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'I CANNOT GIVE THE NAME OF THE SOURCE TO THE COURT'

The Imprisonment of an Irish Political Journalist

Kevin Rafter

This article examines the case of the first Irish journalist to be imprisoned for refusing to reveal his sources. In his capacity as political correspondent with the Irish Press, Joseph Dennigan (1910–1950) was called as a witness in a case in December 1933 against a member of the 'Blueshirts', a quasi-fascist organisation. Dennigan declined to identify the official sources who he consulted in writing an article about the prohibition of the organisation. The decision to impose a one-month sentence on the journalist generated considerable political reaction and extensive coverage in the Irish and international press. Drawing on Dennigan papers, this article examines the contempt case and also issues that arise from this particular episode, specifically government transition and politician-source relations.

KEYWORDS Journalist sources; contempt; imprisonment; Ireland; Joseph Dennigan; *Irish Press*

Introduction

In December 1933 Joseph Dennigan, a political correspondent for a national daily newspaper, became the first journalist in the new Irish Free State to be imprisoned for refusing to reveal the source of information for a story he had written. Dennigan's month long imprisonment was 40-years before a more celebrated 'contempt' case involving a national television reporter related to coverage of the conflict in Northern Ireland. In subsequent years there were a handful of episodes during judicial proceedings in Ireland where journalists were called upon to reveal their sources although none of these instances led to imprisonment.

Separately, there have also been a number of high-profile contempt cases in relation to reporting the conflict in Northern Ireland. Most recently, journalist Ed Maloney was successful in his battle to avoid handing over his notes to the police in Northern Ireland who were investigating the murder of a Belfast solicitor.¹ In the United States, the Reporters Committee for Freedom of the Press maintains a list of correspondents either fined or imprisoned for defending the anonymity of their sources.² Well-documented cases have included Vanessa Leggett, a freelance reporter, who was imprisoned for 168-days in



Routledge

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2001 for protecting her sources (believed to be the longest contempt case imprisonment in the US); while four years later Judith Miller, a *New York Times* journalist, spent 85-days in prison for refusing to reveal the source who leaked her the name of a CIA agent.

Although from an earlier era, the Dennigan case also generated national and international attention. The case is more than a journalistic footnote, however, as it illustrates the challenges experienced in the first transition of power in the Irish Free State, which had been established in 1922. Revisiting the controversial episode also sheds light on 'reporter-politician' source relations at that time in the newly independent democracy.

The background of the imprisonment of Dennigan, a political correspondent for the *Irish Press*, was the first transition of power in the fledgling Irish Free State in the early 1930s. Following the signing of the Anglo-Irish Treaty in 1922, the pro-treaty Cumann na nGaedheal spent a decade in office before being replaced by Fianna Fáil, a party formed out of elements opposed to the treaty. Having entered government for the first time in 1932, Eamon de Valera's party consolidated its parliamentary position less than twelve months later with a snap general election, a contest described as probably the most bitter in the history of the state.³

Elements of the defeated side were deeply hostile to the new Fianna Fáil administration in part out of fear that the party, which had campaigned to repeal many elements of the treaty with the British side in 1922, would collapse the fledgling Free State democracy. The recent experience in countries like Germany, Spain, Italy, Portugal and Greece only heightened concerns that de Valera would assume similar dictatorial power. Tensions were further exasperated by the continued activity of hard-line militant republicans who refused to accept the legitimacy of the new constitutional arrangements and who saw de Valera's electoral success as boosting their position. While the transition between the rival parties was ultimately peaceful, there was, as Manning described, 'the total distrust of each side for the other in a tension-filled and poisonously bitter environment at a time when all the pent-up and malignant emotions of the Civil War decade were fast coming to a head.'⁴

Former members of the Irish Free State army, opposed to de Valera, had founded the Army Comrades Association (ACA) in February 1932, and within months the ACA had become 'a rallying point for staunch opponents' of the new Fianna Fáil administration amid increasingly violent clashes between the policing authorities, ACA members and hard-line republicans.⁵ Eoin O'Duffy, who was dismissed as garda commissioner in early 1933, was elected ACA leader in July 1933 when it was renamed the National Guard. Claiming to have some 25,000 members the organisation had already started to adopt 'the trappings of European fascism' including military-style blue uniforms (in April 1933), which gave the name 'the Blueshirts'. While initially presented as defending Cumann na nGaedheal meetings from disruption by republicans, the Blueshirts were also not adverse 'from using and espousing the use of violence to achieve their aims.'⁶

As Hanley has written, over the winter of 1933 there were 'major riots' in different parts of the Free State as Blueshirts and republicans 'fought at meetings, dance halls and on the roadside'.⁷ Dennigan's contempt case can be framed against this hostile environment, and the backdrop of wider political developments across Europe. His imprisonment arose, however, specifically from a report he wrote in December 1933 about moves by the Fianna Fáil government to outlaw the Blueshirts.

Section one provides a brief background to the establishment of the *Irish Press* newspaper in 1931, where Dennigan worked for almost two decades, while also describing the wider political context in which the title first emerged. Section two focuses on the trial of a leading Blueshirt member and explains how a national political journalist became embroiled in these judicial proceedings. Section three considers reaction to the imprisonment ruling. The article draws on Dennigan's papers to examine the contempt case and also issues that arise from this particular episode, specifically government transition and politician-source relations.

Joseph Dennigan and the *Irish Press*

Parliamentary structures in the new Irish Free State mirrored those of the departing colonial power—the so-called 'Westminster model'—while political correspondents in Dublin adopted a local version of the British lobby system although a briefing system took several decades to be formally established.⁸ In the first decade of the new state's existence, there were some uneasy moments in political coverage but, to a significant degree, reporting of political activity was essentially passive with little questioning of leaders and their decisions, and a strong reliance on prepared speeches.

For the reading public, British newspapers continued to have a significant presence alongside national titles. The two main national newspapers, the *Irish Independent* (which took over another paper, the *Freeman's Journal*) and the *Irish Times*, were supportive of the pro-Treaty side which entered government as Cumann na nGaedheal in 1922 and remained in office for the next decade. The outright opposition of Eamon de Valera and his supporters to the new constitutional structures lessened in 1926 with the formation of Fianna Fáil. De Valera's new party campaigned on a policy of dismantling the lasting British influence but, crucially, later ended its abstentionist policy and took their seats in Dáil Éireann, the parliament of the Free State.

The established national newspapers continued to endorse the incumbent administration, and offered the government party editorial support at successive elections during the 1920s. To counter what he considered as strident press hostility, de Valera committed to founding a new national newspaper. As noted by O'Brien, 'the expressed role of the new paper was to help establish Fianna Fáil as a legitimate political force and win support for it among the electorate.'⁹

De Valera raised money for the new venture in the United States. With this funding secured, he established the *Irish Press* giving himself a controlling position over the commercial and editorial side of the new title.¹⁰ The newspaper, which was first published in September 1931, promised not to be a party organ or to be politically partisan; yet, in reality support for Fianna Fáil was steadfast. At this juncture, the Irish national daily newspaper market consisted of three main titles—the *Irish Press* which backed Fianna Fáil, the *Irish Independent* which supported Cumann na nGaedheal (later Fine Gael) and the *Irish Times*, the smallest of the three in circulation terms, which opposed de Valera's party. At the 1932 general election, the *Irish Press* offered wholehearted support for Fianna Fáil and continued that partisan editorial leanings when the party entered government for the first time.

Many of the staff recruited to work at the *Irish Press* came from republication backgrounds with records of service in the revolutionary era. In that regard, Frank Gallagher, a seasoned republican and an experienced journalist, was appointed editor.¹¹ Born in 1910 in County Longford, Joseph Dennigan, was too young to have participated in 1916 Easter Rising or have had an involvement in the subsequent political and military events which led to establishment of the Irish Free State. He did, however, have an impressive resumé as a journalist having worked at three different provincial newspapers.

From a farming background, Dennigan had little formal education, having only spent a few years in national school. He left an impression on his school teacher, however, who deemed Dennigan a 'brilliant student' and encouraged his mother to support a career beyond taking over the family farm.¹² Funded by his grandmother he completed a correspondence course in journalism. In 1927, at the age of 17, he joined the *Longford Leader* as a junior reporter. Over the next few years he held staff positions at the *Offaly Chronicle* and the *Midland Tribune*.

Dennigan clearly made a good impression with his employers—provincial newspaper editors—who appreciated his writing skills and keen news values. An ability to use shorthand, according to J.M. Dowling at the *Offaly Chronicle*, made him 'a journalist of all-round competence'.¹³ James Pike at the *Midland Tribune* recorded that the young reporter was 'quick in getting around a district as he is a good cyclist, motor-cyclist and motorist'.¹⁴ In keeping with the Roman Catholic ethos of the conservative Irish society at that time, A.M. Farrell, the editor of the *Longford Leader*, noted that Dennigan was 'strictly honest and trustful, and a pioneer of total abstinence'.¹⁵

The manner in which Dennigan successfully progressed through the newsrooms of these regional newspapers indicates professional ambition. Given this motivation to develop his career, it cannot have been a surprise that he departed local journalism to work on a national title. His opportunity came with the establishment of the *Irish Press* in September 1931. Dennigan was employed at the new title from the outset, initially as a general reporter but within twelve months he was appointed as a political correspondent. The promotion was—his employers said—due to 'his remarkable journalistic ability backed by unbounded energy and initiative'.¹⁶

There were only a handful of members of the parliament press gallery at Leinster House in Dublin in the early 1930s. Dennigan's new position provided a front row seat in Irish political reporting at a time of tremendous change. Alongside coverage of national politics, the new role afforded ample opportunity to travel. De Valera was intent on elevating Ireland's standing internationally and in using the global stage to continue agitating for the reunification of the two parts of the island which had been sundered by the treaty in 1922. Dennigan reported from Canada in 1932 when an Irish ministerial delegation led by Seán T. O'Kelly (the deputy prime minister) attended the Imperial Economic Conference in Ottawa where British colonies and dominions sought to tackle the depressed economic environment. Twelve months later, he was in Geneva to cover the League of Nations when de Valera was in attendance. He also wrote extensively for the *Irish Press* throughout 1938 on the Anglo-Irish negotiations which ended the economic war between Ireland and Britain. Connections made when in Canada in 1932 opened up freelance opportunities. He filed stories from Ireland for the Canadian press for several years.

Dennigan was a popular figure among the tight-knit community of newspaper journalists in Dublin in the 1930s and 1940s. Colleagues recognised his keen news sense and positive appetite for work. They also knew his inability to suffer humbug or hypocrisy whether that was in the press gallery in Leinster House, the offices of the *Irish Press* or the Palace bar on Fleet Street, a favourite drinking establishment for journalists and literary figures in Dublin. 'He was as adamant and stubborn as the proverbial mule and would endure any loss rather than sacrifice truth to the whims of a dictatorial must from whatever quarter it emanated,' wrote Martin F. Coffey, one of his colleagues.¹⁷ According to Coffey, on account of Dennigan's willingness to call out those expressing opinions he knew to be ill-informed, he 'would have been a dismal failure as a diplomat.'

The Cronin Trial

When Fianna Fáil first entered government in early 1932 the party lifted a ban on the Irish Republican Army and sanctioned the release of republican prisoners. There was heightened tension through the country with increased republican intimidation of members of the former government party. By way of a response to attacks on individuals and disruption of meetings, the Army Comrades Association (ACA) was formed in August 1932. In the months that followed there were frequent clashes between the Blueshirts and the IRA, which peaked during the January 1933 general election campaign. The substance and tone of Blueshirt activity increasingly mirrored fascist organisations in Europe.

Amid continued meetings and parades (and associated violence) De Valera warned the Blueshirts that their 'nascent Fascism' would not be tolerated.¹⁸ Despite protests from Blueshirts leaders that the organisation (which had been renamed the National Guard) was legal and constitutional, it was banned in August 1933 although it continued in existence having quickly rebranded, once more, this time, as the Young Ireland Association.

On November 30, 1933, gardai (police) raided a property on St. Stephen's Green in central Dublin which was being used by the Blueshirts. According to the police officers, during the search, one of those present Edmund 'Ned' Cronin accused them of planting a gun as evidence to ensure he was arrested. For his highly charged complaints at the police officers, Cronin was charged with sedition.¹⁹ He was also charged with membership of unlawful organisations, essentially the analogous groups more commonly known as the Blueshirts. This second charge was dated December 9, 1933. Cronin pleaded not guilty to all the charges.

Cronin had been a republican activist in the war of independence and sided with the pro-treaty side during the civil war. He retired from the Free State army in early 1929. He was a founding member of the ACA and a leading public figure in the Blueshirts era. It was his suggestion that members wear a blue uniform shirt to avoid confusion in the violent conflicts with republicans at its meetings but also mirroring similar organisations in the European countries.²⁰

The military tribunal met at Collins Army Barracks in Dublin in December 1933 in connection with the charges against Cronin on grounds of sedition and membership of an unlawful association. At the outset, his legal team gave notice that they wanted to call Joseph Dennigan, a political correspondent, and P. J. Rutledge, the Minister for Justice to give evidence. The defence said the two men would be essential witnesses in

the case. The tribunal granted the application for Dennigan but sidestepped the question of issuing a summons for a government minister, deferring the request until it saw how the case developed.²¹ (Ruttledge was never called).

The rationale for involving Dennigan in the case was based on an article he had written for the *Irish Press* on a government decision to classify the Young Ireland Association as an illegal organisation on December 8, 1933. The following day, December 9, 1933, Dennigan wrote that a 'short period' was likely to be provided for members of the proscribed organisation to cease their membership so as to avoid prosecution. Cronin's legal team argued that the benefit of the amnesty had been not extended to their client. He did not read the *Irish Press* so he was unaware of the possibility of avoiding being charged with membership of an illegal organisation.

In his capacity as political correspondent with the *Irish Press*, Dennigan was called as a witness by Cronin's legal team. They wanted to know the source for his article on the amnesty for members of unlawful organisations, an amnesty which Cronin claimed had not been extended to him. Whatever the merits or otherwise of the legal arguments being made—the decision to focus on Dennigan's source was clearly also intended to embarrass the Fianna Fáil government.

Dennigan was shown a copy of the *Irish Press* from December 9, 1933. He was asked to examine one specific article which reported that members of the banned association would be allowed a short period of grace to cease their membership. Having confirmed that he was the author of the article, he was asked if the information for the article had come from an official source. Dennigan said the statement about a grace period was speculation on his behalf—as related organisations had been banned previously—but that he had consulted official sources before writing the article.

He declined an invitation to name the official sources. His claim of privilege was rejected by the president of the military tribunal. 'I do not wish to be contemptuous. I cannot give the name of the source to the Court without the permission of the source and of my editor,' Dennigan explained. He was duly advised of the next course of action. 'I am aware of the implication,' Dennigan replied. By way of an initial compromise, he was offered an opportunity to write the name of his source on a piece of a paper, which the tribunal president said would be sufficient to close-off the issue, but he also declined. Before acting on the impasse, the tribunal adjourned briefly to allow Dennigan to ring Frank Gallagher, the editor of the *Irish Press*. When the hearing reconvened, however, Dennigan explained that his editor was also in agreement that it would be a breach of confidence to provide the information requested.

Dennigan was duly sentenced to one month's imprisonment for contempt related to his refusal to disclose the source of the information in his *Irish Press* article. As the *Irish Times* report on the proceedings noted: 'Mr. Dennigan was then placed in the custody of a military policeman by the Registrar of the Court and removed.'²² He was taken to Arbour Hill Military Prison. The unusual feature of the decision to imprison Dennigan was that the identification of his source was not essential to the core matters in the trial. Cronin was subsequently found not guilty of sedition but guilty of being a member of an illegal organisation. He was sentenced to three months' imprisonment with the condition that the sentence would not be enforced if he posted a bond of £50 to keep the peace for two years. Cronin declined, and elected to go to prison.

Reaction to the Contempt Decision

The reaction to the Cronin verdict paled against the decision to imprison a national newspaper journalist. There was universal criticism of the sentence from trade unions and opposition politicians. The leader of the Labour Party raised the case with the government. Members of Dublin City Council passed a unanimous motion calling for Dennigan's immediate release with the Lord Mayor of Dublin saying the matter went beyond party politics.²³

The case also drew sharp criticism from local and national newspapers in Ireland. On the same day as the military tribunal hearing, the story made the front pages of the national evening newspapers. 'Dublin Journalist Sentenced by Military Tribunal' was the headline in the *Evening Herald*.²⁴ The following day's edition of the *Irish Press* led with the story—'Irish Press Representative Sent to Jail' and 'Sensation at Trial' were two banner headlines accompanied by a photograph of the newspaper's political correspondent. Dennigan's employer also published an editorial under the headline, 'A Wrong'. The newspaper observed that the journalist had been acting with the authority of his editor but that rather than hold the editor accountable the military tribunal had opted to punish Dennigan 'although he acted in full accordance with the best traditions and practices of his profession.'²⁵ The editorial writer in the *Irish Press* was not alone in calling out the absurdity that Dennigan had received a heavier sentence than Cronin who had been found guilty of membership of an unlawful association.

The coverage of the case clearly shows how competitive rivalry and different editorial leanings were universally set aside. In the *Irish Times*, the editorial writer joined the chorus in calling for Dennigan's immediate release. The writer described the journalist-source relationship as similar to the confidentiality enjoyed by doctors and priests respectively with their patients and brethren.

Under the system of British law, which is the basis of the Free State's law, certain persons whose functions depend upon confidence are allowed, in certain circumstances, to claim the privilege of silence when they are under examination in the courts ... without that guarantee of absolute secrecy the power of newspapers as news-gatherers and their influence in the formation of public opinion would be crippled.²⁶

In the *Sunday Independent* it was noted that, 'In the course of their daily work journalists necessarily undertake the most confidential inquiries ... It is the essence of their work that they should respect the confidences that they receive. If they were to act otherwise their task would be rendered impossible, and the public would frequently be deprived of important news that they have a right to know.'²⁷ A similar theme was referenced with biblical flourish in the *Meath Chronicle*: 'Break confidence once and the fountains of information dry up as did the Red Sea for the passage of the Israelites.'²⁸

The case also generated attention in the international press including in the *New York Herald-Tribune* which cannot have been without some discomfort for the new Fianna Fáil government in Dublin. An editorial in the *World's Press News* concluded that Dennigan 'had the sympathy of and admiration of every journalist in this country, whatever the colour of his politics.'²⁹ According to Roy Carmichael, a journalist in Montreal, the case had 'blazoned' across Canada and the United States. In correspondent with

Dennigan, Carmichael offered congratulations for the 'plucky stand for the journalistic code of honour'.³⁰ Interest in Canada was heightened as Dennigan also freelanced for newspapers there—the *Montreal Herald* ran a story under the headline 'Irish Journalist Sentenced to Jail At Cronin Trial'.³¹ Among the telegrams awaiting Dennigan when he arrived at Arbour Hill Prison was one from J.F.B Livesay, the general manager of the Canadian Press Association. 'Canadian newspapermen congratulate your fine stand for integrity press,' the transatlantic message read.³² Another telegram sent from London read: 'Dennigan Arbour Hill Military Prison = Congratulations Your Attitude Yesterday = McNally Daily Express.'³³

The two representative bodies for journalists in Ireland, the Institute of Journalists and the National Union of Journalists (NUJ), passed motions condemning the imprisonment. The Dublin Branch of the NUJ praised Dennigan for upholding 'the traditional rights of his profession'. A special standing committee was formed to lead a lobby campaign to secure Dennigan's immediate release.³⁴ An appeal to the military tribunal to sanction Dennigan's early release was ultimately rejected.³⁵

Notwithstanding the extensive coverage of the case, there was a reluctance in government circles to intervene despite having legal powers to pardon, remit or modify a sentence of the military tribunal.³⁶ There was a sense that had Dennigan worked for any other newspaper than the *Irish Press* he would have been promptly released, The De Valera government, however, clearly wanted to avoid any accusation of favouritism. The situation was explained by the unnamed writer of the 'Dublin Letter' in the *Waterford News*: 'The case is further complicated by the peculiar relationship that exists between the 'Irish Press' and the Government. The imprisoned reporter is personally known to all the members of the Executive Council, and it may have been thought that this fact would aid in securing his immediate release. It is, however, operating rather against him than in his favour, for the Executive are particularly careful not to give anybody an opportunity of saying that special favour was shown to one of their own friends.'³⁷

The government's decision not to intervene has been considered in the context of the transfer of power in 1932, the ongoing threat posed by the Blueshirts and de Valera's determination 'to consolidate his hold on power democratically'.³⁸ The Dennigan case was discussed at a government meeting on January 2, 1934 but the general tenor of the attitude of Fianna Fáil ministers is evident in a letter penned by Frank Aiken, the Minister for Defence on the first day of Dennigan's imprisonment.³⁹ Aiken had been a leading military figure in the revolutionary period. He was a founding member of Fianna Fáil in 1926 and considered a 'close confidant' of Eamon de Valera.⁴⁰

The one-page handwritten note from the minister with direct responsibility for the military tribunal to a prisoner in the care of an institution also under his governmental remit may seem extraordinary (and certainly today similar correspondence would be the source of significant public controversy). The 'tongue in cheek' tone in Aiken's correspondence points, however, to a degree of familiarity between the politician and journalist.

Dear Dennigan, A thousand welcomes to the Grand Hotel Aiken! It was really good of you to accept my invitation; I was afraid you had forgotten all about it. I am delighted beyond words, and I trust you will enjoy your months stay as much as I will. You may rest assured that every precaution will be taken to prevent you being annoyed by press

correspondents trying to interview you either personally or by phone. If there [*sic*] any books or anything else you would like please let me know.⁴¹

Dennigan's description of his new temporary abode was less fulsome than that offered by the Minister for Defence. 'The cells are drab green and whole apartments reminiscent of a Connacht railway station waiting room on a wet Saturday evening,' he recalled.⁴² One of his first actions when arriving at Arbour Hill was to write to his wife Madge asking that she bring him spare clothes, a toothbrush and his razor.⁴³ There was a limit on visits and letters that prisoners could receive. There was also a ban on newspapers but Dennigan quickly adapted to an environment where inmates were woken at 630am but confined to their cells until 530pm except for those volunteering for work which involved sweeping and polishing. Prisoners could wear their own clothes, smoke freely and read in bed until 10pm each evening.⁴⁴

With the lobby efforts to secure his freedom proving unsuccessful, Dennigan was eventually released on January 23, 1934 having received the normal remission of one-sixth of his sentence for 'special industry and good conduct'. He recounted that he had no complaints about his treatment and that he had had the opportunity to play handball and take daily classes in Irish and history. There was a touch of irony in that Cronin was also held at Arbour Hill where he wore his 'blueshirt' but did not participate in activities with the other prisoners.⁴⁵

An editorial in the *Irish Press* welcomed the release of the newspaper's correspondent whose 'courageous action' reflected credit not just on him but also 'upon the whole journalistic profession.'⁴⁶ Dennigan's colleagues organised a dinner in his honour at the Red Bank on D'Olier Street, a long-established restaurant adjacent to the *Irish Times* which had been referenced in James Joyce's *Ulysses*. The reporter continued to insist that he deserved no special credit for his action, claiming that others would have done the same. He praised the 'striking unanimity' among rival newspapers in defending the principle that the confidences of journalists should be respected. He also revealed that a cell had been prepared for Frank Gallagher, his editor, in the event that the military tribunal also sentenced him for contempt when he was called to give evidence in a separate case in mid-January 1934. Having dealt with one journalist, the military tribunal, however, did not show an appetite to extend contempt proceedings any further and found that the questions put to the *Irish Press* editor should be disallowed.⁴⁷

One of Dennigan's many correspondents from this time was Hannah Sheehy Skeffington, a prominent republican activist who had herself been imprisoned on several occasions for her role in the campaign against British rule and involvement in the suffragette movement. Sheehy Skeffington commented on the novelty of the universal support offered for his 'spirited protest' and expressed the hope that he had coped with his time in prison, noting how in her own experience 'how tiresome and [murderous] such imprisonment can be and how very long a month can seem.'⁴⁸

Conclusion

Joseph Dennigan did not seek to leverage his newly-bestowed notoriety nor does his career appear to have been impacted negatively by the controversy related to the

Cronin case. He reported extensively on the Anglo-Irish negotiations in London in 1938 and was eventually appointed an Assistant News Editor at the *Irish Press*. He was an active member of the NUJ and served on several national committees. He was also one of two candidates nominated by the NUJ at the 1943 Seanad Éireann election. The NUJ had been unsuccessful in securing nominating-body status to the newly established Upper House in 1937 but, six years later, it was a nominating body through its links with the trade union movement. It is not clear to what extent either Dennigan or R. M. Fox, the other journalist candidate, were serious about their electoral bids but neither man was successful.

Dennigan departed the *Irish Press* in November 1949 to take up a position as a senior reporter at the *Evening Mail*. The precise reason for his resignation—after 18 years at the *Irish Press*—is unclear but there was reference to a ‘disagreement on certain principles with Seán Lemass.’⁴⁹ When Fianna Fáil lost office in 1948, Lemass, who had been a cabinet minister over the previous 16-years of his party’s uninterrupted rule, assumed a more active role in the running of the *Irish Press* business, which Dennigan resisted on the editorial side. Some time later, Erskine Childers who worked in the commercial side of the *Irish Press* while also developing a political career in Fianna Fáil, ‘offered to secure him his old position or a better one’ at the newspaper.⁵⁰ Dennigan, however, declined.

Whatever the exact nature for the fission, it did not prevent Dennigan’s old employer, just twelve months later, marking his untimely passing at the age of 40. Dennigan had taken ill at the end of May 1950 and, with little hope of recovery, passed away within three weeks.⁵¹ He was, the *Irish Press* noted, ‘outstanding amongst Irish journalists.’⁵² Throughout these years, he had continued to file a weekly column, ‘Dublin Letter’, for the *Leinster Express* which in an appreciation article described him as ‘one of the most able and best-known journalists in Ireland.’ His funeral at Glasnevin cemetery was said to have been ‘one of the largest ever seen in Dublin.’⁵³ The chief mourners were his wife Madge and the couple’s three children as well as other members of Dennigan’s immediate family. Among those in attendance were members of the incumbent coalition government as well as numerous members of parliament. De Valera, who at that point was leader of the opposition, was also in attendance. A special meeting of the NUJ and the Press Gallery at Leinster House was called to pass votes of sympathy.

Dennigan’s obituaries all referred to his imprisonment. He had earned the accolade of being the first Irish journalist to be imprisoned for refusing to reveal his sources. In the decades that followed few journalists in Ireland were sanctioned for refusing to reveal their sources and, in general, the Irish courts sought to avoid what has been described as ‘unnecessary confrontation’ with the media.⁵⁴

Broadcast journalist Kevin O’Kelly spent one night in prison for refusing to answer a question in the Special Criminal Court in 1972 related to an interview with a member of the outlawed Provisional IRA. O’Kelly, however, was quickly released on bail, and following an appeal against the severity of the sentence the original three-months imprisonment was replaced by a £250 fine (which was paid anonymously).⁵⁵ The collapse of a contempt case against investigative journalist Susan O’Keeffe in 1994 avoided a judicial confrontation while in other cases source protection was extended arising from a European Court of Human Rights ruling that concluded that compelling disclosure of sources was not necessary in a democratic society.

The case of Joseph Dennigan retains a historical resonance, however, not just as the imprisonment of a journalist for source protection was a such rare occurrence but also for the context in which the case arose. The political handling of the military tribunal's decision sheds light on the new government's desire to be seen not to display favouritism. Moreover, the close relations between journalists and sources also emerges from the case.

Notes

1. "Journalists notes denied to police," *Guardian*, October 27, 1999.
2. Reporters Committee for Freedom of the Press. Accessed February 11, 2024. See <https://www.rcfp.org/jailed-fined-journalists-confidential-sources/>
3. Manning, *Blueshirts*, 196.
4. *Ibid.*, 109.
5. Traynor, *General Eoin O'Duffy*, 94.
6. Cronin, *The Blueshirts*, 54.
7. Hanley, "The Civil War Continued?" 810–11.
8. Rafter, "Reporting the Oireachtas," 401.
9. O'Brien, *Irish Press*, 2.
10. Fanning, *Eamon de Valera*, 157.
11. O'Brien, *Irish Press*, 32–33.
12. University College Dublin Archives (hereafter UCDA) Joseph Dennigan papers P188/38, R. Hudson to Madge Dennigan, 16 June 1950.
13. UCDA Dennigan papers, P188/3, employment reference, March 29, 1930.
14. UCDA Dennigan papers P188/2, employment reference, March 27, 1930.
15. UCDA Dennigan papers P188/1, employment reference, January 26, 1929; The 'pioneers' are a Catholic teetotaler organisation.
16. "Mr. J. Dennigan," *Irish Press*, June 15, 1950.
17. Coffey, "The Late Joe Dennigan."
18. Manning, *Blueshirts*, 110.
19. "Commandant Cronin Sentenced," *Irish Times*, January 6, 1934.
20. Cronin, "Cronin".
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