: The sabotage can be done by the author saying something like, "Well, maybe our target isn't such a bad person after all." That's your fear talking; you want the target to forgive you. (As the great psychoanalyst Erich Fromm said, some people admired Hitler because it's less humiliating to admire such a man than to admit that he terrifies you.) Or your self-doubt may speak when you quote a Very Wise and Respected Person who says, "Life is full of problems, but we of good will and high social standing are solving them all for you." Unfortunately, you just wrote a whole story that said otherwise.

Accept the truth of what you have found. It's harder than you think, and it's what makes your work great. If your work has given you the right to make a judgment at the end, make it. Keep it measured, keep it fair, keep within the limits of what you know is absolutely true. But don't deny what you've proven is true, either.

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7

Quality Control: Techniques and Ethics

BY NILS HANSON, MARK LEE HUNTER, PIA THORSEN AND DREW SULLIVAN

The process so far:

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You've researched the story, organised and written it. Bravo, and now let's make sure we did it right before it gets into the public domain. This involves quality control, or in technical terms, "fact-checking."

What is fact-checking?

Around the world, top investigative teams include someone – an editor, or even a full-time fact checker – whose job is to guide the process of making sure an investigation was perfectly executed and composed. There are four main components involved:

- The first is making sure that you are, in fact, telling a true story – not just a story in which each fact is true, but one in which the facts add up to a larger truth. If an alternative explanation makes more sense than yours, something is wrong.
- Then, you confirm that you know the source or sources for every factual assertion in the story.
- In the process of verifying your sources, you identify and correct mistakes in the facts as stated.
- At the same time, you remove emotional noise from your story – gratuitous bits of insult, aggression or hostility that made their way into your narrative when you were tired or frustrated or scared.

Repeat: You have to get the story right, you have to cut or change the facts that aren't right, and you must make sure the tone of your story is justified.

Our friend Ariel Hart, a top fact-checker at the *Columbia Journalism Review*, said this: "I have never checked a story that had no mistakes, whether five pages long or two paragraphs." She added:

"In fairness, some of the 'mistakes' I find are matters of interpretation, and authors

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usually agree to change them. Virtually all articles, though, contain errors on objective matters of fact: a year slightly off; old data; misspellings; widely reported information taken from secondary sources, but wrong. And of course, 'facts' pulled from the writer's mental archives. Errors often turn up when the author says, 'You don't need to check that, I know that's right.'"

You will make mistakes. Everyone does. Sometimes it's the way you say something, and sometimes it's the substance of what you're saying. Either way, it's a problem. Smart people correct these problems, and amateurs hope that no one will notice them. Unfortunately, someone always does, and it's usually someone who is not your friend. If you're not willing to acknowledge and correct your mistakes, and to be nice about doing it, change your attitude or change your profession.

It's highly possible that no one in your shop has ever fact-checked a story before, and that no one ever fact-checked one of your stories in particular. So here's how it works:

- You need at least two people – the author, and whoever is checking the story. Each has a copy of the story.
- View the entire story to get the overall picture. Is it biased, or fair? Does it feel as if something is missing? Who, or what, might be able to present a different picture?
- Then go through the story fact by fact, line by line. The checker – an editor, a colleague, a lawyer, or just a competent friend – asks of every fact: “How do you know that?”
- The author gives a source. If the source is a document, both parties look at the document to make sure it is quoted accurately. If the source is an interview, they look at the interview notes, or listen to the recordings or tapes.
- If there is no source, the author has to find one. If no source can be found, the passage must be cut.

- The fact-checker challenges in particular the author's interpretation of the target's motives, goals or thoughts. In general, this material should be cut. However, if there is documentation to establish its reality – for example, letters or diaries that document an individual's state of mind at a given moment – it can be included.

As you can see, this process is not complicated. It may seem a little tedious as described. Believe us, it is anything but tedious, because as the process goes on, the story becomes more and more real, and its impact becomes palpable. Going through the process is also a lot less tedious than trying to defend yourself, in a courtroom or any other space, against a charge that you didn't know what you were talking about.

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Checking your ethics

Don't misuse the power of insults

Taking gratuitous hostility or aggression out of your story should be common sense: Leaving in such noise increases your legal risks, and can infuriate or humiliate your target to the point where he or she reacts violently. Of course, journalists often mock or insult their targets. It's one thing to do so in an editorial; an editorial, after all, is an opinion, and everyone has an opinion. But the effect is far more brutal when it is coupled with investigative revelations.

Reporters should be very, very careful about misusing this power. If an investigation leads to substantial charges against someone, it is generally not necessary to add personal insult to the recipe.

In most cases we've seen, reporters become injurious when they are tired or frightened. Fatigue generates the fight or flight syndrome associated with the physiology of stress; so does aggression, real or imagined, on the part of the target or yourself. Do not be naïve about whether or not this can happen to you: It can, and it will. Be alert to this danger. Make sure that what you put in the story results from conscious choices.

Give the target the right to reply

Never, ever, ever attack someone in a story without offering them the chance to reply to your evidence. Perhaps they will offer you an absurd explanation. Quote it. Perhaps they will refuse all commentary. Tell the viewer that they chose not to reply, without suggesting that this is culpable. No one is required to speak to journalists, and refusing to do so is

not a sign of guilt. (Conversely, do not assume that because someone wants to speak with you, they are fundamentally honest and good.)

We urge you to contact hostile sources, or targets, early and often in an investigation, unless you have reason (beyond your fear) to think that you will be in danger as a result. The most important reason for this strategy is that often, when the target explains his or her point of view, a hypothesis will suddenly look completely wrong. This has happened to us, and sometimes weeks or months of work has been wasted.

A procedure for respecting your sources

At SVT television in Sweden, investigative unit chief Nils Hanson asks his reporters to use the following procedure to make sure criticisms are justified:

- First, review the story and mark any and all criticism of a person, organization or company.
- Has the criticised party been informed of all the criticism? If not, do it, unless you have a very powerful reason (such as, you will be arrested or murdered) not to.
- Has the criticised party responded to all the criticism? If not, something is wrong. This material should have been collected earlier.
- Has the reporter documented his/her efforts to obtain an answer/response? Again, collect this material as you go along.
- Has the criticised party been given a reasonable amount of time to respond? The more complicated your question, the more time the other party may be entitled to.
- Is it the right person who is responding to the criticism? You would be amazed how often a reporter settles for talking to a secretary or janitor who happens to answer the phone, but has no idea what the reporter is asking about.
- Has the criticised party been given the chance to put forward his best/her best case? If not, you are treading on his or her

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rights, and just as important, you may be missing an important part of the story.

- Have we met any reasonable demands from the party interviewed to be informed in advance of how his/her statement will be reproduced? It is reasonable for a source to ask that he or she be informed of any quotes that will be used in the story, and be allowed to correct them for accuracy (but not to remove an admission or information). It is not reasonable for a source to ask to see your whole story. Never give a source this right, except in the very rare case where the story is centered on that source, and the subject is so technically complex that the source is legitimately worried you will get it wrong without his or her direct involvement. (This applies, for example, to certain scientific subjects.)

A procedure for dangerous sources

Drew Sullivan, who has done extraordinary work covering organized crime in Eastern Europe, has compiled a list of procedures to follow when speaking with gangsters. They make equally good sense for contacts with hostile sources in any investigation:

- Talk on the phone or meet in a public location;
- Do not give them personal information (like the name or profession of your girlfriend, your home town, etc.);
- Be professional. Do not get personal, friendly, cute, flirty, funny or macho. Do not show fear;
- Make sure you give them a means to contact you for comments after you publish (but never, ever, your personal address!);
- Have a backup. Get a second reporter to observe the meeting, and have numbers you can call with a signal if there's trouble.

Of all the above, the most important, in our view, is not to show fear. Fear indicates to other actors that you are not certain of what you are doing, or that you lack confidence in yourself. It also signals that you are dangerous, because frightened animals or people

become unpredictable: They may just as easily attack as flee.

Fear, of course, is natural when you are in the presence of dangerous creatures. We'll say it again: One way to deal with it is to consider the sensation as a phenomenon that you may notate for further analysis. This objectifies your emotion and enables you to take a certain distance from it.

The transparent approach

An approach similar to Sullivan's, but even more transparent and proactive, has been suggested by Pulitzer Prize-winner Deborah Nelson. At every stage in her investigations, she advises each new actor in the story in turn of what she is doing and what she is finding, and asks for comment on every discovery in turn. She used this approach to tell the story of a policeman who had left a trail of destruction throughout his career. Because she contacted him for comment on every point, when she read him the final report before publication he said, "That's a great story. That's just how I feel."

Some readers of this manual will object that it is impossible to deal in a straightforward, honest manner with authorities or other powerful targets in their countries, let alone criminals. "How can we call to confirm quotes before publication? The sources will deny ever saying anything! Or they will suppress the story before it is published!" You will know the situation in your territory better than we do.

However, in our experience, journalists have more influence over such situations than they may be aware of. In particular, if you behave as though you have the right and the power to work in a transparent way, many of your sources will believe it. Likewise, if you behave as though you were brave, your fears will be less noticeable to others.

Whatever approach you choose, make sure you feel confident that it is the right one, after thinking it through. Your sources will be aware of this confidence, or its lack.

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Using the Master File in fact-checking

In Chapter 5, we saw how setting up a master file, or a suite of files covering different aspects of the investigation, can help you organize your data and keep track of it. That work is about to make you very popular with lawyers and fact-checkers.

If you have assembled the master file properly, you should have a source in it for every fact in your story. You do not need to include all your sources in the story. However, you can, and in sensitive cases must, put your source documentation in an order that makes checking easier.

The master file, if you have done it properly, will tell you where the material is, because you will have noted the source for every fact in the file. Make a new copy of every document you use, and put the documents in a stack in the order of use. This is essential for the fact-checker, but also for yourself. You will find your materials faster than if you searched through your master file, because there will always be documents you do not cite in the story.

Don't laugh, but the easiest way to get through this process that we know of is to prepare a footnoted version of the story, with the sources listed in the footnotes. It takes a little bit of time to do this, but everyone saves time and anguish in the end. That makes footnoting well worth the trouble on stories where you expect the targets to push back.

If you use this technique, do not just copy and paste source descriptions from your master file to the footnotes. It's much smarter to take a moment, each time you cite a

source, to check what you're writing against that source. Make sure you didn't paraphrase, summarize or quote incorrectly. It happens all the time, and if someone complains about the story, these little mistakes will make you look careless.

There are a few tricks that make footnoting and documenting less cumbersome. If the source is on an Internet page, you can enter the URL into a footnote. (It is advisable to download Internet pages you may need as documentary evidence before the story is published, because it is very easy to change a website, and if that happens, you can lose your proof. (The *International Herald Tribune* wisely downloaded an entire website dedicated to the target of an investigation before it was published; the day the story came out, the website was taken down.) You can also upload documents to a web page and send a link to the fact-checker, or burn them to a CD.

Make sure that any electronic media you use are secure. One of our friends was building a great story about a multinational company, and using a website as a document storage center. One of his reporters joined another organization, and they looted the website. Don't let that happen to you.

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Predictable psychological effects of fact-checking

The fact-checking process is going to affect everyone involved, and the only question is how. The effects can be contradictory, but they will not cancel out on their own.

First, going through your data to verify your assertions will revive the emotions you felt when you collected the data. If you were angry or frightened or depressed at the time, you will get an echo of that feeling. More surprisingly, you may feel pity for the targets of your inquiry; what's behind that particular feeling is usually fear.

It is wise to notate these feelings. As during the reporting process, transcribing emotions will make them into material that you can manipulate and control. Sometimes what you write at moments like these can be used in the story. You will almost certainly feel or be made to feel, at some point in the process, that you have misunderstood something. This instinctive anxiety can be due to several causes, not all of them valid.

It is indeed possible that you have made a mistake of substance; the best solution here is to verify your work on this point again. However, it is also possible that you have indeed discovered the truth, but you find it so distasteful, or its implications are so frightening, that you would prefer not to believe it. (When Anne-Marie Casteret discovered that high functionaries of the French State were selling AIDS-contaminated blood products, she briefly wondered if she had become insane.)

Again, the best solution is to take another close look at your data. If the data shows that the world is a sadder, uglier place than you ever thought was possible, you can take comfort from the fact that your story may change it.

If you made a mistake, admit it as soon as possible – ideally, when you have understood why the mistake occurred. That knowledge can help you to find other errors.

Please note: Many mistakes occur because the mind will naturally seek to fill holes in the story with speculation. (One of Columbo's key techniques is to invite suspects to do exactly that.) It is quite possible that your mind played this trick when you composed your investigation. It happens when you say to yourself, "I don't know exactly what happened, but it must have been like this." Usually, what really happened is more interesting. Either tell the reader that you are speculating, or acknowledge what you do not know. If you don't know something, you cannot be mistaken in saying so, and you will reinforce the authority of what you do know.

Finally, the author and fact-checker are going to get annoyed with each other. They are doing high-pressure work with high stakes, and usually that does not make people nicer. This has serious implications, and its causes and cures must be taken seriously too.

The author may feel that every challenge to his or her facts and interpretations is a betrayal. On another level, the author may more or less consciously sense that his first audience, the fact-checker, either cannot or refuses to believe the story. Or, the author may be so invested in the story that every fact is carved into his or her flesh. These emotions can be exposed and addressed directly. And, the fact-checker may be worried that the reporter has done a sloppy job, or is too driven by his or her emotions, and is unwilling to improve the work.

This conflict is inevitable, but it will be far worse if both parties are not committed to

We discover a subject.
We create a hypothesis to verify.
We seek open source data to verify the hypothesis.
We seek human sources.
As we collect the data, we organize it – so that it is easier to examine, compose into a story, and check.
We put the data in a narrative order and compose the story.
We do quality control to make sure the story is right.
We publish the story, promote and defend it.

making the story the best it can possibly be. If either or both of them, for reasons of ego, fear or personal animosity, cannot trust each other to pursue that goal, they should not be working together.

It is thus essential that at the start of an investigative project, the reporter knows who will be fact-checking the story, and how they will work together. Do not leave this relationship until the last minute. If it goes wrong, the project can be wasted.

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publishing

8

Publish it!

BY MARK LEE HUNTER

The process so far:

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You've spent considerable time and energy defining an important story and proving it. Now you're going to publish it in a way that makes as much noise as possible.

Why? So that something that should not continue will end, or change. In the process, you may have to defend your work in the sphere of public opinion (we have already discussed how to prepare for defending your work in the courts). Whether you defend it or not, you must promote it.

Why? Because the isolated reporter is always going to lose. At best, he or she will be ignored, and remain ineffective. At worst, he or she will be punished. Conversely, studies like *The Journalism of Outrage*, the best work we know on how investigative reporting achieves results, underline the importance of coalitions and allies for the success of investigative projects.

Moreover, investigation involves a greater investment of time, money and energy than conventional reporting. It is very, very foolish not to take steps that ensure an optimal return on that investment. At a minimum, a media should derive greater prestige and admiration from its investigative work, and greater visibility to its public. It can be demonstrated that media which offer information-rich, independent content to their viewers are more profitable than media which do not. Make sure that your viewers understand the value of what they are getting.

What follows are minimal steps to take in publishing, defense and promotion.

Publication

Ensure that the story is properly edited. Copy editors inexperienced with investigation may destroy the impact of a story by cutting the wrong facts. Be prepared to fight for what is important, and to concede what is not.

Ensure that the story is properly illustrated. Poor or absent graphics or photos will make the story hard to understand and less appealing.

Ensure that the story is properly announced by headlines.

Don't let an editor write a headline that misrepresents your work or sells something that's not in the story.

Do fight to get the maximum attention and best placement for your story.

Defense in the public zone

Notify the principal friendly sources in your story when it is coming out and make sure they get copies or links to show their friends. Do the same with parliamentarians or other political figures concerned by the issue.

Just before publication (meaning, not so close that your story can be stolen), make sure that colleagues in the media or NGOs receive the story and key documents cited in the story. They will not be able to procure these documents themselves on short notice, and they will be reluctant to cite your findings without proof.

Arrange to discuss the story in public forums (other media, universities, citizen associations, etc.).

Anticipate the counter-attacks of your adversaries, based on their official responses to date (which they will probably repeat) and prepare new stories demolishing their defenses. This technique was used by Anne-Marie Casteret in the contaminated blood affair with great success.

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Promotion

Prepare a news release on the story, giving its principal findings in a few sentences. Distribute it widely when the story comes out.

Consider releasing the story jointly with a non-competing media, abroad or in another sector of the media (such as print if you are in radio or vice versa).

Notify Internet forums and relevant citizen groups of the story following publication.

In closing

Whether your story appears in a big medium or a small one, make sure it is noticed by the people for whom it is important. If you achieve no other result, you will allow them to feel that someone cared about their story.

Take the time to enjoy the response to your work. Listen to criticism, and make use of that criticism. Some people will treat you like a star, and that's fine, so long as you continue to learn from the people who don't.

If you need to work on something different, do so. Perhaps you will want to change territories, or sectors. Perhaps you will want to study something that works, instead of something that doesn't. Remember that with every investigation, you will get stronger.

Wherever you go, bring your methods with you, and you will succeed. We know, because we've been there.

Welcome, and good luck!

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Selected Bibliography

If you care about investigative reporting, keep studying it! The resources on this page are only a start. Nearly all are in English, the international language of the profession. Take the time to get a working knowledge of the language, and to see what's going on in the field.

Books

LEONARD DOWNIE, JR.,
The New Muckrakers.
New Republic Books, 1976.
Written right after Watergate by a key player at the Washington Post, this book captures the spirit and the actors of a key moment.

BRANT HOUSTON,
Computer-assisted reporting: A Practical Guide.
St. Martin's Press, 1996.
The best manual on using data in investigations.

BRANT HOUSTON, LEN BRUZZESE,
STEVE WEINBERG
The Investigative Reporter's Handbook: A Guide to Documents, Databases and Techniques.
Bedford/St. Martin's, 4th Edition (2002).
The latest edition of the Investigative Reporters and Editors manual, and the best full-length guide, including many advanced techniques.

MARK HUNTER,
Le Journalisme d'investigation en France et aux Etats-Unis.
Presses universitaires de France, coll; Que sais-je?, 1997.
This little book compares the evolution of investigative reporting in two very different places, and includes detailed analyses of several landmark investigations. For readers of French.

GAVIN MCFADYEN,
Investigative Journalism.
2nd edition. T&F Books, 2009.
A manual by the founder of the London Centre for Investigative Journalism, a very experienced TV investigator.

DAVID L. PROTESS, FAY LOMAX COOK,
JACK C. DOPPELT, AND JAMES S. ETTEMA,
The Journalism of Outrage: Investigative Reporting and Agenda-Building in America.
New York: The Guilford Press, 1991.
This may be the best single study ever written about how investigative reporting achieves results, and is useful beyond its U.S. setting. Scholarly precision, journalistic insight.

PAUL CRISTIAN RADU,
Follow the Money:
A Digital Guide for Tracking Corruption.
International Center for Journalists
Romanian Centre for Investigative Journalism, 2008.

Free download:
<http://www.icfj.org/Resources/FollowtheMoney/tabid/1170/Default.aspx>.
This ground-breaking manual tells you about where to find information on businesses in numerous countries, as well as search techniques.

TOM WOLFE
The New Journalism.
London: Pan, 1975.
The introduction to this classic anthology of great articles says a lot about source relationships in depth reporting; the articles tell you a lot about how narrative technique affects impact. Not really investigation, but important for any journalist who cares about the art.

Websites

<http://www.arij.net>
When Arab Reporters for Investigative Journalism began with help from International Media Support, there was doubt about whether it could accomplish anything. The work archived on its website proves that it could. The major organisation for investigative reporting in its region, and a global player.

<http://www.cin.ba/Home.aspx>
Site of the Center for Investigative Reporting in Bosnia-Herzegovina, created by Drew Sullivan. CIN in turn founded the Crime and Corruption Reporting Program, a model in the field.

http://old.crji.org/e_index.htm
At this writing, the "old" version of the site of the Romanian Centre for Investigative Journalism is what's available, and still worth the visit. It shows you what a group of ambitious, smart young reporters can do in a tough place. Keep watching them.

<http://www.centerforinvestigative-reporting.org>
One of the first and greatest independent reporting houses of the post-Watergate era, based in Oakland, California, with a long history of landmark stories.

<http://www.fairreporters.org>
The website of the Forum for African Investigative Reporters offers materials and support services tailored to Africa.

<http://www.globalinvestigative-journalism.org>
Homepage of the Global Investigative Journalism Network, the umbrella group for investigative reporters from some 50 countries. Its bi-annual congresses are major events. The website is currently being revised to include free tip sheets and other presentations from conferences. The GIJN also sponsors the "Global-L" mailing list, well worth joining.

<http://www.ire.org>
The homepage of Investigative Reporters and Editors Inc., the world's largest and first organization for such as we. Key resources -- notably a massive archive of tip sheets and articles on thousands of subjects -- of great interest to trainers are available for a membership fee.

<http://markleehunter.free.fr>
This site includes articles and book extracts cited in this manual, written using the methods in this manual.

<http://www.publicintegrity.org>
The Center for Public Integrity is one of the oldest and most influential foundation-funded institutions in the field. Their global reports set the standard. By no coincidence, they also created and manage the International Consortium of Investigative Journalists.

<http://www.i-scoop.org>
The Danish organisation SCOOP supports investigative training and projects throughout Europe (and particularly in the East). It's run by people who have done investigative work at a high level.