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In the public interest? Political sex scandals and the media in Ireland

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ABSTRACT

As with the United States and Great Britain there has been a marked increase in the prevalence of political sex scandal themed stories reported on by Irish media since the 1990s. This article considers the concept of the political sex scandal, and its relationship with media in the Irish case. It argues that political sex scandal was a frequent part of Irish journalism pre-independence but that, post-independence, this approach was replaced with a reticence to report such scandal until the 1990s. It finds that, today, Irish media avoid reporting on the private lives of politicians and instead focus on incidents wherein politicians intervene in sex-related court cases, when politicians are caught acting inappropriately on camera and on when politicians engage in matters sexual on social media. Thus, unlike the US and Britain, the key structural characteristic of contemporary Irish political sex scandals is not media intrusion into the private lives of politicians but rather media oversight of when and how politicians engage in sex-related issues in public fora such as the judicial system and social media.

KEYWORDS Politics; sex; scandal; Ireland; journalism; social media

Introduction: political sex-scandals in context

Both Stanyer (2013) and Langer (2007), have observed the increasingly personal nature of political communication. Focusing on Britain, Langer (2007) found that coverage of the prime ministers' private lives in *The Times* rose from one per cent of leaders' coverage in 1945 to eight per cent during Tony Blair's tenure. In the United States, 'personal disclosure has become normalised on the presidential campaign trail; indeed, politicians feel that they have to reveal aspects of their personal lives or will be greeted with suspicion' (Stanyer, 2013, p. 2). Stanyer (2013, p. 6) has also observed that

the personal lives of politicians are no longer a purely private matter but are instead an increasingly ubiquitous feature of the mediated public sphere

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[where] the zone of privacy which once surrounded politicians and those in public life seems to be slowly disappearing with and without politicians' consent.

In his typology to explore this phenomenon Stanyer (2013, p. 16) categorised such content as non-consensus/scandalous (e.g. exposure of infidelity); non-consensus/non-scandalous (e.g. photographs of holidays); consensual/scandalous (admission of transgressions during an interview); consensual/non-scandalous (e.g. exposure of personal information during an interview). While acknowledging that all phenomena are present in the Irish politico-media sphere this paper focuses solely on the non-consensus/scandalous category.

In his work on political scandal Thompson (2000, pp. 13–24) distinguishes three types of such scandal: power scandals (in which the questionable exercise of power in terms of abuse or incompetence is revealed); sex scandals (in which the private lives of politicians are reported on); and economic scandals (in which questionable financial behaviour is exposed). In all three types, the scandals are defined by the transgression of moral boundaries and reflect the symbolic exercise of power in which the politician's reputation and public trust is invested. Scandals then are 'struggles over symbolic power in which reputation and trust are at stake' (Thompson, 2000, p. 262) with Castells (1997, p. 337) contending that 'scandal politics is the weapon of choice for struggle and competition in informational politics'. Much has been written about Irish political scandals, with Byrne (2012), Collins and O'Shea (2003) and Murphy (2000, 2006) focusing on financial corruption within national and local politics. Other works have focused on political power scandals in the area of health with (Farrell, 2006) examining the political fallout from the blood scandal in which Hepatitis C sufferers received contaminated transfusions. While Rafter and Knowlton (2013) examined whether the serious illness of politicians is legitimate news, little has been written about the relationship between Irish politics, sex scandal and the media. As Gamson (2001, p. 186) has noted, academics are 'remarkably reluctant to confront sex scandal stories as significant cultural phenomena'. He attributes this to their

apparent transparency: they appear to be simply barometers of sexual moralities, moments in which a society reminds itself what is and is not acceptable sexual behaviour by punishing with public humiliation and the risk of status loss, those highly visible people caught doing the unacceptable stuff.

But he also argues that 'the emergence of a scandal story is tightly tied to its institutional location' – in other words 'the specific ways reporting is organised, the structure of social relations between media workers and those in other institutional worlds'. Thus what constitutes a political sex scandal and how it is reported on by the media and received by the public differs by jurisdiction and time and 'what is revealed in sex scandal discourse is not simply

societal norms ... but also the institutional operations and relations of news media (Gamson, 2001, p. 187).

Examining political sex scandal in the United States of America, Summers (2000, p. 845) demonstrates how a period of public revelations about the sexual lives of politicians in the late nineteenth century gave way to a period of reticence in which 'the promise of reticence permitted elite reporters to get closer to the instruments of government power'. This reticence continued right through the early days of the various Clinton sex scandals of the 1990s with Tumber (2004, p. 1125) observing that in the scandals' early days most national journalists tried to avoid the issue 'because they deemed such low-brow scandals to be unworthy of their attention'. But in the ever increasing polarised political environment of the 1990s such reticence was not sustainable in light of the appointment of special prosecutor Kenneth Starr. The subsequent impeachment proceedings forced US national media to report on Clinton's sex life (Sabato & Lichter, 1994) – **most especially in the rapidly developing media-sphere of 24-hour news, online and online media which kept the affair in the news cycle** (Williams & Delli Carpini, 2000). No such reticence existed in the UK, where the sex lives of politicians regularly came under media scrutiny. Following a press investigation in 1963, government minister John Profumo resigned as secretary of state for war after engaging in an affair with Christine Keeler who was also in a relationship with a Soviet naval attaché. As noted by Mary Kenny (2000, p. 219) the affair was 'the first time that a political sex scandal was openly discussed': she also observed how Irish readers could not get enough of the scandal which was carried by all the British newspapers on sale in Ireland. In a similar vein the 1979 trial of former Liberal Party leader Jeremy Thorpe for conspiracy to kill his former lover received blanket media coverage in the UK. But, as in the United States, it was during the 1990s that political sex scandal became a more dominant feature of British media, fuelled in part by the rise of a tabloid media culture (Bingham & Conboy, 2015). As noted by Sanders and Canel (2006, p. 457),

in Britain that catch-all term "sleaze" came to act as a symbolic signifier for John Major's years in office [as] political sex scandals in which Conservative politicians were "exposed" for infidelity or other "irregular" sexual practices, thought to be at odds with a political party supporting family values'. The succeeding Blair administrations also had their share of sex scandals and resignations (Tumber, 2004, pp. 1128–1129). Most research in other jurisdictions indicate an increase in the prevalence of sex scandal stories in national media. In France, while politicians have traditionally enjoyed strong privacy protection, the number of revelations had increased, though, as yet, without very significant political consequences (Kuhn, 2004, p. 31). In a similar vein, Juntunen and Valiveronen (2010, p. 817) have found that 'the intimate life of politicians was long a taboo subject in Finnish journalism,

but this has been slowly changing since the new millennium'. An exception is Germany where there exists 'tacit agreement' that journalists do not disclose private details of politicians' private lives – 'their marriage problems and extramarital affairs, and their sexual inclinations' (Esser & Hartung, 2004, p. 1064). **However, the revelations by regional newspapers in 2011 that CDU party chairperson, Christian von Boetticher had been intimately involved with a 16-year-old girl, prompted von Boetticher's resignation from public life and may indicate a change in the country's traditional 'hand's off' approach to personal issues. Central to this controversy was the use of social media to conduct the relationship – content that was widely reproduced in the regional newspapers.**

In explaining the general increase in scandal related stories Tumber and Waisbord (2004a, p. 1036) argue that individual political reputations have become increasingly important in situations of partisan de-alignment and defused ideological confrontations that historically dominated political systems and discourse. Thus, scandals 'represent the putting in action of the politics of embarrassment, moments in which actors vie to publicise information to undermine the credibility and the reputation of political rivals'. If one accepts the definition of political scandal as 'intense political communication about a real or imagined defect that is by consensus condemned and meets universal indignation or outrage' (Esser & Hartung, 2004, p. 1041), it follows that the task of manufacturing the 'consensus of condemnation' falls to the media. Indeed, Liebes and Blum-Kulka (2004, p. 1153) define scandal as 'exceptional cases in which journalists have access to the antinormative actions of the powerful, carried out covertly'. As noted by Cohen (1996, pp. 7–8), the typical sex scandal narrative is built 'on the tripartite juridical model of plaintiff, defendant, and jury [in which] an accuser exposes an indiscretion or iniquity in the life of the accused and broadcasts that secret for public consumption and the accused responds with denial'. But if the observation by Juntunen and Valiveronen (2010, p. 817) that 'even though the media like to portray themselves as merely the messenger, they also play a very active role in creating political scandals' implies a degree of media sensationalism, Lull and Hinerman (1997, p. 5) note that scandals reported on by the media can be viewed not just as sensationalism but also as fora for debates on moral questions, thereby constituting a major component of the mediated public sphere.

In the Irish case, sex scandal and attempts to build a consensus of condemnation can be divided into three periods. During the first period, from the beginning of mass newspaper production in the 1880s to the 1920s, political sex scandal was a feature of Irish media as illicit sexual activity among British government officials was exposed in print and portrayed as a pernicious side-effect of foreign rule. This was followed shortly after by the Catholic Church's denunciation of Charles Stewart Parnell for his relationship with a married

woman. Thereafter, much of the Roman Catholic hierarchy's attention was devoted to condemning newspapers that carried reports of the London divorce courts. This campaign extended to exerting pressure on Irish newspapers which carried such reports and culminated in the Censorship of Publications Act 1929 which was utilised to ban several British newspapers on the grounds of indecency. During the second period, from the 1930s to the 1990s, the required consensus of condemnation was strikingly lacking in the various reports of political sex scandals. Many of these 'scandals' effectively took the form of pseudo-scandals that became lame media spectacles. Much of this had to do with a distinct lack of media enthusiasm to fan the flames of publicity; in other cases, the incident being highlighted was an open secret and so the consensus of condemnation was absent. The third, contemporary period, is marked by what Summers (2000, p. 826) refers to as a 'repeal of reticence' characterised in the Irish case by reportage on action taken by politicians in relation to sex offence court cases and an oversight on politicians' use of social media.

The Irish case, 1880s–1920s

In comparative terms the Irish case most resembles that of the US – i.e. a period of regular public revelations about the private lives of politicians in the late nineteenth century giving way to a period of 'reticence and insulation', though unlike the US the reticence on the part of Irish journalists had less to do with professionalism, and more to do with a moral code policed by the Roman Catholic Church. Pre-independence, sex scandals were a core part of late-nineteenth-century Irish politics and journalism. Amid the campaign for home rule, *United Ireland*, the newspaper of the Irish Party, published in 1884 a series of articles alleging homosexual activity amongst high-ranking government officials in Dublin Castle, seat of British rule in Ireland. This activity – 'depravity unsurpassed in the history of human crime' (*United Ireland*, 7 June 1884) – was highlighted as a symptom of corrupt foreign rule. The exposé – and the failed lawsuits that followed – were, according to Bachus (2013, p. 62), monitored by journalists in London, one of whom, W. T. Stead, editor of the *Pall Mall Gazette*, subsequently published his ground-breaking investigation into London childhood prostitution. Though Stead's piece is often cited as the first sex scandal that typified the 'new journalism', Bachus has noted the connection between 'O'Brien's right to publish and the new mode of investigative scandal that Stead launched the following year'. Prior to O'Brien's series, Stead's actions, she concludes, 'would have been unthinkable' (Bachus, 2013, p. 63). Six years later, the affair between Charles Stewart Parnell and Kitty O'Shea, which became public knowledge in the course of divorce proceedings, split the Irish Party after the Catholic hierarchy denounced Parnell as being

guilty of 'one of the gravest offences known to religion and society'. Catholic Ireland, the bishops concluded, 'will not accept as its leader a man thus dishonoured and wholly unworthy of Christian confidence' (*Irish Times*, 4 December, 1890). Subsequent decades would witness a concerted campaign by the hierarchy and lay groups to stop Irish newspapers from reporting on the cases before the London divorce courts and another campaign to prevent 'objectionable' British newspapers from circulating in the newly independent state. This campaign was aimed at newspapers that, as one objector declared, carried news of 'the vulgar and the coarse, the suggestive, the unsavoury, the offensive, the smutty, the ill-smelling ... gilded filth, unvarnished filth, gross animalism, sex-knowledge series, sexual science' (O'Brien, 2017, p. 45). The campaign culminated in the Censorship of Publication Act 1929 which was immediately invoked to ban several British newspapers on the grounds of being obscene or indecent. This morality campaign to cleanse the press was not lost on Irish newspaper editors who accordingly sanitised their titles of all sex-related content or what journalists referred to as 'indelicate' matters (Bestic, 1969, p. 3).

However, when events involving politicians were examined by statutory bodies, newspapers outlined the facts as presented. Such was the case with the tragic circumstances surrounding the death by suicide of Darrel Figgis, who had been vice-chair of the committee established to draft the Free State Constitution and who had been elected to the Dáil in 1922. Figgis's estranged wife, Millie, took her life in November 1924 after discovering that Figgis had begun a new relationship – a relationship that also ended in tragedy when Rita North died from septicaemia following an abortion in London in October 1925. Shortly after, Figgis took his own life. The inquest into his death – and the associated events – were outlined in a London coroner's court and reported on in measured detail by the *Irish Times* (7 November 1925) and the *Irish Independent* (6 November 1925). Appropriately, such reportage adopted a tone of tragedy rather than one of scandalised morality. Three years later there occurred what would be the last overt reference to an alleged political sex scandal for several decades. In November 1928, Fianna Fáil leader Eamon de Valera denounced the rumours of his supposed womanising while touring the US in 1919 and 1920. He told Dáil Éireann that he was well aware of the rumours that had circulated to the effect that he 'was supposed to be living with two or three other women':

It was part of the campaign – everybody knows it was part of that campaign ... It went on not merely from platform and in private, but it was spoken from the pulpit; it came from the altar. I myself was told by a lady in Chicago that a bishop told her that my wife had to go over to America in order to keep me straight there because I was associating with women (Dáil Éireann debates, vol. 27 (5), 22 November 1928).

In the following day's parliamentary coverage both national newspapers, the *Irish Independent* and the *Irish Times*, reported de Valera's speech verbatim with the parliamentary correspondent of the latter referring to it as 'an outburst' and noting that 'the House was glad when Mr de Valera turned to other matters' (*Irish Times*, 23 November 1928). In his commentary the *Irish Independent's* parliamentary correspondent observed that deputies had 'sat in awkward silence. A party leader, pale of face and agitated in manner, had created an atmosphere that had never been experienced in the Chamber' (*Irish Independent*, 23 November 1928). Thereafter, subsequent decades were short on actual or potential political sex scandal, or even references to same. Although Breandán Ó hÉithir (1986, p. 67) notes that de Valera was, at election hustings during the 1930s, regularly abused by onlookers as a 'Spanish Bastard' in reference to the lack of clarity about his parentage (McCullagh, 2017, pp. 5–29), as a 'indelicate' matter such cat-calls did not make it into newspaper reports.

The Irish case, 1930s–1990s

It would be 1952 before a covert reference to an alleged political sex scandal again bothered Dáil Éireann or the national newspapers. In a January 1952 debate on the order of business, independent TD Noel Browne made a reference to the Adoption of Children Bill to which another independent TD, Oliver J. Flanagan interjected with the comment 'Deputy Flynn would be more qualified to do that' (Dáil Éireann debates, vol. 129 (2), 31 January 1952). Flanagan was referring to Fianna Fáil TD, John Flynn, who, having been a TD from 1932 was dropped from the party's ticket ahead of the 1943 general election. While the *Irish Press* (27 May 1943) noted that Flynn had 'withdrawn his candidature' a later Fianna Fáil TD for the same constituency (Kerry South), John O'Leary, recalled the existence of a 'rumour that a girl had become pregnant by Flynn out of wedlock and that she had gone to England. It was never discussed publicly that I can recall but the story goes that when de Valera got wind of it, he threw Flynn out of the party in order to avoid scandal' (O'Shea & Revington, 2018, p. 86). Flynn was elected an independent TD in 1947 and 1951 after which he re-joined the ranks of Fianna Fáil. Following Flanagan's remarks, he was approached by Flynn in the Dáil restaurant and punched twice. The following day the fracas was reported on by the *Irish Times*, the *Irish Independent* and the *Irish Press* (1 February 1952) though none reported on the comment that was the source of the row. Also reported by all three titles was the later investigation into the incident by the Dáil's Committee on Procedure and Privileges, which recorded that Flynn had explained his action in terms of him having heard that Flanagan 'had passed a remark relating to him which would be generally understood as a gross reflection on his personal character'. Again

there was no explanation by the newspapers as to what that remark was, though they did report the Committee's finding that the Deputy Speaker of the House 'did not grasp all the implications of the remark due to its ambiguity, and, further, he would in any case hesitate to censure it, since to do so would draw public attention to its possible scandalous connotation' (*Irish Times*, 5 March 1952). Flynn was reprimanded by the Ceann Comhairle for his behaviour with the Committee also finding that Flanagan's comments were in breach of the order and decorum of the House. This sanitised hint of political sex scandal was a blip on the otherwise blank morality record of Irish politics and journalism between the 1930s and the 1990s – a function of the ethos that constrained journalism during those decades.

Thus it is apposite to ask how best to explain the absence of political sex scandals in mid-twentieth century Ireland. Does the answer lie in the fact that politicians were better behaved than the generations that preceded and succeeded them? Or does it lie in the fact that newspapers avoided breaking sex-scandal stories to avoid attracting the odium of the Catholic Church and politicians of all parties? On the balance of probabilities – by looking at what went before and what came after this period in terms of political sex scandals, by looking at the sanitised coverage of the Flynn fracas of 1952 and the fact that newspapers consciously avoided any sex-related stories involving Catholic clergy (O'Brien, 2017, p. 119) – it would appear that the answer lies not in that fact that twentieth-century politicians were better behaved but in the fact that all newspapers avoided reporting on any sex-related content to avoid being accused of injuring public morality. Describing the socio-political climate of mid-twentieth century Ireland journalist and novelist Breandán Ó hÉithir (1986, p. 122) noted that it was characterised by 'repression, emigration, clerical domination, spurious patriotism and an education system that seemed to train people to be physically fearless and morally cowardly'. In his autobiography, long-time *Irish Independent* journalist, Ray Smith (1995, p. 2) recounted how reporters 'wrote "nice" copy and nice copy meant the sub-editors did not have to entertain qualms about letting it through. It was eminently suitable to the era when the Catholic Church exerted an influence in Irish life that was awesome and it extended into what went into the papers and what stayed out'. In a seminar vein, writer and editor of *The Bell* Sean O'Faolain (1941, p. 5) observed how

it is a tradition in Dublin newspapers not to exploit personal scandals, however juicy the news. You can call that anything you like – Hush-Hush, Cowardice, Prudery, Decency... Whether the thing is good or bad it is an instructive approach to standards of behaviour in journalism.

The establishment of a national television service, RTÉ, in 1961, obliged by law to be objective and impartial in its coverage of news and current affairs, compelled newspapers to adjust to a modernising Ireland in terms of

content (O'Brien, 2017, pp. 116–119). But while coverage of 'indelicate' topics such as ban on contraception and the successful constitutional challenge to this ban received substantial coverage during the late 1960s and 1970s, political sex scandals were still conspicuous by their absence right though the 1970s and 1980s – despite one politician voluntarily courting the media to deny rumours that most people had not heard, and the affair of another politician being well known to editors and journalists.

In October 1979, shortly after Pope John Paul II had concluded his visit to Ireland, the editors of the national daily newspapers – Aidan Pender of the *Irish Independent*, Tim Pat Coogan of the *Irish Press*, and Douglas Gageby of the *Irish Times* – and the news editor of RTÉ Wesley Boyd were summoned to Áras an Uachtaráin for a meeting with President Patrick Hillery. The editors were aware of rumours that had been circulating in media and political circles throughout the Pope's visit. The rumours had been, as recalled by Tim Pat Coogan (2008, p. 226), 'ignited and fuelled by the descent on the country of a hoard of British tabloid journalists' assigned to cover the Pope's tour. The rumours were as varied as they were detailed – Hillery was having an affair with a French woman who had worked for him during his time as a European Commissioner; there were photographs of him in a compromising position on a boat off the Isle of Man; a foreign publication was about to reveal that he was leaving his wife to live with another woman; a legal separation was imminent; and that he intended to resign as president. Addressing the editors, Hillery denied all the rumours and suggested that they were being spread in an attempt to force him to resign so that Fianna Fáil leader Jack Lynch would be forced to resign as Taoiseach to stand for the presidency, thus allowing Charles Haughey to become Taoiseach (Walsh, 2008, p. 460). Wary of being drawn into the web of intrigue, the editors advised Hillery to meet with their political correspondents and issue a statement to them. This Hillery duly did and so the correspondents had the unenviable task of informing the Irish people that their president's marriage was intact and he was not resigning. As the rumours had been circulating primarily in media and political circles, the news would have been surprising and confusing to the greater public. But Hillery had decided to deny the rumours after *Hibernia* magazine had contacted the President for a comment on the rumours. The following week *Hibernia* (11 October 1979) noted that 'for perhaps the first time since the founding of the State, the question of private morality in public life has been raised, though the press, at least, has so far dodged the issue carefully'. It also observed that 'all of the Irish daily papers rallied to the President [and] not one of them gave any details of the rumours that had led to the exceptional presidential statement'.

Conversely, all media outlets virtually ignored the long-standing affair between Charles Haughey and columnist Terry Keane. While the affair was an open secret amongst politicians and journalists it remained unknown to

the public. As recalled by former government press secretary Frank Dunlop (2004, p. 182), 'from a media point of view the liaison was forbidden territory – not by diktat of Charlie but because nobody at the time believed that the relationship had anything to do with the day-to-day running of the country'. However, the affair was occasionally mentioned, though not in any depth. In the July 1982 edition of *Magill* Vincent Browne published a profile of Haughey in which he noted the rumour that Haughey was 'involved in an affair with a well-known journalist'. The following year, in their book on his early administrations Joe Joyce and Peter Murtagh (1983, p. 102) referred to Haughey's 'lengthy liaison with a married woman'. But the affair was generally kept under wraps: at a lunch with the proprietor of *The Phoenix* John Mulcahy in 1983, Haughey complained about the magazine's coverage of him to which Mulcahy retorted 'You should be down on your knees for what we don't write about you' – a reference to the affair (*The Phoenix*, 21 September 2018). While *Irish Times* political writer Dick Walsh wanted to write about the affair he was told that he had 'no proof and that it would be hurtful to Mrs Haughey' (*Irish Times*, 22 May 1999). When the British gossip magazine, *Private Eye*, made a reference to the affair (Dunlop, 2004, pp. 183–184) 'the story was never commented on by the Irish media and the issue was practically banned from distribution' (*Irish Times*, 1 February 1994). In later years, Terry Keane's 'Keane Edge' column in the *Sunday Independent* made regular references to 'Sweetie', which many took to be references to Haughey: a tactic described by journalist Fintan O'Toole as 'halfway between full-bloodied British tabloid sensationalism and Irish cute-hoor reticence' (*Irish Times*, 22 May 1999). But, by and large, Haughey's affair remained a personal rather than a public issue, though it is possible that it had a bearing on his decision, amid the divisive divorce referendum of 1986, to allow Fianna Fáil TDs to vote according to their conscience. Though the vast majority of the party's TDs campaigned against the introduction of divorce, and Haughey declared himself 'personally against' divorce (*Irish Independent*, 21 May 1986), seeking to compel all party TDs to campaign against divorce potentially risked exposure of his affair as a story of legitimate public interest.

Compared to previous decades the 1990s witnessed a sustained increase in the number of political sex-scandals, though in truth they took the form of pseudo-scandals in the sense that while they received media coverage they did not result in any sustained public reaction. Several, particularly around the time of political contests, were explained by allusions – accurate or otherwise – to 'dirty tricks' campaigns while the most covered event – in which the private life of a politician was exposed to media scrutiny, did not meet with the public outrage that was par for the course for similar stories in Britain at the time. The 1990s witnessed several events that focused the media spotlight on the conduct of politicians within the precinct of the Dáil bar, with two Fianna Fáil TDs becoming embroiled in controversy when, in 1991 one

attempted to kiss a female political correspondent and, in 1998, the other tried to pull a female usher onto a couch. Both incidents were widely reported in the media with the first TD, Ned O'Keeffe, apologising and claiming that he was the victim of 'dirty tricks' from within his own party (*Irish Times*, 14 May 1991) and the second TD, Liam Aylward, also apologising for his actions (*The Irish Mirror*, 19 June 1998). In 1992 the race to succeed Charles Haughey as Fianna Fáil leader and Taoiseach saw questions about the supposed unconventional love life of a prospective candidate, Bertie Ahern, enter the public domain. The statement, made by Albert Reynolds supporter and junior minister Michael Smith, to the effect that 'the public likes to know where the Taoiseach sleeps at night' was viewed as contrasting the marriage and family life of Albert Reynolds with that of Bertie Ahern who was separated from his wife, no longer lived in the family home and who had embarked on a new relationship (*Irish Times*, 12 May 2007). Such scandal-related tactics are a method of what Ginsberg and Shefter (1990) refer to as 'politics by other means': Ahern declined to put his name forward for the leadership, leaving Reynolds to succeed Haughey as Taoiseach.

In a similar vein, the 1994 European elections witnessed much rumour mongering, this time centred on the Labour Party leader Dick Spring and former RTÉ journalist Orla Guerin who, in February 1994, was selected by the party leadership to run for the European Parliament in place of the party's sitting MEP Bernie Malone. Similar to the Hillery rumours of 1979, gossip of an affair between Spring and Guerin circulated in political and media circles, though unlike the Hillery rumours, the Spring-Guerin rumours entered the public domain. As in the previous case, the rumours were varied and detailed as recalled by Labour Party advisor Fergus Finlay (1998, pp. 220–221):

I've never known how they started or where they came from but they spread like wildfire. Dick and Orla were having an affair. Orla was pregnant with Dick's baby. Dick was having an affair with Orla's sister. To this day there are people who believe all this – who accept it as a matter of gospel fact ... And it was all lies, from start to finish. It was worse than that. It caused immense pain to the people involved – to Dick and Kristi Spring and to Orla Guerin and her family. Kristi Spring got phone calls at home about it – anonymous and otherwise – and was herself rumoured to be about to leave home ... Most of the newspapers – I think all of them, in fact – put reporters to work on examining these rumours, and none of them were ever able to find anything untoward. Denying rumours that hadn't appeared in print, in those circumstances, would inevitably have given licence to some of the papers to run intensely damaging headlines.

Despite the wide prevalence of the rumours, they were not reported on by the media although around that time, Michael Foley, then the media correspondent of the *Irish Times*, wrote an article in which he compared the prevalence of political sex-scandal stories in British media with the absence of same

in Irish media, noting that 'no newspaper or other media has ever run stories reporting on the sex lives of TDs, yet no one believes that TDs do not have affairs' (*Irish Times*, 1 February 1994). And, as Foley noted, it was not as if journalists did not have access to the rumours that might prove to be the foundation of a political sex-scandal story:

Go into the Dáil bar or any pub frequented by journalists and TDs. Listen to conversation and you will pick up gossip about politicians. You will hear people swear that so and so has a child by another woman; the TD 'X' has been having an affair for years. But pick up your newspaper the next day and the speech by the same TD on the importance of family values will be run without comment. There is a strong suspicion that if a British newspaper ran a story about the sex life of a senior TD the Irish media would not follow it up.

Why this was the default position was variously explained by Foley's interviewees who mentioned the sophistication of the Irish public and its journalists who had their priorities right (Sean Duignan, government press secretary); Irish people being more interested in politics than the private lives of politicians (Mary Kerrigan, Fianna Fáil press officer); the Irish media being less hypocritical and self-righteous and the greater tolerance of the Irish public (Tony Heffernan, Democratic Left press officer); Irish libel laws and the extensive editorial resources required to investigate such stories (Paddy Clancy, journalist with the *Irish Sun*); the general unwillingness to challenge the 'illusionary nature of family life in a deeply Catholic country' (Paddy Prenderville, editor of *The Phoenix*); the small size and personal nature of Irish society (John Horgan, former journalist, former politician and by then media academic); and the fact that 'backstage gossip about well-known figures already enjoyed considerable public circulation' (Luke Gibbons, media academic). Only one interviewee, Tony Heffernan, mentioned that it would be 'quite legitimate to go after a TD whose private life was at variance with his speeches on the sanctity of the family'. It was, Foley **speculated**, 'only a matter of time before the taboo is broken' as British newspapers in Ireland were increasing in popularity. **Throughout the 1990s there existed a concerted effort on the part of such titles to establish Irish-editions that sold at a lower price than Irish newspapers and were hugely successful in sales terms even if, at times, the headlines in the different editions revealed sensitive localisation. For example, when, in 1988, the SAS shot and killed three IRA members in Gibraltar the headline in the British edition of *The Star* was 'SAS rub out IRA rats', whereas the Irish edition's headline was 'SAS shoot dead three IRA men' (*Irish Times*, 3 September 1988). By far the most successful such title was *The Irish Sun*: its daily circulation increased from 30,000 in 1990–103,000 in 1999 (Horgan, 2001, p. 191). Such completion – and a more tabloid sensibility towards news values – led Michael Foley to assert that, 'one of them will get a story about a TD that will be published' (*Irish Times*, 1 February 1994).**

A month later, Foley's prediction came to pass when, under the impression that the Irish-edition of the *Sunday Times* was to break a story centred on repeated interactions between a politician and members of An Garda Síochána at a cruising area of Dublin's Phoenix Park, the *Sunday Press* and the *Sunday World* broke the story – though without naming the politician. However, having considered the story, the *Sunday Times* editorial team in London had vetoed the story on the basis that the politician had done nothing wrong (Foley, 2018, p. 233). The headlines of the front page stories – 'Politician quizzed by Gardai about rent boys' (*Sunday Press*, 6 March 1994); 'TD caught up in gay park probe' (*Sunday World*, 6 March 1994) – left little doubt as to the subject of the story. The following day's *Irish Press* also carried the story on its front page and further identified the politician as being a government member. Later that day Labour Party junior minister Emmet Stagg identified himself as the politician and acknowledged that while his conduct was 'undoubtedly indiscreet ... it was not illegal' (*Irish Times*, 8 March 1994). Political responses to the story ranged from Stagg's party leader and Tanaiste, Dick Spring, saying the issue was 'regrettable' and Taoiseach Albert Reynolds calling for 'charity and restraint' to Pat Cox of the Progressive Democrats calling on the Garda Commissioner to identify the 'merciless bastard' and 'rat' who had leaked the incidents to the press – a statement that was, in turn, criticised by the Garda Representative Association (*Irish Times*, 8 March 1994). Reaction within media circles also varied. When *Irish Times* columnist Fintan O'Toole accused the *Sunday Press* of hyping up 'a foolish but relatively unimportant incident with no real public implications' (*Irish Times*, 9 March 1994), *Irish Press* deputy editor John Garvey responded by observing that the *Irish Times* 'Drapier' political gossip column – written at this time by a senior Fine Gael politician – had noted a week before the story broke that 'Drapier has been aware of ever increasing rumours that an Irish-style sex scandal, involving a leading member of the House, is about to break. Drapier suggests to his readers that they keep their ears to the ground' (*Irish Times*, 16 March 1994; 26 February 1994). Two weeks after breaking the story, *Sunday Press* editor Michael Keane defended the story as being in the public interest on the grounds that while Irish media 'do not delve into the private lives of politicians when there is no public interest factor involved and his or her activities do not contradict the public attitude of the politician' such criteria did not apply to the Stagg story because it 'was a public act in an area of a public park so notorious a special Garda squad is being set up at taxpayers' expense to police it'. Keane also argued that Stagg had left himself open to the possibility of being blackmailed and noted that 'above all, it showed a very startling lack of judgement on his part' (*Sunday Press*, 13 March 1994). Overall, the story gained **little** traction with the public **and** Stagg **retained** his seat in the 1997 general election.

Whatever the merits of the Staff case, a taboo had been shattered. In quick succession came several more incidents of media exposure this time helped by the revelations stemming from the revelations of the Moriarty Tribunal of Inquiry. In April supermarket magnate Ben Dunne revealed payments to Michael Lowry and Charles Haughey (Murphy, 2000, p. 2003). With both men firmly in the media spotlight in relation to financial scandal, other revelations quickly followed. One week after Dunne's revelations, the *Sunday World* (27 April 1997) revealed that Lowry had spent a week abroad at a holiday resort with a woman who was not his wife. The following day, all national titles covered the revelations. Both the *Irish Examiner* (28 April 1997) and the *Irish Independent* (28 April 1997) carried the story on their front pages, and the *Independent* also carried a photograph of the woman concerned on an inside page; the *Irish Times* (28 April 1997) gave the story a brief mention on an inside page accompanied by a comment from Democratic Left leader Proinsias De Rossa who noted that while Lowry had to account for his political actions, it was 'grossly unfair' of newspapers to probe into the private lives of politicians as they had a right to privacy the same as any other citizen. In contrast, the Irish editions of British tabloids were more forthright, with the *Irish Mirror* (28 April 1997) declaring that Lowry had 'always made himself out to be happily married ... Everyone in Leinster House knew he was having a romance but it was all kept secret from the public'. The *Mirror* also – unsuccessfully – tried to embroil other politicians in the story: it pointedly asked whether then Taoiseach John Bruton knew of the affair and, if so, why he stayed silent. It concluded its story by stating that 'journalists have a right to reveal the private lives of politicians if it's in the public interest. And in Mr Lowry's case there's no argument'. However, the lack of a demonstrable and legitimate public interest angle to the story and indeed a lack of interest on the part of the public quickly ensured its disappearance from the news agenda.

Two years later, Terry Keane finally went public on her twenty-seven-year affair with Charles Haughey. Keane moved when it was rumoured that a journalist, Kevin O'Connor (1999), was writing a book on Haughey that would expose the affair. Keane appeared on RTÉ's 'Late Late Show' and spoke frankly about the affair. That weekend's Irish edition of the *Sunday Times* reached its highest ever circulation of 145,000 copies when it exclusively carried Keane's account of the affair – a three page spread complete with photographs of the couple (Foley, 2018, p. 238). As journalist Alison O'Connor noted, Keane's revelations were greeted with 'anger about her utter disdain for Maureen Haughey [who] always maintained a quiet dignity' (*Irish Times*, 22 May 1999). There was criticism too for the *Sunday Independent* which described Keane's actions as 'A lover's final betrayal': as Fintan O'Toole pointed out, the *Independent* had been 'titillating its readers with the same relationship for years' (*Irish Times*, 22 May 1999). Despite public demand

for details of Haughey's affair, subsequent stories along similar lines by British titles met with indifference. Hannon (2004, p. 246) **recounted how a Dublin newspaper had secured photographs of a politician in an incriminating position with a woman who was not his wife. However, an extensive trawl of the former politician's public utterances 'could not unearth a single incident when this politician had defended family values [and] unable to justify running the story on the grounds of exposing the politician's hypocrisy, an editorial decision was taken to pull the sensational spread'. A story about the same politician having an affair with an administrator subsequently ran in the *Irish Sunday People* (10 October, 1999) but gained little public traction. It was studiously ignored by other media, other than the *Irish Sun* (11 October, 1999) which repeated the details of the affair. This incident is an important indicator of the cultural difference in news-values between Irish titles and British titles published in Ireland: what mattered to the Irish title was not fear of defamation proceedings but whether there was a public interest angle to the story. Indeed, despite the prevalent discourse about defamation actions hindering journalism, according to long-time editor of the *Irish Times*, Conor Brady (2005, p. 167) establishing facts and a clear public interest angle are far more important:**

It was frequently claimed by editors and journalists over these years [1970–1990s] that the libel laws constrained them from publishing the truth about people and institutions that were subsequently shown to be corrupt or venal. I was never sure that it was as simple as that. In my experience it was the inability to get hard-and-fast information, rather than fear of legal consequences that hindered publication ... The real difficulty was that reporters often could not get beyond rumour. And that was rarely if ever sufficient, nor should it have been.

In Brady's experience (2005, p. 169), while there were 'instances in which it was not possible to go to publication because allegations or supposed facts could not be stood up ... the bulk of libel business was more prosaic. It arose out of errors, misunderstanding and glitches by reporters, sub-editors or production staff'. Indeed, it has been amply demonstrated that Irish newspapers will expose sex scandal if there is *prima facie* evidence and a demonstrable and legitimate public interest angle. The revelations about the love lives of conservative commentators Bishop Eamonn Casey and Fr Michael Cleary are two examples of such reportage (O'Brien, 2017, pp. 213–215). The inclusion of a public interest defence in the revamp of Ireland's libel laws that occurred in 2009 – a process that also saw the establishment of a Press Council and Press Ombudsman to adjudicate on complaints – has reinforced this journalistic norm. This is not to deny that the threat of defamation proceedings does not hinder investigative journalism: it does, though more so in relation to exposing complex financial corruption than exposing

sexual scandal. In the latter it is more difficult to establish a public interest angle unless the behaviour of the politician concerned contradicts previous public utterances or involves law breaking. Indeed, some newspapers have learned, at very great expense, the dangers of publishing false allegations of a sexual nature against those working in the political arena. In December 2014, *The Herald* incurred defamation costs of €1,250,000 and legal costs of €240,000 in relation to such a story that it later admitted was false (*The Herald*, 30 November – 16 December 2004). The national broadcaster, RTÉ, was also successfully sued for defamation in relation to the same story which centred on false allegations of a sexual relationship between a government minister and a consultant who worked intermittently for the politician.

The contemporary era: court cases and social media

Thompson (2000, pp. 90–118) has argued that the increased mediatisation of politics has prompted an increase in scandal stories in contemporary politics. He notes that ‘the more the lives of political leaders are made visible to others (and the more that political leaders accentuate their traits as individuals by disclosing aspects of self through the media) the more likely it is that previously hidden activities which conflict with the images that leaders wish to project will emerge in the public domain, triggering off a series of events which may spin out of control’. In addition, Thompson contended that greater mediatisation of political, social and economic problems has made ‘the credibility and trustworthiness of political leaders ... an increasingly important issue’. Thus citizens are ‘more concerned with the character of the individuals who are (or might become) their leaders and more concerned about their trustworthiness, because this increasingly becomes the principle means of guaranteeing that political promises will be kept and that difficult decisions in the face of complexity and uncertainty will be made on the basis of sound judgment’. Thus, scandals ‘concerning the private life of a politician is seen by many people to have broader political significance: it is not so much because they believe that politicians should adhere to strict moral codes in their private life, but because they are worried about what this behaviour tells them about the integrity and credibility of the individual concerned’.

While there remains a reticence amongst Irish media to intrude into the private lives of politicians – **with a clear exception being the high profile nature of the celebrity-like relationship between Fianna Fáil politician Jim McDaid and RTÉ broadcaster Anne Doyle** (Hannon, 2004, pp. 227–229) – there has, in recent years, been a core focus on actions relating to specific matters sexual by politicians, the reporting on which the media view as being of public interest as such actions may inform the electorate about the character of individual politicians. This distinction is intimated at

by the professional code of the National Union of Journalists (2011) which stipulates that journalists should do 'nothing to intrude into anybody's private life, grief or distress unless justified by overriding consideration of the public interest'. Broadly speaking, the actions by politicians in relation to matters sexual focused on by Irish media can be broken into two categories: (1) where politicians involve themselves in criminal cases relating to sexual offences; and (2) where politicians are captured on camera or on social media engaging in inappropriate behaviour.

In the first instance, several politicians have been revealed by the media as having contacted **judges hearing cases of constituents charged with sexual offences, or of having written character references for same.** While such clientelism was, at one time unchallenged and unreported on by the media, in recent years such representations have, in light of society's acknowledgment of the pervasiveness and impact of sexual offences, become more controversial with newspaper editorials and victim advocacy groups castigating the practice and the individual politicians who engage in the activity. Amongst those to fall foul of this new media focus was Progressive Democrats TD and junior minister Bobby Molloy who resigned in April 2002 when it was reported that a judge hearing a rape case against one of Molloy's constituents was telephoned and asked whether he could take a call from the minister. During sentencing the judge's comment that the approach was 'quite improper' was picked up and reported widely in the media. Giving his side of events Molloy stated that he had only asked his secretary to confirm with the judge's office that letters from the defendant's sister had been received. An *Irish Times* (10 April 2002) editorial outlined in detail the 'significant differences between the version of events provided by Mr Justice O'Sullivan and by Mr Molloy' and concluded that 'even if Mr Molloy's version of events is correct, what he did was unacceptable [because] court rules require that judges do not take account of material that does not arise during a hearing'. In his resignation speech, Molloy apologised to the victim and accepted he had made a 'human error of judgment' that might have created in the public mind a perception that he had 'secretly tried to influence a judge' (Dáil Éireann debates, vol. 552 (1), 17 April 2002). Media interviews with the victim – who castigated Molloy for becoming involved in the case – only added to the negative publicity (*Irish Times*, 11 April 2002).

In 2006, Fine Gael TD Pat Breen was criticised for tabling a Dáil question in relation to the possible early release of a convicted child rapist, to which the minister for justice, Michael McDowell, replied that given the seriousness of the offences, early release was not an option. Not only was the Dáil exchange reported, but victim advocacy group, One-in-Four criticised the question as inappropriate (*Irish Times*, 24 October 2006) with one of the perpetrator's victim's describing the representation as 'crass insensitivity' (*Irish Times*, 1 November 2006). The following year, the *Irish Times*, following a Freedom

of Information request, revealed that Fianna Fáil TD and junior minister Tony Killeen had twice written to the minister for justice (in May and September 2005) seeking the early release of the same offender. Questioned on the letters, Killeen stated that 'the representations by his constituency office were made in good faith, but without his consent'. Criticising Killeen's intervention in the case the director of the One-in-Four, Colm O'Gorman, declared that it was 'never appropriate for public representatives to seek early release' (*Irish Times*, 16 January 2007). Similarly, the Rape Crisis Network criticised the representation as 'totally reprehensible' (*Irish Times*, 17 January 2007) and columnist Mary Raftery observed how difficult it would be 'to overstate the pain and anger caused to victims by this kind of crass and self-serving activity on the part of our elected representatives (or their offices)' (*Irish Times*, 25 January 2007). In 2008 Labour Party TD Kathleen Lynch defended writing a character reference for a man charged with, and convicted of, multiple rape charges. In this instance, the judge read into the public record the letters of support for the defendant that had been received by the court. Responding to criticism from one of the victims who described the reference as 'a disgrace', Lynch explained that she did not know the accused but was asked to write the letter by his mother and felt it would be 'cowardly to refuse' (*Irish Times*, 19 April 2008). Lynch subsequently conceded that 'it was inappropriate for a TD to have become involved in a case of such seriousness' (*Irish Times*, 21 April 2008) while the Rape Crisis Network again criticised the practice of public representatives writing references for those accused of sex offences (*Irish Times*, 22 April 2008). In 2011 Senator David Norris temporarily halted his campaign for the Presidency after it emerged that he had written letters in 1997 to the Israeli authorities, seeking clemency for his former partner who had been convicted of rape (*Sunday Independent*, 31 July 2011). And in 2020 the Ceann Comhairle Seán Ó Fearghail apologised for having written a character reference in 2006 for a constituent who was convicted of rape. The apology was issued after the victim appeared on RTÉ's 'Drivetime' radio show and stated that the reference had left him feeling unbelievably (*Irish Examiner*, 25 February 2020). The public interest angle in media reportage on such political intervention in the judicial system has not been disputed by politicians and is instead strengthened by victim advocacy groups engaging with the stories.

In the second instance, wherein politicians are captured on camera or on social media engaging in inappropriate behaviour, there are fewer incidents though the so-called 'Lapgate' affair where Fine Gael TD Tom Barry pulled his female colleague Aine Collins on to his lap during an all-night sitting of the Dáil to discuss the Protection of Life During Pregnancy Bill 2013 attracted significant public attention since, unlike previous such incidents outlined above, this one was recorded on the Oireachtas television service and went viral on social media. The incident received significant media

attention with Emer O'Toole of *The Guardian* (12 Jult 2013) noting that the farcical proceedings 'perfectly represents the relationship between women's bodies and the Irish body politic' in which she noted, women were 'outnumbered 5–1 by male colleagues'. While Fine Gael initially dismissed the incident as 'horseplay', when Collins expressed unhappiness at this characterisation, the party upgraded the incident to 'unacceptable' and Barry apologised for his 'disrespectful and inappropriate' actions (*Irish Times*, 11 July 2013). Both Barry and Collins lost their seats at the 2016 general election. Similarly, the electronic records left by social media engagement have also left politicians open to increased public scrutiny – with media exposure effectively guaranteed if such communications are sexually themed. In 2014, Labour Party TD Patrick Nulty resigned his seat after the *Sunday World* (23 March 2014) revealed that he had, via social media, sent sexually themed messages to a seventeen-year-old girl. While the girl was above the age of consent, Nulty's resignation statement acknowledged the comments were 'inappropriate' (*Irish Times*, 24 March 2014). With the possibility of such events becoming public via social media channels traditional media outlets that may once have turned a blind eye to such occurrences can no longer afford the luxury of so doing for fear of being viewed as censorious or irrelevant. What this means for the politics of sex scandals remains to be seen.

Conclusions

As this article has demonstrated political sex scandal was a frequent part of Irish journalism pre-independence while post-independence, this approach was replaced with a reticence, inspired by religious morality, to report such scandal until the 1990s when the public reception of such stories was, by and large, flat. It finds that, today, unlike their international competitors, Irish media avoid reporting on the private lives of politicians and instead focus on incidents where politicians intervene in sex-related court cases, when politicians are caught acting inappropriately on camera, and on when politicians engage in matters sexual on social media. Thus, unlike the US and Britain, the key structural characteristic of contemporary Irish political sex scandals is not media intrusion into the private lives of politicians but rather media oversight of when and how politicians engage in sex-related issues in public fora. Tumber and Waisbord (2004b, pp. 1035–1037) argue 'scandals bring out the duality that underlines political life: the gap between what is being said and what things are, between idealised politics and down-and-dirty politics, between the norms that are publicly legitimated and upheld and actual behaviour' and it is this duality – between what Irish politicians say and how they act in relation to sex-related court cases and between their personas on traditional and social

media – rather than their private lives that are the focus of Irish political sex-scandal reportage.

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