Volume 17 Issue 32
Originally issued as A5



Global Journal of human-social science: A
Arts & Humanities - Psychology
Volume 17 Issue 5 Version 1.0 Year 2017
Type: Double Blind Peer Reviewed International Research Journal
Publisher: Global Journals Inc. (USA)
Online ISSN: 2249-460X & Print ISSN: 0975-587X

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GJHSS-A Classification: FOR Code: 160503



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Audience Perception of EFCC Media Trial: A Case Study of Buhari's Anti-Corruption War

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Abstract- In recent time, the subject of media trial has been on the front burner of discussion among academics, constitutional lawyers and judges. Some of whom claimed the media is usurping the powers of the court in the administration of criminal justice, while others have argued that the media are not at fault since they work with the information made available to them by the prosecutor. To this end, this study set out to investigate audience perception of EFCC media trials under the following specific purposes: whether the EFCC engages in media trial, the extent to which EFCC engage in media trial, the effect of media trial on the public image of the accused and the impact of media trial on the anti-corruption campaign in Nigeria. The study adopted the triangulation mixed method research design and measures the opinion of a sample of 399 respondents and 9 interviewees in selected local government areas in Enugu State through multi-stage sampling procedure. The agenda setting theory served as the theoretical fulcrum upon which the data from the study was tested. Findings from the study are discussed within the context of the much larger body of knowledge on media trial and the link with freedom of speech and fair trial.

Keywords: media trial, audience, perception, fair trial, anti-corruption.

I. Introduction

It is no gainsaying that the subject of media trial has been a major discourse among academics, constitutional lawyers and judges almost on daily basis in recent time. Rao (2006) opined that "with the coming into being of the television and cable-channels, the amount of publicity which any crime or suspect or accused gets in the media has reached alarming proportions." Therefore, innocents may be condemned for no reason or those who are guilty may not get a fair trial or may get a higher sentence after trial than they deserved. As such, many a scholar argues that there appears to be very little restraint in the media in so far as the administration of criminal justice is concerned.

According to Akhiliero (2017), media trial was first identified with the phrase *Trial by Television* which found light in the response to the 3rd February, 1967 television broadcast of *The Frost Programme,* host *David Frost*. The confrontation and Frost's personal adversarial line of questioning of insurance fraudster suspect, *Emil Savundra* led to concern from ITV executives that it might affect Savundra's right to a fair trial. It was on this bases that during high-publicity court cases, the media are often accused of provoking an atmosphere of public hysteria akin to a lynch mob which not only makes a fair trial nearly impossible but means that regardless of the result of the trial the accused will not be able to live the rest of his life without intense public scrutiny.

Much as the constitution gives the right to freedom of expression, such right is not absolute but qualified. The Nigerian constitution which have guaranteed the right to freedom of expression, have also provided for some circumstances where this right may be limited. Section 39(3) of the 1999 Constitution of Nigeria, which gives the right to freedom of expression, could be restricted by any law that is reasonably justifiable in a democratic society, in order to prevent the disclosure of information received in confidence or for the purpose of maintaining the authority and independence of the courts. Also, Section 45(1) of the 1999 Constitution provides for the right to freedom of expression and some other fundamental rights guaranteed in the Constitution to be restricted or curtailed by any law that is reasonably justifiable in a democratic society (Akhiliero, 2017).

In recent past, some political figures in Nigeria were docked by the Economic and Financial Crimes Commission (EFCC) and other anti-graft agencies for financial and other related corrupt practices. Before being charged to a court of competent jurisdiction, these accused persons were first presented to the public sphere by the media to be tried in the court of public opinion. Media trial, no doubt, is not only peculiar to Nigeria, but in India and some other countries across the globe. Trial by the media therefore, refers to a situation whereby the media create a perception that an individual or group of individuals are guilty of a criminal offence, through the dissemination of prejudicial materials, with the intention of creating a perception of guilt (Akinnola, 2017).

Devesh (2013) noted that the media have now reincarnated itself into a 'public court' and have started interfering into court proceedings. It completely overlooks the vital gap between an accused and a convict keeping at stake the golden principles of *'presumption of innocence until proven guilty'* and '*guilt*

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beyond reasonable doubt. In Nigeria, the trending development under the present administration is media trial where the media itself does a separate investigation from that of the court and, builds a public opinion against the accused even before the court takes cognizance of the case.

Consequently, the presumption of innocence is the legal principle in criminal cases that one is considered innocent until proven guilty. Fundamentally, it denotes that until a judicial pronouncement on the guilt or otherwise of the accused person is made, he/she is to be treated as an innocent citizen; anything contrary would amount to abreach of the Fundamental Human Rights of the individual.

This study, therefore, looks at audience perception of EFCC media trials: A case study of Buhari's anti-corruption war, with the aim of examining the issues therein for a better anti-corruption campaign. It will equally examine the impact of media trial on the image of the accused as well as on the entire anti-corruption fight in Nigeria.

II. Statement of the Problem

Since Nigeria's independence in 1960, corruption has persisted and grown enormously in variety, magnitude and brazenness. The pervasive corruption obtains in both the private and public sectors of the Nigeria society (Emma, Ugwuanyi and Joy, 2012). Folarin (2010) corroborates this assertion when he observed that in 'a release some years ago by the British Broadcasting Corporation (BBC), the cost of corruption in Nigeria since 1960 is put at a staggering figure of 220 billion pounds. This probably explains the slow pace of development as the adverse effect of corruption on national development is phenomenal.'

Based on this, beginning from May 29, 2015 when he officially assumed duty as the nation's new president, Muhammadu Buhari was confronted by the challenge of how to tackle the menace of corruption. Thus, his first litmus test was how his government will fast track the trial of some politically exposed persons accused of embezzling public funds while in office through the instrumentality of the anti-graft agencies, the law and the media as the 'watchdog' of the society (Onuigbo and Eme, 2015).

No doubt, the media as the 'Fourth estate of the realm' are saddled with a very important constitutional responsibility bordering on mounting surveillance on the institutions of government for transparency, accountability and corruption in a democratic society as contained in section 22 of the 1999 constitution of the Federal republic of Nigeria. However, it is uncertain whether the media are acting based on the ethics of the journalism profession meant to guide their professional conduct, especially in trying toexamine the accused in the court of public opinion.

To this end, this study seeks to examine audience perception of EFCC's media trials: A case study of Buhari's anticorruption war. Other specific purposes include: to determine whether EFCC engages in media trials: to determine the extent to which EFCC engage in media trials: to determine the effect of media trials on the public image of the accused: to determine the impact of media trials on the anticorruption campaign in Nigeria.

This study is guided by the following research questions:

Does EFCC engage in media trials? To what extent does EFCC engage in media trials? What is the effect of media trials on the public image of the accused? What is the impact of media trials on the anticorruption campaign in Nigeria?

III. Literature Review

In a study conducted by Meringolo (2010) titled: *The Media, the Jury, and the high-profile Defendant: A defence perspective on the media circus,* the researcher opined that Studies have sought to measure the degree to which continuous exposure to pre-trial publicity prevents potential jurors from becoming fair and objective fact finders. Although there is disagreement as to the extent, social science research has shown a strong correlation between pre-trial publicity and juror bias (Steblay et al., 1999). Some of the most common types of publicly disseminated information include negative statements about the suspect that are typically not supposed to be considered by the jury in the courtroom. These statements regularly include prior arrest information, opinions of guilt, confessions, and information as to prior convictions. Among the most frequent disseminators of prejudicial information to the media arelaw enforcement officers and prosecutors (Lieberman and Arndt, 2000). Akinola (2017) corroborates this argument when he noted that in an attempt to give legitimacy to an otherwise despicable modus and acts of crude vendetta against some judges, the Department for State Security(DSS) embarked on serial media trial of the arrested judges.

Steblay et al., (1999) in a study titled: *The effects of pre-trial publicity on juror verdicts: A meta-analytic review* opined that the effect of pre-trial publicity (PTP) on juror verdicts was examined through a meta-analysis of 44 empirical tests representing 5,755 subjects. In support of the hypothesis, subjects exposed to negative PTP were significantly more likely to judge the defendant guilty compared to subjects exposed to less or no negative PTP.

IV. Fair Trial Versus Media Trial

When the media divulges on the legal process, freedoms and privileges collide. Media sort off attains formal prerogative powers to decide the cases and

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make them look true in the eyes of public. The media being the mainstay of the news industry, a piece of and all probable information whichever comes to hand that the general receives regarding an incident is looked under the media's spectacles and then conveyed through the mouth piece that is the media itself, proclaiming its prospect as just trials. Authenticity of such information is a sort after quest and to what extent should the public get convinced by it lands the public in a rather muddle plight (Devika and Shashank, 2015).

Devesh (2013), in a similar analysis argued that"one's life with dignity is always given a priority in comparison to one's right to freedom of speech and expression. Consequently, fair trial is not only a purely private benefit for an accused, the publics' confidence in the integrity of the justice system is also crucial." Fair trial encompasses several other rights including the right to be presumed innocent until proven guilty, the right not to be compelled to be a witness against oneself, the right to a public trial, the right to legal representation, the right to speedy trial, the right to be present during trial and examine witnesses, etc. Fair trial therefore, means a trial in which bias or prejudice for or against the accused, the witnesses, or the cause which is being tried is eliminated.

Devika and Shashank (2015) in a study titled: *Media Trial: Freedom of Speech VS. Fair Trail,* argued that an accused's right to a fair trial and the media's right to freedom of expression are in frequent tension.' The principle agents of these rights, the media and the judiciary are interdependent proponents of constitutional rights, often in conflict as to where the priority and emphases should be placed in the free press v. fair trial dichotomy; the tension between the two is an inevitable and perhaps necessary one. No doubt, the media on the account of excessive coverage and reportage go beyond its domain to cover and publish the interviews of a witness or that of the accused and prejudge them while the case is pending in court. But thereby there lies a minimal expectation from media to conform to their jurisdiction of affairs and ensure that what they convey is free of bias.

V. Recent Court Cases and Losses

According to Okakwu (2017), writing on the discharge of Justice Adeniyi Ademola, his wife, Olabowale, as well as Senior Advocate of Nigeria, Joe Agi, who were accused of fraudulent diversion of huge sums, ranging from local and foreign currencies, possession of firearms and involvement in illegal collection of gratification quoted the presiding judge in the following words:

> Delivering the judgement on the application for 'no case submission', Justice Jude Okeke who presided over the matter said the prosecution failed to prove its allegation before the court with facts; hence the court would not rely on speculations. The judge said his observation of the matter proves that the case was built on "high level suspicion and speculation" fuelled by the very important fight against corruption. Mr. Okeke said the allegation of collecting gratification, as made by the prosecution should have indicated clearly that the alleged gratification was corruptly collected and that the reasons for such corrupt transfers were related to the alleged offence.

The accused having been subjected to media trial by their prosecutor were finally discharged and acquitted by the court of law, owing to the failure of the prosecutor to provide concrete evidence against them.

Similarly, Akinnola (2017), writing on this subject made reference to the paper delivered by Prof. P.K. Fogam, titled: *Crusade against corruption and the effects of trial by the media*, at an event of National Association of Judicial Correspondents (NAJUC):

> After the clampdown on some of the judges, the DSS regaled us with titillating stories of humongous cash discoveries in the house of Justice Niyi Ademola, judge of the Federal High court. However, upon his arraignment along with his wife, the charges brought, particularly in respect of the amount allegedly found in his house, were at variance with the charges. And when the trial commenced, with each prosecution witness mounting the witness box, it was quite evident that these charges could not be sustained. It turned out that some of the evidences adduced by some prosecution witnesses actually went in favour of the defendants. One of such witnesses, Babatunde Adepoju (PW. 16), a DSS operative, told the court that he could not link the alleged gratification with any case handled by the judge. It was quite obvious that the charges could not be sustained as there were no evidences to substantiate the charges.

He further opine;

> As Justice Niki Tobi, JSC (as he then was) once posited, courts of law cannot go to the market places of public opinion to shop for evidences on which to base its judgments.Despite this acquittal, there would still be many people, who, having been fed with the public show of media trial would continue to argue against this acquittal, even when there is an avenue to lodge an appeal.

VI. Theoretical Framework

This study is anchored on the agenda setting theory. According to Orewere (2006) in Asemah (2011), "agenda setting refers to the ability of the mass media to influence the level of the public's awareness of issues as opposed to their knowledge about those issues." This implies that the media can provide people with awareness on certain issues by laying emphasis on

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them, while failing to provide the same audience with requisite knowledge on the matter. This they do while trying to mould people's attention on the discourse.

The relevance of this theory to this work rest on the fact that the media in an attempt to report or cover criminal or other corrupt cases bring the accuse to the market place of public opinion where the individual is tried without fair hearing. As the media tend to emphasize the allegations levelled against the accused by the prosecutor, members of the public are carried away without asking critical questions where necessary.

VII. Methodology

The research design for this study is the triangulation mixed method design. The triangulation mixed method design is a method that allows for the collection of data in both quantitative and qualitative manner. The beauty of this method is that "the researcher gathers both quantitative and qualitative data; compares result from the analysis of both data and make an interpretation as to whether the result from both data support or contradicts each other" (Creswell, 2002, p.565).

According to Creswell (2002, p. 564-565), "the purpose of a triangulation mixed method is to simultaneously collect both quantitative and qualitative data, merge the data and use the result to best understand a research problem. A basic rationale for this design is that one data collection form supplies strength to offset the weaknesses of the other form".

The population of this study comprises of male and female residents of Enugu State, South east Nigeria. According to the census report of 2006, the population of the state is put at 3,267,837 persons. However, considering the fact that 2006 is too far a time, the researcher aligned himself with Owuamalam (2012) and did a projection of 10 years using an annual growth rate of 3.2% (UNDP). The projection formula provides that Pp = Gp × Pi × T….. 3.1. Thus: Pp = 3,267,837, Pi = 3.2% or 0.032, 2016 – 2006 = 10. Pp = 3,267,837 × 0.032 × 10 = 1,045,708. Going by this projection, Enugu State population has increased by 1,045,708. When added to the population, it will be 3,267,837 + 1,045,708 = 4,313,545. The choice of residents of the state was informed by the number of government, media and academic institutions domicile in the state from which the right information can be got.

To determine the sample size of this study, therefore, Taro yamane (1973) formula for calculating sample size was adopted. Below is the calculation:

$$n = \frac{N}{1 + N(e)^{2}}$$

Where:
N = sample size sought
e = level of confidence = 95%
N = population size = 4,313,545
By substituting in values we have;

$$n = \frac{4{,}313{,}545}{1 + 4{,}313{,}545(0.05)^{2}}$$

$$n = \frac{4{,}313{,}545}{10{,}784.8625}$$

$$n = 399$$

Thus 399 respondents were considered a good sample size.

Since data analysis is expected to be presented in two phases in a triangulation mixed method which involves the quantitative and qualitative data, two sampling procedures were adopted. In the first sampling procedure the cluster orthe multistage sampling technique was adopted to breakdown the population into clusters. Multi-stage sampling requires the researcher to choose his samples in stages until he gets the required sample (Asemah et al., 2012).

Stage 1

The state already exists in a cluster known as senatorial districts namely; Enugu East, Enugu West and Enugu North senatorial districts.

Stage 2

These senatorial districts were broken down into local government areas. They are; Enugu East (6 local governments), Enugu West (5 local governments), and Enugu North (6 local governments).

Stage 3

Using the simple random sampling technique, one local government area was selected from each senatorial district. Enugu South was selected from the six local government areas in Enugu East. Udi local government was selected from the five local government areas in Enugu West, while Nsukka local government was selected from the six local government areas in Enugu North.

Stage 4

For the distribution of the questionnaire, Bowley's (1962) proportional allocation formula to determine each stratum was adopted. The formula is thus explained;

$$nh = \frac{n\,Nh}{N}$$

Where:
nh = the number of unit allocated to each category of respondents.
Nh = number of items in each stratum in the population,
n = the total sample size,
N= total population,

For Enugu South Local Government Area population is 198, 032

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$$\frac{399 \times 198,032}{745,785} = 106$$

For Udi Local Government Area population is 238,305

$$\frac{399 \times 238,305}{745,785} = 127$$

For Nsukka Local Government Area population is 309,448

$$\frac{399 \times 309,448}{745,785} = 166$$

Therefore $= n_{1+}n_{2+}n_{3} = N$
i.e. 106+127+166 = 399.

In the second stage sampling procedure for qualitative analysis, the purposive sampling technique was used. The study made provision for 9 persons that were interviewed in line with the study under investigation. The first 3 persons are media practitioners from the media houses in the state. Then 6 lawyers in the state were also interviewed. In all, three persons were interviewed from each of the local governments selected. This made the total number of people interviewed for this study to be nine (9).

This study used two instruments namely; questionnaire and interview. The questionnaire instrument had two sections: the demographic and psychographic sections. The demographic section was used to elicit information about the bio-data of the respondents while the psychographic section focused on the research questions. The questionnaire was drafted in simple sentences consisting of 10 questions. It made use of close and open ended techniques in order to elicit the right responses to the questions. On the other hand, the interview was framed into a 6 question interview schedule. It comprised of open-ended questions squarely related to the study under investigation. The answers to the interview schedule were coded after qualitative data have been presented. The essence of the coding was to allow for a numerical comparison between the questionnaire and the interview results.

In checking for the reliability of the study instrument, a pre-test was conducted in one local government of the selected local governments (Nsukka) to ascertain the reliability of the research instrument (Questionnaire). A total of 20 respondents were drawn from the selected local government for this purpose.

a) Data Presentation and Analysis

The data generated were analysed in two phases. The first phase was done quantitatively using simple frequency distribution tables, percentages and numbers to determine audience perception of EFCC media trial. The second phase of the analysis was approached qualitatively. By this, data analysis was presented in textual forms separately. This gave room for the comparison of data.

b) First Phase: Data Analysis (Quantitative Approach)

This aspect of data analysis was done quantitatively using simple frequency tables, percentages and numbers to determine audience perception of EFCC media trials.

The tables below provide the demography and psychographic analyses of data collected in the cause of this study.

Table 1: Sex of Respondents

Sex	Frequency	Percentage (%)
Male	205	51.4
Female	194	48.6
Total	399	100.0

Source: Field survey, 2017

Table 1 above analysed the sex of respondents. From the table, 205 (51.4%) respondents are male while 194 (48.6%) respondents are female. This result shows that there are more male than female in the sample studied.

Table 2: Age of Respondents

Age (years)	Frequency	Percentage (%)
16 – 25	63	15.8
26 – 35	63	15.8
36 – 45	210	52.6
46 – 100	63	15.8
Total	399	100.0

Source: Field survey, 2017

From the table above, 63(15.8%) respondents fall within 16 – 25 years, while 63(15.8%) respondents fall within 26 – 35 years of age. 210(52.6%) respondents fall within the age categories of 36 – 45, while 63 (15.8%) of the respondents fall within the age bracket of 46 - 100.

This means that majority of the respondents are within the prime age of active service and complete vigour to life endeavours.

Research Question 1: Does EFCC engage in media trials?

Table 3: Respondents view on whether EFCC engage in media trials

Variable	Frequency	Percentage (%)
Yes	169	42.4
No	149	37.3
Can't say	81	20.3
Total	399	100.0

Source: Field survey, 2017

From the table above, 169 (42.4%) respondents agree that the EFCC do engage in media trial of accused persons, while 149 (37.3%) respondents are of the opinion that the EFCC do not engage in media trial

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of accused persons, whereas 81 (20.3%) respondents are indifferent to whether the EFCC do engage in media trial.

This means that the EFCC does engage in media trial of accused persons.

Research Question 2: To what extent does the EFCC engage in media trial?

Table 4: Respondents view on the extent of EFCC involvement in media trial

Variable	Frequency	Percentage (%)
Very High	98	24.6
High	107	26.8
Low	97	24.3
Very Low	97	24.3
Total	399	100.0

Source: Field survey, 2017

From the table above, 98 (24.6%) respondents agree that the extent to which the EFCC is involved in media trial is very high, while 107 (26.8%) respondents are of the opinion that the extent to which the EFCC is engage in media trial is high, whereas 97 (24.3%) respondents are of the view that the extent the EFCC do engage in media trial is low same as those who think it is very low.

Since majority of the respondents are of the opinion that the extent to which the EFCC engage in media trial is high, it therefore means that the extent to which the EFCC is involved in media trial of accused persons is high.

Research Question 3: What is the effect of media trial on the public image of the accused?

Table 5: Respondents view on whether media trial is harmful to the public image of the accused

Variable	Frequency	Percentage (%)
Yes	213	53.4
No	93	23.3
Can't say	93	23.3
Total	399	100.0

Source: Field survey, 2017

This table analyses the opinion of the audience on whether media trial is harmful to the public image of the accused. From the table above, 213 (53.4%) respondents opine that media trial can cause harm or damage to one's public image, while 93 (23.3%) respondents opine that media trial cannot cause harm or damage to the reputation of the accused. Similarly, 93 (23.3%) respondents are in different as to whether media trial can harm the accused reputation. Invariably, the analysis above shows that media trial can affect the accused reputation negatively.

Table 6: Respondents view on the level of impact media trial can have on the accused reputation

Variable	Frequency	Percentage (%)
Heavy	217	54.4
Moderate	93	23.3
Light	89	22.3
Total	399	100.0

Source: Field survey, 2017

The table above analyses the opinion of the respondents on the level of impact media trial has on the reputation of the accused. From the table, 217 (54.4%) respondents opine that the level of impact of media trial on the image of the accused is heavy, while 93 (23.3%) respondents opine that the level of impact of media trial on the image of the accused is moderate. However, 89 (22.3%) respondent was indifferent as to the level of impact of media trial on the reputation of the accused.

The analysis above indicates that majority of the respondents were of the opinion that mediatrial can impact heavily on the reputation of the accused.

Research Question 4: What is the impact of media trial on the anti-corruption campaign in Nigeria?

Table 7: Respondents view on whether media trial should be a strategy to fight corruption.

Variable	Frequency	Percentage (%)
Yes	205	51.4
No	100	25.1
Can't say	94	23.5
Total	399	100.0

Source: Field survey, 2017

This table analyses the opinion of respondents on whether media trial should be a strategy to fight corruption. From the table above, 205 (51.4%) respondents opine that media trial should be a strategy to fight corruption, while100 (25.1%) respondents opine that the media trial should not be adopted as a strategy to fight corruption. However, 94 (23.5%) respondents are in different as to whether media trial should be a strategy of fighting corruption.

Invariably, the analysis above shows that majority of the respondents actually thinks media trial should be a strategy to fight corruption.

Table 8: Respondents view on whether the media usurp the powers of the court to fair trial.

Variable	Frequency	Percentage (%)
Yes	107	26.8
No	189	47.4
Can't say	103	25.8
Total	399	100.0

Source: Field survey, 2017

This table analyses the opinion of the audience on whether the media usurp the powers of the court to

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fair trial. From the table above, 107 (26.8%) respondents opine that media does usurp the powers of the court to fair trial; while 189 (47.4%) respondents opine that the media do not usurp the powers of the court. However, 103 (25.8%) respondents are in different as to whether the media usurp the powers of the court.

Table 9: Respondents view on the impact of media trial on the anti-corruption campaign in Nigeria

Variable	Frequency	Percentage (%)
Impactful	107	26.8
Neutral	109	27.3
Very impactful	102	25.6
Extremely impactful	81	24.3
Total	399	100.0

Source: Field survey, 2017

From the table above, 107 (26.8%) respondents averred that media trial is impactful on the anti-corruption campaign in Nigeria, while 109 (27.3%) respondents are of the opinion that the impact of media trial on the anti-corruption campaign is neutral, whereas 102 (25.6%) respondents are of the view that the impact of media trial is very impactful on the anti-corruption war. However, 81 (24.3%) respondents opined that the impact of media trial on the anti-corruption campaign is extremely impactful.

Invariably, many of the respondents were neutral in their view to whether media trials have any impact on the entire anti-corruption fight in Nigeria.

Second Phase: Data Analysis (Qualitative Approach)

In this phase of the analysis, data was analysed using qualitative approach. By this, data were presented in textual forms separately. The study made provision for 3 media practitioners one each from the selected local governments that were interviewed in line with the questions raised in the interview schedule. Then 6 lawyers in the selected local governments were also interviewed. In all, three persons were interviewed from each of the local governments selected. This made the total number of people interviewed for this study to be nine (9).

From the interviewed persons, five (5) of them were male while the remaining four (4) were female and they all fall between the age brackets of 36-45 years of age. They have equally attended tertiary institutions with higher degrees as added advantage. They all have understanding on the subject of media trial and have access to newspapers, radio, television and other media of communication.

Research Question 1: Does EFCC engage in media trials?

The interviews conducted in the cause of this study reveals that the EFCC do engage in media trial of accused persons especially under the present administration. All the nine (9) respondents opined that the media do collect information concerning the accused from the prosecutor and run with it to the court of public opinion even before the accused is convicted of any crime by the court of law. However, they acknowledge that the media do work with the information they are provided with, but lamented the poor state of investigative journalism in the media. This implies that the EFCC actually engage in media trial through the instrumentality of the media.

Research Question 2: To what extent does EFCC engage in media trial?

From the interview, six interviewees opined that the rate of EFCC's engagement in media trial is very high as it has permeated into the foresight of people's intellectuality that the accused is guilty even before he/she is pronounced so. The remaining three were of the opinion that the EFCC involvement in media trial is moderate and not as high as some persons have complained.

However, they noted that media trial is the highest disservice that the media can do to the court process as it is actually the usurpation of the law court especially in the administration of criminal justice.

Research Question 3: What is the effect of media trial on the public image of the accused?

The interview conducted in this area, reveals that media trials have adverse effect on the public reputation of the accused. From the interview, seven respondents opined that Nigeria practice Anglo-Saxon criminal justice where the accused is presumed innocent until confirmed guilty as contained in section 36 (5) of the 1999 constitution as amended. Therefore, presenting the accused in a court of public opinion is illegal and corruption on its own.

They further averred that media trial dis-paragraph the accused from the right thinking members of the society as someone who is not fit to occupy a public office. This comes in the form of defamation (libel or slander). Therefore, the media will be expected to tender a public apology that should be published at least in three national dailies as captured in section 36 (6) of the 1999 constitution as amended.

Research Question 4: What is the impact of media trials on the anti-corruption campaign in Nigeria?

Analysis of the interview reveals respondents view on what the impact of media trial is on the anti-corruption war in Nigeria. Majority of the interviewees observed that lack of relevant facts with which to convict the accused have led to the loss of cases on the part of the EFCC. According to them, arrests are made before facts finding which is contrary to international best practices where facts are first established before arrests are executed. As a result, the entire anti-corruption campaign is believed to be meshed in political witch hunting.

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Again, they opined that since proper investigations are not carried out to ascertain the true criminality of the accused, before publicising him/her the ant-corruption war is more or less a child's play where politicians have converted the media into a rubber stamp.

This implies that media trial is not good for the anti-corruption war, but should the media objectively report directly from the various court sittings then the whole process would have a direct positive impact on the citizens.

VIII. Discussion of Findings

In analysing data collected, the study showed that there was higher percentage of men than women in the sample studied. It also revealed that most of the people sampled were educated and falls within 36-45 years of age, which means that they are active citizens contributing to the growth of politics in Nigeria.

The analysis from both quantitative and qualitative approaches revealed that the EFCC does engage in media trial of accused persons. This is evident from the fact that 169 (42.4%) respondents agreed that the EFCC does involve in media trial, while 149 (37.3%) respondents were of the opinion that the EFCC does not engage in media trial.

On the qualitative aspect, the interviews conducted in this study revealed that the EFCC does engage in media trial by exposing the accused to the court of public opinion even before being tried in a competent court of jurisdiction. All the nine (9) respondents opined that the media do collect information concerning the accused from the prosecutor and run with it to the court of public opinion even before the accused is convicted of any crime by the court of law. However, they acknowledge that the media do work with the information they are provided with, but lamented the poor state of investigative journalism in the media. This finding corroborates the position of Lieberman and Arndt, (2000) who argued that among the most frequent disseminators of prejudicial information to the media are law enforcement officers and prosecutors.

The study further revealed that majority of the respondents was of the opinion that the extent to which the EFCC involve in media trial is high. On the other hand, the qualitative data collected revealed that three out of the nine respondents were of a contrary view. Therefore, it can be said that a combination of the respondents in the qualitative and quantitative data averred in the majority that the rate at which EFCC engages in media trial is on the high side. However, it was observed that media trial is the highest disservice that the media can do to the court process as it is actually the usurpation of the law court especially in the administration of criminal justice.

In responding to the question on the effect of media trial on the image of the accused, it was revealed that majority opined that such effect is heavy on the reputation of the accused. By extension, it can be said that the impact of media trial on the image of an accused is on the damaging side. This finding agrees with that of Steblay et al., (1999) who argued that subjects exposed to negative pre-trial publicity were significantly more likely to judge the defendant guilty compared to subjects exposed to less or no negative PTP.

The study also revealed a neutral stance of the respondents as to the image media trials have given to the entire anti-corruption war. However, issues like: Lack of proper facts finding before prosecution by the prosecutor; absence of investigative journalism on the part of the media; and the use of media trial as a tool for political vendetta were identified to have reduced the entire anti-corruption war to a mere child's play. Also, the study finds that quantitative data contradicts the qualitative as to whether the media by engaging in media trial usurp the court. Majority of the respondents in the former opined no, while majority in the later said yes.

IX. Conclusion

From the findings of this study, it is obvious that media trial has serious effect on the image of the accused and on the anti-corruption fight of the president Buhari's led administration. It is therefore, important to note that much as corruption needs be fought, proper strategies that are in conformity with the existing laws of the land should be adopted. Nigeria, therefore, as a young and functional democratic country, needs viable media that will on its own embark on investigative journalism not on sensational or adversarial journalism thereby making themselves a stooge in the hands of the politicians.

X. Recommendations

- Media organisations should not allow themselves to be partisan in their report of criminal cases or permit politicians to use them as stooges.
- Media organisations should awake to the need for investigative journalism in order to keep alive their surveillance and watchdog function in a democratic society.
- Anti-graft agencies should do proper investigation making sure they have established facts with which to prosecute a criminal case before bringing the accused to public ridicule.
- Finally, the government and the anti-graft agencies should act within the ambit of the constitution in their effort to fight corruption.

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References Références Referencias

1. Akhihiero, P.A. (2017). *The impact of media trial on the constitutional presumption of innocence.* The 2017 law week of the Benin branch of the Nigerian Bar Association
2. Akinnola, R. (2017, April 5). Justice Ademola: Between a media trial and a court trial [web log post]. Retrieved from www.nigeriatoday.com
3. Asemah, E. S. (2011). *Selected mass media theme.* Jos: Jos University press.
4. Asemah, E.S., Gujbawu, M., Ekhareafo, D.O.,& Okpanachi, R.A. (2012). *Research methods and procedures in mass communication*. Jos: Great future press.
5. Bowley, A.L. (1962). *Proportional allocation formula*. Retrieved from www.iiste.org/Journals/index.../8930 on October 2, 2016
6. Creswell, J. (2002). *Educational research: Planning, conducting and evaluating quantitative and qualitative research*. New Jersey: Pearson Education Inc.
7. Derika, S., & Shashank, S. (2015). Media trial: Freedom of speech vs fair trial. *Journal of Humanities And Social Science.* Vol. 20, Issue 5. Doi: 10.979010837-20548894.
8. Devesh, S. (2013). *Right to a fair trial.* Retrieved from https://es/scribd.com/document/72634501/Devesh-Article on June 26, 2017
9. Emma, C., Ugwuanyi, B. J., & Joy, U. (2012). Curbing corruption in Nigeria: The imperatives of good leadership. *Singaporean Journal of Business Economics and Management Studies*. Vol.1, No.1.
10. Folarin, S. (2010). Corruption, politics and governance in Nigeria. Retieved from www.eprints.covenantuniversity.edu.ng/.../369 on June 6, 2017
11. Lieberman, J.D &Arndt, J. (2000).*Understanding the limits of limiting instructions: Social psychological explanations for the failures of instructions to disregard pretrial publicity and other inadmissible evidence,*6 Psychol. Pub. Pol'y & L. 677, 680.
12. Meringolo, J. C. (2010). The media, the jury, and the high-profile defendant: A defense perspective on media circus. *New York Law School Law Review.* Vol. 55
13. Okakwu, E. (2017, April 5). Why court freed Nigerian judge accused of corruption. *Premium Times.* Retrieved from www.premiumtimesng.com
14. Onuigbo, R. A., & Eme, O. I. (2015). Analysis of legal frameworks for fighting corruption in Nigeria: Problems and challenges. *Journal of Business and Management Review.* Vol. 5, No. 3
15. Owuamalam, E. (2012). *Data analysis and project research writing.* Owerri Top Class Agencies Ltd
16. Rao, M. J. (2006). *Trial by media.* New Delhi: Shastri Bhawan
17. Steblay, N.M., Besirevic, J., Fulero, S.M., & Lorente-Jimenez, B. (1999). The effects of pretrial publicity on juror verdicts: A meta-analytic review. *Law and Human Behaviour.* Vol. 23, No. 2.
18. Yamane, T. (1973). *Research methodology*. Retrieved from www.research-system.sianm.edu on October 2, 2016.

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