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A March of Moral Panic?

An Examination Of Reaction To Crime in Ireland in March 2006

A thesis submitted to the Dublin Institute of Technology in part fulfilment of the requirements for award of Masters (M.A.) in Criminology

By

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October 2007

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Declaration

I hereby certify that the material submitted in this thesis towards the award of the Masters (M.A.) in Criminology is entirely my own work and has not been submitted for any academic assessment other than part-fulfilment of the award named above.

Signature of candidate……..

Date…….....

Abstract

Moral Panic is a concept that examines disproportionate reaction towards an event or persons. In March of 2006, several events occurred which provoked strong reactions from the media and from politicians. This thesis explores and examines those reactions, and will try to determine if a moral panic could be said to have occurred. This is accomplished through a qualitative reading of the reactions, by identifying themes running through the discourse on crime of the time in question, and by applying indicators of moral panic to the data. The study finds that though the reactions may not necessarily indicate moral panic, coverage of the event in both the political and media spheres proved unsatisfactory, and a recommendation of a need for moderation in future discourse on crime is suggested.

Acknowledgements

I wish to express my gratitude to the following people, whose help and encouragement have been invaluable in the completion of this dissertation.

Claire Hamilton, Dublin Institute of Technology, for her supervision, guidance and tireless support in this research.

The academic and support staff at Dublin Institute of Technology for providing the educational structures upon which this research was built.

I would also like to express my sincere thanks to my parents for their continual support and encouragement in my studies, and for their opinions on this dissertation.

In his introduction to Animal Farm (1945), George Orwell wrote that ‘to exchange one orthodoxy for another is not necessarily an advance. The enemy is the gramophone mind, whether or not one agrees with the record that is being played at the moment’.

Words to live by.

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1 Introduction

1.1 A March of Moral Panic?

On the morning of Sunday March 5th 2006, a 40th birthday party was being held at a house in Adare Green, Coolock. At approximately 2:20a.m, a group of four men attempted to gain entry to the party, but were turned away by the owner of the house, Rhonda Flanagan. They returned to the house about ten minutes later in a silver Volvo, at approximately 2:30a.m, and a gunman left the car and discharged 5 shots from a Luger pistol, two of which entered the house, with one fatally wounding 22 year old Donna Cleary. The bullet entered the right side of her chest, penetrating her lung, causing shock and heavy internal haemorrhage. She died from a cardiac arrest at 4:26a.m at Beaumount Hospital.

At 11p.m on Sunday, 5 people were arrested at house in Kildare in relation to this, and taken to Coolock Garda station for questioning. The primary suspect to have fired the gun was Dwayne Foster. Throughout the next day, Foster complained of feeling unwell, and was visited by a doctor, and was also taken to hospital, but was discharged. At 2:30a.m on Tuesday morning Dwayne Foster was found slumped on the floor on the cell, with blood trickling from his nose. He was taken to hospital and was pronounced dead at 3:15a.m. It was later determined that he had died of natural causes.

The murder captured the attention of the media and politicians. Amid talk of “tragic Donna”, the murder was declared a “watershed event” and Opposition leaders declared that “anarchy ruled” the streets of Dublin.

Towards the end of March, a second event occurred which brought the idea of a crime crisis again to the fore. At approximately 4:30a.m on Sunday March 26th a Lexus travelling along the M50, carrying two Dublin based drug dealers (who wore bullet-proof vests) and three female passengers, was pursued by an Opel Astra carrying four men wearing balaclavas. At least one of the men was armed and opened fire on the car. The driver of the Lexus accelerated, but the Astra pursued, and a man discharged

a number of shots each time, hitting the Lexus approximately 16 times. The chase and gunfire continued up the motorway, before the Lexus pulled into the forecourt of a petrol station. The Astra drove off, and Gardai were called. One of the men, a 24 year old drug dealer from Finglas, suffered a flesh wound to his elbow, and had been shot in the stomach two weeks previously. He was treated in James Connolly Hospital in Blanchardstown, but discharged himself and refused to co-operate with the Gardai. Following this event, Dublin was likened to "East LA" and politicians clambered to speak on the "crime crisis" in Dublin.

1.2 Research rationale and aims

This study looks at the reactions to the events described above, and asks whether the media coverage and the behaviour politicians exhibited constitute a case of moral panic**.** Moral panic is a contested concept, and the only way to avoid this is a careful examination of societal reaction at the time of the possible panic.

The aim of this study is to examine the reactions in depth, to critically discuss the responses to the events from those aspects that make up societal discourse, and to assess the possibility that these reactions constitute a moral panic.

1.3 Dissertation layout

The dissertation is divided into six chapters. The introductory chapter describes the events the study examines, and sets out the rationale behind the research.

Chapter two provides a literary examination into the concept of moral panic. In addition, the conditions of crime discourse in Ireland, as well as previous instance of moral panic are described.

The third chapter explains the methodology used in the study. The contents of the sample are outlined, and the rationale behind the approach used, qualitative analysis, is discussed. In addition, the indices by which one can judge a moral panic to have occurred are presented.

The findings of the research are detailed in chapter four. The two events in March under examination, the Cleary murder and the M50 shootout, are examined individually, with the coverage and attention given to the event detailed in a chronological fashion.

Chapter five analyses and discusses the results of the findings. Themes that arose from the examination of the findings are explained, and the indices of moral panic are then applied to the findings.

The concluding chapter sums up the findings, and whether the reactions to the events in discussion could be judged as moral panic is decided. Finally, the recommendations of the author are presented.

2 Moral Panic

2.1 Moral Panic and Fear of Crime

What is "moral panic"? As we shall see, it is a controversial term; however, at a basic level, moral panic is a 'disproportional and hostile social reaction to a condition, person or group defined as a threat to societal values' (Murji, 2006:250-1). It can be witnessed through the reaction of the media, of politicians and other keepers of the civic sphere, of social commentators, and finally through the reactions of the public. It is a curious mixture of simplification and disproportion; however, disproportionate reaction is arguably the essential point of moral panic (Critcher, 2006:2). While moral panics can happen across many aspects of society, they occur most commonly in relation to health and medicine, and to crime.

Central to moral panic is the concept of a "folk devil": a specific body that exists (and indeed is often created) to absorb societal wrath. A term coined by Stanley Cohen (1972), it is important to note that although a folk devil 'is typically identified with the evil doings of an individual or group of individuals…Cohen's definition…encompasses not only "persons or groups of persons" but also "conditions" and "episodes"' (Ungar, 2006:292). The folk devil in moral panic theory is perceived to constitute a threat to society – indeed, is often viewed as inherently "evil" – and hence action is demanded to remove or neutralise this threat. The threat itself is typically over-exaggerated – the consequence, however, is that this disproportionate reaction can result in real fear. Though the reasons for this anxiety may in fact be untrue or inflated, the anxiety does remain. The importance of studying moral panic is to emphasise 'the fact that reactions to unconventional behaviour do not arise solely as a consequence of a rational and unrealistic assessment of concrete damage that the behaviour in question is likely to inflict on the society' (Goode and Ben-Yehuda, 1996:29-30).

However, as suggested above, moral panic as a concept is not without its problems. To begin with, if disproportion is the key, how is it decided that the reaction is disproportionate to the threat? There is the constant danger of the disproportionate label becoming an arbitrary entity, with arguments for and against its use dominating

the discourse until any idea of moral panic is lost in a muddle of unquantifiable levels. Indeed, the usefulness of the term "moral panic" has been queried as it is 'a metaphor which depicts a complex society as a single person who experiences sudden fear about its virtue. The term's anthropomorphism and totalisation arguably mystify more than they reveal' (McRobbie and Thornton, 2006:271).

Therefore, in claiming a reaction to be moral panic, one must take responsibility for making the following claim:

> *the judgement is not a neutral one; it is implicitly negative. It implies that the problem is being distorted and exaggerated, that it is being hyped up by the media and other interest groups, that unspeakable monsters are being manufactured and that the end result will be the adoption of measures out of all proportion to the actual threat. The moral panic classification does not imply rational appraisal, considered reaction or appropriate remedies* (Critcher, 2006:3)

Hence, moral panic as a term runs the risk that actual problems can be labelled as "moral panic" and robbed of their legitimacy, similar to the oft-times trotted out slogan of right-wing commentators: "It's political correctness gone mad!" To label the social reaction as a moral panic even invites 'varieties on non-intervention: either because the reaction is based on literal delusion or because the problem does not deserve such extravagant attention' (Cohen, 2002:xxxiii).

Another point of note is the extent to which moral panics remain unique and occasional events. McRobbie and Thornton argue that

> *moral panics have become the way in which daily events are brought to the attention of the public. They are a standard response, a familiar, sometimes weary, even ridiculous rhetoric rather than an exceptional emergency intervention. Used by politicians to orchestrate consent, by business to promote sales in certain niche markets, and by media to make home and social affairs newsworthy, moral panics are constructed on a daily basis* (McRobbie and Thornton, 2006:266)

A related point is that audiences are diverse in their reactions, and are not unaware of at least *some* of the machinations in orchestrating moral panic, especially when it comes to the one of the key channels of reaction – the media. Thus 'while a consensual social morality might still be a political objective, the chances of it being delivered directly through the channels of the media are much less certain' (McRobbie and Thornton, 2006:275).

While an effect may result from moral panic, the level of effect created may be overestimated. But the concept of moral panic contains within it the implicit suggestion that the anxiety and fear is misplaced. During a typical moral panic, it is common to compare the reaction with the "hard facts", such as crime rates, to illustrate the apparent disproportion. It will be shown that, for example, there is an overestimation of crime by the public compared to the statistics given by government. While the obvious and well-versed criticisms of "official statistics" are well known, Lea and Young made the additional point that such comparisons seem to miss the point about fear of crime: 'the comparison of fear of crime with victimisation rates has a fatal flaw in its logic. It assumes that all people are equally equipped to withstand the impact of a given crime – that we are all equally resilient and similarly vulnerable' (Lea and Young, 1993:33), and, even more bluntly, 'if a crime is sufficiently frightening, its *comparative* infrequency makes it none the less intimidating' (*ibid*:36).

So, is this a fair criticism, that moral panic as a discourse on crime is somewhat patronising and reductionist as regards public anxiety? Discussing this, Goode and Ben-Yehuda argue that

> *the point is, yes, fear and concern do, for the most part, grow out of the very real conditions of social life. But no, they need not be commensurate with the concrete threat posed specifically by that which is feared – indeed, that threat may not even exist in the first place. At the same time, concern is almost certainly based on some concretely real phenomenon – even though that which is feared specifically may only be tangentially related* (Goode and Ben-Yehuda, 1996:49)

Moral panic discourse is not intended as a dismissal of public concern, nor does it deny the existence of social problems. What it does do, however, is draw 'attention to a meta debate about what sort of acknowledgement the problem receives and merits. The issue indeed is proportionality' (Cohen, 2002:xxxiv). Simply because it examines reactions in a critical way does not mean that it is suggesting that there should be no reaction – it is instead examining what is constructing those reactions, and if an actual problem is being miscontextualised and treated in an irrational way

2.2 Media Presentation and Political Rhetoric

It must be noted that the media may play an enormous part in the spreading of anxiety, and indeed inflame fears, but they do not 'necessarily, create these fears in the first place' (Lea and Young, 1993:37). So, if we accept the existence of the causes of anxiety, in what way do the media sustain it? O'Connell argues that

> *the media do not directly set out to distort public opinion, but by* entertaining *people with crime, rather than informing the public about it, certain consequences follow… a steady stream of salacious and lurid crime stories sells newspapers but ultimately distorts the public understanding of crime as a serious social problem* (O'Connell, 2002:245)

This, however, may be more about the nature of the media. In interviews with journalists, O'Connell puts forward their belief that, regarding crime news, in order for a newspaper to be successful – or even to survive - they are unable to reflect the mundane reality about crime: the reading public would simply not be interested (ibid, 2002:257-60).

It would appear from such research that sensationalistic news is the chosen method of delivery for purely commercial reasons. This does not necessarily, however, make the media any less complicit in how they report. A bias in the reporting of crime can prove particularly significant, as for many, newspapers and other sources of media are

the only access to crime information available. Something that can be attached the label "crime theme" is

> *latched on to by the media, and once adopted is the means by which a "crime wave" is assembled. Essentially, this theme is identified for, and built upon by the media. What it involves is greater reporting of the themed crime, rather than any necessarily proportionate increase in the prevalence of its commission. In this way the media representation of the theme becomes extreme and over-inflated, going far beyond the evidence to the point that it is no longer matched or justified by reality* (Carey, 1999: 56)

Furthermore, the role of the media is such that, in print media for example,

> *the language employed will…be the* newspaper's own version of the language of the public to whom it is principally addressed*: its version of the rhetoric, imagery and underlying common stock of knowledge which it assumes its audience shares and which thus forms the basis of the reciprocity of producer/reader* (Hall et al, 1994:61)

Thus certain newspapers give crime a more prominent place than others. With this access to the public, does the form the delivery of information take matter? Research suggests that the answer is ambiguous. From their study, Williams and Dickenson suggest that 'people who read newspapers which contain more salient crime reports show more FOC [Fear of Crime]' (Williams and Dickenson, 2006:222), yet they also issue the caveat that 'it appears that sensationalism does not bring with it a comparable increase in fearfulness… Readership gullibility may have been…overstated' (ibid, 2006:223). It is not *simply* the presence of sensational details that cause FOC, but rather the *constant* barrage of the details.

Likewise, O'Connell points out that 'while media analysts may be able to show that there is a newspaper bias towards violent and sexual crime, they are wrong to assume that this must inevitably skew the reader's perceptions… people are not unaware of media bias' (O'Connell, 2002:262). However, there is no 'clear evidence that the public employs its awareness of media bias to adjust perceptions of the seriousness of

the crime problem' (ibid, 2002:262). Cohen (2002) too, in his classic text on moral panic, recognises public awareness of media hyperbole:

> *the mass media responses to the Mods and Rockers were more extreme and stereotypical than any of the samples of public opinion surveyed. This is not to say that the mass media images were not absorbed and were not the dominant ones to shape the reaction, but rather that the public coded these images in such a way as to tone down their more extreme implications* (Cohen, 2002:49)

If the media is one of the main avenues for the dissemination of moral panic, the corresponding effect within the political realm has perhaps wider ramifications, as 'crime fear can shape the way we treat crime and those we criminalise; it can have effects on the machinations of the justice system' (Lee, 2007:6). As we shall see the latter is a very real effect of moral panics. Beyond that, though, the forum that politicians work in lends itself to a sensationalism similar to that found in the media regarding crime; however, the pressure the media can exert upon politicians places it in a key position. In the same way that the majority of the public recieve their information on crime from the media, the majority of the public also encounter politicians through this same media. So, we have a situation where

> *when politicians are called upon to respond to the occurrence of a sickening crime, then there is only one plausible response they can make. They have got to show themselves as concerned and as angry as the most outraged in the community. And they have got to do that in the newspaper headline or the thirty-second sound bite* (Petit, 2002:235).

We find that politicians and the media become accomplices of a sort, both complicit in their formulations of reality: 'to some extent… the media agenda (esp. television and radio) shapes the political discourse in the sense that it makes proper discussion a luxury' (O'Donnell and O'Sullivan, 2001:75). And yet, while they may be responding in the way they believe the public desires, to what extent do these responses accurately reflect either the reality of crime, or even the public's attitude? On the one hand, the public, partly because of the media's treatment of crime, tend to be ill informed, so perhaps politicians are simply responding in a logical way. On the other,

‘examination shows that the public tend to have ambivalent attitudes towards crime and punishment’ (ibid: 73), with evidence from America (Beckett, 1997) showing ‘that it is the preoccupation among politicians with crime issues that causes citizens to become concerned and not vice versa’ (ibid). While it is the natural rules of the game of politics that the politician shall try to empathise with the wider public, the difficulty arises when ‘public outrage and empathy is automatically translated into demands for draconian measures’ (Hamilton, 2007:103).

2.3 Ireland and Moral Panic

It has been argued that ‘more and more people share the conviction that Ireland has become a dangerous place, where fear stalks not only the city streets but also the quiet rural by-ways’ (O’Mahony, 1996:167), with McCullagh suggesting that ‘much of the debate about crime [in Ireland] often appears to be driven by the anxieties of the particular moment rather than by a fuller understanding of the dimensions of the problem’ (McCullagh, 1996:ix); although it is unlikely that this is a singularly Irish issue. It has been put forward that

> *crime control and discourse takes place on two levels – pragmatic approaches based on risk reduction for the more mundane offences, and moral panics about the exceptional crimes of violence. Responses to the latter serve to assuage popular anxiety and frustration symbolically, whilst the former are geared to provide as much routine protection as is possible and affordable* (O’Donnell and O’Sullivan, 2001:35).

There is certainly a precedent for moral panic in Ireland. The period following the murders of journalist Veronica Guerin and Garda Gerry McCabe in the summer of 1996 has been identified by O’Donnell as a ‘textbook case of moral panic’ (O’Donnell, 2005:106). Meade (2000) concurs that

> *the events that unfolded in Ireland during [that time] may be placed in the framework of a moral panic. The media’s use of sensational headlines and melodramatic vocabulary coupled with the rhetoric of the parliamentarians*

> *ensured a public discourse of organised crime through which a process of sensitisation could take place* (ibid: 12)

While the murders were the catalysts for the moral panic, these events occurred within an environment of increased and magnified coverage of crime. Illustrating this, O'Mahony discusses the coverage of three unconnected murders in January 1996 in Kildare, Kerry and Galway, which he suggests is a 'good example of the powerful media contribution to the growth of fear, to public moral panic and to a possibly permanent reshaping of social attitudes and perceptions' (O'Mahony, 1996:171). Following saturated media coverage of these events, public reaction, on radio talk shows for instance, consisted of angry sentiments, and the desire for harsher police action, emergency powers, and preventative detention. And despite the actual presence of a climate of fear of crime, O'Mahony argues that the 'evidence is clear that sectors of the media, particularly the tabloid press…yielded to the temptation to sensationalise and exaggerate and…moved with casual ease from the reporting of specific stories to sweepingly false generalisations about the dissolution of civilisation as we know it' (ibid: 173). It was within this context that the Guerin and McCabe murders occurred. However, it was not simply the media's coverage of the crimes which caused the moral panic which followed; the

> *role played by politicians in the wake of the Guerin assassination was crucial… The public, in turn, passively accepted the diagnosis of the politicians, as reported in the media, that organised crime had suddenly become a real threat to the Irish State. Equally, the law enforcement agencies showed no displeasure at being given additional powers to make their task a little, if not a lot, easier* (Meade, 2000:12)

From the massive newspaper coverage, demonstrations of public sympathy, and indeed, a special session of the Dail called in the summer, it is clear what occurred constituted a moral panic.

Following the two high profile assassinations and the ensuing furore, in July of 1996, several pieces of fairly draconian legislation were passed (at breakneck speed) through the Dail, including the Criminal Justice (Drug Trafficking) Act 1996 (which

included erosion the right to silence for suspects), the Criminal Assets Bureau Bill 1996 and the Proceeds of Crime Bill 1996 (which allowed for effectively punitive and retributive civil actions to be taken without the broad benefits of legal protection).

The Irish media are by no means unique in their production of crime news, with O'Mahony suggesting that the Irish experience has been such that

> *the media have always exploited the inherent drama and interest in crime and willingly pandered to the public's often salacious appetite for crime stories, but as the bounds of the permissible have expanded, some sectors of the media have developed a reprehensible approach which is sensational and voyeuristic. Supposedly factual accounts and purportedly serious analyses and comment are often exaggerated, and intended to provoke an hysterical response* (O'Mahony, 1996:170)

In this regard, O'Connell's analysis of a large sample of Irish newspaper articles (2191 articles across four different newspapers in Ireland) is particularly informative. His research suggested at least four obvious media biases at work, which were in line with those found in international studies (O'Connell, 2002:249). The first was located in 'the selection of crime stories which dealt disproportionately with extreme and violent offences' (ibid, 2002:246). The second identified was that 'not only was there a bias towards more extreme stories appearing in the press [but] these stories were also given more coverage within the newspaper' (ibid, 2002:247). The third bias O'Connell found was that the 'characteristics of victims and offenders played a part in selection for coverage. The data provided at least tentative evidence for a vulnerability hypothesis – that is, more physically vulnerable victims were preferred over more vulnerable one' (ibid, 2002:247). The final bias was located in the general pessimism and negativity of overview articles, with 'strong themes of moral mini-panics in the warning or catastrophic tones used in describing trends and the wider picture' (ibid, 2002:248/9). O'Connell also puts forward the idea that, when compared with statistics (even with their dubious nature), it 'is clear that the public estimate [of increase in crime, etc] is not based on these objective changes since there is no correspondence in the rate of change estimated by the public compared to the Gardai' (ibid, 2002:251). The tentative implication of the research is that the aggressive style

of reporting on crime utilised by the Irish media has some effect on the consuming public. As noted above, this is plausible as the majority receive their information on crime from the media.

In the political realm too, the trends discussed above appear to be evident. O'Donnell and O'Sullivan argue that during times of crisis, Irish politicians do not steer public opinion towards moderation; rather they seize 'the opportunity to further inflame passions' (O'Donnell and O'Sullivan, 2001:35). They use the example of the 1997 election to illustrate this. Bearing in mind that this was after the moral panic in the summer of 1996, 'public concern was inflated by increasingly aggressive reporting of crime issues by the media, leading to the belief that Gardai were unable to deal with a small number of individuals who were thought to control organised crime and the drug trade in Dublin' (ibid, 2001:2). Fianna Fail seized upon the topic of law and order in the 1997 election, with the party adopting a "zero tolerance" slogan borrowed from the US. The specificity of this approach was a singular form of zero tolerance: O'Donnell and O'Sullivan identify it as

> *intolerant of non-conformity and fearful of change. To restore certainty, civility and stability, the police and other agencies must exercise the full range of their coercive powers. Those members of society whose behaviour upsets and threatens needs to be rendered docile and to conform to elite perceptions of appropriate conduct* (ibid, 2001:37)

The authors point out that Fianna Fail, though successful, were not necessarily returned to power simply because of their zero tolerance politics (ibid, 2001:44); in spite of this though, the party's commitment to this approach to law and order remained, and indeed solidified with real consequences. An example cited by the authors is that 'between 1990 and 1996 proceedings against beggars were initiated on an average of 128 occasions each year. Since 1997 and the official call for "zero tolerance" policing, proceeding have rapidly increased… The average number of prosecutions each year between 1997 and 1999 was 508' (ibid, 2001:54-5). In a very real way, such a climate of intolerance and hysteria in Irish society can influence the nature of law and order. This period provides an excellent illustration of the fact that the media-generated hysteria about crime and violence can, at worst, "narrow the

public and political debate, closing off options for policy change and pushing politicians towards quick-fix, and usually harsh, repressive “solutions” (O’Mahony, 1996:173)

3 Methodology

3.1 The Sample

The sample for the study was a collection of articles from 2 newspapers, Dail transcripts, and 2 television programs from the month of March 2006. The month of March 2006 was chosen primarily due to the death of Donna Cleary. Her murder was declared at the time by Minister for Justice Michael McDowell as a "watershed". For the purpose of the study, it was decided that this month would make a good candidate for an examination of responses, due to this and the other highly charged crime occurrence, the M50 Shootout.

When the sample was examined, it was found that the two events within this timeframe that comprised the bulk of coverage on crime related matters in March 2006. A third event, consisting of an argument between Government and Opposition over Gardaí numbers was considered for inclusion, but was judged to be primarily to be a political argument than crime related, so it was not included.

The newspapers used were two dailies, the Irish Times and the Evening Herald. The reason for using both was that one is a broadsheet newspaper and one a tabloid. What was examined was how the individual stories were presented, the overall tone of the coverage, the focus of the coverage, and whether a range of viewpoints were offered.

The televised media used was Primetime and Questions & Answers. Broadcast twice a week, Primetime is a current affairs program televised on RTE1, and is a mix of live-panel discussion and investigative journalism. Questions & Answers is broadcast once a week, and presents a live panel of public figures and academics with questions asked by the studio audience, generally on issues of the week. The tone and focus of the coverage was examined in both cases, as were the range of viewpoints offered.

Transcripts of Dail sessions for the month of March were examined to gather political reaction. How each of the two events in question were treated by both Government and Opposition parties was analysed critically. In this way, political response was noted and documented.

3.2 Qualitative Analysis

The study used qualitative methods to analyse the data. The benefit of using this method over quantitative analysis was that it lent itself better to the idea of analysing documents for their contents and contexts within a societal framework. In particular, qualitative content analysis

> *enables the researcher to consider not only the ways in which meaning is constructed, but also the ways in which new meanings are developed and employed… In the process, theory is generated, modified and tested from the particulars of the document to a general understanding of its context and ways of representing the social world* (May, 2003:193)

Due to the nature of the research, a strategy and conceptual framework of subjectivity was paramount, as the focus was less on the situation itself, but rather on the meanings one gave to the situation (May, 2003:14-5). Likewise, the importance of interpretation was emphasised, as 'in the end few or no humanly created sources are just transparent purveyors of clear-cut and objective "truth"' (Finnegan, 1998:149). Interpretation is always needed. Everyday events have the potential to shape and reshape our perceptions of the world around us, and our perceptions in turn have the potential to do the same. Hence, discourses are more than simple statements of fact – they have a wealth of (oft-times hidden) meanings behind them, and are open to interpretations, and can be consciously utilised to form a "reality".

3.3 Documentary Analysis

In analysing the sample material, the study was working with the idea behind documentary analysis, which entailed 'the detailed examination of documents with a view to making assertions about some aspect of the social world' (Jupp, 2006:142). In discussing documentary sources, specifically regarding crime and the media, May points out that a perspective used is one that views

> *news as not only reflecting but also actively constructing our sense of the social reality to which it refers. Journalists themselves are implicated within societal apparatuses of social control by constructing news which visualises and symbolises crime and attempts to convince the audience of the authority of its descriptions…most people learn of crime, law and order via the media* (May, 2003:187)

3.4 Discourse Analysis

The main tool used for the study was discourse analysis. Discourse analysis is a particular perspective on social life, analysing interactions from a number of different perspectives and disciplines (Worrall, 2006:132) and it has a number of features:

> [The] *assumption is that discourse is social… that words and their meanings depend on where they are used, by whom and to whom…* [That] *different discourses that may be in conflict with one another…*[and] *as well as being in conflict, discourses may be viewed as being arranged in a hierarchy: the notions of conflict and of hierarchy link closely with the exercise of power* (Jupp, 1998:305)

The data was analysed using an interpretive approach that searched for various themes and approaches in the discourse and coded for the presence of such. Franzosi identifies this as an approach where 'the coding scheme is based in categories designed to capture the dominant themes present in a text' (Franzosi, 2004:550).

3.5 Operationalising Moral Panic

In order to examine the societal reaction, the concept of moral panic must be operationalised. Goode and Ben-Yehuda (1996:33-41) outlined five indices by which moral panic may be measured.

The first indicator is an observable level of concern. This can be manifested through public opinion polls, public commentary in the form of media attention, proposed legislation, or social movement activity.

The second indicator is the presence of hostility. There should exist increased levels of hostility towards groups or categories regarded as engaging in the behaviour in question. In addition, a clearly identifiable group must be seen as responsible for the threat.

The third indicator is an incidence of consensus. There should be substantial agreement within society that the threat in question is very real.

The fourth indicator is the presence of disproportionality. This is the implication that public concern is in excess of what is appropriate if concern were directly proportional to objective harm. If we cannot determine disproportionality, we cannot conclude that a given episode of fear or concern represents a case of moral panic. In order to assess disproportionality, there are several criteria that can suggest this: the presence of exaggerated figures; the presence of fabricated figures; the lack of concern about other, more harmful conditions; and if there are changes as to how it is reacted to over time.

The fifth and final indicator Goode and Ben-Yehuda suggested was that of volatility. Moral panics tend to erupt suddenly and subside equally as suddenly. This does not mean that the moral panic may not have historical antecedents. The specific issue that generates a particular moral panic in the present may have also done this in the past. This may beg the question as to whether a fear, such as fear of crime, which is a fairly constant presence in most societies, can be classed as a moral panic, given its absence of volatility. However, Goode and Ben-Yehuda suggest that volatility is often a matter of degree, and the fact that certain concerns are last a long time does not mean they are not panics, as the intensity of these concerns may grow or reduce over time.

3.6 Bias and Ethical considerations

Given the subjective nature of the approach used for this study, the danger of the researcher's bias intruding upon the study is a very real one. The main action taken to try to eliminate this danger was to treat, in so far as it was possible, all the data from the different areas, with the same critical questions.

In addition, owing to the size of the study, the author recognises that this may not be representative of overall discourse. However, given the nature of the research question, which confines itself to the reactions to certain events at a certain point in time, this did not prove to be an issue.

Given the nature of the data analysed, there were no other outstanding ethical considerations to be taken into account.

4 Findings

4.1 The death of Donna Cleary

Monday 6th

Print Media:

The *Irish Times* reported this incident on the inside pages with the articles 'Young mother shot dead at party in Coolock' and 'Neighbours stunned as night of celebration turns to tragedy'. The first article stressed that the Gardaí did not believe the shooting was a gangland-related killing. It noted that this was the second gun murder in Ireland in 2006. In many respects, perhaps due to the lack of hard facts on the murder at this point, the coverage was fairly sober.

In contrast, the later edition of the *Evening Herald* was significantly stronger in tone. The killing appeared first on the front page with the headline 'Mum's murder: Gang men held'. Being a later edition, the *Evening Herald* had access to more information on the murder, including the suspects' names and backgrounds. The story, continued inside, made note of the primary suspect's criminal convictions. In what would become a motif in the coverage, the fact that Donna was a mother was emphasised. The *Evening Herald* also included the editorial 'New low in chilling murders'. While the editorial noted that this was not a gangland shooting and more a case of senseless violence, it warned the reader that "…in one respect [the murder] is not a surprise. The number of guns in our society has risen alarmingly".

Visual Media:

The theme of a gun culture in Ireland was continued later that night with an edition of *Questions & Answers* on RTE1. The participants on the panel were Noel Dempsey, Minister for Communications, Marine & Natural Resources; Joan Burton, Labour spokesperson on Finance; Dr Niamh Hourigan, Lecturer in Sociology, UCC; Dr John Hillery, President, Irish Medical Council; and Eamon Dunphy, journalist & broadcaster. The question asked of the panel was 'Will the killing of Donna Cleary bring home the reality of Ireland's gun culture?'

A wide variety of opinions were presented in response: Eamon Dunphy suggested that neither the Government nor the media had taken the problem seriously, and criticised the Government for not funding a proper drug strategy. Dr John Hillary also suggested the problem lay in the drug trade. Noel Dempsey suggested that part of the problem lay with the judiciary, claiming that judicial discretion was hindering mandatory sentencing. He concluded that Irish society believed in coming down harshly on drug abusers and dealers, and that the judiciary should reflect this. Joan Burton suggested that more community policing was needed, and this was echoed by Niamh Hourigan, who pointed out that zero tolerance policing was a targeted approach, and that what was needed was more of an area specific approach.

Tuesday 7th

Print Media:

The Cleary murder made it to the front page of the *Irish Times*, with a photo of a forensics team outside the scene of the crime. Below it was the article 'Sentences for drugs, gun crimes questioned after killing'. The article reported comments by Taoiseach Bertie Ahern and Minister for Justice Michael McDowell, with Ahern saying that "when you see the amount of crimes and gun crimes, it just makes you feel that perhaps we're just too lenient". Michael McDowell called the killing a "watershed point."

Elsewhere, amongst reports on the progress of the case, the *Irish Times* focussed on sentencing with the article 'Mandatory drug offence terms rarely imposed', following reports that one of the men involved was not given the mandatory sentence for drug offences. The *Irish Times* went on to claim that the "Judiciary seems to regularly take advantage of leeway given to it on mandatory sentencing." An editorial 'Time for action, not words, on guns' continued the theme of mandatory sentencing, berating the Government for slow progress in introducing a gun amnesty and mandatory sentences for possession of a firearm.

The *Evening Herald*, having gone to print after the death of Dwayne Foster, carried his death on the front page with the headline 'Donna's killer dies in custody' with the sub-headline of 'Cold blooded killer was a heroin addict'. The article made heavy

reference to Foster as a "notorious armed robber", alleging that "Foster was a close associate of a notorious ATM gang… and…the prime suspect in 2 major armed robberies". Inside, the coverage continued to focus on Foster's past with the *Evening Herald* quoting a Garda source as saying: "He was a bad ruthless man…a scumbag who I believe would have had no problem firing bullets into a house full of innocents. He might have escaped conviction for the ATM robberies but there is no doubt that he was responsible and a ringleader of the mob." The *Evening Herald* was also critical of criminals not serving mandatory sentences, and the editorial 'Time for talk is over' discussed and criticised undue leniency in the criminal justice system.

Dail Transcript for 07/03/06:

Tuesday also marked the first day the Dail met following the killing. Speaking in Leader's Questions, Enda Kenny of Fine Gael emphasised the fact that the victim was a "young woman and mother of a young child" and argued that "at a time like this the country looks at this House and wants legislators to take appropriate action". Kenny went on to ask, "is it not a fact that there is anarchy on the streets" and claimed that people were afraid to walk the streets. Speaking on sentencing, Kenny asked "Why sentences are not being adhered to when murder means murder and an automatic life sentence" while his party colleague Dinny McGinley suggested that "One would get longer than seven years for stealing a bag of potatoes". After exceeding his allotted time, and being warned by the Ceann Comhairle, Kenny responded, "An innocent woman is dead and the Ceann Comhairle is talking about five minutes… The woman's child is an orphan."

In response, Taoiseach Bertie Ahern condemned the killing, and defended his party's performance on crime. Speaking on mandatory sentencing, Ahern attempted to clarify his comments the previous day, saying that "unless there are extenuating circumstances…a life sentence should mean life…If we have mindless people who do not care a damn what they do with anybody's life, we must be tough."

There followed a back and forth sniping between the Opposition leaders and Ahern, with Pat Rabbitte of Labour arguing that "there were some 75 murders with guns between 1998 and 2004. Proceedings were initiated in just 26 cases". In reply, Ahern claimed that he regretted to have to point out, on a day when he wanted to express his

"sympathy for Donna Cleary, that when [Pat Rabbitte] had an opportunity at the Cabinet table…he failed to properly resource the Garda Síochána…opposed the bail legislation…[and] voted against a ten-year minimum sentence for substantial drug dealers."

Visual Media:
On Tuesday evening RTE1 aired an edition of *Primetime* covering the Cleary murder. The first segment was a taped report on the death of Dwayne Foster in custody. The second segment was a discussion on the topic, involving Michael Finucane, a solicitor; Mr Justice Fergus Flood; Cllr Paddy Burke, Labour; and Rick Lines, Irish Prison Reform Trust.

A range of opinions were presented: Michael Finucane complained about the lack of an independent investigation into the death of Foster in custody. Paddy Burke spoke of judges not applying mandatory sentences, and suggested that the public have to feel that justice is being done. Mr Justice Fergus Flood argued that the purpose of judges was to do justice and that the accused was entitled to justice too. Finally, Rick Lines argued that mandatory sentences can have adverse effects, and that non-violent offenders can go into prison but come out violent offenders.

Wednesday 8th

Print Media:
The *Irish Times* continued its coverage on the front page under the headline 'Longer jail terms for murderers will not be introduced', reporting that there are no plans by Government to introduce longer sentences. Inside the edition, the previous day's proceedings in the Dail were reported. An article on Dwayne Foster also appeared, '"If he had a gun he would have been the type to use it"'. The bulk of the article was concerned with the alleged criminal activity of Foster, and quoted a Garda source calling Foster "vicious".

Elsewhere, the edition contained two opinion articles of note, both of which warned against knee jerk reactions. The first was 'Now that would be a watershed' by Vincent Browne. In it, he questioned the reasoning behind the branding of the Cleary murder

as a “watershed”. Browne asked “In what way is this murder worse than the murder of a housewife in south Dublin last week or any of the other murders…Why then are all not a watershed, aside from the absurdity of the idea of serial watersheds?”

The second opinion article was ‘Sentencing system an easy target to blame’ by Tom O’Malley. O’Malley suggested that the public need to understand the sentencing system in Ireland before they criticise it, pointing out research showing that punishment was an ineffective deterrent in contrast to risk of detection. He also argued that the “the very concept of constitutional justice demands that a sentence be tailored to reflect the guilt of each offender.”

In the *Evening Herald*, the coverage was a curious mix. On the front page under the headline ‘Donna suspect’s 72-hour silence’, the paper reported on a suspect’s use of right to silence. Inside, an opinion article, ‘Bulletproof the law against these scum’ by Gerry O’Carroll, argued that the Cleary murder was similar to the killing of journalist Veronica Guerin, in that it should prompt new laws to tackle “new waves of drugs gangs”. O’Carroll argued that prison was a deterrent, but not if the sentences were only 5-6 years. An editorial, ‘Innocent till proven guilty’ warned against prejudging the police of any wrongdoing in the death of Dwayne Foster in custody.

Dail Transcript for 08/03/06:

On Wednesday’s meeting of the Dail, Enda Kenny continued to attack the Government’s performance on crime. Invoking the Cleary murder, Kenny stated, “She was gunned down by a criminal who should have been in jail…If [the bench warrant] had been implemented, Donna Cleary would be alive…[This] Government is in a shambles while anarchy rules the streets.” He offered to facilitate the Government in putting through emergency legislation. In criticising detection rates and incidence of headline offences during the Government’s time, Kenny claimed that “Donna Cleary lies dead, God rest her soul, but she would be alive if this person had been in jail as he should have been.” His party colleague David Stanton added, “There is one shooting per day now.”

Thursday 9th

Print Media:

Inside Thursday's edition of the *Irish Times*, the focus shifted away from the Cleary murder itself and more towards sentencing. In 'McDowell defends length of mandatory sentences' Minister for Justice Michael McDowell is reported to have said that the entire penal system should not be revised "following the murder of one citizen 'no matter how awful or grotesque'". In 'An Irishman's Diary' by Kevin Myers, four lenient sentences for four vicious crimes were detailed, with Myers arguing that anyone studying Irish criminal law history would see how "dangerous professional criminals and sexual deviants over the years have been the beneficiaries" of excessive leniency.

In the *Evening Herald*, the focus remained on the murder itself, with a front page photo of a house in Kildare and the headline 'Country pile where killer was found'. Inside, the paper talked about the details of the arrest of the suspects. In addition, the editorial 'Mistakes undermine the courts' and the opinion article 'Yet again the law betrays the victims' discussed the surrounding issues, with the latter arguing that "the law in this country is completely weighted in favour of the suspect, as opposed to the victim".

Dail Transcript for 09/03/06:

On Thursday's meeting of the Dail the topic of the Cleary murder and gun control remained present with Enda Kenny reiterating his points from the previous days: "Anarchy rules in parts of the city…there is a need for strong, deterring legislation in respect of the gun culture".

Minister for Justice Michael McDowell was present for the first time since the murder, and responded Enda Kenny had previously opposed minimum sentences. There followed a heated discussion, presented below:

Enda Kenny: "This is the Minister who today surmised that Donna Cleary would not have been murdered if the warrant had been executed for the arrest…"

Michael McDowell: "Deputy Kenny is convincing nobody and he is making a fool of himself. I suggest he sits down. When the Minister, Deputy O'Donoghue, brought them in the Deputy opposed them. You are a shower of hypocrites."
Enda Kenny: "…of the person alleged to have murdered her. You are the Minister but with your academic snobbery and intelligence you do not know what is happening on the streets."
Michael McDowell: "Frauds. You are a pack of frauds, the lot of you."

Friday 10th – Friday 17th

Print Media:
The coverage of the Cleary murder in the *Irish Times* slowed down after the first week. However, Saturday 11th brought a feature article, 'Shooting up the underworld', a meta-account of recent gang-related murders, including the Cleary murder. In an opinion article on Wednesday 15th 'Crime stats not worth the fuss' by Vincent Browne, Browne argued that "the reality is that crime levels (headline crimes) have hovered around the 100,000 mark since 1985... the murder rate is particularly susceptible to sporadic events, such as…gangland feuds." On Friday 17th the *Irish Times* reported on the funerals of Donna Cleary ('We thank Donna for the wonderful person she was') and Dwayne Foster ('Gardaí keep low profile at funeral of suspect'). At Foster's funeral it was reported that one photographer covering the event was "confronted by some of the mourners and had his camera taken and smashed."

In the *Evening Herald*, the Cleary murder and related matters remained prominent. The Friday 10th edition contained an article, 'Warrant backlog scandal', with the claim that there were 2000 warrants outstanding in Blanchardstown and Finglas. With the shooting of a criminal in a gangland feud on Friday 10th, the Saturday 11th edition carried the editorial 'These evil thugs will never learn' which invoked the Cleary murder again, though this time in a metaphysical sense: "If Ms Cleary's death can anyway change their mindset, then it will indeed have been a watershed moment."

The Monday 13th edition carried several articles of note. The first, 'Drugs crime crisis in city', was a meta-account, listing the most recent drug seizures, gun crimes and knife attacks in Dublin city. Dwayne Foster is included in the list. Placed facing this

on the next page was a photo of Gardaí in riot gear, with the heading 'New face of the Gardaí'. The editorial of the 13th 'Groundhog day of city of gun crime' warned of a city where "gun crime has exploded and weekend murders are commonplace". Finally, an opinion article 'Spiralling crime caused by drugs' by Chris Lowry, once again linked Donna Cleary's death to a drug crisis in the city.

The Wednesday 15th carried the article 'Donna and her killer lay in the same room in morgue', though given that there was only one room in the city morgue to store remains, the article opened with the macabre story and quickly explained it away, before reiterating the details of the case. The Thursday 16th edition carried, like the *Irish Times*, a story on both the Cleary and Foster funerals. The Foster funeral story, 'Violence as Donna killer laid to rest', claimed "scenes of violence and mayhem… Yobs attacked photographers and destroyed cameras as gangs inflicted anarchy on proceedings in Finglas."

In the Friday 17th edition, the *Evening Herald* revealed that Donna Cleary had been due to appear in court on assault charges ('Tragic mum Donna was facing charge after bottle assault') and detailed more "revelations", for example, that Donna's partner and father of her child was in prison serving murder charges.

Dail Transcripts:
The Dail did not meet between these days.

Visual Media:
On the 13th March episode of *Questions & Answers* on RTE1, the topic of gun crime arose again. The participants on the panel were Willie O'Dea, Minister for Defence; Dr Maureen Gaffney, National Economic Social Forum; Simon Coveney, Fine Gael; Eamon Delaney, Magill magazine; and Donncha O'Connell, NUI Galway. The question asked of the panel was 'How would the panel attempt to tackle the emerging gun culture in Ireland?'

Again, a wide variety of opinions were presented. Maureen Gaffney argued that more police resources were needed, as opposed to longer sentences and also raised the idea of the return of the Special Criminal Courts. Eamon Delaney argued that drug

addiction needed to be treated as health crisis rather than a law and order crisis. Donncha O'Connell criticised the scenes in the Dail the previous week, describing the politician's "posturing" as an "auction of gimmicks", and suggested that the problem lay instead in levels of inequality in society. Willie O'Dea responded to this by saying that politicians are responsible to the people and that the Government do what the public want them to do. Simon Coveney said that people want leadership from the Government but there also needed to be a situation where people respect the law. What had occurred in the Dail the previous week was simply TDs reflecting the anger in their own constituencies.

Saturday 18th – Friday 31st

Print Media:

The Cleary murder in the *Irish Times* all but disappeared. Mention was made in reference to other events, such as the shoot-out on the M50, though it was rarely mentioned by name and instead referred to as one in a number of recent high profile guns attacks.

In the *Evening Herald*, the Cleary murder was still present, both implicitly and explicitly. As in the *Irish Times'* coverage for the same timeframe, reference was made to it as one in a number of recent high profile gun attacks, as well as, for example, "innocent members of the public [who] are being shot dead by gangsters" ('Six months for the man who called me Gestapo' by Gerry O'Carroll in *Evening Herald* 22nd March edition). Explicitly, there was an article detailing acts Dwayne Foster was alleged to have participated in prior to the shooting of Donna Cleary, as well as information on Donna Cleary's alleged assault on another woman in a nightclub. However, the Cleary murder was effectively eclipsed by other events around this time.

Dail Transcripts for 21/03/06-23/03/06 and 28/03/06-30/03/06:

The Dail met again after a week's break on the 21st-23rd March, and again on the 28th-30th March, but like the coverage in the media, reference was made to the Cleary

murder only whilst talking about other topics, such as the shoot-out on the M50, and in the debate over the Criminal Justice Bill 2004.

Visual Media:
The two television programmes in the sample, *Primetime* and *Questions & Answers* continued the trend of mentioning the Cleary murder in conjunction with other issues, specifically in the debate over Garda numbers.

4.2 M50 Shootout

Monday 27th

Print Media:
The *Irish Times* led with a front page photo of Gardaí searching the M50, with the headline 'Masked man fires 20 shots at drug dealers in car chase'. The incident was reported as "the latest in a series of high profile gun attacks", and quoted Fine Gael spokesman on Justice, Jim O'Keeffe, as saying that gangland crime was "out of control", and Labour justice spokesman, Joe Costello, as saying that armed crime in Dublin was "reminiscent of gang warfare in east Los Angeles".

From front page of the *Evening Herald* was a photo of the M50, though obscuring most of it was a large sub-machine gun, with the headline, 'What next?' Inside, the story was covered primarily from a feud point of view. An editorial, 'Gangsters don't fear the Gardaí' described the incident as a gun battle in the "middle of a busy motorway", and warned that "There are those who say the perception of crime is worse than the reality. Try telling that to the hundreds of motorists who perceived yesterday's mayhem on the M50". Criticism of Michael McDowell was also provided in 'Bad to worse for McDowell' by Peter Howick, which again likened Dublin to East LA in its "headlong spiral into gun violence".

Tuesday 28th

Print Media:

The *Irish Times* carried one half-article on the shootout 'Gardaí arrest 4 in murder inquiry'. Primarily about the inquiry into the murder of a criminal earlier in the month, the last third of the article stated that Gardaí did not believe there to be any connection between the murder and the shootout on the M50, before reiterating the basic facts about Sunday's chase.

The *Evening Herald* continued the story, reporting that the men involved in Sunday's shooting had left Ireland for Spain.

Dail Transcripts for 28/03/06:

In the Dail, Pat Rabbitte brought up the issue in Leader's Questions, stating that: "Just when most…felt this country's crime problem could not get worse after the killing of Ms Donna Cleary some weeks ago, there was an extraordinary drive-by shooting on the M50 on Sunday morning."

In response, Taoiseach Bertie Ahern gave details on Operation Anvil: "To date [it] has yielded 1,792 arrests…[including] 33 for murder, 374 firearms seizures…If the Deputy wants, I will go back over the figures for 1994 to 1996." There followed more figures, with the Taoiseach comparing a potential number of headline crimes (100,000) with the number of headline crimes in 1995 (100,785).

In addition, the M50 incident was mentioned during a debate on the Criminal Justice Bill 2004.

Wednesday 29th

Print Media:

The *Irish Times* coverage consisted of what had been said in the Dail on the 28th, though in a report 'Raiders ram security van with forklift', Enda Kenny of Fine Gael was reported to have "criticised the Government for its 'calamitous handling of the high-octane gangsterism exploding on to Dublin's streets'" which has some relevance.

Inside the *Evening Herald*, an opinion article, 'Time to declare war on the M50 terror gangs' by Gerry O'Carroll, warned that "there is no doubt the justice system is failing us all". The suggestion of using the Special Criminal Court was raised, as it was argued that Dublin was facing a similar problem as had been experienced in the 1970s, at the height of the Troubles in Northern Ireland. O'Carroll claimed that "in the wake of the M50 attack and the discovery of a pipebomb on the same road last December, it is clear that the state is under the same threat level now". Elsewhere, a photo of heavily armoured Gardaí in riot gear pointing guns forward appeared, under the heading, 'Gangbusting Gardaí get armour piercing bullets'.

Dail Transcript for 29/03/06:
The M50 incident was mentioned during a debate on the Criminal Justice Bill 2004.

Thursday 30th

Print Media:
The was no coverage in the *Irish Times* for this day

In the *Evening Herald*, a two-page spread presented the reader with 'Gangland weapons of choice' and 'Fearless, ruthless and high on coke… the new breed of gang thugs'. The former was a fact file, complete with photos, of a range of guns used by gangs in Dublin, or seized by the Gardaí. The latter was an investigation primarily into the violent effect of cocaine use in the gang world.

Friday 31st

There were no applicable data to be gathered on the incident for this date.

5 Analysis

5.1 Themes

From the data there were several themes identified:

(i) Political Exploitation

The strongest theme identified in the two samples was that of political exploitation of the events in question. Opposition parties were guilty of using both the Cleary murder and the M50 shootout as an excuse for attack on Government. In particular, Enda Kenny, leader of Fine Gael, consistently invoked Donna Cleary as preamble to attacks on the Government's record on crime, for example, "She was gunned down by a criminal who should have been in jail….If [the bench warrant] had been implemented, Donna Cleary would be alive…[This] Government is in a shambles while anarchy rules the streets".

The Government in power were no less guilty, however, of exploitation of the events. When attacked for their own policies on crime, neither Taoiseach Bertie Ahern or Minister for Justice Michael McDowell missed an opportunity to contrast statistics of their own performance with those from when the Opposition were in power. Constant reference was made to Opposition parties voting against the harsher crime control measures the Government had introduced (though it has been argued elsewhere that these measures were themselves excessive [O'Donnell et al, 2001; Hamilton, 2007])

(ii) Political Behaviour

The second theme identified, and related to the first point, is the poor behaviour and rhetoric of the politicians in discussing the events. While space constraints do not allow a complete list of quotes, examples such as Michael McDowell's, "Frauds. You are a pack of frauds, the lot of you", and Enda Kenny's, "An innocent woman is dead and the Ceann Comhairle is talking about five minutes", perhaps stand for themselves.

(iii) Gang-crime and misrepresentation

A third theme to emerge was the deliberate framing of the two events within a gang-crime context. Though there is a very strong case for linking the M50 shootout with gang-crime, the framing of Donna Cleary's death with gang-crime was pushed quite

hard, despite the fact that it was acknowledged that the murder was not connected to gang-crime. To accomplish the framing of the murder in this context, the criminal element of Dwayne Foster's past was emphasised, as were links to drug dealing and armed robberies, all of which dragged the story in such a way that it was impossible to talk about the murder without connecting it to a wider problem of gang-crime. Meta-accounts of gang-crime appeared in both the newspapers in the sample, and the Cleary murder was included in some way at all times.

This framing fitted into a wider trend of misrepresentation. While Enda Kenny's claims of "anarchy in the streets" may be dismissed as political rhetoric (though they should not; there is weight attached to what a politician says in the Dail, even if it is a responsibility some seem to take lightly), the *Evening Herald* editorial for 27th March, 'Gangsters don't fear the Gardaí', presented the M50 shootout in a misleading way, that is to say, having taken place in the "middle of a busy motorway". While the M50 is indeed one of the busiest roads in the state, and the incident did occur on this road, it was known that the shoot out had taken place at 4:30 on a Sunday morning, and the number of other drivers on the road at that time had been minimal. Now, while the *Evening Herald* may have been simply stating that the stretch of road the incident took place on is normally quite a busy road, the sentence was phrased in such a way as to be sufficiently misleading, presenting the reader with a not entirely accurate image of the event.

(iv) Hostility

A fourth theme to emerge was that there was a large, and perhaps understandable, level of hostility shown towards the perpetrators of each event. Invective such as "scum", "mindless", and "vicious" were used frequently in reference to both the participants in the M50 shootout and Dwayne Foster. The treatment of Dwayne Foster in the *Evening Herald* is especially noteworthy, though. In the *Evening Herald*, all allegations relating to his participation in criminal acts were treated as proven fact, despite the absence of criminal convictions. While Foster may indeed have committed the acts, it was disturbing the way the material was treated. The *Evening Herald*, following Foster's death, rarely referred to him as a 'suspect in the killing', but rather as 'Donna's killer'. Though it would later be established that this was in fact true, it still remains, at the very least, irresponsible to report in such a way. Interestingly, and

in marked contrast, when it emerged that Donna Cleary may have been involved in a nightclub assault, the *Evening Herald* were very conscientious in applying the label of 'alleged'; and following the death of Dwayne Foster in police custody, they printed an editorial warning against a rush to judgment of guilt in relation to the Gardaí.

(v) Crisis or not?

A fifth theme to emerge, perhaps surprisingly, was the questioning of whether there was an actual crisis. Some of this was explicit, such as a number of articles published in the *Irish Times* querying the way the Cleary murder was being portrayed, and also in the treatment, again, of the Cleary murder on *Primetime* and *Questions & Answers* where a wide range of opinion was presented, not all of it agreeing with overall focus on a crisis. It was also evident in the Dail, though not as explicitly, in the Government's reluctance to agree with the Opposition parties that there did, in fact, exist a crisis. Whether this was politically motivated or not, it created a situation where there was no complete consensus on the existence of a crisis in the wake of Donna Cleary's death and the M50 shootout.

5.2 Indices of Moral Panic

So, in what way do the findings correspond with Goode and Ben-Yehuda's indices of moral panic?

(i) Concern

Media attention

As we have seen, media attention for both events ranged from medium to intense. The *Irish Times* provided a fairly diverse selection of articles for March. Where there were divisive issues, such as sentencing or crime statistics, arguments were presented for both sides of the debate. The *Irish Times* adopted a primarily measured and objective approach to the issues. The focus for the Cleary murder was on political reaction, and on the criminal justice system. The coverage on the M50 shootout focussed on the event and political reaction.

The *Evening Herald*, with one or two exceptions, provided a more narrow selection of articles on the two incidents. The overall tone was more of a law and order approach,

and some articles appeared quite reactionary, such as, for example, 'Time to declare war on M50 terror gangs' (EH, 29/03/06) which likened the current situation to those at the height of the Troubles in the 1970s, and called for the reintroduction of Special Criminal Courts. The focus on the Cleary murder was on the murder itself and the criminal justice system. The focus of the M50 coverage was on the event, and on violent crime in Irish society.

Within the sample of visual media, *Primetime* and *Questions & Answers,* only the Cleary murder and the debate over Gardai numbers were covered by the television programs in the sample, and both received a good variety of different arguments.

Proposed Legislation

Apart from the Criminal Justice Bill 2004, which was debated in the Dail on the 28th and 29th March, there was no other proposed legislation within this timeframe. The legislation included in the Bill itself, though dealing with some of the issues raised by the Cleary murder and the M50 shootout, was not a direct reaction to the events.

(ii) Hostility

There were clear levels of hostility visible within the sample, and indeed, hostility was one of the themes to emerge from the data.

(iii) Consensus

It could not be shown that there were a substantial level of consensus; and indeed, this lack of a strong consensus was one of the themes to emerge from the data.

(iv) Disproportionality

The figures supplied within the data did not appear to have been exaggerated or fabricated. However, a case may be made for misrepresentation, again one of the themes to emerge, as an indicator of the presence of disproportionality.

(v) Volatility

Given the size and length of the sample, the indicator of volatility was not able to be determined.

6 Conclusion and Recommendations

6.1 Conclusion

When the criteria for moral panic are analysed, it becomes clear that neither the Cleary murder or the M50 shootout, or the combination of the two, constituted a moral panic in the month of March 2006.

However, it is also clear that over-reaction, hostility and a certain level of concern did occur. While the reactions were not in themselves enough to suggest a moral panic, they were worrying indicators of conditions within which a future moral panic may occur.

From the newspaper analysis it is clear that the trends identified by O'Connell (2002) continued. In analysing political rhetoric, some of the themes identified by O'Donnell et al (2001) remained, such as lack of moderation in their rhetoric.

So, what stopped this from becoming a moral panic? A lack of consensus was perhaps one factor. Another may have been that though the idea of emergency legislation was brought up a number of times, there was already a Criminal Justice Bill (2004) in the pipeline that dealt with many of the issues raised, was a pressure valve in some ways. The supposed need for new legislation was already being dealt with. Gun crime, mandatory sentencing…all these topics were due to be debated at the end of the month, and there was a reluctance and inability to bring these debates closer. When they did occur, there was sufficient time in between to allow some of the feelings to abate.

In total, however, the criteria for a moral panic were not met with sufficient strength to warrant the label.

6.2 Recommendations

From the study, two recommendations can be offered. To begin with, there was at least one positive theme to emerge from the sample: the lack of consensus, typified by the diverse selection of articles and opinions presented in the *Irish Times* and on programs such as *Primetime* and *Questions & Answers*. One method of avoiding a moral panic in society (and indeed to have a vibrant society) is to allow and encourage dissenting views to be aired and debated. Unfortunately this was not present in all areas in the sample: the *Evening Herald* presented few, if any, dissenting opinions from the idea that there was a crime crisis in Dublin. Likewise, though there was little consensus between Government and Opposition in the Dail, this was more about political posturing than debate. For discourse on crime to improve, dissenting and critical opinions must be allowed, encouraged and voiced in the media sphere and the political sphere.

A second recommendation would be that more careful consideration be given to what is said in the Dail. Outbursts and exaggerations witnessed on both sides of the Oireachtas do not fill one with confidence in the elected representatives of the State. This lack of confidence can only add to the frustration felt by the population at large when debates on crime arise.

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8 Appendix

Chronological list of newspaper articles quoted or referred to in the study

Irish Times
‘Neighbours stunned as night of celebration turns to tragedy’ IT 06/03/06
‘Sentences for drugs, gun crimes questioned after killing’ IT 07/03/06
‘McDowell says woman’s murder a watershed’ IT 07/03/06
‘Mandatory drug offence terms rarely imposed’ IT 07/03/06
‘Five still held after murder of young woman’ IT 07/03/06
‘Time for action, not words, on guns’ IT 07/03/06
‘Longer Jail terms for murderers will not be introduced’ IT 08/03/06
‘“If he had a gun he would have been the type to use it”’ IT 08/03/06
‘Now that would be a watershed’ IT 08/03/06
‘Sentencing system an easy target for blame’ IT 08/03/06
‘Taoiseach says life sentence “should mean life”’ IT 08/03/06
‘McDowell defends length of murder sentences’ IT 09/03/06
‘An Irishman’s Diary’ IT 09/03/06
‘Harney says firearms laws will be amended’ IT 09/03/06
‘Gardai expect success in party killing inquiry’ IT 10/03/06
‘Murder Inquiry opens after gang shooting’ IT 11/03/06
‘Shooting up the underworld’ IT 11/03/06
‘Shooting is first gangland attack by foreign drugs syndicate’ IT 13/03/06
‘For hiring and firing, it is not hard to get a gun’ IT 13/03/06
‘Gardai seize drugs worth Euro 3m’ IT 14/03/06
‘Crime stats not worth the fuss’ IT 15/03/06
‘We over-rely on jail deterrent’ IT 23/03/06
‘Minimum terms for murders sought’ IT 25/03/06
‘Masked man fires 20 shots at drug dealers in car chase’ IT 27/03/06
‘Gardai arrest 4 in murder inquiry’ IT 28/03/06
‘Raiders ram security van with forklift’ IT 29/03/06

Evening Herald
‘Mum’s murder: Gang men held’ EH 06/03/06
‘New low in chilling murders’ EH 06/03/06
‘Donna’s killer dies in custody’ EH 07/03/06
‘Cold-blooded killer was a heroin addict’ EH 07/03/06
‘Time for talk is over’ EH 07/03/06
‘Donna suspect’s 72-hour silence’ EH 08/03/06
‘Bulletproof the law against these scum’ EH 08/03/06
‘Innocent till proven guilty’ EH 08/03/06
‘Country pile where killer was found’ EH 09/03/06
‘Yet again the law betrays the victims’ EH 09/03/06
‘Mistakes undermine the courts’ EH 09/03/06
‘Warrant backlog scandal’ EH 10/03/06
‘These evil thugs may never learn’ EH 11/03/06
‘Drugs crime crisis in city’ EH 13/03/06
‘Donna’s family haven’t a even a body to grieve over’ EH 13/03/06
‘New face of Gardai’ EH 13/03/06
‘Groundhog day of city gun crime’ EH 13/03/06

‘Spiralling crime caused by drugs’ EH 13/03/06
‘Murder squad is only hope’ EH 15/03/06
‘Donna and her killer lay in same room in morgue’ EH 15/03/06
‘Violence as Donna killer laid to rest’ EH 16/03/06
‘Tragic mum Donna was facing charge after bottle assault’ EH 17/03/06
‘Foster gang gun attack on landlord’ EH 24/03/06
‘What next’ EH 27/03/06
‘“Trivial” gang row fuelled by cocaine’ EH 27/03/06
‘Gangsters don’t fear the Gardai’ EH 27/03/06
‘From bad to worse for McDowell’ EH 27/03/06
‘Gangbusting gardai get armour piercing gun’ EH 29/03/06
‘Time to declare war on the M50 terror gangs’ EH 29/03/06
‘Gangland weapons of choice’ EH 30/03/06
‘Fearless, ruthless and high on coke… the new breed of gang thugs’ EH 30/03/06