

HISTORY NOTES

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SUBJECT: History
LEVEL: Higher
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Topics Covered:

Case Study: The Anglo Irish Treaty

About Sean:

Sean has been teaching History at the Institute since 1990. He gives regular talks on behalf of the History Teachers Association of Ireland to students and teachers. He has lectured on the methodology of teaching as well as on teaching History through Irish. Sean has participated in a number of radio and television history documentaries, most recently on the television series *Éalú* produced for TG4. He is the author of several Leaving Cert History textbooks.



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The Anglo-Irish Treaty

The Truce, 11 July 1921:

On July 11 1921 de Valera (Key personality) accepted an offer from the **British PM Lloyd George** to call a truce in exchange for an unconditional offer of negotiations. Following some exploratory talks and an exchange of letters it was finally agreed in September 1921 that each side should send a delegation to London “*with a view to ascertaining how the Association of Ireland within the community of nations known as the British Empire may best be reconciled with Irish national aspirations.*”

The Team:

De Valera refused to lead the Irish delegation to London. There may be a number of reasons for this:

- De Valera justified his stance by stating that if the king of Britain did not attend the talks, then the President of Ireland should not do so either.
- De Valera wanted to keep his eye on **Bruha and Stack**, two politicians who did not favour the truce in the first place.
- De Valera probably knew that neither a republic nor a united Ireland could be won at such a conference and did not want to be the person that negotiated a compromise agreement.
- W.T Cosgrave argued that it did not make sense for de Valera, Ireland’s “best player” to remain at home.

The Irish delegation was led by Arthur Griffith and included Michael Collins, George Gavan Duffy, Eamon Duggan, Robert Barton and Erskine Childers as secretary.

Weaknesses of Irish Delegation:

- The Irish team were divided in their aims from the start: Both **Collins and Griffith sought a compromise settlement**. They realised that neither a republic nor a united Ireland could be won at the conference.
- Duffy, Barton and particularly Childers were more hard-line in their approach and were less likely to compromise on major issues.
- Childers was a close ally of de Valera’s and sent him private reports of the talks. Collins and Griffith resented this and didn’t trust him.
- Confusing Instructions: The Irish delegation was given **plenipotentiary status**, that is, they had the power to negotiate and sign a treaty. However de Valera included a **letter of instruction**, which required them to consult the cabinet “before decisions are finally reached on a main question”.

- The Irish team were inexperienced compared to the British team which included some formidable negotiators: David Lloyd George, Winston Churchill, Lord Birkenhead, Austen Chamberlain, Sir Gordon Hewart (Attorney General) and Sir Laming Worthington Evans. They were backed up by expert advice from the British Civil Service.
- After several secessions of negotiations, sub-committees were introduced with Collins and Griffith becoming the chief negotiators. This led to resentment from other members of the Irish team.

The talks:

There were four key areas of discussion:

1. The Status of the new state.
2. The relationship between Ulster and the South.
3. Defence.
4. Trade and finance.

Key Concept: The Oath of Allegiance.

The greatest stumbling block in the negotiations was the British insistence on the inclusion of an oath of Allegiance to the British Crown. The cabinet in Dublin rejected this. The eventual inclusion of the Oath of Allegiance in the Treaty would prove to be one of the major causes of the Civil War.

Key Concept: Dominion Status.

The dominions were members of the British Commonwealth such as New Zealand, Canada, Australia and South Africa. These countries had dominion status, which meant that they had their own parliaments, but recognised the British Crown as head of state. The British Government reserved the right to interfere in the affairs of these states, but never did.

De Valera insisted on “**external association**” – the voluntary association of a sovereign independent Ireland with the British Commonwealth, recognising the Crown as the head of the Commonwealth. This was unacceptable to the British.

Key Concept: Sovereignty.

A sovereign state is a fully independent state with control of its own affairs. This would involve full Irish independence from Britain.

Ulster:

The question of the status of Ulster was dealt with by way of a Boundary Commission to determine the north-south border. The Irish delegation was sure that a border review

would result in most of Tyrone and Fermanagh as well as other areas joining the South. However the terms of the Boundary Commission were vague which made it unworkable when it eventually met in 1925.

Sub-Conferences:

Following the failure of the initial talks to produce a settlement, the British side suggested that contentious issues could be dealt with by way of subcommittees. This gave Collins and Griffith a much greater say in matters. However it caused some concern amongst some members of the delegation and led to tensions in the Cabinet in Dublin. During these meetings matters such as trade and defence were successfully dealt with. It was also during this stage of the talks that Griffith and Collins accepted the idea of a Boundary Commission as a settlement to the question of partition.

Deadline:

In early December, the delegates presented a draft treaty to the Dublin Cabinet. It was rejected. Lloyd George now set a deadline for the talks, December 6th. He warned that failure to reach an agreement would result in the immediate resumption of a terrible war. Collins and Griffith decided to sign the treaty and leave it up to the Dáil whether to ratify or reject it. The rest of the delegation reluctantly decided to sign.

The Treaty:

- Ireland would be known as the Free State. It would remain within the British Empire with the same status as other dominions such as Australia, New Zealand and Canada.
- All TDs had to take an Oath of Allegiance (Key Concept) to the British Crown.
- A governor-general would represent the British Crown in Ireland.
- Britain were to retain three navy bases in the free State- Queenstown (Cobh), Berehaven and Lough Swilly.
- A boundary commission would review and redraw the border between North and South.
- The Free State had to pay 1/15 of British Imperial expenses.

Arguments for the Treaty:

Collins and Griffith mainly led arguments for the treaty:

- Collins argued for the Treaty claiming that it gave “*not the ultimate freedom that all nations aspire and develop to, but the freedom to achieve it*”. He believed that it could be a stepping stone to a republic. Collins also stated that the question of a republic was never realistic: “*It was the acceptance of the invitation that formed the compromise*”.
- Other Commonwealth countries would guarantee Ireland’s status and security.
- Partition was an established fact since the passing of the Government of Ireland Act 1920 and could not be ignored.

- It would bring about a British withdrawal. *“It is the first Treaty that admits the equality of Ireland. We have brought back the evacuation of Ireland after 700 years (of occupation) by British troops. (Griffith)*
- Equality with other nations would give Ireland a voice in foreign affairs.

Arguments against the Treaty:

De Valera, Brugha, Stack and Childers debated arguments against the Treaty:

- **De Valera** denounced the Oath of Allegiance for making the King head, not just of the Commonwealth, but also of Ireland. *“It gives away Irish independence; it brings us into the British Empire.”* **Austin Stack** promised to fight on for the cause of full independence *“even if this rotten document be accepted.”*
- Childers complained that the Treaty Ports prevented the Free State from pursuing an independent foreign policy.
- The 7 women members of the Dáil opposed the Treaty on the grounds that lives had been lost in pursuit of an Irish Republic. Many such as **Margaret Pearse, Mary MacSwiney and Kathleen Clarke** had lost close relatives in the struggle for independence.
- Partition was not a major focus of the anti-treaty debate. Many deputies accepted Collins’ view that the Boundary Commission would resolve that issue. **Seán MacEntee**, a native of Belfast was the only politician that made a major speech denouncing partition.

Acceptance of the treaty:

The result of the final vote was **64 for the Treaty with 57 against**. De Valera resigned his presidency and Griffith was elected in his place.

The results of the Treaty:

- Sinn Féin split. Two new parties would eventually emerge. Cumann na nGaedheal and Fianna Fáil (From 1926 onwards). **De Valera withdrew Sinn Féin from the Dáil** in protest at the Oath of Allegiance.
- Political life for many years was divided by the pro and Anti-treaty debate.
- The IRA split. The IRA pledged allegiance to the republic. Some leading IRA men including **Rory O’Connor, Liam Mellows and Liam Lynch** refused to recognise the Dáil. Others in the IRA supported the Treaty out of loyalty to Collins or accepted his argument that it would lead to “freedom to achieve freedom”.
- Civil War: the split in the IRA eventually led to the outbreak of a bitter civil war in Ireland between 1922-23.

The Anglo-Treaty

Quotations

Eamon de Valera

It is understood before decisions are finally reached on the main questions, that a despatch notifying the intention to make these decisions will be sent to members of the Cabinet in Dublin, and that a reply will be awaited by the plenipotentiaries before final decision is made.

Letter of instruction from de Valera to Irish delegation.

Lord Birkenhead.

I have signed my political death warrant.

Remark made after signing the Treaty.

Michael Collins

Will anyone be satisfied at the bargain? Will anyone? I tell you this – early this morning I signed my death warrant.

Extract from letter written immediately after signing the Treaty.

Winston Churchill.

Michael Collins looked for all the world as if he was signing his death warrant.

A comment by Winston Churchill shortly after the signing of the Treaty.

Lloyd George

Arguing with de Valera is like trying to catch a man on a merry-go-round or picking up mercury with a fork.

A comment attributed to Lloyd George.

Dáil Debates

Pro-Treaty:

1

We have come back from London with that treaty-Saorstát na hÉireann recognised – the Free State of Ireland. We have brought back the flag; we have brought back the evacuation of Ireland after 700 hundred years by British troops and the formation of an Irish Army. We have brought back to Ireland her full rights and powers of fiscal control. We have brought back to Ireland equality with England. If the Irish people say “ We have got everything else but the name Republic and we will fight for it.” I would say to them that they are fools.

Arthur Griffith December, 21, 1921

2

To me this Treaty gives me what I and my comrades fought for; it gives us for the first time in 700 years the evacuation of Britain’s armed forces out of Ireland.

Seán Mac Eoin December 19, 1921

3

We, as negotiators, were not in a position of conquerors dictating terms of a peace treaty to a vanquished foe. We had not beaten the enemy of our country by force of arms....I say that rejection of the Treaty is a declaration of war until you have beaten the British Empire. The Treaty was signed by me, not because they held up the alternative of immediate war. I signed it because I would not be one of those to commit the Irish people to war without the Irish people committing themselves to war. It offers freedom to achieve freedom.

Michael Collins, December 19, 1921.

4

We sent these men to London, trusting them, and they have brought back a document which they believe represents the utmost that can be got for the country. You are not entitled to reject it without being able to show them you have a reasonable prospect of achieving more.

What remains between the Treaty and the fullness of your rights? It gives to Ireland complete control over her internal affairs. It removes all English control or interference within the shores of Ireland.

Kevin O’Higgins December 19,1921.

5

If we owe a duty to the dead, we also owe a duty to the living, and I for one, cannot see how I could cast a vote that would expose the Irish people to the risk of war.

Seán Hayes December 20, 1921

6

We went there to London, not as republican doctrinaires, but looking for the substance of freedom and independence. If you think what we brought back is not the substance of independence, that is a legitimate ground for attack on us, but to attack us on the ground that we went there to get a Republic is to attack us on false and lying grounds.

Arthur Griffith. January 7, 1922

7

I personally see no alternative to the acceptance of this Treaty. I see no solid spot of ground upon which the Irish people can put its political feet but upon that Treaty. We are told that the alternative to the acceptance of the Treaty is war. We have not been able to drive the enemy from anything but a fairly god-sized police barracks.

Richard Mulcahy. December 21, 1921

8

Reject this Treaty and you will bring confusion and chaos, throughout all of Ireland and the sign to the bigots in Ulster to start with renewed vigour pogroms on the helpless minority.

Seán Milroy December 20, 1921

9

I am going to recommend this Treaty to you very reluctantly, but very sincerely, because I see no alternative

George Gavan Duffy. December 21, 1921

Anti-Treaty

10

We were elected by the Irish people and did the Irish people think that we were liars when we said that we meant to uphold the Republic. I am against this Treaty because it does not reconcile Irish national aspirations with association with the British Government. I am against this Treaty not because I am a man of war, but a man of peace. I am against this Treaty because it will not end the centuries of conflict between the two nations of Great Britain and Ireland. ... It gives away Irish independence; it brings us into the British Empire.

Eamon de Valera December 19, 1921

11

To many of the Young men of this Dáil “what is good enough for Michael Collins is good enough for me”. If Mick Collins went to hell in the morning would follow him.

Mary MacSwiney December 21, 1921

12

I oppose this Treaty because it gives away our allegiance and perpetuates partition. By the fact that it perpetuates partition it must fail utterly to do what it ostensibly intended to do – reconcile the aspirations of the Irish people to association with the British empire. The provisions of this Treaty mean this; that in the North of Ireland, certain people differing from us somewhat in tradition, and differing in religion are going to be driven, in order to maintain their separate identity, to demarcate themselves from us, while, in order to preserve ourselves from the encroachment of English culture, are going to be driven to demarcate ourselves as far as possible from them.

Seán MacEntee December 21, 1921.

13

Irish Ministers will be Kings’ Ministers; the Irish Provisional Government that under the Treaty is going to be set up, within a month would be the King’s Provisional Government. Every executive Act in Ireland, every administrative function in Ireland would be performed – you cannot get away from it – in the name of the King.

Erskine Childers. December 19, 1921.

14

I say to you, finally, if you vote for this thing it will be a renunciation of your principles. Nay, its more, it is the burial service over the grave of the Irish nation, and there is to be no firing party.

Seán Etchingham. December 20,1921

15

If our last cartridge had been fired, our last shilling spent, and our last man were lying on the ground and his enemies howling round him and their bayonets raised, ready to plunge them into his body, that man should say- true to the traditions handed down – if they said to him “now, will you come into our empire?” – he should say, and he would say”No! I will not”.

Cathal Brugha. January 7,1922

16

It has been said here on several occasions that Padraic Pearse would have accepted the Treaty. I deny it. As his mother, I deny it, Padraic Pearse would not have accepted a Treaty like this with only two-thirds of his country in it.

Margaret Pearse. January 4, 1922

17

These anti-Irishmen (southern Unionists) are to be given some select way of entering this house, some select privileges – privileges that they earned by their cruelty to the Irish people and the working classes of Ireland. That is one of the biggest blots on this Treaty; this deliberate attempt to set up a privileged class in this, what they call a Free State, that is not free.

Countess Markievicz. January 3, 1922