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# THE IRISH REPUBLIC



# THE IRISH REPUBLIC

A DOCUMENTED CHRONICLE  
OF THE ANGLO-IRISH CONFLICT  
AND THE PARTITIONING OF IRELAND,  
WITH A DETAILED ACCOUNT  
OF THE PERIOD 1916-1923

by

DOROTHY MACARDLE

with a preface

by

EAMON DE VALÉRA

*Printed in Great Britain by*  
**The Camelot Press Ltd., London and Southampton**

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## PREFACE

BY EAMON DE VALÉRA

No matter what the future may hold for the Irish nation, the seven years—1916 to 1923—must ever remain a period of absorbing interest.

Not for over two hundred years has there been such a period of intense and sustained effort to regain the national sovereignty and independence. Over the greater part of the period it was the effort of, one might say, the entire nation. An overwhelming majority of the people of this island combined voluntarily during these years in pursuit of a common purpose. They were supported by the sentiment and active sympathy of millions of men and women of Irish blood living outside Ireland—in Britain, in the United States of America, in Canada, in Australia, in Argentina, to mention only those countries in which the numbers were considerable. They were supported likewise throughout the world by the sympathy of many more millions of men and women of other races who had no affiliations with Ireland but who saw in the struggle of the Irish people the typical struggle of the small nation on whose behalf President Wilson had so eloquently enunciated and advocated the principle of self-determination.

This wonderful unanimity, and the great movement of Sinn Fein, of which a British intelligence officer wrote that it had “worked together with greater devotion than any other coalition recorded in history,” ended unfortunately in civil war. The English offer of partial freedom in 1921 created a dilemma and the antagonism of opposing principles and policies that ensued was found incapable of reconciliation or peaceful adjustment.

On one side it was held that on January 21st, 1919, the nation had formally declared its independence; that the Republic had then been deliberately established as the expression of the people’s will; that the people’s elected representatives had pledged themselves and the nation in the most solemn manner to the maintenance of the Republic and that it was on the basis of these pledges that the members of the Dail had been re-elected in 1921. The acceptance of the London Treaty, it was

maintained, was a violation of the implied contract between the people and their representatives, was an acceptance of partition, and meant the surrender of the national sovereignty, the preservation of which was the first duty of the National Parliament.

On the opposite side it was contended that the nation could not successfully maintain the unequal struggle longer; that the people required a breathing space; that common sense dictated a temporary submission to the British threats; that the terms offered constituted in fact considerable gains, were a substantial instalment of the independence aimed at, and gave "freedom to achieve freedom." This side vigorously contested the view that the Treaty did mean partition and held, on the contrary, that the Treaty would result in bringing partition to an end.

A third section refused to take sides, concentrated their efforts on trying to bring about some peaceful accommodation and, having failed, took no part in the subsequent struggle.

As the Irish people were then divided, so, it may be expected, will people in the future also be divided in their judgment as to which side was right or which was wise in the contentions put forward. Opinions will vary, we may anticipate, with the character and temperament of the individual or according as subsequent developments may seem to justify the one side or the other. But the first thing necessary for any sound estimate is to secure the evidence of the facts—to know exactly what occurred and the causes which determined each occurrence.

Hitherto it has been almost impossible for the student of Irish affairs to acquaint himself fully with these. Miss Macardle's book supplies the complete and authoritative record required. In it the story of the whole seven years is told with the necessary relevant review of the preceding periods. Until now no such consecutive story existed. Fragmentary accounts there were dealing with special phases but no comprehensive narrative.

Miss Macardle has laid all future historians under a deep debt of gratitude. No research student of the future could hope to be so well equipped as she was to find out what really happened or to give a clear picture of the background of circumstances and conditions in which decisions were taken. She lived through the period, took an active interest in affairs, was personally

acquainted with a number of the principal actors and knew exactly where to look for the information required.

As a historian, Miss Macardle has the supreme merit of being sincerely devoted to the truth. She presents the events in order and lets them tell their own story. She writes as a Republican, but constantly refers the reader to sources of information on the opposite side. Her intimate knowledge of the period enabled her to see where close detail was essential for a proper understanding of what occurred, and this detail is given. Her interpretations and conclusions are her own. They do not represent the doctrines of any party. In many cases they are not in accord with my views, but her book is an exhaustive chronicle of fact and provides the basis for an independent study of the period and a considered judgment upon it. Only a military history is now required to complete the narrative of the Republican struggle during the seven years.

EAMON DE VALÉRA



## AUTHOR'S FOREWORD

“ 'TWERE as well for our credit,” wrote Essex to Elizabeth concerning his wars in Ireland, “ that we had the exposition of our quarrel with this people and not they also.”

He spoke wisely and his counsel was carried out; it was carried out not only in those early phases of the long Anglo-Irish conflict, but also in the unhappy sequel that is not ended yet.

The phase which opened on Easter Monday, 1916, with the proclamation of the Irish Republic and which closed, or seemed to close, with the Republican defeat seven years later, was as crowded as any in Irish history with impassioned effort and calamitous events. As interpreted by journalists and fiction writers and by historians more or less hostile to Ireland it presents a picture of baffling confusion, a somewhat incredible picture in which a small band of terrorists domineers over the Irish populace and holds the British Empire at bay.

The impartial student of these events and their consequences will not be satisfied with that exposition, but in a search for material from the Irish side he encounters a frustrating dearth, the result of suppression by the British Administration of publications which they regarded as seditious and of the destruction by Republicans of their own records for the sake of secrecy.

This narrative is an attempt to supply what has been too long lacking: an account of the Irish Republican struggle from the view-point of an Irish Republican.

Neutrality in such a struggle can exist only with ignorance or indifference. No thinking person can be close to a conflict so intense and desperate without forming an opinion as to where the balance of justice lies. If to the writer, Anglo-Irish by parentage and with the Allies during the world war in sympathies, the principles of justice and democracy seem to rest on the Irish side, that is conviction, not prejudice.

The case of the opposition is not ignored in this book; British as well as Irish authorities have been consulted, as fairness and accuracy required, and the reader is referred to sources of full information on the British side. Dates are consistently given, to facilitate reference to the daily Press.



This is not a narrative of battles and ambushes; the history of the Republican Army can never be told unless by men who fought in it; it is with the political rather than the military aspect of the Revolution that this book deals. The detailed chronicle covers the seven years between the Proclamation of the Republic and the "Cease Fire" order, but, so that readers unacquainted with Irish history may appreciate remote as well as immediate causes, introductory chapters review earlier phases of the Irish resistance to conquest, the efforts to secure Home Rule and the beginning of Sinn Fein. After May 1923, the story is carried forward, as a brief survey, to the further implementing of the Treaty by the signing of the Partition Agreement in London in December 1925.

#### ACKNOWLEDGMENTS

It would not have been possible to reconstruct the story of the years of Revolution without the help of men and women who took part in the events described. Every writer of contemporary history becomes the persecutor of people whose labours and responsibilities are already heavy enough. I have been more than fortunate in the co-operation which I have received and my debt is incalculable to those who have contributed personal recollections, placed documents and literature at my disposal and supplied details for which libraries might have been searched in vain.

Sean T. O'Kelly (Minister of Local Government of Saorstát Eireann), Frank Aiken (Minister of Defence), Thomas Derrig (Minister of Education), Oscar Traynor, T.D., P. J. Little, T.D., Eamon Donnelly, T.D., Robert Barton, Mrs. Erskine Childers, Frank Gallagher, Robert Brennan, Joseph O'Connor, Earnan O'Malley, Seumas Robinson, Tod Andrews, Andrew MacDonnell, Anthony Woods, Sean MacBride, Andrew Cooney, M.D., John Condrón and Tom Daly are some of those who have submitted to cross-examination not once, but many times and have taken the utmost pains to give me the accurate information required. I owe thanks for similar kindness to others who are not Republicans and, among Republicans, to Nora Connolly O'Brien, Kathleen O'Connell, Geraldine O'Donel and Linda Kearns. Learned judges and members of the Irish Bar have

fortified me in dealing with points of law. Three historians, Mary Hayden, D.Litt., James Carty, M.A., and Frank Pakenham (the author of *Peace by Ordeal*) have helped me personally as well as through their books. Mrs. Stack has given me access to a valuable unpublished memorandum written by Austin Stack. Innumerable writers and publishers have permitted me to quote from copyright works.

I am grateful to all these and to the countless other people who have responded to private and public appeals for information, and to Florence O'Byrne and Fiona Connolly for their skill and patience in the work of copying and research.

To President de Valéra I am doubly grateful, not only because he has read the manuscript and written a preface for my book but also because when he disagreed with my expressed or implied opinions he resisted the temptation to exert all his formidable powers of persuasion to make me alter them.

To all these I offer the thanks of a writer whose task would have been as painful as it was laborious had not their kindness lightened it.

D. M.

Creevagh,  
Dundrum, Co. Dublin.



**PART I**

**A BROKEN NATION**

**To 1911**



## CHAPTER 1

To 1800

### THE EXISTENCE OF THE REPUBLIC—THE INSURGENTS— SUBJECTION—THE EIGHTEENTH CENTURY

WHETHER the Irish Republic ever existed has been disputed not only by jurists and not only with words. For the Irish people the Republic was, for a few tense years, a living reality which dominated every aspect of their lives. Its existence was a fact of human history, if not of logic or of law.

When Dail Eireann, the government of the Republic, was constituted by the elected representatives of the majority of the Irish people, in January 1919, a State came into being which inspired a loyalty as profound as any that the history of States can show.

Its existence was of a kind very baffling to its enemies for the Republic was an invisible within a visible, an intangible within a tangible State.

The weighty machinery of British Administration continued to operate uncertainly and with violence, while, in its midst, there functioned another government, which commanded the allegiance of the people and whose decrees produced immediate results. More than forty thousand British troops with war equipment occupied Ireland, ignored, tricked and mocked at by the populace, while an unpaid Republican Army was devotedly abetted by young and old. Republican Courts of Justice, held secretly in barns and cellars, issued judgments which were obeyed, while in whole provinces the Courts of the Crown remained vacant, treated with frank contempt.

To strangers, observing the duel, the Irish attempt seemed, at first, a dreamer's game of make-believe; but it was, in fact, Revolution. The belief which informed it was the faith that moves mountains; the dream took on substance and grew to an actuality which all the cunning as well as all the strength of its opponents were exercised to destroy.

Less than two thousand men and women took part in the Rising in Dublin in 1916, and in the country a few hundred

more. It is not strange that the Rising was interpreted in England as the irresponsible act of a group of fanatics who in no way represented their nation's mind. Even the leaders themselves, going to execution or to penal servitude, could not foretell what the immediate reaction in Ireland would be. Before three years had passed, however, the people had given their answer in the polling booths, and the portraits of these leaders were hanging on the cottage walls beside those of Emmet and Wolfe Tone. They had been recognised as the heirs of the insurgents of '98, of '48, and '67—of all who, since the invasion, had struck for freedom. They had fought in a cause not yet despaired of by their people and expressed a longing not yet appeased.

It was a sequel which surprised the friends and enemies of Ireland alike. No one who knew the meaning of nationality found it difficult to understand that the Irish had, in past centuries, resisted conquest and absorption by another race; what caused astonishment, whether hostile or sympathetic, was the passion and tenacity with which the resistance had been maintained.

The explanation of that resistance, continued through centuries, lies in instincts so simple that political sophists overlook them at times—the instincts of race, of religion, and of a people's right to its land. Three facts gave the Irish struggle its enduring force: the facts that an ancient Gaelic people was resisting a race whose civilisation was antipathetic to its own, that a Catholic nation was defending its faith against the forces of Protestantism, and that, under George the Fifth as under Elizabeth, English rule meant dispossession and humiliation for the Irish on their own soil.

As the centuries succeeded one another more enlightened doctrines were accepted in theory, so that new pretexts were required for exploitation; exploitation, however, remained.

Piracy needed no pretext at the time of William Rufus. He heard of Ireland as "a land very rich in plunder" and took a great oath to invade it.<sup>1</sup> It was no moral scruple that withheld

<sup>1</sup> *Gir. Cambr., Itin. Cambriae*, Lib. ii., c. i., Vol. VI., p. 109, ed. Dimock. *Freeman's Rufus*, II., p. 94. Quoted by Alice Stopford Green, *The Making of Ireland and its Undoing*.

him from the deed. His successors, however, sought and found religious reasons for invasion, confiscation and war, and found these more easily after the Reformation, since the Irish people adhered to the old Faith.

Each epoch of England's history, according to its character, produced some new phase of the effort to conquer Ireland for the Crown, yet the task was still uncompleted when Elizabeth came to the throne. Throughout her illustrious reign the imagination of her poets and statesmen and the daring of her generals and adventurers were employed to the same end—that of bringing the Irish rebel, in Spenser's words, "so low that he shall have no heart nor ability to endure his wretchedness . . . so pluck him on his knees that he will never be able to stand up again."<sup>1</sup>

To impose the Reformed Religion on the Irish people and, by so doing, to cut them off from England's rivals on the Continent, was the royal aim.

There was a sort of magnificence in the barbarities of Elizabeth's agents in Ireland, and in the language, eloquent as Macbeth's, in which her chroniclers record their deeds<sup>2</sup>: devastations on a wide scale like that in Munster, where in six months of the year 1582 more than thirty thousand of the Irish were said to have been starved to death, and "a most populous and plentiful country suddenly made void of man and beast."<sup>3</sup> Her brilliant generals, when opposed by Irish chieftains, did not scruple to make pacts with them, invite them aboard ship or to banquets, and have them carried away or slain. Shane O'Neill survived their poison only to be treacherously murdered, almost certainly with English connivance; Red Hugh O'Donnell, after the defeat at Kinsale, took refuge in Spain to die there, poisoned by an English agent.

The chronicler Moryson, praising Lord Mountjoy for having brought Ireland "to the most absolute subjection in which it had ever been since the first conquest thereof by our nation," relates that he "never received any to mercy but such as had so drawn blood on their fellow rebels, and were themselves

<sup>1</sup> Edmund Spenser, *View of the State of Ireland*, 1595.

<sup>2</sup> A most interesting book on this period is *Irish History from Contemporary Sources, 1500-1610*, by Constantia Maxwell, M.A.

<sup>3</sup> Spenser.



made so poor, as there was small danger of their relapse," and how he advised the retention of a strong army in Ireland—"the maxim being infallible that all kingdoms must be preserved by the same means by which they were first gained."<sup>1</sup>

The Irish, sheltered and aided by their native mountains and bogs, found means to resist, or at least to harass the invader—not very different from those resorted to by their descendants three hundred years later—such means as Gainsford, in his *Glory of England*, described:

“. . . and the passages are everywhere dangerous, both for unfirmness of ground, and the lurking rebel, who will splash down whole trees over the passes, and so intricately wind them, or lay them, that they shall be a strong barricade, and then lurk in ambush amongst the standing wood, playing upon all comers as they intend to go along. On the bog they likewise presume with a naked celerity to come as near our foot and horse as is possible, and then fly off again, knowing we cannot, or indeed dare not follow them: and thus they serve us in the narrow entrances into their glens and stony paths, or if you will, dangerous quagmires of their mountains, where 100 shot shall rebate the hasty approach of 500; and a few muskets (if they durst carry any) well placed, will stagger a pretty army, not acquainted with the terror, or unpreventing the mischief."<sup>2</sup>

Elizabeth's violent policies proved only partially successful, and Francis Bacon gave wiser counsel to James I. Contemplating this island,

"endowed with so many dowries of nature (considering the fruitfulness of the soil, the ports, the rivers, the fishings, the quarries, the woods and other materials, and especially the race and generation of men, valiant, hard and active) as it is not easy, no not upon the Continent, to find such confluence of commodities,"

<sup>1</sup> Fynes Moryson, II. ii. 45–50. Quoted by Maxwell, p. 202.

<sup>2</sup> T. Gainsford, *The Glory of England* (1618), p. 144. Quoted by Maxwell, p. 218.

he urged that Parliament should see that the work of colonisation was "not a flash but a solid and settled pursuit," and should aid "a work so religious, so politic and so profitable."<sup>1</sup>

It was in Ulster, the northern province, that the work of colonisation or "planting" was carried out with most lasting success. Here, after the "flight of the Earls," a colony of Scottish Protestants—Presbyterians and Episcopalians—was systematically settled on land confiscated from the Irish. "And this truly," Sir John Davies reported, "is the masterpiece, the most excellent work of reformation,"<sup>2</sup> explaining how "the multitude, having been brayed, as it were, in a mortar, with sword, pestilence and famine, became altogether admirers of the Crowne of England."

By a gracious proclamation the Irish subjects of King James were assured of his protection so long and so long only as they continued in loyalty and obedience; should they fail in duty they were to be punished:

"Everyone of them by all ways and means possible, to the utter extirpating and rooting out of them, their names and generations, for ever."<sup>3</sup>

The organised revolt which began in 1641 was mainly a Rising of Catholics. Many of the Norman-Irish families, leaders in the resistance against the Tudors, had remained Catholic, as had some of the "Planters" of later date, and these joined the Irish Confederation.

Eight years of warfare followed—war envenomed by slanderous stories of Irish savagery against Protestants and by the doctrine, already established, that the Irish were "rebels" who, in resisting English government, sinned against Divine Law. The instructions issued to the generals from Dublin Castle, the centre of English government, evince the temper of the rulers. One such order dated February 28th, 1642, commanded them:

<sup>1</sup> *Certain Considerations touching the Plantation in Ireland*, 1608. *Life and Letters of Francis Bacon*, ed. Spedding, IV., pp. 116–28. Quoted by Maxwell, pp. 270 and 369.

<sup>2</sup> Sir John Davies, *A Discovery of the True Causes why Ireland was Never Entirely Subdued*, 1612, pp. 280–2. Quoted by Maxwell, p. 298.

<sup>3</sup> Proclamation of Sir Arthur Chichester (March 11th, 1605). Quoted by Maxwell, p. 208.

“ To wound, kill, slay and destroy by all the ways and means you may, all the rebels and adherents and relievers; and burn, spoil, waste, consume and demolish all places, towns and houses, where the said rebels are or have been relieved and harboured, and all hay and corn there, and kill and destroy all the men inhabiting, able to bear arms.”

Peace terms were agreed to between King Charles's deputy and the Irish Catholics but were speedily repudiated by the English “ Rebel Parliament ” and a new phase of the struggle began with the landing of Cromwell on Irish soil.

In Ireland Cromwell was a butcher. His troops massacred at Drogheda almost the whole of the inhabitants, women and children as well as men, English Catholics as well as Irish.

“ It has pleased God to bless our endeavours at Drogheda . . . the enemy were about 3,000 strong in the town. I believe we put to the sword the whole number,”

he wrote, and added:

“ I wish that all honest hearts may give the glory of this to God alone, to whom, indeed, the praise of this mercy belongs.”

Cromwell and his generals trampled Ireland from the sea to the Shannon, banished the Irish who held property to the wastes of the West and rewarded the troops with their land. To have lived in Ireland and to have failed in zealous loyalty to the English interest was adjudged a crime, and only those land-owners who could prove their “ innocency ” were spared. Those who remained east of the Shannon after the date decreed—May 1st, 1654—became, at best, hewers of wood and drawers of water to the new owners of their lands; some became wandering outlaws. Cromwell sent to slavery in the Barbadoes and Jamaica thousands of Irish women and girls.

Monarchy succeeded Commonwealth, but still war ravaged Ireland, the Protestant Planters fighting for William and the Catholic Irish for James upon Irish soil. When, in 1690, the battle of the Boyne had been won by William, when Limerick

had fallen, and the Irish chiefs, the "Wild Geese," had flown oversea, England's conquest of Ireland at last seemed complete.

Irish laws and customs, the whole framework of the Gaelic civilisation, had been annihilated. Music, literature and classical learning, loved by even the poorest among the Irish, had been driven into hiding, with only "hedge-schoolmasters" and wandering bards to keep them from oblivion. Irish military prowess and leadership had been driven overseas. In the Courts, universities and battlefields of Europe Irishmen lived and died, winning glory in causes not Ireland's or their own.

The people of Ireland were leaderless and impotent to rebel. They had their language still, and their religion; nothing else. The English had completed their task of conquest: it remained only to secure the spoils to the victor by law. Possession of the land was now the primary British aim.

It was by laws against Catholics that this end was achieved. In violation of the Treaty of Limerick, the old Statutes of persecution were retained and others, of unimaginable severity, were enacted to hold the Irish in a condition of servitude. They had no appeal: Catholics were excluded by a test oath from such parliaments as met in Dublin; they were now deprived of the franchise, and, stage by stage, of the protection of the law.

Religious distinctions were not the primary motive for persecution at this time; nevertheless they formed then, and continued to form, a vital factor in the Irish policies of British statesmen. These statesmen knew that early efforts to subdue Ireland had been largely frustrated by the tendency of the English settlers to marry Irish women and adopt Irish customs and laws. Even the Statute of Kilkenny, devised in the time of Edward III for the purpose of maintaining a cleavage, had failed to prevent the descendants of the early settlers from becoming "more Irish than the Irish themselves," and had failed to keep the Gaelic people in the state of subjection considered proper to a conquered race. After the Reformation, however, the distinction between Catholic and Protestant, coinciding, in the main, with the distinction between the conquered and the conquering race, provided a means of differentiation convenient to the law. By means of it the law could

discriminate against the "mere Irish"<sup>1</sup> and the old, Catholic settlers, while the descendants of the later settlers could be secured in their newly acquired property and privileges as a garrison class, guardians of the British interest and their own.

The Penal Laws were devised with "coherence and consistency" to deprive Catholics of property, of education and of the franchise, of the guardianship of children, of the control of land, and to exclude them from every professional employment save that of medicine, and from every position of influence in the State. Permission to say Mass was restricted to registered priests—one in each parish—and all members of religious orders were banished. For Catholic "informers" and for "converts" to Protestantism there was a system of pensions and rewards.

It was in the early eighteenth century, England's Age of Reason, that the Penal Code was brought to the perfection described by Edmund Burke as

"a machine of wise and elaborate contrivance and as well fitted for the oppression, impoverishment and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."

By the time these laws were relaxed, late in the century, they had done their work. The Irish Roman Catholics were sunk in utter misery and subjection. Nevertheless "conversions" to Protestantism were rare.

The effect of the Penal Laws remained in the "frame of government" by which Ireland was ruled, as Westmoreland, His Majesty's Lord Lieutenant in Ireland, defined it, writing to Pitt in 1792. Their common problem, as he saw it, was to find by what means

"England can govern a country containing one half as many inhabitants as herself, and in many respects more advantageously situated. . . ."

The solution proposed was the maintaining in Ireland of a

<sup>1</sup> "The pure Irish" or Gaelic race.

" Protestant garrison . . . in possession of the land, magistracy and power of the country; holding their property under the tenure of British power and supremacy, and ready at every instant to crush the rising of the conquered."

The weakness of the system lay in the fact that the " planter " or garrison class, while overlord in Ireland, was itself dominated by the English Government and suffered from the exploitation of Ireland in the English interest. A series of Statutes designed for the suppression of such Irish trade and industry as menaced English rivals injured, in particular, the Presbyterians who established an industrial centre in the north-east. The Presbyterians, moreover, suffered disabilities as dissenters from the Established Church, and large numbers were forced to emigrate from Ulster in consequence of the tyranny of the Episcopalians. The danger which the English policy incurred, of creating a common interest among all creeds in Ireland, was acutely realised by Boulter, the Protestant Archbishop of Armagh, at the time of the agitation against Wood's halfpence. " The worst of this," he wrote, " is, that it stands to unite Protestant and Papist: and whenever that happens, good-bye to the English interest in Ireland for ever." And Lord Grenville wrote in 1779, to the Lord Lieutenant of Ireland:

" I cannot help feeling a very great anxiety that such measures may be taken as may effectually counteract the union between Catholics and dissenters at which the latter are evidently aiming. There is no evil I would not prophesy if that union takes place."

These fears were justified, though not at once. The Protestant Volunteers who met at Dungannon in 1782 were loyal to the British Crown, although they demanded for Ireland a separate Parliament, and resolved:

" That a claim of any body of men other than the King, Lords and Commons of Ireland, to make laws for this Kingdom is unconstitutional, illegal and a grievance."

They passed also a resolution drawn up by Grattan declaring that:

“ we hold the right of private judgment in matters of religion to be equally sacred in others as in ourselves . . . that as men and as Irishmen, as Christians and as Protestants, we rejoice in the relaxation of the Penal Laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest of consequences to the union and prosperity of the inhabitants of Ireland.”

It was these Volunteers, standing under arms, who obtained for Ireland the setting up of a theoretically independent Parliament in Dublin and the Renunciation Act of 1783. That Act declared:

“ That the said right claimed by the people of Ireland to be bound only by laws enacted by His Majesty and the parliament of that kingdom, in all causes whatever, and to have all actions and suits at law or in equity, which may be instituted in that Kingdom, decided in His Majesty’s Courts therein finally, and without appeal from thence, shall be, and it is hereby declared to be established, and ascertained for ever, and shall at no time hereafter be questioned or questionable.”

Grattan’s Parliament, however, had but limited powers, since the Lord Lieutenant and his advisers remained responsible to the English Government and not to it. Moreover, the first allegiance of that Parliament was to the Protestant interest in Ireland and to the Crown. It gave the commercial class in Ireland a period of rapidly increasing prosperity and made Dublin a fashionable metropolis for a time; a Catholic middle-class emerged, engaging in commerce, but the Catholic majority whose hopes were fixed upon this parliament were disappointed. The Catholic Relief Act gave the franchise to Catholics who possessed the qualification of a forty-shilling freehold, but little else was done for the people as a whole. The Presbyterian grievances remained also largely unredressed and, as a natural consequence, that sympathetic unity which English statesmen dreaded became a reality at last. In the “ United Irishmen ” Catholics, Presbyterians and Episcopalians were enrolled. They were led by Protestant Irishmen like Wolfe Tone and Lord Edward FitzGerald. Roused to indignation by the oppression

of the people, despairing of reform in the Parliament in Dublin or in the policy of the English Government and inspired by the Republican ideals radiating from America and from France, these men devoted themselves to an effort to free Ireland by force of arms.

Tone's purpose was openly avowed:

“To subvert the tyranny of our execrable Government, to break the connection with England, the never failing source of all our political evils, and to assert the Independence of my country—these were my objects. To unite the whole of Ireland, to abolish the memory of all past dissensions . . . these were my means.”

The English Government, anxious for a pretext to abolish the Dublin Parliament, sought to provoke the people to a premature revolt. Soldiers were billeted upon the peasantry and the commanding officers understood that discipline was not to be rigidly enforced “if the urgency of the case demanded a conduct beyond that which could be sanctioned by law.”<sup>1</sup> Barbarous tortures were inflicted on people suspected of “disaffection.” A corps of yeomanry recruited among Irish Protestants made themselves even more feared than the military by the Catholic people. In Ulster “Orange Societies” were formed to maintain the Protestant Ascendancy and violent conflicts broke out.

The aid which the United Irishmen invoked from France came in 1798, but came too late. Wolfe Tone and Lord Edward FitzGerald were among the leaders who gave their lives in this ill-fated attempt. The revolt broke out—sporadic, unco-ordinated risings in Wexford and elsewhere; the Insurgents were defeated and the terrible punishment that followed was not confined to those who had taken part. The excesses committed were so shameful that Abercrombie, the English general sent to command the forces in Ireland, resigned. “The carnage is dreadful,” General Lake wrote to Castlereagh. “The determination of the troops to destroy everyone they think a rebel is beyond description.”

<sup>1</sup> The Lord Lieutenant Camden. Quoted by Seumas MacManus, *The Story of the Irish Race*, p. 515.



The union of the Parliaments of Great Britain and Ireland followed, a plan calculated to leave Ireland wholly at the mercy of British policy once more, since at Westminster her representatives would be a helpless minority in each House.

Under-Secretary Cooke wrote, in 1799, to Mr. Pitt:

“By giving the Irish a hundred members in an Assembly of six hundred and fifty they will be impotent to operate upon that Assembly, but it will be invested with Irish assent to its authority.”

“The Union is the only means,” he declared, “of preventing Ireland from becoming too great and too powerful.”

The Act of Union was passed in 1800. The members of the Irish Parliament who voted for that Parliament’s extinction did not do so without reward: hundreds of thousands of pounds of public money were expended by the Government in purchasing their votes.

“There is no blacker or fouler transaction,” Gladstone said, “in the history of man”<sup>1</sup>; and he declared:

“We used the whole civil government of Ireland as an engine of wholesale corruption . . . we obtained that Union against the sense of every class of the Community, by wholesale bribery and unblushing intimidation.”<sup>2</sup>

This is the achievement symbolised in the flag, combining the cross of St. Patrick with the crosses of St. George and St. Andrew, known as the *Union Jack*.<sup>3</sup>

<sup>1</sup> Liverpool, June 28th, 1886.

<sup>2</sup> House of Commons, April 16th, 1886.

<sup>3</sup> Mary Hayden and George A. Moonan, in *A Short History of the Irish People*, give an excellent account of this period.

## CHAPTER 2

1800-1870

THE UNION - ROBERT EMMET - DANIEL O'CONNELL -  
FAMINE - EVICTIONS - "YOUNG IRELAND" - "IRISH RE-  
PUBLICAN BROTHERHOOD" - "FENIANS" - COERCION ACTS

THE Irish Parliament had contained three hundred members. Now the Irish Representatives in the British Parliament numbered thirty-two in the House of Lords and, in the Commons, one hundred—less than a sixth of the membership of the House.

Ireland as a political unit had been abolished. The Irish nation was to be dealt with, in future, as a part of the United Kingdom; an innocuous and negligible fraction of it, since her Representatives, even when unanimous, could be outvoted on all occasions when Irish interests might threaten to conflict with those of Great Britain. The Irish had been rendered a minority in the House of their conquerors. Actually, for the first twenty-nine years of the Union the Catholic Irish were unrepresented, since Catholics were excluded by the test oath from membership of Parliament. The ballot, moreover, was open, and, though a forty-shilling freehold qualified a man for franchise, the tenant dared not vote for any but the candidate approved by his landlord. The Irish Representatives represented, in fact, only the garrison class. The Presbyterians, recognising that an independent Irish Parliament would be predominantly Catholic, became re-united to that garrison class. Detached by this means from their sympathetic alliance with the people, the Presbyterians of North-East Ulster became the most zealous members of the Orange Lodges and supporters of the Crown.

There were still Protestants, however, who felt themselves to be Irishmen and whose first devotion was to the cause of freedom. Robert Emmet was one of these. A young man of great intellectual promise, he led, in 1803, a revolt against British rule. An attack on Dublin Castle was elaborately planned but, by accident and treachery, was brought to a disastrous end. Seventeen of the conspirators were executed. Robert

Emmet was publicly hanged in Dublin and the body was beheaded.

“When my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written,” he had said. His eloquent speech from the dock, his daring attempt and his sacrifice have never ceased to stir the imagination of the Irish people, who have not written his epitaph yet.

Not yet had it become an easy matter for England to hold Ireland: an intricate system of government, with military occupation and constant espionage, was required.

Dublin Castle was the centre of Administration and the Under Secretary, a “permanent official,” had a good deal of responsibility. The Lord Lieutenant and the Chief Secretary for Ireland, the nominal authorities, were appointed by the British Premier and spent much of the year at Westminster. A military garrison composed of regiments of the British Army occupied barracks in Dublin and in all the principal Irish towns and an auxiliary garrison was established by Sir Robert Peel. This force was recruited in Ireland and known as the Royal Irish Constabulary. The men were armed and were established in fortified posts all over the country: the smallest village had its R.I.C. barrack. The force was directly responsible to the English officials in Dublin Castle and its Headquarters were in the Dublin Castle Yard. The chief duty of the members was to investigate, report and suppress “disaffection” of every kind. It was evidence of the extremities to which the Irish people had been reduced that the Government was able to constitute this force entirely of Irishmen.

In 1817, the Irish Exchequer was united to that of England and a system of taxation was gradually developed by which the pauperisation of Ireland was further secured.

Already the poverty of the peasants was indescribable. A large number of the landlords had, since the Union, taken up residence in London, and these farmed their Irish rents to agents whose extortions were without limit. The peasant, a tenant at will, had no appeal. If he made improvements in land or dwelling his rent was immediately raised. It was a policy of which despondency, neglect and ultimate degradation were inevitable

results. A people once "valiant, hard and active" gradually became debilitated from hunger, slovenly from the futility of exertion, cowed by the ever present menace of starvation for their children and for themselves.

English Poor Law Inquiry Commissioners appointed in 1832 to investigate conditions in Ireland recommended the institution of Workhouses. One Commissioner protested that this system would be unsuitable in dealing with the Irish peasant. "For," he wrote,

"what sort of habitation can you put him in that will not be infinitely superior to his damp, dark cabin, which admits the rain and wind through various parts of the roof? And how is he to be fed in a Workhouse in a manner inferior to his ordinary mode of subsistence? You can hardly deny him a sufficiency of potatoes and salt."

One of the taxes imposed on the people and resented with peculiar bitterness was the Tithe, extorted from Catholics as well as Protestants for the upkeep in Ireland of the Protestant, now the State, Church. Conflicts between the peasants and the collectors making seizures for payments amounted in the 'thirties to a "Tithe War." A measure of relief was passed in 1838.

After Emmet, for a generation, no revolutionary leader arose. Daniel O'Connell's leadership was of a pacific kind. Himself a Catholic, he was obeyed by the people with a fervour of loyalty. He confined himself to organising monster demonstrations and to constitutional action. His movement for Repeal of the Union failed, but he succeeded in securing the concession known as "Catholic Emancipation." He was elected member of Parliament for Clare and refused the test oath; this and the ensuing agitation forced its removal, for the Duke of Wellington declared that otherwise he would be unable to hold Ireland with less than seventy thousand men.

The measure admitting Catholics to membership of Parliament was enacted in 1829. The grant was, however, accompanied by the withdrawal of the franchise from the forty-shilling freeholder. This measure, placing the title to vote at a higher estimate, enormously reduced the Catholic electorate.

The native Irish had not died out, nor been converted to Protestantism, nor submitted contentedly to the place assigned to them as serfs to the conquering class. They were gradually winning their way upward into Irish public life. The course of wisdom for the Government was to obscure the consciousness of separate nationhood, as far as possible, in the Irish people, and a very thorough effort in this direction was made by means of a scheme of compulsory education through National Schools. In these schools the Irish language was forbidden; the literature and history and legends of Ireland were not taught. The courses were designed with the most meticulous attention to detail for the Anglicisation of the rising generations. The children were taught to regard the English language, England's history and culture as their own inheritance and England as the mother country to which their whole allegiance was due. Since Trinity College (Dublin University), the only centre of advanced education in Ireland, was Elizabethan in foundation and tradition and outlook, the project was comprehensive enough to promise success. In two generations the Irish language seemed practically extinct, but the national consciousness of the people was not dead.

The menace of an increasing Irish population disquieted England, but not for very long. Natural calamity combined now with the interests of the Government and the landlords to change growth to decay and bring on Ireland desolation more terrible than had been caused by the Tudor wars.

The Census of 1841 showed that the population of Ireland had risen from 6·8 million in 1821 to 8·2 million in twenty years. (8,175,124 in 1841). In spite of poverty and misery the Irish were still among the most prolific of the European races. The population was estimated at about 8·3 million in 1845. The total population of Great Britain was not much more than twice as great.

In that year and the three succeeding years the Irish potato crop was destroyed by blight.

The landlords, with the exception of a few of the humaner sort who lived still in Ireland, had no interest in keeping the peasant on the soil, since the restriction of the franchise had deprived the small freeholders of the vote. It had become more

profitable, moreover, to rear cattle for export to England than to grow crops; tillage was being converted to grazing land and the tenants were an inconvenience on the estates. Clearances of the homesteads had begun. When by the failure of their staple food the people were threatened with starvation, neither the Government nor the landlords had any inducement to take effective measures for relief. Famine ensued.

The famine was not a natural one. There were excellent grain harvests that year in Ireland: there was enough grain in the country to keep the whole population supplied with food. "The people have not enough to eat," *The Times* declared.

"They are suffering a real though artificial famine. Nature does her duty; the land is fruitful enough, nor can it be fairly said that man is wanting. The Irishman is disposed to work; in fact man and nature together do produce abundantly. The island is full and overflowing with human food. But something ever intervenes between the hungry mouth and the ample banquet."<sup>1</sup>

The factor which "intervened" was simple. Rents had to be paid; the grain was claimed by the landlords in payment and the Government refused to close the ports. John Mitchell has recorded the rage and despair with which people saw

"immense herds of cattle, sheep and hogs . . . floating off on every tide, out of every one of our thirteen seaports, bound for England; and the landlords were receiving their rents, and going to England to spend them; and many hundreds of poor people had lain down and died on the roadsides, for want of food."<sup>2</sup>

The relief schemes which the Government instituted were largely ineffective, imposing hampering conditions and employing a great number of officials.

In four years over seven hundred thousand people died of hunger and famine-fever, and more than eight hundred thousand fled from Ireland in emigrant ships—"coffin ships" they were

<sup>1</sup> *The Times*, June 26th, 1845.

<sup>2</sup> John Mitchell, *The Last Conquest of Ireland (Perhaps)*, chapter xi.

called, because so great a number of the emigrants died at sea.

To famine was added the terror of eviction: whole villages were being razed to the ground. Speaking in the House of Lords on March 23rd, 1846, Lord John Russell said that more than fifty thousand families had, in one year, been "turned out of their wretched dwellings without pity and without refuge." "We have made Ireland," he declared, "I speak it deliberately—we have made it the most degraded and most miserable country in the world. . . . All the world is crying shame upon us; but we are equally callous to our ignominy and to the results of our misgovernment." Referring to an official report on evictions, Sir Robert Peel said: "I do not think the records of any country, civilised or barbarous, present materials for such a picture."<sup>1</sup>

In the three years following the end of the Famine vast numbers of men, women and children were evicted and great numbers of them perished from exposure and disease.

The Census of 1851 showed that, in six years, nearly two million of the population of Ireland had disappeared. The number of people in the country, including a great British Army of Occupation, had fallen to 6.6 million. The Census Report submits:

"In conclusion, we feel it will be gratifying to your Excellency to find that, although the population has been diminished in so remarkable a manner, by famine, disease, and emigration, and has since been decreasing, the results of the Irish Census are, on the whole, satisfactory."

In the following decade another million emigrated; for evictions continued. "The cabins of the peasantry were pulled down in such numbers," the *Quarterly Review* stated in 1854, "as to give the appearance, throughout whole regions of the South, and still more of the West, of a country devastated and desolated by the passage of a hostile army."

Until the end of the century the "hostile army" of landlords was helping to empty Ireland of its inhabitants while in neighbouring countries populations multiplied; and Ireland was still controlled by a governmental system which was one of the most

<sup>1</sup> June 8th, 1870.

costly in the world and oppressed by taxation which deprived the people of all hope of reconstructing the nation's life.

Ireland had become in English eyes, as a French writer has expressed it, "a conquered country, from which nothing need be feared, from which nothing could be hoped; a country that was done for, that could never revive, and towards which the best policy to pursue was to draw from it as large a tribute as possible, of men for the army, and of money for the Empire."<sup>1</sup>

During the reign of Victoria, justly remembered in England for humane legislation, increasing prosperity and the growth of teeming cities, the name of Ireland became a by-word for wretchedness, her story of sorrow so monotonous as to seem a jest.

In seventy years of the Union, between 1841 and 1911, the population of Ireland was reduced from 8·2 million to 4·4 million—little more than half. That of Great Britain was more than doubled in the same period.

The Irish people, in 1841 much more than a quarter of the inhabitants of the United Kingdom, composed less than one tenth of its total population after another seventy years of British rule.<sup>2</sup>

By the Famine, the majority of the Irish people had been crushed below the level at which human nature has the vitality to rebel. In 1848 the tide of revolution was in flood over Europe. Oppressed peoples were filled with the vision of liberty, but Ireland was in despair. Daniel O'Connell was dead: the pacific policy which he had taught no longer promised any remedy for the nation's decay; resistance of another character was tried.

The men who led the Young Ireland Movement were Protestants—a band of gifted and devoted Irishmen. They were unfortunate. Thomas Davis died at the critical moment of preparation; John Mitchell was convicted of treason-felony and deported to a penal settlement for fourteen years; the small

<sup>1</sup> L. Paul-Dubois, *Contemporary Ireland*, p. 88.

<sup>2</sup> <i>Population of Ireland</i>		<i>Of Great Britain and Ireland</i>	
1841	..	8,175,124	27,086,450
1911	..	4,890,219	45,870,580



armed force led out by Smith-O'Brien and Francis Meagher was broken at the first encounter. Their effort failed, as Tone's and Emmet's failed; but it had served, like theirs, as a protest. It left a memory and a literature which never ceased to influence the thought of the nation, and it left the Tricolour—the flag of green, white and orange presented to Young Ireland by Republicans of France.<sup>1</sup>

From the time of the French Revolution the ideal of an Irish Republic haunted the thoughts of the insurgents. Although freedom from English rule was their first purpose and the question of a form of government was not publicly formulated, and although many of them, in youth, believed justice obtainable without complete separation from Britain, time lessened their hope of redress under English rule and gave the greater ambition a stronger appeal. The writings of many of the leaders reveal what was their ultimate hope. "Separation from England and her establishment as an independent Republic" was Tone's final ideal for Ireland,<sup>2</sup> and, since France and England were at war in his time, he proposed an alliance with France.

"Our object is to establish a free and independent Republic in Ireland," Emmet's manifesto declared in 1803. "Freedom can take but one shape among us—a Republic," Thomas Devins Reilly, one of the Revolutionaries of 1848, affirmed. John Mitchell wrote in his *Jail Journal*, "I have made sure that the struggle will become a Republican one in the long run."

It was by the survivors of the struggle of '48 that the Irish Republican Brotherhood was formed. It was founded by John O'Mahony in the United States of America in 1858.<sup>3</sup>

The centre of the I.R.B. remained in the United States. It was supported by a great Irish-American Organisation, the *Clan na Gael*. James Stephens, in exile since '48, was entrusted with the task of coming to Ireland, organising the Republican Brotherhood and preparing a Rising there. Among his first colleagues was Jeremiah O'Donovan Rossa of County Cork.

Those who banded themselves together to prepare another

<sup>1</sup> Michael Cavanagh, *Memoirs of Thomas Francis Meagher*.

<sup>2</sup> Tone's journal, in Paris, February 26th, 1796.

<sup>3</sup> John Devoy, *Recollections of an Irish Rebel* (New York; Charles Young & Company, Printers): John O'Leary, *Recollections of Fenians and Fenianism*.

attempt to free Ireland took the name of Fenians, from the legendary host of Fionn Mac Cumhal.

As a secret, oathbound society, the I.R.B. was denounced by the Catholic Church, but the unhappy people adhered to Fenianism as their last hope. Great numbers enrolled; the American armies of the Civil War contained thousands of Irishmen whose experience was to be used in training young men at home; Irishmen serving with the British Forces took the secret Fenian oath. English agents, however, were at the same time enrolling secretly in the Fenian ranks. The movement, like all revolutionary efforts in a country policed by the enemy, was weakened by the presence, everywhere, of spies. In 1865 the leaders in Ireland were arrested and sentenced to long terms of penal servitude in English prisons.

In 1867 Irishmen who attempted to rescue prisoners in Manchester accidentally killed a policeman and three of them were hanged. A few months later an attempt to rescue prisoners by breaching the wall of Clerkenwell prison resulted in an explosion in which fifty persons were injured and twelve killed; one of the "Dynamiters" was hanged.

The Fenian Rising of '67, abortive though it was, disturbed the British Government. In an effort to conciliate the Irish, a Bill for the Disestablishment of the Protestant Church in Ireland was introduced by Gladstone and passed in 1869; in the following year a somewhat ineffective Land Bill was passed. At the same time, Coercion Acts, such as had been employed for the government of Ireland almost continuously since the Union, were renewed—Acts that made every expression of national feeling a crime.

## CHAPTER 3

1870-1898

### THE LAND LEAGUE - PARNELL - CASTLE GOVERNMENT - GLADSTONE - DIVISION AND DEFEAT

**THE** character of English government in Ireland was such as to create rebels, even among those in whom the innate passion for national freedom was least strong. It united in the struggle for independence men and women whose ideals differed widely and whose views on the methods to be used in striving for a political object differed more widely still. The union of diverse elements was to be the strength and weakness of the Irish struggle henceforth.

Resistance to British rule continued, however, to flow in two main parallel streams. Those who were willing to resort to arms had as their aim nothing less than full independence and a Republic ; it was men of this temper who in 1878 secretly re-organised the Irish Republican Brotherhood, though they were without a programme of action for the moment, since the failure of the Fenian Rising had been complete.

Those whose goal was less than independence confined themselves to less perilous methods of achieving their aim. Daniel O'Connell was the precursor of a line of Irish Parliamentary leaders whose methods were constitutional and who asked for Ireland nothing more ambitious than a measure of self-government under the British Crown—such a measure as was meant by “ Home Rule.”

The collapse of the Rising of '67 left the way open for leaders of this less revolutionary disposition. In 1870 Isaac Butt founded the Home Rule League. Four years later Butt was the leader of a Home Rule Party in the House of Commons.

Overwhelmingly outnumbered by Ireland's conquerors, this Party encountered at Westminster an attitude of cynical contempt. Twenty-eight Bills introduced between 1870 and 1880 with the object of ameliorating conditions in Ireland were rejected. The Irish Party, by the method of “ obstruction,” was able to prolong debates and harass its opponents but was

unable to secure for the Irish people any substantial measure of relief.

The last of the 'seventies were years of bad harvests in Ireland; famine threatened again. The peasants had lost all confidence in constitutional agitation for redress. It was a Fenian, a ticket-of-leave man just out of prison, Michael Davitt, who organised them in defence of their homesteads. The campaign against excessive rents, known as the "Land War," opened in 1879 in the West. The people responded and supported one another in the conflict that followed with a loyalty no less than heroic—evictions were resisted, evicted tenants were housed and helped. The resistance was supported by an organisation of Irish women—The Ladies' Land League—presided over by Anna Parnell.

In the year 1880 there opened for Ireland a period of active struggle and of hope. Davitt and his Land League were forces too powerful to be ignored; the rank and file of the Republican Brotherhood (though not its leaders) supported them; and at the head of the Home Rule Party in the House of Commons was Charles Stewart Parnell.

A landowner, a man of exceptional gifts, ambitious, and fired by an innate detestation of English policy, Parnell soon enjoyed a position of extraordinary influence in Ireland. His Party was disciplined and virile and contained brilliant men. The people gave him unparalleled allegiance and trust. Davitt induced him to become President of the Land League. In consenting, Parnell openly allowed his own Parliamentary campaign to be reinforced by the existence of the League and of the Fenians' organisation with their implied threat of resort to violence should constitutional efforts fail.

His parliamentary policy was a definite one. He allied the Irish Party to neither of the great English parties but aimed at holding the balance of power between the Conservatives and the Liberals, while each Party realised that the price of the Irish vote was a pledge to introduce Home Rule. This policy, with the device of "obstruction" in the House of Commons, and the activities of the Land League, made the Irish question one which British statesmen could no longer treat with contempt.

To counter all this the traditional system of Empires—the

alternation of coercion and conciliation, was tried. In 1881 the Land League was proclaimed illegal, meetings were broken up by the batons of the police, *habeas corpus* was suspended and over one thousand men were imprisoned, including Parnell, John Dillon (his chief lieutenant) and Michael Davitt; at the same time a more or less conciliatory Land Act was passed.

In '82 Gladstone concluded with Parnell an agreement which gave promise of a peaceful settlement. The political prisoners were released and a Lord Lieutenant and Chief Secretary appointed who were more or less sympathetic to the Irish cause. The murder of the new Chief Secretary (Lord Frederick Cavendish) and Mr. Burke (the Under-Secretary) in the Phoenix Park in Dublin suddenly changed the whole outlook. It provided the Government with a pretext for resorting to coercion again. Although the Irish Party and the Land League both repudiated the murder and although the deed was traced to a small party of men calling themselves the "Invincibles," and four of these were hanged, revenge was taken upon the whole nation.

The Crimes Act of 1882 gave the police powers of search and arrest and permitted them to disperse meetings and seize papers. Persons could be imprisoned and detained without trial; juries in certain cases were replaced by commissions of judges; Ireland was governed by something not very different from martial law. The Crimes Act was drastically administered by the Viceroy, Earl Spencer, and by the new Chief Secretary, Trevelyan. It was the fifty-seventh special Act for dealing with disaffection in Ireland passed since the Union.

Among the "disaffected" persons arrested in 1888 was a man, very young and ardent, named Thomas Clarke.<sup>1</sup>

The Franchise Act passed for the United Kingdom in 1884 trebled the number of persons entitled to vote in Ireland; a Conservative Ministry, supported by the Irish Party, came into office in the following year and did not renew the Crimes Act.

Even in the intervals between Coercion Acts, the system by which Ireland was governed was one calculated to provoke

<sup>1</sup> Biographical Note, p. 935. See also L. N. Le Roux, *Tom Clarke*.

revolt. Mr. Joseph Chamberlain described it in indignant terms. He said:

“ I do not believe that the great majority of Englishmen have the slightest conception of the system under which this free nation attempts to rule the sister country. It is a system which is founded on the bayonets of thirty thousand soldiers encamped permanently as in a hostile country. It is a system as completely centralised and bureaucratic as that with which Russia governs Poland, or as that which prevailed in Venice under the Austrian rule. An Irishman at this moment cannot move a step; he cannot lift a finger in any parochial, municipal, or educational work, without being confronted with, interfered with, controlled by an English official, appointed by a foreign Government, and without a shade or shadow of representative authority. I say the time has come to reform altogether the absurd and irritating anachronism which is known as Dublin Castle.”<sup>1</sup>

Yet Dublin Castle was, as Lord Morley suggested many years later, “ the best machine that has ever been invented for governing a country against its will.”<sup>2</sup>

“ Dublin Castle ” was, in effect, the Chief Secretary for Ireland. This official was, as a rule, a member of the British Cabinet. He exercised direct control over all the innumerable government departments in Ireland, the Viceroy (the Lord Lieutenant) acting on his advice. Patronage and appointments in every sphere of Irish public life lay in his gift. By him or by his advice to the Crown were appointed Privy Counsellors, High Sheriffs, Lords Lieutenant of the several counties, County Court Judges, Resident Magistrates, Clerks of the Crown, Crown Solicitors, and other officials. He exercised direct control over the Constabulary. This force was still functioning as an auxiliary army of occupation and carrying out an exceedingly effective system of political espionage.

A typical “ Secret Order ” circulated from the Castle to its Police Force is the following which was captured and published in a national journal, *United Ireland*, to the embarrassment of the authorities. It is dated 9th November, 1886:

<sup>1</sup> At Holloway, 1885.

<sup>2</sup> At Manchester, May 12th, 1902.

“ Secret.

“ County of —

“ 9th November, 1886.

“ Furnish without delay a list of persons in your sub-district now alive, who for the last five years have taken a prominent part in the Irish National movement either as Fenians or Nationalists. The list is to include:

- “ 1. All Fenians or members of the I.R.B. to rank of county centre or whose influence is worth noting.
- “ 2. Prominent secret society men of considerable local influence, who have taken, or are likely to take, a leading part in the commission of outrages.
- “ 3. Active influential Fenians who travel about the country organising and promoting the interests of secret organisations.
- “ 4. Roman Catholic clergymen, and other persons of note, who take a leading part in the National movement, and from their position and status have influence over the people.
- “ 5. Persons of prominence who move about between Ireland and Great Britain, or who are in the habit of visiting Ireland from America; also persons of note, who have recently returned from America to settle in Ireland. In the list opposite each man's name, his antecedents, character, opinions (whether extreme or moderate); in fact everything known about him in connection with the Fenian or National movements should be given. The list to be in the following form . . .”<sup>1</sup>

The Chief Commissioner of the Metropolitan Police was appointed by the Lord Lieutenant, and the Commissioner's office was in the Castle. Every man wishing to join either this force or the R.I.C. had to present himself at the Castle for approval. Officers of the R.I.C. were all nominated by the Chief Secretary, whose relation to the police force corresponded to that of the Home Secretary in England.

The prerogative of mercy lay in the Chief Secretary's hands. The machinery of administration was composed of a great

<sup>1</sup> Quoted by R. Barry O'Brien, *Dublin Castle and the Irish People*, p. 100.

number of Boards acting independently of one another. Each was directed by a Commissioner appointed by the Castle. It was a system cumbersome and costly in the extreme, involving an immense personnel and costing the impoverished population of Ireland more per head than any other people in the world for their government. It provided patronage and employment for the British and pro-British element in Ireland. Needless to record, no person "tainted" with a suspicion of "disaffection" to the Crown filled any of these posts.<sup>1</sup>

The outstanding characteristic of the entire system was its non-representative nature. It was, indeed, the antithesis of representative government. With the exception only of Czarism, it was the most flagrant repudiation of the principles of democracy among the white peoples of the world.

A consequence and at the same time evidence of the unpopular nature of the Government was the condition of the courts of law. Men whom the Irish people regarded as their champions were constantly being charged for offences against the Crown, with the result that juries frequently refused to convict. The Government met this difficulty by "packing" the juries. In Crown prosecutions the names of men known to be of national sympathies were systematically omitted from the panel, or such men, when presenting themselves as jurors, were ordered to stand down. The rejection of all Catholics was the simple method commonly employed to secure the conviction desired. A case which occurred in Sligo in 1886 became notorious. In this county there were nine Catholics to one Protestant; the jury, nevertheless, had a Protestant majority: Protestants of liberal tendencies as well as Catholic magistrates and the Catholic ex-Mayor had been ordered to stand aside.

Such was the system of administration which the Irish people had determined to bring to an end. The 'eighties were years of alternating despair and hope. In England, a more enlightened attitude towards the colonies was beginning to prevail and this aided the cause of the conquered country. Moreover, the misgovernment of a nation so close to its own shores and held in

<sup>1</sup> For a list of Boards, Offices, and Departments see R. Barry O'Brien, pp. 295 *et seq.*



such immediate control had become a notorious reproach against English statecraft. The Land League was still harassing Irish landlords; Parnell and his Party were harassing the House of Commons. In 1886 Gladstone introduced a Bill to give Ireland a measure of Home Rule.

From the outset, Conservative opposition to the measure was intense, and many Liberals detached themselves from Gladstone and formed an alliance with the Conservative Party for the maintenance of the Union. This Unionist alliance presented a front of implacable hostility to Home Rule. It found its vanguard in the Orange Lodges of Belfast.

The garrison class in Ireland, apprehensive of finding itself reduced from the status of a privileged ascendancy to the position of a small minority under a democratic régime, was passionately hostile to Home Rule. Its British opponents did not fail to apprehend the use to which that hostility could be put. Lord Randolph Churchill declared that the Orange card was the card to play and prayed that it would turn up trumps. He went to Belfast and gave the Orangemen their watchword: "Ulster will fight and Ulster will be right." Intense excitement was aroused; Unionist demonstrations of a riotous character followed; the houses of Catholics were burned down and there were many fatalities.

The Home Rule Bill was defeated in the House of Commons and Parliament was dissolved. In the election that followed, the wish of the majority of the Irish people was unequivocally made known. The Irish vote returned eighty-six Home Rule members and seventeen opposed to Home Rule. The Irish majority was, however, a mere minority in the United Kingdom. Except as a pawn in British politics, its interests did not count. "We cannot allow the discontent of some three million of the inhabitants of the United Kingdom to reduce more than thirty millions to impotence," was the view expressed by a Liberal Unionist.<sup>1</sup> To such political impotence the Irish nation, by the Act of Union, had been reduced.

The Conservative Party was returned to power and Lord Salisbury became Prime Minister.

The Land League embarked on its "plan of campaign" by

<sup>1</sup> Mr. Goschen, candidate for a Liverpool constituency, January 1887.

which the tenants offered only the rent adjudged fair by their own organisation. Not a few of the Irish landlords proved willing to accept these conditions but the plan was condemned by a Papal Rescript, as was Boycotting.<sup>1</sup> The British Government met the campaign by a perpetual Coercion Act—the Crimes Act of 1887.

Ireland was, as a rule, very free from crime and was notably so at the time when the Crimes Bill was under discussion. An atmosphere conducive to its favourable reception was created by the English Conservative organ, *The Times*. On the day of the Second Reading this journal published a letter which condoned the Phoenix Park murders and which was alleged to have been written by Parnell. *The Times* had bought the letter from a man named Pigott for the sum of £2,500, so important did it seem to Unionist policy to discredit Parnell. By the time a Parliamentary Commission had discovered that the letter was a forgery the Crimes Act was in full force.

By the terms of this Act the Lord Lieutenant was empowered to proclaim any Irish association illegal and the Press was forbidden to publish reports of the meetings of associations so proclaimed. Heavy penalties were inflicted for demonstrations of disaffection. Many of these were of an extravagant character; Michael Davitt records the case of a little boy charged with looking at a policeman with a “humberging sort of a smile.”<sup>2</sup> Trial by jury was in certain cases superseded; resident magistrates were empowered to commit persons to jail. Five thousand persons were charged under this Act in three years. A consequence of the licence permitted to the Constabulary was the long-remembered fatality at Mitchelstown when the police, firing on a meeting, killed three men. Arthur Balfour, who was Chief Secretary for Ireland during these years, left a reputation for ruthless severity.

The discrediting of Parnell was achieved, at last, in 1890, when a divorce case was taken and Parnell, cited as co-respondent, did not defend.

The shock to the Irish people was profound. Parnell was their ✓

<sup>1</sup> An organised refusal to have any dealing with the person accused. The method was named after the first object of its practice, Captain Boycott.

<sup>2</sup> Davitt, *The Fall of Feudalism in Ireland*, p. 526.

“uncrowned king” and they were torn between dismay at his frailty and the dread of losing his leadership, which seemed irreplaceable. Gladstone, however, indicated that if Parnell remained at the head of the Irish Party he could not hope to carry Home Rule.

The controversy that followed was extremely bitter. The Catholic bishops denounced Parnell and a tribute organised by his supporters was condemned by a Papal Rescript. Parnell begged the Irish people, if they were going to throw him over, at least to get his price in the shape of a definite promise of a Home Rule Bill.

The Irish Party divided: those who held that Parnell's leadership ought to be sacrificed in order to retain the aid of Gladstone had the majority. On December 6th, 1890, Justin McCarthy became leader of the Irish Party in succession to Parnell.<sup>1</sup>

Parnell died, at the age of forty-five, in the following year.

Ireland did not get his price. Gladstone's second Home Rule Bill in 1893 passed the Commons but was rejected by the Lords. When, in the following year, Gladstone retired, Home Rule for Ireland seemed almost a lost cause.

<sup>1</sup>T. M. Healy, *Letters and Leaders of My Day*, p. 386.

## CHAPTER 4

1893-1905

AFTER PARNELL — LAND PURCHASE — THE GAELIC LEAGUE —  
SEPARATISTS — JAMES CONNOLLY — TOM CLARKE — ARTHUR  
GRIFFITH — SINN FEIN

PARNELL had received from the most ardent patriots in Ireland that homage which they render only to insurgent leaders as a rule. It was, perhaps, because they recognised that Parnell shared their whole-hearted detestation of English rule, and knew that the modesty of his demands at Westminster was no measure of his ambition for Ireland. He did not regard the British Parliament as the proper arena for Ireland's struggle and believed that the sending of members to the House of Commons should be a temporary expedient. "No man," he had said, "can set bounds to the march of a nation," and, with a gesture, gathered Republicans as well as moderate Home Rulers under his banner. For a decade, the two currents of the Irish struggle flowed as one.

After Parnell, for a generation, no leader united the national energies and they became divided into many streams, one force narrowing into subterranean channels while another grew shallower and lost power. For ten years after the "Parnell split" the whole nation was divided by faction and the Parliamentary Party was disrupted by animosities. John Dillon, T. M. Healy and William O'Brien led the group which had opposed Parnell. The group which had remained loyal to Parnell, now led by John and William Redmond, was at first very small, but its prestige slowly increased.

The anxiety of the nation as a whole for self-government was intensified by the publication in 1896 of the report of a Royal Commission on the financial relations between Great Britain and Ireland. This Commission had been set up in 1894 under the Chairmanship of the Right Honourable Hugh C. E. Childers, a former Chancellor of the Exchequer.

The Commission presented six reports, including a joint report in general terms. This declared:

“ That the Act of Union imposed upon Ireland a burden which as events showed she was unable to bear; that whilst the actual tax revenue of Ireland is about one-eleventh of that of Great Britain the relative taxable capacity of Ireland is very much smaller, and is not estimated by any of us as exceeding one-twentieth.”

One report<sup>1</sup> found that the ratio of taxable capacity of Ireland to Great Britain was 1 to 36, and that Ireland had suffered over-taxation, during the ninety-four years of the Union, at an average rate of about three million pounds a year. This report recommended that, in view of “ the flagrant evil of wasteful and disproportional expenditure ” from which Ireland had suffered, she

“ should for a period be exempted from contribution to the expenditure of the Empire, which causes no augmentation of her resources.”

Other members of the Commission held that Ireland should be charged for the high expenses of her government.

Irish people, studying these reports, realised one simple fact revealed by all of them—that they were paying, in taxation, for the privilege of being badly governed by Great Britain, a sum enormously in excess of what it would cost them to govern themselves.

No steps were taken by the Government to make restitution to Ireland or to bring the extortionate system to an end.

In certain directions the Unionist Ministry which came into power in 1895 pursued a policy of amelioration towards Ireland. It granted such “ concessions ” as the Local Government Act of 1898 and set up a “ Board of Agriculture and Technical Instruction ” and a “ Congested Districts Board.” “ To kill Home Rule by kindness,” was the Irish interpretation of its aim. In the Irish Party, counsels were divided as to the reception of these “ instalments ” of Home Rule and strength was wasted in controversy until, in 1898, the United Ireland League was organised by William O’Brien and John Dillon, and in 1900 the

<sup>1</sup> Signed by Thomas Sexton, M.P., the Hon. Edward Blake, M.P., and Henry Slattery.

Party was re-united under the Chairmanship of John Redmond. Parnell was a Protestant; Redmond was a member of one of the few Catholic families owning land in Ireland, a graduate of Trinity College and a man, at that time, of strongly nationalist views. His views were to become modified, however, while the nation's demand was destined, on the contrary, to increase both in urgency and in scope. The period of his leadership has been described as "an English tragedy" by those who believe that a timely grant of the subordinate Parliament which he demanded would have rendered the Irish people proud citizens of the Empire and loyal subjects of the Crown.

These are unsafe speculations; the reign of Edward VII covered a decade very deceptive to the superficial observer of Irish affairs. There were few of the Irish Members who did not become subdued by the atmosphere of the House of Commons; the Home Rule Party grew gradually parliamentary in language as well as method and the game of mingled chance and skill being played at Westminster diverted attention from the growth of potent, deep-rooted ideas on Irish soil.

The spirit of liberty is not killed by kindness. A conquered people in whom that spirit still lives must be given justice or nothing; an alien Government which permits them to rise above hopeless destitution will be confronted with a nation in revolt.

Land Purchase Acts which culminated in the Wyndham Act of 1903 proved an illustration of this truth. It was the most "generous" of this Government's "concessions"; it enabled Irishmen to buy back from the heirs of the confiscators portions of the confiscated land.

A Government Loan was offered to tenant-farmers, to be repaid by them and their descendants over a period of something, in the main, less than seventy years, in the form of annuities. This loan enabled the tenants to offer a small purchase price to their landlords. A Government bonus amounting to twelve millions payable to the landlords supplemented the price thus paid.

The Government, at a later date, raised the sum which it required for its loan by the issue of Irish Land Stock.

The scheme was an effective one, and had unforeseen results. Irish farmers, owners, at last, of small holdings, were able to keep their growing children at home; emigration decreased and once again "a race and generation of men, valiant, hard and active," grew up on the Irish land.

From their grandparents these young people heard stories of the Fenian Rising of '67; they read of the effort in '48 and of Emmet and how, in every generation since the Invasion, the best men in the country had risen in an attempt to set Ireland free. They found other teachers also who, though they did not dream of revolution, went beyond the Parliamentarians in their doctrine.

Dr. Douglas Hyde was no revolutionary, but a scholar and poet who regretted the destruction of the literature of his nation and desired to save the Irish language before it was too late. He founded the Gaelic League in 1893 and a torrent of enthusiasm was released. The language was learned and taught by men and women who travelled all over Ireland without pay. The epics and songs of the Gael were retrieved from oblivion, music collected, dances and games revived. A people so long despised that they had begun to believe the legend of their own inferiority re-discovered a culture which was just matter for national pride. Gallant ballads were made and histories written; companies of Irish players performed plays, on the heroic legends, by George Russell and Yeats and Synge, and Lady Gregory's plays of Irish peasant life, and her *The Gaol Gate* and *The Rising of the Moon*. Mr. Yeats's play about Cathleen ni Houlihan, the poor old woman who is Ireland, was an inspiration to dreams that were soon to take shape as deeds.

The Gaelic League, non-sectarian and non-political, was no more intended than were these plays and poems to cause sedition; but the soil was more fertile than they realised who sowed the seed, and the cause they served was greater than they knew. "The reincarnation of an Irish nation" was William Rooney's phrase. It was Padraic Pearse who wrote, ten years later:

"The Gaelic League will be recognised in history as the most revolutionary influence that has ever come into Ireland.

The Irish Revolution really began when the seven proto-Gaelic Leaguers met in O'Connell Street. . . . The germ of all future Irish History was in that back room."<sup>1</sup>

The logical conclusion of this "Irish Ireland" movement was a demand for something more than a restricted measure of Home Rule: a demand for separation from the British Empire.

The Separatists were in these years a small minority; they were without a political programme but the ideal found expression in small weekly papers like the *Shan Van Vocht* which Alice Milligan and Eithne Carberry produced in Belfast. James Connolly,<sup>2</sup> a Catholic Ulsterman, founded in 1896 the Irish Socialist Republican Party and two years later founded and edited *The Workers' Republic*. The organisation had no immediate political programme and seemed unimportant, but James Connolly's great mission, the uniting of the cause of Irish Labour with that of national independence, had begun. "The Irish working class must emancipate itself and, in emancipating itself, it must, perforce, free its country," he wrote.<sup>3</sup>

He did a great deal of writing in papers and pamphlets, urging always that the struggle for national independence and that for the liberty of the working class must keep pace.

"Only the Irish working class remain as the incorruptible inheritors of the fight for freedom in Ireland,"

he taught.<sup>4</sup>

None of these groups planned or hoped to achieve anything at the time by a resort to force. But the secret organisation which had prepared the Fenian Rising still existed. Men who had taken part in it were living and planning still.

In 1898 Thomas Clarke was released after fifteen years of penal servitude in an English jail. Those who were children in that year would never forget the torchlights and bonfires that welcomed him home to Ireland and the stories that were told again of the Fenians. This year was the centenary of the Rising of the United Irishmen. Songs and ballads were made about that

<sup>1</sup> *The Irish Volunteer*, February 7th, 1914.

<sup>2</sup> Biographical Note, p. 936.

<sup>3</sup> *Labour in Irish History*.

<sup>4</sup> *Labour in Irish History*, Foreword.



Rising; statues were set up in the market-places in memory of the men who fell in it. "And true men be you men, like the men of '98" was the inscription on some of these. Young Ireland Societies and Wolfe Tone Clubs were formed.

England was invading the Boer Republics and an Irish Brigade was fighting on the side of the Boers, commanded by John MacBride. Tom Clarke's first impulse was to join that Brigade, but the Irish Republican Brotherhood in Ireland needed reorganisation and its members persuaded him to stay in Ireland for the time.

The I.R.B. was a small organisation at that time. "Its whole membership could have been comprised in a concert hall," says a writer who was a member of the Supreme Council.<sup>1</sup> But it was abetted and financed from the United States by the *Clan na Gael*, and every Irish organisation that could further the cause of independence was the object of its interest, influence and, sometimes, of its secret control.

Its constitution manifested a democratic and liberal outlook.

"There shall be no State religion in the Irish Republic," it declared. "Each citizen shall be free to worship God according to the dictates of his conscience."

The oath of membership was as follows:

"In the presence of God, I . . . do solemnly swear that I will do my utmost to establish the National Independence of Ireland, that I will bear true allegiance to the Supreme Council of the Irish Republican Brotherhood and Government of the Irish Republic; that I will implicitly obey the Constitution of the Irish Republican Brotherhood, and all my superior officers, and preserve inviolable the secrets of the organisation. So help me God!"<sup>2</sup>

The Brotherhood had always its selected group ready to act as "The Provisional Government of the Irish Republic" when the moment for revolution should come. The Head of the Supreme Council would, in such emergency, be regarded as the Head of the State.<sup>3</sup>

<sup>1</sup> P. S. O'Hegarty, *The Victory of Sinn Fein.*      <sup>2</sup> Constitution of 1894.

<sup>3</sup> Articles by Joseph Sexton in *An Phoblacht* (July 1931 *et seq.*).

Secrecy was the Brotherhood's weakness as well as its strength. The divided loyalties and internal caucus work inseparable from conspiracy honeycombed the I.R.B. One purpose, however, was served with singleness of mind by every member—Ireland's independence. To that, other considerations had to give way. Workers in the open, popular movement little knew how carefully and effectively their efforts were co-ordinated and directed by men whose names, in many instances, they scarcely heard.

"We kept the whole of Ireland and every happening, and every possible happening," P. S. O'Hegarty writes, "constantly under view, and we threw our weight wherever it seemed to us that we could best advantage the cause."

In 1898 there seemed no opening anywhere for activity more effective than talking at Westminster, writing and debating in Ireland, singing Gaelic songs and playing Gaelic games, but in the following year a weekly paper with the same name as John Mitchell's paper, *The United Irishman*, appeared. Its founder and editor was Arthur Griffith,<sup>1</sup> and the policy which he advocated included neither representation at Westminster nor physical force. The finances of the paper were aided by the I.R.B.

John Mitchell had foreseen that the Irish nation would achieve its ends by no one policy but by some plan combining efforts of many kinds. He had shown:

"how a parliamentary campaign, conducted honestly and boldly, might bring the state of public business in Parliament to such a position that repeal would be the only solution; for another way, how systematic passive opposition to, and contempt of, law might be carried out through a thousand details, so as to virtually supersede English Dominion here and to make the mere repealing statute an immaterial formality (this, I may observe, is my way); and for a third way how in the event of an European war, a strong national party in Ireland could grasp the occasion to do the work instantly."

"In this one passage," as Professor R. M. Henry points out,

<sup>1</sup> Biographical Note, p. 986.

“ Mitchell sketched successively the Parnell Policy, the Sinn Fein Policy and the Policy of the Easter Rising.”<sup>1</sup>

“ We accept the Nationalism of '98, '48 and '67 as the true Nationalism,” the first editorial of Arthur Griffith's paper declared; it expressed more or less sympathy with the various contemporary movements and a sceptical tolerance for those who followed the “ tortuous path ” of parliamentarianism.

The Separatist movement, as opposed to the Parliamentary Party, was actively aided by Irishwomen, notably by Maud Gonne,<sup>2</sup> and the members of *Inghinidhe na h-Éireann*—the Daughters of Ireland—a Society which she formed in 1900. When, in that year, Queen Victoria visited Ireland and the British authorities endeavoured to produce a great demonstration of loyalty to the Crown, this Society organised patriotic protests. The Corporation of Dublin refused to present a “ loyal address.” When, three years later, King Edward visited Ireland, his reception was of the same kind.

In 1900, the year which brought the defeat of the Boer Republics, John Redmond became Chairman of the re-united Irish Parliamentary Party<sup>3</sup> and Arthur Griffith founded his first association, *Cumann na nGaedheal*. His articles on “ The Resurrection of Hungary ” appeared in book form in 1904 and were read with profound excitement in Ireland.

“ Hungary,” he wrote, “ won her independence by refusing to send members to the Imperial Parliament at Vienna or admit any right in that Parliament to legislate for her.”

It was in 1905 that he founded the organisation which he called *Sinn Fein*.<sup>4</sup>

Griffith was not a Republican; his ideal was a Dual Monarchy and he based Ireland's claim to that status on the Renunciation

<sup>1</sup> Professor Robert Mitchell Henry's *The Evolution of Sinn Fein* is the most complete and reliable exposition of the national movements of these years.

<sup>2</sup> Biographical Note, p. 937.

<sup>3</sup> The Irish Nationalist Representatives under Redmond's leadership were variously described as the “ Irish Party,” the “ Nationalist Party,” the “ Parliamentary Party,” or simply “ the Party ” or “ Redmondites.” Later, William O'Brien called them the “ Hibernian Party ” as a term of reproach.

<sup>4</sup> Pronounced *Shin Fane*.

Act of 1788, which secured to the people of Ireland the right "to be bound only by laws enacted by His Majesty and the Parliament of that Kingdom."

He believed that nothing would be gained by appeals to "any such myths as English justice or English mercy," or by the "useless, degrading and demoralising policy" of the Parliamentarians.

The programme which he placed before his organisation was a daring and comprehensive plan designed, not only to bring the British Administration in Ireland into contempt, but to supersede it by Irish institutions. The two words, *Sinn Fein* (inadequately translated "we ourselves"), epitomise the doctrine of national self-respect and self-reliance which the policy implied. It was proposed that the Irish Representatives should withdraw from Westminster and form a Council of Three Hundred whose decrees the local elected bodies should, as far as possible, carry into effect. This Council was to set up *Sinn Fein* Arbitration Courts to supersede the British Courts, an Irish Civil Service, an Irish Stock Exchange, an Irish Bank, and appoint Consular Agents to guard Irish commercial interests abroad.

Griffith was a believer in the theories of the German economist Friedrich Liszt, and advocated Protection and the development of Irish Industries. During elections for the Dublin Corporation in 1903 he warmly supported the candidature of James Connolly, although their ideals were not the same.

There were impracticable details in Griffith's programme, but in his plan of non-recognition of British Administration there was that Irish logic which is said to be so consistent that to the English it seems fantastical. There was vision in it which made an instant appeal to the imagination of the people, yet it lacked something of the inspiration that is given to revolutionary movements by the elements of sacrifice and force.

Griffith's career was destined to be at once a triumph and a tragedy, a bitter mixture of failure and of success beyond his dreams.

From its foundation, *Sinn Fein* attracted to itself many of the most thoughtful minds in Ireland; its first National Council included Edward Martyn, Thomas Kelly, Seumas MacManus, Henry Dixon and Maud Gonne. It absorbed the society which

she had founded—"The Daughters of Ireland"—and the Celtic Literary Society, founded in Cork. Presently seats on the Dublin Corporation and other local bodies were held by representatives of Sinn Fein. Its crusade against enlistment in the British Army was one of its most important and successful activities.

Towards John Redmond's efforts Sinn Fein remained sceptical, refusing to believe that the Party's methods, or indeed, any Parliamentary tactics at Westminster would secure a settlement which could be accepted as final and bring Ireland lasting peace.

## CHAPTER 5

1906-1911

THE I.R.B. — SECTARIANISM — REDMOND AND ASQUITH —  
THE PROMISE OF HOME RULE — THE VETO OF THE LORDS —  
ULSTER UNIONISTS PREPARE

THE Liberal Government of 1906 had a majority so large that it was independent of the Irish Party. The "instalment" of Home Rule which it offered, in the form of an "Irish Council Bill," would have left the actual power in the hands of the Lord Lieutenant; it was condemned by a convention of the United Irish League and the Party then refused it. Redmond had lost some popularity through his readiness to support the proposal, but he and his Party regained prestige by the passing of the Universities Act in 1908. Trinity College (the Dublin University) still preserved towards Irish nationality the mental attitude of its founder, Queen Elizabeth, and the new measure, enabling Irish Catholics to have a University in no way hostile to their sentiments, had long been desired.

The Treasury Act, passed in 1909, created resentment in Ireland, for its operation was regarded as destroying the Land Purchase Scheme of 1903. Redmond's acquiescence in it angered many of his colleagues. Soon after its passing, William O'Brien with T. M. Healy and seven other members of the Home Rule Party withdrew from Redmond and formed the "All for Ireland Party," a group of independent Nationalists. They recommended a policy of "Conference, Conciliation and Consent"—a policy at once more militant than Redmond's towards English Liberals and more conciliatory towards the Irish landowning class. They had the co-operation of Protestant landlords like Lord Dunraven and Lord Monteagle in their struggle for Land Purchase and Home Rule.<sup>1</sup>

The Nationalist forces in Ireland were, in these years, discovering divergences of aim among themselves, but no difference acute enough to break the solidarity of the forward movement.

<sup>1</sup> William O'Brien, *The Irish Revolution and How It Came About*, p. 72.

As one branch of the national effort weakened, another gained in strength. Sinn Fein gained adherents and lost them. In 1907 it was a powerful organisation and a serious rival to the Parliamentarians, but after that year the balance changed. When, in 1908, a Sinn Fein candidate contested an election in Leitrim, he was defeated by the candidate of the Parliamentary Party. Irish Labour, Republican for the most part, was already alienated from Sinn Fein by the "Dual Monarchy" ideal and also by the capitalist trend of Griffith's economic teaching and by his attitude during labour disputes and strikes. James Connolly, whose ideal was consistently a Workers' Republic, expressed admiration for Griffith's intellectual ability but was not satisfied with his programme or his aim. The I.R.B., which had taken an active interest in Sinn Fein, began to neglect it for activities of a more revolutionary trend.

Griffith was, in fact, doing his educational work too well for his own purposes. His stirring doctrine of national self-respect and self-reliance was helping to quicken in the rising generation a spirit that no half measure of liberty would content. They interpreted more literally than he had intended his declaration that the true nationalism was the nationalism of '98, '48 and '67. Young boys in hundreds were joining *Fianna na h-Éireann*, a "Boy Scout" movement which Constance Markievicz<sup>1</sup> organised in Dublin in 1909 and which, owing largely to the youthful enthusiasm of Liam Mellows,<sup>2</sup> spread quickly through the country. As these boys camped, marched and drilled in the Dublin mountains their thoughts were full of the heroic histories of Irish patriots and of dreams of a Rising which would not fail.<sup>3</sup>

The instinctive craving for national freedom was in the blood of the Irish people; the tradition of armed resistance was in their families; all this was now being given the forms of doctrine, policy and resolve. And they had a living embodiment of the tradition in their midst. Thomas Clarke, broken in health but not in spirit by his long imprisonment, an unrepentant revolutionary and a dominant personality in the Supreme Council of the I.R.B., lived in Dublin, quietly organising and guiding the men and women who believed that England

<sup>1</sup> Biographical Note, p. 988.

<sup>2</sup> Biographical Note, p. 989.

<sup>3</sup> See *Éire*, June 9th, 1928.

would soon be involved in difficulties which would be Ireland's opportunity and that their generation was destined to be the one to make Ireland free. Sean MacDermott,<sup>1</sup> also, worked strenuously to enrol young men in the Brotherhood and it presently numbered about two thousand.

In 1910 the I.R.B. founded *Irish Freedom*, a small periodical, with Sean MacDermott as manager and Bulmer Hobson as editor. It was the organ of outright Republicanism and frankly advocated resort to physical force as soon as an opportunity should arise. Among its contributors were Thomas MacDonagh<sup>2</sup> and Padraic Pearse.<sup>3</sup> It accepted from Sinn Fein the principle of non-recognition of British institutions in Ireland ; in labour disputes, it sided, as a rule, with the workers ; it had small patience with the Parliamentary Party ; it dealt particularly with the affairs of Ulster and, like Sinn Fein, it waged unremitting war against sectarianism in any and every form.

For two generations or more sectarianism had ceased, outside Ulster, to be a feature of the Irish National struggle. This was the more remarkable since Protestants, now about one-fifth of the population, still held the position of ascendancy and, in fact, composed the country's governing class. The French writer, Paul-Dubois, observing the Irish situation in 1908 wrote :

“ In the Privy Council there are only 7 Catholics as against 50 Protestants, of the 18 Judges of the High Court only 3 are Catholics . . . of the 68 Resident Magistrates only 19 are Catholics, of the County Court Judges only 7, of the 37 County Inspectors of Police only 4, and of the 124 District Inspectors of Police only from 20 to 30.”<sup>4</sup>

Lower grade Civil Service positions might be filled by Catholics, but these had slight hope of promotion ; they were transferred, as a rule, to positions in England, leaving the higher posts in Ireland to be filled by Protestant “loyalists.”

Nearly all the large properties were owned by Protestants,

<sup>1</sup> Biographical Note, p. 988.

<sup>2</sup> Biographical Note, p. 988.

<sup>3</sup> Biographical Note, p. 940.

<sup>4</sup> L. Paul-Dubois, *Contemporary Ireland*, p. 189.



many of them "absentee landlords" residing in London most of the year, while among Catholics there remained a land-hunger which no Act of Parliament had sufficed to appease.

In spite of these facts Catholics and Protestants throughout Leinster, Munster and Connacht had come gradually to live together in amity, the wealthier Protestants often exercising a sort of feudal benevolence towards the poor. Actual social fusion was still infrequent and inter-marriage was rare. Still, save where hostility on one side to the idea of National Independence and devotion to it on the other forced a cleavage, kindly relations prevailed. Religious bigotry was out-moded; great numbers of Protestants were resigning themselves easily to the prospect of Home Rule, while a few of them were actively patriotic—notable workers in the nation's cause.

It was, therefore, exceedingly regretted that sectarianism appeared to be about to become a factor in the national struggle. It was fostered by the "Ancient Order of Hibernians," an organisation open to Catholics only which was widespread in Ireland and the United States. It was an organisation with a long history, tracing back to the *Defenders* of 1775, and had survived more than one split.<sup>1</sup>

The "A.O.H." in Ireland gave its support to the Parliamentary Party. It was strongest in Belfast where there was the most justification for its existence. There the compact majority of Protestants controlled the Public Bodies and excluded Catholics, as far as possible, from salaried employment and from those branches of trade and commerce which offered substantial rewards. Ulster Catholics, led by Joseph Devlin, the Nationalist member of Parliament for West Belfast, in 1906 formed a wing of the A.O.H.—the Board of Erin—to protect the interests of Catholics.

The influence of this organisation on Redmond's policy was considerable and this was deplored by all who feared the growth of sectarianism in the National movement. The influence of the Board was described by *Irish Freedom* as "a silent, practical riveting of sectarianism on the nation."

<sup>1</sup> To be distinguished from the A.O.H. Irish-American Alliance which flourished at the same time.

Unionists still put their trust in one great bulwark against Home Rule—the Veto of the House of Lords. It was that veto which had frustrated Gladstone. It was menaced now. By opposing Lloyd George's Budget the Lords precipitated elections. Asquith, who realised that the Liberals could not continue in power without the support of the Irish Party, made the restriction of the Lords' Veto and Home Rule for Ireland outstanding issues in the General Elections of 1910. In a speech at the Albert Hall he undertook to pursue

“ a policy which, while explicitly safeguarding the supremacy and indefeasible authority of the Imperial Parliament, will set up in Ireland a system of full self-government in regard to purely Irish affairs.”

Such was the modest measure of self-government which Redmond was demanding now. He was putting the Irish demand before the electorate in a manner calculated to allay Unionist fears rather than to express the hopes of Irish Nationalists. Parnell had once said, “ None of us will be . . . satisfied until we have destroyed the last link which keeps England bound to Ireland,” and these words were quoted by Unionists still as a warning against Home Rule. Redmond himself had said, in his younger days :

“ For us the Act of Union has no binding moral or legal force. We regard it as our fathers regarded it before us, as a great criminal act of usurpation carried by violence and fraud, and we say that no lapse of time and no mitigation of its details can ever make it binding upon our honour or our conscience.”

It was only three years since he had declared in Dublin :

“ Resistance to the Act of Union will always remain for us, as long as that Act lasts, a sacred duty ; and the methods of resistance will remain for us merely a question of expediency. Resistance by force of arms would be absolutely justifiable if it were possible.”

Now, however, the Parliamentary leader expressed himself in more conciliatory terms. In an American periodical, *McClure's Magazine*, of October 1910, he wrote :

“ Here, then, is ‘ what Ireland wants ’ : Legislative and executive control of all purely Irish affairs subject to the supreme authority of the Imperial Parliament. In other words we want an Irish Parliament with an executive responsible to it, created by Act of the Imperial Parliament, and charged with the management of purely Irish affairs (land, education, local government, transit, labour, industries, taxation for local purposes, law and justice, police, &c.), leaving to the Imperial Parliament, in which Ireland would probably continue to be represented, but in smaller numbers, the management, just as at present, of all Imperial affairs—army, navy, foreign relations, customs, Imperial taxation, matters pertaining to the Crown, the colonies, and all those other questions which are Imperial and not local in their nature, the Imperial Parliament also retaining an overriding supreme authority over the new Irish legislature, such as it possesses to-day over the various legislatures in Canada, Australia, South Africa, and other portions of the Empire.”

Even allowing for the requirements of diplomacy, those sentiments suggested that Redmond had changed—that the spirit of compromise, that presiding genius of Westminster, had subdued one more Irishman. So many of his supporters were feeling. Already a progressive branch of the United Ireland League—the branch containing such active spirits as Sheehy-Skeffington, Rory O’Connor and James Creed Meredith—had broken away. Redmond knew, and admitted, that he was not speaking for all Nationalist Ireland when he framed so modest a demand, but he believed the section which desired separation to be insignificant. This was Redmond’s cardinal error and this miscalculation caused the tragedy of wasted effort which his career became. He knew Ireland too little and the English House of Commons too well.

Sinn Fein, during these critical elections of 1910, suspended hostilities against the Parliamentary Party. In January, Griffith’s paper reiterated his contention that Irishmen at Westminster were wasting time and made a prophecy which was justified in the event :

“Ireland has maintained a representation of 108 men in the English Parliament for 108 years . . . The 108 Irishmen are faced with 567 foreigners. . . .

“Ten years hence the majority of Irishmen will marvel they once believed that the proper battle-ground for Ireland was one chosen and filled by Ireland’s enemies.”

Griffith maintained that Home Rule would come inevitably, because the Conservative no less than the Liberal Party would find it in England’s interest to disembarass the British Parliament of Irish affairs ; but he never ceased to insist that no legislature which was not “supreme and absolute” would satisfy Sinn Fein as a final settlement. Meanwhile, he made an effort to unite all Nationalists, however diverse the methods they might advocate to co-operate in securing a position from which the nation might advance, and he left Redmond’s Party unhampered. No measure, Sinn Fein declared, which gave “genuine, even if partial, control of their own affairs to the Irish people” ought to be opposed.

Griffith’s efforts to unite the various elements of the national struggle met with little success. His policy of abstention from Westminster and his ideal of a Dual Monarchy were, alike, losing their appeal. Those who were content to be subjects of the English Sovereign looked to Redmond, while to Republicans the idea of subordination to the British Crown was repugnant in the extreme.

These were some of the factors at work in the critical elections of 1910. The first returned the Liberals to power with a majority so small that the Government found it expedient to go to the country again before the end of the year, and, again, the matter in the forefront of its programme was Home Rule. This was “not only a Home Rule Election but the Great Home Rule Election,” Redmond said.

The result was all that Redmond could have desired. The Liberal Party was returned to power commanding, with the Labour Members, 314 votes in the House. The Unionist Members numbered 271. The 84 Irish Nationalists held the balance of power.

The Unionists saw their bulwark undermined, trembling and ready to fall. In December 1910 the Orange Lodges called upon all "Brothers"—"who in the event of Home Rule becoming law are willing to take active steps to resist its enforcement"—to enrol.

In August 1911, the British Parliament Act was passed. The power of the Veto was now so restricted that any Bill which passed a third reading in the House of Commons in three successive sessions might be presented for the Royal Assent and would become law notwithstanding objection by the Lords. Redmond and his Party believed that the last barrier had been overthrown. They looked to see an Irish Parliament in Dublin before the end of 1913. The study of details of administration began.

A Committee was set up by the Government under the Chairmanship of Sir Henry Primrose to inquire into the financial relations of Ireland and Great Britain for the purpose of the financial clauses of the Home Rule Bill.

The Committee recommended that, while an Irish Government should take over local Irish expenditure, there remained grounds of equity on which, in any case, it would have been only right that an Irish Government should not be saddled with liability for the whole of the existing local expenditure. They had in mind, it appeared, the fact that such Government expenditure in Ireland was largely for Imperial purposes. They proposed that the immediate charges in respect to the Old Age Pensions should be borne by the Imperial Exchequer, and estimated that the sum involved was about £3,000,000.

One of the witnesses questioned was Sir Anthony MacDonnell, who had been Under-Secretary for Ireland from 1902 to 1908. He declared the tribute which Ireland had paid to England amounted to about three hundred and fifty million pounds. He said that the over-weight of taxation had gone on from the date of the Union, while the people were becoming gradually enfeebled and their taxable capacity growing less and less.

"They succumbed," he said, "in the Famine and they are only now getting a little better when half of them have been cleared out. During the sixty years that have ensued between

the year 1851 and 1910, according to the Registrar-General's latest reports, 4,187,000 have emigrated from Irish ports. A number equal to the whole population of the country has been cleared out, and that, I submit, is a result which is a scandal to British administration. They would not have gone if they could have lived in their own country."<sup>1</sup>

The Government treated the findings of this Committee as more or less confidential.

Another committee, organised privately by persons in London who were sympathetic to Ireland, studied the financial relations between the two countries. Among the members was a cousin of the Chairman of the Childers Royal Commission—Erskine Childers,<sup>2</sup> a deep student of Ireland's problems and the author of a work on *The Framework of Home Rule*. He strongly advocated full fiscal autonomy for Ireland.

Immediately after the passing of the Parliament Act, an Act for the payment of members of the House of Commons was passed. Redmond's Party gave their support to this democratic measure, though in doing so—in accepting salaries from the British Exchequer—they had broken a tradition of dependence only on the Irish people which had been of infinite value to the spirit of the national movement. Moreover, members of the Ancient Order of Hibernians, the organised supporters of the Party, accepted innumerable positions all over Ireland created in the following months by Lloyd George's Insurance Act.

The principle instinctively adhered to by the Irish people that Irish patriotism and government service were incompatible had been repudiated by the Parliamentarians at this critical moment when the destiny of Ireland seemed to be in their hands. The consequences of this change of attitude were not evident for

<sup>1</sup> Sir James Dougherty and Sir Anthony MacDonnell criticised the British Treasury's methods of computing Irish revenue and expenditure, both on the ground that individual items were wrongly estimated and that expenditure which should have been classified as "Imperial" was attributed to Ireland. The result, in their opinion, was to largely reduce the apparent amount of Ireland's net contribution towards the general charges of the British Empire. Sir Anthony MacDonnell's estimate of the amount "which should be deducted as Imperial charges" was £3,568,000, which included Post Office expenditure, one-half the cost of the Royal Irish Constabulary and the expenditure on Customs and Excise and Inland Revenue.

<sup>2</sup> Biographical Note, p. 935.

some time, but they were profound. Cleavage between the Parliamentarians and the more uncompromising Nationalists became inevitable. The delay of two years which the Lords were still able to impose upon the Home Rule Bill was to give time and occasion for this cleavage to develop. That delay was, indeed, to prove fatal to the hope of peace. Those years brought the decline both in prestige and morale of the Irish Parliamentary Party, the organisation of the Unionist opposition on the basis of Civil War, and the failure of the Liberal Government to deal with that opposition and fulfil its pledges of Home Rule.

It was in the north-east corner of Ireland—Belfast and the surrounding districts—that the opposition was to centre now, as in 1886. There, as nowhere else in Ireland, the descendants of the Colonists outnumbered the native race: non-Catholics were in a majority over Catholics: anti-national and anti-Catholic prejudice made up an intense and violent force.

The census of 1911 showed that all non-Catholic sects combined formed little more than one-fourth of the population of Ireland. Nevertheless, in the city of Belfast, in County Antrim, they had a majority of two to one; in that county and in the contiguous parts of the counties of Down, Armagh, and Derry, their majority was strong.<sup>1</sup> In the remaining portions of those three counties and in each of the other five counties of Ulster they were in a minority. In Tyrone and Fermanagh they formed less than half the population; in Monaghan about a third; less than a fourth in Cavan, and a little over a fourth in the extensive county of Donegal. Their majority was less than 200,000 in the province as a whole.<sup>2</sup>

<sup>1</sup> See Ulster map at end of book.

<sup>2</sup> Non-Catholics, 890,108; Catholics, 690,134. The following are the proportions, according to the census of 1911, of Catholics and Protestants (including Dissenters) in the counties of Ulster:

	<i>Catholics</i> per cent	<i>Protestants</i> per cent
Antrim	20·5	79·5
Armagh	45·8	54·7
Down	31·6	68·4
Derry	45·8	54·2
Fermanagh	56·2	43·8
Tyrone	55·4	44·6
Cavan	81·5	18·5
Monaghan	74·7	25·3
Donegal	78·9	21·1

The population of Ireland was 4,890,219; of Ulster, 1,581,696.

The Ulster Unionists were therefore uneasy and jealous of their privileges. They were still conscious of themselves as colonists—"descendants of the Plantation men who had been deliberately sent to Ireland with a commission from the first sovereign of a United Britain to uphold British interest, British honour, and the reformed Faith across the narrow sea," wrote their spokesman, Ronald McNeill.<sup>1</sup>

They bore little resemblance to the Northern men who had been leaders of the national struggle in 1798. Their adherence to the Union was tenacious in the extreme, for to the Union, and to their status of agents and garrison for Britain, they owed their position of power. It was by Ulster Protestants of this temper that, soon after the Union, "Orange Lodges" were formed whose toast was "the glorious and immortal memory" of the Protestant victor at the battle of the Boyne. It was these Lodges which had organised riots in protest against Gladstone's policy of Home Rule. To the Ulster Hall in Belfast Lord Randolph Churchill had come to rally the opponents of Gladstone in 1886; and here, in 1905, the first meeting of the Ulster Unionist Council was held "with a view to consistent and continuous political action" against Home Rule. They were dependent on the British connection, while Britain's hold over Ireland was in part dependent on them. The maintaining of the cleavage between Catholic and Protestant was to the interest of British and Ulster Unionists alike.

The fact that North-East Ulster had become the most highly industrialised part of Ireland gave the ascendancy class a further motive for fostering animosities there. They were the employers of labour; any alliance between the Catholic and non-Catholic workers would have been a menace to the propertied class. Religious antagonism between Catholics and Protestants in the factories, docks, and shipyards enabled the employers, like the Empire, to "divide and rule."

That this small compact Unionist majority should dread any form of self-government for the Irish was natural enough. For generations they had oppressed and exploited the people and a redressment of the balance seemed to them a thing greatly to be feared. It would leave them a mere minority in the country

<sup>1</sup> Ronald McNeill (later, Lord Cushendun), *Ulster's Stand for Union*, p. 115.



with only a minority's rights. To these real causes for apprehension they added extravagant imaginary terrors, seeing a thousand bogies of revenge and reprisal lurking under the shadow of Home Rule; they visualised tyrannical instructions such as they themselves had taught returning "to plague th' inventor." They declared that Irish Catholics would prove incompetent administrators, that they would sacrifice industry to agriculture and that "Home Rule would be Rome Rule." They were always a spirited and determined community and when they resolved to make Home Rule an impossibility they brought formidable qualities to the campaign.

They had found a leader already—a Dublin man, Edward Carson, at one time Solicitor-General, at this date a member of the Privy Council and a Conservative Member of Parliament for Dublin University.

The restriction of the Veto of the Lords was the signal for militant organisation to begin. The fact that their "loyalist" group would be in conflict with the Imperial Parliament did not deter them in any way.

The campaign against Parliament was launched on September 23rd, 1911, at Craigavon near Belfast, the home of Captain James Craig. There assembled the members of Orange Lodges of Belfast and the surrounding counties to the number, it was said, of one hundred thousand. They acclaimed Carson's resolution: "We will yet defeat the most nefarious conspiracy that has ever been hatched against a free people."<sup>1</sup> They took from Carson the motto "We rely upon ourselves"—which, by an amusing irony, translated into Irish is "Sinn Fein."

Two days later an assembly of the Ulster Unionist Council began preparations for the constituting of an Ulster Provisional Government. This body was to be ready to take over the government of the Province of Ulster instantly, should Home Rule come into force.

<sup>1</sup> Ian Colvin, *Life of Lord Carson*, pp. 76 et seq.

**PART II**

**THE IRISH VOLUNTEERS**

**1912-1915**



## CHAPTER 6

1912

### ASQUITH'S HOME RULE BILL — THE ULSTER COVENANT — CARSON'S VOLUNTEERS

THE position held by the Irish Party in the House of Commons when the year 1912 opened was, to all appearance, strategically superb. Redmond had the right to be optimistic, for even Parnell had never controlled so completely the British political machine. The British democracy had given its decision against the House of Lords; that was a decision in favour of Ireland; the Ministry had been returned to office pledged and mandated to establish Home Rule and over that Ministry Redmond's Party held the balance of power. Only the details of the settlement, to all appearance, remained to be agreed.

In Ireland, the Parliamentary Party was regarded by both Sinn Fein and Republicans as being on its trial, and they were agreed that it should be allowed a last chance to prove its policy sound. The Executive of Sinn Fein passed, in March, a Resolution to this effect which Griffith emphasised when he wrote: "No new Parliamentary movement will be permitted to build upon the ruins of that which goes down with a sham Home Rule measure." If the Representatives in the House of Commons failed, they would be called upon, he warned them, "to leave the stage to those who are in earnest."

There was, indeed, no considerable section of nationalist opinion that was not willing to accept a genuine Home Rule Act as a stage on the way to independence.

A great meeting was held in Dublin on March 31st, on the eve of the introduction of the Bill. Redmond spoke, and there spoke also Padraic Pearse.

He spoke in Irish, very earnestly. He had the gift of oratory and there was the strength of profound purpose behind his words.

"There are as many men here as would destroy the British Empire if they were united and did their utmost. We have

no wish to destroy the British, we only want our freedom. We differ among ourselves on small points, but we agree that we want freedom, in some shape or other. There are two sections of us—one that would be content to remain under the British Government in our own land, another that never paid, and never will pay, homage to the King of England. I am of the latter, and everyone knows it. But I should think myself a traitor to my country if I did not answer the summons of this gathering, for it is clear to me that the Bill which we support to-day will be for the good of Ireland and that we shall be stronger with it than without it. I am not accepting the Bill in advance. We may have to refuse it. We are only here to say that the voice of Ireland must be listened to henceforward. Let us unite and win a good Act from the British; I think it can be done. But if we are tricked this time, there is a party in Ireland, and I am one of them, that will advise the Gael to have no counsel or dealings with the Gall<sup>1</sup> for ever again, but to answer them henceforward with the strong hand and the sword's edge. Let the Gall understand that if we are cheated once more there will be red war in Ireland."<sup>2</sup>

Asquith was to introduce his Home Rule Bill in less than a fortnight. John Redmond, that day in O'Connell Street, saw victory close at hand.

He miscalculated. He failed to recognise the intensity of purpose on either side of him; as he underestimated the depth and magnitude of the forces represented by Pearse, so he underestimated the menace of the opposition gathering in Belfast.

When the interest of the Ulster Loyalists clashed with purposes of the British Government the Orangemen did not hesitate as to where their first loyalty lay. This fact, of which proof had been given throughout their history, was demonstrated once more when Winston Churchill, now a member of the Liberal Ministry, with some temerity, proposed to speak in support of Home Rule in Belfast. He engaged for his meeting the same Ulster Hall in which his famous father had preached the crusade

<sup>1</sup> The foreigner.

<sup>2</sup> Translation quoted from S. Gwynn, *John Redmond's Last Years*.

against Home Rule. It was not permitted. He found the hall closed. The First Lord of the Admiralty was informed by the Orangemen that he might hold his meeting in some less sacred place. He held it in a football field.

In his speech he endeavoured to reconcile the Orangemen to Home Rule by reminding them that the Imperial Parliament would retain the power to repeal Acts of the Irish Parliament, and that the Imperial Parliament was overwhelmingly Protestant. The Ulster Loyalists were not to be placated by such arguments as this.

On April 9th, two days before the introduction of the Bill, the leader of the Conservative Party, Bonar Law, arrived in Belfast. Accompanied by Lord Hugh Cecil, Lord Londonderry, Walter Long and other distinguished members of the British Parliament, and by Edward Carson, he reviewed, at Balmoral, a parade of over eighty thousand Ulster men. He gave them their watchword, as the Conservative leader had given the Orangemen their watchword in 1886: "You hold the pass, the pass for the Empire."

The House of Commons was tense with excitement when, on April 11th, Asquith introduced his Government of Ireland Bill. Its terms, now for the first time made public, were scarcely calculated to inspire either enthusiasm in Nationalists or revolt in their opponents. It was no revolutionary change that was proposed.

The Irish Parliament was to consist of the King and two Houses—a Senate of forty members and a House of Commons of one hundred and sixty-four. The Head of the Irish Executive was to be, not the leader of the Party preferred by the Irish people, but His Majesty's Lord Lieutenant, still nominated by the British Prime Minister. The Irish Ministers were to be appointed by him; he was to nominate the members of the Irish Senate (at first as instructed by His Majesty; afterwards on the advice of the Irish Ministry), and he was to appoint the judges.

The British Parliament retained the sole right to make laws connected with foreign relations; army and navy; peace and war; treaties; extradition of criminals; dignities or titles of honour; treason; trade with any place out of Ireland; navigation, including

merchant shipping; lighthouse buoys or beacons; coinage and legal tender; trade marks, copyright or patent rights, and numerous other matters. It retained the major powers over Customs and Excise and full control of taxation. Further, it was stipulated that the supreme power and authority of the British Parliament was to remain unaffected and undiminished. The British Parliament was, in short, to have the power to alter or repeal any Act of the Irish Parliament. At the same time, the number of the Irish Representatives at Westminster was to be reduced from one hundred and three to forty-two.

The recommendation of the Primrose Committee that the British Government should contribute to Irish Revenue a sum estimated at about three million a year was not embodied in the Bill.

Redmond welcomed the Bill as a full and final settlement of Ireland's claims. At a National Convention on April 23rd he advised the delegates to accept it "with alacrity and enthusiasm." The Unionists opposed it as vehemently as though it offered Ireland freedom indeed. The Bill contained a clause, to which no Nationalist objected, prohibiting the Irish Parliament from making laws giving preference to any religion or inflicting any disability on account of creed, but that did not placate the Orangemen.

Carson brought forward the extraordinary contention that any argument for Home Rule in Ireland applied also to Protestants in the north. Asquith replied that it was impossible to allow a small minority to veto the verdict of the Irish nation. In opposing the Bill, a few days later, Bonar Law said that the settlement could not be final, also that it was impossible to grant Home Rule against the decision of "Ulster."

The practice, responsible for incalculable confusion of the issue in the public mind, of arrogating to the north-eastern counties the name "Ulster," was instituted during these debates. By conveying the impression that the whole northern province of Ireland, with its nine counties and its million and a half inhabitants, was Unionist and Protestant, this practice served to prejudice fair-minded people all over the world against Ireland's cause.

The Bill passed its second reading on May 9th with a majority of one hundred. During the Committee stage on June 11th a Liberal Unionist, Agar-Robartes, proposed as an amendment the exclusion from the provisions of the Act of the four counties, Antrim, Armagh, Down and Londonderry. The House understood that the proposal was merely a wrecking measure intended to make the Bill unacceptable to the Nationalists, to whom the partition of their country was unthinkable. In this spirit Carson supported it. Actually, he declared, Ulster Unionists would never agree to anything that would be in the nature of a desertion of any of the Southern Protestants. William O'Brien described the amendment as "an impossible and hateful one both to Protestants and to Catholics." "It is," he said, "almost the only compromise I can conceive to which those who think as I do would object if the result were to allay the suspicions and win the co-operation of our Protestant fellow-countrymen."<sup>1</sup> The amendment was defeated.

In Ireland, the people awaited developments, bewildered and confused, some still clinging with a blind trust to the Party, others confirmed in their distrust of parliamentarianism and all that it involved. Sinn Fein denounced the Bill. "If this be liberty the lexicographers have deceived us. . . . It recognises no Irish nation," Griffith wrote.

Ulster Unionists, following the precedent of 1886, demonstrated against Home Rule by attacks upon Catholics. On July 12th two thousand Catholic workmen were driven out of the Belfast shipyards.

The Unionists were determined to prove to the people of Great Britain that a mandate for Home Rule would be the signal for civil war. The Conservative leader was not averse to the use of that argument in support of his Party. In July, Bonar Law went again to Belfast. Addressing a great meeting at Blenheim, he said:

"The Home Rule Bill, in spite of us, may go through the House of Commons. There are things stronger than Parliamentary majorities. I can imagine no length of resistance to which Ulster will go, in which I shall not be ready to support

<sup>1</sup> William O'Brien, p. 171.



them, and in which they will not be supported by the overwhelming majority of the British people.”

The Prime Minister described this speech as a “ declaration of war against Constitutional Government ” and the whole affair at Blenheim as “ furnishing forth the complete grammar of anarchy.”<sup>1</sup>

He took no action against the anarchists.

On September 28th, a solemn League and Covenant drawn up by a Committee which included Lord Londonderry, Sir Edward Carson and Captain Craig was displayed for signature throughout Ulster. Unionists observed the day as a public holiday; Union Jacks were flown, religious services with special psalms were held, Bibles were distributed while these “ men of Ulster, loyal subjects of King George V,” signed the undertaking to stand by one another

“ in using all means which may be found necessary to defeat the present conspiracy to set up a Home Rule Parliament in Ireland. And in the event of such a Parliament being forced upon us, we further solemnly and mutually pledge ourselves to refuse to recognise its authority.”

It was signed in Ulster by over two hundred and nineteen thousand men. Unionist clubs were immediately organised; a Women’s Covenant was signed. In December every Ulsterman who had signed was called upon to enrol for either political or military service against Home Rule, and the Ulster Volunteer Force was formed.

Sir Edward Carson contrived to keep these activities, for the time being, within the letter of the law by applying to the Justices of the Peace in Belfast for authorisation for his new force to train in the use of arms. This permission was duly granted. It could at any time be cancelled and its withdrawal would leave Carson and his Volunteers amenable to the Coercion Acts by which the organising of any kind of military force in Ireland other than the British regular forces was prohibited. The Crimes Act of 1887 was still in force and under it all the penalties for treason might have been imposed upon every participant in

<sup>1</sup> The Earl of Oxford and Asquith, *Fifty Years of Parliament*.

this organisation. Under this Act countless Nationalists had been incarcerated and treated as criminals for language considered "seditious" by policemen. Carson knew what he was doing and did not, as he repeated continually, "care two pence whether it was treason or not." He knew that he could do it with impunity, since his preparations were against the Irish nation and not against the English Crown.

"The Covenant," Carson boasted afterwards, "was a challenge to the Government, and they dared not take it up. It was signed by soldiers in uniform and policemen in uniform and men in the pay of the Government, and they dared not touch one of them."<sup>1</sup>

The Crimes Act was not brought into operation in Belfast.

<sup>1</sup> Belfast, May 9th, 1919.

## CHAPTER 7

*January to October 1918*

HOME RULE DELAYED – PARTITION PROPOSED – PARADES  
IN ULSTER – TROUBLE IN DUBLIN – THE IRISH CITIZEN ARMY

THE year 1918 brought no break in the vicious circle in which events were moving, but brought rather an acceleration of the pace. Before the year ended there were in Ireland, besides the British army of occupation, three armies of Volunteers.

Sir Edward Carson, on January 1st, moved that the province of Ulster be excluded from the operation of the Home Rule Act. Bonar Law, supporting him, made a statement which, it may be supposed, had its repercussions in central Europe; he declared that the Ulster Unionists would, rather than be ruled by the Irish Nationalists, “prefer to accept the Government of a foreign country.”

The Nationalist Party was not yet ready to compound the mutilation of their country. Redmond denounced the proposal as one which “would create for all time a sharp, internal dividing line between Irish Catholics and Irish Protestants, and a measure which would for all time mean the partition and disintegration of our nation. To that,” he declared, “we as Irish Nationalists can never submit.”

The amendment was defeated, Asquith still repudiating the suggestion that a minority should be allowed to veto the decision of the Irish nation: he made an announcement, however, during the debates, which was an unexpected blow to the Irish Party, and a disheartening one. He said that before the Bill could become law another General Election must be held.

This was, in effect, a surrender to the opposition, a consent to the policy of allowing the issue to be dominated by the threat of force; for the Conservatives were successfully putting themselves in the position to convince the electorate that the issue was no longer between the Union and a peaceful Ireland but between the Union and civil war.

Redmond's Party, however, made no effective protest against this evasion of the pledge which had won for the Liberal Party the Irish vote.

The Bill passed the third reading in the middle of January with a majority of 110, to be rejected two weeks later by the Lords. It had to be passed in two more sessions by the Commons before it could become law. It passed the second reading of its second Session on June 9th.

The proposal that Ireland should be partitioned and one part given over to the perpetual direct control of the British garrison-class created passionate resentment throughout the country, most intense, naturally, among the Nationalists of Ulster. When a by-election took place in the city of Derry,<sup>1</sup> even the dying among the Nationalist population came to the polling booth. The city, capital of one of the four counties in which the Unionists had a considerable majority, returned the Nationalist.

The province of Ulster was now represented at Westminster by seventeen Nationalist members and sixteen Unionists. The fiction of the "Unionist Province" was exposed. Nevertheless, the dishonest use of the name "Ulster" to denote the Unionist element continued, and continues still.<sup>2</sup>

Systematically, every constitutional victory for the Home Rule Party was made the signal for the intensification of the unconstitutional activities of the Unionists. During the summer Derry was the scene of violent attacks on the Catholic population by armed Orangemen.

The Ulster Volunteers were training with all possible publicity, drilling, practising signalling, forming corps of despatch riders, and they were importing arms.

There was small pretence of secrecy in this matter: "Almost everybody in Belfast knows," the *Northern Whig*, a Unionist paper, stated on June 4th,

"that importation of arms into Belfast has been going on regularly for more than a year and a half, ever since the

<sup>1</sup> Londonderry is the name given by the British to the city of Derry. Both names are in use for city and county still.

<sup>2</sup> The term is used in that sense in the following pages only where the meaning is unmistakable.

Parliament Act broke down the bulwark which the House of Lords raised against Home Rule. A good many thousand of modern army rifles have been received and distributed during that period. Those engaged in the gun-running have managed to get all their consignments through without arousing the suspicion of the Customs or disturbing the tranquillity of the Constabulary. . . . Rifles—and not only rifles, but machine guns and a large quantity of ammunition—have reached Ulster from many sources and under many aliases.”

A British league was formed for the purpose, as stated in the *Morning Post* of June 12th, of reinforcing the Ulstermen “in their armed resistance to the tyranny of the Government.” Englishmen were recruited for service against Ireland. Peers of the Realm, generals and admirals were among those who signed an English Covenant. Lord Roberts took a keen and helpful interest in the progress of the Ulster Volunteers, and prevailed upon General Sir George Richardson to take command of the Force.<sup>1</sup>

An effort was made, according to a British Intelligence Officer,<sup>2</sup> “to enlist the hooligan element, as the Leaders of the Unionists were anxious to acquire a disciplinary control over that class.” “Nearly all the Unionists of every age in Londonderry,” he writes, “carried revolvers at this time,” and he describes how, on August 12th, a large number of Orangemen travelled by special train from Belfast keeping up a fusillade of revolver shots from the train until they arrived in Derry where riots broke out.

It was on August 4th that Captain Craig forecast disaster which, he held, would overwhelm the British Empire within a year.

“According to the Government programme,” he wrote, “we may look for Home Rule in May, Civil War in June, the Union Jack being hauled down and being trampled upon in July and the smash up of the Empire in August.”

During September a great series of Unionist parades and meetings took place throughout Ulster. Sir Edward Carson

<sup>1</sup> Ronald McNeill, *Ulster's Stand for Union*, p. 161.

<sup>2</sup> C. J. C. Street (“I. O.”), *The Administration of Ireland*, 1920.

announced that a Government would be set up which would take over the control of the Province on the day that the Home Rule Act became law.

"I am told it will be illegal," he said at Newry on the 7th. "Of course it will. Drilling is illegal . . . the Volunteers are illegal and the Government know they are illegal, and the Government dare not interfere with them. . . . Don't be afraid of illegalities."

At Ballyclare in County Antrim on the 20th, F. E. Smith, K.C., Conservative Member for a Liverpool constituency,<sup>1</sup> declared, for the Conservative members, that the moment Home Rule was made law "we will say to our followers in England, 'To your tents, O Israel!'" They would be ready, he averred, "to risk the collapse of the whole body politic to prevent this monstrous crime."

On September 24th, the Ulster Unionist Council, without the formality of any election, resolved itself into the "Central Authority of the Provisional Government of Ulster." Sir Edward Carson became Chairman of the Central Authority, and the members included Captain Craig, the Duke of Abercorn and the Marquis of Londonderry. A legal Assessor was appointed—the Right Hon. James Campbell, K.C., M.P.; various committees were appointed and a Military Council was set up. An Indemnity Fund of £1,000,000 was started for the relief of wounded and disabled and widows and orphans who might suffer in consequence of war against Home Rule.

The fund was quickly guaranteed. In England, homes were prepared for loyalist refugees from Ulster. Famous English generals promised their service to the Covenanters in the case of war. Sir Henry Wilson,<sup>2</sup> himself an Ulsterman, was one of the most enthusiastic of these.

The long-foretold war between England and Germany was an imminent possibility already anxiously discussed, but that fact did not deter these Ulster "loyalists" from organising against the British Government.

In the middle of August Sir Edward Carson was invited to meet the Kaiser at Hamburg at a luncheon. A crop of rumours

<sup>1</sup> Afterwards Baron Birkenhead and British Lord Chancellor.

<sup>2</sup> Later, Chief of the Imperial General Staff.

followed. On November 14th a Protestant journal, the *Irish Churchman*, declared:

“ We have the offer of aid from a powerful continental monarch who, if Home Rule is forced on the Protestants of Ireland, is prepared to send an army sufficient to release England of any further trouble in Ireland by attaching it to his dominion. . . . And should our King sign the Home Rule Bill, the Protestants of Ireland will welcome this continental deliverer as their forefathers under similar circumstances did once before.”

There were, on the other hand, Ulster Protestants who strongly condemned the lawless methods of Carson and not a few who proclaimed their adherence to the National cause. Among those who addressed a meeting of Protestant Nationalists held at Ballymoney in County Antrim in October were the historian, Alice Stopford Green, Roger Casement,<sup>1</sup> returned from his labours in defence of the natives of Putumayo and the Belgian Congo, and another Ulsterman, Captain J. R. White, who had served in the British Army with distinction during the Boer War.<sup>2</sup>

The establishment of the Ulster Provisional Government produced much vehement controversy in the English Press. Sir Ronald McNeill, the historian of *Ulster's Stand for Union*, relates with amusement how certain English Liberal papers called for the prosecution of Sir Edward Carson, “ debating whether it should be under the Treason Felony Act of 1848, the Crimes Act of 1887, or the Unlawful Drilling Act of 1819.” Others suggested that, at least, he should be removed from the Privy Council. “ One of them, however,” he recalls, “ which succeeded in keeping its head, did not believe that a prosecution would succeed; and, as to the Privy Council, if Carson's name were removed, what about Londonderry, and F. E. Smith, Walter Long and Bonar Law ? In fact, ‘ It would be difficult to know where to stop.’ ”

<sup>1</sup> Biographical Note, p. 985.

<sup>2</sup> Denis Gwynn, *The Life and Death of Roger Casement*; Captain J. R. White, D.S.O., *Misfit*.

"It would have been," Ronald McNeill declared, and added: "The Privy Council would have had to be reduced to a committee of Radical politicians; and, if Carson had been prosecuted, room would have had to be found in the dock, not only for the whole Unionist Party, but for the proprietors and editors of most of the leading journals.

"The Government stopped short of this supreme folly; but their impotence was the measure of the prevailing sympathy with Ulster."<sup>1</sup>

To Irish Nationalists of every shade of opinion one fact had been made plain: the promise of a fraction of liberty which decades of constitutional effort had at length wrung from England was to be subjected now, with English connivance, to the threats of armed force. Armed force had been made an issue—the dominant issue—in Ireland's struggle; and it existed only on one side. The Irish are not a nation of pacifists. The sequel was as inevitable as the working of a natural law. Stephen Gwynn has recorded that during the summer of 1913 John Redmond received at least one letter from a member of his Party urging him to organise a body of Volunteers,<sup>2</sup> and how he failed to respond. Redmond's policy was to regard Carson as "King of the Bluffers" and his military preparations as so much child's play with "wooden guns."

To the Separatists whose lives had been spent so far in planning and dreaming of a blow to be struck for Ireland, the day for action seemed to be drawing near. In July, members of the Irish Republican Brotherhood met, reviewed the situation, and decided to wait only for the initiative to come from a source less suspect before organising a body of Volunteers.<sup>3</sup>

Meanwhile, letters and articles appeared with increasing frequency in weekly papers advocating the organisation of Volunteers. Many of these were written in the persuasive and individual style of Padraic Pearse. His attitude to the Ulster Volunteers was typical of the temper of the Republicans.

"Personally," he wrote, "I think the Orangeman with the

<sup>1</sup> *Ulster's Stand for Union*, p. 159.

<sup>2</sup> Stephen Gwynn, *John Redmond's Last Years*, p. 92.

<sup>3</sup> Bulmer Hobson, *A Short History of the Irish Volunteers*.



rifle a much less ridiculous figure than the Nationalist without a rifle." And again: "In the present circumstances accursed be the soul of any Nationalist who would dream of firing a shot or drawing a sword against the Ulster Volunteers in connection with this Bill. Any such action would be an enforcement of a British law upon an Irish populace which refused it; would be a martialling under the Union Jack."

In August, events not directly connected with politics helped to turn the thoughts of the people in the direction of arms. Labour disputes in Dublin had culminated in a series of strikes. At Liberty Hall, the Headquarters of the Irish Transport and General Workers' Union, James Larkin was directing a tramway strike. A great meeting addressed by him on August 31st was charged by the police who injured scores of people with their batons. Two men—Byrne and Nolan, and a woman, Alice Brady, were killed. An angry conflict followed and arrests were made. Larkin, not enjoying the same immunity as Carson, was charged with "using seditious language" and imprisoned. A federation of four hundred Dublin employers, organised by William Martin Murphy,<sup>1</sup> refused employment to members of the Union; a lock-out followed and evictions, violent conflicts with the police, sympathetic strikes, and such extreme distress among the people that continental organisations sent funds, English sympathisers sent a food-ship, and in Ireland the energies of the advanced Irish leaders were enlisted on the side of the unemployed. The number of these in Dublin was estimated at twenty-four thousand by September 27th.<sup>2</sup>

An impassioned "open letter" of protest was written by George Russell (A.E.) to Dublin employers, accusing them of "refusing to consider any solution except that fixed by their pride." He wrote:

"You determine deliberately in cold anger to starve out

<sup>1</sup> The Report (Evidence and Documents) of the Royal Commission on the Rebellion in Ireland, 1916, contains a statement by Mr. William Martin Murphy, the organiser of the Employers' Federation, on Larkin and the strike, p. 109.

<sup>2</sup> The inquiry held afterward by Inspectors of the Local Government Board revealed the fact that in Dublin at this time the housing conditions were the worst in Europe, and that there were, in the city, twenty-one thousand families each living in only one room.

one-third of the population of this city, to break the manhood of the men by the sight of the suffering of their wives and the hunger of their children."

"Blind Samsons," he called them, prophetically, "pulling down the pillars of the social order."

In an address which he gave in the Albert Hall in London on November 1st he declared that nearly all the manhood of Dublin was found "among obscure myriads who are paid from five to twenty-five shillings per week. . . . These men are the true heroes of Ireland to-day. . . ."

James Connolly had founded the Irish Labour Party in the previous year and was now the Ulster organiser for the Irish Transport and General Workers' Union. He came to Dublin and aided Larkin in directing the strike, later replacing him. Sean Connolly, another militant Republican, and Francis Sheehy-Skeffington, Republican and Pacifist, also helped. Countess Markievicz, organiser of the Fianna Eireann, ran a soup kitchen in Liberty Hall with the aid of women as deeply engaged in the Republican movement as herself.

The Parliamentary Party, characteristically, took neither side; the Dublin Representatives disclaimed responsibility in the Press. Arthur Griffith, never a believer in internationalism or the Labour movements, protested against "injustice and oppression" and praised James Connolly, but he refused to associate Sinn Fein, since it was a "national, not a sectional movement," with a struggle which he regarded as part of a class war. He regarded gifts of food sent to the Irish sufferers by English Labour organisations as an insult.<sup>1</sup>

As a result of public indignation, Larkin was released from prison after a few weeks. In October he addressed an immense meeting in Dublin, and there, encouraged by the Protestant Ulsterman, Captain J. R. White, he called upon the workers to form a Citizen Army in their own defence.<sup>2</sup>

The response was enthusiastic; James Connolly helped in organisation and soon members of the Transport and General

<sup>1</sup> *Sinn Fein*, October 4th, 1913; *Banba*, January 1922, Michael Lennon's article, "Retrospect."

<sup>2</sup> J. R. White, *Misfit*; P. O'Cathasaigh, *The Story of the Irish Citizen Army*.  
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Workers' Union were drilling in military formation, under Captain White, in the Union's ground at Croydon Park.

In November, James Larkin went to the United States and James Connolly became Acting General Secretary of the Union and Commandant of the Citizen Army.

When, early in 1914, the Dublin strike ended in disastrous failure, the Irish Citizen Army remained, a living force in the making of Ireland's history.

## CHAPTER 8

*October to December 1913*

THE NATIONAL VOLUNTEERS — EOIN MACNEILL — ARMS —  
CUMANN-NA-MBAN — PADRAIC PEARSE

It was in October that the members of the Council of the I.R.B., vigilant for their opportunity, found it in an article published in the Gaelic League organ proposing the formation of a body of Volunteers. The writer was the eminent historian and Gaelic scholar, Eoin MacNeill, a Catholic Ulsterman, Professor of Ancient Irish at the National University and Vice-President of the Gaelic League. His seemed an ideal name under which to launch a movement which, if openly fathered by known Separatists, would have been instantly suppressed.

The O'Rahilly<sup>1</sup> was chosen to interview Professor MacNeill (but without mentioning the I.R.B. interests), and a Provisional Committee under MacNeill's chairmanship was at once formed. It included besides The O'Rahilly, Padraic Pearse, Sean MacDermott, Eamon Kent, Bulmer Hobson, Pearse Beasley,<sup>2</sup> W. J. Ryan, Colm O'Lochlainn, Seumas O'Connor, Sean Fitzgibbon, J. A. Deakin, and Joseph Campbell the poet. They met at Wynn's Hotel.

"It is worthy of note," The O'Rahilly wrote, recording these events, "that of the twelve invited only three were then members of the Sinn Féin Party. Lest it might savour too much of Sinn Féin, Arthur Griffith's name was deliberately not included."<sup>3</sup>

He described the efforts made to secure the co-operation of men prominent in existing organisations such as the Parliamentary Party, the United Irish League, the Ancient Order of Hibernians, the Gaelic Athletic Association and the Foresters, and how refusals were the order of the day.

<sup>1</sup> The prefixed to a family name corresponds to the Gaelic designation to denote the senior living member in direct descent from the chieftain of the clan.

<sup>2</sup> The names O'Rahilly, MacDermott, Kent and Pearse Beasley are often written in Irish *Ua Rathghaille*, *Mac Diarmuid*, *Ceannt*, *Piaras Beaslai*. Throughout this book, except in cases in which the Irish form of a name is better known, the English form is used.

<sup>3</sup> *Ua Rathghaille* (O'Rahilly), *The History of the Irish Volunteers*, in the *Gaelic American*, January 2nd, 1915, and *The Secret History of the Irish Volunteers* (a pamphlet).

“ In every case that arose of the appointment of Committees, of officials, of organisers, or of public speakers, we insisted that all political views should be fairly represented, and we repeatedly refused to sanction arrangements when this condition was not observed.

“ While we secured by this policy the assistance of some of our best and hardest workers, we also got hold of a few others who have since caused us rather to regret our success.

“ The new Committee at once decided to place their policy before a public meeting at the Rotunda and they modestly began by hiring the Small Concert Room, and as the day of the meeting approached they found that they would need still more space, and took the Rink in addition.”

The inaugural meeting of the Volunteers took place on November 25th. All parties had been invited to attend: the Parliamentary Party, however, was represented by very few members. Boys of the Fianna organisation in the green uniform helped to marshal the crowd which overflowed the concert room and the rink into the grounds. An outdoor meeting of several thousand people was held.

In his opening speech the Chairman, Eoin MacNeill, defined the attitude of the new force towards the Ulster Volunteers. He said:

“ We do not contemplate any hostility to the Volunteer movement that has already been initiated in parts of Ulster. The strength of that movement consists in men whose kinsfolk were amongst the foremost and the most resolute in winning freedom for the United States of America, in descendants of the Irish Volunteers of 1782, of the United Irishmen, of the Antrim and Down insurgents of 1798, of the Ulster Protestants who protested in thousands against the destruction of the Irish Parliament in 1800. The more genuine and successful the local Volunteer movement in Ulster becomes, the more completely does it establish the principle that Irishmen have the right to decide and govern their own national affairs. We have nothing to fear from the existing Volunteers in Ulster nor they from us. We gladly acknowledge the evident truth that they have opened the way for a National

Volunteer movement, and we trust that the day is near when their own services to the cause of an Irish Nation will become as memorable as the services of their forefathers."

It is probable these optimistic views were not shared by many of those who listened. To most of them the fact that the day had come at last to organise an Irish army was the momentous fact.

A long manifesto<sup>1</sup> was read setting out the situation created by the plan

"deliberately adopted by one of the great English political parties . . . to make a display of military force and the menace of armed violence the determining factor in the future relations between this country and Great Britain."

It declared that if the Irish people remained quiescent they would show themselves unworthy of defence.

"From time immemorial it has been held by every race of mankind to be the right and duty of a freeman to defend his freedom with all his resources and with his life itself."

The Volunteer organisation would, under National Government, form a prominent element in the national life.

"They will not contemplate either aggression or domination. Their ranks are open to all able-bodied Irishmen without distinction of creed, politics or social grade."

There would be work also for women to do.

The enrolment form was simple:

"I, the undersigned, desire to be enrolled in the Irish Volunteers founded to secure and maintain the rights and liberties common to all the people of Ireland without distinction of creed, class or politics."

Four thousand men enrolled at that meeting. Arrangements were made for the renting of eight halls for drilling in Dublin, for the formation of fifteen companies in the city, and the organisation throughout Ireland of companies of Volunteers.

<sup>1</sup> Appendix 1, p. 945.

Among those who enrolled on that day was a young professor of mathematics, a keen member of the Gaelic League, Eamon de Valéra.<sup>1</sup>

Large numbers of those who joined in the first instance were followers of Redmond.

Arthur Griffith joined, but Sinn Fein through his paper gave the Volunteer movement a welcome qualified by distrust of the value, in Ireland's struggle, of the methods of physical force. He commended, however, the training in discipline and self-reliance which the Volunteers would undoubtedly gain.<sup>2</sup>

Tom Clarke's name appeared nowhere in connection with the committees of the Volunteers; it was too famous a Fenian name; but he and his colleagues of the Supreme Council of the Irish Republican Brotherhood were quietly watching and guiding these events.

On December 4th, nine days after the inauguration of the Irish Volunteers, there was issued a Proclamation prohibiting the importation of military arms and ammunition into Ireland.

The Irish people felt that the Government, which held office only by virtue of the support of the Irish Party, could not have taken this step had not Redmond acquiesced.

The Ulster Unionists were reputed to be already in possession of between fifty thousand and eighty thousand rifles and revolvers. They were convinced, as the *Irish Times*, a Unionist organ, stated, in commenting on the Proclamation,

“that there were now sufficient arms in Ulster to enable effective resistance to be made to any attempt to force Home Rule upon Ulster.”

The same paper on the 8th remarked that the Proclamation “of course puts an end to the arming of the Irish Volunteers.” The writer was too optimistic. He failed to realise that there were Irishmen outside as well as within North-East Ulster who were “not afraid of illegalities.”

“Thanks to the spirit of the men of Dublin,” The O’Rahilly wrote, “the Volunteers survived the blow. We assured our men that, Proclamation or no Proclamation, we would procure

<sup>1</sup> Biographical Note, p. 936.

<sup>2</sup> R. M. Henry, p. 141.

arms for them; and the men accepted our assurance. For months we drilled our recruits in halls shadowed by those broad-shouldered and dignified gentlemen of leisure whom Dublin Castle dresses in plain clothes and apparently expects us not to recognise as policemen."

By the end of the year the Irish Volunteers were believed to be ten thousand strong and their number was increasing every day. Young men who had trained in the Fianna as well as men who had served in the British Army were acting as drill instructors. Women were forming the auxiliary force, *Cumann-na-mBann*,<sup>1</sup> and studying signalling, first aid and other matters useful in war.

Boys too young to be received into the Volunteers were thronging into the Fianna.

In the organising of the Volunteers no sectional grouping was allowed. Men were grouped according to the locality of their homes only, irrespective of class or creed. The squads were grouped in sections, the sections in companies of one hundred men, each under a captain. The organisation was a democratic one. Any Volunteer, without regard to rank, might be elected on to the Committee which appointed officers and made all arrangements. Officers were directly elected in many parts of the country. A good deal later the companies were organised in battalions and the battalions in brigades, and the titles "Battalion Commandant" and "Brigade Commandant" came into use.

Colonel Maurice Moore of the Connaught Rangers, a famous Irish regiment of the British Army, who was a supporter of Redmond, became Inspector General of the Volunteers, and other Parliamentarians were prominent in the work of organisation. The instructions issued by the Committee to organisers contained the following order, which was strictly observed :

"Invite *all* organisations of a National tendency to take part.

"Secure Committees representative of all sections of Irishmen and combat the idea that the Volunteers are to enable any one section of Irishmen to secure a political advantage over any other section."

<sup>1</sup> League of the Women. Pronounced *cummon-na-mon*.



This policy produced, for a brief period, an illusion of splendid and self-denying unity among Irish Nationalists of all degrees. But it was that illusory unity which, in the coming years, was to have its unreality exposed with bitter consequences again and again. Between men at one extreme, who looked to Home Rule to strengthen the bonds of Empire, and men at the other, who were prepared to give their lives in an attempt to break those bonds, no true and lasting unity could exist. It was men of the keener temper, although they were in the minority at the moment, who were the creators and continued to be the guiding spirits of the Volunteers. They would have been unable, doubtless, without the co-operation of the less "susceptible" element, to form an army at all. The policy they followed was perhaps the only feasible one; but it had its weakness, as The O'Rahilly confessed.

Bulmer Hobson was Secretary to the Volunteers; Roger Casement, Treasurer; The O'Rahilly head of a sub-committee authorised to draw upon the funds secretly for the purchase of arms. Liam Mellows and other officers of the Fianna Eireann helped to train the Volunteers. Thomas MacDonagh and Joseph Plunkett,<sup>1</sup> known already as poets of a fresh and eager inspiration, were among those who now threw all their gifts and energies into the Volunteer movement.

The sudden change which comes over a conquered people at the first motion to resist in arms swept over Ireland now. The Parliamentary leaders were slow in recognising it, but they were to recognise it later. Irish men and women who had despaired of independence and had numbered themselves among the suppliants for a measure of Home Rule became filled with a larger aspiration and with the courage to strive for it. The Fenian spirit, dormant in the old people and latent in the young, quickened into life. A quiet but profound enthusiasm was born in every corner of the country. Thomas Clarke, remembering his own boyhood, watched the awakening with joy.

"The change that has come over the young men of the country who are volunteering!" he wrote, a few months later to John Devoy. "Erect, heads up in the air, the glint in the eye, and

<sup>1</sup> Biographical Note, p. 940.

then the talent and ability that had been latent and is now being discovered ! . . . 'Tis good to be alive in Ireland these times."<sup>1</sup>

"For what has happened," Pearse wrote in the *Irish Volunteer*, "is that this aged people has renewed its youth. . . . We are young to-day as men were young when to be a young man was to be a hero—and the one word *Óg* or *Óglach* covered both . . . and we are about to attempt impossible things, for we know that it is only impossible things that are worth doing."<sup>2</sup>

Thomas Clarke and Padraic Pearse were among those who, in signing the enrolment form of the Irish Volunteers, had signed away their lives. They were to pay that debt in less than three years.

<sup>1</sup> John Devoy, p. 395.

<sup>2</sup> *The Irish Volunteer*, February 7th, 1914.

## CHAPTER 9

*January to July 1914*

THE CURRAGH CRISIS – REDMOND AND THE VOLUNTEERS  
– GUN-RUNNING AT LARNE – PARADES IN DUBLIN – ASSAS-  
SINATION IN SERBIA – HOME RULE A NULLITY

THE year 1914 opened in an atmosphere heavy with the threat of civil war, for the Ulster Loyalists heeded the Arms Proclamation no more than did the Republicans, and the British Unionists continued to give them very practical help. By January 9th the Ulster Volunteers' Indemnity Fund amounted to a million pounds. English ladies were preparing their homes for the reception of refugee loyalists.<sup>1</sup>

It was the hope of the Unionist Party that the Government would go to the country and the electorate would be forced to reverse its vote for Home Rule by being faced with the issue of the Union or civil war.

The question for the Government was, as Redmond affirmed on February 6th, whether the will of Parliament, of Ireland, and of the Empire was to be overborne by a minority in one province.

That was the question. Asquith spoke in terms very similar more than once; yet his Cabinet made no move to check the illegal activities of the Ulster Volunteers. "The Government abstained from criminal proceedings upon grounds of high policy," he afterwards explained.<sup>2</sup> There could be no doubt that to compromise with the Covenanters, sacrifice the northern Nationalists, and even, if Carson required it, to partition Ireland, was the "high policy" of the Government now.

The second reading, for its last Session, of the Home Rule Bill was moved in the House of Commons on March 9th. Asquith discussed a variety of expedients which had been proposed for dealing with the problem of the four predominantly Unionist counties which he designated, without a shadow of justification, "statutory Ulster." He had found that the proposal to leave this area exempt from the authority of an Irish Parliament "had not

<sup>1</sup> The places thus prepared were afterwards filled by refugees from Belgium.

<sup>2</sup> The Earl of Oxford and Asquith, *Fifty Years of Parliament*, p. 140.

commended itself to any of the parties concerned." He now brought forward the proposal described as "County Option with a time limit," by which any Ulster county might, by a vote of the majority of its Parliamentary electors, exclude itself from the whole operation of the Bill for a period of six years. Redmond, to the dismay of the more advanced Nationalists, consented to this scheme. The Unionists, however, would not consider any time limit to exclusion. "We do not want a sentence of death with a stay of execution of six years," Sir Edward Carson said; and he declared that Ulster was ready "for any exigency."

The debate was adjourned.

The Ulster Covenanters were undoubtedly relying on support from the British Army. Prominent officers, including Sir Henry Wilson, had openly stated that it was unthinkable that the army should be used against the Ulster Unionists. With Wilson's enthusiastic approval the House of Lords was contemplating holding up the annual Army Act so as to ensure that after April 30th there would be no army in existence to be used against the opponents of Home Rule.<sup>1</sup>

Before March ended, the not unexpected military crisis arose. The Government had reason to suppose that certain arms depots in Ulster were likely to be raided by the Unionist Volunteers. On March 20th, orders were sent to Sir Arthur Paget, Commander-in-Chief of the Forces in Ireland, to take steps to safeguard these depots. His reply was a telegram to the effect that officers were resigning their commissions and it was feared that the men would refuse to move. It was rumoured that warrants had been issued for the arrest of Unionist leaders. General Sir Hubert Gough, commanding the 3rd Cavalry Brigade at the Curragh Camp, had refused to serve against the Ulster Unionists and his example had been followed by others.

An official statement published in *The Times* of the 22nd declared that the operations ordered had been purely precautionary and that no arrests of Unionist leaders had been contemplated. The recalcitrant officers were summoned to London, where many Ministerial conferences took place. The cause of the officers was vehemently supported by Sir Henry Wilson and an

<sup>1</sup> C. E. Callwell, K.C.B., *Field-Marshal Sir Henry Wilson, His Life and Diaries*, I., p. 38.

understanding was reached. The Secretary of State for War, Colonel Seely, exceeding his authority, gave General Gough a written assurance that the Forces of the Crown would not be used to crush political opposition to the policy or principles of the Home Rule Bill. The officers returned to their posts in Ireland victorious over the Parliament and the law.

The House of Commons was agitated. The Conservatives endorsed the officers' action. "If it were a question of civil war, soldiers are citizens like the rest of us," Bonar Law said on March 23rd. The British Labour Party expressed extreme indignation. The Prime Minister caused Colonel Seely's undertaking to be cancelled and, on that Minister's resignation, himself undertook the office of Secretary of State for War.<sup>1</sup> Nevertheless a precedent had been established; "Wilson's handling of an awkward and threatening situation," his biographer writes, "had put an end to all possibility of the army being used against the loyal north of Ireland."<sup>2</sup>

When these events were understood in Ireland the National Volunteers realised that to rely on the British Government to enforce its Home Rule Act was useless; the time had come when they must secure arms.

The difficulties were very great. Leaders who were known to be Republicans were being followed everywhere by detectives and their correspondence was being examined in the post. At the same time the internal difficulties which had been foreseen from the outset were coming to a head.

The Volunteer organisation was particularly strong in Ulster, where the Nationalists felt acutely the need to be ready for self-defence. Devlin was made uneasy by its growth and confided his fears to Redmond. Redmond, expecting to become very shortly the Premier of an Irish Ministry, was naturally anxious to bring the National Volunteer force under his own control. He now threatened to call those members of it who supported him into a separate organisation unless the existing Provisional Committee acceded to his demands.<sup>3</sup>

<sup>1</sup> See White Paper issued March 25th; Asquith's statements in Parliament and to the Press on March 22nd and 23rd; the *Morning Post* of March 26th and April 7th; Colonel Seely's speech April 9th, and Asquith's and Maccready's books.

<sup>2</sup> Callwell, I., p. 145.

<sup>3</sup> See an article by Bulmer Hobson on "The Origin of *Oglaigh na h-Eireann*" in *An t-Oglach*, June 1931.

Redmond's proposal was that he should nominate representatives to the Provisional Committee of the Volunteers, the number of his representatives to equal the existing membership of the Committee. The representatives of the Volunteers tried to postpone the decision but they realised that in all probability they would sooner or later be forced to yield. The alternative would be a cleavage with the probability of instant suppression of the Republican section and, at the best, increased difficulty in securing arms. Arms, they realised, would be a controlling factor in the end and they resolved to obtain a supply without further delay.

Many schemes were considered. That finally accepted by the Volunteer Executive was proposed in the first instance to Erskine Childers by an Irishwoman, the daughter of Lord Monteagle, Mary Spring-Rice. They formed a committee in London including Mrs. Childers, Mrs. Stopford Green, the historian, who was chairman, and Roger Casement, who represented the Volunteers. Money was collected and the work of organising begun.

Meanwhile the Ulster Unionist Volunteers, who commanded very large funds and encountered no obstruction, succeeded in doing what the Republicans were planning to do.

On April 24th a consignment of 35,000 rifles and 2,500,000 rounds of ammunition were landed in Bangor, Donaghadee and Larne. The rifles were German Mausers; they had been purchased in Germany and they had been passed through the Kiel Canal although such transport could not have been arranged without the German Government's consent. They were conveyed by Major Crawford to the Ulster coast and were landed and distributed with the utmost efficiency and speed, not one gun being taken by the guardians of the law. The gun-runners' password, not insignificantly, was "Gough."<sup>1</sup>

Sir Edward Carson stated that he took full responsibility for this enterprise. Labour members and Irish Nationalists demanded that proceedings should be taken against the Ulster leaders, but in vain. The attitude of the Conservative Party was

<sup>1</sup> Brigadier-General F. P. Crozier, C.B., C.M.G., D.S.O., in his *Impressions and Recollections*, gives a lively personal narrative of the landing and distributing of the arms.

one of admiration for the fidelity with which their garrison in Ireland was fulfilling its traditional task. "The Ulster gun-running," as the *Manchester Guardian* stated afterwards, "won as many titles, honours and offices for its organisers and patrons as if it had been an incident in the first Battle of Ypres."<sup>1</sup>

The Government sent a destroyer flotilla to patrol the north-east coast of Ireland; but the Ulster Volunteers were already effectively armed.

It was on the day of the Larne gun-running that certain proposals were made to the Ulster Unionists by a Sinn Fein Convention. It was proposed that in a Home Rule Parliament Ulster should have fifteen more representatives than had been stipulated and that the Chairman of the joint Exchequer Board should always be chosen by the Representatives of Ulster.<sup>2</sup> They were proposals which would have given this section of the community a disproportionate amount of influence in the All-Ireland Parliament which was contemplated in the Home Rule Bill and they would probably have proved unacceptable to Republicans. The proposals elicited no reply.

The Ulster Unionists were in no temper for the discussion of peace terms. "The day I shall like best," Sir Edward Carson said a little later, "is the day upon which I am compelled, if I am compelled, to tell my men, 'You must mobilise.'"<sup>3</sup>

It was clear that unless the Government took steps to control the Covenanters, or to compromise with them, the Royal Assent to the Home Rule Act would be the signal for civil war. Asquith's choice was not long in doubt. On May 12th he announced that the Government intended introducing an Amending Bill. It was Lloyd George who revealed the fact that this Amending Bill was to embody proposals to exclude a part of Ireland from the operation of Home Rule.

On May 25th, when the final reading of the Bill was moved, Asquith attached to the voting the condition that the Amending Bill would be introduced while the present Bill was before the Lords, and passed into Law "at the same time" as Home Rule.

<sup>1</sup> January 17th, 1917. Compare the *Morning Post*, March 12th, 1920: "We cannot forget how England planted these people for the purpose of safeguarding the British position in Ireland and how faithful they have been to that trust."

<sup>2</sup> R. M. Henry, p. 150.

<sup>3</sup> June 20th, 1914.

William O'Brien has described the despair of the All-for-Ireland group of members and their bitter anger against Redmond for lending himself to "the most cruel fraud upon popular credulity by which Irish leaders ever disgraced themselves."<sup>1</sup>

In a passionate speech he declared that all that had happened was a consequence of Redmond's policy of "bitterly opposing any genuine concession to Ulster at the right time, and now consenting to the concession of all others which will not only fail to conciliate Ulster, but will rouse millions of the Irish race against your Bill and indeed against all British Party politicians impartially. . . . This Act," he said, "will be born with a rope around its neck. It is not even intended to be enforced. . . . We regard this Bill as no longer a Home Rule Bill, but as a Bill for the murder of Home Rule such as we have understood it all our lives, and we can have no hand, act or part in the operation."

He and his colleagues of the All-for-Ireland League abstained from voting. Redmond and his followers voted with the Government and the House of Commons finally passed the Home Rule Bill. It required only the Royal Assent to pass into law.

"There was something heart-breaking," William O'Brien writes, "in the thought that the people . . . lighted their bonfires for the passage of Home Rule without the slightest suspicion that they were all the time celebrating their own condonation of Partition."

Partition was an issue on which the All-for-Ireland League, Sinn Fein, Irish Labour, and the most uncompromising Separatists were at one. It was unthinkable. Yet the will of the Irish people was impotent to avert it—unless, possibly, by the force of arms.

The threat of partitioning Ireland had the instant effect of increasing the cohesion of the Irish Volunteers. By the end of May their number, according to the police reports, was about 70,000.<sup>2</sup>

Encouragement came to them from many quarters. In New York, on June 1st, a Provisional Committee was formed to assist them and on July 5th the permanent American Volunteer Fund

<sup>1</sup> William O'Brien, pp. 202 *et seq.*

<sup>2</sup> *Royal Commission on the Rebellion in Ireland*, Cmd. 8311 of 1916, p. 15.



Committee came into being under the chairmanship of Joseph McGarrity. "We look to you as the hope of the race," was their message to the Irish Volunteers, sent to Eoin MacNeill.

During the summer, training camps were organised in many parts of Ireland, strategy was studied and instruction given to the men in the tactics of war. The women were perfecting the organisation of Cumann-na-mBan, preparing to take charge of ambulance work, food supply, and the making of equipment. Their organisation was an independent one with its own constitution and executive. They were allies, not subordinates, of the Volunteers. The Citizen Army, which had found its ranks depleted by the organising of the Volunteers, now became more definite in character, identifying itself with the trades union movement. It was reconstituted at a meeting held at Liberty Hall, James Larkin presiding, in March. In April it received the recognition and approval of the Trades Council.

Its constitution was as follows:

- " 1. That the first and last principle of the Irish Citizen Army is the avowal that the ownership of Ireland, moral and material, is vested of right in the people of Ireland.
- " 2. That its principal objects shall be:
  - a. To arm and train all Irishmen capable of bearing arms to enforce and defend its first principle.
  - b. To sink all differences of birth, privilege, and creed under the common name of the Irish people.
- " 3. That the Citizen Army shall stand for the absolute unity of Irish Nationhood and recognition of the rights and liberties of the world's Democracies.
- " 4. That the Citizen Army shall be open to all who are prepared to accept the principles of equal rights and opportunities for the People of Ireland and to work in harmony with organised Labour towards that end.
- " 5. Every enrolled member must be, if possible, a member of a Trades Union recognised by the Irish Trades Union Congress.

Constance Markievicz became treasurer, ranking as an officer of the Citizen Army, wearing uniform and carrying arms;

she was also head of the *Fianna Eireann* and a trusted friend of the leaders of the Volunteers. She thus formed a link uniting the three organisations and was influential in preventing discords that tended to arise. Tom Clarke was also a unifying influence.

The men of the Citizen Army, for the most part simple and direct in character, strongly opposed any suggestion of allowing the Parliamentary Party to control the Volunteers and were very angry when Redmond's proposal was finally agreed to in June.

It was on June 16th that a majority of the Committee of the Volunteers decided to accept Redmond's twenty-five nominees. They stated their reasons for doing so in the following terms:

“The Committce recognises that for the time, in view of the new situation created by Mr. Redmond's attitude, it is no longer possible to preserve the unity of the Volunteers and, at the same time, to maintain the non-party and non-sectional principle of organisation which has hitherto been maintained and which, by securing the cordial support of national opinion, has brought about the splendid spirit that pervades and invigorates the Volunteer Movement.

“This being the case, the Committee, under a deep and painful sense of responsibility, feel it their duty to accept the alternative which appears to them the lesser evil. In the interests of national unity and in that interest only, the Provisional Committee now declare that, pending the creation of an elective governing body by a duly constituted Irish Volunteer Convention, and in view of a situation clearly forced upon them, they accede to Mr. Redmond's demand to add to their number twenty-five persons nominated at the instance of the Irish Party.”<sup>1</sup>

The dissentient minority, which included Padraic Pearse, Eamon Kent, Sean MacDermott and Con Colbert, issued an appeal to all who felt as they did in the matter “to subordinate their personal feelings and persist in their efforts to make the Volunteers

<sup>1</sup> See “The Origin of *Óglagh na h-Eireann*,” by Bulmer Hobson, in *An t-Óglach*, March 1981.

an effective armed national defence force.”<sup>1</sup> It afterwards transpired that Bulmer Hobson, whose advice was instrumental in obtaining the majority decision, had acted in contravention of orders from the Supreme Council of the I.R.B. of which he was a member. A good deal of bitter feeling was created by the decision to yield to Redmond and, as events turned out, the split which the Committee had hoped to avert by the compromise was only postponed for a few months. Redmond, in the meantime, was in a position to collect funds subscribed in the United States for the Volunteers.<sup>2</sup>

For the moment, unity was preserved. On June 26th a great meeting was held at Bodenstown. There marched behind the tricolour companies of Volunteers, girls and women of Cumann-na-mBan, boys of the Fianna Eireann led by Constance Markievicz, and the men of the Citizen Army. They were addressed at the grave of Wolfe Tone by Thomas Clarke.

The Government was uneasy. A secret circular (which was discovered and published in *Sinn Fein* in July) was issued to the R.I.C. It required detailed information as to the persons in every district joining the Volunteers, the equipment of the Volunteer Force and its popularity.

The Government had increasing cause to be anxious: the policies of European statesmen were arriving at their logical conclusion. The trail had been laid and the conflagration was at hand. The assassination of the Austrian Archduke Franz Ferdinand in Serbia occurred on June 28th. If Austria declared war and if Germany mobilised, the British Government would be faced with the alternatives of breaking its commitments to France or declaring war on the central Empires.

How far the Germans were influenced in their decision by the menacing attitude of Ulster “Loyalists” to the British Government can only be conjectured. The German Government had its agent in Belfast, Baron von Kuhlmann, whose duty it was to report on the trend of affairs in Ireland. No doubt his reports on the Larne gun-running had been received with interest in Berlin. It was the view of Mr. Gerard, United States Ambassador

<sup>1</sup> *Banba*, January 1922, p. 221; Devoy, pp. 411-14; *The Gaelic American*, January 2nd, 1915, article by The O’Rahilly.

<sup>2</sup> See *An Phoblacht*, June 11th, 1932, p. 3, article by Mac Dara.

in Berlin at that time, that the German Department of Foreign Affairs, and indeed all Berlin, believed that England was so occupied by rebellion in Ulster and agitation throughout Ireland that she would not declare war.<sup>1</sup>

The Ulster Loyalists certainly showed no inclination to support England in this crisis. The Ulster Provisional Government held a meeting on July 10th, and on the 12th Sir Edward Carson addressed a great Orange Demonstration at Drumbeg. They had one thought only—to frustrate Home Rule. They had the support of the House of Lords.

The Lords could not now reject the Bill; they could, however, pass a counteraoting Bill, and this now they proceeded to do. In the House of Lords on July 8th the Amending Bill was transformed: it was made to provide for the permanent exclusion of the whole of the nine counties of Ulster from the operation of Home Rule.

Asquith had pledged himself to Home Rule for Ireland—not for three provinces of Ireland. He had also pledged himself to the Amending Bill. A complete deadlock had been contrived. Home Rule, as Carson boasted a few months later, had been rendered a nullity.<sup>2</sup>

The indignation among Nationalists was disturbing. King George intervened. He called a conference at Buckingham Palace on July 21st. The Speaker of the House of Commons was chairman; the Government was represented by Asquith and Lloyd George, the Unionist Party by Lord Lansdowne and Bonar Law, the Nationalists by Redmond and Dillon, the Ulster Covenanters by Sir Edward Carson and Captain Craig.

For four days they endeavoured to agree upon an area to be excluded, whether temporarily or permanently, from the operation of Home Rule. The conference ended in failure on July 24th.

On that day the Austrian ultimatum was delivered to Serbia.

<sup>1</sup> Lord Riddell, *War Diary 1914-1918*, p. 5; *Daily Telegraph*, September 1st, 1917; Y. M. Goblet (Louis Tréguiz), *L'Irlande dans la Crise Universelle*, p. 67.

<sup>2</sup> October 2nd.

## CHAPTER 10

### *July and August 1914*

#### THE HOWTH GUN-RUNNING – ENGLAND AT WAR – REDMOND'S OFFER – IRELAND AND GERMANY

MEANWHILE, the people who had undertaken to secure arms for the Volunteers were hurrying forward their plans. Erskine Childers's yacht, *Asgard*, Conor O'Brien's *Kelpie* and Sir Thomas Myles's *Chotah* were to convey the guns and ammunition to Ireland from the Continent. Darrell Figgis accompanied Childers to France and Belgium and, finally, to Hamburg, where they succeeded in making their purchases. Fifteen hundred second-hand Mauser rifles were bought and forty-nine thousand rounds of ammunition. The plans were agreed to the last detail. Childers was to bring a cargo to Howth Harbour on Sunday, July 26th, at 12.45 p.m. Figgis was to come out to the yacht in a motor-boat to give the signal that all was prepared for landing and the yacht was then to draw alongside the pier where her cargo would be discharged by Volunteers of the Dublin Brigade. If the signal was not received the *Asgard* was to proceed to the mouth of the Shannon and land her cargo there.

The *Asgard*, navigated by Childers, with his wife and Mary Spring-Rice and Gordon Shepherd among the crew, met the tug with the rifles and ammunition in the North Sea on July 12th and took up nine hundred rifles and twenty-nine thousand rounds. The rest had been taken by Conor O'Brien to Bere Island off the Welsh coast; from there they were to be transferred to the *Chotah*.

While the Powers were mobilising, the guns for Ireland were on the sea.<sup>1</sup>

The Volunteers had made a regular practice of carrying out parades and marches during the week-ends with such guns as they possessed. Birrell, the Chief Secretary for Ireland, had issued a disarmament Proclamation, but no effort had been made to put it into effect, while in Belfast Orangemen were parading, with impunity, fully armed. On Saturday, July 25th,

<sup>1</sup> The Hon. Mary Spring-Rice wrote an account of the voyage, which appeared in *Sinn Fein* on July 26th and August 2nd, 1924; see also article by Mac Dara in *An Phoblacht*, June 11th, 1932.

as the Press reported, "Fully armed, and accompanied by two Colt machine guns and a Maxim machine gun, the East Belfast regiment of the U.V.F. had a route march through the principal streets of the city." No attempt was made to interfere with the Ulster Volunteer Force at this or any other time.

The Irish Volunteers' march ordered for Sunday 26th seemed to promise no unusual interest either for the police or the Volunteers concerned. With the exception of a few officers, the Volunteers who set out for Howth that morning had no suspicion that anything out of the ordinary was to take place. Arthur Griffith was among those who marched with no knowledge of the plan; Thomas MacDonagh and Bulmer Hobson were in charge of the arrangements; Cathal Brugha was entrusted with command of the men who would receive the guns. With a few picked men he took possession of the pier at Howth.

At the last moment there was a mishap. The *Asgard*, at the appointed moment, drew near Howth and lay behind Lambay Island waiting for Darrell Figgis to come out in a small boat—the agreed signal that the men on shore were ready to land the guns. No boat approached and no signal was given. After an anxious time of waiting Erskine Childers decided to take the risk of entering the harbour. Then all went well.

The O'Rahilly was on the quay. "When the White Yacht, harbinger of Liberty," he wrote afterwards, "suddenly appeared out of nowhere, and, on the stroke of the appointed hour, landed her precious freight at Howth, history was in the making.

"Twenty minutes sufficed to discharge her cargo; as many motor-cars flew with the ammunition to pre-arranged caches; and for the first time in a century one thousand Irishmen with guns on their shoulders marched on Dublin town."

The organisers had resolved on an open landing, despite the risk of interference by the police. The Ulstermen had made no secret of their possession of arms and nothing would do so much to arouse the enthusiasm and courage of the people, give them faith and pride in their Volunteer Army, as a landing in broad daylight and an open armed march.

The Volunteers themselves were on fire with excitement. When they realised what was happening some of the columns

broke their ranks, men rushed to the quay-side reaching for the cases and were in danger of being pushed into the water by the press of those behind. Only the severest of the officers (among whom was Eamon de Valéra) succeeded in holding their companies in their place. The cases were landed and ripped open ; soon every man had a gun. As, armed and elated, they marched up from the quay they were acclaimed with wild enthusiasm by onlookers on the hill. Deafening cheers resounded over Howth and along the homeward route.

The Volunteers had cut the telegraph wires, but the news reached Dublin Castle, nevertheless. Dublin was not Belfast ; marching with arms was one thing there, but quite another thing here. The police decided to intervene and Harrell, the Chief Commissioner, called on the military to assist. A detachment of the King's Own Scottish Borderers went to the support of the Dublin Metropolitan Police. At Clontarf, the marching column of Volunteers found itself confronted by a phalanx of fixed bayonets ; the police were drawn across the road with the military standing by. The Volunteers were helpless ; no ammunition had been given out by their officers and those who had ammunition of their own were under orders not to fire a shot. Volunteer officers at the head of the columns proceeded to parley with the police who had other complications to deal with also, since some of the constables were refusing to seize the arms. While these arguments were taking place the main body of the Volunteers succeeded in scattering and concealing their rifles in places where they could be retrieved during the night. Only nineteen guns were seized and these had been broken in the struggle, as was seen when Colonel Maurice Moore succeeded in securing their return from the police.

But the day was not to end without fatalities. The news of the landing of the guns and the interference by the Crown Forces threw the populace of Dublin into a state of enthusiasm and anger. A contingent of the Scottish Borderers passing through Batchelor's Walk were hooted and stoned by the people. They fired on the crowd and wounded thirty-two civilians and killed one woman and two men. The Irish people had not yet become accustomed to firing by British Forces on unarmed crowds and they knew with what impunity guns had been

landed and stored in the north. Public indignation was intense and was increased by Asquith's statement that he was sure that the military would be found blameless in the affair. The sense of being a conquered people whose country was occupied by enemy forces was acutely brought home. The dead—the first to fall in this generation's resistance to foreign rule—were given one of those funerals which make Irish history. The coffins were followed by Volunteers in military formation and a salute was fired over the grave. "Remember Batchelor's Walk!" became a slogan of Republicans.

The Government instituted an inquiry. The soldiers were not tried but the regiment was transferred. Harrell's action in attempting to seize the rifles after they had been landed was shown to be illegal, despite the Act prohibiting "coastwise" importation.

Meanwhile Thomas Myles, with James Creed Meredith helping, had brought the *Chotah* to Bere Island. They encountered a gale which split the mainsail and were delayed for several days. The guns were transferred safely, nevertheless, and a week after the landing at Howth six hundred rifles with ammunition were discharged at Kilcoole in County Wicklow, to a contingent of Volunteers with Sean T. O'Ceallaigh and Sean Fitzgibbon in command.<sup>1</sup>

The Covenanters, meanwhile, were importing arms and ammunition into Ulster in large quantities. General Crozier, who played a leading part in their distribution, has recounted the means employed,<sup>2</sup> and he records that the Ulster Volunteers were ready, at a given signal, to seize the police barracks and surround the military barracks in Belfast. He met with no obstacle.

The Government showed itself wholly complacent towards Sir Edward Carson and his followers.

At the end of July Asquith announced that, by agreement with Carson and Bonar Law, the Amending Act had been postponed. This involved the indefinite postponement of Home Rule, while the menace of partition was retained.<sup>3</sup>

<sup>1</sup> See article by J. Creed Meredith in *The Irish Volunteer*, and Conor O'Brien's book, *From Three Yachts*.

<sup>2</sup> Crozier, *Ireland for Ever*.

<sup>3</sup> Y. M. Goblet (Louis Tréguiz) gives a full account of these and subsequent events.



The whole Conservative Party was pledged to the exclusion of the north-east of Ireland from any such measure and the Liberals were surrendering to them. It remained to be shown whether the Irish Parliamentary Party was ready to surrender also. Threats of force were being allowed to dominate the situation. Presently the British Government found itself in such a position that a threat of force from Nationalist Ireland, supported by the Parliamentary Party, coming at the moment of Britain's entry into the European conflict, would have been a factor impossible to ignore. This was the situation to which John Redmond held the key.

On August 3rd, in the House of Commons, Sir Edward Grey announced the Government's decision to declare war. The Unionist Party had promised the Government its support. John Redmond rose. He assured the British Government that they might with confidence withdraw all their troops from Ireland; that the Irish Volunteers would co-operate with the Covenanters in guarding Ireland's shores.

British statesmen rejoiced that Ireland was "the one bright spot"; that there was no longer any necessity to take the Home Rule question into account. But there were Irishmen who declared that Redmond had failed the cause at the crucial moment and who resolved to set their hopes and plans for Ireland's redemption on the Parliamentary Party no more.

On the following day the United Kingdom of Great Britain and Ireland entered the war in which nine million men were to die.

Under the Union, Ireland had no choice; she was forced to participate in England's war, although England's enemies might be her friends, and although England was her only enemy among the nations of the world. The people could not save themselves; they could only protest. "Ireland is not at war with Germany," Arthur Griffith wrote on August 8th in *Sinn Fein*.

"She is not at war with any continental Power. England is at war with Germany . . . we are Irish Nationalists and the only duty we can have is to stand for Ireland's interests, irrespective of the interests of England or Germany or any other foreign country. . . . If Irishmen are to defend Ireland they must defend it for Ireland, under Ireland's flag, and under

Irish officers. Otherwise they will only help to perpetuate the enslavement of their country."

The question of Ireland's interest in the eventuality of a war between England and Germany had long ago been discussed. Almost two years earlier there had been published in the *Irish Review* an article, signed "Shan Van Vocht," on "England, Germany and the next War." The writer was Roger Casement. He argued that in the event of the war and a German victory Ireland stood to gain rather than to lose. Ireland might hope, he believed, in that event, to become an independent European State with its neutrality internationally guaranteed.

This article was reproduced in *Irish Freedom* of September 1914.

The neutral attitude seemed the natural one for Irish Nationalists. In the present crisis the Irish situation formed no insignificant factor and "England's difficulty is Ireland's opportunity" had always been a maxim of the Separatists. It followed, logically, that England's enemies should be regarded as Ireland's friends. Yet, the fact remains that Irish Nationalists were not pro-German in sentiment during any part of the war, and that even among extreme Separatists pro-German feeling was not strong even at a time when policy made an alliance with Germany seem Ireland's only hope of success.

Sympathy and gratitude towards France are traditional among the Irish people, whereas intercourse with Germany had been rare. Moreover, there were already in the British Army a very large number of Irishmen who would now be risking their lives in France and Belgium, and the majority of these came from families who were Catholic and Nationalist. The German invasion of Belgium, indignities suffered by members of Religious Orders and the destruction of Louvain and the Gaelic manuscripts which were preserved there, excited resentment in Ireland, and the feeling was ably played upon by British war propagandists. A German invasion of Ireland would have been resisted by all sections: no Irishman wanted to change one master for another.

Had the Government's perfidy with regard to Home Rule been realised there is no doubt a very different feeling towards England and her allies would have prevailed; but Redmond's

attitude was misleading; even William O'Brien was declaring that if Irishmen fought on England's side they would assure the liberation of Ireland, and the professions of British statesmen were lavish in expressions of democratic principle.

Asquith made a speech in the House of Commons on August 6th in which he declared :

“ We are fighting to vindicate the principle which, in these days, when force, material force, sometimes seems to be the dominant influence and factor in the development of mankind, we are fighting to vindicate the principle that small nationalities are not to be crushed, in defiance of international good faith, by the arbitrary will of a stronger and overmastering power.”

The less sceptical among the Irish people believed that Ireland was one of the small nationalities to which England would see justice done. Home Rule, they imagined, had all but passed into law: the threat of Partition was a myth.

On September 15th, Asquith gave a pledge in the name of the Government, that the Home Rule Bill

“ should not come into operation until Parliament should have the fullest opportunity, by an Amending Bill, of altering, modifying or qualifying its provisions in such a way as to secure at any rate the general consent both of Ireland and the United Kingdom.”

Three days later the Home Rule Act duly received the Royal Assent and was placed on the Statute Book; there was passed at the same time, however, a Suspensory Act postponing the operation of the Home Rule Act. Redmond's supporters persisted in representing this as “ a glorious day for the country and a great triumph for the Irish Party.”<sup>1</sup>

Another view was that the Home Rule Act had become “ a scrap of paper.”

Sir Edward Carson made no secret of his purposes: a few days later in Belfast he declared that as soon as the war was over he would call upon the Ulster Provisional Government to reject Home Rule for Ulster and entrust the defence of the Province to the Ulster Volunteers.

<sup>1</sup> Message issued by the Most Rev. Dr. Harty, Archbishop of Cashel.

## CHAPTER 11

*August to December 1914*

RECRUITING IN IRELAND — THE VOLUNTEERS — THE I.R.B.  
— THE “CLAN NA GAEL” — ROGER CASEMENT — CASEMENT’S  
BRIGADE

REDMOND’S attitude had proved acutely disappointing to large numbers of his own supporters and intolerable to more advanced Nationalists. It was on September 20th that, at Woodenbridge in County Wicklow, he made a speech which caused a final split in the ranks of the Volunteers. Hitherto he had called upon Irishmen to be ready to defend Ireland against invasion; now he went further. “Your duty is twofold,” he said, and declared that it would be a disgrace for ever to Ireland if Irishmen refrained from fighting, “wherever the firing extends, in defence of right, freedom and religion, in this war.”<sup>1</sup>

The comment of the *Irish World*, an Irish-American organ, expressed the disgust felt by a large section of the people at home. “Mr. Redmond,” it said, “exceeds his powers. . . . He never received a commission from the Irish people to act as a recruiting sergent for the British Army.”

A manifesto was immediately issued by members of the original committee of the Volunteers declaring that Redmond’s nominees would no longer be regarded as members of the committee. The signatories proposed to call a convention of the Volunteers in order to reaffirm the original manifesto, oppose any diminution of the Home Rule Act, repudiate every suggestion of Partition and the coercion of the Nationalists of Ulster, and to declare “that Ireland cannot, with honour or safety, take part in foreign quarrels otherwise than through the free action of a National Government of their own.”

Even before his speech at Woodenbridge a break with Redmond had become inevitable; dissension had arisen over the arms imported in July and over money subscribed for the

<sup>1</sup> *Banba* of February 1922 contains an article by Michael Lennon (in the series, “A Retrospect”) which gives an excellent account of the situation in Ireland during the European War.

purchase of arms. His followers had recently been enrolling to an extent that threatened to swamp the organisation; some of the officers had even approached the War Office with the suggestion that the Volunteers should be made a unit of the British Army—an offer which Kitchener refused.

Now, the whole question of recruiting for the British Army finally divided all Irish Nationalists into two opposing camps. Throughout the country the duel went on. Major John MacBride, who had led an Irish Brigade in defence of the Boer Republics, was active on the anti-recruiting side. A letter written by Sir Roger Casement was published in Ireland<sup>1</sup> and the United States. He protested against Irishmen being called upon to fight “in a war against a people who have never wronged Ireland.”

“Ireland has no blood to give to any land, to any cause, but that of Ireland,” he wrote.

The task of Irishmen, he pointed out, if Home Rule came, would be to build up from a depleted population the fabric of a ruined National life.

“Ireland has suffered, at the hands of British administrators a more prolonged series of evils, deliberately inflicted, than any other community of civilised men. To-day, when no margin of vital strength remains for vital tasks at home, when its fertile fields are reduced by set design to reproducing animals not men, the remnant of our people are being urged to lay down their lives on foreign fields in order that great inordinately wealthy communities may grow greater and richer by the destruction of a rival’s trade and industry. If this be a war for the ‘small nationalities’ as its planners assert, then let it begin, for one small nationality, at home.”<sup>2</sup>

In view of the British need to keep miners and industrial workers at home, most strenuous efforts were made by recruiting committees to induce Irishmen to enlist. The “Small Nations” propaganda was proving effective in Ireland and was constantly used. Official recruiting posters throughout the war set out such arguments as this:

<sup>1</sup> *Independent*, October 5th, 1914.

<sup>2</sup> Denis Gwynn on Roger Casement, pp. 250 *et seq.*

“ The Allies declare in specific terms that they are out to give freedom to Small Nationalities. . . . Is it not in the interest of Ireland, then, to test the public declarations of the Allies, and aid them in the fight they are waging for Small Nationalities? They cannot then in the face of Europe give freedom to all the small nations and leave Ireland out.”

Another recruiting poster read:

“ The Allies . . . cannot undertake to free the peoples under Germany and Austria, and leave OTHER peoples under a system of government which they resent.”

At the same time, the British authorities made the mistake of treating Irishmen who volunteered to fight for them with open insolence and distrust. It was almost impossible for a Catholic to get a commission: the National University was not permitted to have a training corps for officers, although Trinity College had its O.T.C. The presentation of colours to Irish regiments was discouraged and they were permitted to march only under the Union Jack; the wearing of Irish badges was not allowed. An offer made by Colonel Moore and other Nationalists to form Irish brigades under Irish officers for foreign service was refused. John Redmond offered to provide Home Defence; the Government gave its consent and preparations were started but the consent was then withdrawn. The Ulster Volunteers, on the contrary, were privileged in every way; Sir Edward Carson insisted upon their being enrolled as a separate unit with their own colours and their own recruiting officers. All this was conceded to them, and the officers they preferred—those who had been instructing them in their preparations to resist Parliament by force of arms—were released from their regiments to become officers in the new unit. Their refusal to admit Catholics to their ranks was condoned.<sup>1</sup>

In spite of the treatment meted out to Nationalists over two hundred thousand Irishmen proved willing, from various motives, to fight for the Allies and joined the British Army during the war. Some were moved by the belief that Irishmen would earn in this way England's gratitude and hasten the coming of Home Rule; others were stirred by compassion for

<sup>1</sup> See R. M. Henry, pp. 172, *et seq.*

Belgium or by the Irish traditional friendship towards France; the natural vitality of Irish youth and inherent love of adventure were among the motives at work.<sup>1</sup>

Those who were more ready to fight for their own country were in the minority still.

Regulations applying to Ireland were made under the Defence of the Realm Act at frequent intervals. The use of "anti-recruiting expressions" was made illegal in November. In December warnings were issued to printers against the issuing of seditious literature.<sup>2</sup>

Throughout Ireland the Volunteers voted on the question of Redmond's war policy. Their total number now was estimated at about one hundred and eighty thousand. The majority adhered to him. Only eleven or twelve thousand remained under the leadership of MacNeill; with the minority, however, there remained most of those who had created the organisation, armed it and made it an influence in the nation's affairs. While the followers of Redmond took the name "National Volunteers," the minority continued to be known as "Irish Volunteers."

It was delegates from this minority body who assembled when the first of the annual Volunteer Conventions was held in the Abbey Theatre on October 25th.

There were delegates present from London, Liverpool and Glasgow. The Volunteers were addressed by their chairman, Eoin MacNeill. He criticised Redmond with much severity and charged him with having deliberately obstructed the Volunteer movement and the distribution of arms, as well as with failing to defend the cause of Home Rule. He reaffirmed the allegiance of the Irish Volunteers to Ireland, and to Ireland alone. Nevertheless, he spoke guardedly as to their ultimate objective, indicating that their hope was to save the Home Rule Act from disaster and avert Partition.

<sup>1</sup> It has been estimated that upwards of 250,000 Irishmen enlisted in the British Army for war services; that the Irish N.C.O.s and men killed in Europe during the war numbered 27,405 and that, probably, including those who died in hospitals in England and Ireland, the total number killed amounted to about 40,000. The number of Irish officers killed is not known. These figures do not include Irishmen who were resident outside Ireland.

<sup>2</sup> For list of papers suppressed see *Royal Commission*, 1916, Minutes of Evidence, p. 5.

The Convention affirmed the determination of the Irish Volunteers to maintain a defence force in Ireland, resist any attempt to impose conscription on Ireland, defend the unity of the nation, and replace the government of Dublin Castle with a National Government.<sup>1</sup>

The time had not come for a declaration more explicit or a policy more sharply defined. The Irish Volunteers set to work with intense enthusiasm to build up their organisation and another two thousand men were added to their roll in two months. In this army every man paid for the privilege of membership—a small weekly subscription—and bought his own equipment. A Volunteer paid for his rifle. Keen was the chagrin of those who were unable to obtain one, and no man was so proud and so much envied as the possessor of a “Howth Gun.”

Most of the National Volunteers, meanwhile, were joining the British Army.

Very few among the officers of the Irish Volunteers knew the plans that were being made by the Irish Republican Brotherhood. Eoin MacNeill did not know them; he was not in the confidence of the I.R.B.

The Supreme Council of the Brotherhood took secret action as soon as the European War began. Pearse was one of their number now, co-opted in July.

The steps taken by them have been recorded by Sean T. O’Kelly,<sup>2</sup> one of the founders of Sinn Fein and a member for many years of the I.R.B.

“They called into conference other leaders of progressive national thought in Ireland, and, three weeks after the war had commenced, a meeting was held in my office in the Gaelic League Building, 25 Parnell Square, Dublin, at which it was decided that Ireland should make use of the opportunity of the European War to rise in insurrection against England. There were eight, or nine people at that meeting, including Tom Clarke, Padraic Pearse, Sean MacDermott, Eamon Kent,<sup>3</sup>

<sup>1</sup> *Royal Commission*, 1916, p. 3.

<sup>2</sup> Frequently written *O’Ceallaigh*. Biographical Note, p. 989.

<sup>3</sup> Frequently written *Ceannt*. Biographical Note, p. 987.



Arthur Griffith, William O'Brien,<sup>1</sup> Sean McGarry, a man named Tobin, and myself.

“ At that meeting it was decided that a Rising should take place in Ireland—if the German Army invaded Ireland; secondly, if England attempted to enforce conscription on Ireland; and thirdly, if the war were coming to an end and the Rising had not already taken place, we should rise in revolt, declare war on England and, when the conference was held to settle the terms of peace, we should claim to be represented as a belligerent nation. All present at that meeting, which was representative of all shades of advanced Nationalist political thought in Ireland, pledged themselves and their organisations to do all in their power to carry out the agreement arrived at, and to prepare the public mind for the great event that was to come.”<sup>2</sup>

Sean T. O'Kelly, in the same article, described the parts played by several of the revolutionary leaders.

“ If any one man,” he writes, “ could be said to be responsible for the inspiration of Easter Week, or for the carrying through successfully of the resolution to revolt—credit for that must be given to Tom Clarke. Clarke can truthfully be described as the man, above all others, who made the Easter Rising. He, it was, who inspired it originally, and he, it was, who, in broad outline, laid the plans. To Sean MacDermott must be given the credit for filling in these plans—for seeing to the successful carrying out of the details necessary for such an undertaking.”

James Connolly, although he was not a member of the secret organisation, was drawn into their counsels, as was another Labour leader, William O'Brien,<sup>3</sup> and, later, they co-opted as a member Thomas MacDonagh, now lecturer in literature at the National University, a man of eager imagination and ardent thought. In this group, as Sean T. O'Kelly writes,

“ James Connolly supplied the driving force. As well as being a man of brains and highly cultivated intelligence, he

<sup>1</sup> and <sup>2</sup> William O'Brien of Dublin, not the M.P. for Cork.

<sup>3</sup> *An Phoblacht* (Dublin), April 30th, 1926.

was in everything a man of action. If it were not for the insistence of Connolly the Rising might not have taken place just exactly at that time. He with his great yearning for freedom for his native land and for that liberty which would give a chance to Ireland to work out a worthy social system for the down-trodden, was restless and eager and insistent that the Rising should come off at the earliest possible moment. Padraic Pearse, probably the ablest and most inspiring figure of that time, interpreted worthily the traditional aspirations and ideals of Irish nationalism, and symbolised in himself the unity of ideal of the different races that go to make up the Irish Nation. He was well fitted to be chosen by his colleagues as the most outstanding figure of his time and the one who probably could fill most suitably the position of first President of the Irish Republic. MacDonagh, Kent and Plunkett were all of them men of high intellectual attainments. Kent and MacDonagh were certainly products of the Irish-Ireland movement. They developed their Irish Nationalism through their acquaintance with Gaelic culture. Joseph Plunkett, who was younger than all the others, was a student of wide international culture. Despite his delicate health, he took an active part in all the deliberations and preparations for the Rising, and even undertook dangerous and arduous journeys over the continent necessary for the working out of the plans."

James Connolly, impatient for action, on September 9th presented himself at the I.R.B. meeting place at 41 Parnell Square with about eighty armed men of the Volunteers and the Citizen Army, demanding that they should be allowed to seize the Mansion House, where Asquith was proposing to hold a great meeting to aid recruiting. Thomas Clarke, Pearse, MacDermott, MacBride, Eamon Kent and Joseph Plunkett were present; Griffith also, Sean T. O'Kelly, William O'Brien, the Labour leader, and Sean McGarry. It was with difficulty that they persuaded Connolly to give up his rash enterprise and disband his force for the moment.

Asquith visited Ireland and held his recruiting meeting, calling on the Irish people to "remember Louvain," asking for recruits to the British Army in return for Home Rule—"the

free gift of a free people." Connolly held a counter-meeting and told them to remember Batchelor's Walk.

From the outbreak of the European War the Citizen Army co-operated whole-heartedly with the Irish Volunteers.

Throughout the autumn Connolly's paper, *The Irish Worker*, *Irish Freedom*, *Fianna Fail* and other weekly papers openly advocated physical force, while Griffith continued in *Sinn Fein*, and later in *Young Ireland*, to denounce recruiting and advocate his policy. These little journals had an uneasy existence: under the Defence of the Realm Act seditious publications could be summarily suppressed and their printers penalised. *Irish Freedom* and *Sinn Fein* were suppressed early in December and a few days later military raided the offices of *The Irish Worker* and seized the machinery and plant. It was not long, however, before James Connolly had established a private printing press in Liberty Hall and was producing his paper there under the protection of an armed guard of Citizen Army men.

The I.R.B. Supreme Council provided funds for the replacing of *Sinn Fein* by another paper, *Irish Nationality*. This was edited by Arthur Griffith and Sean T. O'Kelly and, since no Dublin firm could be found to take the risks involved in printing it, it was printed by an Orangeman in Belfast. When this paper, in its turn, was suppressed it was replaced by *Éire* and *Scissors and Paste*.

The importation of arms was actively carried on. On England's entry into the war, the Proclamation prohibiting their importation had been revoked; Customs regulations proved inadequate to prevent supplies reaching the Irish Volunteers. In November a warrant was issued authorising the police to make seizures and later the Military Authorities were authorised to control all explosives and arms in Ireland. Police and coastguards carried out searches of boats; nevertheless, importation continued, organised chiefly by The O'Rahilly, and explosives were secretly manufactured by the Irish Volunteers. Raids, seizures, and prosecutions became frequent.

In the United States, during the autumn, funds were being

collected and arms purchased to be despatched to the I.R.B. Council in Ireland.

The Irish Volunteers were now working under a secret control of which most of them understood little, as well as the open control of the committee presided over by Eoin MacNeill.

The I.R.B. Supreme Council created, in September, its Fourth Military Council, of which the immediate objects were to prepare an insurrection and secure control of the Volunteers. Its members were Thomas Clarke, Sean MacDermott, Joseph Plunkett, and Padraic Pearse.<sup>1</sup>

These men occupied leading positions in the Volunteer Army. Pearse was Director of Organisation. Other members of the I.R.B. were officers in units throughout the country and it was from Pearse or MacDermott that these would take their orders in a crisis, not from MacNeill.

The policy of MacNeill, Bulmer Hobson, and their colleagues on the committee was not to have a Rising during the European War, but to build the Volunteers' organisation into a strong force, trained in the tactics of guerilla war and capable of offering prolonged resistance to conscription or any other form of attack. The I.R.B. leaders, on the other hand, had resolved that the opportunity of the European War should not be lost.

If England attempted to enforce conscription in Ireland; if they saw that England was about to be defeated by Germany, or if they concluded that she would, without doubt, be victorious—in any of these three contingencies the I.R.B. intended to strike. However slender might be their hope of success, they were determined that Irishmen of their generation should testify to the nation's right to freedom in arms.

The dangers were not under-estimated by them. The attempt might end in failure, in the execution of the leaders, conscription in Ireland, the sacrifice of thousands of Irish lives on foreign fields, in the destruction of their whole defensive organisation and a régime of coercion more crushing than any that the Irish people had yet known. These considerations deterred MacNeill and his group from a policy of attack, but the leaders of the Republican Brotherhood believed that a Rising, even if it met with immediate failure, would be justified in the ultimate result.

<sup>1</sup> Bulmer Hobson in *An t-Óglach*, June 1931.

They went forward with their secret preparations. Sean T. O'Kelly was sent to the United States to discuss the plans with John Devoy, Judge Cohalan, Joseph McGarrity, and other heads of the Clan na Gael and get financial assistance.

In September Sir Roger Casement went to New York. He had an intense faith in the goodwill of Germany and a conviction that in an understanding with Germany lay Ireland's hope of success. He was not a member of the I.R.B. and the Council would have preferred to proceed without him, but his European reputation for courage and integrity and his own enthusiasm made his offer of service one that could not be ignored. He was therefore put into communication with the Clan na Gael.

In America he wrote, and all the members of the Clan's Executive signed, a Petition to the Kaiser to include the freedom of Ireland among the declared war aims of the Central Powers. The German Government was also approached through the Military Staff of Count Bernstorff, its Ambassador at Washington.

Casement decided to go himself to Germany. The Clan na Gael sanctioned the enterprise, and he left America secretly on October 29th. His route lay through Norway and he took a young Norwegian sailor, Christensen, as his confidential man.

In undertaking his dangerous mission Casement had three objects in view. The collecting of money was not one of these: at all times he was scrupulous to refuse to allow German money to be used in Ireland's cause. His first object was to form among the Irishmen of the British Army then prisoners in Germany a brigade to go to Ireland and take part in a Rising there. His second object was to secure a statement of German support and friendship for the cause of Irish independence. Such a statement, he hoped, might prevent the enlistment of Irishmen in the British Army. He also hoped to secure arms.

The obstacles in his way were disheartening and his health almost broke down; he was helped, however, by Dr. Kuno Meyer and personally befriended by St. John Gaffney, American Consul-General in Munich.<sup>1</sup>

The year did not end without an achievement that greatly encouraged him to hope for ultimate success. On November 20th

<sup>1</sup> T. St. John Gaffney, *Breaking the Silence*, pp. 121 et seq.

the *Norddeutsche Allgemeine Zeitung* published an official statement of the German Imperial Government's friendly attitude towards the Irish people and wishes for their attainment of independence.

On December 27th an undertaking was signed in Berlin. Roger Casement regarded it as a Treaty. It was signed by himself, as "Irish Envoy," and by the German State Secretary Von Zimmermann, and sealed with the Seal of the German Chancellor.

By this it was agreed that an Irish Brigade should be formed from among the prisoners of war, this brigade to serve Ireland solely and not to be employed or directed to German ends. None but Irish officers were to conduct military operations of the brigade. It was to be furnished and equipped by the German Imperial Government as a free gift to aid the cause of Irish independence. No member was to receive any pay or money from the German Government: it was to be a Volunteer Brigade. In the event of a German naval victory the German Government was to send the Irish Brigade to Ireland with an ample supply of arms and ammunition. If with the help of the brigade the Irish people should succeed in establishing an independent Irish Government, the German Government was to give it public recognition, support, and goodwill.<sup>1</sup>

Roger Casement's hopes were high when that agreement was signed and sealed in the Foreign Office in Berlin. He was a man who under-rated obstacles.

The year closed with the fortunes of war in Europe fluctuating and uncertain. Ireland's future, also, was insecure. Home Rule was on the Statute Book but suspended; British statesmen and the Ulster Covenanters were determined to partition Ireland rather than apply Home Rule to the whole country; Redmond was recruiting for the British Army, Griffith still contending for self-reliance; Connolly openly preaching Republicanism; the I.R.B. was preparing a Rising and the Irish Volunteers were training in arms. The irresistible force of resurgent nationalism was advancing; the immovable obstacle of British Imperial interest stood in its path.

<sup>1</sup> Denis Gwynn, p. 329.

## CHAPTER 12

1915

ENGLAND'S DILEMMA — AMERICAN INTEREST — THE  
“ LUSITANIA ” — COALITION AND THE HOME RULE BILL —  
SINN FEIN AND THE VOLUNTEERS — PROSECUTIONS — THE  
FUNERAL OF O'DONOVAN ROSSA — DUBLIN CASTLE AND  
DR. O'DWYER

REGARDED in the light of after-events, the conduct of Irish affairs by the British Administration during 1915 appears as a series of almost incredible blunders. In extenuation of the Ministers and officials concerned it can only be urged that the task which they had undertaken might have baffled wiser and abler men. While fighting the greatest war in history they were striving to keep a resurgent people in subjection. They had no sufficient pretext for making a war of re-conquest upon Ireland, yet they dared not give her even partial freedom. They needed Irishmen for their army, yet dared not conscript them. It was a dilemma from which, actually, there was no escape, and those who attempted a solution by the old method of alternating conciliation and coercion wound themselves more tightly in inextricable coils.

Ulster Unionism had been encouraged to express itself in the most extravagant and violent forms; the “ treasonable ” utterances of Covenanters were a dangerous example to other fiery spirits and an embarrassment to the Government now. In April Major Crawford declared publicly that if forced to leave the Union he would

“ infinitely prefer to change his allegiance right over to the Emperor of Germany or anyone else who had got a proper and stable Government.”<sup>1</sup>

That comprehensive British war measure, the Defence of the Realm Act, was not invoked against Major Crawford. To arrest an Ulster Loyalist would precipitate trouble in the British Army: so much the Curragh episode had proved.

British troops were suffering heavy losses—disastrously heavy

<sup>1</sup> At Bangor, April 29th.

in the Dardanelles; German airships were raiding the east coast of England; German submarines were an increasing menace on the seas, yet the Government found it necessary to keep a large garrison of Military and Constabulary in Ireland. In Ulster, besides Carson's Volunteer Force, said to number 70,000, was the Ulster Division of the Regular Army, some 20,000 strong. That was partially compensated by the fact that large numbers of Redmond's National Volunteers were enlisting for service abroad. To fill Ireland with British troops, while as far as possible emptying the country of Irishmen, was a counsel that commended itself to the authorities; recruiting, however, was being made more difficult every day by Sinn Fein.

The Irish Volunteers were collecting arms; that was known to Dublin Castle but no legislation could be enforced against them which would not also affect Redmond's Volunteers, and Redmond and his Party must be conciliated because the last hope of securing recruits in Ireland depended on their goodwill. Every overt action taken against the Separatists was an argument, in the minds of the Irish people, in favour of the Separatist cause and any attempt forcibly to disarm the Irish Volunteers or the Citizen Army would have provoked a violent collision and precipitated a crisis, which the Government was anxious above all things to avoid. Opinion in America, moreover, had to be considered. The Government was receiving warnings to this effect from its Ambassador at Washington, Sir Cecil Spring-Rice. "It is evidently of very great importance," he wrote in May, "that no action should be taken in England which would arouse a strong anti-British sentiment among the Irish here."<sup>1</sup>

The Irish cause in America was rapidly gaining ground. The "Defence of Ireland Fund," openly organised, was sending money to The O'Rahilly for the arming of the Irish Volunteers. The Clan na Gael was in constant touch with the German Foreign Office. Sir Roger Casement was in Germany endeavouring to form an Irish Brigade among the prisoners of war in Limburg Camp. His pamphlets were being circulated in Germany, Ireland, and the United States.

<sup>1</sup> Letter dated May 20th, 1915; *The Letters and Friendships of Sir Cecil Spring-Rice: A Record*, edited by Stephen Gwynn, II., p. 278.



Sean T. O'Kelly returned from the United States, bringing a contribution of two thousand pounds. One thousand was given to Eoin MacNeill for the Volunteers.

In Ireland the vacillating policy of Dublin Castle proved exasperating enough to stimulate the Republican organisations but not drastic enough seriously to hamper them. Anti-British propaganda was actively carried on. Small Republican papers appeared, were suppressed under the Defence of the Realm regulations, and quickly re-appeared, sometimes under another name. James Connolly, now at the head of the Labour movement and the Citizen Army, displayed across the front of Liberty Hall a slogan declaring, "We serve neither King nor Kaiser, but Ireland." His paper continued to appear, preaching the crusade of Labour and the national cause; the *Irish Volunteer*, the organ of the Republican Army, suppressed by interference with the printer, was re-issued, printed by a Unionist firm in Belfast. Arthur Griffith's *Scissors and Paste* was merely a collection of quotations from journals in free circulation; the selection and juxtaposition of the quotations was, however, so effective as to cause the little weekly to be suppressed. He continued his propaganda, nevertheless, in *Nationality*, exposing falsified war propaganda in contemptuous phrases and warning Irishmen against specious recruiting appeals. The *Spark* was another paper which exerted a strong influence against enlisting. "The cry, 'Remember Belgium,' is good—for Belgians," Eamon Kent wrote in this paper, "the cry, 'Remember Ireland,' is sound sense for Irishmen."

On May 7th the Cunard liner, the *Lusitania*, was torpedoed by a German submarine and sank off the Old Head of Kinsale with a loss of nearly twelve hundred lives. The War Office hoped to use the indignation aroused in Ireland to help recruiting. It transpired, however, when the ship's manifest was examined by a Committee of Inquiry, that the liner had been carrying ammunition when sunk. Griffith vehemently denounced the callousness of the British officials who had thus deliberately risked the passengers' lives and dealt in terms of ridicule with their attempt to evade the charge of having used the liner for purposes of war.

Arthur Griffith remained sceptical about Home Rule. Now, as throughout his years of labour as a propagandist in the Irish cause, he never ceased to declare that the promises of the Liberal Party were worthless as far as Ireland was concerned, and that their pledges would never be redeemed.

His distrust was to be justified.

On May 19th Asquith announced that the Liberal Cabinet was to be superseded. In the hope of securing a better output of munitions and more vigorous prosecution of the war a Coalition Ministry was to be formed. The formation of a new Cabinet was of peculiar interest to Ireland since it would indicate the outgoing Government's intention with regard to safeguarding the future of Home Rule.

The new Cabinet included eight Unionists. Redmond was offered a place in it, but, in obedience to the established principles of the Party, refused the offer. Bonar Law became Secretary of State for the Colonies; Walter Long President of the Local Government Board; Sir Edward Carson was made Attorney-General with a seat in the Cabinet, and F. E. Smith was given the post, outside the Cabinet, of Solicitor-General.

To the most reckless and violent rebels against the British Government, the most inveterate enemies living of Home Rule for Ireland, had been awarded some of the most influential positions within the gift of the Crown. "It is impossible," Birrell said afterwards, "to describe or overestimate the effect of this in Ireland. . . . This step seemed to make an end of Home Rule."<sup>1</sup>

The Rt. Hon. Augustine Birrell was at the same time appointed Chief Secretary for Ireland. Lord Wimborne retained the position of Lord Lieutenant for Ireland to which he had been appointed in April.

September 17th was the date on which the Home Rule Act, had it not been postponed, would have come into operation. Orders in Council were promulgated which suspended the operation of the Act until the end of the war.

This second postponement and the promotion of Carson, with all their implications, brought new life to the Revolutionary movement. Men and women who had hitherto followed Redmond

<sup>1</sup> *Royal Commission*, 1916; Birrell, p. 520.

now, despairing of British promises and Irish parliamentary agitation, and accustomed by the war to the idea of force, began to declare themselves adherents of Sinn Fein, and it was not Arthur Griffith's organisation that they meant.

The popularity of Griffith's movement and the very name of his organisation were being transferred to the Party of physical force. It was the hostile Press which first used the term "Sinn Fein Volunteers" to distinguish the Republicans from Redmond's force; at first the "physical force" section resented it, but the designation had found general acceptance and, even while Griffith's "Dual Monarchy" ideal was fading into oblivion, the name of his organisation was taking an immortal place in the nation's history.

It was to the Volunteers now that the Irish people—those at least who were awake to the fact of their servitude—were looking for redress.

The Volunteers themselves realised that the country's hope of liberation rested in them, that the world war gave them an opportunity which must not be allowed to pass, and that the time for action and sacrifice was at hand. Their spirit of resistance was intensified by the arbitrary measures taken against them by the Government while the Ulster Volunteers were given every facility for open drilling and parade.

Irishmen in Civil Service employment were dismissed if they were reported by the police as belonging to the Volunteers. There were prosecutions under D.O.R.A. regulations in connection with the possession of explosives and with public speeches. Sean MacDermott was sentenced to six months' imprisonment for an anti-recruiting speech. In June Francis Sheehy-Skeffington received a similar sentence, went on hunger-strike, and was released after nine days. In Cork, Sean Hegarty, a member of the Volunteers, was ordered to leave the city. He was afterwards arrested in Enniscorthy and charged before a jury with possession of explosives. The jury declared him "not guilty" and the second jury disagreed. Later, another jury acquitted Alec McCabe of the same charge. In July, preemptory expulsion orders were made, without cause stated, against three Republicans—Ernest Blythe, Denis McCullough and Herbert Moore Pim, officers and instructors in the Volunteers. They

ignored the order to leave the country and were sentenced to terms of imprisonment.

In prosecutions of this nature the Government was constantly embarrassed by the fact that juries habitually refused to convict. Their refusal was not due to fear, as a Government witness afterwards admitted, but to "large sympathy with the movement."<sup>1</sup>

By the D.O.R. (Amendment) Act (1915) courts martial of British subjects were disallowed and the power to use them was restored to the military only in the event of "special Military emergency arising out of the present war." The prisoners therefore had to be brought before magistrates and these could not inflict a greater sentence than six months' hard labour. Men like Liam Mellows served their terms of imprisonment or deportation and resumed their activities with increased prestige.

The Irish Volunteers in their official statements still refrained from exposing the full scope of their aim. The threats of conscription, of Partition, and of an unacceptable form of Home Rule, which would not include fiscal autonomy, were the motives which they proclaimed for preparations for self-defence. On the issue of the Order expelling certain leaders, in July, their Executive Committee published a manifesto which declared that these orders had been issued "from a British authority established by force in Ireland, not any Irish authority," and that if the Government hoped by such arbitrary methods "either to intimidate the Irish Volunteers or to provoke them into acts of unconsidered resistance" it would not succeed.

In July another event occurred which gave extraordinary inspiration to the National movement. As had happened so many times in Irish history, the service which a leader had been prevented from rendering in his lifetime he achieved in death. The event was the funeral of the Fenian, Jeremiah O'Donovan Rossa. Rossa's part in the preparation for the Fenian Rising and the unspeakable suffering which he had endured in English prisons were known throughout Ireland. His was an honoured name. When he died in America his body was brought home.

<sup>1</sup> *Royal Commission*, 1916, pp. 258-4.

The coffin lay in state in the Dublin City Hall and the people thronged to do homage to the dead, marshalled by Volunteers in green uniforms. On August 1st a multitude followed the hearse to Glasnevin and there Padraic Pearse, in the uniform of the Volunteers, his hands resting on his sword-hilt, made a speech which lit a flame of enthusiasm in the minds of those who heard it. He opened in Irish and then, speaking in English, he said :

“ It has seemed right, before we turn away from this place in which we have laid the mortal remains of O’Donovan Rossa, that one among us should, in the name of all, speak the praise of that valiant man, and endeavour to formulate the thought and the hope that there are in us, as we stand around his grave. And if there is anything that makes it fitting that I rather than some other, I rather than one of the grey-haired men who were young with him and shared in his labour and in his suffering, should speak here, it is perhaps that I may be taken as speaking on behalf of a new generation that has been re-baptised in the Fenian faith, and that has accepted the responsibility of carrying out the Fenian programme. I propose to you then that, here by the grave of this unrepentant Fenian, we renew our baptismal vows; that, here by the grave of this unconquered and unconquerable man, we ask of God, each one for himself, such unshakable purpose, such high and gallant courage, such unbreakable strength of soul as belonged to O’Donovan Rossa.

“ Deliberately here we avow ourselves, as he avowed himself in the dock, Irishmen of one allegiance only. We of the Irish Volunteers, and you others who are associated with us in to-day’s task and duty, are bound together and must stand together henceforth in brotherly union for the achievement of the freedom of Ireland. And we know only one definition of freedom ; it is Tone’s definition ; it is Mitchell’s definition. It is Rossa’s definition. Let no man blaspheme the cause that the dead generations of Ireland served by giving it any other name and definition than their name and their definition.

“ We stand at Rossa’s grave not in sadness but rather in exaltation of spirit that it has been given to us to come thus

into so close a communion with that brave and splendid Gael. Splendid and holy causes are served by men who are themselves splendid and holy. O'Donovan Rossa was splendid in the proud manhood of him, splendid in the heroic grace of him, splendid in the Gaelic strength and clarity and truth of him. And all that splendour and pride and strength was compatible with a humility and a simplicity of devotion to Ireland, to all that was olden and beautiful and Gaelic in Ireland, the holiness and simplicity of patriotism of a Michael O'Clery or of an Eoghan O'Growney. The clear true eyes of this man almost alone in his day visioned Ireland as we of to-day would surely have her : not free merely, but Gaelic as well : not Gaelic merely but free as well.

“ In a closer spiritual communion with him now than ever before or perhaps ever again, in spiritual communion with those of his day, living and dead, who suffered with him in English prisons, in communion of spirit too with our own dear comrades who suffer in English prisons to-day, and speaking on their behalf as well as our own, we pledge to Ireland our love, and we pledge to English rule in Ireland our hate. This is a place of peace sacred to the dead, where men should speak with all charity and with all restraint ; but I hold it a Christian thing, as O'Donovan Rossa held it, to hate evil, to hate untruth, to hate oppression, and hating them, to strive to overthrow them. Our foes are strong and wise and wary ; but, strong and wise and wary as they are, they cannot undo the miracles of God who ripens in the hearts of young men the seeds sown by the young men of a former generation. And the seeds sown by the young men of '65 and '67 are coming to their miraculous ripening to-day. Rulers and Defenders of Realms had need to be wary if they would guard against such processes. Life springs from death : and from the graves of patriot men and women spring living nations. The Defenders of this Realm have worked well in secret and in the open. They think that they have pacified Ireland. They think that they have purchased half of us and intimidated the other half. They think that they have foreseen everything, think that they have provided against everything ; but the fools, the fools, the fools !

—they have left us our Fenian dead, and while Ireland holds these graves, Ireland unfree shall never be at peace.”

The speech was followed by the firing of a volley over the grave.

In the following month twelve hundred Volunteers marched openly with their arms through Dublin. The members of Cumann-na-mBan began to parade in uniform. The Citizen Army carried out audacious manœuvres. Countess Markievicz had been appointed by James Connolly to be Second-in-Command and, wearing a uniform and carrying a rifle, she led with him a sham attack on Dublin Castle on October 6th. Boys of the Fianna Eireann took part in the manœuvres sometimes. Another corps, known as the Hibernian Rifles, was being formed. A series of lock-outs on the docks during the autumn gave an impetus to the Citizen Army; its membership increased in numbers and continued actively to train and drill.

Early in October collections were made for the purchase of arms and ammunition for the Irish Volunteers. This was known to the Castle authorities but they dared not interfere; to do so, the Under Secretary, Sir Matthew Nathan, maintained, “would only have resulted in giving an increased stimulus to the collection.”

Major-General Friend was in the unhappy position of commanding the British forces in Ireland; he saw armed parties of declared “rebels” marching openly about Dublin but was forbidden by the political authorities to take any action against them. On such questions the Castle consulted Redmond and he consistently advised non-intervention.<sup>1</sup>

In November the British Government formed its War Council and the enlisting scheme sponsored by Lord Derby was vigorously pursued. In England, where the industrial centres were engaged in an intensive output of ammunitions, the idea prevailed that Irishmen rather than fresh drafts of Englishmen should be sent to the Front. Some Irish emigrants embarking at Liverpool for the United States were mobbed as shirkers by a crowd of English civilians and the crews refused to man the ship on which they intended to travel. This attack drew an

<sup>1</sup> *Royal Commission, 1916, Appendix, p. 115.*

open letter of protest from the Most Rev. Dr. O'Dwyer of Limerick. The letter was suppressed by the Dublin newspapers but published in Limerick. The Bishop had not hitherto been a partisan of the National movement and his protest came to Irish Catholics as a benediction on their cause.

His letter was eloquent :

" It is very probable," he wrote, " that these poor Con-nacht peasants know little or nothing of the meaning of the war. Their blood is not stirred by the memories of Kossovo, and they have no burning desire to die for Servia. They would much prefer to be allowed to till their own potato gardens in peace in Connemara. . . . Their crime is that they are not ready to die for England. Why should they ? What have they or their forbears ever got from England that they should die for her ? Mr. Redmond will say, ' A Home Rule Act is on the Statute Book.' But any intelligent Irishman will say, ' A Simulacrum of Home Rule ' with an express notice that it is never to come into operation.

" This war may be just or unjust, but any fair-minded man will admit that it is England's war, not Ireland's."

In order to assist the recruiting campaign a meeting of Irish employers was convened by William Martin Murphy on November 23rd. A scheme was propounded to dismiss able-bodied men from employment in order to force them to serve with the colours.

While these efforts were being made to induce Irishmen to fight for England, young men were enlisting in hundreds in the Irish Volunteers.

About two thousand joined in the provinces in the last two months of the year. A Company composed of Irishmen returned from England lived in a camp at Kimmage, County Dublin. These were men who were unwilling to fight for England. They gave their Company the name, Pearse's Own.

It was with no vague purpose and for no remote object that Irishmen were joining the Volunteers now. It was not to escape fighting and danger that the " new generation, re-baptised in the Fenian faith," enrolled and took arms.





**PART III**

**THE REPUBLIC PROCLAIMED**

**1916**



## CHAPTER 13

*January to April 1916*

PREPARING FOR INSURRECTION — DUBLIN CASTLE'S  
DILEMMA — LEADERS OF A MINORITY — WASHINGTON AND  
BERLIN — ORDERS FROM PEARSE — CASEMENT IN GERMANY  
— THE ARMS SHIP AT SEA — CASEMENT'S SUBMARINE

By January 1916, when conscription was made law for Great Britain, the Government's dilemma in Ireland was complete. To force men into active service with an army which they regarded as that of their hereditary enemy was at all times a course full of danger; it was doubly precarious when the men were trained, armed, and resolute to resist. On the other hand, these men, if permitted to remain in Ireland, would give trouble. They were openly preparing for an Insurrection, of which only the date remained in doubt, and James Connolly was asking in *The Irish Worker*, "Are we not waiting too long?"

These Volunteers were holding recruiting meetings of their own; during every week-end the towns and countryside were filled with marching men, some in their green uniforms, others wearing the belts and soft hats which had come to be distinctive of their army; a large number carried arms. One day they carried out a sham attack on the General Post Office; on St. Patrick's Day they held reviews in all the principal towns in Ireland; on March 28th their Executive published a warning that any attempt to deprive the Volunteers of their arms would be resisted by force. The Dublin Castle Authorities knew that this was no empty boast and, while the Chief Commissioner of Police urged suppression, the Chief Secretary and the Under Secretary hesitated to act. They could not, without evidence of "hostile association," intern the Revolutionary leaders for any length of time, and such evidence they had not so far been able to obtain.

Undoubtedly there was a section of the British Cabinet—the Ulster Covenanter element—which desired few things more than an outbreak in Ireland that would give the requisite pretext for ruthless suppression of the Irish Volunteers, and there was another section which opposed this attitude, while to avert

bloodshed, if possible, was the Dublin Authorities' immediate concern.<sup>1</sup>

Birrell and his colleagues in Dublin Castle resorted to a policy of small legal measures and intensive secret service work by which they defeated their own ends. The suppression of papers continued, a policeman trained as a printer helping to dismantle the machines; raids for arms were carried out until the threat of resistance caused them to be abandoned. Men were charged with "sedition" and imprisoned. Nearly five hundred prosecutions under the Defence of the Realm Act took place in Ireland between November 1914 and April 15th, 1916. Immense protest meetings were held in Dublin. Speaking at one of these in the Mansion House on March 30th, Eoin MacNeill said that the Government were attempting to provoke the Volunteers into an outbreak, but that until the Government sent its forces against them the Volunteers would go on with their preparations as before.

The British Administration in Ireland placed its chief reliance, and rightly, on the almost flawless system of espionage carried out by the R.I.C. There was scarcely a square ten miles of Ireland without its Constabulary Barracks at this time; there were over nine thousand officers and men of this semi-military force in the country, armed and trained to shoot and possessing the most intimate knowledge of the daily lives of their fellow countrymen in the districts where they were stationed. They acted as a great Intelligence Service; from almost every part of Ireland they sent to the Castle daily reports recounting even the political sentiments of individuals considered influential or "potentially dangerous." "Disaffected" men and women were closely watched: "I have them under the microscope," Mr. Birrell declared.<sup>2</sup> The police observations were regularly placed at the disposal of the Military Authorities.<sup>3</sup>

The Dublin Castle officials, not unnaturally, supposed that a Rising could not be attempted without a warning reaching them in good time. Moreover, there was a large military garrison still in the country; it would be possible to summon five

<sup>1</sup> *Royal Commission*, 1916, p. 30, paragraph 691.

<sup>2</sup> *Royal Commission*, 1916, p. 22, paragraph 539.

<sup>3</sup> *Royal Commission*, 1916, p. 15, paragraph 220.

thousand troops to Dublin at a few hours' notice and more could be conveyed from England in one day, should any unexpected outbreak occur.

Birrell relied on these resources and on the fact that the Volunteers were insufficiently armed. Police reports, at the end of March, assured him that in Dublin the Volunteers and the Citizen Army between them possessed only about nine hundred rifles and that the total number of arms of all sorts held by the Volunteers in the provinces amounted to 4,466.<sup>1</sup>

This system of spying, benetting the whole Volunteer organisation, and of arrests and prosecutions, had become a factor in the counsels of the I.R.B. None of the contingencies which, in 1914, they had envisaged as a signal for a Rising had occurred, but this urgent consideration had arisen meanwhile: if they delayed much longer, their secret preparations would be disclosed, all the leaders imprisoned, the whole organisation destroyed and the greatest opportunity in centuries to achieve Ireland's liberation would be irretrievably lost. Not again, they believed, for many generations, would such an opportunity recur, nor could an organisation such as theirs, if it disintegrated now without action, ever be recreated again. Unless a blow was struck soon, if only as a protest, the Irish people would sink beyond redemption into despair, or, worse, into contentment with servitude.

By their writings, many of the leaders were trying to prepare the minds of the people for an attempt. Pearse wrote poems and articles in *The Irish Volunteer* and pamphlets—*Ghosts*, *The Separatist Idea*, *The Spiritual Nation*, and *The Sovereign People*—of which the note was a trumpet call. "There has been nothing more terrible in Irish History," he wrote in *Ghosts*, "than the failure of the last generation. Other generations have failed in Ireland, but they failed nobly; or failing ignobly, some man among them has redeemed them from infamy by the splendour of his protest. But the failure of the last generation has been mean and shameful, and no man has arisen from it to say or do a splendid thing by virtue of which it shall be forgiven."

<sup>1</sup> *Royal Commission*, 1916, Appendix, p. 123, and paragraph 1250. This estimate proved to be less than the actual number.

He questioned whether, by their ingratitude to Parnell, the people had not brought this punishment on themselves.

The leaders realised with complete clarity that the majority of the Irish people were almost lost to all sense of the rights of Ireland as a nation, had learned to rely on the vague optimism of the Parliamentarians and were ready to give thanks for a petty instalment of Home Rule. The Independence movement was the movement of a minority still, and those who were ready to give and take life in armed insurrection were a minority in that movement. They believed, however, that the inherent native passion for freedom was dormant, not extinguished, and that only bold action was needed to arouse the people to a sense of their rights, their needs, and the strength that still lay within them unused.

Of the few who proceeded to act by the light of this conviction there was none more persuasive than Pearse or more vehement than Connolly or more unflinchingly determined than Thomas Clarke. Connolly was making delay impossible, declaring that if no one else acted he would go out with a few dozen of the Citizen Army men himself. He and the Citizen Army were pledged to a Rising. But he hoped for success: he believed if the Volunteers rose throughout Ireland the people would awake to the significance of what was happening and rally to their support.

In January the Supreme Council of the I.R.B. decided on the date when the Rising was to begin. Easter Saturday, April 22nd, was the date first chosen. This decision and the intensive preparations which followed were made by the few men who had been working together since 1914 with the help of Thomas Mac-Donagh, Commandant of the Dublin Brigade of the Irish Volunteers. To the members of the I.R.B., who regarded secrecy as the first necessity of their preparations, James Connolly's open methods and his tendency to precipitate the crisis seemed dangerous—so dangerous that they took the extreme action of arresting him and keeping him under guard, until, a few days later, threats from the Citizen Army and Countess Markievicz procured his release. Meanwhile, he had won the leaders over to his own view of the urgency of the situation, and after this

he was included in the counsels of the I.R.B., the only person outside its own oath-bound membership taken into its confidence and the only person outside their group to realise that the time of action was so near.

The I.R.B. leaders did not confide their plans to Arthur Griffith, knowing that he would oppose them, nor to Bulmer Hobson, the Secretary of the Volunteers, nor to The O'Rahilly, their Treasurer, nor to Commandant J. J. O'Connell, head of their Military sub-committee, nor even to Eoin MacNeill, Chairman of the Volunteer Executive and Chief of Staff. All these were known to be in favour of defensive action if the Government should attempt to enforce conscription or to arrest or disarm the Volunteers but to be still against taking the initiative in attack.<sup>1</sup> Thus, while MacNeill and his intimates on the Executive still supposed that only defensive action was contemplated, to be taken only when the Executive should determine, the secret preparations for Easter went on.

Early in February the I.R.B. Council communicated its project to the heads of the American Clan na Gael, to which they looked for a supply of arms. The following message was sent secretly to Devoy:

“ Unanimous opinion that action cannot be postponed much longer. Delays are disadvantageous to us. Our enemies cannot allow us much more time. Initiative on our part is necessary. The Irish regiments which are in sympathy with us are being gradually replaced with English regiments.

“ We have therefore decided to begin action on Easter Saturday. Unless entirely new circumstances arise we must have your arms and munitions in Limerick between Good Friday and Easter Saturday. We expect German help immediately after beginning action. We might be compelled to begin earlier.”<sup>2</sup>

At a meeting at the Old Irish American Club in Philadelphia that message was considered by the heads of the Clan na Gael.

<sup>1</sup> See Le Roux, *Patrick H. Pearse*, for details of the relations between Eoin MacNeill's group and the I.R.B. group on the Volunteer Executive during March and April 1916, pp. 329 *et seq.*

<sup>2</sup> *Documents Relative to the Sinn Fein Movement*, p. 9. Also Devoy, p. 458.



They realised now, for the first time, that it would not be possible to send the necessary arms to Ireland from the United States.

“ It transpired,” John T. Ryan, one of those present, wrote, “ that a certain South Atlantic Port, through which it had previously been expected shipment could be made, was no longer available for that purpose. . . . The only possible solution of the problem was to induce the German Military authorities to furnish the arms requested by the Republican leaders in Ireland.”<sup>1</sup>

That request was transmitted through the German Embassy to Berlin, and the German reply came to Washington in the first week of March:

“ Between 20th and 23rd April, in the evening, two or three steam trawlers could land 20,000 rifles and 10 machine guns, with ammunition and explosives at Fenit Pier in Tralee Bay.

“ Irish pilot boat to await the trawlers at dusk, north of the Island of Inishtooskert, at the entrance of Tralee Bay, and show two green lights close to each other at short intervals. Please wire whether the necessary arrangements in Ireland can be made secretly through Devoy. Success can only be assured by the most vigorous efforts.”

The Irish leaders were informed, and agreed to the proposition; through the same American agency further details were arranged with Berlin; these included code-words to be wirelessly from the German ship on approaching the Irish coast: if all were going well, *Fionn*; if there appeared to be danger, *Brann*.

Meanwhile John Devoy, with Judge Cohalan, Judge Goff, Joseph McGarrity, T. St. John Gaffney and other leaders of the Clan na Gael proceeded to create an open organisation in the United States. To the Irish Race Convention which assembled at the Hotel Astor in New York on March 4th there came about twenty-three hundred delegates. “ The Clan,” the Ancient Order of Hibernians and every active organisation of Ireland’s friends in America took part. The Chairman of the Committee was Judge Goff. This Convention created the “ Friends of Irish Freedom Organisation ” whose objects were “ to encourage and

<sup>1</sup> *Irish World* (New York), April 11th, 1931.

assist any movement that will tend to bring about the national independence of Ireland." Its declared aim was to appeal to the Powers after the war on behalf of Irish independence. In order to be listened to at the Peace Conference, John Devoy declared at this meeting, Ireland would have to take action as a belligerent—establish a national government and hold military posts.

The Assembly launched a fund for Irish purposes known as the "Victory Fund." Robert Ford, in his paper *The Irish World* and Devoy and Cohalan in *The Gaelic American*, furthered the fund and all the purposes of the "F.O.I.F."

The question whether the United States could continue to remain neutral in the European War was becoming acute. The German threat to merchant shipping, made officially in February, and British interference at sea with American mails, were creating sharp divisions of feeling and President Wilson was visualising the possibility of intervention.

On this question the Irish issue was destined to have its effect.

In Ireland the I.R.B. Military Council was completing its plans. The Council appointed Pearse Commander-in-Chief—an appointment which was kept secret for the time, his recognised position as Director of Organisation giving him all the control required. A few more officers were taken into the confidence of the leaders. Thomas MacDonagh approached his Adjutant, Eamon de Valéra, asking him to become a member of the I.R.B. and promising him that he would be required to do nothing more than he had already undertaken, as a Volunteer officer, to do. De Valéra, who disliked association with secret societies, consented only on the condition that he should simply be given his orders when the time came. He was never included in the I.R.B. Councils and his association with the Brotherhood soon afterwards came to an end. Like most of the Volunteer commandants he carried out orders, guessing very little about dissension at Headquarters, but knowing that any day, at an hour's notice or with no notice, the Volunteers might find themselves in action.

Easter Sunday, April 23rd, had now been decided upon as the day on which the Rising was to begin. On April 3rd Pearse gave public orders for a three days' march and field manœuvres to be held throughout Ireland on Easter Sunday. This was accepted

without question by all except Eoin MacNeill, Bulmer Hobson and their immediate associates. These had already become suspicious. MacNeill summoned the Headquarters Staff and demanded a promise from Pearse, Kent and MacDonagh, who were present, that they would give no order, outside routine, to the Volunteers, without his endorsement. This undertaking they gave. They realised that MacNeill had it in his power to wreck their enterprise at the last moment by issuing a countermand.

The knowledge that the Volunteers' Chief of Staff and Secretary and the majority of the members of the Volunteers' Executive were opposed to a Rising was one source of anxiety to the Military Council; another was the question of arms.

Sir Roger Casement was still in Germany, anxious and very ill. His project of forming an Irish Brigade amongst the prisoners of war met with no great success; only fifty-two men had joined and the German promises to give these instruction in the use of machine guns had not been kept. He had hoped, moreover, for a great German expedition to Ireland with German officers, with submarines, with at least two hundred thousand rifles and with machine guns for the use of his brigade. The knowledge that only a cargo of twenty thousand rifles and ammunition was to be sent reduced him to despair. He never realised that the Clan na Gael, on behalf of the I.R.B., had accepted this offer and counted on nothing more, or that a landing of Germans, other than a few officers, was not asked for or desired by the leaders at home.

Casement's position was indeed an unhappy one. His very honesty, his scrupulous refusal to accept German money for Irish purposes, had made him appear to the German Ministers an unpractical visionary, so that they preferred to deal directly with John Devoy.<sup>1</sup> The Clan na Gael and the I.R.B. also confided in Casement only as much as they thought necessary, allowing him to conceive of his responsibilities as much greater than they were. In Germany he had few confidants; one was Robert Monteith, an Irishman who had been dismissed from an Ordnance Survey post and ordered to leave Ireland on account of his

<sup>1</sup> See letter from John Devoy to L. de Lacy, dated July 20th, 1916, *Documents Relative to the Sinn Fein Movement*, p. 19. Certain German sympathisers, however, contributed through Casement to the Irish cause.

connection with the Volunteers,<sup>1</sup> and was now a member of his Irish Brigade.

On April 6th Casement received an important communication written by Joseph Plunkett, who had come to the Continent to make contact with Germany, on behalf of the I.R.B. It was dated from Berne and read as follows:

“ Ashling (Secret).

“ DEAR ROGER CASEMENT,—

“ I am requested, as a delegate sent by the President and Supreme Council of the Irish Volunteer Army, and am able—through the courtesy of His Excellency the German Ambassador—to give you this urgent message from Ireland:

“ (1) The Insurrection is fixed for the evening of next Easter Sunday.

“ (2) The large consignment of arms to be brought into Tralee Bay must arrive there not later than dawn of Easter Saturday.

“ (3) German officers will be necessary for the Irish Volunteer Forces. This is imperative.

“ (4) A German submarine will be required in Dublin Harbour.

“ The time is very short, but it is necessarily so; for we must act of our own choice, and delays are dangerous.

“ Yours very sincerely,

“ A FRIEND OF JAMES MALCOLM.”

Casement's reply, stating that no German officers were being sent, and no submarine, and giving particulars about the cargo arranged for, was never forwarded from Germany.<sup>2</sup>

The message from Plunkett, seeming to indicate increasing reliance on Germany by the Irish leaders, added to Casement's distress. His bitterness against the Germans knew no bounds. He felt, mistakenly, that Ireland was being cynically betrayed,<sup>3</sup> and he suddenly altered his own plans. Instead of the two

<sup>1</sup> R. Monteith, *Casement's Last Adventure*.

<sup>2</sup> Monteith, p. 117.

<sup>3</sup> This feeling was not shared by the organisers in Ireland or in America. See John Devoy's letter: “ It is not true that the Germans treated us badly; they did everything we asked.”

trawlers originally suggested the German Government had decided to send one vessel—the *Aud*—with the full cargo of arms. Casement did not believe that this ship would succeed in running the English blockade and he felt that he could not possibly allow the men of his brigade to be sent to capture and execution by sailing on the *Aud*.

He now became obsessed and consumed with one anxiety—to prevent the Rising breaking out at this time, to warn the Irish leaders that the German help on which they were counting was not to come. He could not be sure that the delegate who had written to him from Switzerland could return to Ireland in time. He had no means of sending any message or communication except with the help of the German Government, and he dared not let the Germans know that his intention was to postpone the whole enterprise in which he had induced them to take part. Believing that an opportunity for a successful Rising might appear later, he did not wish to forestall the delivery of the arms. His diaries and the accounts written by his friends show that his state of mind was one of torment and confusion during those critical days.<sup>1</sup>

The *Aud* sailed from Luebeck without Casement—with only its twenty-one officers and crew, commanded by Captain Karl Spindler, on the afternoon of Sunday, April 9th.

Casement now conceived the idea of racing against the *Aud* in a submarine. Should he be captured he felt that his arrest would act as a warning to the Volunteers. He was prepared for every sacrifice, even the misunderstanding and dishonour which he constantly visualised. After frenzied efforts he succeeded in prevailing upon the German Government to give him a submarine. He did so by allowing them to believe that he was going to Ireland in order to take part in the Rising and that his presence was essential on account of a lack of military leadership among the Volunteers.<sup>2</sup> Monteith and Beverley, a member of his brigade, known as Bailey, accompanied him. The submarine left Kiel on April 12th. The Commander's orders were to meet the *Aud* on Good Friday in Tralee Bay. Casement, in his anxiety, had insisted that the arms ship must reach Ireland

<sup>1</sup> Denis Gwynn, also Geoffrey de C. Parmiter, on Casement.

<sup>2</sup> See letter in *The Nation*, March 21st, 1981.

a day or two before Easter.<sup>1</sup> The Commander of the *Aud* had received instructions that his ship was to be off Inishtooskert Island between Thursday, April 20th, and Easter Saturday, 22nd. He was making good time.

The ship sailed under the Norwegian flag and the members of the crew were elaborately disguised as Norwegians with preparations calculated to delude any search-party, down to a supply of letters and photographs from Norwegian girls. They carried a camouflage cargo of timber. They had, indeed, every desirable piece of equipment, with the exception of wireless.

Captain Spindler's account of the voyage is a narrative of almost incredible daring, hazard, and success.<sup>2</sup> The *Aud*, making a course around the north of Scotland, encountered the worst gale in the Captain's experience, weathered it successfully, escaped the English patrols, sighted the Irish coast, and dropped the camouflage cargo overboard. They reached their goal in Tralee Bay on Holy Thursday, April 20th, at four in the afternoon, proud to have arrived on the first day which their orders permitted.

There was no pilot boat to meet them; no sign of watchers on the shore.

<sup>1</sup> See article by Plunkett's sister in the *Irish Press*, January 3rd, 1936.

<sup>2</sup> Karl Spindler, *Gun-running for Casement*, translated by W. Montgomery and E. H. McGrath; also Karl Spindler, *The Mystery of the Casement Ship*.

## CHAPTER 14

*April 1916*

### A CHANGE OF PLAN — SECRET SERVICE — PLANS FOR THE RISING — THE KERRY BRIGADE — THE PROVISIONAL GOVERNMENT OF THE IRISH REPUBLIC

THE Irish leaders had made a slight—very slight—alteration in their plans. On Easter Monday the Fairyhouse Races would draw most of the officers of the Dublin Garrison out of town: they decided, therefore, that Monday would be a better day than Sunday on which to strike. They had realised, also, that to smuggle the German arms would be impossible; there would be a full moon at Easter; the landing must be made openly and the police would hear of it with little delay; it must not take place, therefore, one hour sooner than was necessary for the rapid distribution of the arms. The instructions sent to Berlin, requiring that the ship should arrive in Tralee Bay between Holy Thursday and Saturday, must, without fail, be changed. The Council sent Miss Philomena Plunkett, a sister of Joseph Plunkett, to the United States with a message explaining the change of plan. She arrived on April 14th. The message stated:

“Arms must not be landed before the night of Easter Sunday, 23rd. This is vital. Smuggling impossible.”

The message was telegraphed to Berlin by Devoy on the 15th, but already the *Aud* had sailed. Captain Spindler heard nothing of the change of plan. The British Government, however, heard of it. On Tuesday, April 18th, an office in New York belonging to Wolf von Igel, an attaché of the German Embassy, was raided by United States Secret Service men. Among German Intelligence documents of military importance they discovered a copy of Devoy's message and a code-book. The British Government on the same day received the news that a German ship was on its way to Ireland with arms.<sup>1</sup>

The information was not transmitted by the British Admiralty

<sup>1</sup> *Royal Commission, 1916*, p. 802; John Devoy, pp. 466 *et seq.*; Hugh Clelland Hoy, *40 O.B., or How the War Was Won*.

or Government to Dublin Castle, whether for fear of leakage of the information or for the purpose of allowing the Rising to come to a head. It transpired later that the British Government had been able to intercept and decode the text of all the essential messages passing between Ireland, Germany, and the United States since the middle of February.<sup>1</sup> Had these messages been furnished to Dublin Castle they would have provided the evidence of "hostile association" which the police required. No such information reached Dublin, however, until April 18th, and the message which came then reached the Viceroy, Lord Wimborne, more or less by chance.

Lord Wimborne had been absent from Ireland and returned on April 17th. On the following day Sir Matthew Nathan showed him a letter which had been passed to him by General Friend, who had received it from General Stafford (commanding in the South of Ireland), conveying news which General Stafford in his turn had heard from the Admiral at Queenstown. To Queenstown the British Admiralty had sent word that "a ship had left on the 12th accompanied by two German submarines."<sup>2</sup> "He did not say where it had left," Lord Wimborne afterwards explained.<sup>3</sup> "I was under the impression that it was America, but clearly it was not." The message added that the ship "was due to arrive on the 21st and that a Rising was timed for Easter Eve." Lord Wimborne stated: "The Admiralty did not communicate directly to the Irish Government. This was the only warning other than the facts of general notoriety which came to my cognisance prior to the day of the Rising."

During the week before Easter Sunday, Birrell, the Chief Secretary, was absent in London and the Commander-in-Chief of the Forces in Ireland, General Friend, was also absent. Neither Lord Wimborne nor Sir Matthew Nathan, the Under Secretary, took very seriously the message about the proposed landing of German arms and saw no special cause for alarm. They contented themselves with giving orders for extra vigilance to the Police.

The Irish leaders did not know that any of their communications

<sup>1</sup> *Documents Relative to Sinn Fein Movement*. Also Hoy.

<sup>2</sup> This is a mistake frequently repeated. No submarine accompanied the *Aud*.

<sup>3</sup> See Lord Wimborne's evidence, *Royal Commission*, 1916, p. 802.



had been intercepted or that the sailing of the *Aud* had been disclosed, nor did they realise that the *Aud* was without wireless equipment and that its Captain would not hear of their change of plan. They worked on the assumption that their message had reached him, that the German ship would appear off Inishtooskert on Sunday night and no sooner, and that the German arms would be transferred from it to the Irish pilot boat with the utmost rapidity and distributed during the small hours of Monday morning to Cork, Tipperary, Limerick, and the West.

The plans of the insurgents were detailed and precise. They counted on a force of about three thousand in Dublin—Volunteers, Citizen Army, and the small body called “The Hibernian Rifles” combined, while the Irish Volunteers in the Provinces numbered about thirteen thousand.

The Volunteers in the Provinces, armed with the German rifles as well as their own scanty equipment, were to keep the British troops and the Constabulary from advancing into Dublin whilst strategic points in the city were being seized and fortified by the four battalions of the Dublin Brigade. The British Garrison in Enniskillen was to be encircled by Volunteers from Belfast. Other sections of the Republican Army were to deal with the troops in the Curragh and in Athlone.<sup>1</sup> As soon as Volunteers could be spared from the Provinces, reinforcements were to be sent to Dublin. The main road leading from Kingstown Harbour to Dublin, by which troops landing from England would pass, was to be covered from Boland’s Bakery by the Third Battalion of the Dublin Brigade under the Brigade Adjutant, Eamon de Valéra. These were to cover, also, the railway line from Lansdowne Road to Westland Row. The First Battalion, under Edward Daly, was to occupy the Four Courts; Thomas MacDonagh with the Second Battalion would occupy Jacob’s Biscuit Factory. Kingsbridge Station, the terminus of the railways from the South, was to be controlled from the South Dublin Union by the Fourth Battalion under Eamon Kent with Cathal Brugha<sup>2</sup> as Second-in-Command, and Con Colbert was in charge of a unit detailed to take Rowe’s Distillery.

<sup>1</sup> See map of Ireland at end of book.

<sup>2</sup> Biographical Note, p. 985.

Sections of the Brigade were ordered to occupy encircling positions and railway termini, posting snipers at intervals. Dublin Castle was to be attacked. The I.R.B. Military Council was to occupy the General Post Office and establish the Headquarters of the Provisional Government there. The seizing of the Post Office was entrusted to a force composed of Volunteers and men of the Citizen Army, all under James Connolly's personal command. The Citizen Army was also to entrench a contingent in St. Stephen's Green; Michael Mallin was put in charge of this operation with Constance Markievicz as Second-in-Command. Units of Cumann-na-mBan were to serve as auxiliaries in several posts. "From the moment that the first shot is fired," Connolly said, "there will be no longer Volunteers or Citizen Army, but only the Army of the Irish Republic."

The Volunteers were without artillery. It was probable that their positions would be shelled. James Connolly thought that a capitalist Government would hesitate to destroy capitalist property, but most of his colleagues had no such hope.

These were plans dictated by daring rather than experience—unsuitable plans, as it proved, for an army of a few hundred, armed with rifles and hand-made explosives, against whom the resources of a military Empire would be opposed.

The men received orders in connection with the three-days' manœuvres already announced. In the Provinces they were to report at 6.30 p.m. on Easter Sunday; in Dublin at 4 p.m. They were told nothing about the plan for a Rising which was timed to begin at midnight.

During the week before Easter the plans were confided to certain organisers and senior officers, who were given instructions for the blowing up of certain bridges and the cutting of communications on Sunday night. A message was sent to the Commandant in Limerick warning him to expect the German arms on Sunday night. Dumps were cleared and rounds of ammunition distributed. The Volunteers everywhere began to guess that the signal for action might come at any moment yet nothing in their behaviour aroused the slightest suspicion and no hint came from any source in the country to the Government officials or the police. The only significant thing noticed by observers was that the churches were full of Volunteers.

For the arming of the men of the South and West reliance had to be placed on the German ship. Austin Stack,<sup>1</sup> Commandant of the Kerry Brigade, was put in charge of the landing of the guns. Con Collins was sent from Dublin to help him. The *Aud* was expected at Fenit Pier after dusk on Easter Sunday and not before; doubt remained, naturally, as to whether the ship would succeed in the hazardous enterprise of running the British blockade.

It was hoped that the Germans would follow the outbreak in Ireland immediately by an attack on the east coast of England and possibly by a strong offensive on the Continent. The British troops being thus diverted, the Volunteers might hope to occupy their positions for a considerable time. They looked for a great rallying of the people to the standard of freedom to prove to the English that their empire in Ireland was at an end.

The people might fail to support them; German offensives might fail to follow, the *Aud* fail to come, the Volunteers suffer a military defeat, the leaders go to execution or penal servitude for life. Even in that event, some believed, the attempt would be justified. Dublin would be held for long enough, they thought, to constitute Ireland a belligerent in the European War with a claim under International law to be represented at the Peace Conference when the war should end. Apart from that, these leaders—writers, thinkers, and teachers, three of them poets—were convinced of the necessity for blood sacrifice to give life to the nation's cause. Whether it ended in military defeat or in victory, they foresaw that the Rising would not ultimately fail.

On the Monday of Holy Week a Provisional Revolutionary Government was constituted and the Proclamation of the Irish Republic prepared, calling upon the Irish people for their allegiance to the resurgent nation. Each of the seven members of the Provisional Government signed the Proclamation, thus taking upon himself responsibility for the Insurrection whether it should succeed or fail. By common consent the honour of signing first was given to the father of this revolution, Thomas Clarke. The others were Pearse, who was chosen to be President of the Provisional Government, Sean MacDermott, Thomas

<sup>1</sup> Biographical Note, p. 940.

**MacDonagh, Eamon Kent, James Connolly, and Joseph Plunkett.**

In the character of these men as in the terms of the Proclamation were united the faith and pride in the Irish Nation, the passion for freedom and social justice, and the ideal of a civilisation inherently Irish, which had inspired Ireland's resistance to conquest for centuries.

## CHAPTER 15

*April 17th to 24th, 1916*

A SECRET ORDER – THE SINKING OF THE “AUD” –  
VOLUNTEERS DROWNED – CASEMENT CAPTURED – THE  
NEWS IN DUBLIN – MACNEILL’S COUNTERMAND – EASTER  
SUNDAY – MOBILISATION ORDER – EASTER MONDAY – THE  
REPUBLIC PROCLAIMED

DUBLIN seemed quiet on the Monday before Easter and the officers of the British garrison were making plans for the holiday week-end.

The members of the Volunteers’ Executive and their associates were eagerly discussing a document which had come into their hands and were trying to decide what action should be taken with regard to it. The document was in the form of an order which included elaborate and detailed plans for the wholesale arrest of members of all national organisations, for the military occupation of certain premises and the isolation of others (including the house of the Archbishop of Dublin at Drumcondra, which commanded the road from Belfast), in short, for drastic and concerted measures for the annihilation of the whole national movement at one blow.<sup>1</sup>

Rory O’Connor<sup>2</sup> explained that this order had been copied for him piecemeal from the files of Dublin Castle and decoded.<sup>3</sup> It was agreed that this document should be published and circulated to the Volunteers. Those whose anxiety was to avert a conflict hoped that its publication would have the effect of preventing provocative action by the Castle Authorities, while those who were preparing the Rising hoped that it would demonstrate to the Volunteers everywhere the necessity of striking without delay. MacNeill hesitated about permitting publication but was persuaded, on Tuesday, to agree, and P. J. Little, the editor of *New Ireland*, had it set up in type for issue

<sup>1</sup> Appendix 2, p. 948.

<sup>2</sup> Biographical Note, p. 939.

<sup>3</sup> Dublin Castle authorities stated that no such order had ever been issued. Actually, George and Joseph Plunkett and Rory O’Connor fabricated the document, embodying plans which they knew to have been prepared in the Castle. See articles by H. S. Skeffington and Geraldine Plunkett in *The Irish Press* of January 4th and 8th, 1937.

in his paper. It was deleted by the Military Censor on Wednesday. The document was then given to Alderman Kelly and was read at a meeting of the Dublin Corporation that afternoon. MacNeill, on the same day, issued a general order to the Volunteers to be ready to defend themselves and their arms.

It was not until Thursday that Bulmer Hobson and Commandant J. J. O'Connell became convinced that something more than a route march with manoeuvres was being planned for Easter Sunday. They carried their suspicions to MacNeill. The three then called on Pearse and insisted on being told the truth. He told them that a Rising was intended. MacNeill said that he would use every means, short of betraying them to the British, to prevent it.

It was in the afternoon of that day, Thursday, April 20th, that Captain Spindler laid his ship alongside Inishtooskert Island in Tralee Bay.

"My orders ended here," he said in recounting afterwards the history of these disastrous days.<sup>1</sup>

"All that was to happen now depended on the Irish Forces on shore, and so we were waiting for them. This was the greatest disappointment I ever had in my whole life. No pilot boat came and there was no evidence on shore of any preparation to receive us. My orders were that if it were not possible to come into connection with the Irish to return at once to Germany or to do whatever I thought best. . . . Our trip had succeeded so well that it would have been a shame to return, so I decided to stop as long as possible, because I thought that there was some misunderstanding as to the plans. I concluded some time before, when we entered the bay, that the Irish would probably wait for the darkness to come on board. When it became dark I gave the arranged night signals but made no connection with anyone at sea or ashore. With morning came a wonderful spring day—Good Friday."

<sup>1</sup> Speech delivered at the Easter Week Observance in New York City on April 5th, 1931, and reported in *The Irish World*, April 11th, 1931.

Nothing appeared except an English patrol boat whose captain came aboard the *Aud* and, after an interview not without an element of comedy, departed without a suspicion that this was the very ship that he had been instructed to search. At noon, however, another patrol boat gave chase to the *Aud* and signalled a warning along the coast. Twenty-nine English warships were presently on the look-out. The *Aud* was surrounded by half past six. The *Bluebell* ordered Captain Spindler to follow into Queenstown and fired a shot across his bows. In Queenstown harbour the Germans blew up their ship.

The Irish preparations for receiving the arms from Germany had been frustrated by a series of misfortunes. Never doubting that the *Aud* had received the message postponing the landing, Republican Headquarters had ordered the Kerry Brigade to send a pilot boat to meet the ship off Inishtooskert late on Sunday night and to land the guns early on the morning of Monday. The pilot boat was to carry two green lights close together and to look for a green signal light on the bridge of the *Aud*.

William Partridge, of the Transport Workers' Union, was sent to Tralee by James Connolly to oversee the discharge of the cargo and the distribution of the guns; the drivers and firemen of the railway at Tralee were prepared to bring the guns by train to Limerick and Cork. Austin Stack, Commandant of the Kerry Brigade, had also sent a party to Cahirciveen with orders to dismantle the British Naval wireless station on Friday night, set it up elsewhere and endeavour to get in touch with the *Aud*. The pilot appointed to meet the German boat has recorded how, some time before the *Aud* was expected, he saw "a two masted boat about a mile north-east of Inishtooskert" but, not for one moment supposing that it was the ship on which so much depended, he failed to take action or to report.<sup>1</sup>

On Friday the plans were complete and a party of five men, detailed to help Austin Stack at Fenit, went from Dublin to Killarney by train. There they were met with two cars which were to convey them to Cahirciveen on the Kerry coast. The

<sup>1</sup> See personal narratives of the preparations for landing the arms in *An Phoblacht*, September 18th, 1930.

wireless expert, Con Keating, with Charles Monaghan and Donal Sheehan sat in the second car. During the night drive, the driver, Thomas MacInerney, lost sight of the tail-light of the first car, mistook the road and drove over the pier at Ballykissane. The car plunged into the Atlantic and the three passengers were drowned.<sup>1</sup>

On the evening of Thursday, the 20th, Casement's submarine passed the mouth of the Shannon. All night the three Irishmen stood on the conning tower watching the shore in the hope of seeing the green signal lights.<sup>2</sup> They had sighted the *Aud* but their Commander did not think it advisable to make contact with the ship. He headed for Tralee Bay and there Casement and his two companions put off from the submarine before dawn in a small light boat. After hard rowing with muffled oars they came ashore at Banna Strand, a lonely spot. Monteith and Bailey went towards Tralee to get in touch with Austin Stack. Stack was found and set out in a car to meet Casement but the wheels of his car stuck in the sand. He was arrested and taken to the Police Barracks in Tralee.

Casement was found near a field called McKenna's Fort and was arrested at about the same time. The men who arrested him seemed to have no suspicion as to who their prisoner was.

Monteith wrote out a message detailing the arms which the Germans had despatched to Ireland and saying that if the Rising was contingent on German help it was unwise to proceed with it. A Volunteer undertook to deliver it in Dublin and did so—not to MacNeill, as Monteith had intended, but to Connolly in Liberty Hall.

Monteith did not realise that MacNeill was not the actual leader and he tried in vain to get arrangements made for the landing of the arms on Saturday. The arrest of Stack, the mistakes as to the date agreed for the landing and the secrecy and confusion due to the two conflicting leaderships frustrated all his attempts.

<sup>1</sup> Mairin Cregan, in the *Irish Press*, April 24th, 1933, and Patrick Begley, in *The Nation*, April 19th and 26th, 1930, have written detailed accounts of the accident.

<sup>2</sup> Monteith, p. 126.



In Dublin, meanwhile, on the Volunteers' Executive Council, confusion and dissension had come to a head. MacNeill sent out orders giving Bulmer Hobson authority over all the Volunteers in the city, appointing Commandant O'Connell to supersede all other control in the South and cancelling every order not endorsed by Hobson or himself. Early on Friday morning, however, MacDermott and MacDonagh saw MacNeill and endeavoured to persuade him that it was too late to call off the Rising. The Revolutionary Committee, determined not to allow the Rising to be frustrated, took possession, that afternoon, of Volunteer Headquarters and placed Bulmer Hobson under arrest. On Friday night they were still unaware of the capture of the *Aud*, still hoped for the safe landing of the German arms.

Early on Saturday morning, Dublin Castle officials received news of the landing of three men from a boat in Kerry and the arrest of one of them, of the arrest of Stack and of the self-destruction of the German ship off Queenstown and the capture of her German officers and crew.

They sent an Intelligence Officer to the Editor of the *Freeman's Journal* to warn him officially that nothing must be published concerning the arrests in Kerry or the sinking of the German ship. The news soon reached Republican headquarters and messengers from Limerick and Tralee brought the same report to the revolutionary leaders during the day. The general public, however, knew no more than they were told in a note in the evening papers of Saturday to the effect that an unknown man had come ashore in Kerry in a collapsible boat and had been arrested. They heard nothing of the *Aud*.

The British officials received the news with thanksgiving. They now had the evidence of "hostile association" which they required and could proceed whenever it suited them with their policy of the arrest and internment of all the prominent members of Sinn Fein. These happenings in the South, moreover, had obviously disorganised all the insurgents' plans: the Rising timed for Easter Sunday, it was to be assumed, would not now take place.<sup>1</sup> Nathan did not consider it necessary

<sup>1</sup> *Royal Commission*, 1916, p. 87.

to recall the Chief Secretary. Preparations for the proposed arrests were put in train. They would take a little time to complete.

Monteith's message reached the Revolutionary Council that Saturday, informing them that it was Casement who had been arrested in Tralee. They believed the Authorities would now try to make a sweeping arrest of Volunteers throughout the country and that action must be taken without delay. They persuaded MacNeill that no alternative remained to the Volunteers but to carry out their plans. He agreed to revoke his countermand of Thursday and to let matters take their course. Connolly rejoiced in the decision. He felt satisfied that all would go well.

MacNeill, however, still felt doubtful and, later on that day, after a talk with some of his colleagues, changed his mind once more. He saw Plunkett and MacDonagh in a house in Rathmines and told them that his final decision was to call off the mobilisation. They appealed to him in vain not to take that course and warned him that, no matter what orders he might give, the Rising would go forward now. MacNeill, at midnight, sent messengers to the country to warn the Volunteers that no movements were to take place and sent notices to the same effect to the Press. He sent The O'Rahilly to Limerick to cancel the arrangements for distributing arms.

MacDonagh returned to the Revolutionary Committee and reported MacNeill's change of plan.

*The Sunday Independent*, on Easter morning, contained MacNeill's notice, countermanding the parades and manoeuvres arranged:

“Owing to the very critical position, all orders given to Irish Volunteers for to-morrow, Easter Sunday, are hereby rescinded, and no parades, marches, or other movements of Irish Volunteers will take place. Each individual Volunteer will obey this order strictly in every particular.”

A confirming message was sent later to Eamon de Valéra, the Adjutant of the Dublin Brigade:

“Easter Sunday,  
“1.20 p.m.

“COMMT. EAMON DE BAILÉARA,—

“As Commt. MacDonagh is not accessible, I have to give you this order direct. Commt. MacDonagh left me last night with the understanding that he would return or send me a message. He has done neither.

“As Chief of Staff, I have ordered and hereby order that no movement whatsoever of Irish Volunteers is to be made to-day. You will carry out this order in your own command and make it known to other commands.

“EOIN MACNEILL.”

In every part of Ireland, that Sunday morning, the Volunteers rose early, keyed to the highest pitch of expectancy. Knowing of the arrests in Kerry and believing that the British authorities must be preparing an attack, they did not doubt that the signal for the Rising was to be given at once. The Dublin men had observed, in the demeanour of Padraic Pearse, a gravity which they knew how to interpret. Outside the city few heard about the loss of the German arms and even those who heard of it scarcely supposed that the loss of the guns would involve a change of plan. The Rising, to their minds, had become inevitable now. They read the countermand with consternation, anger and shame. To many of them it seemed treachery: were the leaders, for one reverse, going to draw back now? Anything, they felt, would be better than to disperse now without one blow struck—reduce all their great purpose and brave preparation to an empty boast. No army would ever recover from such a humiliation; the leaders would never be forgiven or trusted again; for a generation Irish freedom would be a lost cause.

That Sunday morning, very early, Volunteers from the camp at Kimmage succeeded in seizing a store of gelignite from a quarry at Brittas and conveyed it to Liberty Hall.

The police knew of the seizure of the gelignite but what to do they did not know. Conferences on the whole situation were held at the Viceregal Lodge. As to any immediate danger, Lord Wimborne and Matthew Nathan felt reassured; the loss of the German arms would make all safe for a time. Being in possession

of evidence of " hostile association " they would presently arrest and intern the leaders and disarm the Volunteers—but not just yet: the scheme must have the concurrence of the Chief Secretary and would take two or three days to prepare.<sup>1</sup>

They were afterwards held to blame for their inaction; perhaps unfairly. It was not strange that the imagination of English officials should fail to comprehend all the issues that were present to the minds of men like Clarke and Connolly and Pearse.

Early on the morning of Easter Sunday the Revolutionary Council met in Liberty Hall. Some of the members were almost in despair, for what the arrests in Kerry, the discovery of their intention, and the loss of the German arms might have failed to do, MacNeill's action had done—it had destroyed their chance of any military success. Yet it was unthinkable, to some at least of them, to turn back. Thomas Clarke presided at the discussion and was resolute to go forward; so were Connolly, Sean MacDermott and Pearse<sup>2</sup>; different as were the temperaments of these men, they were united in believing that it would be better for Ireland ultimately that the leaders should give their lives in a simple protest than that they should turn back from the enterprise now. This was the view that prevailed. Even those members of the Council who would themselves have advised otherwise resolved to take part in the Rising which was thus made inevitable. Not one held back. The decision was unanimous. They would strike on Monday at noon.

Joseph Plunkett was ill at the time in a nursing home. When the decision was conveyed to him he joined the Headquarters Staff.

With the object of averting sporadic uprisings of isolated units that day, Pearse sent out an order signed by himself which confirmed MacNeill's order. Thomas MacDonagh prepared plans for the following morning for the Dublin Brigade but, in order to avoid spreading rumour and confusion, he issued a brigade order confirming the Chief of Staff's countermand for that day but at the same time ordering all Volunteers to

<sup>1</sup> *Royal Commission*, 1916, p. 53, paragraph 1236 *et seq.*

<sup>2</sup> See article by Constance Markievicz in *Éire*, May 26th, 1923.

remain in Dublin. It was countersigned by Eamon de Valéra. The Volunteers of the Dublin Brigade held a concert that night.

Early on Monday morning the following summons was sent out, signed by Thomas MacDonagh, Brigade Commandant, and countersigned by Padraic Pearse:

“The four City Battalions will parade for inspection and route march at 10 a.m. to-day.”

On Monday morning, in Dublin, about fifteen hundred men answered the summons to parade—nearly the whole of the Citizen Army and about eight hundred Volunteers. The plans that had been made needed nearly twice that number. The countermand had not been without effect.

Through the streets, sunlit and crowded with holiday-makers, the men proceeded in small companies. The officers and many of the men wore the green uniform—all were armed. The marching contingents were a familiar sight and occasioned no unusual interest. Sham attacks on the principal buildings had been made a frequent feature of manœuvres and the occupants of the invaded buildings supposed for a moment that nothing serious was on foot. When they realised the truth the clerks at the Post Office vacated the building without resistance and most of the posts assigned in Dublin were entered at noon and were occupied by the Republican Army without the firing of a shot. Five of the signatories of the Proclamation were in the General Post Office. The tricolour was hoisted, and, by Padraic Pearse, standing on the steps of the Post Office, Ireland was declared a Republic.

The Proclamation which he read and which was posted on the walls was in these words:

“Poblacht na h-Eireann

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The Provisional Government  
of the  
IRISH REPUBLIC

To the people of Ireland

“IRISHMEN AND IRISHWOMEN: In the name of God and of the dead generations from which she receives her old tradition

of nationhood, Ireland, through us, summons her children to her flag and strikes for her freedom.

“ Having organised and trained her manhood through her secret revolutionary organisation, the Irish Republican Brotherhood, and through her open military organisations, the Irish Volunteers and the Irish Citizen Army, having patiently perfected her discipline, having resolutely waited for the right moment to reveal itself, she now seizes that moment and, supported by her exiled children in America and by gallant allies in Europe, but relying in the first on her own strength, she strikes in full confidence of victory.

“ We declare the right of the people of Ireland to the ownership of Ireland and to the unfettered control of Irish destinies, to be sovereign and indefeasible. The long usurpation of that right by a foreign people and government has not extinguished the right, nor can it ever be extinguished except by the destruction of the Irish people. In every generation the Irish people have asserted their right to national freedom and sovereignty: six times during the past three hundred years they have asserted it in arms. Standing on that fundamental right and again asserting it in arms in the face of the world, we hereby proclaim the Irish Republic as a Sovereign Independent State, and we pledge our lives and the lives of our comrades-in-arms to the cause of its freedom, of its welfare and of its exaltation among the nations.

“ The Irish Republic is entitled to, and hereby claims, the allegiance of every Irishman and Irishwoman. The Republic guarantees religious and civil liberty, equal rights and equal opportunities to all its citizens, and declares its resolve to pursue the happiness and prosperity of the whole nation and of all its parts, cherishing all the children of the nation equally, and oblivious of the differences, carefully fostered by an alien government, which have divided a minority from the majority in the past.

“ Until our arms have brought the opportune moment for the establishment of a permanent National Government, representative of the whole people of Ireland, and elected by the suffrages of all her men and women, the Provisional Government, hereby constituted, will administer the civil and

military affairs of the Republic in trust for the people. We place the cause of the Irish Republic under the protection of the Most High God, Whose blessing we invoke upon our arms, and we pray that no one who serves that cause will dishonour it by cowardice, inhumanity or rapine. In this supreme hour the Irish nation must, by its valour and discipline, and by the readiness of its children to sacrifice themselves for the common good, prove itself worthy of the august destiny to which it is called.

“ Signed on Behalf of the Provisional Government,

THOMAS J. CLARKE

SEAN MAC DIARMADA

P. H. PEARSE

JAMES CONNOLLY

THOMAS MACDONAGH

EAMONN CEANNT

JOSEPH PLUNKETT.”

**POBLACHT NA H EIREANN.**  
**THE PROVISIONAL GOVERNMENT**  
**OF THE**  
**IRISH REPUBLIC**  
**TO THE PEOPLE OF IRELAND.**

**IRISHMEN AND IRISHWOMEN :** In the name of God and of the dead generations from which she receives her old tradition of nationhood, Ireland, through us, summons her children to her flag and strikes for her freedom.

Having organised and trained her manhood through her secret revolutionary organisation, the Irish Republican Brotherhood, and through her open military organisations, the Irish Volunteers and the Irish Citizen Army, having patiently perfected her discipline, having resolutely waited for the right moment to reveal itself, she now seizes that moment, and, supported by her exiled children in America and by gallant allies in Europe, but relying in the first on her own strength, she strikes in full confidence of victory.

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Signed on Behalf of the Provisional Government,

**THOMAS J. CLARKE,**

**SEAN Mac DIARMADA, THOMAS MacDONAGH,**

**P. H. PEARSE, EAMONN CEANNT,**

**JAMES CONNOLLY. JOSEPH PLUNKETT.**

[Facsimile (reduced) of the Proclamation as printed on a small hand-press for the Insurgents. Note the shortage of letter "e" supplied from a different fount].



## CHAPTER 16

### *Easter Week, 1916*

THE INSURGENT LEADERS — DEFENCE OF DUBLIN — THE  
CASTLE — BRITISH FORCES — THE FIGHT IN MOUNT STREET  
— THE POST OFFICE — SURRENDER — GALWAY — ENNISCORTHY

THE General Post Office was now the General Headquarters of the Provisional Government of the Irish Republic. Padraic Pearse, President of the Provisional Government and Commandant in Chief of the Republican forces, was there. James Connolly, Commandant in General of the Citizen Army, had been placed in command of all the military operations in Dublin district, and was in charge of the defence of the G.P.O. There, also, were Thomas Clarke and Joseph Plunkett. Later The O'Rahilly, Sean T. O'Kelly and Desmond Fitzgerald joined the garrison.

The Four Courts, the South Dublin Union, Boland's Mills, where De Valéra led the Third Battalion, and Jacob's Factory, where Major MacBride went into action and Michael O'Hanrahan, the young Quartermaster-General, was posted, were taken according to plan. Thomas MacDonagh had his Brigade Headquarters here. Harcourt Street Station, Westland Row Station and the North Dublin Union, which commanded Broadstone Station, were also occupied. Barricades were thrown across the streets. The Great Northern Railway line was cut at Fairview. Telegraph wires were cut and communication established among the Republican posts. The telephone, unfortunately, was left intact. Men of the Citizen Army took possession of St. Stephen's Green, and when the open space came under fire from the surrounding houses, withdrew to the College of Surgeons. A very young commandant, Sean Heuston, occupied the Mendicity Institute, guarding the approach to the Four Courts. Smaller parties took up sniping positions, guarded buildings and occupied houses surrounding the more important posts. An attack was made by the boys of the Fianna Eireann on the British munition magazine in Phoenix Park; they were driven off but not before some of the ammunition was destroyed.

Dublin Castle was not taken. Only about a score of men assembled in the unit detailed for the attempt; they were ordered, therefore, not to try to take the Castle but to prevent troops from leaving it. The small column of the Citizen Army led by Sean Connolly shot the sentry and entered the yard and the guard-room. They did not know that at that moment the garrison inside consisted of no more than a corporal's guard, and that a Government Conference attended by Sir Matthew Nathan was taking place within. Had they known, it is probable that the party, small as it was, would have attempted to get possession of the Castle, for no other achievement would have had such an effect on the imaginations of the Irish people. The attackers, however, were attacked by military rushing in from other barracks and were driven back. They made a skilful retreat to the City Hall and some newspaper offices opposite the Castle and held these for some time. When hoisting the tricolour on the roof of one of these offices, Sean Connolly was shot dead.

The British troops available in Dublin on Monday numbered about twelve hundred, occupying barracks at Portobello, Kingsbridge, Richmond and Marlboro' Street. The Dublin Metropolitan Police, being unarmed, were withdrawn from the streets. Military reinforcements were sent for by telephone and proceeded to Dublin from Belfast, the Curragh, Templemore and Athlone. The Dublin Fusiliers and the Royal Irish Rifles were among the regiments engaged.

News of the outbreak was sent to General French, Commander-in-Chief in England, and he sent two brigades of infantry to Kingstown. From Athlone were sent four eighteen-pounder guns.

There was fighting on Monday at St. Stephen's Green and at the North Wall as well as at the Castle; in the other posts the Republicans fortified the occupied buildings, improved barricades and prepared to resist attack. Commandant Daly captured the Linen Hall Barracks while the Third Battalion, under Commandant de Valéra, proceeded systematically to prepare defences and to extend the area under their control.

True to their promise, the Germans carried out Zeppelin raids and a naval raid on the east coast of England during the first days of the week.

On Tuesday artillery was brought into play and some of the minor Republican posts were taken by the British, who were by this time about five thousand strong.

On that day a little paper of four pages appeared in Dublin. *Irish War News* was its title. It contained Pearse's first *communiqué*, announcing the setting up of the Provisional Government. A little later a single sheet appeared, which contained the following manifesto.<sup>1</sup>

“ THE PROVISIONAL GOVERNMENT  
TO THE  
CITIZENS OF DUBLIN

“ The Provisional Government of the Irish Republic  
salutes the Citizens of Dublin on the momentous  
occasion of the proclamation of a

SOVEREIGN INDEPENDENT IRISH STATE

now in course of being established by Irishmen in arms.

“ The Republican forces hold the lines taken up at Twelve noon on Easter Monday, and nowhere, despite fierce and almost continuous attacks of the British troops, have the lines been broken through. The country is rising in answer to Dublin's call, and the final achievement of Ireland's freedom is now, with God's help, only a matter of days. The valour, self-sacrifice, and discipline of Irish men and women are about to win for our country a glorious place among the nations.

“ Ireland's honour has already been redeemed; it remains to vindicate her wisdom and her self-control.

“ All citizens of Dublin who believe in the right of their Country to be free will give their allegiance and their loyal help to the Irish Republic. There is work for everyone; for the men in the fighting line, and for the women in the provision of food and first aid. Every Irishman and Irishwoman worthy of the name will come forward to help their common country in this her supreme hour.

<sup>1</sup> See article on the printing of these papers by Joseph J. Bouch in the *Irish Press* of April 15th, 1936.

“Able-bodied Citizens can help by building barricades in the streets to oppose the advance of the British troops. The British troops have been firing on our women and on our Red Cross. On the other hand, Irish Regiments in the British Army have refused to act against their fellow-countrymen.

“The Provisional Government hopes that its supporters—which means the vast bulk of the people of Dublin—will preserve order and self-restraint. Such looting as has already occurred has been done by hangers-on of the British Army. Ireland must keep her new honour unsmirched.

“We have lived to see an Irish Republic proclaimed. May we live to establish it firmly, and may our children and our children’s children enjoy the happiness and prosperity which freedom will bring.

“Signed on behalf of the Provisional Government,

“P. H. PEARSE,

“Commanding-in-Chief the Forces of the Irish Republic, and President of the Provisional Government.”

Volunteers from the country were hastening to Dublin; a few from Kildare and Kilkenny succeeded in joining their comrades. Donal Buckley<sup>1</sup> reached the city with a contingent from Maynooth. Those who came later, to their keen disappointment, were unable to penetrate to the Republican posts.

Trinity College, a position of much strategic importance, was manned as a British garrison by students of the Officers’ Training Corps until the military occupied it themselves. On Tuesday a line of British posts was established from the College to the Castle and on to Kingsbridge Station, dividing the Republican army in two.<sup>2</sup>

On Wednesday field guns from Trinity College and from a gunboat in the Liffey demolished Liberty Hall and opened a terrific bombardment which sent buildings in O’Connell Street crashing to the ground, while incendiary shells set many on fire. The upper story of the Post Office was wrecked, and the garrison

<sup>1</sup> Donal Ua Buachalla, later *seanascal* (Governor-General) of the Irish Free State.

<sup>2</sup> Wells and Marlowe, *History of the Irish Rebellion of 1916*, pp. 155-6. See articles in the *Irish Press* (Dublin), September 17th-22nd, 1933.

evacuated their wounded. The defenders were firing incessantly, cooling their rifles with oil out of sardine tins.

The Citizen Army had now evacuated their outposts. A garrison of about a hundred and thirty men and women remained in the College of Surgeons. Seven were killed.

On that evening battalions of the Sherwood Foresters arrived at Kingstown. One column, entering by the Stillorgan Road, reached the Royal Hospital in Dublin without opposition; the other attempted to enter by the Ballsbridge Road and came under the fire of the Third Battalion of the Volunteers. They met, General Maxwell afterwards reported,<sup>1</sup> "great opposition." He did not guess that this great opposition consisted of about one hundred and thirty men.

The ground to be held required some three hundred. Commandant de Valéra had employed strategy to make the most of a small force. He hoisted the tricolour on a distillery which they had not sufficient forces to occupy, and the empty building was bombarded by enemy shells. About twenty men garrisoned the Bakery. Along Haddington Road and Northumberland Road two men were placed in one house, three in another, along the route by which the soldiers would march. A party of seven occupied Clanwilliam House, commanding Lower Mount Street Bridge. The fighting began at half past three and continued for about five hours. General Maxwell describes how, at about 8 p.m., "after careful arrangements, the whole column, accompanied by bombing parties, attacked the schools and houses where the chief opposition lay, the battalions charging in successive waves carried all before them."

It was not until Clanwilliam House had been set on fire and three of its defenders had perished that the garrison evacuated the building and the British troops were able to cross the bridge. Their casualties were four officers killed, fourteen wounded, and of other ranks two hundred and sixteen killed and wounded.<sup>2</sup>

The Republicans retired to the Bakery, sent out snipers and extended their line. Their casualties numbered six.

Fierce fighting took place also in Commandant Daly's area where bayonet charges were made by the British.

<sup>1</sup> General Maxwell, military despatch, May 25th.

<sup>2</sup> About half the total British casualties for the week of the Rising.

Throughout Thursday and Friday British forces were advancing slowly and with heavy losses towards the General Post Office, sweeping the streets with machine-gun fire, sniped at from houses and resisted at barricades. On Friday morning General Sir John Maxwell arrived from England and took over supreme command. He had no intention of sparing the city. In his proclamation he declared: "If necessary I shall not hesitate to destroy all buildings within any area occupied by the rebels." Examining posts were set up and all persons in the area surrounded by the British forces were advised to leave by these. Men who had participated in the "disturbance" were called upon to surrender unconditionally at the same posts.

Already some of the smaller Republican garrisons had been forced to surrender. MacDonagh's men were in a state of siege in Jacob's Factory. Kent was holding out with difficulty at the South Dublin Union. At the Four Courts, however, Daly and his men were well entrenched and the Third Battalion was in an excellent position at Boland's Mills.

James Connolly was wounded. On Thursday, when establishing outposts in the streets around the Post Office, he was twice struck by bullets in the leg. He refused to remain in the hospital quarters of the Post Office and was wheeled about on a bed, superintending the defence. The Post Office was under heavy fire on Thursday and by Friday morning the upper story had caught fire.

That morning Pearse issued a manifesto which he signed as "Commandant General, Commanding-in-Chief, the Army of the Irish Republic, and President of the Provisional Government." It was a tribute of praise to the men who had fought under him and it was a renunciation of the hope of military success:

"If they do not win this fight, they will at least have deserved to win it. But win it they will, although they may win it in death. Already they have won a great thing. They have redeemed Dublin from many shames, and made her name splendid among the names of cities.

"If I were to mention names of individuals, my list would be a long one.

"I will name only that of Commandant General James

Connolly, Commanding the Dublin Division. He lies wounded, but is still the guiding brain of our resistance.

“ If we accomplish no more than we have accomplished, I am satisfied. I am satisfied that we have saved Ireland’s honour. I am satisfied that we should have accomplished more, that we should have accomplished the task of enthroning, as well as proclaiming, the Irish Republic as a Sovereign State, had our arrangements for a simultaneous rising of the whole country, with a combined plan as sound as the Dublin plan has been proved to be, been allowed to go through on Easter Sunday. Of the fatal countermanding order which prevented those plans from being carried out, I shall not speak further. Both Eoin MacNeill and we have acted in the best interests of Ireland.

“ For my part, as to anything I have done in this, I am not afraid to face either the judgment of God or the judgment of posterity.”

Pearse addressed the girls and women who had helped in the defence and were now ordered to leave. He told them that without the inspiration of their courage the Volunteers could not have held out so long. They deserved, he said, a foremost place in the nation’s history. He shook hands with each one before they left.<sup>1</sup>

By the afternoon the greater part of the building was in flames. The garrison was called together. Beyond what each man was carrying, no ammunition remained. They were ordered to prepare to evacuate the Post Office, but to collect food and take supplies with them. Pearse’s intention was that they should dash out from the side door, cross Henry Street into the lane opposite which turned into Moore Street, make their way up Moore Street northwards into Parnell Street, occupy the William & Woods Jam Factory and establish communication with the Four Courts.

He knew that the dash across Henry Street would be full of risk, as the street was swept by bullets, but he did not know that one British artillery post in Parnell Street commanded a street which ran into the laneway beyond the turning into

<sup>1</sup> See article by Eithne Coyle in *An Phoblacht*, April 8th, 1988.

Moore Street and that another commanded Moore Street; nor did he know that the Four Courts were completely cut off.

Preparations were hastily made for the evacuation. The O'Rahilly concerned himself first with the safety of the prisoners of whom there were thirteen in the building.<sup>1</sup> When their evacuation had been arranged for he made the first attempt, with a small group of men who volunteered with him, to penetrate to Parnell Street. He was to send back a report of conditions. No report came from him. He was shot dead in Moore Street.

At dusk, although the Post Office was blazing, the evacuation was still not complete. Pearse went back to make sure that no one remained in the building. He was among the last to leave. In the lane there was confusion. The men who dashed into it across Henry Street found that to get to Moore Street they would have to cross the end of the street parallel to it under slaughtering fire. Plunkett and MacDermott rallied them and a van was dragged across the opening which acted as an inadequate barricade. One by one the men darted across the bullet-swept space. Connolly was carried past on his stretcher; Pearse ran across, fell in the line of fire, but arrived safe at the other side; the three women who were with the garrison passed safely also; there were, however, seventeen casualties during the retreat.

The house at the corner of Moore Street and the lane was entered and there the wounded were cared for. Volunteers spent the night of Friday endeavouring to burrow a way up to Parnell Street by breaking through the partition walls of the Moore Street houses, but they were able to go no farther than number sixteen, where a mass of debris frustrated them. At number sixteen, therefore, headquarters were established.

On Saturday morning they saw flames consuming the Post Office and neighbouring buildings, heard British artillery bombarding the city and saw some people who ran out of the burning houses, carrying a white flag, shot dead in the street.

The leaders held a consultation around James Connolly's

<sup>1</sup> Generous tributes to The O'Rahilly's care for their well-being were afterwards published by some of these men.



bed. It was about mid-day when they made the decision to surrender. A girl, Elizabeth O'Farrell, was entrusted with the message: "The Commandant General of the Irish Republican Army wishes to treat with the Commandant General of the British forces in Ireland." Carrying an improvised white flag she walked to the British barricade in Parnell Street.<sup>1</sup> The British reply was a demand for unconditional surrender.

At about half past three Pearse surrendered his sword at the post in Parnell Street to Brigadier-General Lowe. He wrote the order to surrender to be sent to other Commands and Miss O'Farrell remained with the Military, at Pearse's request, in order to deliver his message to the Republican Commandants.

The message was as follows:

"In order to prevent the further slaughter of Dublin citizens, and in the hope of saving the lives of our followers now surrounded and hopelessly outnumbered, the members of the Provisional Government present at Headquarters have agreed to an unconditional surrender, and the Commandants of the various districts in the City and Country will order their commands to lay down arms."

The order was dated April 29th, 1916, 3.45 p.m.

James Connolly countersigned it only for the men in the Moore Street district and the St. Stephen's Green command—the Citizen Army men, who, it was realised, would not surrender at the order of any but himself.

It was nearly nine o'clock in the evening when the Volunteers from Moore Street marched in bitter silence up O'Connell Street to a place near the Parnell Statue there to throw down their arms.

The order to surrender was brought that evening to Commandant Daly at the Four Courts and the next day to the other commandants. MacDonagh would not obey it until he had been to Richmond Barracks and spoken to Pearse, a prisoner there, and Eamon Kent. He had difficulty even then in inducing his men to surrender, as had De Valéra in Boland's Mills. There the defences had not been penetrated; the garrison were even extending their position and expected large reinforcements. When Commandant de Valéra at length succeeded in making

<sup>1</sup> See article in the *Irish Press*, April 22nd, 1933.

them ground arms, many of the men broke their rifles on the road.

The Rising was over—a brief fight made by a small section of the Republican Army, with every unit depleted by the countermand and plans rendered useless by lack of support, not the nation-wide Revolution that had been planned: a failure, or so it seemed.

For the Volunteers in the provinces it had been a week of distracting anxiety and distress. The news of the captures on the Kerry coast, first, had warned them to be ready for the signal to rise; then MacNeill's countermand had forced them to resign themselves to the abandonment of all their hopes and plans. Then came the news that in Dublin the men were fighting. The Rising had begun. MacNeill, himself, then, sent out another order calling the men in the country to arms, but it came too late: the R.I.C. were at work everywhere, making arrests. In Clare, Kerry, Kilkenny and elsewhere Volunteers were forestalled by the R.I.C.; in Ulster by the Military. Two or three hundred succeeded in reaching Dublin; others made desperate efforts to do so, but in vain. The Commandants were faced everywhere with the question whether they were justified in leading their men out against an enemy forewarned, to give their lives in a mere protest without hope of success. Some felt that such a sacrifice was one which a man might make himself but should not command others to make. And so, for thousands of Irishmen whose whole lives and thoughts had been concentrated to the one aim of striking a blow for freedom, the blow was struck while they could take no part.

In Cork, eager preparations had been made. Thomas MacCurtain was head of the Volunteers there, and Terence MacSwiney<sup>1</sup> second in command. It had been arranged that the Cork men should meet the Kerry men and receive from them some of the arms from Germany. On the morning of Good Friday Commandant J. J. O'Connell came to the leaders with MacNeill's message cancelling the Easter manœuvres.

The misery of that day was turned to joy the next morning, when there came a message from MacNeill that the original

<sup>1</sup> Biographical Note, p. 938.

plans were to go forward and one from MacDermott saying that the leaders in Dublin were all in agreement now. Even the news of the destruction of the *Aud* did not dishearten them after that until, after some had started out on Sunday morning, MacNeill's second countermand came. Believing this to be the decision of a united Council, MacCurtain and MacSwiney rushed around the area, dispersing the Volunteers. When they returned home a message from Pearse was awaiting them; it said: "We are rising here at noon to-day."

By that time the British were prepared and vigilant. To order the men out would have been ordering their immolation. There was no rising in Cork. Until he was dying in Brixton Prison Terence MacSwiney knew no appeasement of the grief of those frustrated days.<sup>1</sup>

Only in a few districts the Volunteers marched out and fought. In North County Dublin Constabulary Barracks were taken, the railway line from Belfast to Dublin was broken, and at Ashbourne a battle was fought against armed constabulary which lasted for five hours. The Volunteers, here, were commanded by Thomas Ashe, with Richard Mulcahy second in command. There were many casualties on both sides and a police inspector was killed. The police at last surrendered to the Volunteers, who disarmed and released them.<sup>2</sup>

The Volunteers of County Wexford, when they heard that the Insurrection had begun, marched on the town of Enniscorthy. There were about six hundred men with Commandant Robert Brennan in command. They held the town, carrying out a regular military occupation there. The police remained in their barracks and were not attacked. Troops were despatched to Enniscorthy in an armoured train and the Volunteers then retreated to the historic Vinegar Hill where they maintained a guerilla fight until many were captured. The Commandant refused to surrender until he had received orders direct from Pearse. The British officer in charge arranged on Monday for two of the Republican officers, Captains Doyle and Sean Etchingham, to be escorted to Dublin, where they received the order to surrender and found the Rising at an end.

<sup>1</sup> See article by Mary MacSwiney in *An Phoblacht*, April 20th, 1922.

<sup>2</sup> Wells and Marlowe, p. 182.

Liam Mellows, early in April, had been in England, under open arrest; he evaded the police, however, and with the help of James Connolly's daughter, Nora, made his way back to Ireland in time to be in Galway when the Rising began. He gave the signal on Tuesday to the local Volunteers. From every part of the wide county they came out, attacked barracks and destroyed bridges and telegraph wires. They seized the town of Athenry and there manufactured bombs. On Thursday the Republican force assembled around Athenry numbered nearly one thousand men. There had already been many encounters with the enemy and loss of life on both sides. At Moyvore the Volunteer force found itself being encircled by military and police. Liam Mellows wanted to resist and make the West memorable for a great battle, but the local priest came among his followers and persuaded them to disband. Hundreds of them were arrested and deported to England. Mellows escaped to the hills.

The failure of the Rising in the provinces was chiefly due to the work of the R.I.C. General Maxwell in his military despatch expressed gratitude for the close co-operation he had received from them. It was they who, when the military proceeded to arrest suspects all over Ireland, were able to point out the homes or hiding-places of the men. They served England for pay with a courage and loyalty which, had it been given to their own country, would have made its history a tale less filled with suffering and defeat.

In spite of the loss of the German rifles, if the Volunteers in the provinces had risen, the story of the Insurrection would probably have had a different end. Men of fine physique, able to endure hardship, well trained, and full of enthusiasm as they were, they would have done notable work, like their forefathers, with shot-guns and pikes. Familiar with the country-side, they would have been able to harass the enemy by the methods of guerilla war—the only sort of warfare which has any prospect of success in a conflict between an oppressed population and an enemy in military occupation possessing all the equipment of modern war.

That any plan such as that followed in Dublin was foredoomed to failure, Irishmen learned by the costly experience of Easter Week.

## CHAPTER 17

*May 1916*

CASUALTIES – MURDERS IN PORTOBELLO – PRISONERS –  
EXECUTIONS – PROTESTS – THE HOUSE OF COMMONS – DE-  
PORTATIONS – A CHANGING IRELAND

THE total number of casualties during the week of fighting was estimated by the British authorities as just over three thousand.

The number of Volunteers reported as killed in action was fifty-six. Of the civilians killed no accurate computation was made, but in Glasnevin Cemetery alone, from April 27th to May 4th, there were four hundred and fifteen burials and it was said that two hundred and sixteen of these were burials of people who had died of wounds. Hospital lists provided notes of twenty-eight unidentified civilians as well as about one hundred and twelve men and twenty women whose names were known.<sup>1</sup> Dwellers in the poorest parts of the city had swarmed into the bombarded areas intent on looting the deserted shops and hotels and had been injured by stray bullets, shrapnel and falling masonry. General Maxwell reported one hundred and thirty combatants killed on the British side, including six of Redmond's Volunteers who had fought for the British, one naval casualty, and members of the armed R.I.C. Three members of the Dublin Metropolitan Police Force, although unarmed, had been shot in the streets. The civilian dead included men killed in North King Street. These were believed to have been killed after arrest by soldiers of the 2nd and 6th South Staffordshire Regiment. At the inquest on one of these civilians the coroner's jury demanded that the responsible officer should be produced but that was not done.<sup>2</sup> No official inquiry was made. As General Maxwell explained, in a letter to the *Daily Mail*, a revolt of this kind "could not be suppressed by velvet glove methods."

Among the dead, also, were three well-known citizens of Dublin, who were arrested, taken to Portobello Barracks and

<sup>1</sup> See *Irish Independent*, May 8th, 1916.

<sup>2</sup> See *Irish Times*, May 17th, 1916.

there shot by order of a British officer in charge of the prisoners. They were Thomas Dickson and Patrick McIntyre, both journalists unconnected with the Nationalist movement, and Francis Sheehy-Skeffington, who was a Pacifist and a member of Sinn Fein. Sheehy-Skeffington, an intimate friend of some of the Revolutionary leaders, had tried to persuade them to organise, instead of a military force, "a body of men and women banded together to secure and maintain the rights and liberties of the people of Ireland, a body animated with a high purpose, united by a bond of comradeship, trained and disciplined in the way of self-sacrifice, and true patriotism, armed and equipped with the weapons of intellect and of will."<sup>1</sup> The only part he took in the Rising was an effort to organise citizens to prevent the looting which was going on in the streets. It was while so engaged that he was arrested and taken to Portobello Barracks. Captain Bowen-Colthurst, when conducting a military party through the streets that night, took Sheehy-Skeffington as a hostage, and the prisoner was witness of the shooting by Bowen-Colthurst of a boy, Coade, whom they met in Rathmines. On the following morning, the 26th, the Captain had the three prisoners brought out to the yard and executed. "Their bodies were concealed and secretly buried within the precincts of the barracks," a senior officer who investigated the matter states. The wall against which they had been shot was immediately repaired. Bowen-Colthurst then conducted a violent raid on Sheehy-Skeffington's home and placed Mrs. Sheehy-Skeffington and her son, aged seven, under arrest.

This officer was shortly afterwards sent to Newry in command of troops.<sup>2</sup>

The high regard in which Francis Sheehy-Skeffington had been held in Dublin caused his death to produce intense resentment.

<sup>1</sup> An open letter to Thomas MacDonagh in the *Irish Citizen* of May 22nd, 1915.

<sup>2</sup> The senior officer, Sir Francis Vane, Bart., discovered what had occurred, and failing to induce the Dublin Castle authorities to act, carried the matter to the Prime Minister and Lord Kitchener. A court martial took place, and the plea was accepted for Captain Bowen-Colthurst that he was of unsound mind at the time of the crime. Vane's own story of the affair is told in his book, *Agin the Governments*. Mrs. Sheehy-Skeffington's persistent demands for further inquiry resulted in an inquiry by Royal Commission, which began on August 23rd, 1916. Its report was apologetic in tone. She was offered monetary compensation, which she refused.

There was no doubt that "a revolt of this kind could not be suppressed by velvet glove methods." Moreover, the task of an occupying or invading army, encountering resistance, is one which tends to produce a nervous and inflamed state of mind. The soldiers feel themselves to be surrounded on all sides by hostility and contempt. Boys and women, and un-uniformed, as well as uniformed, men are among the defenders: it is impossible to distinguish combatants from non-combatants; terrorism against the civilian population almost inevitably becomes a feature of the campaign. Happily, however, beyond these incidents, terrorism did not develop in this fight. Many of the English officers employed in it frankly confessed to their prisoners that they detested the duty imposed upon them and paid high tributes to the way in which the Volunteers had conducted the Rising.<sup>1</sup>

All over Ireland the police and military arrested persons whom they suspected of being members of Sinn Fein. The number arrested was larger than the whole number of the Volunteers who had taken part in the Rising in Dublin.<sup>2</sup> From every part of Ireland they were brought to Kilmainham Prison and Richmond Barracks in Dublin. Persons suspected of even the faintest Republican sympathies were arrested and were imprisoned among those alight with Revolutionary fire. Richmond Barracks became, in the words of Darrell Figgis, "the clearing house for rebels . . . the University in which the doctrines, methods and hopes of the men of Easter Week were folded into the life of men from every part of Ireland."<sup>3</sup> The prisoners were crowded in bare rooms unprepared for habitation, thirty to each room.

Among the prisoners there were more than seventy women;

<sup>1</sup> Captain R. K. Brereton, J.P., Ladywell, Athlone, who was captured by the Republican Army and held, with ten other English prisoners, from Monday evening to Saturday evening, said, on May 14th, 1916: "What impressed me most was the international tone adopted by the Sinn Fein officers. They were not out for massacre, for burning or for loot. They were out for war, observing all the rules of civilised warfare and fighting clean. So far as I saw they fought like gentlemen. They had possession of the restaurant in the (Four) Courts, stocked with spirits and champagne and other wines, yet there were no signs of drinking. I was informed that they were all total abstainers. They treated their prisoners with the utmost courtesy and consideration: in fact they proved by their conduct that they were men of education incapable of acts of brutality."

<sup>2</sup> *Documents Relative to the Sinn Fein Movement*, p. 14.

<sup>3</sup> Figgis, *Recollections*, p. 168; also *A Chronicle of Jails*, p. 51.

they included Countess Markievicz, who had surrendered with her battalion at the St. Stephen's Green post, Dr. Kathleen Lynn, who had been attached as medical officer to the same post, and ambulance helpers, including Miss Ffrench-Mullen. Miss Margaret Skinnider, a combatant who had been wounded while leading a squad of men against a machine-gun post in St. Stephen's Green, was arrested in hospital and removed in custody.

Count Plunkett, his wife, his son Joseph, and two other sons, were among those imprisoned.

The City and County of Dublin lay under martial law. The leaders of the Insurrection were to be tried by court martial, others deported to England and interned. James Connolly, whose wounds were severe, was nursed with every kindness at the Castle Hospital. The other leaders were taken to Kilmainham Prison and placed in separate cells to await court martial.

What were their thoughts while they waited? What had their attempt achieved for Ireland? Unless by the light of faith and vision they could not know.

Their plan had miscarried. The Rising had not been widespread enough to light instantly the fires of courage and enthusiasm in the nation as a whole. The people had not risen. Some had cursed the Insurgents. Irishwomen had been seen in the streets bringing food to the British troops. The centre of Dublin lay in ruins. Civilians had been killed. Had the roots of the national movement struck deep enough or spread wide enough for understanding to grow, for the Rising to bear fruit? A minority had made the Rising. Would they be execrated or blessed? The country seemed to lie under a weight of apathy still.

All was changed when it was rumoured in Dublin that the Government intended to execute the surrendered leaders. Although the signatories of the Proclamation had clearly foreseen that in case of failure their lives would be forfeit, the general public had refused to believe that the British would exact the extreme penalty from men who had fought gallantly and who, their enemies admitted, had observed all the rules of war. It was thought also that John Redmond would intervene on the side of clemency and that his counsel would prevail.



There was bitter feeling against Redmond in Ireland because he hastened to express his "horror and detestation" of the Rising and because his appeal to the Government, expressed on May 3rd in the House of Commons, seemed weak. He begged the Government "not to show undue harshness to the great masses of those who were implicated, on whose shoulders there lies a guilt far different from that which lies upon the instigators and promoters of the outbreak."

If the Government had shown a politic clemency at this crisis the Rising might indeed have failed. But they had placed a military officer in charge and he dealt with the situation in a military way.

On May 3rd the executions began.

The public had had no hint of General Maxwell's intention to execute immediately and were given no explanation as to the procedure of trial which he had used or the considerations which had governed the choice of those who were to suffer the extreme penalty. The courts martial had been held in secret. Nothing further was known until, that evening, the official announcement was made:

"Three signatories of the notice proclaiming the Irish Republic, P. H. Pearse, T. MacDonagh, and T. J. Clarke, have been tried by Field Court Martial and sentenced to death. The sentence having been duly confirmed the three above-mentioned men were shot this morning."

Joseph Plunkett, also, had been sentenced to death; that evening he was married to Miss Grace Gifford in Kilmainham Jail. The mother of Padraic Pearse was sent for to say farewell to her second son, William, and the widow of Thomas Clarke came to the prison to take her last leave of her brother, Edward Daly. On the 4th, Plunkett, Daly, William Pearse and Michael O'Hanrahan were shot; on the 5th, John MacBride. Four more were executed on the 8th: Eamon Kent, Michael Mallin, Cornelius Colbert and Sean Heuston. On the 9th, Thomas Kent, a brother of Eamon Kent, was executed in Cork City. He had shot a constable at Fermoy on May 2nd, when resisting arrest.

James Connolly, still dangerously ill in Dublin Castle, was

sentenced to death; Sean MacDermott also. It was evident that all the military leaders, even those who, like Colbert and Heuston, had held positions of minor responsibility, were to be executed. It was said that Maxwell had ordered a grave large enough to hold a hundred to be dug in the yard of the military prison at Arbour Hill.

The courts martial on two of the surrendered leaders were delayed by a series of chances but no one had any hope that either of these—both of whom had led fights in which the British forces had suffered fatalities—would be spared. Thomas Ashe, who had led an attack against the police barracks at Ashtown, was arrested outside Dublin. De Valéra, the last Commandant to surrender, was detained for a few days at Ballsbridge.<sup>1</sup> Neither was transferred to Richmond Barracks until most of the courts martial and some of the executions had already taken place. They were court martialled on May 8th.

Already public feeling was becoming roused. The repetition, on five separate evenings, of the news of the execution of men who had fought a clean and gallant fight for their country's freedom, repelled many who were opposed to their cause, while among Irish people in the United States and the British Colonies, and even among Irish soldiers in the trenches, anger was accumulating. The executions were "becoming an atrocity" as the *Manchester Guardian* declared. This was probably the reason why the sentence of death, conveyed to Ashe and De Valéra on May 10th, was followed immediately by the announcement that it had been commuted to penal servitude for life.

Connolly and MacDermott were among the seven signatories of the Proclamation: no mercy was to be shown to them. Even the strong and eloquent protests that began to appear in English papers could not save their lives.

George Bernard Shaw was among those who protested.

"My own view," he wrote, "is that the men who were shot in cold blood, after their capture or surrender, were

<sup>1</sup> The room in which he was detained had a window opening into the fire-brigade station. Through this, firemen communicated a plan which they had made for his escape. They actually rushed out the engine, hoping that he would jump on it. De Valéra, however, felt obliged to remain a prisoner with his men.

prisoners of war, and that it was, therefore, entirely incorrect to slaughter them. The relation of Ireland to Dublin Castle is, in this respect, precisely that of the Balkan States to Turkey, of Belgium or the City of Lille to the Kaiser, and of the United States to Great Britain.

“ Until Dublin Castle is superseded by a National Parliament and Ireland voluntarily incorporated with the British Empire, as Canada, Australasia, and South Africa have been incorporated, an Irishman resorting to arms to achieve the independence of his country is doing only what Englishmen will do, if it be their misfortune to be invaded and conquered by the Germans in the course of the present war. Further, such an Irishman is as much in order morally in accepting assistance from the Germans, in his struggle with England, as England is in accepting the assistance of Russia in her struggle with Germany. The fact that he knows that his enemies will not respect his rights if they catch him, and that he must, therefore, fight with a rope round his neck, increases his risk, but adds in the same measure to his glory in the eyes of his compatriots and of the disinterested admirers of patriotism throughout the world. It is absolutely impossible to slaughter a man in this position without making him a martyr and a hero, even though the day before the rising he may have been only a minor poet. The shot Irishmen will now take their places beside Emmet and the Manchester Martyrs in Ireland, and beside the heroes of Poland and Serbia and Belgium in Europe; and nothing in Heaven or earth can prevent it. . . .

“ The Military authorities and the English Government must have known that they were canonising their prisoners. . . .

“ I remain an Irishman, and am bound to contradict any implication that I can regard as a traitor any Irishman taken in a fight for Irish Independence against the British Government, which was a fair fight in everything except the enormous odds my countrymen had to face.”<sup>1</sup>

In the British House of Commons on the 9th the Prime Minister was questioned about the executions and there were

<sup>1</sup> G. B. Shaw, *Daily News*, May 10th, 1916.

protests from the Irish Party, Laurence Ginnell shouting "Murder!" On the 10th, Asquith was asked the number of persons executed, imprisoned and deported, in connection with the Rising. The information given was that fourteen had been executed, seventy-three sentenced to penal servitude and six to imprisonment with hard labour. The number deported was 1,706.

Asquith in speaking about the Rising said:

"So far as the great body of the insurgents is concerned I have no hesitation in saying in public that they conducted themselves with great humanity which contrasted very much to their advantage with some of the so-called civilised enemies with which we are fighting in Europe. That admission I gladly make and the House will gladly hear it. They were young men; often lads. They were misled, almost unconsciously I believe, into this terrible business. They fought very bravely and did not resort to outrage."

John Dillon appealed to the Prime Minister to stop the executions. "It is not murderers who are being executed," he said; "it is insurgents who fought a clean fight, a brave fight."

John Redmond, although his public protest was in moderate terms, used all his influence privately and was, no doubt, instrumental in persuading Asquith to order that executions, except in the cases of the signatories, should cease.

On May 12th, Sean MacDermott and James Connolly were shot. Connolly was carried to the place of execution on a stretcher. He died full of confidence that the Insurrection was not, in fact, defeated and that Ireland would achieve its freedom before long.<sup>1</sup>

The same faith, an equal certainty that what they had done would, in the end, bring Ireland freedom, seemed to come to all the executed leaders before death.

Ninety of the insurgents, it transpired afterwards, had been sentenced to death by courts martial. The number executed was fifteen.

<sup>1</sup> See Nora Connolly O'Brien, *Portrait of a Rebel Father*.

Within a few weeks the numbers arrested amounted to over three thousand five hundred and included seventy-nine women. About a thousand of the men and all but five of the women were released.

The experiences of the untried prisoners were varied. The police had arrested a larger number than the Government knew how to accommodate or to classify. The high spirits of these men, even when they were waiting in Kilmainham or Richmond Barracks, not knowing how many of them might be summoned to court martial and execution, disconcerted the soldiers in charge.<sup>1</sup> They argued Ireland's case with their jailers, exchanged news of the Rising in different parts of the country and, on all possible occasions, raised the defiant chorus of "The Soldiers' Song." The officers in charge of them were in some cases brutal and insulting, in some cases considerate and interested in the arguments of the revolutionists. It was the conduct and the logic of his prisoners which made of one officer, Lieutenant Robert Barton, a convert to the Republican cause.

When the courts martial and executions were over the prisoners were deported to England under very rough conditions, some of the unsentenced men in the pen of a cattle boat, the convicted prisoners handcuffed in pairs. While they were being marched to the Dublin docks they found, to their astonishment, crowds pressing forward to cheer and bless them and women breaking through the lines of guards to fill their pockets with gifts. It was the first sign that had come to them of the turning of the tide.

The untried men were distributed in various prisons in Great Britain—Stafford, Wakefield, Wandsworth, Lewes, Knutsford, Glasgow, Perth. They were classified as prisoners of war, and in some of the prisons, after much persistence, they secured the rights of association, of visits and of other exemptions from the common offenders' routine. Later, about eighteen hundred of them were transferred to an internment camp at Frongoch in Wales; others, those believed to be influential, including Arthur Griffith, were sent to Reading Jail.

Among those in whose cases death sentences had been commuted and who were sent to English convict prisons, condemned

<sup>1</sup> Batt O'Connor, *With Michael Collins in the Fight for Irish Independence*, pp. 59 et seq.

to penal servitude for life, were Constance Markievicz and William Cosgrave, as well as Eamon de Valéra, Thomas Ashe and others who had held posts as Commandants.<sup>1</sup> Eoin MacNeill was tried on May 22nd. He declared himself responsible with the other leaders for the Rising and was sent to join his former comrades in Dartmoor Prison, sentenced to penal servitude for life. Sir Roger Casement was taken to London where he was charged with high treason and committed to the Tower.

The prisoners, for the most part, felt no discouragement, no sense of defeat. Such signs as reached them from Ireland showed that the Rising had not failed to inspire the people and that the whole nation was gradually rallying around the standard of Independence which they had raised.

The executions had made this end inevitable. The people had been bewildered by the Rising, had not known what to make of it, at first. After the executions they knew. The English had dealt with Pearse and Connolly and their comrades as with Tone and Emmet; that, and the known character of these patriots, sufficed to prove the legitimacy of their succession and the validity of their deed. A sense of pride in the Insurgents of their own generation was uniting the people in a realisation of nationhood. In the old, the spirit of Fenianism came once more to life. To the young the executed men became leaders who would be "speaking for ever." The convicts were accorded the homage traditionally given to "the felons of our land."

Incalculable stimulus was given to this reviving sense of pride by the action of the Bishop of Limerick, the Most Reverend Dr. O'Dwyer. He had not hitherto been considered a Nationalist but his voice was raised in championship of his countrymen now. When General Maxwell asked him to remove from their parishes certain priests who had shown sympathy to the Insurgents, Dr. O'Dwyer refused. He replied in a letter, dated May 17th, which he published in the Press. He told General Maxwell that he regarded his procedure as "wantonly cruel and oppressive." He recalled the mercy extended to the men who took part in the Jameson Raid in South Africa.

<sup>1</sup> For list of names of all prisoners and of sentences see the *Sinn Fein Rebellion Handbook* issued by the *Weekly Irish Times*, 1916.

“ You took care,” he wrote, “ that no plea for mercy should interpose on behalf of the poor young fellows who surrendered to you in Dublin. The first intimation which we got of their fate was the announcement that they had been shot in cold blood. Personally I regard your action with horror, and I believe that it has outraged the conscience of the country.”

He condemned the deportation of thousands of prisoners without trial as an “ abuse of power, as fatuous as it is arbitrary.” “ Altogether,” he concluded, “ your régime has been one of the worst and blackest chapters in the history of the misgovernment of this country.”

This letter was at once a manifestation and a sanction of the change that was taking place. To those Catholics, men and women, who were resolved to continue the struggle for Ireland’s Independence, it came as a benediction on their cause.

## CHAPTER 18

*May to July 1916*

ASQUITH IN IRELAND — PRESIDENT WILSON — LLOYD  
GEORGE AND CARSON — THE PARTITION SCHEME

THE beginning of the change in Irish feeling was observed by the Prime Minister who made a visit of inquiry to Ireland, although not until May 12th, when the executions of James Connolly and Sean MacDermott had taken place. He interviewed General Maxwell, to whom he gave assurances of the Government's approval and support,<sup>1</sup> and also interviewed Home Rulers and Republicans. Returning, he reported to the House of Commons, on May 25th, that the old machinery of government in Ireland had broken down and that the time for a new departure had come.

A factor which made an Irish settlement more than ever urgent in English interests was the effect produced by the executions on public feeling in the United States. Hopes had been high among the hard-pressed Allies that America would decide to enter the war; now, however, there were disapproving comments on the British Government in the American Press: "The hurried vengeance of the military authorities, for which the Government is responsible, has written a chapter that will for ever stand to Great Britain's discredit," the *New York World* declared. An Irish Relief Fund had been opened in the United States with Dr. Thomas Addis Emmet as President, with forty Archbishops and Bishops among its patrons and a formidable list of eminent Vice-Presidents.<sup>2</sup> A great memorial service, organised by the poet, Joyce Kilmer, for those who died for Ireland in the Rising, was held in Central Park, New York.

Already, Woodrow Wilson was propounding those doctrines of international justice of which England's attitude to Ireland was a complete repudiation.

"We believe these fundamental things," he declared<sup>3</sup>:

<sup>1</sup> Sir George Arthur, *General Sir John Maxwell*.

<sup>2</sup> From this fund, eighty thousand dollars were sent to Ireland by July and fifty thousand more in a few months.

<sup>3</sup> Address to the League to Enforce Peace, at Washington, May 27th, 1916.



“ First, that every people has a right to choose the sovereignty under which they shall live. . . . Second, that the small states of the world have a right to enjoy the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon.”

The British Ambassador at Washington, Sir Cecil Spring-Rice, reported discouragingly. “ It is most unfortunate that it has been found necessary to execute the rebels,” he wrote to Sir Edward Grey on May 30th; and later:

“ I do not think we can count on American help, perhaps not even on American sympathy . . . the attitude towards England has been changed for the worse by recent events in Ireland. . . . If we are able in some measure to settle the Home Rule question at once, the announcement will have a beneficial effect here, although I do not think that anything we can do would conciliate the Irish here. They have blood in their eyes when they look our way. . . . Our cause for the present among the Irish here is a lost one.”

This was a momentous consideration for England now. The European War had already been reduced to a question of man power. The battle of Verdun was taking a heavy toll from the Allies; the Russians were preparing for a great offensive on the Eastern front; on May 31st, off Jutland, occurred the most formidable attack ever sustained by the British fleet. Unless America came into the war with fresh resources the Allies would be faced with eventual exhaustion and defeat. It was essential that the Irish-American vote should not be massed against the pro-British interest in November, when the Presidential Election was to be held.

Among British statesmen the one who grasped this fact most quickly was Lloyd George. In a conversation with William O'Brien and Sir Edward Carson on May 30th he expressed his apprehension. “ The Irish-American vote will go over to the German side,” he said, “ they will break our blockade and force an ignominious peace on us, unless something is done, even provisionally, to satisfy America.”<sup>1</sup>

<sup>1</sup> William O'Brien, p. 273.

To get something done in Ireland, even provisionally, to satisfy America, even temporarily, became one of the first objects in life to Lloyd George. He accepted from the Cabinet the task of attempting a settlement.

He had pledged himself to Home Rule and would lose prestige, if not office, by its defeat.

Partition was the solution which he now proposed—the scheme which nearly two years earlier, at the Buckingham Palace Conference, had been proved impracticable and unsatisfying to both parties concerned.

On May 29th Sir Edward Carson received from Lloyd George “Certain Heads for a Bill as to the Government of Ireland.” The main proposal was that the Home Rule Act of 1914 be at once applied to twenty-six counties in Ireland, six counties—Antrim, Down, Armagh, Derry, Fermanagh and Tyrone, being excluded from its operation. Whether the exclusion was to be temporary or permanent the draft did not make plain. Clause 14, which dealt with this question, read ambiguously:

“The Bill to remain in force during the continuance of the war and a period of twelve months thereafter; but, if Parliament has not by that time made further and permanent provision for the Government of Ireland, the period for which the Bill is to remain in force is to be extended by Order in Council for such time as may be necessary in order to enable Parliament to make such provision.”

Sir Edward Carson, however, received a private covering letter, dated May 29th, from Lloyd George in the following terms:

“MY DEAR CARSON,—

“I enclose Greer’s draft propositions. We must make it clear that at the end of the provisional period Ulster does not, whether she wills it or not, merge in the rest of Ireland.”

This letter Sir Edward Carson accepted (as he explained on a later historic occasion)<sup>1</sup> as “a precious possession, guaranteeing me that the six counties would be left out, and that they never could be put back again without an Act of Parliament.”

<sup>1</sup> During debates on the Articles of Agreement for a Treaty in the House of Lords, December 14th, 1921.

The Irish Parliamentary Party heard nothing of this letter; they heard nothing for some days of the proposal, and even then the terms were not made public; the Irish people were called upon to consider Lloyd George's "settlement" without seeing the terms of it stated, relying solely on their leaders' interpretations of them.

Ulster Unionists, with many expressions of reluctance and of their "unabated abhorrence of Home Rule," authorised Carson to continue the negotiations "on the basis of the definite exclusion from the Government of Ireland Act of the Six Counties of Ulster."<sup>1</sup>

John Redmond explained his interpretation of the proposals to a meeting at the Dublin Mansion House, on June 10th, and a meeting of Nationalists from the Six Counties in question on June 23rd, in Belfast. The latter meeting had been organised and prepared by Joseph Devlin and there Redmond indicated that, unless the proposals were agreed to, he and Dillon and Devlin would resign from leadership.

It was a hard renunciation that these Ulster Nationalists were called upon to make. Home Rule, to which they had looked forward as a measure of liberation from an intolerable oppression, was to be given to their fellow-countrymen but denied to them. They were to be artificially isolated from the majority to which they naturally belonged, artificially made to constitute a minority under a Protestant and Imperial Government bitterly hostile to all their aspirations as Catholics or as Nationalists. Under extreme pressure from their leaders a majority consented; they consented to the acceptance of Lloyd George's proposals as a "temporary and provisional settlement" which seemed "to offer the best means of carrying on the fight for a united self-governing Ireland."

That consenting group was not representative, as the Parliamentary leaders were forced to realise after a very little delay. Slowly a storm of resentment gathered, to burst in a tumult of indignant protest from platforms, public bodies, and Press. Resolutions were passed pledging Nationalists in the north "to oppose by every means any attempt to set up a separate

<sup>1</sup> At a private meeting of the Ulster Unionists' Council held on June 12th at the Ulster Union Hall, Belfast.

Government for the Ulster Counties and to resist the authority of such a Government if set up," and resolutions calling on the Irish Members of Parliament to resign. At a meeting in Derry on July 20th speeches were made which sounded, in the phrase of William O'Brien, "like the first volleys of an insurrection." At that meeting was read a letter from the Bishop of Derry, the Most Reverend Dr. McHugh, condemning Lloyd George's "nefarious scheme."

"What seems to be the worst feature of all this wretched bargaining," he wrote, "is that Irishmen, calling themselves representatives of the people, are prepared to sell their brother Irishmen into slavery to secure a nominal freedom for a section of the people. . . . Was coercion of a more objectionable or despicable type ever resorted to by England in its dealings with Ireland than that now sanctioned by the men whom we elected to win us freedom?"

The Bishop of Limerick, the Most Reverend Dr. O'Dwyer, was no less strong in his expressions of indignation. "I have very little pity for you or yours," he wrote to a committee in Belfast. "You have ceased to be men; your leaders consequently think they can sell you like chattels."

The Southern Unionists, also, were aggrieved, and they made representations in the matter to the Government. They objected particularly to a promise contained in a proposal that the Irish representation at Westminster should remain undiminished after the application of the Act.

When, on July 10th, the proposals were discussed in the House of Commons, their true character at last became manifest. Asquith assured Sir Edward Carson that the intention was that the Six Counties could not be brought under Home Rule "without a new Bill." On the following day, in the House of Lords, Lord Lansdowne indicated that during the transition period Ireland would remain under the military régime with a garrison of 40,000 troops under Sir John Maxwell, and he suggested that the exclusion of the Six Counties would be "permanent and enduring."

The time had come for Redmond to withdraw from a compromise which threatened to cost him what remained of his

leadership. He expressed intense resentment against these suggestions. Presently it transpired that the promise that Ireland would retain her representation at Westminster had been discarded by the Government; after the next elections, if these proposals were accepted, that representation would be decreased.

On July 24th Redmond withdrew his assent and the Government, thereupon, for the time being, abandoned the scheme. Only then—on July 27th—were the details of its terms published and the discrepancies between the reality and Redmond's interpretation of them revealed.<sup>1</sup>

That night, in the House of Commons, William O'Brien said, "This particular Partition plot, at all events, is dead and damned." But writing afterwards he reflected that these "Headings of Agreement" became the indisputable Magna Charta of Sir Edward Carson's Six Counties; "to that unhappy instrument," he wrote, "must be traced the responsibility for all the years of disappointment, bloodshed, and devastation that were to follow."<sup>2</sup>

The scheme had served part, at least, of its author's purpose: it had satisfied America that an effort at an Irish settlement was being made. Meanwhile, Sir John Maxwell remained in Dublin and Ireland remained under martial law. The old machinery of government was being set up again. Lord Wimborne returned as Lord Lieutenant; H. E. Duke, a Unionist member of Parliament, was appointed Chief Secretary for Ireland and Sir James Campbell, also a Unionist and a leading Covenanter, became Irish Attorney-General. Lloyd George turned his attention again to his duties as Secretary of State for War. He was hopeful of seeing a new party arise which would prosecute the war more vigorously, and it seemed as though Sir Edward Carson might be the next Prime Minister.<sup>3</sup>

In Ireland, in June, Requiem Masses for those fallen in the Rising and for the executed leaders drew the people together in pride and mourning. And the executions were not yet ended. At the Old Bailey in London, on June 26th, the trial of Roger Casement began.

<sup>1</sup> White Paper published July 27th, 1916. See also comparative analysis in William O'Brien, p. 284.

<sup>2</sup> William O'Brien, p. 308.

<sup>3</sup> Lord Riddell, *War Diary*, p. 205.

## CHAPTER 19

*June to December 1916*

TRIAL OF CASEMENT — EXECUTION — AN AWAKENING  
NATION — THE PRISONERS — LLOYD GEORGE BECOMES PRIME  
MINISTER — RELEASE OF THE PRISONERS

CASEMENT had demanded to be tried in his own country but his request was refused. He had been imprisoned in the Tower of London and in Brixton and Pentonville. There was only one statute in existence under which he could be sentenced to death—an old Norman-French statute enacted when the kings of England were also kings of France and now practically obsolete. Under this he was charged with committing “High Treason without the Realm of England.”

Desperate efforts were made by men and women of the highest reputation to save a life valued in many countries for rare services to humanity, but they were counteracted by an atrocious campaign of defamation carried out, at the instigation, it was believed, of the Government.<sup>1</sup>

To the bitterness of the whole proceeding, irony was added by the fact that the man acting as Prosecuting Counsel against the Irish rebel was Sir F. E. Smith<sup>2</sup>—the “Gallopier Smith” of Carson’s organisation for defying Parliament in arms. It was not three years since this man had declared, publicly, that from the moment of the passing of a Home Rule Act he and his party would, “refusing to recognise any law . . . risk the collapse of the whole body politic,” to prevent the operation of the Act.<sup>3</sup>

He was now Attorney-General of Great Britain, while his fellow-rebel, Bonar Law, was Minister of State for the Colonies, and Sir Edward Carson was a member of the Cabinet and First Lord of the Admiralty.

“The difference between us,” Roger Casement said during his

<sup>1</sup> W. J. Maloney, *The Forged Casement Diaries*.

<sup>2</sup> The *Boston Post* of January 14th, 1918, reported F. E. Smith (Lord Birkenhead) as having declared in New York that nothing gave him greater delight than the execution of Casement, and that he had threatened to resign from the Cabinet unless Casement was hanged.

<sup>3</sup> At Ballyclare, Co. Antrim, September 20th, 1918.

trial, "was that the Unionist champions chose a part they felt would lead to the Woolsack, while I went a road that I knew must lead to the dock. And the event proves both were right."

The prisoner was defended by Serjeant A. M. Sullivan of the Irish Bar, instructed by George Gavan Duffy. Casement refrained from pleading that his object in coming to Ireland had been to stop the Rising; like many Irishmen before him he preferred to make his trial serve as an opportunity to bear witness to an unquenchable faith in the justice of Ireland's struggle and the ultimate triumph of her cause.

After sentence of death had been pronounced he made a speech which, to all but a very few who heard it, revealed the selfless nature of the man. Concluding, Casement said:

"Let me pass from myself and my own fate to a far more pressing, as it is a far more urgent theme—not the fate of the individual Irishman who may have tried and failed, but the claims and the fate of the country that has not failed. Ireland has outlived the failure of all her hopes—and yet she still hopes. Ireland has seen her sons—aye, and her daughters, too—suffer from generation to generation always for the same cause, meeting always the same fate, and always at the hands of the same power; and always a fresh generation has passed on to withstand the same oppression. For if English authority be omnipotent—a power, as Mr. Gladstone phrased it, that reaches to the very ends of the earth—Irish hope exceeds the dimensions of that power, excels its authority and renews with each generation the claims of the last. The cause that begets this indomitable persistency, the faculty of preserving through centuries of misery the remembrance of lost liberty, this, surely, is the noblest cause men ever strove for, ever lived for, ever died for. If this be the cause I stand here to-day indicted for and convicted of sustaining, then I stand in a goodly company and a right noble succession."

He was hanged in Pentonville Prison on August 3rd.<sup>1</sup>

His name is enscrolled on the opening page of a new epoch in Ireland's history—the last of the sixteen names of patriots executed in 1916.

<sup>1</sup> See account of the burial in *The Daily Worker*, March 18th, 1936.

The execution of Roger Casement quickened the process that had already begun—the awakening of the Irish people to the shame and impotence of their position under British rule. In the light of this example of ruthlessness towards the champion of a small nationality the war-professions of British statesmen appeared hypocrisy. The trial, with its ironic contrasts, made British law and justice seem a mere instrument of vengeance in a conqueror's hands.

At the same time, a long history of incompetence and tyranny on the part of Dublin Castle was recalled by the publication of the Report of the Commission into the causes of the Rebellion,<sup>1</sup> and the inquiry into the murder of Sheehy-Skeffington<sup>2</sup> gave fresh evidence of the callousness of the military authorities where Irishmen were concerned.

Still, throughout the summer and autumn, the whole country lay at the mercy of General Maxwell, a man hateful in the sight of the Irish people. General Maxwell was now in entire control of the Royal Irish Constabulary who assisted the military by pointing out "Sinn Fein sympathisers" for arrest. He had a garrison in Ireland of 40,000 troops and the Government was prepared, as Lord Lansdowne stated, to give him whatever further support and reinforcement he might require.<sup>3</sup>

This was a situation that could not continue indefinitely, but the cynical character of Lloyd George's scheme for a settlement had completed the disillusionment of Nationalists who had looked to Westminster for redress. Redmond, by his vigorous expression of hostility to the Insurgents and his weak compliance in the schemes of the Partitionists had forfeited more confidence than he could ever retrieve. The Parliamentary Party, as the *Irish Independent* confessed in August, remained "discredited and despised."

While these causes for resentment against British rule accumulated and hope of a solution by political compromise declined, other causes were combining to make the idea of independence, of an Irish Republic, a possibility—no mere unattainable dream. All over the world the tide of democracy was rising. President

<sup>1</sup> *Royal Commission*, 1916. Concluded June 25th, 1916.

<sup>2</sup> Report issued October 16th, 1916.

<sup>3</sup> House of Lords, July 11th.



Wilson, in his pronouncements, was giving to the ideal of international equity inspiration and form. England might come out of the war weakened—too weak to override the rights and aspirations of other nations in the future as she had done in the past. When peace came might not Ireland, standing at last for her full rights, take her place among the resurgent nations of the world?

A sense of enhanced self-confidence and national pride, and a fearless readiness for whatever sacrifice the struggle might demand—the spirit which had inspired the Insurrection, was communicating itself to the Irish people as a whole. Plans for solution by compromise interested them no longer. In September some lawyers, mostly men from the north of Ireland, founded a "Nation League" to contend against Partition. The League was presently being described as "a place where some souls suffer for a time before they enter the Republican movement." It became merged in the more advanced movement very soon.

Ireland was awakening. The old people, reared in the Fenian tradition, recognised a revival of the spirit which had fired their own youth; the young people, filled with a sort of quiet and secret elation, joined forces and organised; the cautious, the politic-minded, those who were overawed by the might of the British Empire and thought any attempt to oppose it madness, found themselves outnumbered and set aside. The old Sinn Fein organisation, even, had become a lifeless thing. All the desirable elements of Arthur Griffith's programme were useless while they lacked a great objective, an inspiring motive to translate aspirations into facts. Such an objective, such a motive, had now given irresistible momentum to the Republican cause. The name "Sinn Fein," was accepted, and remained the designation of a new movement with a Republic as its object, physical force as a means to be resorted to when necessary, and non-recognition of British authority in Ireland as its first law.

It was around efforts on behalf of the prisoners and the dependants of the killed and wounded of Easter Week that the new Sinn Fein movement was organised in Ireland. Within a few days of the execution of Thomas Clarke his widow had begun to gather together the broken threads. An Irish National Aid Association and an Irish Volunteers' Dependants' Fund were

formed. Groups that might otherwise have scattered, forces that might have disintegrated, were held together by this appeal, and the young men and women who were coming forward to take part in the Republican struggle were enlisted in this work.

The British jails and internment camps became schools of the new Sinn Fein thought.<sup>1</sup> There the less ardent Nationalists, coming under the influence of their comrades, were confirmed in the doctrine of resistance to British rule. There, the principle of non-recognition of British authority was forged into an orthodoxy, logical, rigid and complete, and was obeyed with a consistency which called down the whole cycle of prison punishments on its exponents. These prison contests grew to be an invaluable part of the National struggle, preserving the morale of prisoners, convincing the authorities of the sincerity and determination of the Irishmen opposed to them and inspiring the Irish people with a new self-confidence and pride. Such combats, in which ingenuity is opposed to routine and, often stupid, force, are never without their element of humour. The stories which came out of the prisons gave rise to laughter, exhilaration and pride. This delight in the humorous aspects of their struggle was a great part of the secret of the power of endurance with which the Irish people were to disconcert their enemies and astonish observers during the coming years.

Even in the convict prisons, where they were treated without distinction as common malefactors, the Irish prisoners succeeded in organising themselves under their own Commandants and carrying out, with extreme ingenuity, concerted violations of the prison discipline. Occasionally an impromptu order was given by the Commandant and instantly obeyed by the prisoners to the great perturbation of the authorities. Sixty-five convicted Irish "rebels" were in Dartmoor and there, by common consent, Eamon de Valéra, the senior surviving Commandant of Easter Week, became their leader. A typical act of deliberate insubordination which occurred there in May has been described by Robert Brennan, the leader of the Insurrection in Wexford, who was a prisoner in Dartmoor at the time.

<sup>1</sup> Batt O'Connor, p. 90.

“ We had a thrill only a month after arriving, when Eoin MacNeill appeared in the prison for the first time. We were lined up in the dark Central Hall for morning inspection, standing in dead silence with the grim warders facing us. Down the iron stairs in the centre of the hall a small body of prisoners came—the first being Eoin MacNeill.

“ We were all conscious that the prisoners had mixed feelings about him, as he had stopped the Rising. To our amazement, Eamon de Valéra stepped out from our ranks and faced us. His voice rang out with the command: ‘ Irish Volunteers ! Attention ! Eyes left ! ’ The command—a salute for MacNeill—was obeyed with military precision and De Valéra stepped back into the ranks, leaving us a bit dazed by his amazing chivalry and courage. This was rank mutiny—one of the two offences involving corporal punishment—and De Valéra was marched off to the separate cells. We did not know what was going to happen to him, but as a fact, nothing did, and he was restored to us in the afternoon, the Governor wisely deciding that harsh measures would not mend matters.”<sup>1</sup>

De Valéra, after a few more episodes of the kind, was removed to Maidstone Jail, but “ insubordination ” continued in Dartmoor, where Harry Boland, Austin Stack and Thomas Ashe remained.

In December, all the convicted insurgents were concentrated in Lewes Jail. The Dartmoor men refused to facilitate the jailers by giving parole not to escape on the journey and were handcuffed on a chain.

Countess Markievicz was in Aylesbury prison enduring the same conditions as the ordinary women convicts and taking a profound interest in their cases and the stories of their lives.

In the internment camp at Frongoch, where the internees had their own organisation and ran the camp, the Irish language and Irish history were eagerly studied and the old songs and ballads enjoyed. There were men here who being ordinarily resident in England were liable for military service and an effort was made by the authorities to secure them for the army. It was resisted by the whole body of prisoners, who combined

<sup>1</sup> *The Irish Press*, January 28th, 1932.

to make identification almost impossible. The ensuing conflict involved the internees in the deprivation of privileges. They were sentenced to confinement to huts, solitary confinement on low diet, courts martial and sentences of terms of imprisonment with hard labour; on one occasion a hunger strike undertaken by two hundred caused privileges to be restored. In this campaign Michael Collins<sup>1</sup> played a spirited part.<sup>2</sup>

This young man from County Cork was acquiring a good deal of influence, organising a secret, oathbound society among the men. It was designed to become a branch of the I.R.B.

There were more of these "Irish Rebels" in British jails and camps than the Government knew how to control. An Advisory Judicial Committee had been set up, to which the untried prisoners were invited to apply for release. The Government was disconcerted by the fact that all but a very few of the prisoners refused to recognise the right of any British authority to try them, and refused to appeal. It became necessary to bring them in detachments before the Committee without initiative on the prisoners' part. The Committee, after more or less relevant questioning of the men, in a large number of cases ordered release.<sup>3</sup> The Volunteers who were prisoners drew up an agreed statement, refusing to repudiate their leaders or deny their part in the Rising and, making this statement before the Tribunal, were sent back to the camps. In August, about six hundred men, considered too dangerous to be returned to Ireland, still remained in internment camps.

The whole Irish situation was becoming an increasing embarrassment to the Government. While Ireland was being governed by an army of occupation as conquered territory Sir Edward Carson was still calling for the conscription of Irishmen. Since the Rising, voluntary enlistment in Ireland had practically stopped. The Irish Parliamentary Party was demanding the recall of General Maxwell, the cessation of martial law, political treatment for convicted insurgents, and the release of the internees.<sup>4</sup>

<sup>1</sup> Biographical Note, p. 986.

<sup>2</sup> Beaslai, p. 113.

<sup>3</sup> Figgis, *A Chronicle of Jails*, p. 119.

<sup>4</sup> House of Commons, August 22nd and 23rd and October 18th.

In the House of Commons, on October 18th, replying to Redmond's criticisms, Asquith frankly admitted stupidities and blunders, and Lloyd George expressed his desire for an amelioration of the political atmosphere in Ireland.

Early in November General Maxwell was recalled.

The Government had its own internal difficulties, also, and before the year ended, Asquith resigned the Premiership. Lloyd George became Prime Minister on December 6th. Sir Edward Carson retained his position as First Lord of the Admiralty and as a leading influence in the Cabinet, and Bonar Law became Chancellor of the Exchequer as well as Leader of the House of Commons. Henry Duke remained Chief Secretary for Ireland.

On December 21st, in reply to questions from John Dillon, Duke declared that "the time had come when the risk of liberating the internees would be less than the risks which might follow detaining them longer." On the following day six hundred untried prisoners were set free from Frongoch and on the 23rd others were released from Reading, only just too late to spend Christmas Day at home.

In Ireland bonfires and torch-light processions welcomed these prisoners home, as they had welcomed Thomas Clarke and his brother felons a generation before.

**PART IV**

**RESURGENCE**

**1917 and 1918**



## CHAPTER 20

*January to May 1917*

THE PEACE CONFERENCE PROPOSAL — THE ROSCOMMON ELECTION — THE QUESTION OF CONSCRIPTION — PARTITION REFUSED — COUNT PLUNKETT'S CONVENTION — THE SOUTH LONGFORD ELECTION

EARLY in 1917 the German Government announced a renewal of submarine warfare against merchant shipping, as a reply to the Allies' refusal to cease their blockade. American commerce and American nationals were thus threatened: it seemed that the United States must now at last enter the war.

On January 22nd President Wilson, addressing Congress, reiterated the principles for which alone, in his view, Americans would be justified in fighting and described the character of the peace settlement which they would approve. He said:

“ . . . I am proposing as it were that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world: that no nation should seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful. . . .

“ . . . I am proposing government by the consent of the governed. . . .

“ . . . These are American principles, American policies. We could stand for no others. And they are also the principles and policies of forward-looking men and women everywhere, of every modern nation, of every enlightened community. They are the principles of mankind and must prevail.

“ . . . The equality of nations upon which peace must be founded, if it is to last, must be an equality of rights; the guarantees exchanged must neither recognise nor imply a difference between big nations and small; between those that are powerful and those that are weak.

“ . . . No peace can last, or ought to last, which does not recognise and accept the principle that Governments derive



all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property.

“ . . . Any peace which does not recognise and accept this principle will inevitably be upset. It will not rest upon the affections or convictions of mankind. The ferment of spirit of whole populations will fight subtly and constantly against it, and all the world will sympathise. The world can be at peace only if its life is stable, and there can be no stability where the will is in rebellion, where there is not tranquillity of spirit and a sense of justice, of freedom, and of right.”

British statesmen had no alternative but to echo these sentiments. “ What President Wilson is longing for we are fighting for,” Bonar Law said a few days later, and Lloyd George, on February 4th, at Caernarvon, said, “ We are struggling in this war for the principle that the rights of nations, however small, are as sacred as the rights of the biggest empires.”

“ Government by the consent of the governed ”—“ freedom to determine its own polity.” The most ardent Irish “ extremist ” claimed no more for his country than this. No Irishman asked more than that Britain should abide by the vote of the Irish people given freely: “ unhindered, unthreatened, unafraid.”

The professed acceptance by the Allied Powers of these ideals of justice had an effect on the Irish struggle which looks disproportionate in retrospect. The Irish people saw nothing in these doctrines extravagant or unreal. They believed the President to be profoundly sincere and they hoped that less sincere statesmen, caught in the toils of their own hypocrisy, would find themselves forced to act upon the principles to which they now publicly subscribed. An appeal to the Peace Conference which would meet at the end of the world war was therefore made one of the foremost issues in the programme of the new Sinn Fein.

A by-election was pending in Roscommon. The more advanced Nationalists decided to enter the field as a political Party and contest the seat against the “ Redmondites.” Their choice of

a candidate indicated where their deeper sympathies and ultimate purpose lay. They chose Count Plunkett, the father of the executed insurgent, Joseph Plunkett. In spite of his wide reputation as a scholar, the Royal Dublin Society, an "Ascendancy" body, had recently erased the Count's name from its roll.

He was vigorously supported by Sinn Fein and the Irish Volunteers and Father O'Flanagan brought dynamic energy to the organising of his election campaign.

The speeches made from Count Plunkett's platform were in no uncertain language. "He will proclaim that the freedom to be accorded to Ireland must be the same as that of Belgium, Serbia, Bohemia, Roumania, France, and Germany," Father O'Flanagan said.<sup>1</sup>

And the verdict of the people was given in no uncertain terms. The Party candidate received seventeen hundred, Count Plunkett, three thousand votes.<sup>2</sup>

Ireland had "elected a representative to Europe instead of to the British Parliament," Arthur Griffith declared.

Dublin Castle's reply to this expression of popular will was in the tradition of the Coercion Act. Twenty-six members of national organisations were arrested on February 23rd and 24th; among them were Terence McSwiney, Thomas MacCurtain, and Sean T. O'Kelly. Although the Chief Secretary admitted that in many of these cases no grounds could be found for either charge or trial, ten of the prisoners were deported.

These and other men arrested during January and February were charged with offences such as flying the tricolour, using expressions likely to cause disaffection, and singing disloyal songs. Social events at which released prisoners forgathered were becoming a feature of life in the towns and, in consequence, concerts and plays were particularly suspect. A historical film entitled *Ireland a Nation* engaged for exhibition in Dublin was suppressed. In Westmeath a young man was fined £5 for singing "Easter Week"; a man charged for reciting the "Ballad of Reading Gaol" was acquitted, however, since Oscar Wilde's poem could not be held to have reference to Irish sedition. A man

<sup>1</sup> At Crosna. See *Irish Independent* of February 2nd, 1917.

<sup>2</sup> Count Plunkett, 3,022; Parliamentary Party Candidate, 1,708; Independent candidate, 687. See M. J. Lennon, "A Retrospect," in *Banba*, June 1922.

was fined £2 for shouting, "I am a Sinn Feiner." Four youths in Roscommon, charged with singing disloyal songs and using disloyal expressions, refused to recognise the court or to pay a fine and were sent to prison for three months.<sup>1</sup>

The judges at the March Assizes, nevertheless, congratulated the people on the state of the country; it appeared to them to be "in its ordinary peaceful and satisfactory condition."

Arresting Sinn Feiners would not settle the Irish question nor would an attempt to conscript Irishmen settle it: so much Lloyd George had learned. To those who urged him to apply the Military Service Act to Ireland he replied:

"What would be the result? Scenes in the House of Commons, possible rupture with America, which is hanging in the balance, and serious disaffection in Canada, Australia, and South Africa. They would say, 'You are fighting for the freedom of nationalities. What right have you to take this nation by the ear and drag it into the war against its will?'"<sup>2</sup>

Lloyd George, with characteristic adaptability, was now taking a new tone in his references to Ireland, employing a combination of disarming frankness and subtle misrepresentation which was exceedingly successful in detaching sympathy from the Irish cause.

Speaking in the House of Commons on March 7th he said :

"Centuries of brutal and often ruthless injustice—and, what is worse when you are dealing with a high-spirited and sensitive people, centuries of insolence and insult—have driven hatred of British rule into the very marrow of the Irish race. The long records of oppression, proscription and expatriation have formed the greatest blot on British fame of equity and eminence in the realm of government. There remains . . . the invincible fact that to-day she is no more reconciled to British rule than she was in the days of Cromwell."

He then further confused the issue by the device of claiming

<sup>1</sup> See Press of January 10th and 27th, February 21st and 28th, and March 1st.

<sup>2</sup> Lord Riddell, *War Diary*, p. 289.

for the descendants of the British Planters in four counties of Ulster the status of a nation and a nation's rights. No more ingenious method of countering the Irish claim to national self-determination could have been devised.

“ In the north-eastern portion of Ireland,” he said, “ you have a population as hostile to Irish rule as the rest of Ireland is to British rule, yea, and as ready to rebel against it as the rest of Ireland is against British rule—as alien in blood, in religious faith, in traditions, in outlook—as alien from the rest of Ireland in this respect as the inhabitants of Fife or Aberdeen. To place them under National rule against their will would be as glaring an outrage on the principles of liberty and self-government as the denial of self-government would be for the rest of Ireland.”

He declared that his Government was prepared to grant Home Rule at once to that part of Ireland which clearly demanded it, but that they could not take any action to force Home Rule on that part of Ireland to which it was repugnant. Details of a settlement, he said, could be arranged by Conference or Commission.

These were arguments and proposals calculated to have more effect on the minds of persons remote from the reality of the situation than on the minds of Irishmen. They were intended, as Lloyd George all but confessed, for the people and Government of the United States.

“ I want not merely Irishmen to know,” he said, “ but I want men outside the countries of the United Kingdom and of the British Empire to know what it is that we offer. It is that the part of Ireland that clearly demands Home Rule—self-government—shall get it.”

This was the Partition scheme once more. Redmond led his followers out of the House. On the following day the Irish Parliamentary leaders issued a statement protesting against the Prime Minister's contention that a small minority in north-east Ulster should have a veto for so long as they chose to exercise it on self-government for a united Ireland.

Lloyd George had not succeeded this time in winning even a

show of consent from Irish representatives to their country's dismemberment. He had not even succeeded in placating the friends of Ireland in the United States. He began to fear that the Irish Party would force an appeal to the electorate at this inconvenient time.

President Wilson resumed office in March and on April 6th the United States declared a state of war with Germany. "That decision," said the American Ambassador in London, "gave the final stamp and seal to the character of the conflict as a struggle against military autocracy throughout the world."

"There is only one obstacle left to the undiluted outpouring of American sentiment in favour of the Allies, that obstacle is Ireland," the *Daily Mail* said on the following day.

Letters from the British Ambassador at Washington to English statesmen confirmed that fact. Sir Cecil Spring-Rice wrote, on April 13th :

"The Irish party are of very great political importance at the present moment. The question is one which is at the root of most of our troubles with the United States. The fact that the Irish question is still unsettled is continually quoted against us, as a proof that it is not wholly true that the fight is one for the sanctity of engagements or the independence of small nations."<sup>1</sup>

In Ireland, Easter was an occasion of fearless demonstrations of adherence to the insurgents' memory and their cause. People wore armbands with the tricolour ribbon on black. The Republican Proclamation was reprinted and posted on walls. The Republican flag was everywhere to be seen. Public meetings were prohibited and the police were on the streets in force. They saw the tricolour hoisted at half-mast over the ruins of the historic Post Office, heard the cheers of the people below, and, struggling for six hours with the ingeniously knotted ropes which held it there, provided entertainment for the crowd.

The tide of enthusiasm was rising steadily, a powerful force, as yet unharnessed and uncontrolled. An increasing number of

<sup>1</sup> Stephen Gwynn, *The Letters and Friendships of Sir Cecil Spring-Rice*, II., p. 393.

people were agreed upon one matter—rejection of the aims and methods of Redmond and his party. That accord was subject, however, to the bitter differences which arise among people who, passionately devoted to a single objective, disagree as to the means of attaining it, each section believing that the methods used by the others are fatal to success. It is a form of bitterness to which the Irish people, exceptionally individualistic in all but their common attachment to the cause of the nation's freedom, have been, throughout their history, disastrously prone.

Differences of opinion existed as to the interpretation to be placed on the result of the Roscommon election. Was this a vote for the full Republican programme of the insurgents or for the policy of Arthur Griffith? In which direction was the national movement to be guided now?

Among those who were determined that the programme should be a Republican one was Rory O'Connor, a man of uncompromising spirit and a believer in political methods only when these were backed by physical force. He and Griffith were both members of a committee which met to determine what the general direction of the national movement should be. At the critical meeting of their committee Rory O'Connor urged, with ardour, a programme of full Republicanism. Griffith opposed him but O'Connor prevailed and a majority voted for the Republican course.

Count Plunkett now called a convention for the purpose of having the confused issues clarified, achieving a common understanding among Nationalists and founding Liberty clubs to work for complete independence. Among those who responded, and met in Dublin on April 19th, were delegates from over seventy public bodies, from Labour organisations, the Board of Erin, Cumann-na-mBan, the National Aid Association, and the Irish Nation League as well as Sinn Fein. People dedicated to the cause of the Irish Republic were present with people whose national aspirations had taken no form more concrete than a vague impatience with the methods of the Parliamentarians.

It was not surprising that the meeting was a heated one and inconclusive as to results. It proved impossible to unite the

various groups into one organisation with a single agreed programme. Arthur Griffith was restive : he declared that Sinn Fein would not compromise. After much controversy it was agreed that a committee should be appointed to organise a National Council. The various organisations which accepted the policy of putting forward at the Peace Conference Ireland's claim to complete independence were to maintain communication with this Council. The organising committee formed before the convention ended included Count Plunkett, Arthur Griffith, Father O'Flanagan, Alderman Tom Kelly, Stephen O'Mara, Dr. Dillon, Countess Plunkett, Helena Malony, Sean Milroy and C. Brown.

Those present made a declaration stating that Ireland was a separate nation, denying the right of any foreign Parliament to make laws for Ireland, demanding representation for the nation at the Peace Conference and binding themselves to use every means in their power to attain complete liberty for their country.

Another by-election was pending, this time in South Longford, a stronghold of the Parliamentary Party, and the National Council decided to contest the seat. The candidate chosen was a convict in Lewes Prison—Joseph McGuinness, a man so uncompromising in his separatist principles that the suggestion of standing for election under the machinery of the British Administration was repugnant to him. Nevertheless, he was nominated.

“ Put him in to get him out ! ” was one of the slogans of this most exciting election campaign.

The Parliamentarians, after their defeat at Roscommon, contended that the issue before the electors had not been clear. This time they made no such claim. “ The issue is now clear,” Dillon said, speaking for the Parliamentary candidate ; “ they were asked to abandon the demand for Home Rule or any form of self-government involving a continued connection with Great Britain and to substitute a demand for sovereign independence—an Irish Republic, and complete separation from the British Empire. . . . ”<sup>1</sup>

<sup>1</sup> At Longford, on May 6th.

Joseph Devlin, at the same meeting, said that "the issue which the electors had to decide was whether they were in favour of a self-governed Ireland or a hopeless fight for an Irish Republic. There could be no half-way house."

Another issue, however, that of Partition, had become inextricably bound up in the conflict between the Parliamentary Party, which had once consented to it, and the whole body of opinion that went by the name Sinn Fein. On the eve of the election there appeared in the Press a manifesto against Partition signed by three Catholic archbishops and fifteen Catholic bishops and by three Protestant bishops, as well as by chairmen of county councils, and other public men. It concluded :

"An appeal to the national conscience on the question of Ireland's dismemberment should meet with one answer and one answer alone. To Irishmen of every creed and class and party the very thought of our country partitioned and torn as a new Poland must be one of heart-rending sorrow."

But the Catholic Archbishop of Dublin stated publicly that in his opinion the mischief had already been done ; "the country is practically sold."<sup>1</sup>

Undoubtedly for many who would not otherwise have found courage for the great hazard of a Republican struggle the dread of Partition turned the scale.

Polling day was May 9th. The contest was a close one ; it was fought on an incomplete register which did not include the names of thousands of young men who were supporters of Sinn Fein, and women were excluded from the franchise still.

It was noticed that while the older priests supported the Party candidate, the younger priests appeared wearing the tricolour badges to vote on the Republican side.

Joseph McGuinness was returned by a majority of only thirty-seven votes. Narrow as was the Sinn Fein victory, the *Manchester Guardian* declared it to be "the equivalent of a serious British defeat in the field."

It was celebrated all over Ireland by meetings and processions which were broken up by the police ; with bonfires on the hills and with Republican flags flying from inaccessible places. The

<sup>1</sup> *Irish Independent*, May 8th.



police, to secure one flag, had to fell the tree from the topmost twig of which it floated.

The pro-British *Irish Times* said that the mere hint that the Parliamentary Party was ready to accept Partition had helped to defeat it and added: "After the Bishops' manifesto Partition is as dead as a doornail and any Government which should try to resurrect it would show itself incredibly ignorant or insanely contemptuous of the solitary conviction which now unites all political parties in Ireland."

## CHAPTER 21

*May and June 1917*

LLOYD GEORGE'S CONVENTION — THE SINN FEIN PRISONERS  
— RELEASES — IRELAND'S MESSAGE TO THE UNITED STATES  
— DE VALÉRA FOR CLARE

ALTHOUGH Lloyd George was certainly neither ignorant nor insane, he persisted quietly with his scheme, devising for it a fresh and very specious disguise.

On May 16th John Redmond, and Sir John Lonsdale who represented Ulster Unionists, received from the Prime Minister a letter offering alternative proposals. The first was that Home Rule should be applied immediately in twenty-six counties, the exclusion of the Six Counties to continue until they or the British Parliament desired to end it. Meanwhile a Council of Ireland was to be created in which both sections would be represented, but the six-county area was to have the same number of representatives as the twenty-six county area.<sup>1</sup>

The scheme was an indication of Lloyd George's conception of equity in dealing with Ireland. Redmond expressed himself "irreconcilably opposed" to it.

Lloyd George's alternative proposal was that the terms of a settlement should be discussed by a Convention of Irishmen whose duty would be to submit to the Cabinet proposals for the future government of Ireland within the Empire. In a letter to Redmond dated February 16th the Prime Minister had promised him that if a substantial measure of agreement was reached Parliament would give it effect.<sup>2</sup> On this understanding Redmond agreed to participate in the Convention proposed.

The Ulster Unionist Council was reluctant to take part in the Convention, but Sir Edward Carson over-persuaded them. Ronald McNeill has recorded by what means:

"Carson accompanied Sir John Lonsdale to Belfast and explained the explicit pledges by Ministers that Partition would not commit them to anything; that they would not be

<sup>1</sup> British White Paper, Cmd. 8573, 1917.

<sup>2</sup> Ronald McNeill, *Ulster's Stand for Union*, p. 256.

bound by any majority vote, and that without their concurrence no legislation was to be founded on any agreement between the other groups in the Convention. He also urged that Ulster could not refuse to do what the Government held would be helpful in the prosecution of the war. . . .”

The Irish Unionist Association, meeting in Dublin on June 8th, passed a resolution reluctantly agreeing to the Convention but questioning

“ whether under present circumstances any measure of Home Rule can with any degree of safety be passed having regard to the fact that as a result of an election the extreme revolutionaries would have the management of the country.”

This was probably their first admission of the fact that the majority of the Irish people desired independence and they advanced it as a reason for denying the Irish people even a limited measure of Home Rule.

Throughout the sittings of the Convention the Conservative slogan, “ No coercion of Ulster,” was to be reiterated by Bonar Law and others, while the Unionists who took part in it maintained an obstructionist attitude. From the beginning, there was little or no hope that a settlement could be reached by such means, but the Unionists and the British Government had something to gain, as Ronald McNeill afterwards explained:

“ The Ulster group raised no objection to all this expenditure of time and energy. . . . The attitude of the Nationalists in the House of Commons added to the difficulties of the Government. . . . It was to placate them that the Convention had been summoned. It was a bone thrown to a snarling dog, and the longer there was anything to gnaw, the longer would the dog keep quiet.”<sup>1</sup>

Arthur Griffith, in *Nationality* of June 2nd, warned the people against Lloyd George’s scheme.

“ He summons a Convention,” he wrote, “ and guarantees that a small minority of people will not be bound by its

<sup>1</sup> Ronald McNeill, pp. 257-9.

decision, and thus, having secured its failure, he is armed to assure the world that England left the Irish to settle the question of government for themselves and that they could not agree."

The Executive of the National Council met on May 22nd and unanimously resolved that Sinn Fein would decline to participate "in any Convention called by the English Government in Ireland . . . unless:

(i) the terms of reference to such a Convention left it free to decree the complete independence of Ireland; (ii) the English Government publicly pledged itself to the United States and the Powers of Europe to ratify the decision of the majority of the Convention; (iii) the Convention consists of none but persons freely elected by adult suffrage in Ireland; (iv) prisoner of war treatment is accorded to Irish prisoners at Lewes and Aylesbury."

This resolution embodied the whole principle of self-determination. Had the Government set up a Convention of this character and ratified its findings peace between the two nations might, even now, have been achieved. Majority rule, the principle of government by consent of the governed, would have been applied to Ireland, and only the Irish domestic question of a minority section in four counties would have remained.

That, however, was not the object of Lloyd George, nor was he going to risk receiving recommendations from his Convention which would reveal the strength of the Irish demand for independence and unity. On June 11th, when he announced the composition of the Convention, this was made clear. The members were not to be elected; they were to be "hand-picked," in the phrase of the English *Times*.

The members were to number one hundred and one. Of these, fifteen were nominated by the Crown; forty-seven were to be mayors and chairmen of public bodies, who, having been elected long before the Rising, were no longer representative of Irish feeling. The remaining representation was divided among Chambers of Commerce, organised Labour, political parties, and the Church. Out of the total number of members, Sinn Fein,

which the English Press now admitted to be the strongest party in Ireland, was offered five.

Sinn Fein's decision to ignore the Convention was ratified throughout Ireland by labour organisations and endorsed also by an immense protest meeting held in Phoenix Park.

Organised Irish Labour and the "All for Ireland League" also declined to take part. William O'Brien could not avoid the suspicion, as he told T. M. Healy, that the object of the Government was "to submit this question nominally to Irishmen, under conditions they knew must fail, and then inform the Allies the blame lay on Irishmen themselves." Ninety per cent of the Convention were men who had already consented to Partition and twenty at least of the members were Ulster Unionists of the Covenanter type, pledged to agree to nothing Sir Edward Carson and the Ulster Unionist Council did not approve.<sup>1</sup>

It was this wholly unrepresentative body which began its sittings at Trinity College, Dublin, on July 25th. It attracted, at its beginning, the devoted and optimistic labour of patriots like George Russell.<sup>2</sup>

Erskine Childers came from England to act as Secretary and laboured untiringly to supply the Convention with the data that it required.

Men like these were foredoomed to sad disillusionment.

Although the Convention was destined to have no direct effect whatever on the situation in Ireland, it had an indirect result of far-reaching importance—the release of the prisoners.

The Republican convicts in Lewes prison and Countess Markievicz, alone among English convicts in Aylesbury, were never out of the minds of the Irish people. In defiance of proclamations, baton charges and arrests, meetings were held to demand for them political treatment or release. News which came out by secret channels, of the prisoners' resistance to criminal status and of the severities which they endured in consequence of that resistance, increased the pride of the people both in the men and in their cause.

<sup>1</sup> William O'Brien, pp. 322–37.

<sup>2</sup> The economist, poet and artist whose literary signature was A.E.

In Lewes prison in May the Irishmen under De Valéra's leadership refused to work any longer at the tasks of convicts and demanded to be treated as prisoners of war. Deprived of exercise and letters and confined to their cells, they broke the windows and furniture and some of the partition walls. The authorities discovered a plan which they had concerted for general resistance. The Irish Republicans were separated into groups and transferred to Portland, Maidstone and Parkhurst prisons in chains. In these prisons the men continued their organised resistance: they refused to salute the jailers and to obey certain orders; they talked; they ran about the exercise yard instead of walking in orderly rings. To hunger-striking, however, they did not resort at this time. Commandant de Valéra discouraged it. He held that the prisoners were the nucleus of the army of the Irish Republic and should try to keep their health.

In some of the prisons the authorities ultimately recognised the Republican Prisoners' organisations and conceded a number of their demands; in others the conflict was incessant and the prisoners suffered severely.

A great protest meeting on behalf of the prisoners was held in Beresford Place in Dublin on June 10th. It was addressed by Count Plunkett and Cathal Brugha. Police arrested the speakers and led them to prison through the angry protests of the crowd. The police used their batons; men in the crowd raised *camans*,<sup>1</sup> and Inspector Mills received a blow on the head from which he died—the first casualty among the Government Forces since Easter Week, 1916.

The Government was forced to realise that the Irish prisoners constituted a factor in the situation which could not be longer ignored. The election of a prisoner as member of Parliament for South Longford was an example which would undoubtedly be followed in other constituencies; and a by-election was pending in County Clare.

East Clare had been represented by Major Willie Redmond, a brother of the Parliamentary leader. Early in June he was killed in action at Messines. A few days before his death the Rural District Council of Ennis, the principal town of Clare, had passed

<sup>1</sup> Sticks used in playing hurley.

a resolution calling upon John Redmond and his followers "to resign their seats in Parliament as they no longer represent the views and wishes of the Irish people either at home or abroad."

It was obvious that East Clare would choose a prisoner to contest the vacant seat. The holding as convicts of men elected as public Representatives by virtue of the very activities for which they were imprisoned was too patently incompatible with the Government's professions of allowing Irishmen to settle their own affairs. Bonar Law, on June 15th, announced that in order to secure a favourable atmosphere for the deliberations of the Convention, the Government had decided to release the Irish prisoners.

The prisoners were informed that evening that they were to be sent home on the following day. To the pride and delight of their Commandant the well-disciplined Republican soldiers at Maidstone, when the announcement was made to them, betrayed no excitement by word or sign.

From the various convict prisons the men were removed, first, to Pentonville. As he left the gates of Pentonville, reprieved from a sentence of life imprisonment, De Valéra was handed a telegram. It informed him that he had been chosen to represent Sinn Fein in a by-election in East Clare.

In Ireland there was rejoicing. On the quays of Dublin eager crowds waited all through the night of the 17th, rushing towards each boat that arrived from Liverpool, hoping to see the prisoners on board. Early in the morning they heard that the prisoners were aboard the mail-boat coming from Holyhead into Kingstown and rushed to Westland Row Station to meet the boat-train there.<sup>1</sup> At Kingstown only a few groups of people chanced to see the arrival of over a hundred men with pale faces and cropped heads who stood at the rails singing the "Soldiers' Song." Not until the other passengers had disembarked did Commandant de Valéra give the word of command, then silent, marching down the gangway in double file, they came ashore. At Westland Row, Volunteers were in charge of the crowd, and their sharp orders rang out to control the people's surging excitement, while the prisoners were officially welcomed by a

<sup>1</sup> See article by Lily O'Brennan in the *Irish Press* (Dublin), June 18th, 1934.

group of Aldermen. In the streets of Dublin all work was suspended and all traffic sidetracked while the prisoners were driven in cars between ranks of people cheering and shouting their welcome and delight.

Constance Markievicz arrived by the evening boat and was escorted by a great procession representing men's and women's organisations into the city.

That night the hills of Ireland blazed with bonfires and the towns and villages were loud with the cheering of people and music of bands. The prisoners themselves could hardly believe their senses. Many of them had been marched away from Dublin through the streets, after the ruin of a great hope and before the reaction had begun, among people hostile or silent or showing sympathy only by timid signs. They had heard in prison rumours of the rise of a newly-awakened nation, but they found a reality which surpassed their dream.<sup>1</sup> They had come out prepared to face a life-time of effort to restore the broken spirit of their country, and they found that spirit unbroken, the people waiting only for a lead. On the released men, scattering to their homes in all parts of Ireland, the duty of leadership now fell.

On that first night in Dublin, before separating, a group of them, officers in the Volunteers, drafted a message to the President and Congress of the United States. They quoted the President's recent statement to Russia. "Wrongs must be righted," he had said, ". . . remedies must be found. . . . No people must be forced under a Sovereignty under which it does not wish to live." They expressed the hope that the remedies would be held to include "the right of each people to defend itself against external aggression, external interference, and external control." This right they claimed for the Irish people, and they declared: "We are engaged and mean to engage ourselves in practical means for establishing this right."

The message was signed by Commandant Eamon de Valéra and Eoin MacNeill and by twenty-four others and despatched in the charge of a member of the Irish Republican Brotherhood, Dr. Patrick McCartan, to the United States.<sup>2</sup>

<sup>1</sup> Thomas Ashe, speaking on July 12th.

<sup>2</sup> Appendix 3, p. 949.



## CHAPTER 22

*July to October 1917*

THE CLARE ELECTION — DE VALÉRA VICTORIOUS — THE  
VOLUNTEERS DEFIANT — THE KILKENNY ELECTION — RAIDS  
AND IMPRISONMENTS — THE DEATH OF THOMAS ASHE

It was Clare that had led the campaign for Catholic Emancipation, returning Daniel O'Connell to Parliament, pledged against the Test Oath, in 1828. The "Banner County" its people call it. "What Clare does to-day, Dublin will do to-morrow," they say.

The significance of the coming contest was fully realised; a Dublin Castle official told an English journalist that this was "the most important election that had ever taken place, or ever will take place, in Irish history."<sup>1</sup>

Both parties put all their forces in the field. The Redmondite candidate was a man well known and popular in the district, Patrick Lynch, K.C. De Valéra was a stranger there. He was known to the electors for one cause only—his part in the Rising of Easter Week, and it was as one of the Insurgents of Easter Week that he went to Clare.

Deliberately he made his candidature a challenge and a test. His speeches left no room for any doubt as to the demand which he intended to represent. It was the Republic. At his first meeting in Clare he quoted the Proclamation of the Republic which Pearse had read from the Post Office on Easter Monday and said that that was what he stood for. His election would be a declaration of adherence to the cause for which his comrades had died, a justification of their fight and an endorsement of their demand.

Although De Valéra's speeches were more uncompromising than any that had been heard from an election platform in Ireland hitherto, they contained no trace of fanaticism. He spoke with the "firm, deliberate precision" of which Lloyd George afterwards complained. He based his claims for Ireland on those principles of justice to which the Allies professed to adhere.

<sup>1</sup> *Daily Telegraph*, July 10th.

“ We want an Irish Republic,” he said, “ because if Ireland had her freedom, it is, I believe, the most likely form of government. But if the Irish people wanted to have another form of government, so long as it was an Irish government, I would not put in a word against it.”

Referring to the question of north-east Ulster, he said, “ Let Ulster Unionists recognise the Sinn Fein position which has behind it justice and right. It is supported by nine-tenths of the Irish people and if those Unionists do not come in on their side, they will have to go under. Ulster is entitled to justice and she will have it, but she should not be petted and the interests of the majority sacrificed to her. Give Unionists a just and full share of representation, but no more than their just share.”<sup>1</sup>

His opponent reinforced his Parliamentary arguments with the threat of England’s guns. “ Clare voters do not want to see their sons shot down in a futile and insane attempt to establish an Irish Republic,” he said.

The people of Clare knew that they were putting forward a pioneer candidate for the Republic and knew what dangers they were confronting; they knew also that the making of Irish history was in their hands. Old men and women who had never before ventured to a polling booth came down from remote cabins in the mountains on July 11th to vote.

Eamon de Valéra received more than twice the number of votes given to his opponent: 5,010 against 2,035.

Members of the Parliamentary Party admitted that the result was a stupefying blow. In the Press which supported them De Valéra’s “ sweeping victory ” was described as an endorsement of his programme “ of frank republicanism, of complete separation from Britain, to be won, if occasion arises, by force of arms.”<sup>2</sup>

English papers admitted that Sinn Fein had “ swept the country like a tidal wave and blotted out the Irish Party completely and, apparently, irretrievably,”<sup>3</sup> and secured a majority “ which puts out of court any of the customary consolations of defeat.”<sup>4</sup>

<sup>1</sup> At Killaloe, July 5th.

<sup>3</sup> *Daily Express*.

<sup>2</sup> *Dublin Evening Mail*.

<sup>4</sup> *Daily Telegraph*.

Laurence Ginnell resigned his seat in the House of Commons and joined the struggle for the sovereign independence of Ireland.

Together with the Irish Parliamentary Party, Lloyd George's Convention had lost all authority: its wholly unrepresentative character had been exposed.

The *Westminster Gazette* shrewdly attributed the Sinn Fein victory to the fact that Lynch had been the "Crown Prosecutor," while De Valéra was the "Crown Prosecuted." The remedy proposed by the *Morning Post* was the conscription of Irishmen.

Yet it was not the majority in Clare that was of primary significance, as the Irish Press pointed out; it was the extent and intensity of the popular rejoicing which followed, throughout the length and breadth of Ireland. Nothing so universal had been known within living memory, it was said. Proof had been given that the people of Clare spoke for the Irish nation: that the Republican Commandant, De Valéra, was the nation's representative and leader now.

When, grave and stern under the sense of his responsibility, and wearing the uniform of the Volunteers, De Valéra returned thanks to his constituents, he said: "This election will always be history—a monument to the glorious men of Easter Week, who died for us. This victory will show to the world that if Irishmen had only a ghost of a chance they would fight for the independence of Ireland and for an Irish Republic."

Speaking in Dublin he said that in order that Ireland's case might be heard at the Peace Conference, she should first claim absolute independence, and in making that claim they were "only voicing the feelings of every Irish heart."

Much had already been accomplished: proof had been given that if Ireland was still unfree it was not because her people did not demand freedom: if they were not in arms for an Irish Republic, it was only because, at the moment, they had not "the ghost of a chance."

The victory at Clare, the fearless words and bearing of De Valéra, the single-minded resolution of the released prisoners, ready without hesitation to face imprisonment again, were

inspiring the people with the faith that moves mountains; and the Government intensified its efforts to crush that faith out of them by threats and bludgeonings and arrests.

A rejoicing crowd which met at Ballybunion to celebrate the election result was fired upon by the police and one man, Daniel Scanlan, was shot dead. The jury returned a verdict of wilful murder against Constable Lyons but he was not arrested. Republicans were arrested, however, who had flown the tricolour during the election campaign and were fined and imprisoned for that offence.

Nevertheless the tricolour continued to be flown. When three young Sligo men were imprisoned for unlawful assembly, sixty men with cars, each flying the Republican flag, carried a year's supply of turf to the prisoners' homes.<sup>1</sup>

In County Kerry, on the anniversary of the execution of Casement, men and women, coming from all parts of the county on foot, on cycles and on horseback, made a great pilgrimage to say the rosary at the place of his arrest.

The Clare Volunteers set an example of boldness to the whole country. They delighted in marching to meetings in uniform, carrying hurley sticks at the slope, and in carrying out military evolutions at De Valéra's word of command. On July 30th he reviewed about a thousand Volunteers at Tullamore.

On that day the following Government order appeared in the Press:

“ A military Order under D.O.R.A. has been issued by Sir Bryan T. Mahon, Commanding the Forces in Ireland, prohibiting the use or wearing of uniforms in public places by persons other than the naval, military or police forces, or members of an organisation duly authorised by him; and further prohibiting throughout Ireland the carrying in any public places of weapons of offence or articles capable of being used as such unless carried solely with the object of being used for some lawful employment or pastime.”

At his next public meeting De Valéra advised the men to carry sticks on all occasions and adopt the Volunteer uniform as their habitual dress. At a meeting held soon afterwards in

<sup>1</sup> *Irish Times*, July 27th.

the County Tipperary, nearly every man present carried a *camán*, and many for so doing went cheerfully to jail.

The Sinn Feiners were, naturally, called "pro-German" in the English Press. De Valéra dealt with that term at Bailieborough on October 28th.

"If the Germans came to Ireland to hold it," he said, "those who are now resisting English power would be the first to resist the Germans."

A month after the Clare election another election took place, this time in Kilkenny city. The editor of the local paper nominated the Sinn Fein candidate. His paper was instantly suppressed. The candidate put forward, at De Valéra's suggestion, by Sinn Fein was Alderman William Cosgrave. He had taken part in the Rising; sentence of death had been passed on him and commuted to penal servitude for life. He received nearly twice as many votes as the Party candidate: 772 against 392.

Police and military, within a few days after the election, carried out raids for arms; parochial halls and homes of priests, even, were searched. The raiders avoided, however, those places in which the arms of the Ulster Volunteer Force were stored.

The number of Republicans arrested during the month of August was eighty-four.

With the readiness of the people to face imprisonment the rigours of prison treatment were increased. Republican prisoners consistently made it a matter of principle to resist being treated as criminals. Methods were used to crush that resistance which caused one prisoner's death and, in killing him, gave an access of strength to his cause.

Among the Republicans arrested in August and charged with "speeches calculated to cause disaffection" was Thomas Ashe, one of those who had been sentenced to death and then to life-imprisonment in 1916. He was sentenced by court martial to one year's imprisonment with hard labour and placed among the common delinquents in Mountjoy Jail. Among his Republican

comrades there, about fourteen in number, was Dick Coleman whose sentence, also, was to end in death. Austin Stack acted as the prisoners' Commandant; he was already well known for his indomitable spirit and leadership in these prison fights.

On September 18th the Republicans made their demand to be treated as prisoners of war. It was refused. They proceeded to break up the furniture of their cells; all their furniture was removed; Thomas Ashe was deprived of his bed and bedding and of his boots; the prisoners then went on hunger-strike.

Outside it became known that a struggle was being carried out in Mountjoy and meetings in support of the prisoners were held throughout the country on September 23rd. In Dublin, where a meeting was addressed by De Valéra, a resolution was passed:

“ Calling the attention of the European Powers and the United States to the fact that Irishmen are being arrested and tried by English courts martial and sentenced to long terms of imprisonment for declaring in the words of President Wilson's message—‘ That no people shall be forced to live under a sovereignty under which it does not desire to live.’ ”

The Lord Mayor of Dublin, Laurence O'Neill, who, exercising his official right, visited the prisoners, found Thomas Ashe lying on the bare boards with insufficient clothing and suffering intensely from cold. The cell window was not made to open and Ashe had been obliged to break it to get air. Ashe said the prisoners asked for no privileges, but would not submit to being branded as criminals. He said that the officials of the prison were not to blame.<sup>1</sup>

After fifty hours of deprivation the bedding was restored, but on a second visit the Lord Mayor found that Ashe was being forcibly fed, and his throat was in such a condition that the end, he said himself, was likely to be fatal. The Lord Mayor tried to persuade him to cease his hunger-strike, but he refused, saying that if he died he died in a good cause.

On September 25th he collapsed in the surgeon's chair under the ordeal of forcible feeding and was removed to hospital where

<sup>1</sup> *Irish Independent*, September 28th.

he died in five hours. Wounds and bruises were found on his face and throat.

The coroner's jury declared, in accordance with the medical evidence, that his death had been caused by the treatment which he suffered in jail. They censured the Castle Authorities, condemned forcible feeding as an inhuman and dangerous operation, censured the Deputy Governor of the prison, and recorded the refusal of the Prisons Board to give evidence and documents for which they had asked.<sup>1</sup>

Thomas Ashe's body was dressed in the proscribed uniform of the Volunteers and lay in state with a guard of honour of Volunteers in the City Hall. Thousands filed past the coffin to pay their tribute of respect to his memory and allegiance to his cause. Men and women came into the city to follow the coffin to the grave. The funeral procession was a pageant of the nation. After the advance guard headed by Volunteers carrying rifles walked a body of nearly two hundred priests; delegates of the I.R.B. (acting under the name of the Wolfe Tone Executive Committee), of the National Aid Society, official Sinn Fein, the Gaelic League, the Irish Volunteers, the Citizen Army, Cumanna-mBan, Inghinidhe-na-hEireann (the Daughters of Ireland), the Gaelic Athletic Association, the National Foresters, the Women's Franchise League. The Constitutional Home Rule organisations and Redmond's Volunteers had also sent delegates.

Thirty thousand people followed, and countless thousands lined the streets, wearing the forbidden tricolour badge.

The Last Post was sounded and three volleys were fired over his grave.

"I left poor Ashe," the Lord Mayor had said at the inquest, describing his last talk with him. "He died. It is for his country to say whether it is in a good cause or not."

His country had answered. The suffering of Thomas Ashe had proved to be among those agonies which, endured by one man, are transmuted in the spirits of thousands to fortitude.

It seemed, also, that his sacrifice had won better treatment for Republican prisoners. Four days after his death an order was made by the Privy Council in Ireland "in regard to prisoners committed for offences created by the Defence of the Realm

<sup>1</sup> See Press of November 2nd.

Acts or Regulations." The concessions specified included permission to associate with one another and to be kept apart from other classes of prisoners, occupying a suitably furnished cell, receiving parcels, pursuing remunerative occupation, writing and receiving letters, and receiving visits.

This seemed to be an undertaking of the utmost importance; but the Government's promise did not hold, and a few weeks later Austin Stack and other Republican prisoners were again being treated as criminals—this time in Dundalk prison—and were again on hunger-strike.



## CHAPTER 23

*October to December 1917*

IRELAND REPUBLICAN — THE I.R.B. — MICHAEL COLLINS —  
THE NEW SINN FEIN — THE FLAG OF THE IRISH REPUBLIC  
— DE VALÉRA HEAD OF THE VOLUNTEERS — CATHAL BRUGHA  
— LLOYD GEORGE UNEASY — REDMOND'S WARNING

THE Republican organisations which had sent their delegates to follow Ashe's body to the grave were by this time co-ordinated in a great voluntary solidarity, but they had not been organised under one standard or one undisputed leadership yet. The National Council was not representative, since it had been formed before the convicted prisoners came home from English jails, and only a small minority of Republicans were members of Griffith's official Sinn Fein. The Volunteers were antagonistic to Griffith's political programme: his "Dual Monarchy" ideal was very different from theirs. Many of them resented the designation "Sinn Feiners" fastened on all Republicans by the Press, and would have liked to make a complete break with Sinn Fein. De Valéra, however, was among those who believed that such a division would be injurious and that the best hope of advance lay in reconciling the antagonistic wings of the movement, retaining the more acceptable elements of Griffith's policy—his economic doctrine and principle of self-reliance—and retaining the name of Sinn Fein. When he was co-opted on to the National Council he worked for the adoption of this programme there.

Everywhere the released Volunteers were recruiting men and women into the Republican movement and these recruits were joining Sinn Fein clubs. The I.R.B. was establishing everywhere its secret but effective control.<sup>1</sup>

Michael Collins was acquiring influence. He persuaded the Brotherhood to accept as a branch the group formed by him in Frongoch and he, as its head, was entitled to a seat on the Centre Board. This group, now and later, supported him in all his policies. He was made Secretary of the National Aid organisa-

<sup>1</sup> Beaslai, *Michael Collins and the Making of a New Ireland*, I., p. 167.

tion and that position enabled him to make contacts throughout the country.

There was some opposition to the control exercised by the I.R.B. Cathal Brugha, who had belonged for some time to the Brotherhood, became antagonistic to it. De Valéra's membership had never been more than nominal and he had avoided being used by the Brotherhood in any other way than as an officer of the Volunteers. He determined, now, to cease all connection with the secret society and tried to persuade his close associates, Harry Boland and Austin Stack, to withdraw from it. He and Brugha maintained that the movement ought henceforth to be an open one and that no one who accepted responsibility as an elected representative ought to be subject to secret control.

Stack and Boland decided, however, to remain with the I.R.B. in which both held positions of influence.

The Republican Brotherhood co-operated with the other organisations in calling together a great assembly of Sinn Fein—the tenth Sinn Fein Convention—to meet in the Mansion House in Dublin, agree upon a new Constitution and elect a President.

The annual Sinn Fein Convention was given the Irish name for such an assembly: *Ard-fhéis*.<sup>1</sup>

This Ard-fheis would have the task of directing the great force which had arisen in the nation, determining in what channels it was to flow. Would it be possible to gather the resurgent people into one ordered and disciplined movement with a definite objective, clearly understood, or was the nation doomed to break, once again, into antagonistic factions, each destructive of all the other endeavoured to achieve?

The National Council appointed a committee to prepare a draft constitution for the national organisation to be submitted to the Ard-fheis.

On this committee, at first, the divergences of opinion seemed irreconcilable. Arthur Griffith would not bind himself to contend for a Republican form of government, while Cathal Brugha

<sup>1</sup> The Ard-fheis (pronounced *ardaish*) was the supreme governing body of Sinn Fein. It met, if possible, in October of each year. It consisted of a president, vice-presidents, secretaries, treasurers and the general council of county representatives—the Ard Comhairle (pronounced *ard co-arl-ye*), two delegates from each duly affiliated cumann (club) and one delegate from each constituency council—comhairle ceanntar (pronounced *cyant-arr*).

wished to have no more to do with the movement unless its objective was positively declared to be a Republic. His withdrawal would have resulted in the formation of a separate military organisation with no democratic control, a development which De Valéra desired at all costs to avert. He was determined that the movement, from this point onward, should be a movement of the people, not a struggle by an armed section alone. He was anxious to preserve all that seemed democratically valuable in the organisation which Arthur Griffith had created. Moreover, although the Republic seemed to him the only possible expression of independence, he did not wish to commit the movement to any specified form of government, once independence should have been achieved. He set to work therefore, on the constitution committee, to devise a formula which, while satisfying the two sections would give the Irish people the greatest possible measure of control over their own destiny.

It was at a dissentious meeting of this committee that De Valéra first proved that his leadership was destined to rest not on military prowess alone. Here he exercised that gift for reconciling opponents and combining apparently incompatible elements which friends and enemies alike came to recognise, whether they regarded it as a weakness or a strength.

It should be possible, he suggested, to find a form of words that would satisfy all parties.<sup>1</sup> He then submitted the following definition of the aims of the new Sinn Fein:

“Sinn Fein aims at securing the international recognition of Ireland as an independent Irish Republic.

“Having achieved that status the Irish people may by Referendum freely choose their own form of Government.”

It was accepted unanimously by the Provisional Executive Committee and formed the preamble of the draft Constitution brought before the Ard-fheis on October 25th.

The Sinn Fein clubs in the country now numbered about twelve hundred, and some seventeen hundred delegates assembled at the Ard-fheis. Griffith, addressing them, said that

<sup>1</sup> See M. J. Lennon, in *Banba*, July 1922.

fundamentally the position for which they had striven had been gained: Ireland had renounced the British Parliament. Their need now was a Constituent Assembly able to speak for the nation; when they had such an Assembly in being they would have taken a longer step forward than had been taken in a hundred and twenty years.

Cathal Brugha proposed the new Constitution. There were many shades of opinion among them, he admitted, but this Constitution had been agreed to unanimously by the Committee. On one point they were united: they stood, henceforth, for an Irish Republic.

Sean Milroy seconded. He said that they were carrying their claim for recognition of Irish rights, not to the English Parliament, where they had been fooled and dishonoured, but to the people of Ireland and to the great tribunal of the nation.

The Constitution was accepted unanimously. The name "Sinn Fein" was retained and it was declared in the Preamble that the organisation

"shall, in the name of the Sovereign Irish people:

"(a) Deny the right and oppose the will of the British Parliament and British Crown or any other foreign government to legislate for Ireland;

"(b) Make use of any and every means available to render impotent the power of England to hold Ireland in subjection by military force or otherwise."<sup>1</sup>

Now came the momentous question of leadership. Arthur Griffith, the "father of Sinn Fein," its President for six years, stood no chance of re-election, since the Volunteer element was opposed to him. Count Plunkett was a candidate likely to receive a large number of votes, but the third candidate, De Valéra, would, there was little doubt, be the majority's choice. In order to avert a cleavage, Arthur Griffith and Count Plunkett announced that they withdrew their candidature in his favour: "A man," Griffith said, "in whom you will have a statesman as well as a soldier."

Unanimously the Assembly accepted him. To Eamon de Valéra, a man twelve years younger than Griffith, fell the duty of

<sup>1</sup> Appendix 4, p. 951.

leading those widely differing groups of ardent and impetuous men and women in a steady, united advance to a single goal. It was a task that might have appalled an older and more experienced man.

Accepting election he made a speech without concealment and without compromise. He quoted the aim of Sinn Fein as set out in the new Constitution: "Securing international recognition of Ireland as an independent Irish Republic."

"That is what I stand for," he said; "what I stood for in East Clare: and it is because I stand for that that I was elected here."

His election was a sign that the Irish nation had endorsed and justified the action of the insurgents of Easter Week. He said: "I believe that this is proof that they were right; that what they fought for—the complete and absolute freedom and separation from England—was the pious wish of every Irishman."

When he said this there was prolonged applause.

He continued in terms which could leave no doubt in the mind of any who heard or read his speech that he was prepared if occasion offered and necessity arose to lead another Rising in defence of the nation's rights.

His intention was that England's pretence that she governed Ireland by the consent of the Irish people should be exposed in all its hypocrisy. Sinn Fein would take such action as would force her to show that she ruled as an oppressor, by force.

Speaking of the clauses of the Constitution which reserved to the people the right, after the status of a Republic had been achieved, to choose their own form of government, he said: "There is no contemplation in it of having a Monarchy in which the Monarch would be of the House of Windsor."

Again there was loud applause. He concluded:

"We say it is necessary to be united under the flag under which we are going to fight for our freedom—the flag of the Irish Republic. We have nailed that flag to the mast; we shall never lower it. I ask you to salute that flag nailed to the mast which we can never lower—to salute the flag, and, in Grattan's words, to say 'Esto perpetua!'"<sup>1</sup>

The words had the effect of instantly fusing that eager

<sup>1</sup> Appendix 5, p. 958.

assembly into one whole. When De Valéra ended, it seemed that his daring programme had the approval of every person in the hall.

The renewed struggle for independence had found its leader, its direction and its clearly defined aim. Details of the immediate reorganisation were all that remained to be arranged.

Arthur Griffith and Father Michael O'Flanagan were elected Vice-Presidents of the organisation; Austin Stack and Darrell Figgis were the Honorary Secretaries; Laurence Ginnell and William Cosgrave were the Honorary Treasurers, and the Executive of twenty-four members included Michael Collins and Ernest Blythe.<sup>1</sup>

Eoin MacNeill, when proposed as a member of the Executive, was opposed by one or two of those present as having "cut the ground from under the feet" of the insurgents of Easter Week. De Valéra, however, spoke warmly in his defence. Already, in order to demonstrate his confidence in Professor MacNeill, he had insisted on being accompanied by him on his platform in Clare. MacNeill, he said, might have made an error in judgment but "I am convinced," he declared, "that John MacNeill did not act otherwise than as a good Irishman."

MacNeill was elected to the Executive with an outstandingly large number of votes.

The Irish Volunteers Organisation remained independent of Sinn Fein, but at its Convention held immediately after the Ard-fheis, on October 27th, Eamon de Valéra was elected President of the Volunteers. Cathal Brugha became Chief of Staff. Members of the I.R.B. secured positions of influence on the Executive: Michael Collins as Director of Organisation, Diarmuid Lynch as Director of Communications and Sean McGarry as General Secretary. Through their agency, the Republican Brotherhood continued to exert a strong influence on the policy of the Volunteers.<sup>2</sup>

<sup>1</sup> The others were Eoin MacNeill, Cathal Brugha, Dr. Hayes, Sean Milroy, Constance Markievicz, Count Plunkett, Piaras Beaslai, Joseph McGuinness, Harry Boland, Dr. Kathleen Lynn, J. J. Walsh, Fr. Matt Ryan, Joseph McDonagh, Fr. Wall, Mrs. Thomas Clarke, Diarmuid Lynch, David Kent, Sean T. O'Kelly, Dr. T. Dillon, Mrs. Joseph Plunkett, Sean McEntee.

<sup>2</sup> Beaslai, I., p. 175.

The leadership of De Valéra, who was now at the head of both the civil and military sides of the Irish movement, greatly perturbed British observers. His programme, though daring, was, perhaps, not impracticable. He was no visionary promising an unattainable Utopia. He directed the imagination of the people towards an immediate goal. "Sinn Feiners," he said, "have a definite policy and the people of Ireland are determined to make it a success; that is to make English rule absolutely impossible in Ireland."<sup>1</sup>

This manner of speech was more disturbing to British Ministers than rhetorical denunciation had ever been. "I have read the speeches of the honourable Member for East Clare," Lloyd George said in the House of Commons on October 23rd. "They are not excited and so far as language is concerned they are not violent. They are plain, deliberate, and I might almost say cold-blooded incitements to rebellion. . . . And he delivered them not merely on one occasion. He has repeated them at meeting after meeting almost in the same studied terms . . . urging the people to train, to master their rifles, to study their mechanism in order that whenever they are supplied with rifles they should be able to use them efficiently. . . . That is not a case of violent, abusive, and excitable language. It is the case of a man of great ability, of considerable influence deliberately going down to the district . . . to stir people up to rebellion against the authorities."

How can the Government, he asked, treat speeches of that kind as if they were "the sort of excitable speeches delivered by people of no consequence which would end in nothing"?

He said further, "There is a great deal of talk among the Sinn Feiners which does not mean Home Rule. It does not mean self-government. It means complete separation . . . it means secession. The words which are used are 'sovereign independence.' This country could not possibly accept that under any conditions."

Naturally, there was a section of the English opinion demanding that De Valéra should be put under lock and key; that would not be a simple matter, however, for the Government.

<sup>1</sup> At Hospital, County Limerick. See Press of August 27th.

De Valéra consistently based his claims for Ireland on the principle of self-determination which the British Government had ostensibly endorsed. Moreover, he was supported in Ireland not by a rabble but by an organisation strong in numbers and in solidarity which included hundreds of thousands of fearless and disciplined men. Every week-end he was holding parades and addressing meetings of Volunteers.

For generations there had not been so many young men in Ireland at one time. An increase of prosperity among the Irish farmers and stoppage of emigration owing to the war as well as their own desire to serve in the national movement had kept them at home. Two hundred thousand young men of military age and fine physique were organising resistance to British rule in their own country, as the English Conservative organs pointed out, instead of fighting and dying for the Empire abroad.

Meanwhile the Allies were in desperate need of reinforcements on the war front. The American army was not yet in the field, and Russia had withdrawn from the war.

In spite of the incessant arrests and suppressions being carried out in Ireland, the Government was blamed for inaction with regard to Sinn Fein ; Lloyd George was charged with the same dilatory and half-hearted policy—"Birrellism"—as had permitted the outbreak of Easter Week. To the British military mind there was a simple solution of the Irish difficulty, and one which would serve a double purpose. Dillon referred to this attitude when he spoke on December 2nd at a meeting in Castlewelshin in County Down.

"Within the last few months," he said, "the military men had pressed on the Government the policy of seizing these young fellows, scattering them among the English regiments and getting them to France, and, if they did not fight there, shooting them."

The Irish Parliamentary Party consistently and vehemently opposed any suggestion of applying conscription to Ireland ; but they, too, were profoundly troubled and alarmed by the rapid growth of Sinn Fein and by the return of Sinn Fein representatives at the polls. Before a year was over there would be a General Election and Sinn Fein would undoubtedly enter



the field. Redmond was still building all his hopes on the Convention whose discussions he assiduously attended, but it began to appear that even the Prime Minister knew that the Convention was bound to fail.

Redmond wrote to him in great anxiety on November 18th imploring him to realise that the failure of the Convention

“ will mean governing Ireland by the point of the bayonet. . . . Sinn Fein will be omnipotent, and you will be forced to appoint a military governor.”

His advice to the Prime Minister was simple :

“ You should speak quite plainly to these Ulstermen.”

The obstructionist attitude of the Ulster Unionists angered the Unionists in the twenty-six counties. Lord Midleton wrote afterwards :

“ If we had realised that Ulster had made up its mind to accept nothing in the nature of an all-Ireland settlement, but was only concerned as to whether six or nine counties should be excluded, the Southern delegates would never have entered the Convention at all.”<sup>1</sup>

The Government gave no heed to these warnings but, instead, introduced a measure for the re-distribution of Parliamentary representation in Ireland. The new plan would give Ulster Unionists seven or eight new seats. The Irish members protested against it strenuously. In the House of Commons on December 4th they declared that this tampering with the Irish constituencies before the Convention had reported indicated that the Government was not intending to put Home Rule into operation and that a General Election would be allowed to take place in Ireland without any settlement having been made. It meant, Dillon said, “ throwing the whole body of Nationalists in Ireland into the Sinn Fein Camp.” It meant the failure of the Convention, and he warned the Government, “ if the Convention fails, you will have to govern Ireland by the naked sword.”

<sup>1</sup> Denis Gwynn, *The Life of John Redmond*, p. 568.

The Government's measure was passed, however. Redmond and his party were in despair. "Our position in this House is made futile, we are never listened to," he declared.<sup>1</sup>

That was true. The attempt to govern Ireland through the medium of the Union was a failure and the British Government refused to apply the principle of self-determination to Ireland's case. It had chosen instead to govern Ireland—or endeavour to govern Ireland—by the point of the bayonet.

<sup>1</sup> *Freeman's Journal*, December 5th, 1917.

## CHAPTER 24

*January to April 1918*

THE REPUBLICAN PROGRAMME – NON-VIOLENT RESISTANCE – PROBLEMS OF SINN FEIN – FOOD, LAND AND CATTLE – REPRESSION – VOLUNTEERS ATTACK BARRACKS – FATALITIES – THE SOUTH ARMAGH ELECTION – LLOYD GEORGE'S CONVENTION – DEATH OF REDMOND – BY-ELECTIONS – THE CONSCRIPTION BILL – PRESIDENT WILSON INTERVENES – END OF THE CONVENTION

ALTHOUGH, at the beginning of 1918, the Volunteers were re-organised, and although a determination to resist conscription, if necessary, by force of arms existed throughout the country, there was no intention among Republicans to attempt a second insurrection during the year. The Volunteers and the new Sinn Fein, united under De Valéra's leadership, concentrated on strengthening the movement on its political side. It was foreseen that when the European war ended and a Peace Conference came into session, the claims of nations long denied their freedom would be heard. Ireland was to be prepared to send representatives to that Peace Conference—representatives, not of a small party, but of a majority of the nation, who would be in a position to base Ireland's claim on an irrefutable declaration of the will of the people and on the basic principle of government by consent. The issue of independence had not yet been put to a plebiscite or General Election: Sinn Fein was resolved that at the earliest opportunity this should be done and was confident that the Irish people would endorse by their votes the Republic proclaimed at Easter 1916. Organisers set to work to endeavour to establish a Sinn Fein club (*Cumann*) in every parish in Ireland with a Council (*Comhairle Ceannair*) of delegates from these *cumain* in each electoral constituency. The contesting of local and by-elections and strengthening the Volunteers were also to go forward.

British law was to be disregarded where it conflicted with the nation's right and interests; but the Volunteers were expected, no matter what provocation they might suffer, to

refrain from using their arms. The movement, in short, was given the character of a consistent, non-violent resistance to English rule. A very high standard of discipline was demanded within its ranks, both military and civilian, and was maintained.

Ireland had no democratically constituted government. The members of the Revolutionary Government—the Provisional Government of the Irish Republic—set up in Easter Week, were dead ; on De Valéra, as representing these men and their purpose, the mantle of authority had fallen, and the duty, not only of advancing the independence movement, but also of safeguarding the interests of the people as a whole. An ever-increasing responsibility rested upon the Executive of Sinn Fein.

A serious preoccupation of Sinn Fein at the beginning of the year was the reckless exportation from Ireland of food. It was calculated that the food of the country would not be sufficient for more than six months, yet the English Food Controller overruled every effort of his Irish advisers to conserve supplies in Ireland. The country was faced with another artificial famine.<sup>1</sup>

Compulsory tillage was advocated by all parties, including the Government. Sinn Fein proceeded to promote tillage, satisfy the land-hunger of the people of the western counties, and demonstrate its own power and efficiency at one stroke. In Clare, Sligo, and the neighbouring counties, during January and February, grazing-lands belonging to large estates were dealt with directly by the local Sinn Fein clubs. The young men cleared specified lands of cattle, divided them into conacre, leased out the allotments at a fixed price for tillage, collected the rents and paid these to the owner of the land. There was no attempt at secrecy. The following announcement, placarded at Ballaghaderreen in County Mayo in the last week of February, indicated the methods employed.

“ Sinn Fein Clubs of Ballaghaderreen and District to secure for tillage purposes to labourers and farmers having ten acres or under the use at £4 per acre of the lands situate at:

<sup>1</sup> R. M. Henry, p. 246.

Castlemare  
 Brooklawn  
 Colebrooke  
 Levelick

Aughurine  
 Aughalistera  
 Edmondstown  
 Lung and Lisene.

“ The owners of available lands in the aforementioned Districts have been asked to co-operate with the Clubs in allotting the land. The work of allotting will be begun at

10 a.m. Tuesday 26th inst.

and carried on in the Districts in the order named above.

“ Every person entitled to receive an allotment must be present when the Division is being made in the District, and failure on any man’s part to attend will leave him without an allotment. All the men are requested to bring spades or other farm implements, and the work will be carried out in the name of the`

“ IRISH REPUBLIC,

“ By Order of the Committee,

“ F. J. SHOULDICE,

“ Sec.

“ Ballaghaderreen Sinn Fein Club.”

Frequently, the men marching to break the soil, with spades and loys on their shoulders or bringing horses and ploughs, were escorted by crowds carrying tricoloured banners and with fife-and-drum bands. Arrests were incessant, but on occasions the crowds were so large and so resolute that the police considered it inadvisable to interfere. Early in February twenty-three Clare men, on trial at Ennis for seizures, walked out of the Court among a throng of supporters and went unmolested to their homes.<sup>1</sup>

A good deal of local initiative was exercised in these matters and the activities sometimes went beyond what the Executive was prepared to countenance.

Of the Sinn Feiners who took a leading part in these activities a great number were members of the Irish Volunteers; they were forbidden by the Headquarters Staff to act in their capacity as Volunteers when taking part in cattle drives, “ as these

<sup>1</sup> See the Press of January and February 2nd, extracts collected in *Notes from Ireland, 1918.*

operations are neither of a national nor a military character." By the same order, which was issued publicly through the Press on March 2nd, Volunteers were strictly forbidden to raid private houses for guns. They had resorted to such raiding in some localities in their anxiety to secure arms.

On February 23rd Sir Bryan Mahon, Commander-in-Chief the British forces in Ireland, issued an order prohibiting, throughout Ireland, the carrying of arms by unauthorised persons, and prohibiting the possession of arms in Tipperary, Galway and Clare.

On February 27th Clare was proclaimed a military area. Troops were sent into the county. The military authorities took power to censor all letters and telegrams entering or leaving the county and issued or refused passports to all persons wishing to enter it. The local Press was subjected to strict censorship and a few weeks later the *Clare Champion* was suppressed.

Another operation of the Sinn Fein Food Control Committee was the organisation of a census of supplies and of improved distribution. A market for potatoes with a rationing scheme of sale was set up at Ennis and elsewhere. In Dublin the Sinn Fein Food Controller, Diarmuid Lynch, took drastic action to call attention to the need for preventing the export of livestock. By his order, pigs which were being driven to the docks for shipment to England were seized, slaughtered in a neighbouring abattoir, and sold to local curers for home consumption. Diarmuid Lynch was sentenced to two months' imprisonment. While in jail in Dublin he succeeded, by a ruse, in being married to his fiancée during a visit, to the indignation of the authorities and the delight of his fellow-prisoners and Sinn Fein.<sup>1</sup>

As the judges in the March Assizes reiterated, the country was practically free from crime. Nevertheless, the prisons were occupied. Members of national associations were continually being arrested under the Crimes Act of 1887 or under the Defence of the Realm Act as being suspected to be about to commit an act prejudicial to the peace.

The number of such arrests reported during March was two hundred and thirteen.

<sup>1</sup> *Beaslay*, I., p. 181.

The promises made by the Prisons Board after the death of Thomas Ashe had not been observed. In the middle of February twenty-eight Sinn Fein prisoners were on hunger-strike to demand political treatment in Mountjoy.

Forcible feeding was abandoned and the "Cat and Mouse Act" brought into force. Hunger-strikers, when exhausted, were released, and soon afterwards arrested again. Editors of Irish newspapers were warned by the Press Censor, in an order issued on March 7th, that "the greatest care must be exercised in publishing matter in relation to hunger-strikes by prisoners, and particularly so in the event of the death of a prisoner who has been on hunger-strike." "Comment of a nature likely to cause disaffection" would be published "at a grave risk to those responsible."

In April local papers in the western counties and the *Belfast Evening Telegraph* were suppressed. Twenty-eight Irish papers had their foreign circulation banned.

Some of the Government's attempts to remedy "disaffection" excited derisive laughter in Ireland, and Sinn Feiners, defying them, enjoyed an element of sport. One such attempt was an order issued from the Royal Irish Constabulary Office on March 16th concerning "disloyal bands." The police were instructed, where possible, to break up the band instruments, "as such action was likely to have a salutary effect."

The order was issued, no doubt, in view of the processions and meetings organised for St. Patrick's Day. De Valéra had resolved to penetrate the garrison's citadel: he was announced to speak in Belfast. An order was issued prohibiting the holding of the meeting on March 17th. A meeting was held, however, which began at 11 p.m. on the 16th. The police, ordered out in force, had to listen to a great deal of sedition before midnight struck and they had licence to draw their batons and charge. "The spirit that has outlived centuries of oppression will not be stamped out by the Cromwells of to-day," De Valéra was saying when the attack on the platform came.

These months of repression and resistance were not without their casualties. On March 28th a young Clare man, Thomas Russell, died, bayoneted by a soldier when a meeting was being dispersed. On April 16th, at Gortalea in County Kerry, Volun-

teers raided a police barracks for arms. The police fired and John Brown and Robert Laide were shot dead. They were the first Volunteers to lose their lives in an attempt to secure arms. The local company, with the impetuous daring characteristic of Kerry, had acted on its own initiative. Such desperate attempts against the garrisoned and fortified barracks were not yet part of their Executive's plan. Later, on June 14th, two police constables were fired at and one of them wounded in Tralee. The people on the street made no attempt to waylay the assailant and he escaped unidentified. It was supposed that the shooting was an act of revenge for the deaths of the Kerry men.

No such reprisals, however, were authorised at the time by either the Volunteer Executive or Sinn Fein, and the soldiers and police continued to raid premises, charge meetings and processions with batons and bayonets, destroy band instruments and printing presses, and remove Sinn Feiners to prison, with complete impunity.

It was a situation that could not last indefinitely.

The efforts of Dublin Castle to suppress disaffection, while they strengthened the ranks of Sinn Fein, filled the Parliamentary leaders with dismay. In vain they protested and argued in the House of Commons; in vain they warned the Prime Minister that all hope of a successful issue for his Convention was being destroyed. The humiliating impotence of the Irish Parliamentary Party—that impotence which had been Arthur Griffith's text for a decade—was mercilessly exposed.

The by-election in South Armagh, one of the Six Counties claimed by the Orangemen, in which the Party candidate defeated the Sinn Feiner, consoled them very little.<sup>1</sup>

The Unionist candidate had retired in favour of the Redmondite and this alliance with anti-national forces did not add to the Party's prestige. Moreover, the constituency was typical only of Ulster where the voters thought in sectarian rather than party terms. Long after the rest of Ireland had ceased to vote for Redmond's Party the Ancient Order of Hibernians' organisation in Ulster continued to support him and tended to regard

<sup>1</sup> Donnelly, 2,324 votes; McCartan, 1,805; Polling day was February 1st.



Sinn Fein as a menace, since it might "split the Catholic vote."

The Republican Army won an advantage out of the contest in South Armagh. Contingents from Dublin and Clare, taken north to keep order by De Valéra, made so good an impression by their discipline and efficiency that a large number of young Ulster Nationalists joined them. In Newry two new companies were formed. On their return, the Volunteers, three hundred strong, marched in military formation through Dublin to the delight of the populace. In the north-east the Parliamentary Party might still delay the progress of Sinn Fein but throughout the rest of Ireland the feeling of the people was unmistakable. The Home Rule which the Party had laboured for, if it came now, would establish a Parliament in Dublin, after the next general election, which would be controlled by Sinn Fein.

The Convention did not seem likely now to produce an agreed scheme for Home Rule. Its deliberations were drawing to a defeated close. Some of its members had begun to question whether its founder had ever intended it to succeed. In January, F. E. Smith, whose frankness was even then the bane of his more politic colleagues, gave an interview in the United States. According to the report of that interview which appeared in the *Boston Post* of January 14th, he had declared that the members of the Convention had been practically hired by Lloyd George to keep talking and talking for a consideration of one guinea a day, to cover the difficult period of America's decision to enter the war.

The Southern Unionist delegates on the Convention, however, as well as the Nationalists, had laboured with great sincerity for a solution that would avert partition; only the question of the control of Customs remained an obstacle to an agreement between them on a very restricted form of Home Rule. To the Ulster Unionists they offered concession after concession—representation in excess of their numerical strength, an Ulster committee of the Irish Parliament with powers to exclude Ulster from the operation of certain legislative measures, the location of important offices in Belfast and alternative meetings of the Irish Parliament there—but the Ulster Unionist Council

remained obdurate. Exclusion was the only scheme to which they would permit their delegates to agree.<sup>1</sup>

Redmond, throughout the winter, had been suffering greatly from illness and strain. In January his anxiety to secure an agreement with the Southern Unionists led him to yield to Lord Midleton on the question of Customs and agree that these should be temporarily reserved to the Imperial Parliament. Redmond was repudiated on this matter by his close colleagues on the Convention, notably by Devlin and Dr. O'Donnell, the Bishop of Raphoe. He retired from the Convention on January 15th.

During February the Prime Minister received members of the Convention and learned their views on the points of difference dividing them. He assured them that the Government was determined that a solution must be found, and they returned to their labour with renewed hope.

A shock and bitter disillusionment came to the Nationalist members when the chairman received a letter from the Prime Minister dated February 25th—when they had been working on the Convention for exactly seven months. In that letter Lloyd George practically cancelled the powers that he had given them and defeated the purpose for which they had been convened.

In the course of a long and suavely expressed communication he wrote: "Questions on which there is an acute difference of opinion in Ireland and Great Britain must be held over for determination after the war."

On the question of the transfer to an Irish Parliament of Customs and Excise he wrote:

"It would be practically impossible to make such a disturbance of the fiscal and financial relations of Great Britain and Ireland in the midst of a great war. It might be also incompatible with that Federal reorganisation of the United Kingdom, in favour of which there is a growing body of opinion. . . . The Government feel that this is a matter which cannot be finally settled at the present time."

In the same letter he revealed his complacent belief that the Convention had served the purpose for which he had created it.

<sup>1</sup> See the report of the Irish Convention published in the Press of April 18th.

“ It is evident that there is on the part of all parties in the Convention a willingness to provide for and safeguard the interests of the Empire and of the United Kingdom. A settlement can now be reached which will reserve by common consent to the Imperial Parliament its suzerainty, and its control of the Army, Navy and Foreign policy and other Imperial services, while providing for Irish representation at Westminster and for a proper contribution from Ireland to Imperial expenditure.”

On March 6th John Redmond died—perhaps without realising that once again he and his followers had been duped and betrayed.

His life, as one of his biographers has written, “ will stand for ever as a symbolic tragedy of a greatly gifted and disinterested statesman, who trusted overmuch in the efficacy of parliamentary agitation.”<sup>1</sup>

Redmond’s followers were plunged in grief and the gloomiest foreboding. John Dillon took up the leadership of a forlorn hope.

On March 22nd the seat which had been John Redmond’s in Waterford was contested and won by his son, Captain William Redmond. He defeated the Sinn Fein candidate, Vincent White, by nearly five hundred votes.<sup>2</sup>

Personal regard for the Parliamentary leader kept this city attached to the “ Home Rule ” policy while it was being discarded by all other Irish electorates outside Ulster.

On the following day, in Waterford City, De Valéra held a review of the Volunteers.

Early in April the Parliamentary Party had another victory over Sinn Fein, this time in Ulster, where its candidate, Thomas Harbison, defeated Sean Milroy in East Tyrone.<sup>3</sup>

These victories for the Parliamentary Party were due, largely, to causes not operative in the rest of Ireland and they conveyed a misleading impression to the mind of Lloyd George.

The Convention, having held fifty-one meetings, reported finally on April 5th. Only forty-four members, less than half the

<sup>1</sup> Denis Gwynn, *Redmond*, p. 17.

<sup>2</sup> Captain Redmond, 1,242; Dr. Vincent White, 764.

<sup>3</sup> Harbison, 1,802; Milroy, 1,222. Polling day was April 4th.

Convention, signed the main report. It proposed a form of Home Rule in which the Irish Parliament would have no power over matters affecting the Crown, peace and war, Army and Navy and various other services, and no control during the war over postal services or police, and no control, until the United Kingdom Parliament should grant it, over Customs and Excise. Forty per cent of the representation in the Irish Lower House was to be given to Unionists. A Minority Report recommended a scheme which it described as "Dominion Home Rule," but which, in fact, fell far short of the measure of autonomy which British Dominions possessed; the Minority, also, offered to suspend the settlement of Customs and Excise until after the war.

A Committee of the Convention composed of three Unionists and two Nationalists under the chairmanship of the Duke of Abercorn reported against conscription, declaring that it would be impossible to impose compulsory service in Ireland without the consent and co-operation of an Irish Parliament.

Lloyd George was, however, being urged unceasingly to apply conscription to Ireland. Sir Henry Wilson was "not afraid to take 100,000–150,000 recalcitrant conscripted Irishmen into an army of 2½ million fighting in five theatres of war." At a meeting of the Cabinet held on March 28th the decision was taken that, as soon as the Convention reported, the Military Service Act would be applied to Ireland.<sup>1</sup>

On April 1st, however, the Government received an embarrassing message from President Wilson. While promising the army draft for which the Allies had been urgently asking—120,000 infantrymen every month for four months—he warned the Government that the imposing of conscription on Ireland might cause trouble in the United States.

The report of the Irish Convention reached Lloyd George on April 8th. Whether he ever read it remains in doubt. When the House of Commons reassembled on the following day he announced the terms of a new Man-Power Bill by which conscription could be applied to Ireland by the signing of an Order in Council at any time.

<sup>1</sup> Callwell, II., p. 80.

## CHAPTER 25

*April to August 1918*

THE THREAT OF CONSCRIPTION — RESISTANCE — THE NATIONAL CABINET — THE BISHOPS' MANIFESTO — THE PARLIAMENTARY PARTY PREPARES — LABOUR STRIKES — LORD FRENCH BECOMES LORD LIEUTENANT — MILITARY PROJECTS — GENERAL ARRESTS — "THE GERMAN PLOT" — GRIFFITH ELECTED FOR CAVAN — DUBLIN CASTLE GIVES ORDERS — MILITARY AREAS — SINN FEIN DEFIANT

THE month of April was a time of acute anxiety for the British Government. For three weeks the British Army in France had been sustaining a terrific attack on a front of fifty miles; the channel ports were threatened; American troops were in France but further reinforcements were necessary. The Government decided that the conscription of Irishmen was to be begun as soon as the necessary preparations were completed.

At the same time, Lloyd George explained, the Government would prepare to enact a measure of Home Rule for Ireland. He understood the Convention had failed to reach a substantial agreement, but he had not had time to read its report.

The proposal to enforce conscription in Ireland first and establish an Irish Parliament afterwards enraged the Nationalist members. The Government was warned by them that this was "a declaration of war against Ireland," that three army corps would be needed to get one out of Ireland and that the Irish Party would be powerless to prevent the terrible conflict that would ensue. "You are driving millions of the best men of our race to turn away their eyes from this Parliament for ever," William O'Brien said.<sup>1</sup>

The entire Irish Party voted against it; nevertheless the Bill was passed on April 16th by 301 votes to 103. John Dillon and his Party, as a protest, left the House of Commons and returned to Ireland to organise resistance there. The Castle Government took the precaution of banning the circulation of a number of Irish papers.

On April 18th, in Dublin, a conference of representative men,

<sup>1</sup> William O'Brien, pp. 357 *et seq.*

convened by Lord Mayor O'Neill, met at the Mansion House. The national danger had served to unite in a common effort men who had contended mightily against one another for a decade. The "National Cabinet," as Sinn Fein named the combination, included John Dillon and Joseph Devlin from the Parliamentary Party, Arthur Griffith and Eamon de Valéra from Sinn Fein. There were three representatives of Labour—William O'Brien (of Dublin), Michael Egan, and Thomas Johnson. William O'Brien (Member of Parliament for Cork) represented his "All for Ireland League"; T. M. Healy represented independent interests.

William O'Brien, M.P., has recorded his memories of that historic Conference and its members—De Valéra's "transparent sincerity," his "gentleness and equability," and "the obstinacy with which he would defend a thesis, as though it were a point in pure mathematics"; Arthur Griffith with his "placid strength and assuredness"; T. M. Healy, "considerate and conciliatory" to a surprising degree.

"It was Mr. de Valéra," he writes, "who drew up the words of the anti-Conscription Pledge which we suggested should be solemnly taken in every parish in the country on the following Sunday."<sup>1</sup>

The pledge was in uncompromising terms:

"Denying the right of the British Government to enforce compulsory service in this country, we pledge ourselves solemnly to one another to resist Conscription by the most effective means at our disposal."

De Valéra was also responsible for the following declaration which was passed unanimously by the Conference:

"Taking our stand on Ireland's separate and distinct nationhood and affirming the principle of liberty that the governments of nations derive their just powers from the consent of the governed, we deny the right of the British Government or any external authority to impose compulsory military service in Ireland against the clearly expressed will of the Irish people. The passing of the Conscription Bill by

<sup>1</sup> William O'Brien, pp. 361-2.

the British House of Commons must be regarded as a declaration of war on the Irish nation.

“The alternative to accepting it as such is to surrender our liberties and to acknowledge ourselves slaves.

“It is in direct violation of the rights of small nationalities to self-determination, which even the Prime Minister of England—now preparing to employ naked militarism and force his Act upon Ireland—himself officially announced as an essential condition for peace at the Peace Congress. The attempt to enforce it will be an unwarrantable aggression, which we call upon all Irishmen to resist by the most effective means at their disposal.”

On that evening the Catholic bishops were holding their annual meeting at Maynooth. A pronouncement on the crisis was expected from them and the Conference sent a deputation which included the Lord Mayor, Eamon de Valéra, John Dillon, T. M. Healy, and William O'Brien (representing Labour), to beg them to issue a public statement sanctioning resistance. The Bishops' Manifesto, which was issued immediately, declared:

“We consider that Conscription forced in this way upon Ireland is an oppressive and inhuman law which the Irish people have a right to resist by every means that are consonant with the law of God.”

The Irish Parliamentary Party announced that all its members would stay in Ireland to help their constituents in organising resistance. When, in Offaly, on the 19th, a by-election took place, the Parliamentary Party withdrew its candidate and Dr. Patrick McCartan, the Sinn Féin candidate, was returned unopposed. A National Defence Fund was opened and subscriptions poured in, in spite of the fact that the publication of any appeal or advertisement in connection with it was forbidden. The Lord Mayor of Dublin was deputed to go to Washington and present a statement of Ireland's case against conscription to the President and Congress of the United States. The statement was drawn up in uncompromising language by De Valéra, but during his subsequent imprisonment it was rewritten in less revolutionary terms by T. M. Healy. In that form it was sent

through diplomatic channels to the President of the United States, the Lord Mayor being unable to go to America.

Fifteen thousand delegates from all parts of Ireland came to a Trades Union Congress in Dublin to decide on the form which the protest of organised Labour should take. They decided on a general strike of twenty-four hours. The Women Workers' Union organised a demonstration; its members marched through Dublin to the City Hall, where they signed a promise to support the men in their resistance.

On Sunday, April 21st, the pledge against conscription was signed by nearly all Nationalist Ireland, Catholics signing at the chapel doors. It was a demonstration of solidarity whose significance no observer could mistake.

April 23rd was the day of the general strike. Everywhere in Ireland except in Belfast, shops and factories were closed and trains and trams suspended while grave and orderly throngs of work-people walked about the streets. No newspapers appeared in the south or west. All licensed premises were closed as were the small shops which were usually open on public holidays. In the large hotels guests were obliged to attend to their own needs. Hackney-car drivers refused to take passengers even in cases where visitors, anxious to go to the Punchestown Races, offered fares of ten pounds.

At last the Imperial Government had been forced to realise that there was a power in Ireland no less formidable than its own, and that no system of petty persecution would suffice to detach the population from Sinn Fein. The British Government was faced in Ireland with a generation more dangerous to its designs than any since the United Irishmen—a generation enlightened, disciplined, high-spirited and self-reliant, inspired with a boundless determination and with readiness to sacrifice and endure. Sinn Fein could not be induced to vote for partition or render a shadow of allegiance to England or give a semblance of democratic title in Ireland to the British Crown. They refused, in short, to provide the British Government with any easy and specious way of holding Ireland: they would leave no third way open between complete liberation and naked force.

The Government prepared to put Ireland under military



command. Lord Wimborne was replaced by Field-Marshal Lord French who was appointed "His Majesty's Lord-Lieutenant-General and General Governor of Ireland."

Lord French's programme, according to Lord Riddell, was a simple military one.

"Home Rule will be offered and declined," the General told him, "then conscription will be enforced. If they will leave me alone I can do what is necessary. I shall notify a date before which recruits must offer themselves in the various districts. If they do not come, we will fetch them."<sup>1</sup>

Sir Henry Wilson recorded in his diary how, about this time, he met the Prime Minister and Lord French at dinner. They were all agreed that conscription must be enforced, and, apparently, they were agreed that bloodshed in Ireland would result.

"Lloyd George impressed on Johnny (Lord French) the necessity of putting the onus for first shooting on the rebels. The Prime Minister, moreover, declared that he was going to table the Order in Council for conscription in Ireland at the same time as he tabled the Home Rule Bill."<sup>2</sup>

Mr. Shortt became Chief Secretary in place of Mr. Duke. General Sir Bryan Mahon was succeeded in the Military Command by General Shaw. Such changes were effected in the Castle Executive as withdrew from Ireland all, or nearly all, who had any sympathy with Irish nationality, as Lord Wimborne afterwards said. The new Irish Executive desired nothing so much as evidence which would give them a pretext sufficient to justify them, in the eyes of America, for a wholesale arrest of the leaders of Sinn Fein. The Defence of the Realm Act contained a clause respecting "persons of hostile origin," providing for their internment or the restriction of their movements. This clause, on April 25th, was extended to persons of Irish birth.

The Castle Government now proclaimed that it had discovered a "German Plot."

On April 12th police had rescued from an island off the coast of Galway a man who said that he had escaped from the wreck of an American ship. As no such ship had been wrecked, he was

<sup>1</sup> Lord Riddell, *War Diaries*, p. 380.

<sup>2</sup> Callwell, II., p. 141.

suspected and was placed under arrest. The authorities discovered that he was Joseph Dowling, formerly a member of Casement's Irish Brigade. His comrades were still prisoners of war in Germany. He had come ashore in a collapsible boat from a German submarine and landed on the island through mistaking it for the mainland. At his court martial he made no statement and no evidence was produced of any conspiracy between Germany and Ireland. He was sentenced to penal servitude for life.<sup>1</sup>

The Executive of Sinn Fein knew nothing at this time of Joseph Dowling or of any correspondence with Germany. They learned afterwards that the Germans had sent Dowling on their own initiative to try to establish direct communication with Sinn Fein and that certain officers of the Volunteers had been cognisant of the attempt.

His capture was unfortunate at this moment of organisation against conscription, for it gave the British Government the pretext it required.

On the night of May 17th sweeping arrests were carried out all over Ireland and there were more arrests on the following day. Seventy-three prisoners were deported to England immediately and others later. Among them were Arthur Griffith, Eamon de Valéra, Count Plunkett, William Cosgrave, Countess Markievicz, Madame Gonne MacBride and the widow of Thomas Clarke. Michael Collins had succeeded in evading arrest but nearly all the other senior officers of the Volunteers and Sinn Fein organisers had been removed.

They were imprisoned in England without charge or trial, to be held for an indefinite time.

The Government's explanation of the arrests was published on May 18th. Lord French's proclamation began :

" Whereas it has come to our knowledge that certain subjects of His Majesty the King, domiciled in Ireland, have conspired to enter into, and have entered into, treasonable communication with the German enemy . . ."

It went on to announce " drastic measures " and to command " all loyal subjects of His Majesty " to " aid in crushing the

<sup>1</sup> Dowling was released after six years.

said conspiracy ” ; it promised further “ steps to be taken to facilitate and encourage voluntary enlistment in Ireland in His Majesty’s forces in the hope that, without resort to compulsion, the contribution of Ireland to these forces may be brought up to its proper strength. . . .”

From many quarters came demands that the Government should produce evidence of its “ German Plot ” and of any recent communication between Germany and any of the persons under arrest. Had any such evidence existed it would have been incalculably to the advantage of the British Government to try their prisoners and present proofs of the conspiracy to the Allies. No trials, however, took place. A Government statement issued to the Press Bureau on May 25th referred to events dating from November 1914, some of which had taken place during the period when many of the persons now arrested were in Frongoch internment camp or in jail.

This statement convinced nobody. Lord Wimborne, on May 27th, declared “ that he considered the German Plot and the recent activity connected with it as coming more from the zeal of the new broom than from any fundamental changes in the conditions in Ireland.”

With the exception of Dr. McCartan, who was still in America, every Irish man and woman returned to Parliament by Sinn Fein had been arrested by the British authorities and was now in jail.

On June 21st a by-election took place in Ireland which was watched with particular interest by British Ministers, who believed that its result would indicate whether or not the time had come when conscription could be imposed. East Cavan in Ulster was the constituency concerned. John Dillon exerted every effort to secure the seat for the Parliamentary Party’s candidate ; Sinn Fein nominated Arthur Griffith, still a prisoner, and he defeated his opponent by twelve hundred votes.<sup>1</sup>

The result was celebrated throughout Ireland with meetings, processions and the playing of “ disloyal bands,” which were broken up by the police with batons in many parts.

The Government, now that it had nearly all the leaders

<sup>1</sup> Griffith, 3,785 ; O’Hanlon, 2,581.

under lock and key, hoped for the disintegration of Sinn Fein. Dublin Castle concentrated on measures for its suppression and issued order after order, secret or public, directed not only against national organisations but also against every occasion and activity which might be supposed to bring the people together in groups. The result was interesting. Sinn Fein proved itself to be, beyond question, a majority movement, a national force imbued with spontaneous vitality, a resurgence of the people, no longer depending on leaders or propagandists for its strength.

On May 28th a secret order was circularised to the police. It stated :

“ It is the desire of the Government that vigorous measures be taken to deal effectively with the present activities of disloyally affected persons.

“ It is expected that the police will be particularly vigilant in obtaining information and that prompt action will follow.”

The police were instructed to proceed against the practice of night drilling and to co-operate closely with the troops ; to procure advance information whenever possible from persons who would be rewarded out of secret service funds ; to close halls used for drilling or for cinema performances likely to cause disaffection ; to search for seditious literature and where it was found seize the printing machines.

Shortly afterwards a reward of £500 was offered to any person giving information as to the landing of arms.

On June 15th the cities of Cork and Limerick and the counties of Cork, Limerick, Clare, Galway, Kerry, King's County, Longford, Mayo, Queen's County, Sligo, Tyrone, Tipperary and Westmeath were made “ proclaimed districts ” under the Criminal Law and Procedure Act of 1887 ; persons charged in these districts could be removed for trial to a venue more convenient for the purposes of the Government and tried by special jury.

On June 18th certain districts were proclaimed as “ Special Military Areas ” under the Defence of the Realm Act and orders

were issued prohibiting the holding of meetings, including fairs.

On July 4th Sinn Fein, the Volunteers, Cumann-na-mBan, and the Gaelic League were all proclaimed to be dangerous associations ; their meetings were declared illegal ; persons attending or calling a meeting of any of these organisations were liable to prosecution by a court of summary jurisdiction.

On the same day—Independence Day in the United States—President Wilson, speaking at Washington's tomb, reiterated his doctrine of justice and liberty, based on:

“ . . . The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery. . . .

“ . . . These great objects can be put into a single sentence : What we seek is the reign of law, based upon the consent of the governed and sustained by the organised opinion of mankind. . . . ”

Lloyd George addressed American troops on the following day. “ President Wilson yesterday made it clear what we are fighting for,” he said.

On July 5th also, Sir F. Shaw, acting as competent military authority in Ireland, issued an order prohibiting “ the holding of or taking part in any meetings, assemblies, or processions in public places within the whole of Ireland.” Secret instructions were at the same time issued to the police explaining that the order, of course, applied to sports, athletic meetings, *aeridheachta*, *feisanna*, etc.<sup>1</sup>

The police in the following months were extremely active in endeavouring to prevent and break up meetings ; football and hurling matches, boating re-unions, as well as fêtes and concerts—meetings of all kinds, except those for which a military permit had been granted—were liable to attack. The Press reported

<sup>1</sup> An *aeridheacht* is an open-air entertainment or performance. A *feis* is a musical contest.

eleven baton or bayonet charges by the police and military during the month of July.

Ireland was "lying under the unfettered tyranny of a military government," as Dillon declared, while Bonar Law continued to affirm that it was impossible to put any form of Home Rule into operation.

No more had been heard of Lloyd George's promise. The fact was that no form of Home Rule which the Government would think of offering would have been given one moment's consideration by the people of Ireland at this time.

The Irish people were quietly, as far as possible, going their own way in disregard of prohibitions and decrees, and Sinn Fein on occasions organised deliberate defiance of the military régime. On August 4th fifteen hundred hurling matches were played in Ireland. On August 15th, hundreds of public meetings were held and numbers of the speakers who addressed them went to jail.<sup>1</sup>

<sup>1</sup> Beaslai, I., p. 225. See Ernie O'Malley, *On Another Man's Wound*, for an intimate personal narrative of a Volunteer's experiences during these years.

## CHAPTER 26

*June to December 1918*

MEN AND WOMEN IN JAIL — THE SINKING OF THE  
“LEINSTER” — VOLUNTEERS PREPARE TO RESIST CON-  
SCRIPTION — GENERAL ELECTION — SINN FEIN CANDIDATES  
— REPUBLICAN MANIFESTO — CENSORSHIP — VICTORY FOR  
SINN FEIN

DURING the summer, conflicts between Republican prisoners and warders occurred frequently in the Irish jails. Men convicted had been collected in Belfast Jail and there, during the last week of June, violent scenes took place and many of the prisoners, in consequence, were kept in handcuffs and “muffs” for several days.

In Maryborough prison, Patrick Fleming, a man of exceptional spirit and physique, was maintaining an obstinate resistance to all attempts to treat him as a criminal. His conflict with the authorities continued until the end of the year. He was confined at different times with handcuffs, “muffs,” and strait-jackets which would be removed only when he collapsed and replaced as soon as he returned from the prison hospital. Deprivation of bed-clothes and of his own clothing was another punishment employed. He succeeded in breaking furniture and handcuffs and was placed in a specially constructed cell. Finally his sentence was reduced from five to two years; he was removed to Mountjoy and given treatment which satisfied his demands.

Mrs. Clarke, Madame Gonne MacBride and Countess Markievicz were in Holloway Prison, and in August Mrs. Skeffington joined them there, deported from Ireland as being “a person likely to act or about to act in a manner prejudicial to the State.” She had earned her arrest, having completed a tour of the United States where at not less than two hundred and fifty meetings she had expounded Ireland’s claim to independence and related the story of Easter Week. She had presented to President Wilson in person an appeal from Cumann-na-mBan. Mrs. Sheehy-Skeffington, who went on hunger-strike from the moment of her arrest, was released after a few days.

During the month of September ninety-six Sinn Feiners were sentenced to terms of imprisonment by courts martial and civil courts. In October seventy-one sentences were passed for offences of a political nature,

The British Imperial War Cabinet, formed in June, hesitated still to impose Conscription in Ireland and continued to appeal for Irish recruits. One recruiting poster made an ingenuous attempt to turn the promises of President Wilson to advantage—it quoted his words: “We are concerting with our Allies to make not only the liberties of America secure, but the liberties of every other people as well,” and then declared:

“No man can read these words without applying them to Ireland as well as to Belgium, Poland, Yugo-Slavs and the Ukraine. The Allies . . . cannot undertake to free the people under Germany and Austria and leave other peoples under a system of Government which they resent. . . . Will Ireland fight for this freedom? America will see her rights are secured.”<sup>1</sup>

These appeals were meeting with little response. Even the sinking of the Irish mail boat by a German submarine did not have the result of inducing Irishmen to enlist.

The boat, the *Leinster*, was sunk on October 10th with a loss of about four hundred and fifty lives. The disaster was not unexpected. The line was under the control of the British War Office and was regularly used for transporting troops. The Government, without the knowledge or consent of the owners, had ordered the mail boats to be armed. Since January 1915, when submarine attacks began, the directors had been constantly applying for a destroyer escort for the boats, pointing out that if a ship were struck forward few or no lives could be saved unless an escort were at hand. The Government had refused.

These facts were known in Ireland although, at the inquest on the victims of the disaster, the evidence given by the managing director was suppressed.<sup>2</sup>

<sup>1</sup> Published with the authority of the British War Office (numbered: (417) 5626. 3. 20,000. Falconer G.4).

<sup>2</sup> See managing director's statement in the *Irish Independent* of November 19th, 1918.



It was rumoured at this time in Ireland that the Government had decided to issue the Order in Council for Conscription on the day of the re-assembling of Parliament—October 15th. The Volunteers had taken the decision to treat that Order as a declaration of war, and their preparations for resistance included drastic plans.

The roll of the Irish Volunteers now numbered over one hundred thousand men. It included men who had joined merely to escape conscription and who had no more intention of fighting for Ireland than they had for England; this type, however, was recognised by the officers and was discounted when making plans.

Cathal Brugha was doing remarkable work in building up the army. Michael Collins, as Director of Organisation, had much responsibility and was tirelessly active at this time, contriving secret lines of communication with the men in jail, securing arms, organising an intelligence service in the railways, shipping lines and Post Office as well as preparing the plans for resistance to conscription. He was no pacifist: non-violent resistance did not greatly appeal to him at any time. When a Volunteer, Denis MacNellis, resisted arrest and fired, wounding a policeman, Michael Collins approved.

Piaras Beaslai describes a plan made at this time to capture Lord French and to hold him as a hostage.

Piaras Beaslai was the Editor of *An t-Oglach*, the secretly printed organ of the Volunteers. He published an article headed "Ruthless Warfare" which advocated practices much more blood-thirsty than any that had been contemplated by the Volunteers up to this time.

"A Conscription campaign will be an unprovoked onslaught by an army upon the civilian population," the writer declared; ". . . anyone, civilian or soldier, who assists directly or by connivance in this crime against us, merits no more consideration than wild beasts, and should be killed without mercy or hesitation as opportunity offers."<sup>1</sup>

The writer was Ernest Blythe, who had succeeded in smuggling the article out of jail.

<sup>1</sup> Beaslai, p. 211.

Cathal Brugha was prepared to attempt with his own hand to shoot the responsible Ministers if conscription were attempted. Lloyd George spoke more literally than he was aware of when he expressed the opinion that to attempt to impose conscription would be "suicidal" at this time.

Sir Henry Wilson, however, and other Covenanters, were giving the Government no peace. Wilson urged conscription "both as a war measure and as a peace measure," and Lloyd George had to promise that he would try it immediately if all hopes of armistice disappeared.<sup>1</sup>

On November 11th, 1918, came the armistice.

Forty-nine thousand Irishmen, citizens of Ireland, and thousands of the Irish race from America and Australia and other countries had fallen in the war.

The Home Rule Act was on the British Statute Book, to be brought into operation after the conclusion of the war, but Ireland was taking little interest in Home Rule. When it was discovered that Lloyd George now proposed to postpone any offer of self-government until the Irish people were ready to accept Partition, the Irish people felt no surprise.

Lloyd George was endeavouring to secure a general election to return a coalition government in England. Bonar Law, at a public meeting on November 16th, circulated a letter which he had received from him some weeks earlier. In that letter, Lloyd George stated the dilemma in which the British Government had become involved. He wrote:

"The situation in regard to Ireland is governed by two fundamental facts. The first, that the Home Rule Act of 1914 is on the Statute Book; the second, that in accordance with the pledge which has been given by men in the past, and, indeed, by all Party leaders, I can support no settlement which would involve the forcible coercion of Ulster."

He referred to the alternative proposals made eighteen months ago and declared that since the Convention had failed to arrive at an agreement he had a right to bring a settlement into effect based on the second alternative, Home Rule with the exclusion of six counties of Ulster.

<sup>1</sup> Callwell, II., p. 141.

“ I recognise, however,” he wrote, “ that in the present condition of Ireland such an attempt could not succeed, and that it must be postponed until the condition of Ireland makes it possible. As to this last point, the Government will be chiefly guided by the advice it may receive from the Lord Lieutenant and the Irish Government.”

The moment had come for the Irish people to declare their will through the medium of the ballot.

In October the Irish electoral register was revised.

Women had at last secured the franchise, though not yet on terms of equality with men. Women over the age of thirty could vote and could stand for Parliament. In Ireland this meant an access of strength to Sinn Fein.

On November 25th the British Parliament was dissolved.

The campaign for a general election began in the last week of November. Polling day was December 14th. Sinn Fein prepared to contest every constituency in Ireland and the Nationalist Party made ready to fight for its political existence. “ The Irish Party will fight Sinn Fein with all the resources at their disposal,” John Dillon declared.

William O’Brien prophesied the downfall of the Party.

“ It is because a degenerate parliamentarism spent all its precious years of power in misrepresenting and thwarting the principles now clung to in desperation that opportunities such as never occurred before, and are not likely soon to occur again, were madly sacrificed,” he wrote.<sup>1</sup>

Sinn Fein was working under great disabilities ; more than a hundred of its responsible leaders, men and women, were in jail ; a great part of the country was under military rule ; Sinn Fein itself and every other national organisation was banned ; all Republican papers had been suppressed and every newspaper in the country was under censorship ; the whole election machinery and the Post Office were under British control ; experienced Republican speakers and organisers of nearly every town and village in Ireland were in prison and their places had to be filled

<sup>1</sup> Letter dated November 16th, 1918, and published in the Press.

by novices. It was, moreover, clear to every elector in the country that the promise to apply the principle of self-determination to Ireland had been merely a recruiting expedient and that a national declaration for a Republic would in all probability be answered by dragooning more merciless than this generation had yet endured.

It was in these circumstances that Sinn Fein nominated candidates and appointed Robert Brennan to direct its election campaign.

The drafting of the election manifesto was a matter of deep deliberation. It was finally decided to state with unmistakable clarity the nation's full demands. Sinn Fein stood now for sovereign independence and an Irish Republic; on that programme and on nothing less it asked for the people's votes.

“Sinn Fein gives Ireland the opportunity of vindicating her honour and pursuing with renewed confidence the path of national salvation by rallying to the flag of the Irish Republic,”

the manifesto declared. It continued:

“Sinn Fein aims at securing the establishment of that Republic.

1. By withdrawing the Irish Representation from the British Parliament, and by denying the right and opposing the will of the British Government, or any other foreign Government to legislate for Ireland.
2. By making use of any and every means available to render impotent the power of England to hold Ireland in subjection by military force or otherwise.”

The manifesto went on to promise the establishment of a constituent assembly and an appeal to the Peace Conference and to re-assert the principles of the Proclamation of the Provisional Government of Easter 1916, to recall the decay of the country under English Government and the futility of the Parliamentary policy which had led only to the menace of partition.

The facilities customarily extended during an election campaign by the party in power to its opponent were not extended to Sinn Fein. This election manifesto was mutilated by the

British censor, about one-fourth of its contents being deleted. Its purport remained unmistakable nevertheless. The words "Sinn Fein aims at securing the establishment of that Republic" remained.<sup>1</sup>

Robert Brennan, the Sinn Fein director of elections, was arrested three weeks before polling day. James O'Mara immediately took his place. Meanwhile, warnings against voting Republican were scattered from aeroplanes.

At the height of the campaign, news came that Dick Coleman, who had fought in the Rising and suffered much imprisonment and two hunger-strikes, had died in Usk prison in England. The news intensified the efforts of Sinn Fein.

A Republican candidate was put forward for every constituency in Ireland with the exception of Trinity College and, by an accident, of North Down. Constance Markievicz was nominated for the St. Patrick's Division of Dublin; Professor MacNeill for Derry City and the National University, and Cathal Brugha for County Waterford.

Michael Collins was a candidate for Cork. In his election address he declared:

"You are requested, by your votes, to assert before the nations of the world that Ireland's claim is to the status of an independent nation, and that we shall be satisfied with nothing less than our full claim—that in fact any scheme of government which does not confer upon the people of Ireland the supreme, absolute, and final control of all this country, external as well as internal, is a mockery and will not be accepted."

De Valéra was selected for West Belfast, South Down and East Mayo as well as for East Clare; in Mayo he was opposed to Dillon, the Parliamentary leader. Arthur Griffith stood as candidate in North-west Tyrone and East Cavan.

Sinn Fein had determined that constituencies in north-east Ulster should, if possible, be represented by a well-known Republican who would, at the same time, stand for election elsewhere.

<sup>1</sup> Appendices 6 and 7, pp. 955 and 957.

There were eight constituencies in other parts of Ulster which presented a problem, since in these the Unionist vote was slightly less than the combined votes of Nationalists (supporters of the Parliamentary Party) and Sinn Fein. Combination was necessary to defeat the Partitionists. Sinn Fein proposed that each of these constituencies should decide by a plebiscite whether to put forward a Party or Republican candidate and delegated Eoin MacNeill to discuss the matter with Dillon and Cardinal Logue. To the indignation of the Sinn Fein Executive he yielded to the demand of the Prelates for equal division of the seats. Cardinal Logue made his selection, allocating to Sinn Fein Derry City, East Down, North-west Tyrone and South Fermanagh, and to the Parliamentary Party South Down, North-east Tyrone, East Donegal and South Armagh.

De Valéra withdrew his candidature in South Down in favour of the Party candidate, Jeremiah MacVeagh.

Of the seventy-three Republican candidates forty-seven were in jail. Some of these contrived to send their election addresses out of the prisons but they were confiscated in the Post Office. De Valéra's address was stopped by the prison censorship.

In twenty-six constituencies the Republican candidate was unopposed, the Parliamentary Party having realised that it had no possibility of success in these districts, while Southern Unionists who might have wished to record their votes feared to be taken as voting for Partition.

Irish Labour organisations were persuaded not to contest the election. This course was taken in order that the National forces might be kept solid and united in this crisis, although organised Labour was far from satisfied with the social outlook of Sinn Fein.<sup>1</sup>

The majority of the working men and women of Ireland were members of Sinn Fein or the Volunteers or Cumann-na-mBan, and, as the disciples of James Connolly, held that the freedom of the nation and the freedom of the working classes must be pursued as one undivided aim.<sup>2</sup>

Save for men serving with the British forces or prisoners of war

<sup>1</sup> See Cathal O'Shannon's speech on February 21st, 1922, at a Special Congress of the Irish Labour Party on Election Policy.

<sup>2</sup> "In the long run the freedom of a nation is measured by the freedom of its lowest class."—James Connolly in the *Workers' Republic*, May 1915.

abroad, and Sinn Feiners held in British and Irish prisons, this election constituted a national plebiscite. It has been said that intimidation affected the result. Certainly the element of intimidation was present: raids, arrests and seizures directed against Republicans were incessant and the polling booths on December 14th were watched by military as well as police.

In America the Friends of Irish Freedom, organised and unorganised, were following the election campaign with extreme interest. They did not know what to expect. Throughout the year English propaganda had swept through the United States representing Irish Republicanism as the dream of a few dangerous fanatics and Sinn Fein as a party already discredited and defeated. The *Irish Press*, founded in Philadelphia in March by Joseph McGarrity, strove to combat that influence.

In December, President Wilson started for Europe to attend the Peace Conference in Paris. Before he left, more than a thousand Catholic priests of the Diocese of New York sent him an appeal to make the principle of self-determination applicable to Ireland. A similar appeal was sent to him by wireless while he was at sea from a great F.O.I.F. meeting at Madison Square Gardens at which Cardinal O'Connell spoke.

In Dublin, on December 22nd, a public meeting was held under the chairmanship of Professor MacNeill and a unanimous invitation was sent to President Wilson asking him to visit Ireland.

The results of the election were declared on December 28th: out of 105 candidates returned for Ireland 73 were Republicans and 26 Unionists. The Parliamentary Party had secured only 6 seats in Ireland: Captain Redmond, returned for Waterford, Joseph Devlin, who defeated De Valéra in West Belfast,<sup>1</sup> and the Nationalists returned for four other Ulster constituencies by agreement with Sinn Fein. T. P. O'Connor, returned for a Liverpool constituency, brought their total to seven. They had possessed 80 seats at the beginning of the year.

John Dillon, their leader, had lost his seat in Mayo to De Valéra, who received almost twice Dillon's number of votes.<sup>2</sup> The change which had come over the country was epitomised in this result.

<sup>1</sup> Devlin, 8,488. De Valéra, 3,245.

<sup>2</sup> De Valéra, 8,843. Dillon, 4,451.

De Valéra was returned unopposed for East Clare.

The people had voted for Sinn Fein and a Republic by a majority of 70 per cent.

Of the thirty-two counties of Ireland twenty-four had returned none but Republican members. The province of Munster had returned one Parliamentarian and no Unionist. Connacht had returned none but Republicans.

Of the nine counties of Ulster the Unionists had polled a majority only in four—in the counties of Antrim, Derry, Down and Armagh. They were a minority in Tyrone and Fermanagh, while in three of the Ulster counties—Donegal, Cavan and Monaghan—no Unionist was returned.

In all Ireland, out of a total of 1,526,910 votes registered, the Unionists (official and independent combined) received 315,394—about one-fifth.<sup>1</sup>

The Unionist historian, Ronald McNeill (Lord Cushendun) wrote after the result:

“The General Election of 1918 revealed that the whole of Nationalist Ireland had gone over with foot, horse, and artillery, with bag and baggage, from the camp of so-called Constitutional Home Rule, to the Sinn Feiners, who made no pretence that their aim was anything short of complete independent sovereignty for Ireland.”

The *Freeman's Journal*, which had consistently supported the Parliamentary Party, admitted in a leading article of December 30th that:

“The meaning of the Irish vote is as clear as it is emphatic. More than two-thirds of the electors throughout national Ireland have endorsed the Sinn Fein programme. . . . They invited the people to join to the demand for a Republic as something immediately obtainable and practicable as well as desirable, the declaration that they would accept nothing else and nothing less.”

*The Times* admitted “the overwhelming nature of the victory of Sinn Fein.” “The General Election in Ireland was treated by

<sup>1</sup> Appendix 33, p. 1019.



all parties as a plebiscite and admittedly Sinn Fein swept the country," it stated.<sup>1</sup>

No English Party had ever received from the electors of Great Britain a majority so overwhelming as the Irish people had given to Sinn Fein. It is doubtful if in the whole history of parliamentary institutions a decision so nearly unanimous had been given to one party, and it had been given to a revolutionary party in spite of opposition amounting to persecution by the Government in power.

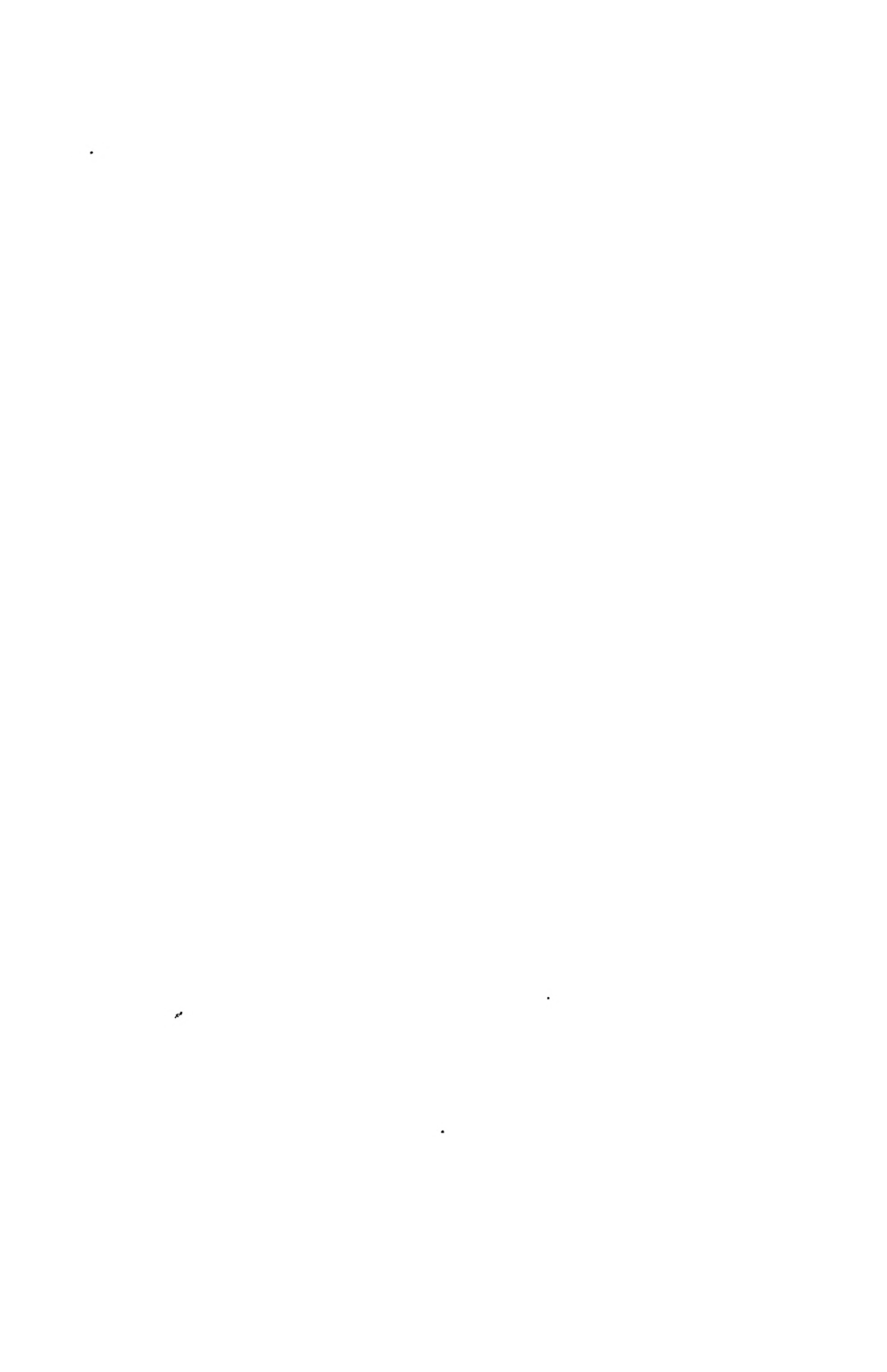
Three days after the result of the election was declared Mr. Shortt said that the Irish question would be settled "peacefully or bloodily within six months."

<sup>1</sup> *The Times*, January 9th and January 17th, 1919.

**PART V**

**THE GOVERNMENT OF THE REPUBLIC**

**1919**



## CHAPTER 27

*January and February 1919*

THE FIRST DAIL EIREANN — THE DECLARATION OF INDEPENDENCE — INTERNATIONAL LABOUR — THE VERSAILLES CONFERENCE — THE REPUBLICAN ENVOY TO PARIS — THE UNITED STATES — “ FRIENDS OF IRISH FREEDOM ” — PRESIDENT WILSON — A RESOLUTION OF CONGRESS — THE LEAGUE OF NATIONS COVENANT — DAIL EIREANN IN SESSION

THE Irish people had applied the principle of self-determination to their own case with an unequivocal result. The fact that the elections constituted a plebiscite and had recorded an overwhelming demand for independence was not denied in England, but it was ignored.

The newly-elected Republicans were not blind to the implications of the responsibility which they had undertaken or of the mandate which they had received. To attempt to carry that mandate out to its logical conclusion was to challenge an Empire fresh from victorious war: to do otherwise would be a cowardly renegation of the nation's claim. Their decision was unhesitatingly made. Twenty-six elected Republican Representatives met at the Dublin Mansion House on January 7th and made arrangements to convene Dail Eireann,<sup>1</sup> as an independent Constituent Assembly of the Irish Nation.

Sean T. O'Kelly, George Gavan Duffy and Piaras Beaslai were among the members of the committee which they appointed to prepare for the public opening of the Parliament of Ireland and to draft a provisional Constitution for the Dail.

An invitation to the opening session was sent to every representative elected, in whatever interest, for an Irish constituency.<sup>2</sup> It was signed by Count Plunkett as Chairman of the meeting of Republican Representatives. He had just been released after seven months in an English jail.

These Republicans knew that the English Government would probably prohibit the Assembly; they learned later that the decision not to do so was carried in the Irish Privy Council on January 20th by one vote.

<sup>1</sup> Assembly of Ireland.

<sup>2</sup> Appendix 8, p. 958.

The new British Cabinet met on January 10th. Lloyd George was Prime Minister, Walter Long was First Lord of the Admiralty, Winston Churchill Secretary of State for War, the Right Hon. F. E. Smith, now Baron Birkenhead, was Lord Chancellor, and Bonar Law was Leader of the House of Commons and Lord Privy Seal.

The Cabinet appointed Ian MacPherson Chief Secretary for Ireland. By leaving Lord French in the position of Governor-General they indicated that their policy would be a continuance of military rule. It was the only policy open to a government resolved to deny freedom to a people resolved to be free.

On January 21st, 1919, at 3.30 in the afternoon the First Dail Eireann met.

The non-Republican Deputies did not attend.

The President of Sinn Fein was in Lincoln Prison; Arthur Griffith was also in jail; Count Plunkett proposed that Cathal Brugha should preside.<sup>1</sup>

Father O'Flanagan read in Irish the opening prayer:

“ Come, O Holy Ghost, replenish the hearts of Thy faithful: and kindle in them the fire of Thy love. Send forth Thy Spirit, O Lord, and they shall be created: and Thou shalt renew the face of the earth. Let us pray: O God, who by the light of the Holy Spirit didst instruct the hearts of the faithful, grant us by the same spirit to relish what is right and ever to rejoice in His consolation through Jesus Christ our Lord. Amen.”

The clerks of the Dail for the day were appointed and the roll was called: “ *Fé ghlas ag Gallaibh* ” (“ imprisoned by the foreign enemy ”) was the answer given to name after name. Of the seventy-three Republicans elected thirty-six were in jail.

The Provisional Constitution of the Dail was read and passed unanimously.<sup>2</sup>

Then, everyone present standing, Ireland's Declaration of Independence was read in Irish and in English as follows:

<sup>1</sup> See Dail Eireann: *Minutes of the Proceedings of the First Parliament of the Republic of Ireland.*

<sup>2</sup> Appendix 9, p. 959.

“ Whereas the Irish people is by right a free people:

“ And whereas for seven hundred years the Irish people has never ceased to repudiate and has repeatedly protested in arms against foreign usurpation:

“ And whereas English rule in this country is, and always has been, based upon force and fraud and maintained by military occupation against the declared will of the people:

“ And whereas the Irish Republic was proclaimed in Dublin on Easter Monday, 1916, by the Irish Republican Army, acting on behalf of the Irish people:

“ And whereas the Irish people is resolved to secure and maintain its complete independence in order to promote the common weal, to re-establish justice, to provide for future defence, to ensure peace at home and good will with all nations, and to constitute a national policy based upon the people’s will, with equal right and equal opportunity for every citizen:

“ And whereas at the threshold of a new era in history the Irish electorate has in the General Election of December, 1918, seized the first occasion to declare by an overwhelming majority its firm allegiance to the Irish Republic:

“ Now, therefore, we, the elected Representatives of the ancient Irish people in National Parliament assembled, do, in the name of the Irish nation, ratify the establishment of the Irish Republic and pledge ourselves and our people to make this declaration effective by every means at our command:

“ We ordain that the elected Representatives of the Irish people alone have power to make laws binding on the people of Ireland, and that the Irish Parliament is the only Parliament to which that people will give its allegiance:

“ We solemnly declare foreign government in Ireland to be an invasion of our national right which we will never tolerate, and we demand the evacuation of our country by the English Garrison:

“ We claim for our national independence the recognition and support of every free nation in the world, and we proclaim that independence to be a condition precedent to international peace hereafter:

“ In the name of the Irish people we humbly commit our

destiny to Almighty God Who gave our fathers the courage and determination to persevere through long centuries of a ruthless tyranny, and strong in the justice of the cause which they have handed down to us, we ask His Divine blessing on this the last stage of the struggle we have pledged ourselves to carry through to freedom."

"Deputies," Cathal Brugha said when the reading was finished, "you understand from what is asserted in this Declaration that we are now done with England. Let the world know it and those who are concerned bear it in mind."

The Deputies, standing, affirmed:

"We adopt this Declaration of Independence, and we pledge ourselves to put it into effect by every means in our power."

The Dail then appointed three Delegates to the Peace Conference—Eamon de Valéra, Arthur Griffith, and Count Plunkett. An Address to the Free Nations of the World was read in Irish, French, and English, and adopted. It called upon "every free nation to support the Irish Republic by recognising Ireland's national status and her right to its vindication at the Peace Congress," and declared that Ireland was "resolutely and irrevocably determined, at the dawn of the promised era of self-determination and liberty, that she will suffer foreign dominion no longer."<sup>1</sup>

Then was read and adopted unanimously the Democratic Programme of Dail Eireann, founded on the Easter Week Proclamation:

"We declare in the words of the Irish Republican proclamation the right of the people of Ireland to the ownership of Ireland and to the unfettered control of Irish destinies to be indefeasible, and in the language of our first President, Padraic Pearse, we declare that the nation's sovereignty extends not only to all men and women of the nation, but to all its material possessions; the nation's soil and all its resources, all the wealth and all the wealth-producing processes within the nation; and with him we re-affirm that all rights

<sup>1</sup> Appendix 10, p. 961.

to private property must be subordinated to the public right and welfare.

“ We declare that we desire our country to be ruled in accordance with the principles of Liberty, Equality and Justice for all, which alone can secure permanence of government in the willing adhesion of the people.

“ We affirm the duty of every man and woman to give allegiance and service to the commonwealth, and declare it is the duty of the nation to assure that every citizen shall have opportunity to spend his or her strength and faculties in the service of the people. In return for willing service, we, in the name of the Republic, declare the right of every citizen to an adequate share of the produce of the nation’s labour.

“ It shall be the first duty of the government of the Republic to make provision for the physical, mental and spiritual well-being of the children, to secure that no child shall suffer hunger or cold from lack of food or clothing or shelter, but that all shall be provided with the means and facilities requisite for their proper education and training as citizens of a free and Gaelic Ireland.

“ The Irish Republic fully realises the necessity of abolishing the present odious, degrading, and foreign poor-law system, substituting therefor a sympathetic native scheme for the care of the nation’s aged and infirm, who shall no longer be regarded as a burden, but rather entitled to the nation’s gratitude and consideration. Likewise it shall be the duty of the Republic to take measures that will safeguard the health of the people and ensure the physical as well as the moral well-being of the nation.

“ It shall be our duty to promote the development of the nation’s resources, to increase the productivity of the soil, to exploit its mineral deposits, peat bogs, and fisheries, its waterways and harbours, in the interest and for the benefit of the Irish people.

“ It shall be the duty of the Republic to adopt all measures necessary for the re-creation and invigoration of our industries, and to ensure their being developed on the most beneficial and progressive co-operative industrial lines. With the adoption of an extensive Irish consular service trade with foreign



nations shall be revived on terms of mutual advantage and good will; while undertaking the organisation of the nation's trade, import and export, it shall be the duty of the Republic to prevent the shipment from Ireland of food and other necessaries until the wants of the Irish people are fully satisfied and the future provided for.

“ It shall devolve upon the national government to seek the co-operation of the governments of other countries in determining a standard of social and industrial legislation with a view to general and lasting improvements in the conditions under which the working classes live and labour.”<sup>1</sup>

The session then concluded. It had lasted two hours—two of the most momentous hours in Ireland's history.

Visitors and journalists from many countries filled the gallery of the Mansion House; the Assembly made a deep impression on these. “ The proceedings throughout were orderly and dignified, not a word being uttered that could provoke ill-feeling,” the correspondent of *The Times* wrote. But it was a French historian, Monsieur Goblet, who most clearly realised the significance of the event. He realised that Dail Eireann was inspired by the spirit of Easter Week. “ And those who knew it,” he wrote, “ partisans or adversaries, divined that a new epoch was beginning, and one that would be terrible.”<sup>2</sup>

For Irish Republicans what had been done on that day was a national act as grave as was the Declaration of Independence of the United States to the American people—an act from which the nation could not withdraw.

Dail Eireann held a private session on the following day to elect a Ministry.

By its Provisional Constitution the Dail had “ full powers to legislate ” and its Ministry had full executive powers. The *Príomh-Aire* (First Minister) was to be chosen by the Dail. He would nominate the four other Ministers and have power to dismiss them from office.

<sup>1</sup> Thomas Johnson, then Secretary of the Irish Labour Party, and William O'Brien, at the request of the Dail, prepared and submitted a draft for a social and democratic programme. About half of their draft was included in the above programme as finally written by Sean T. O'Kelly and adopted by the Dail.

<sup>2</sup> Goblet, pp. 356-7.

It was afterwards contended that some ambiguity existed as to the position of the *Priomh-Aire* but the Constitution, in fact, left no room for doubt. It gave to no other electoral body than the Dail the responsibility for choosing a President of the Republic; the Dail admitted no sort of subjection to the English or any other monarch, therefore its own Chief Executive—the *Priomh-Aire*—was, *ipso facto*, head of the State. His office, in fact, corresponded to that of the President of the United States of America, in which the functions of the President and active Chief Executive are combined.

Cathal Brugha was elected Acting President, it being understood that Eamon de Valéra would be elected to the office of President when he returned from prison.

On February 4th the House of Commons assembled at Westminster—an overwhelmingly Conservative House. The Irish benches, for the first time since the Union, were almost empty. The House was relieved to find that the Sinn Fein Deputies did not propose to attend. The possibility of their attending and eventually forming an alliance between Sinn Fein and the British Socialists had been contemplated with dismay.<sup>1</sup>

Organised Labour had already shown sympathy for the Irish cause. The International Labour and Socialist Conference which opened at Berne on February 3rd admitted Ireland as a separate unit. Thomas Johnson and Cathal O'Shannon, the delegates from the Irish Labour Party, presented to the Conference a Memorandum on Ireland which aroused great interest and was extensively quoted in the European Press. Delegates from the Conference at Berne to the Peace Conference undertook to press Ireland's claim to a hearing at Versailles.<sup>2</sup>

The Peace Conference was sitting in Paris and the Covenant of the League of Nations was in process of formation there. President Wilson was dividing his time between the Conference and the United States. The first duty of Dail Eireann was to secure a hearing before the Peace Conference of Ireland's case for independence and her claim for the recognition of the Republic.

<sup>1</sup> See Winston S. Churchill, *The World Crisis: The Aftermath*, p. 288.

<sup>2</sup> Report of the 25th Annual Meeting of the Irish Labour Party and Trades Union Congress, August 1919.

The Dail accredited Alderman Sean T. O'Kelly to Paris as Envoy of the Government of the Irish Republic. He remained there for many months endeavouring to secure the admission to the Conference of the three delegates appointed by the Dail.

He addressed a letter to President Wilson, who was then in Paris, on February 8th, explaining his mission and conveying to the President the official invitation of the Corporation of Dublin to visit Ireland and to receive in person the freedom of the city, which had been conferred on him on January 3rd.

When President Wilson's reply came, two months later, it was an expression of regret that his engagements made a visit to Ireland impossible.

The Irish Envoy in Paris was early forced to realise that British influence at the Peace Conference was militating powerfully against a hearing of Ireland's claim.<sup>1</sup>

Ireland looked to the United States of America for effective friendship still. American statesmen were, as was natural, cautious, and the "reconquest of America" by British propaganda had made great headway during the last year of the war; nevertheless, there were in the United States millions of people—men and women of Irish race, and others, whose sympathy with the cause of Ireland seemed an almost irresistible force.

Unfortunately, early in this most critical year, hesitations and dissensions wasted these energies. Forces that ought to have been united in urging the American President to uphold the claim of Ireland were divided; leaders of the great Irish-American organisation failed to agree as to the manner in which that claim should be formulated and expressed.

Dr. McCartan, on January 3rd, sent a note to the American Secretary of State and to all the Diplomatic Representatives of foreign countries in Washington. He informed these that

"The United Kingdom of Great Britain and Ireland is at an end. The Republic of Ireland denies the right of any foreign government henceforth to enter into negotiations or

<sup>1</sup> A Reuter's Agency statement later declared that a member of the Congressional Foreign Affairs Committee had been told by President Wilson on February 27th that Ireland could have no voice in the Peace Conference at present, since the Irish question was a matter between England and Ireland. It was afterwards denied that any such statement had been made.

arrangements concerning the Irish people with the Government of His Britannic Majesty.”

John Devoy could not be persuaded to endorse Dr. McCartan's action. Judge Cohalan, Devoy's close friend and adviser in all that concerned the Friends of Irish Freedom organisation, preferred to evade the issue which the result of the general election had created. Even after Dail Eireann was established and the Declaration of Independence had been made they failed, in their speeches and in their paper, *The Gaelic American*, to recognise the Republic as having been established by the will of the Irish people; they failed even to make the full Republican demand.<sup>1</sup>

Another obstacle to the usefulness of the Friends of Irish Freedom organisation at this time was the fact that Judge Cohalan had incurred the bitter hostility of President Wilson and had thrown the energies of the organisation against the League of Nations, which was the President's most cherished object.

Thus the Democratic Party—President Wilson's Party, which had hitherto enjoyed the support of nearly all citizens of Irish extraction in the United States—was now opposed by the Irish organisation. The F.O.I.F. were prepared to vote for the Republican Party in the United States elections of 1920.

There were, on the other hand, Irish-Americans like Joseph McGarrity and Father Peter Magennis, to whom the Irish Declaration of Independence was an actuality and the Republic a Sovereign State, and who supported Dr. McCartan in his uncompromising stand. It was by the efforts of such men as these, and of influential women like Mrs. Mary McWhorter of Chicago, that a great Irish Race Convention was summoned and met in Philadelphia on February 22nd and 23rd.

Over five thousand, representing millions of Irish-American citizens, took part. At the head of the Resolutions Committee was Cardinal Gibbons of Baltimore. After some difficulty a resolution was drafted to which the leaders of opposing sections agreed, calling upon President Wilson to

“ place before the Peace Conference and support with all his powerful influence Ireland's right of self-determination and

<sup>1</sup> See Patrick-McCartan, *With De Valéra in America*, pp. 69-71.

secure for the elected delegates from her Constituent Assembly to the Peace Conference the same status and recognition which have been accorded to those of other small nations.”

They pledged themselves, also, to raise within six months one million dollars as a “ Victory Fund ” to help the Irish cause.

The Committee of the Convention appointed three delegates to go to Paris for the purpose of securing a hearing for Ireland before the Peace Conference.

On March 4th, President Wilson, who was about to sail to Europe, addressed an immense meeting in New York. A deputation from the Irish Race Convention waited upon him at the Metropolitan Opera House to present the resolution. President Wilson sent out a refusal to receive the deputation unless Judge Cohalan, who was a member of it, withdrew. The Judge consented to do so and the President was addressed by Judge Goff. In reply to the deputation he said that he was in complete accord with the aspirations which they expressed; he refused, however, to commit himself to any line of action, saying that he must be allowed to meet the situation by the methods which seemed best to him.

On the same day an important resolution, moved by Thomas Gallagher of Illinois, came before Congress. It read:

“ That it is the earnest hope of the Congress of the United States of America that the Peace Conference now sitting at Paris and passing upon the rights of the various people will favourably consider the claims of Ireland to self-determination.”

It was passed by the House of Representatives by a majority of 261 to 41. The American people had instructed their President to support Ireland’s claim.

By Irish Republicans the news was received with gratitude and a renewal of hope. In England some disquiet was felt at this recrudescence of American interest in Irish affairs.

There was a further demonstration of that influence on St. Patrick’s Day in New York, when, as Philip Gibbs wrote in *The Daily Chronicle*, “ The City of New York was held for a

parade of Irish-Americans who marched down Fifth Avenue with bands and banners. It was miles long." He reported "the renaissance of a great strain of emotion among Irish-Americans on behalf of Ireland's liberty and independence."

The question of the participation of the United States in the League of Nations would undoubtedly be a main issue in the presidential elections of the following year. The result of those elections would be strongly affected by the Irish-American vote. The American people were still in doubt as to whether the Protocol of the League would be such as to make it a genuine League of Nations for peace and justice, or whether it would become a mere association of victorious powers to secure their domination over the weak. The case of Ireland would provide a test.

On February 22nd, Sean T. O'Kelly addressed a letter to M. Clemenceau, President of the Peace Conference, and to every delegate to the Conference in Paris.<sup>1</sup> He brought to their notice the claim of the Government of the Irish Republic for international recognition; he requested the Conference to receive its delegates and allow them the earliest possible opportunity

"to establish formally and definitely before the Peace Conference and the League of Nations Commission, now assembled in Paris, Ireland's indisputable right to international recognition of her independence and the propriety of her claim to enter the League of Nations as one of its constituent members."

It was as a Constituent Member only that Ireland claimed admission to the League of Nations. In another letter to M. Clemenceau, sent on March 31st, Sean T. O'Kelly made this clear. He referred particularly to Ireland's position in connection with Article X of the Draft Covenant of the League. This Article read:

"The High Contracting Powers undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States

<sup>1</sup> Appendix 11, p. 968.

members of the League. In case of any such aggression or in case of any threat of danger of such aggression the Executive Council shall advise upon the means by which this obligation shall be fulfilled."

Article X as it stood, with Ireland internationally registered as an appendage of the British Crown, might be interpreted in such a way as to perpetuate her subjection; with Ireland recognised as an independent Republic such an Article would be the protector and guarantee of her integrity. Adhesion to the League as a Constituent Member, and not as a mere member of the British Commonwealth, was therefore of vital importance to Ireland.

This O'Kelly pointed out. He also showed that:

"In none of the small nationalities with which the Peace Conference has hitherto occupied itself is the unanimity of the people so great; in none has the national desire for freedom been asserted so unmistakably and with so much emphasis."

Should Ireland's claim to be heard before the Peace Conference be rejected, he declared, Article X would force her to rely for her deliverance wholly on her own efforts; nations hitherto friendly to her would be forced to leave her unaided, would be bound "to guarantee to Great Britain a title to the possession of Ireland and dominion over the Irish people."

The letter elicited no reply. George Gavan Duffy joined Sean T. O'Kelly in Paris. There journalists of a score of nations besieged them for information about Ireland and for news of De Valéra; widespread interest and sympathy were shown towards the Irish cause, but all efforts to secure an official hearing for it were in vain.

In Ireland the members of Dail Eireann were meeting, usually in secret, organising various departments of Government and preparing to put the Democratic Programme, as far as possible, into effect.

## CHAPTER 28

*February to April 1919*

DE VALÉRA ESCAPES — RECEPTION PROHIBITED — ELECTED PRESIDENT — THE REPUBLICAN CABINET — DAIL EIREANN LOAN — ARD-FHEIS OF SINN FEIN — THE VOLUNTEERS — SHOOTING AT SOLOHEADBEAG — BRITISH AGGRESSION — THE VOLUNTEERS AND THE DAIL — CAPTURING ARMS — LABOUR, IRELAND AND THE PEACE CONFERENCE

DE VALÉRA was no longer in prison. On February 3rd, by means of a plan which he had long been preparing, and with the help of Harry Boland and Michael Collins, he escaped out of Lincoln Jail. Sean Milroy and Sean McGarry escaped at the same time.<sup>1</sup> He remained for some weeks concealed in English cities while the British secret police searched for him. As long as the British Government was determined to hold its "German Plot" prisoners his appearance in public would certainly be the signal for his arrest.

In spite of incessant protests from Ireland nearly all these prisoners were still in custody at the beginning of March. Influenza was ravaging the jails and on March 6th Pierce McCann, a member of Dail Eireann, died in Gloucester Jail. That night, in the House of Commons, the decision to release the Irish internees and convicted prisoners was announced.

Among the released deputies who received an enthusiastic welcome in Ireland was Constance Markievicz, member of Dail Eireann for the St. Patrick's Division of Dublin City. She was the only woman as yet elected to Parliament under the British Act.

De Valéra now decided to take his place openly in Ireland. The people of Dublin wished to give him a civic welcome. A ceremony was arranged in his honour which had formerly been held only for an English sovereign—the presentation at the City Boundary of the keys. The Lord Mayor made preparations to carry out the welcome, and the Castle Government prepared to prevent it by force. All meetings were prohibited and troops were drafted to the city from the Curragh. "The Army authorities,"

<sup>1</sup> See Piaras Bensusan, I., p. 202.



a writer in the *English Review* declared, were "hoping against hope for a 'bit of a scrap,' for which the arrival of De Valéra may be the occasion."<sup>1</sup> De Valéra, however, realised that the situation was critical, and he conveyed to Sinn Fein the wish that the reception should be cancelled, since the occasion was not one which called for the risking of lives.

He was present when the second session of the Dail opened, meeting in private, on April 1st. He was declared elected *Priomh-Aire*, the title being translated "President" in the official report. The Provisional Constitution of the Dail was amended to provide that:

"The President may himself in writing nominate from among the members of the Ministry a President-Substitute, in the event of his being prevented from performing the functions of his office."

But President de Valéra undertook

"that a President-Substitute should submit his nomination for approval by the Dail after assuming office."<sup>2</sup>

Thus provision was made for emergency action while democratic control was preserved.

Sean T. O'Kelly became *Ceann Comhairle*, Speaker of the Dail.

President de Valéra appointed as Ministers Arthur Griffith for Home Affairs, Count Plunkett for Foreign Affairs, Cathal Brugha for Defence, Constance Markievicz for Labour, Eoin MacNeill for Industry, William Cosgrave for Local Government, and Michael Collins for Finance. Robert Barton was given charge of the Department of Agriculture, and Laurence Ginnell of Propaganda. Ernest Blythe was later appointed Director of Trade and Commerce, and was included in the Ministry. Richard Mulcahy became Chief of Staff of the Irish Republican Army.

The British Government was in control of Irish Revenue and taxation. For the purposes of the Republican Government and for the campaign for international recognition it was necessary

<sup>1</sup> R. M. Anthony, *English Review*, July 1919.

<sup>2</sup> Dail Eireann, Official Report, p. 38, col. 2.

to raise a public loan. On April 4th the Dail decreed the issue of Republican Bonds to the value of £250,000 in sums of £1 to £1,000.

The organising of the Loan was entrusted to Michael Collins as Minister for Finance. He advertised its issue in newspapers in the following terms:

“ The proceeds of the Loan will be used for propagating the Irish case all over the world; for establishing in foreign countries Consular Services to promote Irish Trade and Commerce; for developing and encouraging Irish Sea Fisheries; for developing and encouraging the re-forestation of the country; for developing and encouraging Irish industrial effort; for establishing a National Civil Service; for establishing Arbitration Courts; for the establishment of a Land Mortgage Bank, with a view to the re-occupancy of untenanted lands, and generally for national purposes.”

All papers in which the advertisement appeared were immediately suppressed by an order of the British military authorities, *The Cork Examiner*, and other provincial papers temporarily, Republican and Labour papers permanently—so far at least as permanent suppression could be achieved. Griffith's *Nationality* disappeared, but he carried on his propaganda without interruption in *Young Ireland*.

In March an organisation was founded in England for the purpose of furthering the Irish cause. It was approved by De Valera and formed, in accordance with plans which he had thought out while in Lincoln Jail, as an open organisation, conducting its affairs without secrecy and keeping within the letter of the English law. Its name was the Irish Self-Determination League (I.S.D.L.). Branches were formed all over England and Wales; funds were collected for the relief of distress in Ireland caused by British violence; the Irish language, Irish music and pastimes were fostered among its members; propaganda was actively carried on and large meetings were held to demand the application of the principle of self-determination to Ireland. Art O'Brien became President of the League, which was to prove a valuable ally to Sinn Fein.

On April 8th, when a public Ard-fheis of Sinn Fein was held in Dublin, De Valéra was unanimously re-elected President of Sinn Fein. Arthur Griffith, in proposing him, said: "In De Valéra Ireland has a great leader—a man who lives in thousands and millions of hearts, a man with a wonderful judgment, such as I never met in a young man, except Parnell."

President de Valéra spoke of the general position of Sinn Fein, and particularly of its relation to Labour.

"When we wanted the help of Labour against Conscription, Labour gave it to us," he said. "When we wanted the help of Labour in Berne, Labour gave it to us, and got Ireland recognised as a distinct nation. When we wanted Labour to stand down at the election and not divide us, but that we should stand four square against one enemy, Labour fell in with us. I say Labour deserves well of the Irish people; the Labour man deserves the best the country can give."

There was some discussion of the system of Proportional Representation which the British Government was proposing to apply in Ireland. The measure was calculated to operate against the interests of Sinn Fein, except in the four north-eastern counties in which Unionists were in a majority; nevertheless, it was from the Unionists of those counties only that the measure met with opposition in Ireland. Arthur Griffith spoke in support of it, as did Countess Markievicz and Professor MacNeill. President de Valéra said: "Whether it benefited us or not, I would be in favour of the principle because it is founded on justice. We know the object for which it was designed. It was a crooked object. Let us meet it in a straight way. That is the principle guiding us the whole time."<sup>1</sup>

The Ard-fheis adopted the following pledge for local elections:

"I hereby pledge my allegiance to the Irish Republic, and I promise to work for its universal recognition."

At this meeting President de Valéra explained and emphasised the fact that the leadership of the nation had now passed to the

<sup>1</sup> The Local Government (Ireland) Act of 1919 extended the system of Proportional Representation to twenty-six Town Councils and Urban District Councils and to two hundred other authorities.

elected Government. Dr. McCartan, who had been sent to the United States as Republican envoy in 1918, was now appointed to represent there the duly elected Government of the Irish people.

On April 10th a session of Dail Eireann was held. It was a public session. The President openly declared the policy of the Republican Government, its relation to the British Administration in Ireland and to the forces which the British Government maintained on Irish soil.

He said:

“ Our first duty as the elected Government of the Irish people will be to make clear to the world the position in which Ireland now stands.

“ There is in Ireland at this moment only one lawful authority and that authority is the elected Government of the Irish Republic. Of the other power claiming authority we can say, adapting the words of Cardinal Mercier:

“ ‘ The authority of that power is no lawful authority. Therefore in soul and conscience the Irish people owe that authority neither respect nor attachment, nor obedience. The sole authority in this country is the authority of the elected representatives of the Irish nation. This authority alone has the right to our affection and to our submission. . . . The acts of the usurper have in themselves no authority, and such of these acts as affect the general interests and to which we may give ratification will have authority only in virtue of such ratification which alone gives them juridic value.

“ ‘ . . . Towards the persons of those who hold dominion among us by military force we shall conduct ourselves with all needful forbearance. We shall observe the rules they have laid upon us so long as those rules do not violate our personal liberty, nor our consciences, nor our duty to our country.’

“ Our attitude towards the powers that maintain themselves here against the expressed will of the people shall then, in a word, be this: We shall conduct ourselves towards them in such

a way as will make it clear to the world that we acknowledge no right of theirs. Such use of their laws as we shall make will be dictated solely by necessity, and only in so far as we deem them for the public good."

He then explained the intention of the Government to accredit ambassadors and consuls to other countries in order that Ireland might resume that intercourse with other peoples which it had been an aim of English statecraft for over a century to cut off.

He said that the Ministers and heads of the various Departments would be charged with seeking the co-operation of public bodies and of persons interested in the work entrusted to their Departments, and he said:

"The Minister of National Defence is, of course, in close association with the voluntary military forces which are the foundation of the National Army."

One of the most serious questions with which Dail Eireann had now to deal was that of the Royal Irish Constabulary. The English Government were determined, as Professor MacNeill declared in the Dail, "to make the police supreme in Ireland." It was recognised that the R.I.C. was a force of spies.

The action against the police which was now proposed by the President and carried by the Dail was not calculated to inspire terror in that body of Irishmen, but to bring home to them the shame of the position which they occupied. It was designed also to frustrate their efforts as "the eyes and ears of the enemy." He proposed that they "be ostracised socially by the people of Ireland."

On April 11th the Dail discussed the League of Nations. The President expressed the fear that the League might be taking a form which was a form of tyranny and was becoming an association to perpetuate power to those who had it and to keep for ever in slavery those who had been kept in slavery, by international rules, as they were called, but which were simply "the rules of thieves for regulating their conduct among themselves."

He stated that the Government of the Irish Republic wanted to tell the world that they were willing to take their part in the world's affairs, to undertake responsibility corresponding to the

rights given to them; that they were ready to become constituent units of a League of Nations based on the only principle on which it could stand, namely equality of rights among nations great and small.<sup>1</sup>

The following motion was carried :

“ That the elected Parliament and Government of the Irish Republic pledge the entire support of the Irish nation in translating into deeds the principles enunciated by the President of the United States of America at Washington’s Tomb, on July 4th, 1918, and wholeheartedly accepted by the people of America during the war.

“ We are eager and ready to enter a world League of Nations based on an equality of right in which the guarantees exchanged neither recognise nor imply a difference between big nations and small, between those that are powerful and those that are weak. We are willing to accept all the duties, responsibilities, and burdens which inclusion in such a League implies.”

The President’s reference, at the opening of this session of the Dail, to the Volunteers indicated that an understanding existed between that force and Dail Eireann, the liaison being maintained by the fact that he was himself President of the Volunteers and also by the presence on the Executive of the Minister of Defence ; it showed also that the relationship between the Volunteers and the Government was not yet officially established or satisfactorily defined. This was a question of the gravest moment now.

The Volunteers, by their Constitution, were bound to obey their own Executive and no other body. It had become manifest that the policy of non-violent resistance which they had maintained during more than two years of intense provocation must inevitably, sooner or later, be changed to one of active national defence.

Since 1916, hundreds of young men, many of whom possessed arms, had submitted to arrest and imprisonment. Republicans everywhere had been subjected to searches and raids, threats

<sup>1</sup> From the report in the *Irish Independent* of April 12th, 1919, reprinted in *Official Record of Dail Eireann*, pp. 72-3.

and baton charges and the deprivation of nearly all civic rights and had endured this aggression almost without retaliation. This restraint was the more remarkable because the Volunteer force was a revolutionary army, composed chiefly of very spirited and daring young men, and because the necessity for secrecy kept the companies in country districts largely isolated from the central control. About the moral aspect of attacking members of the British forces there was no difference of opinion among them. They held, simply, that the holding of Ireland by a foreign army of occupation was a continual form of aggression which justified an attack upon that army at any time. It was very generally felt now that a point had been reached at which armed action against the British forces would be justified. The Most Reverend Dr. Fogarty, Bishop of Killaloe, speaking two days after the Proclamation of Dail Eireann, said :

“ The fight for Irish freedom has passed into the hands of the young men of Ireland . . . and when the young men of Ireland hit back at their oppressors it is not for an old man like me to cry ‘ Foul ! ’ ”

In County Tipperary a small group of Volunteers planned to take action early in January. It was through a chance merely that their attack was postponed to the 21st—the day of the first meeting of the Dail. At Soloheadbeg, Dan Breen, Sean Treacy, Scumas Robinson, Sean Hogan and five other men ambushed a cart containing a load of gelignite for quarrying which was escorted by an armed guard of police. Called upon to surrender, the two policemen raised their rifles to fire and were shot dead. The Volunteers seized the gelignite and made their escape with it. One of them, Sean Hogan, was arrested, but when on his way to trial in May was rescued by his comrades. The reward of £1,000, offered by the Government for information against the ambushers, remained unclaimed.<sup>1</sup>

The military authorities proclaimed County Tipperary a military area under D.O.R.A. The R.I.C. conducted their efforts to trace the assailants by methods which caused intense resentment. Children were seized. A boy of eight years, named McGrath, was carried to an outhouse where he was threatened

<sup>1</sup> See Dan Breen, *My Fight for Irish Freedom*, chapter vi.

and questioned as to his father's whereabouts. Another child, named Connors, was brought from his house at Greenane, Tipperary, to Dublin, and kept there by the police, the parents being refused all information as to his whereabouts<sup>1</sup> until, through the intervention of Erskine Childers, legal action was taken and damages were recovered against the police.

The Tipperary Brigade of the Volunteers, under the command of Seumas Robinson, now posted up a counter-proclamation to the effect that every person found within the area of the South Riding of Tipperary after a certain date, who was an upholder of the foreign Government, would be held to have forfeited his life.<sup>2</sup>

The Tipperary Brigade was not permitted by the Volunteer Army Executive to put this threat into effect.

Incidents such as this showed the necessity for a unification of policies and the urgency of bringing the Volunteers under the control of the Dail.

The duty of re-constituting the force rested chiefly on Cathal Brugha and Richard Mulcahy.

At a meeting of the Volunteers' Executive in January, a few days after the opening of the Dail, certain principles for the guidance of the Irish Republican Army were discussed. These principles, as approved by their Executive, were explained in an editorial in the I.R.A. organ, *An t-Óglach*, on January 31st.<sup>3</sup>

The Volunteers were reminded that Dail Eireann, in its message to the free nations of the world, had declared a state of war to exist between Ireland and England which could never end "until the British military invader evacuated Ireland"; they were advised that this state of war

"justifies Irish Volunteers in treating the armed forces of the enemy—whether soldiers or policemen—exactly as a National Army would treat the members of an invading army; that a volunteer was now not only entitled but bound to resist all attempts to disarm him. In this position he has the authority of the nation behind him, now constituted in concrete form."

<sup>1</sup> Press of February 24th, 1919.

<sup>2</sup> Quoted by Lord Birkenhead in the House of Lords, April 14th.

<sup>3</sup> Beaslai, I., pp. 270 *et seq.*



An article in the following issue said :

“ The Irish Government claims the same power and authority as any other lawfully constituted Government ; it sanctions the employment by the Irish Volunteers of the most drastic measures against the enemies of Ireland. . . . England must be given the choice of evacuating the country or holding it by foreign garrison, with a perpetual state of war in existence.”

Cathal Brugha's policy was militarily in advance of that which the Dail as a whole would have initiated at this time, and Michael Collins favoured action which even Cathal Brugha did not always approve. Military councils were thus sometimes divided, and a good deal of initiative remained with the local companies of Volunteers. The Dail refrained from interference, entrusting the military policy of the Republic to its very able Minister for Defence.

During the spring the activities of the Volunteers throughout Ireland were concentrated on attempting to secure arms and explosives, with which the growing force was most inadequately supplied. There were never nearly as many weapons as men eager to use them. Some attacks on British patrols and barracks were carried out with this object. On March 20th, Volunteers of the Dublin Brigade seized arms and ammunition from the Collinstown Aerodrome ; a month later Volunteers raided the Constabulary Barracks at Araglen in County Cork and cleared it of arms and ammunition, having overpowered the guard.

There were no casualties on either of these occasions, but elsewhere men were killed on both sides. Patrick Gavan was shot dead at the British military camp in the Curragh on February 12th. On March 29th J. C. Milling, Resident Magistrate under the British Government, was shot at Westport and afterwards died. On April 6th, in Limerick workhouse infirmary, armed police were on guard over a Republican prisoner, Robert Byrne, who had been removed from jail to the hospital on hunger-strike. A party of Volunteers rushed in and attempted to rescue Byrne. A policeman shot the prisoner and was himself shot dead ; two other members of the guard were wounded

and one of them afterwards died. Byrne was removed by his rescuers, but died of his wound.

The British authorities proclaimed Limerick a military area ; tanks and armoured cars paraded the streets ; no person was admitted to the city without a permit ; workmen refused to observe the permit conditions, and a labour strike ensued which was supported by the National Executive of the Irish Labour Party and Trades Union Congress at a special meeting held in Dublin on April 18th.

On May 13th Sean Hogan, who had been arrested and charged in connection with the ambush at Soloheadbeg, was rescued from his guard of Constabulary at Knocklong Station in County Limerick. A small party of Volunteers led by Sean Treacy effected the rescue. Two of the constables were fatally shot.<sup>1</sup>

In the last week of April, at Longford, Michael Walsh and two other men were shot dead by police.

The counties of Cork, Limerick, Roscommon and Tipperary had by this time been added to those under direct military control. Throughout the country the British military and constabulary were intensifying their campaign of raids, suppressions and arrests.

The situation in Ireland was rapidly approaching a state of war ; it seemed that no hope of peaceful settlement remained, unless the Peace Conference responded to the Irish appeal ; but the representatives of the great powers in Paris had so far given no heed to Ireland's claim.

International Labour demanded the hearing at Paris of Ireland's case. In the last week of April the Second International, meeting at Amsterdam, demanded unanimously that

“ the principle of free and absolute self-determination shall be applied immediately in the case of Ireland.”

The meeting further declared that it

“ affirms the right of the Irish people to political independence ; requires that this self-determination shall rest upon a democratic decision, expressed by the free, equal, adult

<sup>1</sup> See article in the *Irish Press* (Dublin), May 13th, 1933.

and secret vote of the people without any military, political or economic pressure from outside or any reservation or restriction imposed by any government.

“The Conference calls upon the Powers and the Peace Conference to make good this rightful claim of the Irish people.”<sup>1</sup>

It was still to America that Ireland looked, however, for the support and influence that would secure the hearing at Paris of her case.

<sup>1</sup> Report of the 25th Annual Meeting of the Irish Labour Party and Trades Union Congress, August 1919, p. 37.

## CHAPTER 29

*April to July 1919*

DELEGATES FROM AMERICA – PRESIDENT WILSON IN PARIS  
– NO HOPE FROM VERSAILLES – “ FRIENDS OF IRISH  
FREEDOM ” DIVIDED – HARRY BOLAND IN AMERICA – DE  
VALÉRA IN AMERICA – MILITARY RULE IN IRELAND –  
BRITISH ADMINISTRATION BREAKING DOWN

THE three delegates from “ the Friends of Irish Freedom ” arrived in Paris early in April. They were Frank P. Walshe, formerly Chairman of the National War Labour Board, Edward F. Dunne, formerly Governor of Illinois, and Michael J. Ryan, who had acted as a member of the Public Service Commission of the State of Pennsylvania. The purpose of their visit was defined as being:

“ To obtain for the delegates selected by the people of Ireland a hearing at the Peace Conference, and to place before the Conference, if that hearing be not given, the case of Ireland, her insistence upon her right of Self-Determination and to international recognition of the Republican form of government established by her people.”

On arriving in Paris they sent a request to President Wilson to obtain from the British Government safe conducts for Eamon de Valéra, Arthur Griffith and Count Plunkett, the representatives selected by the people of Ireland, to come to Paris, and also asking him to accord an interview to the American Commission. They were informed that President Wilson would not be able to give the matter his consideration for some time, and meanwhile passports were obtained for them from Lloyd George permitting them to visit Ireland. They received passports in the name of the Republic from Sean T. O’Kelly.

The delegates arrived in Ireland on May 3rd and made a tour through the country, welcomed with rejoicing by the people and watched with suspicion by the police. They wished to visit jails, were refused permission to enter the jail at Westport, but visited Mountjoy. They were, however, given no opportunity to speak with the prisoners there.

At a special session of Dail Eireann held on May 9th, President de Valéra welcomed them in the name of the Republic. He said:

“ We greet them, then, and we salute them as a sign that America will not regard the official assurances of her responsible head as mere scraps of paper, but that the principles of right and justice are about to be supported by the massed strength of the greatest nation on the earth to-day—that nation which the whole world recognises as its only hope, that nation on which it depends whether the principles of right and justice are to prevail, or whether, as formerly, might and might only is to be right.”

He expressed regret that the delegates could not stay long enough to enable them to envisage the Irish political situation as it is, “ in its almost astonishing simplicity.”

Before they left, however, the delegates were presented with a plain demonstration of the methods by which the British Government was attempting to rule Ireland. On May 9th they were on their way to a reception at the Mansion House when they were stopped by the military, who refused to allow De Valéra to pass. Warrants had been issued for the arrest of certain members of the Dail; army lorries were drawn up outside the Mansion House and troops were searching the building for Michael Collins and Robert Barton. The Republican deputies, however, were not to be found.

The American delegates returned to Paris where they submitted their report on conditions in Ireland to the Peace Conference on June 3rd. Mr. Ryan had returned to the United States without signing it. It was signed by Edward F. Dunne and Frank P. Walshe.

In their brief visit they had received a bad, even an exaggerated impression of the outrages being practised on the Irish people and this was reflected in their report. Their account of the frequency of arrests and ill-treatment of prisoners, however, only confirmed well-known facts. This the *Manchester Guardian* admitted on June 24th:

“ It cannot be denied that women and men have been arrested and detained for long periods without trial, that the

imprisonment fatally broke the health of a few of them and destroyed the reason of others, that scores of other political prisoners sentenced by court martial have been in conflict with the prison authorities, that police truncheons, firemen's hoses, handcuffing behind back for several days (including days of solitary confinement in punishment cells) have been used to reduce them to subjection, that the conflict still goes on and the end is not in sight. . . . The exact statistics of these incidents are not very vital to a judgment of the situation."

The report of the delegates concluded thus:

" We sincerely urge if the Peace Conference refuses a hearing to the people of Ireland, in these circumstances, the guilt for the commission of these monstrous crimes and atrocities as well as for the bloody revolution which may follow must, from this time forward, be shared with Great Britain by the members of the Peace Conference, if not by the peoples which they represent."

They recommended that the Peace Conference should appoint a commission to investigate the conditions in Ireland under the British military régime.

On May 17th De Valéra, Griffith and Count Plunkett sent a letter to M. Clemenceau repudiating Britain's claim to speak for Ireland, and on May 26th the official statement of " Ireland's Case for Independence " was sent by the Republican Government to the Peace Conference.

The exposures of the American delegates were disconcerting to the British Government. Lloyd George had given passports to the American delegates in the hope of being able to impress them with the English point of view and so " help to allay the growing prejudice against England in the United States." This was the explanation given by the Lord Chancellor in the House of Lords.

It was not until June 11th that President Wilson was ready to receive the American delegates in Paris. Before that interview took place there was sent to him a second intimation, and a very definite one, as to the will in this Irish matter of the American

electorate. On June 6th the United States Senate passed the following resolution with only one dissident:

“ That the Senate of the United States earnestly requests the American Peace Commission at Versailles to endeavour to secure for Eamon de Valéra, Arthur Griffith and George Noble Count Plunkett, a hearing before the Peace Conference in order that they may present the case of Ireland.

“ And, further, the Senate of the United States expresses its sympathy with the aspirations of the Irish people for a government of their own choice.”

This was a confirmation of the resolution passed by Congress on March 4th.

Gratitude and high hope prevailed in Ireland. It seemed incredible that the representative of the people of the United States should ignore their mandate, thus constitutionally and unequivocally expressed; but that is what occurred.

The interview on June 11th was a distressing one; it was a confession on the part of President Wilson of failure and impotence. The President informed Walsh that there was an agreement among the Committee of Four that no small nation should appear before it without the unanimous consent of the whole Committee. This was an admission that the representative of the United States was permitting England to counter the demand of his own electorate and to veto the hearing of Ireland's claim.

Walsh reminded the President of his own declaration that every nation had a right to self-determination—words which “voiced the aspirations of countless millions of people.” The President replied:

“ You have touched on the great metaphysical tragedy of to-day. When I gave utterance to those words I said them without the knowledge that nationalities existed which are coming to us day after day. Of course, Ireland's case, from the point of view of population, from the point of view of the struggle it has made, from the point of interest it has excited in the world, and especially among our own people, whom I am anxious to serve, is the outstanding case of a small

nationality. You do not know and cannot appreciate the anxieties I have experienced as the result of these many millions of peoples having their hopes raised by what I have said.”<sup>1</sup>

With this interview all Irish hopes of a hearing at Versailles came to an end. It was the conclusion which the Republican Ministry had for some weeks foreseen; for “ the buzzards were hovering over Paris,” and they were intent on spoils.<sup>2</sup>

The American President had refused to help Ireland, but the American people had not refused, and to them still the Irish people looked for sympathy and support, and America was now in a position of unprecedented influence in international affairs.

America held the key to the whole system of European credit; England could ill afford strained relations with her powerful creditor; the successful establishment of the League of Nations depended largely on the participation of the United States; the Presidential Election was due in 1920 and the Irish vote in the States was a factor not to be ignored. An appeal to the Irish in America for funds, to the generous American nation for moral support, and to the American Government for recognition of the Irish Republic, seemed the effort best worth making now for the establishment of that Republic by peaceful means.

But no appeal made through the Irish people in America could be successful unless these people were first united and prepared to put the whole weight of their influence behind a single policy and a definite demand. Unhappily the dissensions in their organisation were increasing rather than diminishing, however. The “ Victory Fund Drive ” had resulted in the collection of large sums of money, but the members of the “ Friends of Irish Freedom ” organisation were divided as to how this money should be used. Some were in favour of retaining it for work in the United States while others wished to send the whole amount direct to the Republican Government.

President de Valéra, aware of the disastrous effect of these

<sup>1</sup> Evidence of Frank P. Walsh: Hearing on the Peace Treaty, August 30th, 1919.

<sup>2</sup> J. Ryan's Report. See the *Irish Press* (Philadelphia), June 1919.



dissensions, had already sent Harry Boland, member of the Dail for South Roscommon, who had considerable influence in the I.R.B., to join Dr. McCartan in America and examine the best means of reconciling these factors and organising an appeal to the people and the Government of the United States. Harry Boland's report had now been received by Dail Eireann. It showed the great difficulty of making progress there in face of the dissensions that existed. The President had also consulted the American delegates, during their visit to Ireland, on the possibility of raising a loan in the United States and they had emphasised the difficulties of such an attempt.

In the second week of June, President de Valéra, having crossed the Atlantic secretly, landed in the United States.

When Dail Eireann met on June 17th Arthur Griffith was Acting President. He announced:

“The President has, by and with the advice of the Ministry, gone on a mission abroad.”

In Paris, meanwhile, Sean T. O'Kelly and George Gavan Duffy continued their efforts to secure the removal of Article X from the Covenant of the League of Nations. They were engaged also in keeping the representatives of other States informed on Irish affairs by means of exchanging bulletins with them. Cordial personal relations were established with many rulers and diplomats, notably with Zaghul Pasha, whose efforts for Egypt had many parallels with those of the Irish envoys.

The work of these two envoys was continued at various times in Rome.

Undoubtedly England's foreign relations suffered as the truth about her régime in Ireland became known. General Smuts, who visited Europe at this time, declared on July 17th:

“The most pressing of all constitutional problems is the Irish question. It has become a chronic wound, the septic effects of which are spreading to our whole system . . . influence our most vital foreign relations.”

Representatives of English and foreign newspapers were thronging to Ireland. They found scenes reminiscent of occupied Belgium during the Great War. Soldiers with fixed bayonets,

wearing trench helmets, paraded the streets; a machine-gun post commanded Liberty Hall; military cordons with armoured lorries surrounded whole districts of Dublin while the police and military carried out raids. They saw, in June, the Dublin quays "jammed with tanks, armoured cars, guns, motor lorries, and thousands of troops, as if the port was the base of a formidable expeditionary force."<sup>1</sup>

The men of the Royal Irish Constabulary carried arms and maintained fortified barracks in every village and town. This force was nearly ten thousand strong.<sup>2</sup>

Hugh Martin was pointing the moral in a series of striking articles in the English *Daily News*. "Government by tanks," he wrote on May 14th,

"is only a temporary expedient, and the policy of drift cannot be indefinitely prolonged. There are limits to the most grotesque comedy, and in the end we shall have to give up either the hypocrisy of pretending to concern about freedom in Czecho-Slovakia or the infamy of stamping on freedom in Ireland. The issue may be delayed but it is not in doubt."

On June 24th the Irish bishops, meeting at Maynooth, issued a statement in which they described the British régime as "the rule of the sword, utterly unsuited to a civilised nation, and extremely provocative of disorder and chronic rebellion. The acts of violence which we have to deplore," they continued, "and they are few—spring from this cause and from this cause alone."

The army of occupation in Ireland was costing England ten million eight hundred thousand pounds a year.<sup>3</sup> This, combined with the civil administration, made the cost of holding Ireland amount annually to about thirteen million pounds. The British Government, however, having established the rule of the sword, seemed to have suspended all efforts to find a solution of their Irish problem by other means. For the moment, little was heard of Home Rule, save on July 12th when Sir Edward Carson threatened that if any attempt were made to change the status

<sup>1</sup> *Freeman's Journal*, June 10th, 1919.

<sup>2</sup> McPherson stated on June 14th that the R.I.C. numbered 9,682.

<sup>3</sup> House of Commons, August 5th, 1919.

of Ulster he would summon the Ulster Provisional Government and call out the Ulster Volunteers.

Lloyd George on July 21st made the statement, characteristic in its ingenuity, that he had tried to apply the principle of self-determination to Ireland, but without success; until Irishmen agreed among themselves he despaired of any settlement of the Irish difficulty.

He was referring to his "hand-picked Convention," not to the results of the general election of 1918. That election Lloyd George now, as always, preferred to forget.

In Ireland those people who called themselves "moderates," being neither followers of Carson nor of Sinn Fein, were endeavouring to organise themselves. In January an "Anti-Partition League of Southern Unionists" had been founded, with Lord Midleton as Chairman; at the same time an "Irish Centre Party" was organised by Captain Stephen Gwynn. In July the latter was merged in a League founded by Sir Horace Plunkett with the object of securing for Ireland Dominion Home Rule. Arthur Griffith described that project as "dead in its cradle." It was a fact that at the time only a very small minority in Ireland took the smallest interest in any political scheme that did not recognise the Republic.

It was a fact admitted by even those conservative sections of English opinion represented by *The Times*. "The present demand of the ruling party in Ireland is a Republic," a writer in that paper said on July 2nd. He continued: "Great Britain cannot and will not concede that demand. It would be superfluous to investigate the reasons in detail." And a leading article in *The Times* of August 18th said: "The hope that an army of military force might cow the Irish into a frame of mind compatible with the eventual acceptance of some moderate measure of devolution has plainly miscarried."

British civil administration had indeed broken down in nearly every part of the country. "The British Administration could no longer succeed in governing Ireland," M. Goblet writes of this period; "it could only prevent her governing herself."<sup>1</sup>

<sup>1</sup> Goblet, p. 360.

## CHAPTER 30

*June to September 1919*

DECREES OF DAIL EIREANN — ARBITRATION COURTS —  
THE REPUBLICAN OATH — THE REPUBLICAN ARMY — THE  
REPUBLICAN BROTHERHOOD — INTELLIGENCE SERVICE —  
MICHAEL COLLINS — GUERRILLA WAR — SACK OF FERMOY —  
DAIL EIREANN SUPPRESSED

THE effort of the Irish people to govern themselves was being obstinately maintained. Warrants were known to have been issued for the arrest of many of the Ministers and Deputies of Dail Eireann. Nevertheless, the Dail continued to meet.

During the fourth session of the Dail, which opened on June 17th, important decrees were passed. They were important, even though the British occupation rendered the execution of them almost impossible, as indicating the measures which the Republican Government would take to retrieve the ruined economic life of the nation, if and when it became free to function normally.

The Dail decreed the establishment in every county of National Arbitration Courts and appointed a committee to devise a scheme of organisation. It decreed the establishment of a Consular Service, the Consuls to be appointed by the Dail Department of Trade and amenable to the Dail; the establishment of a fund to aid in the provision of land for the agricultural population now deprived thereof; the allocation of funds for afforestation and fisheries, and for the appointment of inspectors in connection with these enterprises. It decreed also the appointment of a National Commission of Inquiry into the Industrial Resources of Ireland.<sup>1</sup>

During the session of June 19th trustees were appointed for the Dail Eireann National Loan. They were the Most Rev. Dr. Fogarty, President de Valéra, and James O'Mara. The Prospectus of the Loan for Home Subscription was approved. It provided for the issue of £250,000 five per cent registered certificates and stated:

<sup>1</sup> Dail Eireann, Official Record, June 18th, and *Irish Bulletin*, August 12th, 1921.

“ After the withdrawal of the English Military Forces, this loan becomes the first charge on the Revenues of the Irish Republic.

“ The Certificates will be issued in denominations of £1, £5, £10, £20, £50, and £100, and will bear interest at the rate of £5 per cent per annum. The first dividend will consist of interest calculated from the date upon which the final payment is made, but will not be payable until a date Six Months after the Irish Republic has received International Recognition, and the English have evacuated Ireland. Thenceforward, payment will be made half-yearly on 1st January and 1st July.”<sup>1</sup>

Every applicant was to be supplied at the time of payment with a receipt.

One of the most urgent problems before the Republican Government was a consequence of the land agitation spreading rapidly in the west. In order that this might be dealt with promptly the Dail had agreed that, pending a general plan for arbitration courts, each constituency might take measures to set up local courts. In West Clare, action was taken without delay. There, parish courts were set up, and a district court, having jurisdiction over the Constituency. The latter consisted of the member of the Dail for the Constituency, the president of the *Cómhairle Ceannair* of Sinn Fein and three other justices. A constitution was drawn up; rules of court, scales of fines, costs and fees were settled. The litigation of the district was gradually transferred from the British courts to these courts, which served as a model for the courts set up later by the Dail Ministry of Home Affairs.

At the opening of the fifth session of the Dail, on August 19th, Arthur Griffith reported the steps taken to carry out the Dail decree for the establishment of these courts. On the following day Robert Barton, Minister for Agriculture, submitted to the Dail a scheme for a land bank. The bank was presently inaugurated, and proved exceedingly helpful to Irish agriculturists. Persons wishing to buy land were enabled to borrow

<sup>1</sup> Appendix 85, p. 1024.

three-fourths of the price, Dail Eireann guaranteeing the bank by a loan of £250,000.<sup>1</sup>

On August 20th Cathal Brugha made a proposal to the Dail which was to have a profound effect on Ireland's history. The matter arose in connection with the position of the Volunteers. The Volunteers were to be asked, at their next Convention, to swear allegiance to Dail Eireann as the Government of the Republic. It was but fair and just that members of the Dail should subscribe to the same oath and commit themselves to Republican allegiance before the Volunteers were asked to recognise authority vested in them.

Cathal Brugha proposed a motion to the effect that every deputy, officer, and clerk of the Dail and every member of the Irish Volunteers "must swear allegiance to the Irish Republic and to the Dail." He suggested the following form of oath, adapted from the American form:

"I, A.B., do solemnly swear (or affirm) that I do not and shall not yield a voluntary support to any pretended Government, authority or power within Ireland hostile and inimical thereto, and I do further swear (or affirm) that to the best of my knowledge and ability I will support and defend the Irish Republic and the Government of the Irish Republic, which is Dail Eireann, against all enemies, foreign and domestic, and I will bear true faith and allegiance to the same, and that I take this obligation freely without any mental reservation or purpose of evasion, so help me God."

Terence MacSwiney seconded this motion; a few deputies opposed it; Arthur Griffith spoke in its support with a conviction remarkable in a man who had been but lately, if ever, converted to Republican ideals. He said that he was astonished at finding that the members had not taken an oath of allegiance at their first meeting. Every person elected there should pledge his or her allegiance to the standing government of Ireland. If they were not a regular government then they were shams and impostors. The army and government of a country could not

<sup>1</sup> See *The Constructive Work of Dail Eireann*: pamphlet on the Department of Agriculture and the Land Settlement Commission.

be under separate authority. While there might be a question as to the form of the oath there could be none as to the necessity for taking the oath. They should realise that they were the government of the country. This oath would regularise the situation. If they were a regularly constituted government there could be no question about the taking of an oath of allegiance. The taking of the oath did not preclude one from serving on the local boards and doing his best to forward the interests of the country in such a capacity. He was absolutely in favour of the motion.<sup>1</sup>

The Dail, on a division, carried Cathal Brugha's motion and adopted the suggested form of oath.

This question of an oath to the Republic and to Dail Eireann agitated the Executive of the Volunteers for some months. Michael Collins and certain other members of the Army Executive who were members of the Irish Republican Brotherhood opposed the pledge to the Dail and maintained that the simple Volunteer oath to the Republic was enough. They argued that there were members of the Dail whose loyalty had not been proved and that the Dail might some day compromise the Republican case. They would have preferred that the army should continue to be controlled by its own executive and by the I.R.B.

Those who supported Cathal Brugha in wishing to bring the army under the control of the Republican Government prevailed. They agreed, in order to meet the views of the other members of the Executive, that the Army Executive should remain in being and act as an advisory body with the Minister for Defence. The oath was therefore taken by the Volunteers.

On August 25th Michael Collins wrote to President de Valéra, "The Volunteer affair is now fixed."

The Irish Republican Brotherhood, nevertheless, remained independent. Whatever oath its members might find it expedient to take, their first loyalty was to the secret organisation and their first obedience was to its heads.

It was during this summer that Michael Collins established his powerful influence in the Volunteer Force—an influence

<sup>1</sup> Official Report, pp. 151-3.

which rivalled that of the Minister for Defence. Besides being Minister of Finance in the Dail, Collins was Director of Organisation in the Irish Republican Army and—a key position—was Director of Intelligence; much of his influence was due to his membership of the Supreme Council of the I.R.B.

As Director of Intelligence it was his duty to counter the most dangerous of all the instruments of England's policy in Ireland—the Dublin Castle system of espionage. The enemy's resources in this respect were boundless. The R.I.C., with their intimate knowledge of the inhabitants, reported to the Castle from the most remote villages in the country; in Dublin a body of plain-clothes detectives, the G Division of the Metropolitan Police, watched all places supposed to be visited by prominent Republicans, shadowed the leaders, identified political prisoners, and guided the military in searches, raids, and arrests. Into the Republican organisations were sent spies, paid informers, and *agents provocateurs*. In dealing with this system Michael Collins was energetic, ruthless, and brilliantly resourceful; he was fearlessly served by his subordinates and won an extraordinary measure of success.

They made contacts in the Castle, the British Army, the police and the Civil Service, had colleagues among engine-drivers, ships' crews and stokers, post-office clerks, office cleaners, domestic servants—in every position where information of enemy plans might conceivably be obtained. They carried out the execution, after investigation, of official and unofficial "informers."

On June 23rd District Inspector Hunt of the R.I.C. was shot dead in the Market Square at Thurles by men who were armed with revolvers and wore no disguise. On July 31st Patrick Smith, a member of the G Division of the detective force, was fatally shot in Dublin.

Michael Collins, later, explained his counter-espionage policy in an article to an American paper.<sup>1</sup>

"England could always reinforce her army. She could replace every soldier that she lost. But there were others indispensable for her purposes which were not so easily

<sup>1</sup> One of a series of articles in the *New York American*, 1922, quoted by Beaslay, I., p. 334.



replaced. To paralyse the British machine it was necessary to strike at individuals. Without her spies England was helpless. It was only by means of their accumulated and accumulating knowledge that the British machine could operate. Without their police throughout the country, how could they find the man they 'wanted'? Without their criminal agents in the capital how could they carry out that 'removal' of the leaders that they considered essential for their victory? Spies are not so ready to step into the shoes of their departed confederates as are soldiers to fill up the front line in honourable battle. And, even when the new spy stepped into the shoes of the old one, he could not step into the old man's knowledge.

"The most potent of these spies were Irishmen enlisted in the British service, and drawn from the small farmer and labourer class. Well might every Irishman at present ask himself if we were doing a wrong thing in getting rid of the system which was responsible for bringing these men into the ranks of the opponents of their own race.

"We struck at individuals, and by so doing we cut their lines of communication, and we shook their morale. And we conducted the conflict, difficult as it was, with the unequal terms imposed by the enemy, as far as possible, according to the rules of war. Only the armed forces and the spies and criminal agents of the British Government were attacked. Prisoners of war were treated honourably and considerately, and were released after they had been disarmed."

At the same time, under the leadership of Cathal Brugha, Michael Collins, Sean Treacy, Dick McKee and others, the general military policy of the Volunteers began to develop into guerilla war against the army of occupation. Still the immediate object was to obtain arms and ammunition. In August police barracks were attacked in many parts of the country by parties of Volunteers who, when the garrison surrendered, bound their prisoners and seized their military stores. On the 8th, thirty Volunteers attacked a police unit and the fight continued for an hour. On the 19th, Volunteers in many districts of Clare attacked police barracks and ambushed patrols. Constables who

surrendered were invariably released uninjured, but naturally the patrols and garrisons usually fought in defence of their arms. During the summer two constables were killed and one was wounded in these attacks. There were notable feats of jail-breaking by Republican prisoners; twenty escaped from Mountjoy prison in broad daylight in May.

A new phase of the hostilities opened in September in County Cork. Here the Volunteers were well led and well armed. Liam Lynch<sup>1</sup> was Commandant of the Cork Number Two Brigade. In Fermoy, on the 7th, with men of his brigade, he attacked a British military patrol and a soldier was killed. On the following day about two hundred British Regulars were let loose on the town and sacked and looted shops, doing damage estimated at about £3,000. As far as could be ascertained they were not reprimanded by the British authorities. The Irish people concluded that the British Government intended to resort now to this method of attack and that acts of terrorism against the civilian population would be used as reprisals against action by the Volunteers.

It was almost inevitable. The civilian population of Ireland was Republican; women, old men and children, as well as the young men, were engaged in this "criminal conspiracy to set their country free."<sup>2</sup>

The Volunteers who attacked the Crown forces wore civilian clothes, and were aided and abetted, sheltered and protected by the people. It was with a popular revolution, not with an armed rising, that the British administration had to deal. Sinn Fein had placed it in a dilemma from which there was no third way of escape. The alternatives were to grant the Irish nation independence, or to reconquer the Irish nation by a terrorist campaign.

The British Executive in Ireland now took the decision which had long been expected: to suppress the Government and Parliament which the Irish people had set up. On September 10th Dail Eireann was declared a dangerous association and was prohibited and suppressed.

<sup>1</sup> Biographical Note, p. 937.

<sup>2</sup> John Mitchell's description of Young Ireland from the English standpoint in 1848.

## CHAPTER 31

### *June to December 1919 : The United States*

#### DE VALÉRA IN THE UNITED STATES — THE BOND DRIVE — AMERICAN COMMISSION ON IRISH INDEPENDENCE — THE LEAGUE OF NATIONS — DE VALÉRA'S TOUR

THE suppression of Dail Eireann hampered the constructive efforts of the Republican Government, but it gave incalculable impetus to the Irish campaign in the United States. To immense meetings in scores of American cities, to public bodies and to the Press, President de Valéra had explained the conflict at home, shown that the right of the Irish people to a government of their own choice was being denied, and their effort to exercise it opposed, by a violent military régime. No single act of the British administration could more strikingly have demonstrated the truth of his statements than this.

President de Valéra's task remained nevertheless a complex and delicate one.

When he arrived in America in June he found among the Friends of Irish Freedom two conflicting bodies of opinion and serious contention between the two. They differed first as to the claim that should be made for Ireland : whether recognition for the established Republic or merely "the right of self-determination"—a difference rather in phrase than in any reality, since the elections had proved that self-determination in Ireland and an Irish Republic were inseparable ideals. The division came to a more practical issue on the question of the Victory Fund.

Already some hundreds of thousands of dollars had been collected. John Devoy, Judge Cohalan and their associates wished to retain the bulk of the money in America to be used for such purposes as opposition to the League of Nations and other political activities in which the claim of Ireland was involved. The other group, led by Joseph McGarrity, demanded that the money should be sent direct to Dail Eireann to be used in Ireland for Irish purposes alone.

From the outset of his mission President de Valéra's view was that it ought to be possible to reconcile these objects in a way acceptable to both parties, and his efforts for some time were concentrated on striving to effect this reconciliation.

The official objects of the President's mission were three : to float the Dail Eireann External Loan, to secure recognition of the Irish Republic from the Government of the United States, and, if the United States decided to join the League of Nations, to secure America's help for Ireland in matters relating to the League.

On his arrival in New York in June President de Valéra spent some time in consultation with other members of Dail Eireann who were already there—Dr. McCartan, now the duly accredited envoy of the elected Government of the Irish Republic, Liam Mellows, Harry Boland and Diarmuid Lynch, as well as with Joseph McGarrity and other representatives of the Irish-American organisation. He opened his campaign officially on June 23rd with an unambiguous statement to the Press. It began :

“ From to-day I am in America as the official head of the Republic established by the will of the Irish people, in accordance with the principles of self-determination.”

As De Valéra had been born in New York he was asked by an interviewer whether he was an American citizen. “ When I became a soldier of the Irish Republic I became a citizen of that Republic,” was his reply.<sup>1</sup>

He held large meetings in New York city and in Boston where, in the Baseball Park, his audience overflowed the stands and crowded the field. On July 17th he began a tour of the States from east to west, addressing a great meeting in Chicago on the way. His reception surprised even the most optimistic of his friends. In many towns he was accorded the honours reserved for the Heads of States, while at every stopping-place on his route crowds were assembled to greet him with an enthusiasm which knew no bounds. At every town where he

.. <sup>1</sup> *Irish Press* (Philadelphia), June 28th, 1919.

was to speak he was met by a large procession which escorted him to an official reception, and was eagerly interviewed by pressmen and members of Irish organisations. Everywhere resolutions were passed expressing sympathy for the Irish cause and many of the meetings called upon the Government of the United States to recognise the Republic of Ireland. He was invited to address State Legislatures and addressed, among others, both Houses of the Massachusetts Legislature. He was accorded the Freedom of the City of Butte and of the State of Montana. In San Francisco he was welcomed officially by the Governor and the Mayor.

Liam Mellows, who acted as advance courier for President de Valéra, found his duties exacting but was overjoyed at the reception given to Ireland's representative.

On his return to New York, in August, where he intended to start an intensive drive for the Dail Eireann Loan, President de Valéra found himself confronted with serious opposition by the section of the F.O.I.F. led by Judge Cohalan and John Devoy.

The President had been authorised by the Dail to issue bonds in America to the value of one million two hundred and fifty thousand dollars. Judge Cohalan declared that to float this loan in the United States was impracticable ; President de Valéra was, however, determined to carry out the mission entrusted to him by the Dail. Finding it impossible to secure their co-operation or to enlist the services of the F.O.I.F. organisation as a direct agency, President de Valéra decided to start an *ad hoc* organisation to collect the bonds. The American Commission on Irish Independence, with Frank P. Walsh as Chairman, sponsored the Bond drive. President de Valéra was supported by Joseph McGarrity and other members of the F.O.I.F. In September the F.O.I.F. decided by a majority resolution to co-operate in the loan drive and made available the amount of one hundred thousand dollars for purposes of organisation.

McGarrity secured headquarters for the bond drive in New York and banks were found to accept charge of the deposits. Five per cent bond certificates were drafted and the form of

application printed under the supervision of the President. They were registered bonds.

The appeal met with immediate success. So enthusiastic was the response that Dail Eireann, at his suggestion, sent President de Valéra authorisation to increase the American quota of the loan up to twenty-five million dollars; the President nevertheless confined the appeal to ten million.

Dr. McCartan describes the meticulous precision on which President de Valéra insisted in everything relating to this loan.<sup>1</sup> He quotes the following editorial which was printed at this time in the Irish-American organ, the *Irish Press*.

Dr. Maloney wrote:

“The Republic of Ireland has decided to raise a loan of which the American quota is ten million dollars. Subscriptions to this loan will be received forthwith. In acknowledgments of subscriptions, President de Valéra will issue in the name of, and by the authority of, the Congress of the Republic of Ireland, an engraved signed Bond-Certificate, which is not negotiable, but which is exchangeable for one Gold Coupon Bond of the Republic of Ireland, upon the International recognition of the Republic. These bonds will bear interest at the rate of five per cent, and from the first day of the seventh month after the territory of the Republic of Ireland is freed from the military control of England. And these bonds will be redeemable at par one year later.”<sup>2</sup>

The American Commission on Irish Independence, with Frank P. Walshe as Chairman, opened headquarters in New York on August 23rd.

On October 1st President de Valéra set out again on a tour, intending to circle the whole of the United States. Harry Boland accompanied him. In every city that he visited, the organisers of the loan formed a Bond Committee and directed the canvass for subscriptions.

Understanding of the Irish cause and enthusiasm for the effort of this small nation to free itself from a great empire

<sup>1</sup> See Patrick McCartan, p. 143.

<sup>2</sup> Appendix 35, p. 1024.

was sweeping across the States from east to west and was expressed both spontaneously and formally wherever President de Valéra spoke. At Cleveland, Ohio, he was met outside the city by a procession of hundreds of automobiles flying the Irish tricolour and the Stars and Stripes and by an escort of aeroplanes; entering the city he received a salute of twenty-one guns. Virginia invited him to address a joint session of the Legislature. Chicago made him a freeman of the city; in eight States he was received officially by the Governor and in thirty-two cities he was received by the Mayor; the Chippewa Indians made him chieftain of their tribe. His meetings were attended by immense crowds.

All along his route pro-British opposition was beaten down. At Los Angeles where the hall (capable of seating seven thousand) was refused for his meeting, twenty-five thousand people assembled to hear him in the Ball Park. Organised Labour, all over the United States sent messages to President Wilson requesting recognition for the Irish Republic.

Everywhere the President gave an exposition of the Irish claim to freedom and spoke of the country's determination to take her place among the free nations of the world; he spoke, also, on the League of Nations which was now a major issue in America and one which would predominate in the Presidential Elections in 1920.

The Democratic Party by which President Wilson had been elected was the party usually supported by the Irish in America. Now, however, resentment at President Wilson's action in bringing America into the war and a firm dislike of European entanglements had helped to swing the Irish organisations to the support of the Republican Party which opposed participation in the League. Judge Cohalan had played a considerable part in effecting this change. Both sections of opinion were represented at the meetings and on the committees which President de Valéra addressed. Although he spoke constantly on the subject of the League, Dr. McCartan records, he "gave offence to none."<sup>1</sup>

President de Valéra's own attitude to the matter was that defined by Dail Eireann: he was ready in the name of the Irish

<sup>1</sup> Patrick McCartan, p. 146.

Republic to adhere to a League of Nations which would recognise equal principles of justice between great nations and small. He would have been glad to see a genuine League for Peace established. He had to contend, at the same time, against the establishment of a League Covenant which might leave Ireland more at England's mercy than before. Without attempting to interfere unduly in American politics he constantly reminded the American people that Ireland was a third party, and a profoundly interested party, in the question of America's adherence to the League. He asked them to consent to nothing that would militate against Ireland's struggle for freedom. He asked that, if they wished to join the League, they would do so only after making it quite clear that Article X would not be interpreted to commit the United States to help the British Empire to retain its hold on Ireland against the will of the Irish people.

Throughout the autumn, respect, understanding and enthusiasm were created in every part of the United States for the Irish Republican cause. England sent out many of her most renowned writers and publicists in an effort to counteract De Valéra's campaign, but without effect. The Government's actions in Ireland, now resounding throughout America, could not be explained away. On the night of September 17th, when the news of the suppression of Dail Eireann had reached the United States, a meeting of protest was held in the Lexington Abbey Theatre, New York, and the crowds which assembled filled not only the theatre but the streets outside.

Arthur Griffith spoke no more than the truth when, speaking in the Dail of the British military aggression, he said, "All these acts which succeed each other in regular procession are of the greatest assistance to our efforts in the United States, and it is there that the centre of gravity of the political situation is for the present fixed."<sup>1</sup>

<sup>1</sup> Dail Eireann: Session, October 27th.



## CHAPTER 32

*September to December 1919*

A NATION OF COMBATANTS — THE ARMY OF OCCUPATION —  
A RÉGIME OF VIOLENCE — WORK OF DAIL EIREANN — U.S.A.:  
THE MASON BILL — ATTACK ON LORD FRENCH — LLOYD  
GEORGE'S PARTITION BILL

IN Ireland the suppression of Dail Eireann had the effect of a declaration of war. It was followed by an acceleration of military aggression against the civil population which was to become a veritable reign of terror before the end of the year. Among the people it generated a temper which brought into the grim business of revolution something of the exhilaration of war. Ireland became a nation of combatants. A quality native to Gaelic character came into play—a character inbred in the race by centuries of unequal conflict; danger seemed the natural element of the Republicans, conspiracy a game of skill, and death in the cause of freedom the secret dream of the young. The proscribed Republic was the country in which they lived; the unwritten laws of its Government were the laws which they respected; its hunted and unseen legislators were the rulers whom they obeyed. Sinn Fein was an "illegal organisation," but the autumn Ard-fheis assembled, nevertheless. It met on October 16th between midnight and 3 a.m.

The British army of occupation in Ireland was being continually reinforced. Before the end of the year Lord French had under his command, as well as the huge police force, forty-three thousand British regular troops.<sup>1</sup>

There was no uniformed "rebel" army for the British Regulars to meet, no fortified strongholds for them to attack; their function, it was stated, was to help and protect the police. Dublin Castle employed both troops and police during the autumn in a campaign of incessant activity designed to make life impossible for a population resistant to British rule. They

<sup>1</sup> Answering Wedgwood Benn, in the English House of Commons, on December 18th, 1919, Winston Churchill said: "The number of troops at present employed in Ireland is 43,000, and their monthly cost on the basis shown on page 9 of the Army Estimates is £860,000."

were employed to suppress or break up all the innumerable activities which Dublin Castle had proclaimed. They dispersed meetings, markets and fairs; classes in the Irish language; concerts where "seditious" recitations or national songs might be expected to be part of the programme; exhibitions of Irish produce; sittings of the Commission of Inquiry on Industrial Resources which had been organised by the Dail; hurling matches or other games which had been organised by the Gaelic Athletic Association. They combined in searching and raiding private houses. They visited printing-presses and dismantled the machinery. They carried out searches for persons suspected of Republican sympathies, and, if such persons were found in possession of Republican literature, conveyed them in armed lorries to jail, where they were detained without charge or trial for an indefinite time, or tried by stipendiary magistrates or courts martial.

On September 5th John O'Sheehan of Roscommon was sentenced to two years' imprisonment for singing "The Felons of Our Land." On September 26th P. O'Keeffe, member of Dail Eireann for North Cork, received a sentence of two years for a seditious speech. Numbers of Republicans were sentenced to two years' imprisonment for reading at meetings the manifesto of Sinn Fein.

Every day had its tale of aggression, only a small fraction of which was reported in the censored Press. A typical day—October 27th—showed ten houses raided in County Tipperary; a Cork man arrested for having in his possession a copy of the prospectus of the Dail Eireann Loan; a County Meath man sentenced by court martial to twelve months' imprisonment for being in possession of a revolver, ammunition and seditious documents; a farmers' meeting suppressed by police and military accompanied by tanks.

The next day's list showed the machinery of the *Southern Star* dismantled; a Cork man sentenced for possession of seditious literature; a hurling match stopped by police and military at Limerick; a boy of fourteen shot and seriously wounded by soldiers in County Mayo. On the following day Miss Brigid O'Mullane was sentenced to two months' imprisonment for being in possession of seditious literature; a priest was deported, a man

sentenced by court martial. On September 20th all Republican papers were suppressed.

The number of raids on private houses reported in the censored Press during the nine months ending on September 30th was 5,588. Innumerable raids, including hundreds in County Tipperary, had not been reported by the Press. In addition to these proceedings—constituting the official policy of Lord French and other officials of Dublin Castle—unofficial acts of aggression took place. The troops which had sacked Fermoy in September were removed to Cork. There, on November 10th, the soldiers sacked and looted nearly every shop in the principal street of the city. Similar destruction by the military took place in Kinsale and Athlone.

The number of raids on private houses carried out by Crown forces during the years 1917, 1918 and 1919 was computed to amount to 12,589.<sup>1</sup>

Within two weeks in October twenty-two journals which carried notices of the Dail Loan were suppressed.

On November 25th a Proclamation was issued by which Sinn Fein, the Volunteers, Cumann-na-mBan and the Gaelic League were suppressed in twenty-seven counties. On the same day Noel Lemass was sentenced to one year's imprisonment with hard labour for being in possession of arms. Five days earlier F. Leonard, a Unionist of Enniskillen, for the same offence, had been fined 2s. 6d.

It was popularly believed that there was a "Camarilla" in Dublin Castle acting in conjunction with certain British Cabinet Ministers whose object was the provocation in Ireland of another rising which might give a pretext for wholesale executions. Lord French's policy certainly gave colour to the suspicion that an outbreak was what he desired. English as well as Irish observers of the situation expressed the fear that something corresponding to the massacre at Amritsar in India would occur in Ireland before long.

On the Republican side, shooting was still comparatively infrequent. The energies of the people were concentrated on keeping Sinn Fein and the Army intact.

Michael Collins was perfecting his Intelligence Service. He

<sup>1</sup> *Irish Bulletin*, December 30th, 1919.

formed a body of armed Volunteers whom he called his "Squad." Its members were withdrawn from their civil employments and paid allowances. They were principally engaged in counter-acting the activities of the G Division of the police and of other British spies.

In spite of "suppression" and violent interference the Departments of the Dail were able to carry on a considerable amount of governmental work. The Department of Trade arranged to establish consulates in Europe and America. Eamon Bulfin was already its Representative in the Argentine.<sup>1</sup>

The Department of Agriculture effected, within the year, the planting of a quarter of a million trees; with its assistance a co-operative factory was started in Waterford to promote a dressed meat and packing industry; the Department administered the Loan Fund allocated by the Dail and assisted the Ministry of Labour in settling some very serious disputes about land.<sup>2</sup>

The Commission of Inquiry into Ireland's industrial resources held its first session on September 21st. It was an autonomous body bound only to report to the Republican Government from time to time. Its Secretary was Darrell Figgis, and men representative of industry, labour and science co-operated in its work. A number of committees of experts were formed; two, appointed to investigate resources in food and power, were presided over by Thomas Johnson, Secretary of the Trades Union Congress, and Dr. Hugh Ryan, D.Sc., respectively. Public sessions were held at which evidence was taken on questions connected with the supply of milk, meat, fish, coal, peat and industrial alcohol, and reports of great value were drawn up.<sup>3</sup>

The experts engaged on the work included men of various political parties and for some months the sittings of the commissions were not interfered with by the British.

The work of the Dail Loan continued; the members of the Dail met and transacted governmental business; communications

<sup>1</sup> Appointments made, later on, to these Consulates included: Diarmuid Fawcitt at New York, Count O'Kelly at Berne and later at Antwerp, Donal Hales at Genoa, L. H. Kerney at Paris.

<sup>2</sup> *Irish Bulletin*, August 9th, 1921.

<sup>3</sup> *Irish Bulletin*, August 3rd, 4th and 5th, 1921.

were maintained; the work of Michael Collins's Intelligence Department was carried on with almost incredible success. In an effort to penetrate the barrier of misrepresentation erected by the English Press, Dail Eireann instituted a Department of Publicity with Desmond Fitzgerald in charge. The entire Republican Press of Ireland had now been banned.

The Republic was not without an organ, however. Robert Barton, Sinn Fein Director of Publicity, issued a *Bulletin*, a multigraphed sheet, which appeared several times a week, giving the day-to-day facts of British aggression and countering false propaganda. The *Bulletin* was taken over by Dail Eireann and was secretly circulated. This highly "seditious" literature found its way to representatives of the Continental and American Press. The first issue was dated November 11th, 1919.<sup>1</sup>

Enough of the truth became known to bring the Government into considerable disrepute and to cause much uncasiness in many quarters in England.

It was Sir Herbert Samuel, a former English Cabinet Minister, who said on December 8th: "If what is now going on in Ireland had been going on in the Austrian Empire, all England would be ringing with denunciation of the tyranny of the Hapsburgs and of denying people the right to rule themselves."<sup>2</sup>

Ireland was being administered, the *Westminster Gazette* declared on December 17th, "like a country invaded in time of war."

At the same time English students of the situation were beginning to realise the formidable quality of the force to which they were opposed—a movement in which the enthusiasm of the young, the enlightenment of the thoughtful, and the judgment of the experienced were all enrolled. "The citadel of Sinn Fein is in the minds of the young," the special correspondent of *The Times* wrote. "The prospect of dying for Ireland haunts the dreams of thousands of youths to-day . . . you can neither terrify nor bribe Sinn Fein."<sup>3</sup> "Like it or not," the same correspondent wrote later, "we have all to admit that where you find an active intellectual centre in Ireland to-day, you have an active centre

<sup>1</sup> See article in the *Irish Press* (Dublin), January 19th, 1934. The *Bulletin* was largely written by Frank Gallagher and Erskine Childers.

<sup>2</sup> At St. Albans, December 8th, 1919.

<sup>3</sup> *The Times*, December 18th, 1919.

of Sinn Fein." The correspondent of Ireland's implacable enemy, the *Morning Post*, wrote:

"The Sinn Fein frame of mind is as open as a book to anyone who can read. The leaders are absolutely uncompromising. In a sense this is the most honest movement of the kind the country has experienced. It says what it means and sticks to it."<sup>1</sup>

And the *Daily Mail* on December 15th said: "This is mature, determined, national, disciplined, and, above all, intelligent revolt." The *Westminster Gazette* on the following day declared that Lord French during his term of office had administered "a system of coercion such as there has not been within living memory."

In America, the hostility of Judge Cohalan's group was menacing the success of President de Valéra's mission; this menace became so serious that, in October, when the President was in Denver, he took the decision to send for James O'Mara to come from Ireland to take charge of the Bond Drive. A month later James O'Mara arrived in Washington.

Meanwhile, from great meetings held in all parts of the United States, resolutions were being forwarded to Congress asking the Government to recognise the Irish Republic and an important Bill was being presented to Congress by Congressman Mason, representative of Illinois.

The Bill had been introduced by Mason on May 28th. It asked for an appropriation of fourteen thousand dollars for diplomatic representation from the United States to Ireland: "To provide for the salaries of a Minister and Consuls to the Republic of Ireland."

Sponsored by Congressman Mason this Bill came before the Foreign Affairs Committee of Congress on December 12th. Mr. Mason urged that the passage of this Bill would make it plain to President Wilson that the people of the United States, acting through their representatives, desired complete recognition of the Irish Republic both as a *de facto* and *de jure* government. Arguments in favour of the Bill were

<sup>1</sup> *Morning Post*, December 17th, 1919.

advanced by Judge Cohalan, Frank P. Walshe, Mrs. Mary McWhorter (National President of the Ladies Auxiliary of the Ancient Order of Hibernians), and by other public men and women.<sup>1</sup> Their arguments were received with sympathy. The Irish men and women who took part in the hearing felt that victory was in sight.<sup>2</sup>

During that week in Ireland the headquarters of Sinn Fein were raided by military and members of Dail Eireann were arrested and deported to English jails and their whereabouts concealed from their families for a considerable time. Alderman Tom Kelly was one of these. Midnight raids on private houses were carried out in Dublin; a large body of military searched the Mansion House while the entrance was covered by Lewis guns.

On December 19th Lord French, driving with an armed escort, was ambushed at Ashtown. He and his guards escaped uninjured, but a young Volunteer, Martin Savage, was shot dead. This ambush had long been planned but repeatedly frustrated owing to the vigilance of Lord French's guards.

Nothing but acceleration and intensification of violence could be looked for now. The police were supplied with hand-grenades.

There were English people who still hoped that the word "self-determination" could be made to cover some compromise by which England might rid herself of the problem of Ireland without releasing Ireland from her control. Local elections were to take place throughout Ireland in January. Possibly the results might show that the people were becoming less attached to the Republican idea. The Government had made a re-distribution of the Irish constituencies, and this, in conjunction with the introduction of proportional representation, would work to the disadvantage of Sinn Fein.<sup>3</sup> If self-determination in Ireland could be made to show a popular decision against the Republic, England's problem would be all but solved.

<sup>1</sup> Hearings before the Committee on Foreign Affairs. House of Representatives, 66th Congress, second session of H. R., 3404, December 12th-13th, 1919.

<sup>2</sup> See McCartan, p. 149. *Irish Press* (Philadelphia), December 20th, 1919.

<sup>3</sup> See *Irish daily Press* of October 18th, November 8th and November 26th, 1919.

Lord Birkenhead, however, spoke with frankness to such English optimists. "Don't talk nonsense," he said in Liverpool on December 19th. "If you are prepared to allow Ireland to have a Republic, then you give her self-determination. If you don't, you must deal with it some other way."

"Some other way" could mean only one course—such terrorism as would crush the resurgent nation, break Sinn Fein and teach the Irish people that subjection to England was their inevitable destiny.

Lloyd George was more optimistic than Lord Birkenhead, or less frank. He had written to Sir Horace Plunkett that it was useless to talk any more of Partition; but he was preparing another Partition Bill.

He introduced his "Better Government of Ireland Bill" in the House of Commons on December 22nd. It proposed separate parliaments for the area containing the six north-eastern counties of Ulster and for that containing the other twenty-six, with powers to create a council of representatives of both Irish Parliaments. The powers of the Irish Parliaments were restricted and the supremacy of the British Parliament was preserved.

With the exception of a very small minority, the Irish people refused to take any interest whatever in Lloyd George's scheme.

When introducing his Bill, Lloyd George sought to placate American opinion by applying the word "secession" to Ireland's claim for independence. "Any attempt at secession," he said, "will be fought with the same determination, with the same resources, with the same resolve as the Northern States of America put into the fight against the Southern States."

Erskine Childers replied to that false analogy with that rare combination of fire, restraint and clarity which characterised his tireless vindication of the Republican cause. He wrote:

"The Irish answer to this declaration of war—this heroic defiance of the weak by the strong—is something like the following: We do not attempt secession. Nations cannot secede from a rule they have never accepted. We have never accepted yours and never will. Lincoln's reputation is safe from your comparison. He fought to abolish slavery, you



fight to maintain it. As to 'resources,' yours to ours are infinity to zero. You own a third of the earth by conquest; you have great armies, a navy so powerful that it can starve a whole continent, and a superabundance of every instrument of destruction that science can devise. You wield the greatest aggregate of material force ever concentrated in the hands of one power; and, while canting about your championship of small nations, you use it to crush out liberty in ours. We are a small people with a population dwindling without cessation under your rule. We have no armaments nor any prospect of obtaining them. Nevertheless, we accept your challenge and will fight you 'with the same determination, with the same resolve' as the American States, North and South, put into their fight for their freedom against your Empire. Ignoring transient issues, these are the permanent realities of the case."<sup>1</sup>

That answer reflected not only the realities of the situation but the spirit in which the Irish people were preparing to encounter the reign of terror which was being designed for their overthrow.

<sup>1</sup> *Irish Bulletin*, March 4th, 1920.

**PART VI**

**SUPPRESSING A NATION**

**JANUARY TO JULY 1920**



## CHAPTER 33

*January to March 1920*

LOCAL ELECTIONS IN IRELAND — ARRESTS OF COUNCILLORS  
— SACK OF THURLES — CURFEW — A TYPICAL NIGHT — ATTACK  
ON IRELAND'S ECONOMIC LIFE — THE DAIL LOAN —  
DEATH OF MACCARTAIN

AMONG the opponents of Sinn Fein there were some who still contended that the Irish people were not Republican, that the majority which Sinn Fein obtained at the general election of 1918 was due largely to the menace of Conscription, and that the fighting policy of the Volunteers was not approved by the people as a whole. In the Municipal and Urban elections which were held throughout Ireland in January 1920 the question was put to the test.

Councils which administered civic affairs in Irish towns and cities, levying rates and controlling certain local services—not, however, controlling the police—were elected every three years. These Municipal and Urban Councils were directly responsible to a department of the Dublin Castle Administration known as the Local Government Board. To this Board they submitted their minutes and the Board had the power of veto over all their transactions; the Board could also withhold those moneys, derived from the public revenue, required by the Councils for hospitals, asylums and other public benefits. By this means the British Administration kept the machinery of Local Government in Ireland under its control.

In preparation for these Municipal and Urban elections the British Government had introduced, for Ireland only, the Proportional Representation system of voting. The intention was, by giving increased representation to the pro-British minority of the population, to reduce or destroy the Sinn Fein majority at the polls. The fact that Sinn Fein approved the introduction of Proportional Representation occasioned a good deal of surprise. "That Sinn Fein, instead of opposing a change, declaredly designed to cripple its power, should willingly help in its development, is more than remarkable," said the *Daily Mail*.<sup>1</sup>

<sup>1</sup> *Daily Mail* (London), January 6th, 1920.

“Incredible as it may seem not a single penny could be obtained for the purpose of explaining the system to the voters,” the same paper observed.

The assumption of the British Government seemed to be that the less instructed mass of the Irish people formed the chief support of Sinn Fein and that these, confused by the new and intricate system, would spoil their votes. However, instruction in the new system was carried out by the Sinn Fein organisation with such thoroughness that the number of spoiled votes recorded was less than two and a half per cent. The familiar British argument that the Irish were unfit for self-government was now discarded in favour of the suggestion that their organising powers were so remarkable as to compensate for the weakness of their cause. “The greatest genius for organisation” was attributed by the hostile as well as by the friendly Press to Sinn Fein. The sympathetic correspondent of the *Daily News*, Hugh Martin, wrote: “In candidates, in organisation and in enthusiasm the Republican Party is supreme. All other groups are depressed and leaderless.”<sup>1</sup>

The date fixed for polling was January 15th. The preceding fortnight was filled with typical activities by both sides. In County Cork barracks were attacked and arms and munitions seized by “flying columns” of Volunteers. The counties of Waterford, Wexford and Kilkenny were placed under Martial Law. The election addresses of the Republican candidates were suppressed and their posters torn down. Michael Hoey, nominated candidate for Bray, was immediately arrested and deported. Fred Allen, Chairman of the South County Dublin Sinn Fein Election Committee, was arrested. Election literature was found in his possession; he was charged with being in possession of seditious documents and sentenced to three months’ imprisonment.<sup>2</sup>

These coercive measures were not sufficient to break the spirit of the people; they had the effect of stimulating resistance and convincing people hitherto unconverted of the necessity of ridding the country of every remnant of British rule.

<sup>1</sup> *Daily News* (London), January 14th, 1920. Mr. Martin’s excellent series of articles was reprinted in *Ireland in Insurrection*.

<sup>2</sup> *Evening Telegraph* (Dublin), January 24th, 1920.

The result of the election was a vote of confidence in the Republican Government such as no British Government ever received from the electorate of the United Kingdom. Of the twelve cities and boroughs of Ireland eleven declared for the Republic. The only city left to the Unionists in all Ireland was Belfast, and even in Belfast their majority was reduced. A great number of I.R.A. officers were returned unopposed.<sup>1</sup>

No effect of this election was more striking than the light it threw on the "Ulster question" so shamelessly exploited by the British Conservative Party and Press. Of the six counties which Unionists claimed should be excluded from Home Rule on the pretext that a majority of the inhabitants were devoted to the British Crown two, Fermanagh and Tyrone, voted in a majority for Sinn Fein. In Derry, the "maiden city" of the Covenanters, the Unionists were proved to be in a minority; a Catholic Nationalist, H. C. O'Doherty, became Lord Mayor. In the nine counties of Ulster twenty-three towns had elected a majority of Republicans, twenty-two a Unionist majority.

The myth of a homogeneous Unionist Ulster had been exposed.

Out of two hundred and six Councils elected throughout Ireland one hundred and seventy-two had been returned with a majority of Republicans. In these towns and cities the machinery of local government was now in the people's hands. From their Councils now came formal resolutions pledging allegiance to the Republic and to Dail Eireann. All relations with the British Local Government Board were broken off. The Republican Government was the sole authority acknowledged by these Councils henceforth. The Corporations of Dublin, Waterford, Limerick, Derry City and Cork adopted at their first meetings this resolution:

"That the Council declines to recognise the right of the English Lord Lieutenant to appoint a High Sheriff for the city."

Waterford, the Redmondite city, had elected as Lord Mayor a Republican, Dr. Vincent White. At his installation he pointed to the mace, the emblem of British authority, and ordered the attendants to "remove that bauble" to the muniment room.

<sup>1</sup> See Press of January 19th, 1920.

In Enniscorthy, by a unanimous vote of the Council, a certain record was torn out of the minute book. It was a resolution passed in May 1916, condemning the Insurrection. All over Ireland such gestures were publicly made, acclaiming the insurgents of Easter Week, re-affirming the Declaration of Independence and the loyalty of the people to the Republic and the Dail.

Later, the following resolution was passed by the Dublin Corporation:

“ That this Council of the elected representatives of the City of Dublin hereby acknowledge the authority of Dail Eircann as the duly elected Government of the Irish people, and undertakes to give effect to all decrees duly promulgated by the said Dail Eircann in so far as same effect this Council. That copies of this resolution be transmitted to the Governments of Europe, and to the President and Chairman of the Senate and the House of Representatives of the U.S.A.”

In a division on the resolution the voting was in favour 38, against 5, being a majority of 7 to 1.

The Lord Mayor of Limerick was Michael O'Callaghan; the Lord Mayor of Cork was Thomas MacCurtain, and Terence MacSwiney was elected his deputy to take his place should he be removed by the forces of the British Crown.

Everywhere Republicans elected to responsible positions took the precaution of instructing others in the duties of their office, knowing that in accepting election they had designated themselves for arrest.

The British régime of suppression was now intensified. Thurles in County Tipperary was a scene of violent police reprisals on January 20th. Outside the town on that morning a constable was shot dead. During the night, police and military rushed through the town, smashing windows, firing shots into houses and throwing hand-grenades into the premises of the local newspaper. They “ shot up ” about ten houses, including the houses of four newly elected Councillors. The home of Denis Morgan, Chairman of the Thurles Council, was one of those attacked. His experiences were typical and were recounted by

him later before the American Commission on Conditions in Ireland.<sup>1</sup> He related how the house in which he was sleeping was fired into, volley after volley shattering windows and scattering the plaster off the ceiling, and how he lay with his little son and his wife, who was within two weeks of her confinement, on the stone floor of the basement all night suffering extremity of cold. In consequence his boy's heart became fatally affected and his wife had a breakdown. A few days later, Morgan was arrested when going to the meeting of the Town Council. Four Republican members of the Council were arrested on the same day, handcuffed in pairs, and taken from jail to jail. At length they were transferred to a ship at Cobh and, with thirty other prisoners, were thrust down into the hold. Some were unconscious from suffocation when they were taken out. The prisoners were interned in Wormwood Scrubs in London. A few weeks later Morgan received word that his boy was dying. He applied for parole then, and later for leave to attend the funeral, but was refused.

The minds of the military in Ireland, the jailers in the prisons, and, to some extent, of the people in England, had been filled by deliberate propaganda with a savage hatred against Sinn Feiners. They had been told that the Irish were a race of congenital murderers, outside the pale of humanity, to whom the ordinary rules of civilised warfare could not be applied.

The prisoners who were deported to England were those against whom no evidence could be adduced connecting them with any illegal activity. General Macready has recorded the methods employed. "The arrest of persons suspected of complicity in outrage was authorised," he writes, "those against whom evidence might later be forthcoming to be handed over to the civil power for trial, and those against whom no evidence could be produced to be deported and interned. Over sixty persons were thus arrested and deported to England as a result of the first sweep up on the last day of January 1920."<sup>2</sup>

Two of the newly elected Councillors were arrested on that night and a number of others, including Alderman William

<sup>1</sup> *The American Commission on Conditions in Ireland: Official Report of Evidence*, p. 6.

<sup>2</sup> Sir Nevil Macready, *Annals of an Active Life*, II., p. 489.



O'Brien of Dublin, during the following weeks. Alderman Thomas Kelly of Dublin was already in prison when elected Lord Mayor. Among those arrested at this time were Joseph McGrath, T.D., and Robert Barton, T.D.<sup>1</sup> Robert Barton was sentenced to three years' penal servitude for a seditious speech. A daring attempt was made to rescue him; an army motor lorry containing several soldiers was held up by Volunteers in daylight and searched, but Mr. Barton was not in the lorry, and the soldiers were allowed to drive away.

On January 21st, a Deputy Commissioner of Police named Redmond was shot, and on the 31st a policeman was shot in Limerick, and, during a conflict between military and civilians, the soldiers fired and a man was shot dead. The Dublin Castle authorities offered a reward of £10,000 for information leading to the arrest of assailants of the policeman, but the assailants remained unidentified.

During the month of January over one thousand raids by the Crown forces and two hundred and twenty arrests of Republicans were reported by the daily Press. In the four weeks of February raids numbered over four thousand and arrests two hundred and ninety-six. It was realised by both sides that the conflict must now enter on an intensive phase. Winston Churchill, in the House of Commons, on February 24th, said that it would be necessary to keep 45,000 effectives in Ireland during the year.

In their Lenten pastorals, read in the various churches throughout Ireland on February 15th, the Catholic bishops protested vehemently against "the wrongs and outrages" heaped "in the name of law and order" upon "an ardent and courageous people." "The policy of the British Government," said the Most Reverend Dr. Brown, Bishop of Cloyne, "seems to be to make use of every means and every opportunity to exasperate the people and drive them to acts of desperation."

In many parts of the country the Volunteers were active. On January 1st they attacked Constabulary barracks at Carrigtuohill and Kilmurray in County Cork and in February several other barracks were attacked.

On February 20th a constable was shot dead in Dublin. Seven arrests were made and a curfew order was imposed, by

<sup>1</sup> T.D. stands for *Teachta Dáil*: Member of Dail Eireann.

which no person other than members of the Crown forces was permitted to be in the streets of the city between midnight and 5 a.m. This curfew order, which was presently imposed in other towns and advanced to earlier hours, facilitated night raiding by the police and military and added an increased terror to civilian life.

“Take a typical night in Dublin,” Erskine Childers wrote at this time.<sup>1</sup> “As the citizens go to bed, the barracks spring to life. Lorries, tanks, and armoured searchlight cars, muster in fleets, lists of ‘objectives’ are distributed, and, when the midnight curfew order has emptied the streets—pitch dark streets—the weird cavalcades issue forth to the attack. Think of raiding a private house at dead of night in a tank (my own experience), in a tank whose weird rumble and roar can be heard miles away! The procedure of the raid is in keeping, though the objectives are held for the most part by women and terrified children. A thunder of knocks: no time to dress (even for a woman alone) or the door will crash in. On opening, in charge the soldiers—literally charge—with fixed bayonets and in full war-kit. No warrant shown on entering, no apology on leaving, if, as in nine cases out of ten, suspicions prove to be groundless and the raid a mistake. In many recent instances even women occupants have been locked up under guard while their own property is ransacked. Imagine the moral effect of such a procedure on the young officers and men told off for this duty! Is it any wonder that gross abuses occur: looting, wanton destruction, brutal severity to women?”

In a later article for the *Daily News*, Erskine Childers describes such a raid on the home of Mrs. Maurice Collins, at 65 Parnell Street, Dublin, on January 31st—a raid so violent that the woman’s life was endangered and her health destroyed.

“Frightfulness” was now a definite feature of the British policy; another feature was a systematic attack on the economic life of the country, and particularly on all branches of the reconstructive efforts organised by Dail Eireann and Sinn Fein.

The Dail Commission on Irish Industrial Resources had been declared illegal. On January 21st the members of the

<sup>1</sup> *Daily News* (London), March 29th, 1920.

Commission met in Cork city. The duties of the Commission were:

“To inquire into the national resources and the present condition of manufacture and production and industries in Ireland, and to consider and report by what means these natural resources may be more fully developed, and how these industries may be encouraged and extended.”

The Committee had arranged to take evidence on the various subjects of inquiry, such as milk and milk products, meat and meat products, fisheries and power. They had been invited by the Lord Mayor and Corporation to hold their session in the City Hall at Cork. They found the City Hall and every public building in Cork in the possession of armed troops who forcibly prevented their session. The Commissioners met, however, and transacted their business in a private house.

Among the witnesses of this example of the British Military régime were the members of a delegation from the British Parliamentary Labour Party who had visited Ireland for the purpose of inquiring into the condition of affairs. Those delegates also saw the condition of Thurles after the sabotage by Crown forces in January. Before returning to England they met representatives of Irish Labour in Dublin who made it clear to them

“that the vast majority of the workers in Ireland were in full and complete agreement with the national demand for complete political freedom and were prepared to take their share in the building of the Irish State now in course of construction. Their demand was that these building operations should be allowed to proceed, without interference by British armed forces, and that these forces should be withdrawn immediately.”<sup>1</sup>

An effective blow had been struck at the economic life of the countryside by the suppression of fairs and markets in places under military law. The prohibition of markets and fairs in Tipperary was estimated to have more than doubled the cost of living. People coming to market with their produce were

<sup>1</sup> Official Report of the Irish Labour Congress, August 1920.

turned back. In February an old farmer, Thomas Caplis, on his way to the cattle fair at Nenagh, was arrested, charged with illegal assembly, and sentenced to one month's imprisonment.

The Dublin Castle authorities had made exhaustive efforts to obtain possession of the money subscribed in Ireland for the Dail Eireann Loan and the funds of Sinn Fein. On February 27th troops wrecked a safe in a Sinn Fein office and seized £1,040. The main amount of the Republican funds was, however, deposited in Dublin banks and in the names of private individuals, and was therefore very difficult to trace. The "Star Chamber" Clause of the Crimes Act was now put into operation. A secret commission of inquiry was set up by Dublin Castle. On March 1st managers of banks received a command to appear before this commission to be examined and to produce for examination all memoranda and other documents procurable relating to transactions between the banks and persons acting on behalf of certain organisations. The Order was signed by a resident magistrate noted for his services to British Intelligence Departments in Ireland—Alan Bell.

Before the end of the month Alan Bell was seized in the streets of Dublin by armed men and shot dead.

This attack on the economic life of Ireland was a logical part of the British attempt to destroy the Republic. The European War, by providing a British market for farm produce, had brought a measure of comparative prosperity to the Irish countryside. The depopulation of Ireland had abated during the past five years. Young Irishmen were now able to stay in their own country—a condition of affairs which from the British point of view was not normal. This Lord French explained to an interviewer for a Paris paper.<sup>1</sup> "The principal cause of the trouble," he said, "is that for five years emigration has practically stopped. In this country there are from one hundred thousand to two hundred thousand young men from eighteen to twenty-five years of age who in normal times would have emigrated."

It was an indisputable fact that while these young men found it possible to remain in Ireland, England would find it

<sup>1</sup> An interview with M. Marsillac published in *Le Journal*, Paris, of January 23rd.

very difficult to govern Ireland without the Irish people's consent; a régime of coercion was the only method by which any but an Irish Republican Government could hope to prevail.

The unofficial reprisals by police and military in the form of sabotage continued unchecked. Thurles was shot up again on March 1st and on March 7th; on March 12th, in Cork, houses were wrecked by troops. Now a section of the police force prepared to take reprisals of a less indiscriminate kind.

Morgan of Thurles was informed while in prison, on March 16th, that he and Lord Mayor MacCurtain had been marked for death by the police.<sup>1</sup> Arrest had saved Morgan's life but the sentence on the Lord Mayor of Cork was carried out.

Thomas MacCurtain, who had been unanimously elected Lord Mayor of Cork, was Commandant of the Cork Brigade of the I.R.A. He had received innumerable threats and warnings. At this time the Republicans who were most obviously marked down for attack for the most part lived "on the run," moving from place to place and seldom sleeping at home. Thomas MacCurtain, however, was a married man with five children; his public and family duties obliged him to live at home. He was sleeping in his own house in the city of Cork on the night of March 19th.

On that day a policeman was shot in the neighbourhood of Cork. This was taken as the signal for execution.

Lamplighters and others who were in the street at about 1.30 a.m. were turned back by men in plain clothes and by uniformed police and military who isolated the area around the Lord Mayor's house. Shortly afterwards Mrs. MacCurtain heard a knock at the door of the house; she looked out of her window and saw a group of men with blackened faces; before anyone could open the door they had burst it in. Some of the men seized Mrs. MacCurtain while others rushed upstairs and shot Thomas MacCurtain at the door of his own room. He died in a quarter of an hour. The men left, and about half an hour later military entered the house and raided it, searching cupboards and drawers.<sup>2</sup>

<sup>1</sup> *American Commission on Conditions in Ireland: Evidence.*

<sup>2</sup> *American Commission: Testimony of Miss Susannah Walsh.*

MacCurtain's place as Lord Mayor of Cork was immediately taken by his second-in-command in the Brigade, Terence MacSwiney. Donal O'Callaghan became his deputy.

A coroner's jury in such cases was composed of men selected by the police at their own discretion. In spite of this fact the jury in this case returned a remarkable verdict: they found that the Lord Mayor

“ was wilfully murdered under circumstances of most callous brutality; that the murder was organised and carried out by the Royal Constabulary, officially directed by the British Government ”;

they returned a verdict of “ Wilful Murder ” against Lloyd George, Lord French, and Ian MacPherson, as well as against three inspectors of the Royal Irish Constabulary and some unknown members of the same force.

Lord French had alleged that the Lord Mayor had been murdered by Sinn Fein extremists. The jury sent a request to him to produce evidence for this statement but received no reply.

As far as could be ascertained no attempt was made by the British authorities to bring the murderers to justice. District-Inspector Swanzy, one of those charged by the coroner's jury, was transferred to Lisburn in County Antrim.

Two days after the murder of Thomas MacCurtain soldiers in Dublin shot a young man and a girl, killing both. On March 29th, in Thurles, J. McCarthy was murdered by police in his own home, and on the 30th, T. Dwyer of The Ragg, County Tipperary, was murdered in his bed by police.

Such incidents, taking accelerated motion in a vicious circle of violence, were the effects of the British attempt “ to settle the Irish question ” at this time.

## CHAPTER 34

*March and April 1920*

BRITISH PROBLEMS — LLOYD GEORGE — COERCION AND PARTITION — GOVERNMENT OF IRELAND BILL — GENERAL MACREADY — “THE BLACK AND TANS” — THE AUXILIARIES — FLYING COLUMNS — GUERILLA WAR — HUNGER STRIKES — SHOOTING TO KILL

BRITISH counsels were divided and policies confused. Lord French was understood to disapprove of methods used by some of his colleagues in Dublin Castle. There were officers of the police and military who considered that the men of these forces who carried out reprisals showed lack of discipline or “excessive zeal.” There were members of the British Cabinet who believed that a solution lay in provoking another rising in Ireland. Other responsible men realised that the army of occupation in Ireland was faced, not with a rising, but with a guerilla war, and believed that only by terrorising the civilian population into submission could the re-conquest of Ireland be achieved. Again, there were Englishmen as well as Irishmen in the Administration and the army who found a campaign of frightfulness against civilians distasteful and could not be relied upon to pursue it to the end.

Among all this confusion Lloyd George was pursuing a patient and politic course. Clearly, he had made up his mind that the solution of the Irish question lay in Partition. With six counties secured for the Empire as a garrison, the resistance of the twenty-six counties could more easily be worn down; even though it might become necessary to give these a measure of self-government, Ireland partitioned would be unable to achieve a position of prosperity or influence. To reduce the Irish people to a condition in which they would be ready to consent to Partition and renounce the Republic was the task entrusted to the Administration in Dublin Castle. The Prime Minister would not hamper that Executive or its forces by inquiries into the methods they might find it necessary to use; he relieved Lord French of obstructive personalities, sent him reinforcements, and proceeded with the passing through Parliament of his “Bill for the Better Government of Ireland.”

In Ireland it was known by a brief title—"The Partition Bill."

Lloyd George's Bill pleased no one outside his own party. "The Bill has not a single friend in either hemisphere, outside Downing Street," the *Irish Times*, an Imperialist organ, said.<sup>1</sup>

It came up for second reading on March 29th.

In the form in which it was presented, two Irish Parliaments were to be set up. These Parliaments were enabled to send representatives to an All-Ireland Council, the Chairman of which would be nominated by the Lord Lieutenant. The number of representatives from the twenty-six counties on this Council was to be twenty; the number from the six north-eastern counties was to be the same. The two Parliaments might, by agreement, transfer functions to this Council. The Imperial Parliament, in which forty-two Irish members were to sit, was to remain supreme over this Council and over the two Irish Parliaments. To the Imperial Parliament were reserved all matters concerning the Crown, peace and war, treaties and foreign relations, navy and army, customs and excise, navigation, trade outside Ireland, air force and merchant shipping.

Seventeen sections of the Act dealt with finance. One, which concerned the Land Purchase Annuities, was designed to give the Irish Governments a source of revenue. The sum being paid by Irish farmers to the Government of the United Kingdom in respect of these annuities amounted approximately to between two and three-quarter million and three million pounds a year.<sup>2</sup> It was stipulated in the Act that this money should now be paid direct into the Exchequers of the Governments of Northern Ireland and Southern Ireland from the areas respectively under their control. The Government of the United Kingdom was to continue to meet the separate responsibility of paying the interest to bondholders on the Government Loan which had been raised to provide the money for the Land Purchase Scheme.<sup>3</sup>

<sup>1</sup> *Irish Times* (Dublin), February 18th, 1920.

<sup>2</sup> See *supra*, p. 61.

<sup>3</sup> Section 26 (1) of this Act read: "Purchase Annuities payable in respect of land situate in Southern Ireland and Northern Ireland respectively, including any arrears thereof due or accruing due on the appointed day, shall be collected by the Governments of Southern Ireland and Northern Ireland and the amounts so collected shall be paid into their respective Exchequers but nothing in this Act shall confer on either such Government any powers with respect to the redemption of Purchase Annuities." See Appendix 36, p. 1026.



The oath was that in use in the Dominion Parliaments. Members of each Irish Parliament were required to swear or affirm

“that I will be faithful and bear true allegiance to His Majesty King George, his heirs and successors according to law, so help me God.”

It was provided that if, within fourteen days of the day fixed for the opening of either Parliament, the majority of the members elected to that Parliament had not taken the oath, the Parliament in question would be dissolved and the part of Ireland represented by it would be administered as a Crown Colony, namely by the Lord Lieutenant with a Committee of the Irish Privy Council appointed for the purpose by the King.

Even Sir Edward Carson disliked the Bill; he had agreed, however, in consultation with the Ulster Unionist Council not to oppose it. On March 18th he said in the House of Commons that the proper course was to let Ulster continue to be governed from Westminster; then, he explained, in certain eventualities “you will have it as a jumping-off place from which you can carry on all the necessary operations.”

In the course of a debate on the Bill on May 18th, Sir Edward Carson explained why he demanded the exclusion of only six instead of all the nine counties of Ulster from the Home Rule Bill. “There is no use our undertaking a Government which we know will be a failure,” he said. “. . . If we were saddled with these three counties . . . you would bring in from these three counties into the Northern Province an additional two hundred and sixty thousand Roman Catholics.” He thought it a lesser evil to leave the seventy thousand Protestants, who were in those three counties, under the Dublin Parliament.

“The truth is,” he explained, “that we came to the conclusion after many anxious hours and anxious days of going into the whole matter, almost parish by parish and townland by townland, that you would have no chance of successfully starting a Parliament in Belfast which was to be responsible for the government of Donegal, Cavan and Monaghan. It

would be perfectly idle for us to come here and pretend that we should be in a position to do so. We should like to have the very largest area possible, naturally. That is a system of land grabbing that prevails in all countries for widening the jurisdiction of the various Governments that are set up; but there is no use in our undertaking a Government which we know would be a failure if we were saddled with these three counties.

“The figures will at once show where the difficulty comes in.<sup>1</sup> We have to refer in these matters to Protestant and Catholic—we should only be making the very greatest camouflage of argument if we did not treat them in that way, because these are really the burning questions over there. The inclusion of these six counties would bring in under the jurisdiction of the North of Ireland Parliament 820,000 Protestants out of 890,000 in the whole province. On the other hand, while you would leave out 70,000 who are in these three counties, you would bring from these three counties into the Northern province an additional 260,000 Roman Catholics.”

Even Lloyd George had abandoned the pretence that what he was offering the Irish people was self-determination. If they gave self-determination, he said, on March 31st, they would have to go the whole length of planting an Irish Republic in Ireland :

“If you asked the people of Ireland what plan they would accept, by an emphatic majority they would say: ‘We want independence and an Irish Republic.’ There is absolutely no doubt about that. The elected representatives of Ireland now, by a clear, definite majority, have declared in favour of independence—of secession.”

Lord Hugh Cecil said of the Bill on May 10th: “We are here face to face with an attempt to satisfy foreign opinion, American opinion, opinion of the Dominions; we are not faced with any real attempt to govern Ireland.”

The British Parliament continued to debate the Home Rule Bill during the entire period of the American Presidential

<sup>1</sup> See footnote 2, p. 78, and Ulster map at end of book.

Election campaign, no doubt hoping to create among the American electorate the impression that a sincere effort to settle the Irish question was being made.

Meanwhile, the Irish Executive of the British Government was reorganised. Certain officials were withdrawn from Dublin Castle and replaced by others. Already Sir Joseph Byrne, an Irishman who had held the post of Inspector-General of the R.I.C., had been given leave of absence with full pay. His removal, as a London weekly journal stated, was "generally supposed to be due to the fact that he has firmly stood out against a policy which could only result in infecting the whole of Ireland with the brutal madness of its rulers."<sup>1</sup>

At the end of March Sir Nevil Macready was appointed Commander-in-Chief of the Forces in Ireland. The English Press assumed that he had been "given practically a free hand by the Cabinet,"<sup>2</sup> and had been instructed "to suppress the rebellion by whatever means may be requisite."<sup>3</sup>

General Macready remained in constant communication with Sir Henry Wilson, Chief of the Imperial Staff at the War Office. Sir Henry Wilson, as General Macready has himself recorded, believed in "stamping out rebellion with a strong hand."

At the same time a new force was recruited in England by advertisement for service in Ireland. It was composed of men of the type needed for work to which men of the British Regular Army were not accustomed, and which the Royal Irish Constabulary, being composed of Irishmen, could not be relied upon indefinitely to perform. The despatch of this new force to Ireland helped to relieve England of a very dangerous type of unemployable—men of low mentality whose more primitive instincts had been aroused by the war and who were now difficult to control.

For the work required of them in Ireland they were paid ten shillings a day. They were established as a section of the Irish police force. When they arrived they were dressed in khaki coats with black trousers and caps, and were promptly named by the people "the Black and Tans."

<sup>1</sup> *The Nation* (London), January 10th, 1920.

<sup>2</sup> *Daily Mail*, April 8rd, 1920.

<sup>3</sup> *Morning Post*, April 8rd, 1920.

Their arrival in Ireland, which began on March 25th, was followed by the retirement of several high officials of the R.I.C.

"The whole new organisation was being camouflaged," as General Tudor told General Crozier, because money could be obtained in England for police operations in Ireland but not on the military vote.<sup>1</sup>

General Macready attended a meeting of the British Cabinet on May 11th and brought forward requests for eight further battalions of Regulars and motor transport. The troops were badly needed in India, Egypt and Constantinople, as Sir Henry Wilson records, but the Cabinet, thoroughly alarmed, agreed, only asking Macready for time. Referring to this meeting Lord Birkenhead said, at a dinner in London on May 13th: "We have decided to reinforce these men by every means in our power . . . we have taken special and wholly exceptional steps."

Yet another force was being recruited in England to serve in Ireland as auxiliaries to the police. The men were ex-officers of the army and were paid one pound a day. They qualified for no pension, were not under military discipline, and were not amenable to trial by the civil courts.<sup>2</sup>

Sir Hamar Greenwood was appointed Chief Secretary for Ireland in April. General Tudor was appointed Police Adviser on May 22nd.

While the British Government was co-ordinating its efforts to destroy the Irish Republic the Republican Army was also working upon a definite plan. Their immediate objective was to make England's attempt to govern Ireland so costly that the British Government would find it expedient to withdraw.

Their enemy had all the resources of man-power, armaments and wealth. The Volunteers had their intimate knowledge of their own countryside and cities, and the support of the people. They therefore exploited these meagre assets to the utmost, by using all the tactics of guerilla war. Retaining their general organisation in brigades and companies, the Volunteers operated in small, mobile flying columns of fifteen to thirty men. They

<sup>1</sup> Crozier, *Impressions and Recollections*, p. 251.

<sup>2</sup> See article by J. D. Hammond in the *Nation and Athenæum*, April 30th, 1921. This was reprinted as a pamphlet, *The Terror in Action*.

lived in concealment, sheltered and guarded by the people in their cottages, or living in dug-outs in the hills, moving about by unfrequented ways under cover of darkness and never staying long in one place. They emerged from hiding only to strike at the enemy and swiftly disappear again.

It was a method of attack which kept the Crown forces nervously on the alert. They never knew when a column of men, in soft hats and trench coats, carrying rifles, would make a sudden attack on a barrack, overpower and disarm the garrison, leave the policemen bound on the roadside, and clear the depot of ammunition and arms. Troops, rushing about the streets of the towns or the country roads, expected to be ambushed from every gateway, from behind every wood and rock. British spies never knew when they might be struck down.

Roads were trenched ingeniously, leaving a margin that would allow a farm cart to pass beside a pit into which a military lorry travelling at a high speed would crash. Bridges were blown up, railway tracks damaged and telephone lines cut, in order to destroy the communications of the British military. Captured barracks all over the country were systematically burnt to the ground; the districts in which they stood could thus no longer be occupied by the Crown forces.

The Republican communications were maintained, with the help of girls and women of *Cumann-na-mBan*, who travelled all over the country on secret errands. They nursed the wounded Volunteers in makeshift hospitals among the back streets of the cities or in farmhouses on the hills. For young Irish men and women it was a life of hardship, strain and danger, and of glorious activity, faith and hope. They never doubted that they would set Ireland free.

The nature of the cause, the example of the leaders of the Easter Rising, and the exclusion of every mercenary motive, kept the character of the Irish Republican Army almost above reproach. General Macready himself bore witness to the "strict sobriety among all men working for Sinn Fein."<sup>1</sup>

So high was the standard of honesty among them that when money intended for the pay of British soldiers was captured in the mails which they censored it was duly forwarded. Looting

<sup>1</sup> Macready, II., p. 464.

was practically unheard of; for goods commandeered, receipts were given in the name of the army. Cathal Brugha's strict rules of military conduct and proper treatment of prisoners were obeyed. There were exceptions, but they were few. An English Lieutenant-General, Sir H. Lawson, recorded as follows his impression of the Volunteers:

“ The captains of volunteers appear to have been almost all quite young men, farmers' sons for the most part, some of them schoolmasters, most with what, for their class, must be considered a good deal of education, ignorant, however, of the world and of many things, but, as a class, transparently sincere and single-minded, idealists, highly religious for the most part, and often with an almost mystical sense of duty to their country. These men gave to the task of organising their volunteers their best in mind and spirit. They fought against drunkenness and self-indulgence, and it is no exaggeration to say that, as a class, they represented all that was best in the countryside.

“ They and their volunteers were trained to discipline, they imbibed the military spirit, the sense of military honour, etc., and then, as now, they looked upon their army as one in a very real sense; an organisation demanding implicit obedience and self-abnegation from rank to rank.

“ The Irish Republican Army seems to be particularly free from ruffians of the professional type, and the killings of police and others, sometimes under circumstances which evoke our horror, were almost certainly done by members of the I.R.A. acting under military orders—young men imbued with no personal feeling against their victims, with no crimes to their record, and probably then shedding blood for the first time in their lives. . . .

“ Behind their organisation there is the spirit of a nation—of a nation which is certainly not in favour of murder, but which, on the whole, sympathises with them and believes that the members of the I.R.A. are fighting for the cause of the Irish people.”<sup>1</sup>

Lord French, in an interview given to the *Daily Express* early in April, said: “ The best brains in Ireland are behind

<sup>1</sup> From *A Soldier in Ireland*, published by the Peace with Ireland Council.

the Sinn Fein movement. . . . They have organised an army numbering 100,000. They are properly organised in regiments and brigades, led by disciplined officers . . . they are a formidable army."

Lord French exaggerated the numbers of the Volunteers. It was never possible to make a close estimate, but the whole active Republican Army, in the spring of 1920, cannot have numbered more than fifteen thousand men, rapidly reduced through imprisonments and casualties, and from lack of arms, which caused many men to be withdrawn from active service; the number in action was probably about ten thousand during the greater part of the campaign. The Dublin Brigade never numbered more than twelve hundred. The fact that the Volunteers were formidable was due to the enthusiasm of the popular support which they received. Had the Volunteers, in this campaign in which everything depended on vigilance, dispatch and secrecy, attempted to act without the goodwill of the people, their resistance could not have endured for a month.

By the early summer the I.R.A. had achieved a considerable measure of success. They had cleared the smaller villages and towns of Constabulary. The R.I.C. had evacuated the smaller barracks and were now concentrated in larger barracks, which they fortified with barbed wire and sand-bags and equipped with machine guns and bombs. At Easter (April 4th), while the British military drew a cordon around Dublin, employing armoured lorries, tanks and armoured cars, and raided houses and searched pedestrians, the Volunteers burned Revenue offices in a number of towns. In the second week of May about ninety of the evacuated police barracks were burnt down by the Republicans to prevent their re-occupation by forces of the Crown.

"The Irish Executive must begin with the full recognition of the dismal truth, that it has hitherto been fighting a losing battle," the *Irish Times* said on May 1st. ". . . The forces of the Crown are being driven back on their headquarters in Dublin by a steadily advancing enemy. . . . The King's government has virtually ceased to exist south of the Boyne and west of the Shannon."

Resistance to the British Government was carried on, not only by the Volunteers in action, but by the Republicans in

the jails. They continued to demand prisoner-of-war treatment or release. In Mountjoy prison in Dublin sixty men resorted to the prisoner's ultimate weapon—a hunger-strike. It began on April 5th. The news of it created desperate anxiety outside. It was not yet realised in Ireland that a hunger-striker may take weeks to die. Night and day crowds stood around the prison saying the rosary and singing Fenian songs for the prisoners to hear. Parents obtained leave to visit prisoners only when the authorities hoped that they would persuade the young men to take food, but the old men and women told their sons not to give way. British troops in war equipment meanwhile surrounded the prison and British Army aeroplanes circled overhead.

On the 12th the Irish Labour Party and Trades Union Congress called a general strike in support of the prisoners. "The response to it was instantaneous and general," one of the organisers relates,<sup>1</sup> "although it meant danger of dismissal and loss of money and everything else. But I can speak for my own Trade Union women: there was not a single case in which the workers objected to refuse to work." The prisoners were offered release on parole, but refused to give any undertaking. They had been fasting for ten days and the labour strike had lasted for three days when they were unconditionally released.<sup>2</sup>

On April 20th the Government introduced new regulations for the treatment of prisoners, but these were not adhered to.<sup>3</sup>

This hunger-strike produced a strong impression in England: "In the last resort subject peoples have an argument to which there is no reply; Sinn Feiners have discovered this argument," the *New Statesman* said.<sup>4</sup>

In every part of Ireland rejoicing crowds gathered to celebrate the news of release. In Miltown-Malbay, County Clare, the people lit bonfires and were singing around them when police and military arrived and without warning fired into the crowd. They left nine wounded and three dead. A military inquiry was held into the shooting, but "It is not proposed to publish the evidence," the Attorney-General said.<sup>5</sup>

<sup>1</sup> *American Commission on Conditions in Ireland: Testimony of Miss Louie Bennett, Secretary of the Irish Women Workers' Union.*

<sup>2</sup> *American Commission*, p. 1023.

<sup>3</sup> C. J. C. Street ("I. O."), *Ireland in 1921*, p. 448.

<sup>4</sup> *New Statesman* (London), April 17th, 1920.

<sup>5</sup> House of Commons, May 6th, 1920.



The Sinn Fein prisoners in Wormwood Scrubs prison in London had also demanded political treatment and been refused. On April 21st they went on hunger-strike, and eventually they were released. During this hunger-strike, Irish men and women who gathered in great crowds around the prison, praying and waiting for news, were savagely mobbed. The police made no effort to check the attackers, and Mr. Shortt in the House of Commons seemed almost to commend the attack. "The young London men," he said, "naturally showed their resentment at hearing people extol those whom they believed to be murderers."

A similar attack on the crowd there occurred two nights later; about seventy people, mostly women, were injured.

Direct action against Sinn Feiners was quite evidently to be condoned in future by the British authorities. In Ireland it was understood that soldiers and police had license not only to destroy property and imprison Republicans, but to shoot. During April the Press reported that one man had been shot dead by soldiers in Arklow and another by police in Dundalk. There was no evidence that any soldier or policeman was brought to justice. These Press reports were embarrassing to the British authorities; on the last day of the month General Macready invited representatives of Irish and English newspapers to his headquarters and explained to them that it was proposed in future to supply the Press with information regarding matters in which the military were concerned.

A feature of the propaganda issued from Dublin Castle was the attributing murders of well-known Republicans to "extremists" of their own Party—such propaganda as had been attempted in the case of the Lord Mayor of Cork.

The military were thus protected both by censorship and propaganda from adverse comment. More direct encouragement was given to the police: "There is not a shadow of foundation for the suggestion that the Irish police are not allowed to shoot," Walter Long said in the House of Commons on June 3rd. He was glad to say that the police had not only shot, but they had shot with extremely good effect, and he only hoped they would do it again.

## CHAPTER 35

*May and June 1920*

TROOPS IN IRELAND – TRANSPORT STRIKE – REPUBLICAN  
POLICE – ARBITRATION COURTS – DAIL JUDICIARY – LOCAL  
ELECTIONS – REPRISALS

IN the late spring Ireland was full of troops. At the railway stations they were to be seen, in war equipment, entraining for some punitive expedition or extensive raid. In May the Irish Transport Workers declared a strike.<sup>1</sup> When armed soldiers or Black and Tans boarded a train the engine-driver would refuse to start. By May 22nd railwaymen as well as dockers were refusing to handle munitions of war. The strikers were supported by a fund voluntarily subscribed, amounting to a sum of over one hundred and sixteen thousand pounds. Their resistance lasted until the end of the year. The troops and police meanwhile tore through the streets and roads of Ireland in armoured cars and lorries, which sometimes carried machine guns; the men were in a savage condition of nervousness, expecting an ambush at every corner. They carried rifles at the ready and sometimes shot recklessly at people on the roads. The verdict at the inquest on James Saunders, shot dead in Limerick on May 28th, was the eighth verdict of murder passed against the police since the beginning of the year, and there were more murders of the same reckless character during the summer months. A boy of thirteen was recklessly driven over and killed at Cappoquin on June 6th. Michael Small, Richard Lumley, Dan McGrath, Tom O'Donnell were shot dead from lorries during July.

In the midst of this reign of violence it was the duty of the Republican Government to preserve a regard for justice and prevent adventurers and criminals from taking advantage of the guerilla warfare for their own ends. The Republican Army was vigilant in this matter, admitting to its ranks only those men who were known for their sincerity in the cause, and dismissing any who acted in a way that might lower the army's credit or morale.

<sup>1</sup> *American Commission* : Miss Louie Bennett's testimony, p. 1024.

The British-paid police force, disorganised by the political campaign, and absorbed in the pursuit of Republicans, was no longer effective to deal with delinquency. A Republican police force was formed. Its members were without uniform and were for the most part unpaid. But they were able to make themselves effective. They regulated the drink traffic with severity. When excited crowds assembled they kept order with quiet authority, which the people instinctively recognised and loyally obeyed. Finally, they carried out as far as possible the decrees of the Republican Courts.

The Arbitration Courts established by the decree of Dail Eireann of June 1919, were functioning vigorously, especially in the west, but were not adequate to deal with the growing agitation there. The British Congested Districts Board had failed, or delayed, to settle disputes concerning land which were already generations old; the land hunger of the people remained unappeased; the young men were determined that they would not emigrate while there was land untilled at their own doors.<sup>1</sup>

By the spring of 1920 the landlords were in desperation—cattle-driving and the removal of fences were frequent; the British authorities could do nothing to help them; a landlord, Shawe Taylor, was shot. The landlords began to send appeals to Dail Eireann and the Republican Government regarded this matter as a test of its competence and influence. A general scheme of Arbitration Courts was approved in March and was operating by May, the system already in operation in West Clare being adopted.<sup>2</sup> The first public Law Court was held in Ballinrobe in County Mayo on May 17th. The decision, which was in favour of the owner, was not popular but was enforced by the Republican police. Special Land Courts were set up under the Dail Department of Agriculture and among the judges there were qualified land valuers as well as lawyers. Decisions were made according to equity.

Kevin O'Shiel, B.L., who was appointed by the Dail to act as

<sup>1</sup> *American Commission*: Statement by Mr. Kevin O'Shiel, read before the Commission, p. 1009. See also article by Kevin O'Shiel in *Young Ireland*, June 26th, 1920.

<sup>2</sup> See pamphlet: *The Constructive Work of Dail Eireann*, No. 1.

Special Commissioner for the Land Courts, held open sessions during the summer in the west. He wrote, afterwards:

“ Nothing could surpass the eagerness of the local arbitrators in the District Courts to eliminate all prejudice and do plain and simple justice to every man, be he landlord or tenant, claimant or resister. It was edifying also to follow the testimony of the unsworn witnesses, and note the pains they took to be accurate and truthful. I have been in English, French, and other foreign courts, but I have never seen the business of the judiciary carried on more effectively, if less formally, or in a more dignified manner than by those plain people of the west.”

Legal men prominent in the Republican movement gave their services.<sup>1</sup> So strongly were the Arbitration and Land Courts supported by public consent that they had little difficulty in enforcing their decrees. They functioned in ten counties and settled four hundred cases within the year. The Republican police, not having control of jails, usually removed delinquents for the term of their sentence to “ an unknown destination.” It was related that two men detained by the Republican police on an island off Galway drove away members of the R.I.C. who came in a boat to their rescue, saying that they were prisoners of the Irish Republic and preferred to obey its decree.

Very soon the British court-houses in many counties of Ireland were empty. In April a writer in the *Manchester Guardian* had said:

“ Gradually but surely the Sinn Fein courts are extending their dominion in the west, and where Sinn Fein with the aid of the Volunteers has not driven out the British rule altogether, the old warfare continues. . . . It is obvious that in this kind of warfare the Government is slowly losing, and that Sinn Fein, with the aid of the Volunteers and organised Labour, has reached an unprecedented degree of power.”

“ The Union is broken,” the *Globe* said on May 13th. “ England can never govern Ireland again.”

<sup>1</sup> Among them were P. T. Rutledge, Member of the Dail for Mayo, who later became Minister for Justice in the Irish Free State, and Conor Maguire, later, Attorney-General.

Most emphatic was the Irish Correspondent of the *Daily News*. "Sinn Fein effectively is taking over the Executive and Judicial functions of Government," he wrote on May 28th. "It has become the *de facto* Government in three-quarters of Ireland; it virtually possesses treaty powers." Hugh Martin wrote again on July 5th:

"Sinn Fein has accomplished an amazing work in producing law and order in those parts of Ireland in which it is in power. Sinn Fein law has a sanction behind it such as no other law in Ireland has had for generations. One hears that it has put the fear of God into the criminal class. The courts are stern to those who slight them. . . . Ireland is taking pleasure in law and order for the first time within the memory of man. It is because of this enthusiasm for law and order perhaps that it is able to remain unexpectedly calm even under the railway blockade and the many provocations of Dublin Castle. This is the one great hope in the situation. Even Unionists are astonished and pleased by it."

A representative of the landlord class in Ireland, Lord Montague, writing in the *Irish Times* of the same date, said:

"The Sinn Fein courts are steadily extending their jurisdiction and dispensing justice even-handed between man and man, Catholic and Protestant, farmer and shopkeeper, grazier and cattle driver, landlord and tenant. The Sinn Fein police are arresting burglars, punishing cattle drivers, patrolling the streets, controlling drink traffic, apparently in some places with the acquiescence of the local military authorities, who thus show themselves wiser than either the Castle officials or the British Government. And mark the double significance of this fact. It shows the powerlessness, in Sir Horace Plunkett's phrase, of the 'government with the dissent of the governed.' It also shows the growing and remarkable capacity of the Irish people for self-government."

When, in June, the Trinity Sessions of the county court under British jurisdiction opened, no litigants appeared; the same thing occurred at the Assizes in July. In courts heavily

guarded by military with machine guns and protected with sand-bags and barbed-wire, the judges waited for the litigants whose cases had been duly listed for hearing but had been settled, meanwhile, elsewhere.

So great, during these weeks, had grown the pressure of business in the Republican courts that the Dail was obliged to promulgate a decree limiting the claims to be heard to those licensed by the Minister for Home Affairs.

A Special Land Commission was shortly afterwards set up by the Dail.

The Dublin Castle Executive was not prepared to allow order to be restored in Ireland by Dail Eireann.

On June 17th, in Charleville, County Cork, and also in Kilman-nock, County Limerick, British military and police intercepted Republican police who had prisoners in their charge. The prisoner in each case was released and members of the Republican police, in each case, were fatally shot.

On July 6th an order was issued from Dublin Castle that the local police should take steps to arrest the leaders of any group arrogating to themselves the duties of police. The troops had been instructed to assist the police in carrying out this order.

In a country occupied by agents of the British Administration and by more than "45,000 effectives" equipped with their paraphernalia of war, and ruthless in their attempt at suppression, the people were living in obedience to an unseen government and its unwritten laws. The Republic of Ireland existed, unrecognised by outside powers, but founded in the consent of the Irish people and upheld by their devoted goodwill—a State which it would not be easy for its enemies to destroy.

Now yet another opportunity was given to the population to declare whether they wished to withdraw from their enterprise, or were ready to face all that a re-assertion of Republican allegiance would involve. Elections for the County Councils, Rural District Councils, and Boards of Poor Law Guardians took place throughout Ireland in June.

Again the Proportional Representation system was followed giving the minority the fullest opportunity of recording its preference.

The Republican support of the Proportional Representation system was regarded by many Protestants and Unionists as a consoling promise of fair treatment should the majority finally prevail. Lord Monteagle was Chairman of the Proportional Representation Society of Ireland. Speaking at a meeting of the Thomas Davis Society of Trinity College, Dublin, on May 25th, he said:

“It was refreshing to find parties which had supported Proportional Representation when in a minority continuing that support when they became majorities, as instanced in the Local Government elections, when the Sinn Fein party was under sore temptation to repudiate that system; being sure of a majority they could have wiped out all other parties under the old system.”

The final results were published on June 12th.

There were thirty-three County Councils in Ireland (County Tipperary having two councils). Of these, Unionists secured a majority in four: Antrim, Derry, Armagh and Down. Out of 206 Rural District Councils Republicans had a majority in 172 and the opposition predominated in only 34. In the nine counties of Ulster there were 55 Rural District Councils; of these only 19 returned a majority of Unionists.

As a result of these elections every County Council, every Rural District Council and every Board of Guardians in Leinster, Munster and Connacht gave allegiance to the Government of the Republic, while thirty-one Councils in Ulster did the same. The response of the British Government was to stop the grants (paid out of Irish taxes and administered by the local Councils) to institutions for the sick, the destitute and the insane. The people, however, paid their rates fully and regularly to the Republican Councils, and these, with half their members in prison or “on the run,” their chairmen in nightly danger of Lord Mayor MacCurtain’s fate, their meetings prohibited and their proper funds withheld, struggled to save Ireland from devastation and to carry out the constructive programme of the Dail.

The general elections proved that the Irish people had not

yet been reduced to submission; the psychological moment for Lloyd George's offer of Partition had not yet arrived. On June 28th in the House of Commons Lloyd George said that the Irish were impossible in their present mood, but he did not despair of their accepting in the end the only measure of self-government which the people of Great Britain could concede.

In Ireland the campaign of re-conquest went on.

Already, between January and June, besides the armed Volunteers who had fallen in combat, thirteen unarmed people had been killed by indiscriminate firing by the Crown forces, five had been deliberately killed by them, and one hundred and seventy-two persons wounded. Fifteen reprisals on towns and villages had been carried out in these six months.<sup>1</sup>

The number of casualties could never be exactly determined; the difficulty was particularly great on the Republican side. The number of members of the Crown forces killed in Ireland between May 1916 (after the end of the Rising) and July 10th, 1920, according to Lloyd George was sixty: four soldiers and fifty-six members of the police forces.<sup>2</sup> The ordinary Dublin Metropolitan Police had been disarmed by the British authorities at their own request in May 1920, and since then remained immune from attack. Most of the policemen attacked by the Republican Volunteers were members of the special G Division—political detectives.

The summer months were still those most favourable to the Volunteers for the form of guerilla warfare which obliged most of them to live in the hills, since their opponents had not yet begun to pursue them into those fastnesses to any great extent. The number of attacks made by the I.R.A. in June was

<sup>1</sup> January 22nd: Thurles, County Tipperary, sacked by troops. February 27th: three houses in Dublin wrecked by troops. March 1st: Thurles, County Tipperary, partially wrecked by troops. March 7th: several houses in Thurles, County Tipperary, wrecked by troops. March 12th: many houses in Cork city wrecked by police. March 22nd: many shop windows in Dublin wrecked by troops. April 17th: Bouladuff, County Tipperary, shot up by police. April 26th: Kilcommon, County Tipperary, partially wrecked by police. April 27th: many houses in Limerick city shot up by police. May 1st: Limerick city shot up by police. May 13th: houses at Thurles, County Tipperary, fired and bombed by police. May 15th: houses at Bantry, County Cork, wrecked by police. May 18th: Limerick city shot up by police. May 19th: Kilcommon, County Tipperary, shot up by police. May 28th: Kilmallock, County Limerick, sacked by police.

<sup>2</sup> See Lloyd George's letter, published on April 20th, 1921.



twenty-four; in July thirty. Very daring raids on government buildings took place in broad daylight in Dublin, when documents and arms were seized with complete success and without any shooting. On July 15th, Volunteers entered the sorting-room of the General Post Office, held up the staff, and, quietly, acting on a perfectly concerted plan, seized the mails belonging to Dublin Castle. In consequence of this capture, the Republican Intelligence Department secured valuable information and Lord French had the interesting experience of receiving his correspondence marked on the envelope, "Passed by Censor, I.R.A."

Between May 8th and July 22nd the Volunteers took one hundred and forty prisoners, whom they disarmed. Every one of these prisoners was released with the exception of General Lucas, whom they detained as a hostage for a time. He was camped on the Blackwater for fishing with two British Colonels when a band of I.R.A. men appeared, led by the daring young Commandant, Liam Lynch. They seized the three officers and drove off with them in motor-cars towards Cork. Colonel Danford tried to escape and was wounded and the Volunteers released Colonel Tyrrell to attend him. They detained General Lucas in conditions of ease and comfort, providing for him amusements such as tennis and salmon fishing.<sup>1</sup> After about a month's captivity he escaped.

As a reprisal for his capture the troops made a ferocious attack on the town of Fermoy. Limerick city, Kilcommon, Lismore and four villages also were shot up. "An over-zealous display of loyalty," was General Lucas's own phrase in referring to the incident afterwards in an address to the men.

The action taken by the British authorities was to reprimand the officers concerned and cancel the leave of the men—measures inadequate to act as a deterrent.

In the House of Commons on June 22nd, Denis Henry, the British Attorney-General for Ireland, had said that the British troops in Ireland had been instructed to behave as if on a battle-field. But their battle-grounds were the homes of the Irish people and their behaviour was not that of disciplined soldiers waging war.

<sup>1</sup> See *Daily Mail*, August 9th, 1920.

## CHAPTER 36

*June and July 1920*

SACKING AND LOOTING – ATTACKS ON CATHOLICS IN ULSTER  
– EFFORTS IN ENGLAND – LLOYD GEORGE'S POLICY – POLICE  
MUTINIES – RESIGNATION OF MAGISTRATES – CONNAUGHT  
RANGERS MUTINY – BRITISH ADMINISTRATION IMPOTENT –  
DAIL EIREANN AND THE U.S.A.

DUBLIN during the summer was a scene of intense military activity. The streets were full of British Regulars in khaki and steel helmets who carried rifles with bayonets fixed, of Auxiliary Cadets in black and the oddly attired Black and Tans, as well as the Dublin Metropolitan Police, while at every point of vantage lingered men in plain clothes, more or less recognisable as detectives of the G Division employed in political espionage. Military cordons drawn around sections of the city with barbed wire, military lorries and tanks in attendance were a familiar sight. At night searchlights played on the house fronts, while the rumble of lorries shook the streets. The stopping of a lorry outside a house was the signal for the occupants hastily to throw on garments and rush to open the door, in the hope of being in time to prevent its being broken in. Then followed the rush of armed men upstairs and into every room, attic and cellar, swinging revolvers and shouting threats, the bursting open of cupboards, tearing up of floor boards and ripping of mattresses. If, as frequently happened, the raiders were drunk, or in a savage temper as the result of a recent ambush, shots would be fired through the walls and ceilings and breakables smashed. Any man found on the premises was in danger of being shot out of hand. Those taken away in lorries were sometimes shot dead and reported as "shot while attempting to escape." Articles looted from the raided houses were carried openly through the streets.

Cork was almost as heavily garrisoned as Dublin; there was no town in Ireland where people did not live under the domination of the forces of the Crown, save in those parts of the south and west which had been freed of them by the action of the I.R.A. Fermoy suffered yet another attack on June 28th. The

larger towns, being more heavily garrisoned, suffered most. Tuam, in County Galway, was subjected to a ferocious attack by Crown forces on July 20th.

In the northern counties the Republican Army was comparatively small in numbers, and it was helpless to protect the Nationalist population from the violence of the Unionists. It was not by uniformed forces that the Nationalists of the north were threatened; it was by the Orangemen—the Carsonite mob.

Traditionally that menace was at its worst in July, when the Twelfth recalled the Protestant victory of the Boyne. Rancour was intensified this year in consequence of the June elections, which had testified to the strength of Sinn Fein. In Derry city particularly the danger to Catholics—who were all assumed to be Nationalists—was acute.

The Unionists of Derry had suffered a humiliating defeat in January, when Nationalists secured a majority on the corporation and the city came under the jurisdiction of a Nationalist Lord Mayor.

Lloyd George's Partition scheme included Derry in the area that would be under Unionist rule. The Ascendancy Party in Derry would not tolerate a situation which left them in a minority in the city, and similar sentiments were felt elsewhere.

On July 12th Sir Edward Carson delivered a speech which was a fiery incitement to the Unionists. "I am sick of words without action," he said. This was followed by letters in the Ulster Press complaining of the "peaceful penetration" by Irish Catholics of the pro-British stronghold. "Processions and demonstrations are all very good in their own way," one writer said in the *Belfast Newsletter* of July 16th, "but we want something deeper than these." Another writer, signing "Protestant," declared that "if work (not talk) is not begun at once" Protestantism in the country was doomed.

"Work (not talk)" began on July 19th. On that night armed mobs rushed upon the Catholic quarter of the city, setting fire to houses, shooting, looting and wrecking shops; they carried the Union Jack and the military did not intervene. During four nights and days street fighting went on: over fifty persons were wounded and nineteen were killed. At last the military

intervened, but only to fire upon members of the I.R.A. who had undertaken to protect property and were standing on guard.

The elections had shown that "Unionist Ulster"—a province with an overwhelming pro-British majority—was a fiction; the Unionists of Ulster were determined now to make it a fact. The expulsion of the Catholics was to be carried out systematically. The campaign was started, with almost inconceivable ferocity, on July 20th in the shipyards of Belfast.

It had been expected. "It is common knowledge in Belfast," a newspaper correspondent wrote, "and had frequently been admitted by individual Unionists, that plans were matured at least two months ago to drive all the Home Rule workers in the shipyards out of their employment."<sup>1</sup>

On July 21st prominent Unionists addressed the Protestant workers in the Belfast shipyards, who were in a majority of six to one. The speakers called for "a show of revolvers," called upon the Protestants to drive the "Fenians" out, and turned a thousand hate-intoxicated men loose on their Catholic fellow-workers to fling them into the channel or beat them with ruthless savagery out of the yard.

During the nights and days that followed, armed Orangemen carried the attack into the Catholic quarters of the city.

Bombs and petrol, rifles and revolvers were used. Catholics were driven out of their shops and houses, which were looted, then bombed or drenched with petrol and fired. Convents, churches and Catholic hostels were special objects of attack. The pogrom was imitated in Banbridge and other towns. It continued without cessation for five days and nights. Before it ended, seventeen men and women had been killed and about two hundred injured; hundreds of thousands of pounds' worth of the property of Catholics had been wrecked. Hundreds of Catholic families had seen their houses and all that they possessed demolished. The men were threatened with death if they ventured to return to their work. The military gave Ulster Catholics no protection; the Republican Army was not strong enough to help them there. There was no hope for them but in flight. The policy of the clearance of Ulster seemed calculated to succeed.

<sup>1</sup> *Westminster Gazette* (London), July 24th, 1920.

Outside Ulster, the British Administration was encountering reverses and complications, owing chiefly to the difficulty of doing openly what it had set out to do. The spectacle of the British Empire attempting the military re-conquest of Ireland by barbarous methods was not one calculated to win support from the English people or sympathy from the outside world; and it was becoming impossible to maintain secrecy concerning occurrences in Ireland. In England, not only the Irish Self-Determination League but various committees organised by English men and women were exposing Lloyd George's Irish régime. Lord Henry Cavendish-Bentinck formed the "Peace with Ireland Council"<sup>1</sup>; a committee of English Catholics was formed and publicists like Hilaire Belloc, G. K. Chesterton and George Bernard Shaw were among those whose pens were mighty in denunciation of the reign of terror in Ireland.

Lloyd George's concern was to give his campaign against Irish independence the appearance of a mere police matter, an effort to preserve law and order and protect a loyal community against a band of fanatics. It was not compatible with this policy to impose general martial law and he obstinately refused to do so in spite of the representations of his military advisers in Ireland. In vain Lord French pointed out that it was unsuitable to oppose an Irish Army with police measures and in vain General Macready and General Tudor protested against the limitations imposed on them.<sup>2</sup> Lloyd George and his Cabinet continued to insist on a war against the Irish people being waged in the main by forces known officially as police.

In the martial law areas of the south all the Crown forces, police included, were under military command, but elsewhere the police were commanded directly from Dublin Castle, and co-operation between them and the military was a matter for adjustment between the authorities. Among the Staffs as well as in the ranks of these forces disputes were rife. Brigadier-General Crozier was sent to Ireland in command of the new Auxiliary Division of the R.I.C. in July. Months later he was still wondering whether he was "acting as a soldier or a policeman."

<sup>1</sup> The Secretary was Oswald Mosley, M.P.; the Treasurers were Basil Williams and Annan Bryce.

<sup>2</sup> Lord Riddell, *The Peace Conference and After*, pp. 202-3.

General Crozier preferred to regard himself as a good soldier in the best British tradition. He resented the position of affairs in Ireland and subsequently resigned. In a book written ten years later he reveals much of the inner history of these months in Ireland.<sup>1</sup>

According to his account he found the British Army in Ireland well behaved, but the R.I.C. demoralised; he found, also, that "irregular reprisals carried out by the wardens of the law" were being attributed to Sinn Fein. The R.I.C. were being employed "to murder, rob, loot and burn up the innocent, because they could not catch the few guilty on the run."<sup>2</sup>

No body of men ever served their paymasters with more loyalty than the Irish Constabulary. That loyalty had always been in conflict with their own national feeling; now the conflict had become acute. To a large number of the men the work they were called upon to perform was repugnant as well as dangerous. Those who had not become hardened or demoralised by their task grew restive. Resignations began.

A constable named Daniel Crowley, who handed in his resignation on June 1st, 1920, afterwards described to the American Commission on Conditions in Ireland the state of affairs which led to his decision. The situation which he described as existing in Clogheen, County Tipperary, was typical of Ireland at this time. He said that at about the time of the murder of Lord Mayor MacCurtain the police received an order which required them to accompany the military in patrolling the country night and day. "They were to go on an armoured car with a machine gun . . . and every man who took a prominent part in the Sinn Fein movement they were to stand up in front of his house and turn the machine gun on it. In this armoured car there were put one hundred and twenty cans of petrol and also one hundred and twenty Mills bombs, and the reason for this was that they were for burning houses."<sup>3</sup>

On the night of May 21st, Crowley with two other constables, armed with revolvers, and two Black and Tans, armed with carbines, were sent out on a night expedition. One of them ordered the policemen to show him the houses of Maurice Walsh

<sup>1</sup> Crozier, *Ireland for Ever*.

<sup>2</sup> Crozier, p. 91.

<sup>3</sup> *American Commission: Evidence on Conditions in Ireland*, p. 380.

and the Chairman of the Clogheen District Council; he said that he was going to shoot them. "We reminded him that he was not in the army now. And he said that when he left the training depot he was told that he would not be subjected to any discipline whatever if he shot any Sinn Feiners." The dispute ended by the Black and Tan firing on the police.

During the same inquiry the constable described the behaviour of the military as disgraceful. "I have seen them stop two girls of the town coming to the rosary at half past six in the evening, and they said to the girls, 'Hands up,' and knocked them down." It was his opinion that the soldiers "were trying to stir the people up."

On June 17th, in Listowel, County Kerry, constables mutinied against orders which they were given. One of the men concerned travelled to Dublin and gave Arthur Griffith a written statement of what had occurred.

The constabulary had been ordered to hand over their barracks to the military and refused. They were visited by General Tudor, head of the police force in Ireland, and by Colonel Smyth, Divisional Police Commissioner for Munster, all anxious to avert resignations and conciliate the police. The men were assembled in the day-room of the barrack. This, according to the constable's written statement, is what then occurred:

"Mr. Smyth, D.C., addressed us as follows: 'Well, men, I have something of interest to tell you: something that I am sure you would not wish your wives to hear. I am going to lay all my cards on the table; I may reserve one card to myself. Now, men, Sinn Fein has had all the sport up to the present, and we are going to have the sport now. The police are not in sufficient strength to do anything but hold their barracks. This is not enough, for as long as we remain on the defensive, so long will Sinn Fein have the whip hand. We must take the offensive, and beat Sinn Fein with its own tactics. Martial law, applying to all Ireland, is to come into operation immediately; as a matter of fact we are to have our scheme of amalgamation complete on June 21st. I am promised as many troops from England as I require: thousands are coming daily. I am getting seven thousand police from England. Now,

men, what I wish to explain to you is that you are to strengthen your comrades in the out-stations.

“ The military must be quartered in the large towns for the following reasons: (1) They must be convenient to railway stations to enable them to move rapidly from place to place as occasion demands; and (2) unlike police, soldiers cannot act individually and independently but only in large numbers under a good officer—he must be a good officer, otherwise I shall break him for inefficiency.

“ If a police barracks is burned or if the barracks already occupied is not suitable, then the best house in the locality is to be commandeered, the occupants thrown out in the gutter. Let them die there—the more the merrier. Police and military will patrol the country at least five nights a week. They are not to confine themselves to the main roads, but make across the country, lie in ambush and, when civilians are seen approaching, shout “ Hands up! ” Should the order be not immediately obeyed, shoot and shoot with effect. If the persons approaching carry their hands in their pockets, or are in any way suspicious looking, shoot them down.

“ You may make mistakes occasionally and innocent persons may be shot but that cannot be helped, and you are bound to get the right parties some time. The more you shoot, the better I will like you, and I assure you no policeman will get into trouble for shooting any man.

“ Hunger-strikers will be allowed to die in jail—the more the merrier. Some of them have died already and a damn bad job they were not all allowed to die. As a matter of fact some of them have already been dealt with in a manner their friends will never hear about.

“ An emigrant ship left an Irish port for a foreign port lately with lots of Sinn Feiners on board. I assure you, men, it will never land.

“ That is nearly all I have to say to you. We want your assistance in carrying out this scheme and wiping out Sinn Fein. Any man who is not prepared to do [*sic*] a hindrance rather than a help to us and he had much better leave the job at once. ”



At the close of this speech Mr. Smyth addressed the first man in the ranks of the assembled constables, saying:

“Are you prepared to co-operate?”

The man curtly referred him to the spokesman whom the members of the Listowel force had chosen. This constable stood forward and replied:

“By your accent I take it you are an Englishman and in your ignorance forget that you are addressing Irishmen.” The constable then took off his cap, belt and sword (bayonet) and laid them on the table saying:

“These, too, are English. Take them as a present from me and to hell with you—you are a murderer.”<sup>1</sup>

Colonel Smyth immediately ordered the arrest of the spokesman; the other constables swore that if a hand was laid on him the room would “run red with blood.” Colonel Smyth and his companions then retired.

A month later this Colonel Smyth was shot dead in the Cork County Club by men of the I.R.A.

During July, in Killarney, a similar speech was made to men of the R.I.C. They were addressed by the Divisional Officer for Cork. According to a statement supplied to the *Irish Bulletin* of July 18th, the officer told the men that in future no policeman would be subjected to inquiry before a jury in case of having “shot with effect.” Five of the men had refused to carry out instructions, and the remainder cheered them.

Legislation was introduced within a few weeks after these speeches which embodied the suggestions made to the R.I.C.

Police elsewhere were amenable to their instructions. Between June 23rd and 28th acts of destruction by police occurred in Bantry, Limerick, Newcastlewest and Kilcommon. On July 1st, in Limerick city, newspaper offices were wrecked and fired by police. On July 3rd police fired into the Union Hall, County Cork. Between July 6th and 22nd they bombed and wrecked houses in County Limerick and Arklow, shops and houses in Tralee, County Kerry, Ballagh, County Roscommon, and Leap, County Cork. They fired into houses in Ballina, Galbally and Cork city, wrecked a creamery at Emly and a National Foresters' Hall at

<sup>1</sup> *Irish Bulletin*, July 9th, 1920.

**Enniscorthy.** On July 20th the town of Tuam in County Galway was savagely sacked by drunken constables.

At this time recruiting in Ireland for the police force had entirely ceased. No increase of pay sufficed to induce Irishmen to join. In August, in the House of Commons, Hamar Greenwood stated that 556 constables and 313 magistrates had resigned in two months.

The men of the R.I.C. in many districts were demanding to be disarmed, pointing out that since the Dublin Metropolitan Police had ceased to carry firearms they had been immune from attack.

Sinn Fein did what was possible to safeguard men who resigned from patriotic reasons from the police. The Minister for Labour, Constance Markievicz, on July 29th, issued an order to all Sinn Fein clubs to the effect that these men should be given every opportunity to live as good Irish citizens in their native districts; that in cases of special hardship they should be offered employment or assisted from a special fund; also that members of the police forces should be approached through their relatives and urged to resign.

Resignations were coming also from a more unexpected quarter. Among the staunchest supporters of British law in Ireland had been the local magistrates, justices of the peace.

On July 22nd the magistrates of Cork city and county met and unanimously passed the following resolution:

“ That, having regard to the unalterable opinion of the vast majority of our fellow-countrymen, and with whom we cordially agree, that Ireland is entitled, like other oppressed nationalities, to that form of government chosen by the people, and that, as this was the basic principle underlying the great European War to crush militarism, we consider it our duty to surrender our commissions sanctioned by British law.”

During the month of August, one hundred and forty-eight Irish magistrates resigned. The feelings which actuated them were expressed in the letter which one of them, Sir Henry Grattan Bellew, wrote to the Lord Chancellor on August 11th:

“ His Majesty’s Government has determined on the substitution of military for civil law in Ireland. I can act so far in harmony with the new policy that I beg herewith to resign the offices I hold as Magistrate and Deputy Lieutenant for His Majesty in the county of Galway. I hope my colleagues will follow my example so that the wrecking of Irish towns and the ruin of Irish industry may be proceeded with, without any camouflage or appearance of approval by Irishmen of the sabotage of their country.”

On June 28th a remote corner of the Empire was startled by a repercussion of the conflict in Ireland. Men of the 1st Battalion of the Connaught Rangers, stationed at Jullundur in the Punjab, hearing the news from Ireland, refused to “ soldier for England ” any longer. They laid down their arms, declaring that they were willing to accept arrest. Three hundred and fifty men joined in the protest; sixty-two were court-martialled; James Daly, of Tyrellspass, was executed for mutiny and others were sentenced to terms of penal servitude of from two to twenty years.

“ It is for Emmet’s crime,” one of them said.<sup>1</sup>

With exultation, Republicans realised during this summer that the first part of their aim was being accomplished; English government in Ireland was being rendered impossible. The greater task, however, remained—to make it possible for the Irish people to govern themselves and to secure for the Republic that international recognition which would give Ireland her place among the nations of the world. The Members of Dail Eireann at home and President de Valéra with his colleagues in the United States of America were working in close co-operation towards this end.

It was becoming increasingly difficult for the members of Dail Eireann to meet. A secret session of Dail Eireann met on June 29th. Forty-six deputies were present—nearly all of them persons for whom the police were actively searching. Harry Boland had just returned from the United States. Arthur Griffith presided.

<sup>1</sup> An agitation for the release of these men, organised in 1922 by Colonel Maurice Moore, Captain Stephen Gwynn, General Sir Bryan Mahon and other Irish officers and ex-officers of the British Army, was successful.

He spoke with satisfaction of the progress of the Land Bank, the Industrial Commission, the Arbitration Courts.

Referring to the campaign in the United States, Arthur Griffith said:

“ . . . In America the work accomplished by the President has been extraordinary, he has welded the Irish race into a united force, he has raised the Irish question there into the position of an international issue.”

He moved:

“ That the President be empowered to expend a sum not exceeding \$1,000,000 to obtain the recognition of the Irish Republic by the Government of the United States.”

The Dail carried this motion and another moved by Arthur Griffith authorising the President to appoint consuls and diplomatic agents to several countries, and to despatch a diplomatic mission to the Government of the Russian Socialist Soviet Federal Republic, with a view to establishing diplomatic relations with that Government.

During this session the Dail voted the sum of one million dollars to the Department of Defence. This had been suggested by the President and the vote would come out of funds subscribed in America.

A department for the collection of income tax was instituted. On the motion of Michael Collins, Minister for Finance, the current issue of the Internal Loan was declared closed as from July 17th. The Loan of £250,000 had—in spite of all the British efforts to wreck it—been over-subscribed by £40,000.

During this session the Dail took one of its most momentous decisions: Courts of Justice and Equity were decreed.

Before the session closed, on the motion of Arthur Griffith, the following message was sent to the President:

“ Dail Eireann assembled in full session in Dublin to-day unanimously re-affirms the allegiance of the citizens of Ireland to your policy, expresses complete satisfaction with the work you have performed and relies with confidence upon the great American Nation to accord recognition to the Republic of Ireland now in fact and in law established.”

## CHAPTER 37

### *February to June 1920: The United States*

DE VALÉRA TOURS THE STATES — RESOLUTION OF THE  
SENATE — DEVOY AND COHALAN HOSTILE — REFERENCE  
TO CUBA — CHICAGO CONVENTION — SAN FRANCISCO  
CONVENTION

PRESIDENT DE VALÉRA had been almost a year in America. He had given up the effort to work with the group led by Devoy and Cohalan and opened headquarters in Washington, from which he paid frequent visits to New York and other cities. In the spring he made a tour of the Southern States. British propagandists sent out in strength to counteract the Irish appeal and anti-Catholic emissaries from Belfast were helpless against the rising tide of indignant sympathy for Ireland. Everywhere, in the south as in the north, immense and eager crowds gathered to hear President de Valéra; civic welcomes were organised for him; prominent American citizens supported him on his platforms; he addressed Legislatures, including those of Virginia, Maryland, and Montana; he was presented with the Freedom of the City of New York; the Press published his speeches and interviews as front-page news. The tricolour was seen as often as the Stars and Stripes.

Ireland's position in relation to the League of Nations was thoroughly understood, and on March 18th, 1920, the United States Senate took an action on behalf of the small and struggling nation so remarkable that the gratitude of the Irish people was scarcely greater than their surprise. Having under consideration the Ratification of the Treaty of Versailles, the Senate took that momentous occasion to testify to America's sympathy with the Irish cause. It passed a resolution that:

“ In consenting to the ratification of the Treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspiration of the Irish people for a government of their own choice adopted by the Senate, June 6th, 1919, and declares that when self-government is attained by Ireland, a consumma-

tion it is hoped is at hand, it should promptly be admitted as a member of the League of Nations."

On Ireland's behalf the United States Senate had issued what amounted to a public reprimand to the Government of Great Britain, America's ally in the World War. It seemed as though recognition of the Irish Republic might not be too much to hope for if only the claim could be advanced with firmness and discretion by a united organisation.

The rank and file of the Friends of Irish Freedom organisation, in spite of the antagonism of some of their leaders, were doing excellent work in collecting for the Loan and in propaganda throughout the States. In April, when the news of the murder of Lord Mayor MacCurtain made it seem probable that a series of assassinations would be carried out in Ireland by the police, a group of American citizens organised a picket outside the British Embassy in Washington. Many of the members of the picket were well-known women publicists; they carried placards calling attention to conditions in Ireland. The picketing was continued for three weeks.

On May 8th President de Valéra formally repudiated the claim of British Ambassadors to represent Ireland in Washington.

The month of May brought a disappointment to those in America who were working in Ireland's cause. The Mason Bill, claiming an appropriation for diplomatic representation of the United States to Ireland, was being subjected to delay after delay. Finally, it was replaced by a mere resolution expressing sympathy for "The aspirations of the Irish people for a government of their own choice."<sup>1</sup> This resolution was adopted by the Foreign Affairs Committee on May 28th.

President de Valéra's efforts had met with the most cordial co-operation from many quarters, but had encountered bitter and insidious opposition elsewhere. The hostile groups in the F.O.I.F. concentrated unceasingly on the attempt to drive the Irish leader from the United States. They lost no opportunity of endeavouring to discredit him, charging him on the one hand with compromising the demand for complete independence and

<sup>1</sup> A similar resolution moved by Congressman Gallagher, reported out on March 4th, 1919, had been weakened in the same way. See McCartan, p. 158.

declaring on the other hand that his demand was excessive and unattainable. Judge Cohalan even attempted by a trick to suggest that De Valéra had sponsored the ineffective Mason Resolution, with which, in fact, the President was wholly dissatisfied.<sup>1</sup>

An attack that, for a time, seriously menaced the Irish cause in America was made by this group against the President, in connection with an interview which he gave on February 20th to the New York Correspondent of the *Westminster Gazette*.

In that interview the President dealt with the English argument that a free Ireland would be a menace to England's safety and form a base from which her enemies might attack her at any time. His reply to this contention was that Ireland was ready to offer international guarantees which would secure to England all her legitimate rights—such a guarantee, he instanced, as that article in the Platt Amendment to the Cuban Settlement by which Cuba engages to preserve its own integrity and independence against any foreign Power.

He said:

“The United States by the Monroe Doctrine made provision for its security without depriving the Latin Republics of the South of their independence and their life. The United States safeguarded itself from the possible use of the Island of Cuba as a base for an attack by a foreign Power by stipulating: ‘*That the Government of Cuba shall never enter into any Treaty or other compact with any foreign Power or Powers which will impair or tend to impair the independence of Cuba, nor in any manner authorise or permit any foreign Power or Powers to obtain, by colonisation, or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.*’

“Why doesn't Britain make a stipulation like this to safeguard herself against foreign attack as the United States did with Cuba? Why doesn't Britain declare a Monroe Doctrine for the two neighbouring islands? The people of Ireland so far from objecting would co-operate with their whole soul.”

Opponents of President de Valéra seized upon this interview as a pretext to suggest that he was preparing to compromise. They were assisted by the headline under which the *New York*

<sup>1</sup> See McCartan, p. 188.

*Globe* reprinted the interview on February 10th: "De Valéra Opens the Door." The Editor wrote: "This statement introduces a new principle. It is a withdrawal by the head of the Irish Republic of the demand that Ireland be set free to decide her own international relations."—An interpretation not warranted by the text of the interview.

On the 14th, in the *Gaelic American*, John Devoy, exploiting his opportunity to the full, started a series of articles in which De Valéra was bitterly attacked. In his anxiety to denounce the President, Devoy took a stand, at last, on the full Declaration of Independence which he had hitherto failed to accept.<sup>1</sup>

The hostility of the Devoy and Cohalan combination pursued De Valéra even as far as the Convention to nominate candidates for the Presidential Election, which was Ireland's greatest opportunity, wrecking his efforts there.

It was generally expected that the next United States Ministry would be Republican. De Valéra's hope was that both the Republican and Democratic Parties might, in their desire to secure the Irish-American votes, agree to include as planks in their platform the recognition of the Republic of Ireland. The return of the United States Government pledged to recognition would be an inestimable advance for the Irish cause.

The date fixed for the Presidential Election was November 2nd. The Republican Party was the first to hold its Convention, which was summoned to meet in Chicago on June 9th.

De Valéra came to Chicago accompanied by Frank P. Walshe and was welcomed there by a crowd which overflowed the auditorium and filled the neighbouring streets. He prepared for submission to the Resolutions Committee of the Republican National Convention a resolution in the following terms:

"Mindful of the circumstances of the birth of our own nation, we reassert the principle that all governments derive their just powers from consent of the governed.

"We will support the continuance of our long established and lawful practice of according recognition without intervention in all cases when the people of a nation, as in Ireland,

<sup>1</sup> McCartan, p. 166.



have by free vote of the people set up a Republic and chosen a government to which they yield willing obedience.

“Therefore we favour the according by our Government to the elected Government of the Republic of Ireland full formal and official recognition, thus vindicating the principles for which our soldiers offered up their lives.”

Congressman Mason wrote a strong letter supporting this, recording cases in which the United States had given recognition to the independence of small nations held in subjection by great Powers.

The President wished, before submitting his resolution, to have Judge Cohalan's approval of it and promise of operation in pressing it as the condition of the Irish vote. Judge Cohalan, although in Chicago, refused to meet De Valéra. He was drafting a separate resolution which he was determined to present as from “The Friends of Irish Freedom”—a resolution merely of sympathy. No appeals could persuade him from taking this occasion to undermine De Valéra's policy.

President de Valéra did his utmost to dissuade Judge Cohalan from putting forward his resolution of sympathy. Sympathy and goodwill in overflowing measure had already been expressed in thousands of resolutions. In that direction nothing that could be done at a Party Convention could have any importance in comparison with the strong resolutions which both Houses of Congress had already passed, whereas the demand for recognition would have had inestimable weight.

De Valéra's uncompromising resolution came before the Committee at the Convention on the afternoon of June 9th. Hopes of its acceptance were slight. Had this resolution represented the single and unanimous demand of the organised Irish-American citizens it would undoubtedly have made a strong impression on the Delegates; but on the same day the Committee had before it the resolution submitted in the name of “The Friends of Irish Freedom” by Judge Cohalan, demanding no more than an acknowledgment of a principle:

“recognition of the principle that the people of Ireland have the right to determine freely, without dictation from outside,

their own government institutions and international relations with other States and peoples.”

This withdrawal from the Republican position and manifestation of disunity had the inevitable result: De Valéra's resolution was rejected by twelve votes to one. Judge Cohalan's resolution received seven votes against six; De Valéra publicly repudiated it as not representing the Irish demand and it was omitted from the Party's plank.

De Valéra then visited San Francisco where the Democratic Party's National Convention was held. There, again, he was received with every token of popular support for the cause he represented; but the resolution for recognition sponsored by Doheny was defeated by a narrow margin of votes.

It was on the following day that Arthur Griffith, in Dublin, paid his warm tribute to the work being done by President de Valéra in the United States.



**PART VII**

**THE EXTREME PENALTY**

**AUGUST TO DECEMBER 1920**



## CHAPTER 38

*August and September 1920*

THE REPUBLICAN COURTS — HAPHAZARD REPRISALS  
— INTERROGATION — WRECKING OF CREAMERIES — DR.  
MANNIX ARRESTED — THE WEEKLY SUMMARY — RESTORA-  
TION OF ORDER IN IRELAND ACT — INQUESTS ABOLISHED —  
TERENCE MACSWINEY

A MEMORABLE effort towards achieving self-government, even while a hostile military force was in occupation of the country, was inaugurated when Dail Eireann, on June 29th, 1920, decreed the establishment of courts of justice and equity.

Austin Stack was Minister for Justice. He lost no time in putting this decree into effect. He proceeded at once to appoint judges and establish Republican courts.

The formidable task of drafting the Constitution and Rules of Court was entrusted to James Creed Meredith, K.C., Arthur Cleary, B.L., Cahir Davitt, B.L., Diarmuid Crowley, B.L., Hector Hughes, B.L., Conor Maguire, and Kevin O'Shiel. They accomplished it rapidly, and it was notable that the rules gave rise to practically no difficulty in application.

The Constitution provided for a Supreme Court, District Courts and Parish Courts. The Supreme Court was to sit in Dublin and to consist of not less than three persons of legal qualification and of at least twelve years' legal standing.

James Creed Meredith became President of the Supreme Court, its other members being Arthur Clery and Diarmuid Crowley. Cahir Davitt was High Court Judge. Conor Maguire and Kevin O'Shiel, who had been appointed Land Settlement Commissioners, were also available as High Court and Supreme Court Judges when occasion required.

The sittings of the District Courts were divided into circuit sittings and ordinary sittings. The circuit sittings were presided over by a member of the Supreme Court or High Court and at such sittings the Court had appellate as well as an original jurisdiction. The legal code administered was:

“ the law, as recognised on January 21st, 1919, until

amended . . . except such portion thereof as was clearly motivated by religious or political animosity."

There was a provision, however, allowing citations to be made to any court from

"the early Irish Law Codes or any commentary upon them in so far as they may be applicable to modern conditions."

At first the courts sat in public. Their decrees were put into effect as far as possible by the Republican police. A Parish Court sitting was presided over, as a rule, by a man or woman elected by the local Sinn Fein Club. The justices of these courts included Mrs. Tom Clarke and Madame Gonne MacBride. The ordinary sittings of the District Courts were usually presided over by a person of legal experience. The Judges of the Supreme Court sometimes sat in Dublin and sometimes went on circuit.

An enlightened attitude towards women prevailed. When a woman was being tried it was customary to have a woman among the judges on the Bench. In one instance, Judge Meredith, holding that English law was retrograde in the matter before the court—the appeal of an unmarried mother for medical expenses—applied the Brehon Code and gave judgment in favour of the girl. This created an interesting link with old Irish principles of justice and preserved continuity between the old Brehon Law of Ireland and the Republican courts.

The Courts, civil and criminal, in July and August were operating in twenty-seven counties, including five counties in Ulster. The attempt to suppress them began in July; the Press reported the holding of eighty Republican Courts during that month of which five were broken up. During the autumn the attack on the Courts was intensified; persons taking part were arrested and imprisoned; documents were seized. The Courts continued their work nevertheless, meeting in secret, and the Republican police contrived to enforce their decrees while the British Courts, throughout all but the north-east corner of Ireland, fell gradually into disuse.

The collapse of the British Courts in Ireland alarmed the

authorities as much as did the success and popularity of the Volunteers.

"I really believe," Sir Henry Wilson had written on June 28th, "that we shall be kicked out"; and now this astonishing civil resistance was reinforcing the activities of the I.R.A. To meet that combination, the British Government required forces that, at the moment, it could ill afford.

Troops were needed in India. Already General Macready had forty battalions in Ireland and they were not enough. If, as seemed probable, he should find it necessary to institute Martial Law throughout the country he would require nine more. No quick and easy method of crushing the Republican resistance had yet been devised.

The policy of haphazard reprisals was displeasing to Sir Henry Wilson; he would have preferred making a selected list of Republicans to be disposed of, as is suggested by the entry in his diary on July 12th.

Haphazard reprisals by British forces continued, however. The troops had realised that their business was to re-conquer Ireland and that they had a wide license to use whatever methods appealed to themselves. The torturing of Republican prisoners for information began. In Bandon Military Barracks on July 27th two captured Volunteers were subjected to such treatment that one of them, Patrick Harte, became insane. Soon this form of interrogation was a regular practice and the risk of being tortured for information was one that had to be faced by every Republican Volunteer.<sup>1</sup>

Less "haphazard" was the sabotage of Irish industrial life carried on during the Summer. Creameries had been wrecked during April; others were destroyed during July; now the destruction of the co-operative creameries, mills and bacon factories was systematised; two were burned down on August 6th, one on the 10th, others on the 16th and 17th. On August 22nd, one of the largest creameries in Ireland, that at Knocklong in County Limerick, was destroyed by bombs which were thrown into the engine-room by men of the R.I.C. The owner,

<sup>1</sup> See accounts in *Irish Bulletin* of October 15th, 1920, and April 28th, 1921; *American Commission*, p. 780 and Beaslay, II., p. 61.



Sir Thomas Cleeves, was a Unionist. The creamery employed over fifty Irishmen and was the trading centre for all the farms of the district and the distributing centre for the towns.

Most of the creameries destroyed were owned co-operatively. They were the outcome of the great co-operative agricultural movement which was the lifework of Sir Horace Plunkett and which included people of all parties, irrespective of class or creed. To destroy them was to apply the axe to the roots of the economic regeneration of Ireland.<sup>1</sup>

“ In these attacks,” George Russell wrote in the *Irish Homestead*,

“ creameries and mills have been burned to the ground, their machinery wrecked; agricultural stores have also been burned, property looted, employees have been killed, wounded, beaten, threatened, or otherwise ill-treated. Why have these economic organisations been specially attacked? Because they have hundreds of members, and if barracks have been burned or police have been killed or wounded in the lamentable strife now being waged in Ireland, and if the armed forces of the Crown cannot capture those actually guilty of the offences, the policy of reprisals, condoned by the spokesmen of the Government, has led to the wrecking of any enterprise in the neighbourhood, the destruction of which would inflict widespread injury and hurt the interests of the greatest number of people. I say this has been done without regard to the innocence or guilt of the persons whose property is attacked.”<sup>2</sup>

Sir Horace Plunkett demanded an investigation but without effect; all protests were useless. This feature of the campaign of devastation continued until over one hundred co-operative centres of employment had been destroyed.

It is probable that if the British public had realised the nature of this attack on the economic life of the Irish people they would not have approved. Every precaution was taken by the Government to prevent the facts becoming known.

<sup>1</sup> See *Irish Independent*, March 28th, April 5th, 10th, 12th, 17th *et seq.*, 1922.

<sup>2</sup> George Russell's pamphlet, *A Plea for Justice*, gave details of wreckings from April to November 1920. See also Report of the *Labour Commission on Ireland*, pp. 18 *et seq.*, and George Russell's letter in *The Times* of August 24th, 1920.

One such precaution was the arrest of Dr. Mannix, who, early in August, was expected in Ireland on a visit to his mother. Dr. Mannix, the Irish Archbishop of Melbourne, was known as a fearless champion of the Irish cause and had been speaking from President de Valéra's platform in the United States. Dail Eireann delegated representatives to welcome the Archbishop and the people built bonfires to be kindled when his ship, the *Baltic*, should approach the Irish coast. On August 8th, when five miles outside Queenstown, the *Baltic* was visited by agents of the British Government who placed the Archbishop under arrest, transferred him to a destroyer and carried him to England. The Corporation of Dublin conferred the Freedom of the City on Dr. Mannix, while the British Government forbade him to visit Ireland, Manchester or Liverpool.

There was a possibility that this insult to a great Prelate of the Catholic Church would give offence to the Irish Constabulary; indeed it was becoming more and more difficult for the British Government to keep these Irishmen reconciled to the work which they were called upon to perform. For their encouragement, the military authorities began, in August, to issue from Dublin Castle a "Weekly Summary of Outrages." It was circulated to the police. It served as a "Hue and Cry" against Republicans. These were represented in its pages as a gang of criminals under whose terrorism the Irish people trembled, while looking to Crown forces for succour. Military operations of the I.R.A. were represented as wanton atrocities; no eloquence was spared that might help to fill the forces of the Crown with vindictive rage and blood-lust against Republicans. They were instructed in the third number to make Ireland "an appropriate hell" for rebels.

Thus incited, the police as well as the troops became increasingly reckless and savage. If, when raiding for a marked Republican, they failed to find him, they sometimes shot his father or brother instead. At Bantry, in August, a hunchback boy was murdered in this way.<sup>1</sup>

In Hospital, County Limerick, on the night of August 14th,

<sup>1</sup> See evidence given by Mrs. Agnes King before the *American Commission, Official Report*, p. 125.

soldiers came to the house of a man of forty named Patrick Lynch, ordered him to go with them and killed him in the Fair Green. They "wanted" another Lynch, it was believed.

On the 27th, Sean and Batt Buckley, young Volunteers, were captured in their home by Cameron Highlanders, guided by a policeman. They were handcuffed, placed on the floor of a lorry and driven along the road to Cork. When in the lorry both were shot, Sean fatally. "Shot while attempting to escape," was the official formula used to cover the murders of arrested men. Batt Buckley lived to swear the affidavit in this case.

The troops and police were, in General Macready's phrase, "getting into their stride." The ordinary law, however, was not sufficient to cover the methods they employed. Special legislation was now devised. On August 9th, the Royal Assent was given to an Act of Parliament conferring on the military authorities in Ireland extraordinary immunities and extensive powers. This was a special extension of the Defence of the Realm Act of 1914 and was known as "the Restoration of Order in Ireland Act."

During the debate in the House of Commons on this Bill, vehement opposition was expressed by Labour Members and others to the policy which Lloyd George was pursuing in Ireland. On August 5th, Aubrey Herbert declared that the price was going to be "a devastated Ireland." "You have practically the whole population against you," Lieutenant-Colonel Guinness said,

"and it is true that if you are going to re-conquer Ireland that, in the absence of a regular army of Irish to fight against, your only possible means will be frightfulness. There are women in Sinn Fein as numerous, perhaps, and quite as determined, as the men. Is this country prepared to shoot them down, and if it is, and even if this House sanctions such a thing, how long is public opinion going to stand it? . . ."

The Regulations made by the British Administration in Ireland under the new Act were promulgated on August 21st. They relieved the military forces in Ireland of almost all the restraints of law.

Any citizen connected in the most remote degree with any proclaimed organisation became automatically liable to penalties; four-fifths of the population, who had given their allegiance to Dail Eireann, were, *ipso facto*, offenders against the Act (14 (1) & (2)).

The military authorities were empowered to incarcerate any Irish man or woman, without charge or trial, for an indefinite time (3 (6)). They were empowered to try any prisoner by secret court martial (3 (1-5) & 12), and only in cases liable to the death penalty was it required that any person of legal knowledge should be a member of the court, and this person was to be nominated by the agents of the Crown. Thus, political offenders were to be tried by their opponents, who had everything to gain by inflicting penal servitude, while prisoners of war could be tried by their enemy captors and sentenced on the charge of "murder" to be hanged (4 (5)). The military authorities were empowered, further, to arrest any Irish citizen whom they believed capable of informing against a prisoner and to require him or her to produce the desired evidence on pain of six months in prison or a fine of one hundred pounds. The military Lord Lieutenant was empowered (19 (1)) to stop grants to local councils which did not support the Crown. He was empowered to suppress coroners' inquests (16 (1)) and substitute military inquiries.

Already coroners' inquests had returned thirty-three verdicts of murder or unjustifiable homicide against the military or police. Now the promise made to the constabulary by Colonel Smyth at Listowel was to be carried out. No policeman who "shot with effect," he had told them, would in future be "held up to public odium by being pilloried before a coroner's jury or any such inquiry." Men knew that, charged before a military court of their own officers, they would have little to fear.

The British preparations for the final phase of the re-conquest of Ireland were almost complete: the Irish nation had been outlawed; members of the Government's forces had been indemnified in advance for excesses against Republicans; their campaign of terror had been categorically legalised.

On September 3rd, coroners' inquests were abolished in

ten counties and replaced by secret military courts of inquiry. Within the following three weeks eighteen murders of unarmed persons were traced to the forces of the Crown. General Macready gave interviews on September 15th to French journalists representing *Le Petit Parisien* and *La Liberté*. To one he explained that it might be necessary to shoot half a hundred individuals in Ireland, and to the other he confided, "We have most of their names, and the day may come when we shall be able to make a definite clearance of them."

On the same day, in Dublin, a notice was posted on the walls and hoardings and delivered privately to all Civil Servants, offering a reward for information against members of the I.R.A. Persons were advised to disguise their handwriting and to use plain notepaper, "being careful to give neither your name nor your address," and to post by indirect means to "D. W. Ross, Poste Restante, G.P.O., London." Thus every person of vindictive disposition in Ireland was invited to designate any other person for arrest and punishment by the forces of the Crown.

One great protective barrier remained during these months between Ireland and the full force of England's power and will to destroy—the interest and sympathy of other nations.

More, perhaps, than at any other previous time in her history Ireland was holding the attention of peoples abroad. This was due in part to the work being done by President de Valéra in America and partly to the hunger-strike of the Lord Mayor of Cork.

Terence MacSwiney had been elected unopposed to represent mid-Cork in Dail Eireann and was elected Lord Mayor of Cork city after the murder of Lord Mayor MacCurtain by the forces of the Crown. He was Commandant, by election also, of the First Cork Brigade of the I.R.A. As teacher, poet, dramatist, and Gaelic scholar he was known throughout Ireland; his writings showed a culture, humanity, and breadth of vision rare in young revolutionary leaders. For four years, when not in prison, he had been working ardently in the Republican cause. His spirit of resistance was expressed in the speech which he made at his inauguration as Lord Mayor. One passage (quoted by the Prosecution at his trial) read:

“ We see in the manner in which the late Lord Mayor was murdered an attempt to terrify us all. Our first duty is to answer that threat in the only fitting manner: to show ourselves unterrified, cool, and inflexible for the fulfilment of our chief purpose—the establishment of the independence and the integrity of our country and the peace and the happiness of the Irish Republic. To that end I am here. This contest on our side is not one of rivalry or vengeance, but of endurance.

“ It is not those who can inflict the most, but those that can suffer the most who will conquer, though we do not abrogate our function to demand that murderers and evil-doers be punished for their crimes. It is conceivable that the army of occupation could stop our functioning for a time. Then it becomes simply a question of endurance. Those whose faith is strong will endure to the end in triumph.

“ It is not we who take innocent blood, but we offer it, sustained by the example of our immortal dead and that divine example which inspires us all for the redemption of our country. Facing our enemy, we must declare our attitude simply. We see in their régime a thing of evil incarnate. With it there can be no parley any more than there can be truce with the powers of hell. We ask no mercy and we will accept no compromise.”

On August 12th, while presiding at a meeting at the City Hall in Cork the Lord Mayor was arrested. The meeting was believed to be a Republican Arbitration Court. It was, in fact, a brigade meeting of the I.R.A.

He was court martialled on the charge of “ being in possession of documents the publication of which would be likely to cause disaffection to His Majesty.”

As did all Republican prisoners, he refused to plead in the British court, it being “ an illegal court not assembled by the Irish Republic.” As a protest against the incessant arrest of public representatives he declared that he would refuse food while in jail. Ten men arrested with him made the same declaration. They were imprisoned in Cork. The Lord Mayor, on the third day of his hunger-strike, was put on board a warship and deported. He was imprisoned in Brixton Jail.

In Brixton Prison, everything that science and nursing could do to keep alive a man who refused nourishment was done. Week after week the desperate conflict was prolonged, watched with astonishment by the whole civilised world. Two months after the commencement of their hunger-strike the Lord Mayor and the other Cork prisoners were still alive.

It was realised in England that the arrest of the Lord Mayor implied that the war in Ireland was now going to become much more terrible. "The outlook is desperate," *The Times* declared.<sup>1</sup>

## CHAPTER 39

*August to November 1920*

AMBUSHES - THE BELFAST POGROM - THE ULSTER SPECIAL CONSTABULARY - DAIL EIREANN AT WORK - WAR IN THE WEST - SYSTEMATIC REPRISALS - BALBRIGGAN - RELIEF ORGANISATIONS - PROTESTS - DEATH OF TERENCE MACSWINEY - KEVIN BARRY - THE INTELLIGENCE ROOM

It was desperate indeed. No part of Ireland was free from violence and bloodshed during the late Summer and Autumn months. On August 23rd, Volunteers in Dublin ambushed British patrols, and there were ambushes on the same day in Kilrush, County Clare, and at Macroom in County Cork, where six constables were shot. The County Cork Brigades had taken a definite decision to carry out ambushes. There were only about two hundred rifles in the possession of the Volunteers of the county at this time, but the men armed themselves rapidly with captured guns. In an ambush in Kilmichael, on November 28th, seventeen Auxiliaries and three Volunteers were killed.

A fierce conflict was waged in the north. On August 22nd, in Lisburn, County Antrim, District-Inspector Swanzy (one of the police officers charged by the coroner's jury in connection with the murder of Lord Mayor MacCurtain) was shot dead, and as a reprisal violent attacks were made on the Catholic quarters of Lisburn. Banbridge and Bangor suffered next. On the 28th, in Glenties in County Donegal, a British officer, Major Johnstone, was fired at through a window and killed.

Hugh Martin, the correspondent of the *Daily News*, wrote a striking account of the situation which he found in August in the north. Having learned by private information what was likely to happen over the week-end, he arrived in Belfast on Saturday, August 20th. Not a single Catholic remained in the shipyards of Belfast. Five thousand had been driven out. In other work places the expulsion was continuing still. In Belfast alone, material damage valued at at least half a million had been done.

Martin wrote:

“ In other directions the war on Catholics--indiscriminately



dubbed 'Sinn Feiners' by the Orange majority—was being systematically and ruthlessly pressed. The entire Catholic population of Lisburn and Banbridge, about 1,000 in each case, had been successfully 'evacuated'—that was the military term universally employed—and the Orange army was dealing section by section, night by night, with Belfast. Two thousand men, women and children had been evacuated from the Ballymacarrett district, and on the night of my arrival the attack upon the Catholics of the Crumlin Road district began 'according to plan' as the saying goes. For this was no mere faction fight. There can be no doubt that it was a deliberate and organised attempt, not by any means the first in history, to drive the Catholic Irish out of North-East Ulster, and the machinery that was being used was very largely the machinery of the Carsonite army of 1914.

"In the evidence it bore of definite objectives and a strategical plan the rioting differed from all previous cases in Ulster, and, indeed, in any other part of the United Kingdom. As the Catholic Irish in Belfast number close on 100,000 and the so-called Protestants (99% per cent of the rioters had, in fact, no religion) were but poorly armed, there could, of course, be no question of extermination. But the Catholic population might be largely reduced by emigration and rendered economically impotent . . .

" . . . Following upon the assassination of District-Inspector Swanzy at Lisburn the war of persecution redoubled in fury. Within four days over a hundred houses were burnt to the ground in Belfast, and the destruction of property at Lisburn, Bangor, and Banbridge was prodigious.

"Refugees were pouring into Belfast by road and rail, though the city had its own problem to face. Since the early days of the German invasion of Belgium, when I witnessed the civil evacuation of Alost and the flight from Ostend, I had seen nothing more pathetic than the Irish migration. Over 150 families, numbering 750 people in all, were dealt with in a single day at one of the Catholic receiving centres, St. Mary's Hall, and it was to the credit of the afflicted Catholic population of the city that every family found a refuge before nightfall.

"Most of the refugees were from Lisburn, where not a single

Catholic was left.<sup>1</sup> In some cases husbands had been expelled first, and had gone, hoping that their wives and children might be spared. But the Orange army was ruthless. Women and children had to follow, and then the homes with all they contained were burnt to the ground. I found two mothers, who, each with a family of five small children, had tramped eight miles from Lisburn to Belfast, coming by the solitary road over the Black Mountain for safety's sake. They had slept on the hills, and gone without food from Friday afternoon till Saturday midday. In two cases the husbands had for days been fruitlessly searching for their wives, just as happened during the invasion of Belgium.<sup>2</sup>

In the same week began an organised attack on the Catholic quarters of Belfast, during which sixteen men and women were shot dead. By the end of the month the material damage done was estimated at one million pounds. In the last ten days of the pogrom, which subsided on September 3rd, thirty-one men and women were killed. It broke out again with the shooting of a constable and the murder of three Republicans in their beds on September 26th. Three persons were shot dead on the 28th and three on October 16th. The hospitals were dealing with the wounded incessantly, night and day. Of wrecks, lootings, beatings and floggings, and burnings no record could be kept.

The attack on Catholics was led by fully-equipped Ulster Volunteers, remnants of the army which had threatened war and landed guns in 1914. They were supported by a mob which armed itself with tools, iron bars and paving-stones.

When it was proposed at Westminster to form the men of this mob into a force of Special Constabulary, amazement was expressed by sections of the English Press.

"It seems to me the most outrageous thing which they have ever done in Ireland," said a writer in the *Daily Mail*.

"... A citizen of Belfast who is 'well-disposed' to the British Government is almost, from the nature of the case, an Orangeman, or, at any rate, a vehement anti-Sinn Féiner. These are the very people who have been looting Catholic

<sup>1</sup> Actually, a Convent, guarded by some chivalrous Protestants was spared.

<sup>2</sup> Hugh Martin, *Ireland in Insurrection*, pp. 167 et seq.

shops and driving thousands of Catholic women and children from their homes.

“ We hope it may still be possible to stay the horrors which the execution of this incredible order will almost certainly entail. If it is not, and if the expected results follow, there can be no hope left of rehabilitating the shaken credit of the British Government in Ireland.”

Sir James Craig, however, had nothing but encouragement for these Orangemen. He paid a public tribute to their services when he unfurled the Union Jack at a shipyard in Belfast. “ Do I approve of the action you boys have taken in the past ? ” he said, and answered his own question, “ I say yes.”

The enrolment of this force of Ulster Special Constabulary was begun in the following month. The cost of their upkeep was paid by the British Government.

Catholics who tried to remain in Ulster now found further difficulties put in their way. Protestant employers instituted political tests for persons applying for positions. Men and women were asked to sign a declaration of loyalty to the British Government before being given promotion or employment.

In the hope of forcing Ulster employers to remove these tests a boycott of goods of Belfast manufacture was organised. It was undertaken spontaneously during the summer in several counties in Ireland and was enforced by the I.R.A. and the Republican Police. The General Council of County Councils issued a recommendation that the boycott should be adopted throughout Ireland, and at a meeting of the Dublin Corporation on September 14th a committee was organised to put the boycott into immediate effect.

The boycott was not, at this stage, made a decree of Dail Eireann, as the majority of deputies available were opposed to so drastic a step. They feared, on the other hand, that Republican employers throughout Ireland might be tempted to dismiss Protestant workers as a reprisal, and therefore on September 17th a Decree of the Dail was issued prohibiting the imposition of religious tests as a condition of employment.

The departments of the Dail were still contriving to function to a considerable extent.

During the autumn the Ministry of Labour, of which Constance Markievicz was head, did a great deal of successful work in the arbitration of disputes. In this activity it was more successful than any existing British Board or Commission in Ireland, and in consequence employers as well as workers constantly submitted questions to this department. During September and October this Republican Ministry was instrumental in settling twenty-eight strikes, lock-outs, and disputes, including disputes between farmers and labourers in Counties Cork and Wexford and in Queen's County, disputes in mills in Tralee, at a quarry in County Tyrone. Road workers, factory workers, dairy employees, hospital nurses, mechanics, jewellers, colliery workers, and clerical workers were among those with whom it dealt successfully.

Darrell Figgis frequently acted as arbitrator.<sup>1</sup>

The Dail Department of Local Government (William Cosgrave's Ministry) wrote, on August 12th, to the public bodies throughout the country calling on them to sever their connection with the Local Government Board under Dublin Castle and co-operate, instead, with this department of the Dail. Already, to a large extent, the Republican authority had been accepted by these bodies; within a few months the Local Government and Public Health services in the greater part of the country were under the control of the Dail.

The military conflict was growing more violent, and especially in the west. During September ambushes and reprisals were frequent; villages were "shot up"; houses of Republicans were destroyed by police and soldiers; there were fatalities on both sides.

Accounts of the reprisals by the police and military seemed to show that these were becoming systematised. On September 20th, men of the Constabulary, Military, and Black and Tans wrecked houses in Carrick-on-Shannon and in Tuam. On the same night in Leinster the terrible sack of Balbriggan took place. On the 21st it was the turn of Drumshambo and Galway city, and Tuam was attacked again. On the 22nd, in County Clare, shops and houses were wrecked and ricks set on fire; Lahinch, Ennistymon, and Miltown-Malbay suffered reprisals and three

<sup>1</sup> *Irish Bulletin*, November 22nd, 1921.

young men were murdered. On the same night John Lynch of Kilmallock, a member of the Limerick County Council and Director of Elections for Sinn Fein, was murdered by military in his room in a Dublin hotel.

It was two days after these murders that an interview given by General Macready to American Pressmen was published. Referring to the actions of the forces under his command, he said that it was "only human" that the men should act on their own initiative. "Punishment for such acts," he said, "is a delicate matter, inasmuch as it might be interpreted as setting at naught the hoped-for effect of the training the officers had given their men."

The sack of Balbriggan, perhaps because the little town is not far from Dublin and was celebrated for its hosiery factories, created exceptional interest and indignation abroad. The American Commission, which was set up during the autumn to inquire into conditions in Ireland, took the evidence of a member of the Balbriggan Town Council, John Derham, and published his account of the sack. He explained that there was a training camp for Auxiliaries in Gormanstown, three miles away. A member of the Black and Tan Corps was shot dead and another wounded on the night of September 20th as a result of a quarrel in a public-house. There was no evidence as to who fired the shots.

After Derham and his family had gone to bed that night he heard lorries arrive. He heard yelling and then the breaking-in of shutters and the smashing of glass. In three or four minutes the front of his shop had been broken down and cadets were breaking down the side doors. They dragged him out of the house, thrusting Mrs. Derham aside, and struck him with fists and rifle butts; he was searched, flung down on the street, and at length taken to the barracks, where a man was dying. He saw two men dead on the street—two young men who had been bayoneted by the cadets.

Twenty-five houses in the village were destroyed that night and the smaller factory was burnt out. The people fled to the country and lay hiding in ditches and barns.

On October 20th the report from Balbriggan was discussed in the House of Commons. Sir Hamar Greenwood said, "I myself

have had the fullest investigation made into the case. I will tell the House what I found. I found that from 100 to 150 men went to Balbriggan and were determined to avenge the death of their popular comrade, shot at and murdered in cold blood. I find it is impossible out of that 150 to find the men who did the deed, who did the burning."

"I have yet to find," he stated, "one authenticated case of a member of this Auxiliary Division being accused of anything but the highest conduct characteristic of them."

Inquiries were demanded by Arthur Henderson in the House of Commons and Lord Curzon in the House of Lords and were refused. Sir Henry Wilson protested against these irresponsible reprisals. He wrote in his journal on September 29th an account of a conversation with Lloyd George and Bonar Law when he told them, "If these men ought to be murdered, then the Government ought to murder them." "Lloyd George danced at all this, said no Government could possibly take the responsibility," he wrote.

It was not surprising that the Crown forces, thus protected by British Ministers and encouraged by General Macreedy, "maintained the pressure" with effect. Within the week following the sack of Balbriggan, destruction of the same kind was carried out by the police in the south, the midlands, and the west. In Trim, a small market town in County Meath, Auxiliaries did damage estimated at £50,000. In Mallow, County Cork, as a reprisal for a successful attack on the barracks, military wrecked the Town Hall, did damage to the value of £200,000, and shot and wounded two men. In towns and villages in almost every county of Ireland now, people whose homes had been deliberately wrecked by the Crown forces were living in stables and barns. Poverty and hunger might have proved victorious weapons against the Irish people but for the Relief which was organised during these months at home and abroad.

In Dublin, Arthur Griffith, at the suggestion of Madame Gonne MacBride, asked the women of Ireland to form a national organisation to aid the victims of this campaign. At about the same time, President de Valéra arranged for the opening of an organisation for the same purpose in the United States. These

Irish and American efforts developed into the great undertaking which became known as the "White Cross" organisation. This organisation did much to frustrate the English project of reducing the Irish people to submission by destroying the economic life of the country.<sup>1</sup>

The fiction that reprisals were due to the spontaneous and uncontrollable action of the troops and police in Ireland was maintained by the British authorities and for a definite purpose. The Presidential Elections in the United States were drawing near. Sir Henry Wilson, in his diary under the date October 14th, records that Lloyd George was "going to shoulder the responsibility of the reprisals but wanted to wait until the American elections were over."<sup>2</sup>

In spite of all the precautions which the British authorities could contrive the truth about Ireland was being exposed. The *Irish Bulletin*, the official organ of Dail Eireann, continued to appear, publishing carefully compiled statistics and accounts of the excesses of British troops in Ireland. No effort was spared by the Dublin Castle authorities to suppress this *Irish Bulletin*, but in spite of searches, raids and occasional captures the issue went on for two years—until December 1921.<sup>3</sup>

Translated into French and Spanish, it circulated on the Continent and its contents were the subject of frequent comment by the foreign Press.

The Irish Envoy in Washington, Patrick McCartan, was engaged, also, in making known the truth. On October 24th he sent a formal protest to the State Department exposing the atrocities committed by the British in Ireland.

The Irish bishops issued a joint pastoral on October 20th which was quoted abroad. If there was anarchy in Ireland, the Ministers of the British Government were its architects, they declared. In England, intellectual leaders like Gilbert Murray, H. G. Wells and C. P. Scott gave strong expression to their indignation on Ireland's behalf.

<sup>1</sup> The White Cross received, through the American Committee for Relief in Ireland, the sum of £1,210,627; from the United States in subscriptions sent direct £62,619; from England over £9,500; from Scotland over £3,800; from His Holiness Pope Benedict XV over £5,000. See published Report.

<sup>2</sup> Callwell, p. 265.

<sup>3</sup> See *Irish Press* (Dublin), Christmas Number, 1932.

More potent than all else combined to draw the world's attention and sympathy towards Ireland was the prolonged sacrifice of the Lord Mayor of Cork. One of the hunger-strikers in Cork Prison, Michael Fitzgerald, died on October 17th. Terence MacSwiney was still alive, though sinking rapidly, when his fast had lasted seventy days. The British authorities did not attempt forcible feeding in his case; he would undoubtedly have died in resisting it, like Thomas Ashe. So intense was his resistance that, even when he was unconscious, if the doctors attempted to administer nourishment his teeth clenched against it. The close of the long struggle was watched with respectful sympathy in every part of the world; representatives of the foreign Press came to Ireland to study the country and the cause which could inspire such a sacrifice. On October 25th, the seventy-fourth day of his hunger-strike, Terence MacSwiney died. A few hours later another of the prisoners in Cork Jail, Joseph Murphy, died. The rest of the Cork prisoners, at the request of the Acting President of the Republic, Arthur Griffith, then abandoned the hunger-strike.

These deaths set England in the dock. The English people were themselves shaken by them to compassion and a sense of shame. London citizens lined the route in respectful silence as the coffin of Terence MacSwiney passed through the streets followed by thousands of Irish people, by bishops and priests in their vestments, and accompanied by a Guard of Honour of Irish Volunteers proudly wearing the prohibited uniform. The Republican tricolour was draped on the bier.

That passing through London of the body of England's victim would have been remembered as an example of magnanimity in the English but for what happened at Holyhead. There the brothers and sisters of Terence MacSwiney, who had arranged to take the body to Dublin and refused to abandon that arrangement, were taken from the train by force while the coffin was shipped direct to Cork. This action was the result, it transpired, of Sir Henry Wilson's intervention. He had "stormed" about the proposal to permit the funeral to pass through Dublin.<sup>1</sup>

October 31st, the day of the burial of Terence MacSwiney in

<sup>1</sup> Callwell, under date October 28th.



Cork city, was observed as a day of public mourning throughout Ireland by order of the Dail.

November was a month of mourning in Ireland—the most terrible month which the people had experienced since 1916.

On November 1st, in Mountjoy Prison, Kevin Barry was hanged.

He was a promising and popular young student of the National University, eighteen years of age, and a member of the I.R.A. He had been captured after taking part in an ambush in which a soldier was fatally shot. There was no evidence that it was he who had fired the fatal shot and the immense crowd which stood around the prison praying for him at dawn on that November morning scarcely believed that the execution would take place. He was the first Irish patriot to die on the scaffold since Robert Emmet and his death had a profound effect on the imagination of the Irish youth. On the day of his execution scores of his fellow-students at the University enrolled in the I.R.A.

Many English people were shocked at the execution of a young patriot whose devotion they could but admire. J. H. Thomas spoke of it with indignation in the House of Commons, describing Kevin Barry as “a studious boy, loved by everyone who knew him, brave and educated,” and declaring that it was the policy preached by Sir Henry Wilson when private instructor of the Ulster Army which was responsible for this boy’s actions and his death.

Thomas read an affidavit which Kevin Barry had made while awaiting execution. The following is an extract from it:

“ . . . The same officer then said to me if I persisted in my attitude he would turn me out to the men in the Barrack Square—he supposed I knew what that meant, with the men in their present temper. I said nothing. He ordered the sergeant to put me face down on the floor and twist my arms. I was pushed down to the floor, after my handcuffs were removed by the sergeant who went for the bayonet. When I lay on the floor the sergeant knelt on the small of my back, the other two placed one foot each on my back and left shoulder, and the man who knelt on me twisted my right arm, held it by the wrist with one hand, while he held my hair with the other to pull back my head. My arm was twisted from the elbow-joint.

“ This continued, to the best of my judgment, for five minutes. It was very painful. The first officer was standing near my feet, and the officer who accompanied him was still present. During the twisting of my arm the first officer continued to question me as to the names and addresses of my companions, and also asked me for the name of my Company Commander and any other officer I knew. As I still persisted in refusing to answer these questions I was let get up and again handcuffed. A civilian came in and repeated the questions with the same result. He informed me that if I gave all the information I knew, I could get off. . . . I was then left in the company of the military policeman, the two officers, the three sergeants and the civilian leaving together. I could certainly identify the officer who directed the proceedings and put the questions. I am not sure of the others, except the sergeant with the bayonet. My arm was medically treated by an officer of the R.A.M.C. attached to the North Dublin Union the following morning, and by the prison hospital orderly afterwards for four or five days.

“ I was visited by the courts martial officer last night, he read for me the confirmation of the sentence of death by hanging on Monday next.”

On the day on which Kevin Barry was hanged in Dublin Ellen Quinn was shot dead in County Galway by police. She was sitting on her garden wall in Kiltartan with a child in her arms when they came tearing past in a lorry and fired. The only investigation made was a military inquiry at which the firing was found to have been “ a precautionary measure.”

On the following day Thomas Wall of Tralee was killed by Crown forces; on the 4th John and Tom O'Brien of Nenagh were killed. On this day T. P. O'Connor moved the adjournment of the House of Commons to call attention to “ the policy of frightfulness pursued in Ireland,” but without effect. On the 5th the Crown forces killed Miss O'Connell and Michael Maguire of Ardfert; on the 6th William Mulcahy of Cork; on the 8th John Catillon and Michael Brosnan in County Kerry; on the 10th Christopher Lucy of Cork and Frank Hoffman in County Clare; on the 12th P. MacMahon, J. Welsh and John Herlihy of

Ballymacelligott.<sup>1</sup> On the 18th, in Dublin, Annie O'Neill, aged eight, was killed when shots were fired from a lorry into a group standing in a gateway. A week later the body of another of their victims, Father Griffin, was found in a Galway bog.

In the Intelligence Room of Dublin Castle ill-treatment and even torture of prisoners was being resorted to in the effort to secure information. On December 9th Earnan O'Malley, while preparing for an attempt to capture the headquarters of Auxiliaries in Innisteague in County Kilkenny, was captured. He was not recognised and gave his name as Stewart. His revolver was found on him. The local Auxiliaries bound him with ropes, questioned him and sentenced him to be shot at dawn. When he refused to answer questions his boots were taken off and men wearing boots stamped on his feet, breaking his toes. They jabbed his sides with bayonets and threatened to bayonet him to death. Finally he was taken to Dublin Castle and questioned in the Intelligence Room there. One officer beat him with his fists, another half throttled him. One of them then took an iron poker from the fire red hot and held it in front of his eyes until his eyelashes were burnt, swearing that he would make him talk. He was again beaten and half-throttled until he became unable to stand. They then put him against a wall, showed him a revolver and told him they would give him three minutes. They fired, but there was no bullet in the revolver. O'Malley gave no information and was sent to Kilmainham Prison in such a condition that comrades who saw him there did not know who he was.<sup>2</sup>

As a rule, the people found the British Regular Army men less brutal and unscrupulous in their methods than the newly recruited Auxiliaries and Black and Tans. Frequently an army officer would intervene to save the life of an Irish prisoner and attempt to prevent looting. Nevertheless, the license permitted to all the Crown forces had the effect of undoing the better tradition of the British Army, and such excesses as those described by an ex-officer in the Press of November 15th became more frequent as time went on:

<sup>1</sup> The men mentioned were not Volunteers killed in action.

<sup>2</sup> Ernie (Eamán) O'Malley, in his book *On Another Man's Wound*, described his experiences, but pages recounting this incident in Dublin Castle were suppressed. See p. 246 of his book.

“ I have just returned from the little village of Balla in County Mayo, a quiet little place with inoffensive people who seem to desire only to be let alone. No English official or policeman or soldier has been killed or hurt within a radius of twenty miles or more. A few days before, I left a motor lorry containing some soldiers of the Argyle and Sutherland Highlanders, in charge of a corporal, halted in the town; the men alighted, called at the public house for drink, which was supplied willingly at first, reluctantly as excitement grew. The entertainment continued during the evening till a quarrel about the price of whiskey seemed to be developing into a brawl. The owner of the house went to the police barrack and some R.I. Constabulary men intervened to induce the soldiers to return to Claremorris. The lorry, however, stopped at a gypsy encampment just outside the town and one of the men tried to enter a tent in which a woman was sleeping ; he was prevented and revenged himself by firing his rifle point blank into the tent, wounding an old woman who now lies in hospital in a dangerous condition.

“ About 11 p.m. the soldiers returned to the town, attacked the police barracks, the walls of which are now bespattered with bullet marks, and also the windows of the chapel next door. After this reprisal on the police, they proceeded to shoot up the town, to break into houses and fire shots up through the ceilings, and to demand more drink. They then went to the convent on the outskirts, got over the wall and got into the keeper's lodge. They asked the man if he had any daughters, and hearing a young girl cry out, frightened by the noise, they burst into the bedroom where three girls, sixteen to twenty years, were in bed. One of the soldiers loaded a rifle and pointed it at the youngest, threatening to shoot her if she did not keep quiet. His comrade tried to disarm him and in the scuffle, while the soldiers fell over the bed, the girls in their night-dresses escaped from the house and fled to the convent for refuge. The police can guarantee the correctness of my description and Colonel Tweedy, Commanding the Regiment, will not deny it.”

## CHAPTER 40

November 1920

SEVENTEEN MURDERS — BRITISH SECRET AGENTS —  
“ BLOODY SUNDAY ” — CROKE PARK — MURDERS IN THE  
CASTLE — “ THE A.S.U. ” — INTELLIGENCE SERVICES — IM-  
PORTING ARMS — PROPOSALS FOR SETTLEMENT — REPRISALS  
IN ENGLAND — BRITISH LABOUR COMMISSION IN IRELAND  
— GRIFFITH ARRESTED

THE British regular troops had undoubtedly become demoralised by their task in Ireland but the behaviour of the Auxiliary Cadets was still more brutal. In giving them license against the people the British authorities had lost control of these men and scarcely dared to penalise even proved criminals among them for fear of the revelations which a disaffected man might make. General Crozier bore witness to this fact.

“ Up to November 1st, 1920,” he states, “ I had ‘ dismissed ’ or ‘ dispensed with the services ’ of over fifty Auxiliary policemen (ex-officers) for various acts of indiscipline, but shortly after that date a heavy and hidden hand came down. My powers of dismissal and dispensal were taken away from me. Why ? I had to wait a few months to find out. ‘ They ’ feared a ‘ kick-back ’ from England caused by ‘ talk ’ on the part of the ‘ kicked out. ’ Later ‘ they ’ got the ‘ kick, ’ in return.”<sup>1</sup>

Seventeen Irishmen were murdered in October in circumstances which confirmed Michael Collins’s suspicion that “ shooting by roster ” had been officially organised. He was aware that the English Secret Service in Ireland was, as General Crozier afterwards affirmed, “ no Secret Service but a mere gang of *agents provocateurs* and the like,”<sup>2</sup> while the Secret Service Department and Propaganda Department of the police “ was a camouflaged institution having as its avowed object the extermination of Sinn Fein ‘ Extremists. ’ ”

The centre of the system was a group of agents who lived as ordinary citizens in private houses or lodgings in Dublin. No

<sup>1</sup> Crozier, *Ireland for Ever*, p. 99.

<sup>2</sup> Crozier, *Ireland for Ever*, p. 90.

agents of the British Government were more dangerous to the cause than this group of expert and organised spies. Michael Collins believed that the most drastic action was necessary in order to frustrate them. He gave orders accordingly. On the morning of Sunday, November 21st, by a concerted plan, members of Collins's Counter-Intelligence Service entered the houses occupied by fourteen of these agents and shot them dead.

This was the occasion referred to as " Bloody Sunday " by General Crozier when he wrote :

" Wilson was responsible for the first *sub rosa* murder gang, run by the military early in 1920, which resulted in the murder of Captain A. and others on Bloody Sunday, when Collins put them on the spot in the nick of time in order to forestall a similar action by the British authorities."

Reprisals took place that afternoon. A crowd of between six and eight thousand people were watching a football match in Croke Park in Dublin when military drove up and surrounded the grounds. Their intention, according to General Crozier, was to search for arms. Suddenly, however (as the matter was reported to him by an officer present), " the Regular R.I.C. from Phoenix Park—Black and Tans from England, arrived up in lorries, opened fire into the crowd, over the fence, without reason, and killed about a dozen and wounded many more."<sup>1</sup>

The firing was kept up for ten minutes, while the people tried frantically to escape. Before it was stopped twelve men and women had been shot dead, sixty wounded by bullets and hundreds trampled and injured in the stampede. When the firing ceased the men were searched for revolvers. Not one was found.

This did not end the reprisals for the deaths of the British agents. That night, shortly after midnight, Dick McKee, Commandant of the Dublin Brigade of the Republican Army, Peadar Clancy, the Vice-Commandant, and Conor Clune were arrested in Dublin and taken to the Castle. The three were shot dead in the guard-room. The British Military Court of Inquiry held on December 3rd found that death was the result of

<sup>1</sup> Crozier, *Ireland for Ever*, pp. 104, 105. The *British Annual Register* describing this massacre states : " A battle occurred at a football ground at Dublin."

“bullet wounds fired by members of the Auxiliary Division, R.I.C., in self-defence and in execution of their duty—i.e. in preventing the escape of deceased party, who was in their lawful custody.”

It was not generally believed that the garrison of Dublin Castle found it impossible to prevent the escape of these unarmed prisoners from the general guard-room without shooting them. Rumours came out of the Castle afterwards that they had been wounded with bayonets in order to extract from them the names of the Volunteers who had shot the British agents and then, as they refused the information, shot down. The condition of the bodies when delivered to the men's relatives supported this belief.<sup>1</sup>

It was a few days after this that General Crozier, having travelled to Galway, found that Father Griffin had been murdered by his men and that a plot was being prepared for the murder of Dr. Fogarty.

“I found out,” he writes, “that the military inquiry into the murder of Father Griffin (held in lieu of an inquest) was faced with a ‘frame up’ and that a verdict of murder against somebody ‘unknown’ would result. I told the military commander this and the name of the real murderer, but was informed that a senior official of Dublin Castle had been to Galway in front of me to give instructions as to ‘procedure’ in this murder investigation. At Killaloe next day I received further evidence that the hidden hand was still at work, and was told in confidence that instructions had been received to kill the Roman Catholic Bishop of Killaloe, Dr. Fogarty, by drowning him in a sack from the bridge over the River Shannon, so as to run no further risk of detection by having his body found.”<sup>2</sup>

Happily, when, on December 3rd, the raiders came to the Bishop's residence, Dr. Fogarty was absent in Dublin.<sup>3</sup>

<sup>1</sup> See article by Thomas Markham in the *Irish Independent* of October 12th, 1882; also Dalton, *With the Dublin Brigade*, p. 112.

<sup>2</sup> Crozier, *Ireland for Ever*, p. 107.

<sup>3</sup> See interview given by Dr. Fogarty in the *Irish Press* (Dublin), June 20th, 1885.

Shortly after these events General Crozier found that twenty-one Auxiliary Cadets whom he had dismissed for looting and violence had been reinstated by the British Government as the price of their silence. For this and other causes General Crozier soon afterwards resigned.

The number of Irish men and women killed by Crown forces during the month of November, other than the Volunteers killed in action, was thirty-three.

The Dublin Brigade of the Republican Army now organised a special Active Service Unit, composed of about fifty picked men who were withdrawn from their ordinary employment and paid a wage of £4 10s. a week. The members of this A.S.U. undertook, during the following months, all kinds of war-like operations such as destroying enemy transport and ambushing patrols. They worked in close co-operation with Michael Collins's "Squad," which was concentrating on the essential task of counter-espionage and was discovering and executing British spies.

The conflict had become in a large measure a duel between the Intelligence Units of Dublin Castle and of the I.R.A.

The organisers of Republican Intelligence Services were hampered by the absolute refusal of patriotic Irishmen to enter the British Army or the R.I.C., or any enemy force for any purpose whatsoever. Yet this was a duel in which there were certain advantages on the defending side, however great the British resources might be. There was, in fact, scarcely an Irish transport service or Government department in which the Republican Intelligence organisation had not its agents. Among the most active and ingenious were the men and women, boys and girls, in the post office. These spied upon spies and informed against informers. They diverted letters intended for the British authorities, decoded military communications and forwarded copies, frequently by means of the telegraph service, to the I.R.A. The post office safes were used for storage of Republican documents, its mail bags for the transport of munitions ; its envelopes marked O.H.M.S. covered Republican despatches and postmen and telegraph boys delivered these. In short, as a writer in the Dublin *Irish Press* afterwards described



it, "they placed the service of the British Post Office at the disposal of the Republican Government."<sup>1</sup>

A branch of secret work in which the I.R.A. and its associates were remarkably successful was in the importation of arms. Liam Mellows was Director of Purchases. He had an efficient agent in Robert Briscoe who established himself in Germany in the summer of 1920. Arms were purchased and dumped in warehouses in continental harbours. Sailors on British boats collected these in small parcels and delivered them in British ports to agents of the I.R.A. Sometimes the guns were inserted in objects such as rollers for mangles and conveyed to merchants in Ireland as ordinary goods, to be afterwards seized or bought by Liam Mellows's men. The British authorities, though they constantly searched ships for large cargoes of guns, rarely discovered those sent in small consignments.

By these means, and captures from surrendered police and soldiers, the I.R.A. was arming itself for a sustained guerilla war.

While Irish Republicans and the British Government were thus locked in a desperate struggle in which neither showed signs of being willing to give ground there were many groups in Ireland and England busy with a quest for a compromise. Asquith and his Liberal supporters in England were still urging Lloyd George to seek a settlement on the lines of "Dominion Home Rule." Lloyd George was visited from time to time by representatives of the professional and business classes in Ireland who urged similar schemes. On August 24th, in Dublin, a conference met which included Sir Horace Plunkett, Lord Monteagle and Captain Stephen Gwynn. This Conference expressed "unalterable repugnance to any form of partition"; it passed resolutions declaring that the policy of the Government in Ireland was "inevitably leading to Civil War" and advocating the grant of "full National Self-Government within the Empire" with complete administrative fiscal independence. This was a meeting of people all more or less hostile to the Republic; it was protected from interference by Republican Volunteers.

Republicans took no interest in these proposals for "Dominion Home Rule."

<sup>1</sup> *Irish Press* (Dublin), June 14th, 1933.

Lloyd George's attitude was explained without ambiguity at Caernarvon on October 9th.

"If satisfying the present opinion of Ireland is an essential condition of settlement," he said, "there is only one thing you can do—cut Ireland adrift, cut the painter, let them set up an independent Republic, an absolutely independent nation, and that won't satisfy them, they will want Ulster. . . .

". . . Dominion Home Rule would mean that Ireland could organise its own army and navy. . . . The Dominions have got armies and navies of their own. Their ports are entirely in their control. They can shut their ports against British ships, and we know perfectly well we could not interfere. . . .

"Anything short of this is not Dominion Home Rule. . . . If Ireland were given this power Ireland could enact conscription. . . . It was argued that they would not spend money on a navy. Well, they need not spend much on submarines and mines. . . . Dangerous weapons like armies and navies I think we had better not trust them with. It would hurt them to grasp weapons of that kind. . . ."

He believed that the military campaign in Ireland was being successful. "We have murder by the throat," he declared.

Lloyd George's policy was now a definite and simple one: Ireland was to be partitioned. That accomplished, it should not be difficult to reduce the twenty-six counties to submission. The programme being pursued by the military authorities in Ireland was calculated to enforce consent to the Partition Bill.

"They are engaged," *The Times* said on November 12th, "in an effort to scourge the Irish into obedience, leaving, as sole alternative to resistance, the acceptance of the present Bill, although such acceptance must involve the sacrifice by Irishmen of their true political ideas."

It was on November 11th, the anniversary of Armistice Day, that the Partition Bill passed its third reading in the House of Commons: a bitter comment on the sacrifice of forty-nine thousand Irishmen who gave their lives for "the freedom of small nations" in the war. During the passing of the Bill, three-fourths of the seats allocated to Irish Members of Parliament

were empty. Of the Irish Members present not one voted for the Bill. Even the four Ulstermen who were bound by custom to support Government proposals walked out of the House, refusing to vote. Lord Carson, since he was no longer satisfied that Home Rule for "Southern Ireland" would be prevented by Partition, refused to vote for this Bill. This Bill for the Government of Ireland was thus made law in spite of the opposition of every Irish Representative. It was carried and imposed upon Ireland wholly by British votes.

"This Act will be born with a rope around its neck," William O'Brien said.

The Bill received the Royal Assent on November 23rd.

Among the operations conducted by the British forces in Ireland during November was the sacking of Granard in County Longford by men who arrived in eleven lorries with bombs and petrol and set four shops ablaze, and of Tralee in County Kerry where uniformed men came out of the police barracks armed with crowbars and hatchets, rifles and revolvers and supplies of petrol, and attacked the homes of Republicans.

The military authorities were considering putting the whole of Munster under martial law. Sir Henry Wilson "demanded incessantly universal Martial Law throughout Southern Ireland," Winston Churchill writes.<sup>1</sup> By "Southern Ireland" the twenty-six counties area was meant. It includes the most northerly point in Ireland.

The Republican Army was no less active than its opponents. The Dublin Brigade made a successful attack on the military guards of King's Inns and the North Dublin Union. An ambush took place at Macroom in County Cork in which fifteen Auxiliaries were killed. The I.R.A. was unable, however, to defend Irish towns and villages and homes from destruction. It was now decided that reprisals must be resorted to in England for every Irish home destroyed. Men were chosen for this work from branches of the I.R.A. and its Secret Service which already existed in Liverpool, Manchester, London, Glasgow, Newcastle-on-Tyne and other British towns. The programme called for ingenuity as well as daring. Docks, railway bridges and empty

<sup>1</sup> Winston Churchill, *The World Crisis: The Aftermath*, p. 288.

warehouses were to be blown up, power-houses thrown out of action, water supplies destroyed. The Volunteers engaged on this work were instructed not to take life except in self-defence. An account of these plans and operations has been written by a Volunteer who took part in them.<sup>1</sup>

On the night of November 28th, fifteen warehouses were burnt in Liverpool. Rory O'Connor, the I.R.A. Director of Engineering, had helped to prepare the plans. Plans for further attacks were ready but papers connected with them were captured in Dublin and the British police arrested over a hundred persons in England, some of whom were deported to Ireland, while others were sentenced to terms of penal servitude. This checked the attacks, but not permanently; the activities of Republican Volunteers in Great Britain continued to cause lively anxiety there to civilians as well as to the police.

Another matter with which the Republican Volunteers in England concerned themselves was the stopping of emigration from Ireland. Able-bodied Irishmen, arriving in Liverpool on their way to the United States, were on one occasion arrested by members of the I.R.A. and sent home. Reprisals were also planned against British spies and members of the Auxiliary Corps returning to England from work in Ireland. Their houses were to be raided and burned and the men were to be shot. This plan was only partially carried out and no fatalities occurred in connection with it. Preparations for terrorist action on a much larger scale were made but were never put into effect.

In England opposition to the Government's Irish campaign was increasing, not only because of its cost, but because of the ignominy of the methods that were being employed. The Society of Friends instituted inquiries and collected money for relief in Ireland. Eminent English publicists were appealing for a cessation of the Military Régime. An editorial in the *Nation* of September 4th said:

“ A Government is no Government, as we English understand Government, which discards the representative principle or inhibits it from working. This is what we have done to Irish Representation. In 1918 sixty-eight Sinn Feiners were elected by the people of Ireland. Of these we have sentenced

<sup>1</sup> Edward Brady, *Ireland's Secret Service in England*.

ten to death and twenty-one to penal servitude. Thirty-seven have been arrested without charge and imprisoned or deported without trial, and sixty-five imprisoned without charge or for political offences. Only two out of the sixty-eight prisoners have escaped the attention of our police. The normal residence of an Irish Representative Member of Parliament is a British prison."

J. L. Hammond, writing in *The Daily News*, summarised the situation thus:

"Mr. Lloyd George says to Ireland, 'I will make the price of your freedom so terrible that you will not pay it.' The horrors of life in Ireland will cease when England says 'the price of the re-conquest of Ireland is so terrible that I will not pay it; I have too much respect for my traditions and my character in the world.'"<sup>1</sup>

Asquith, in a letter to *The Times* on October 4th, wrote of Lloyd George's policy:

"Its only logical sequence is to take in hand the task of re-conquering Ireland, and holding her by force—a task which, though not, perhaps, beyond the powers, will never be sanctioned by the will or the conscience of the British people."<sup>2</sup>

The British Parliamentary Labour Party was active in seeking grounds for a peaceful settlement with Ireland. A demand for an independent inquiry into the conduct there of the forces of the Crown which Arthur Henderson made in the House of Commons on October 25th was refused and the Labour Party decided to set up a Commission of Inquiry under its own auspices.<sup>3</sup> The Party's policy towards Ireland was formulated in the House of Commons on November 11th on the occasion of the Third Reading of the Government of Ireland Bill. Its proposals were, briefly, that the British Army of Occupation be withdrawn; that the question of Irish government be relegated to an Irish Constituent Assembly elected on the basis of proportional representation by free, equal and secret vote; that the constitution

<sup>1</sup> Quoted in the *Irish World*, October 2nd, 1920.

<sup>2</sup> Earl of Oxford and Asquith, *Memoirs and Reflections*, II., p. 192.

<sup>3</sup> Labour Party's Report, p. 57.

drawn up by the Assembly be accepted provided that it afforded protection to minorities and prevented Ireland becoming a military or naval menace to Britain.

The National Executive of the Labour Party was unanimous in supporting this proposal.

On November 16th the Irish Labour Party and the Trades Union Congress held a National Conference in Dublin which was attended by a thousand Irish delegates. This conference declared that the Irish Labour Movement was ready to advocate the acceptance of such a policy as the British Labour Party had proposed.

The British Labour Party's Commission of Inquiry elected the Right Honourable Arthur Henderson, M.P., as Chairman. Arthur Greenwood acted as Secretary, Thomas Johnson, Secretary of the Irish Labour Party and Trades Union Congress, was attached to the Commission and met the British members in Dublin on November 30th. The Dublin Castle authorities gave the Commission facilities to travel and make inquiries throughout Ireland, but refused them permission to examine official reports. They visited the ruined village of Balbriggan and the scene of the massacre at Croke Park. They then visited Limerick, Kilkenny and Cork.

They reported that reprisals by members of the Crown Forces fell under six main heads: general terrorism and provocative behaviour, arson, the wilful destruction of property—otherwise than by fire—looting, cruelty to persons, and shooting.

Arthur Griffith, Acting President of the Republic, and Professor Eoin MacNeill were arrested on November 26th.

President de Valéra was then at the climax of his labours in the United States. Michael Collins became Acting President. Arthur Griffith might have been expected to nominate, as his successor in office, Cathal Brugha, but Michael Collins was Head of the I.R.B. According to the Fenian tradition, the head of the Brotherhood was the real head of the whole movement and of the Revolutionary Government; thus Collins was merely succeeding, officially, to the position which was already accorded him secretly by the I.R.B.

## CHAPTER 41

### *August to December 1920: The United States*

#### AMERICAN COMMISSION OF INQUIRY — RELIEF SCHEMES — THE AMERICAN ASSOCIATION FOR THE RECOGNITION OF THE IRISH REPUBLIC

IN the United States very practical action was being taken in the hope of checking the excesses of the British troops and police in Ireland. On the initiative of Dr. Maloney and with the help of Frank P. Walsh and with President de Valéra's approval, a Committee was formed for the purpose of investigating conditions in Ireland. It was proposed to hold public hearings in Washington. Villard, Editor of the *Nation*, supported the project in his paper and a committee composed of a hundred and fifty eminent American citizens was formed. By September 15th, Dr. McCartan recalls, "the Committee included Cardinal Gibbons, Archbishop Keane, and four Catholic Bishops; seven Protestant Episcopal Bishops; four Methodist Bishops; the Governors of five states; eleven United States Senators; thirteen Congressmen; the Mayors of five large cities; and college presidents; professors, editors, and leaders of labour and industry, representative of thirty-six states, and numbering over one hundred in all."<sup>1</sup>

From this Committee there was selected by ballot a list of names of members who were to act as the Court of a Commission of Inquiry into Conditions in Ireland. Five members were to constitute the Court and vacancies which occurred in the Court were to be filled, in rotation, from the list. The Court had power to request the attendances of witnesses from Ireland representing English and Irish opinion, to pay their expenses and take their evidence at public sessions in Washington.

As news came to America of murders, burnings, and other outrages in Ireland this Committee cabled its invitation to witnesses from the scene. Among those invited to attend were Lord French and Hamar Greenwood, but no British witness accepted. The Committee secured promises from the British

<sup>1</sup> McCartan, p. 211.

authorities that passports would not be refused to persons coming from Ireland to testify and that reprisals would not be taken against them.

The following is the Commission's description of its motives and purposes:

“ The American Commission on Ireland, which now opens its first hearings, was elected by referendum vote from a larger committee of one hundred and fifty eminent Americans organised through the efforts of the *New York Nation*. Conditions in Ireland have profoundly stirred millions of American citizens of Irish descent. They have created and are creating a widening rift in the friendly relations of English-speaking peoples, not only in America but all over the world. No person who shares our common blood and language can view unmoved the existence of civil war, the killing of human beings, and the substitution of martial rule for the civil state in any part of the English-speaking world. As a people we have been trained by centuries to a belief in orderly civic processes. Only in direct necessity can there be justification of a resort to arms for the adjustment of disputes which it has been our custom and our pride to adjust by reasoned and amicable means.

“ What the world most needs is peace. It needs an ending of hate. Discussion should resume its ascendancy and reason should displace the employment of force. The orgy of destruction which is now ravaging Ireland is sending its repercussions to every corner of the civilised world. It cannot fail to postpone indefinitely the return of ordered tranquillity to civilisation. In addition to all this, the political life of America, as well as its orderly social processes, is profoundly disturbed by the injection of an internecine war between peoples of our own flesh and blood.

“ Feelings such as these gave birth to this Commission for investigating into conditions existent in Ireland. The Commission has set itself to the task of ascertaining the facts. It plans to learn as nearly as possible just what the conditions in Ireland are and what has brought them about. It plans to conduct a series of public hearings in Washington. It will hear



witnesses who present themselves representing English and Irish opinion.”

The testimony given by witnesses during the winter under skilled examination constitutes an appalling record of terrorism by British troops and agents and at the same time an extraordinary record of what can be endured by a people in defence of their national integrity.<sup>1</sup>

The Court held its first hearing on November 19th. It had already sent a request to Father Griffin of Barna in County Galway to come to America and to give evidence. The Court heard that Father Griffin had disappeared from his home. On the following day came the news that his dead body had been found in a bog near Barna with a bullet wound in the head.

American sympathy for the Irish cause, already keen and widespread, was stirred to vigorous activity by the events of the Autumn—the deaths of MacSwiney and his comrades, the hanging of Kevin Barry, the sack of Balbriggan, the shooting in Croke Park; and now all this generous feeling was harnessed to tasks which brought to the Irish people an extraordinary measure of encouragement and help. Most practical was the Relief Scheme to send money and clothing to the people in areas ravaged by the police and troops. The first meeting in connection with this organisation was summoned by Edward Doheny and met at the Bankers' Club in New York on December 16th.<sup>2</sup> The fact that the British campaign did not succeed in reducing the Irish people to despair during this winter was due in no small measure to the incalculable moral support and material help given them by the American Commission of Inquiry and the American Organisation for Relief.

While nothing seemed too much to ask of the American people, the request to their Government for the recognition of the Republic of Ireland met with no success.

<sup>1</sup> See *Evidence on Conditions in Ireland* comprising *The Complete Testimony, Affidavits and Exhibits presented before the American Commission on Conditions in Ireland*, transcribed and annotated by Albert Coyle, Official Reporter to the Commission.

<sup>2</sup> McCartan, p. 225.

It was perhaps too much to hope that the United States Government should offend Great Britain, so recently her associate in war, for the sake of recognising a Republic which might yet suffer defeat.

On October 20th, President de Valéra sent to President Wilson his formal appeal to the Government of the United States for the recognition of the Republic of Ireland as a Sovereign Independent State. It was in the form of a printed statement, meticulously documented, which set forth Ireland's case from the racial, historical, and economic points of view and quoted famous pronouncements on the rights of nations to self-determination.

In the following month Warren Harding was elected President of the United States.

The dissension in the Irish-American organisation which had contributed to frustrate the slender hope of Recognition was being resolved into unity and the remnant of obstructionist policy was being steadily overcome. The Clan na Gael leaders, by their action at the Chicago Convention, had lost the confidence of their followers and thousands of these were rallying to President de Valéra's support.

The Supreme Council of the Irish Republican Brotherhood was represented in America at this time by Harry Boland who, as De Valéra's secretary, was thoroughly acquainted with the intrigues against the President. He visited Ireland and returned to the United States with orders that the group opposing President de Valéra was no longer to be considered as affiliated to the I.R.B.

President de Valéra was determined that before he left the United States he would leave behind him a strong single organisation pledged to the support of the Government elected by the Irish people—a disciplined and effective force. He judged, in the Autumn, that the time for the forming of a new organisation had come. On November 16th, the "American Association for the Recognition of the Irish Republic" was launched.

The new organisation began auspiciously, whole units of the old organisation severing their relations with Judge Cohalan and John Devoy and pledging their support to the A.A.R.I.R. It looked as though, with a few more months of intensive organising,

President de Valéra would be able to unite the Irish-American population into a single political force, half a million strong.

But now came news from Ireland which made the President feel that he could no longer remain out of the country—news that Arthur Griffith was arrested; Martial Law was being imposed over whole counties; the British had begun to execute prisoners; the beginning of the new year would inevitably bring such a crisis in Ireland as might break the solidarity of the people. Secretly, in the middle of December, President de Valéra sailed for home.

The work in the United States of which he had laid the foundations prospered; the membership of the A.A.R.I.R. rose to eight hundred thousand within a year. English propaganda against Ireland proved unable to undo the work which he had done.

Liam Mellows long afterwards wrote of President de Valéra's work in the United States that he had "changed an ignorant and either apathetic or hostile people into genuine sympathisers in two years. He made the name of Ireland respected where it was despised, and the Irish Cause an ideal where it had been regarded as political humbug."<sup>1</sup>

<sup>1</sup> A letter written in Mountjoy Jail, August 29th, 1922.

## CHAPTER 42

### *November and December 1920*

LLOYD GEORGE AND THE LABOUR COMMISSION – PROJECTS FOR A TRUCE – ARCHBISHOP CLUNE – FATHER O’FLANAGAN – SURRENDER OF ARMS REFUSED – MARTIAL LAW IN MUNSTER – BURNING OF CORK CITY – DEATH PENALTIES – HOSTAGES – CANON MAGNER – GOVERNMENT OF IRELAND ACT – DE VALÉRA RETURNS

THE British Labour Commission, distressed by the conditions which they found in Ireland, were exceedingly anxious to bring about a cessation of hostilities; nevertheless they felt obliged to report that “there did not appear to be any grounds for the belief heard in certain quarters that Sinn Féin was almost ready to surrender unconditionally.” Arthur Henderson, accompanied by George Russell,<sup>1</sup> had a conversation with Lloyd George in Downing Street on November 24th, but it had no practical result.<sup>2</sup>

Another abortive peace effort began in October when Brigadier-General Cockerill, M.P., wrote a letter to *The Times* suggesting a Truce and a Conference, unhampered by preliminary conditions, between representatives of the British Government and of Dail Eireann.<sup>3</sup>

That phrase “unhampered by preliminary conditions” contained the only possible basis on which the Irish leaders were ready to enter into discussions with British Ministers. Arthur Griffith in an interview with the *Manchester Guardian* had indicated as much, and said further that the necessary cessation of hostilities could be arranged. No official overtures, however, came from the English side.

Unofficial conversations took place during the autumn between a British representative at the Foreign Office in London and an Irishman, Patrick Moylett, who was acting in no representative capacity but accepted an opportunity for informal conversations

<sup>1</sup> The late Irish writer and economist whose literary signature was A.E.

<sup>2</sup> Labour Commission’s Report, pp. 60–1.

<sup>3</sup> *The Times*, October 6th, 1920.

and conveyed their tenor to Arthur Griffith. The proposals discussed included an armistice and amnesty, followed by conferences to explore the possibility of a settlement in which a Parliament should be established for the whole of Ireland, and safeguards given to Unionist interests in Ulster. No question of Partition arose. Arthur Griffith sent Moylett a letter reiterating his statement to the *Manchester Guardian* as to the possibility of unconditional conference on equal terms. Lloyd George no doubt read this letter but he took no direct part in these conversations, and nothing came of them. When Arthur Griffith was arrested in November it was probably without the concurrence of Lloyd George.

More promising seemed, for a short time, the peace efforts made through the Most Reverend Dr. Clune, Archbishop of Perth in Western Australia.

Dr. Clune had acted during the European War as Chaplain to the Australian Catholic troops. Conor Clune, murdered in November while a prisoner in Dublin Castle, was his nephew.

Dr. Clune visited Lloyd George in London on December 1st. He found him willing to consider a truce, crossed to Ireland and saw Arthur Griffith in Mountjoy Jail on December 3rd. There, terms were drafted in consultation with other Republican prisoners and, at their suggestion, were shown by Dr. Clune to Michael Collins on the following day. Griffith and Collins were willing to advise the Dail to agree to a truce on terms which would not involve a surrender of arms.<sup>1</sup>

Dr. Clune returned, full of hope, to London and saw Lloyd George again on the 8th. He was dismayed to find the Prime Minister's attitude changed.

Events had occurred in the meantime which Lloyd George in his optimism interpreted as presaging the breakdown of Sinn Fein. One of these events, actually trivial, was a resolution passed by six men in Galway.

The Galway County Council, with a membership of thirty-two, had pledged allegiance to the Republic. Now, the Republican members were nearly all in prison or evading arrest. The quorum of the Council was eight. On December 3rd, without notifying

<sup>1</sup> See interview given by Dr. Fogarty to the *Irish Press* (Dublin), June 20th, 1935.

the rest of the Council, six of the members met and in the name of the Galway County Council issued a "unanimous" resolution calling upon Dail Eireann to negotiate a truce and upon the British Government to remove the ban on meetings of the Dail.<sup>1</sup>

On December 6th also, the Galway Urban Council passed a resolution as follows:

"The time has come when the Irish people should have an opportunity of considering the present position, and, as their representatives are in jail, or are 'wanted' there, a meeting is at present impossible."

About the same time the Vice-President of Sinn Fein, Father O'Flanagan, had accompanied Sir James O'Connor to London in a private effort to negotiate peace.<sup>2</sup> On his return, he sent the following telegram from Ireland to Lloyd George:

"You state you are willing to make peace at once without waiting till Christmas. Ireland is also willing to make peace. What first step do you propose?"

Father O'Flanagan's action was not supported by the Republican Cabinet.

These incidents, though insignificant in themselves, had a very definite effect on the course of events, destroying all hope of an immediate truce. Lloyd George seemed to conclude from them that it was not necessary to facilitate a meeting of Dail Eireann or make any considerable offer of terms to Sinn Fein. Speaking in the House of Commons on December 10th he quoted the telegram and the Galway resolution and said that he was confident that the majority in Ireland were anxious for peace, and emphasised his anxiety to hold open every channel by which those in Ireland

<sup>1</sup> Resolution passed by the Galway County Council: "We view with sorrow the shootings, burnings, reprisals and counter-reprisals now taking place all over Ireland and England; we, therefore, as adherents of Dail Eireann, request that body to appoint three delegates to negotiate a truce. We further request that the British Government will appoint three delegates who will have the power to arrange a truce and preliminary terms of peace honourable to both countries. We consider the initiative lies with the British Government who should withdraw the ban on the meeting of Dail Eireann."

<sup>2</sup> T. M. Healy, *Letters and Leaders of My Day*, p. 625.

who desired a settlement with Great Britain could find expression. The Government, he declared, was prepared to meet certain members of the Dail, to whom it would offer safe conduct, for the purpose of negotiations. Meanwhile, they would intensify their campaign against Sinn Fein, proclaim Martial Law over large areas, make the surrender of all arms and uniforms by a certain date compulsory and render any person failing to comply with the order liable to the death penalty. "The same penalty will be applied to the aiding and abetting and harbouring of rebels," he said.

He repeated that, subject to three clear and definite considerations, the Government were prepared to discuss with anyone who could claim to represent Irish opinion any proposal put forward, which, in their judgment, would satisfy Irish opinion. These considerations were, first, that the Six Counties which represented North-East Ulster must be accorded separate treatment; second, that under no consideration would the British Government assent to any proposal involving the secession of Ireland or any part of Ireland from the United Kingdom, and, third, that they could not agree to anything which involved any detraction from the security of these islands, and their safety in days of war.

General Macready was opposed to a truce. He insisted that Martial Law was the best means to secure a settlement in Ireland. Bonar Law and Sir Henry Wilson objected to any truce with Republicans until they surrendered arms.

Dr. Clune, nevertheless, continued his efforts. In Dublin again, he had interviews with Republican Ministers in Mountjoy and with the British officials at the Castle, endeavouring to persuade the latter to waive their demand for surrender of arms. He reported hopefully to Lloyd George who promised to discuss the position further with the Chief Secretary for Ireland. On the 24th, however, Dr. Clune was informed that the surrender of arms was essential. He refused to carry that demand to Dublin. The British Cabinet met with members of the Irish Administration in consultation on December 29th and 30th, and Dr. Clune was then told, finally, that all prospect of a truce had been closed.

Dr. Clune prepared to return to Australia. In a letter written on the boat to Dr. Fogarty he discussed the British decisions

as they had been conveyed to him—decisions, he had observed to the British, which had scarcely been inspired by the Holy Ghost. He questioned whether Irishmen ought any longer to rely on passive resistance.<sup>1</sup>

In Ireland, the alternative to surrender was not in doubt. On December 10th—the day of Lloyd George's speech, Lord French issued a proclamation which placed the whole of the counties of Cork, Kerry, Tipperary and Limerick under Martial Law.

In Cork city on the following night fires broke out. They broke out first in Patrick Street, the principal business street of the city. One after another the shops blazed up. Later in the night, across the river, about a quarter of a mile away, the City Hall burst into flames. This hall, the centre of the Municipal Government, and the Free Library adjacent to it were completely demolished. The Fire Brigade was impotent against the terrific conflagration. Two members of the Brigade were wounded by bullets while at work. The damage done in that one night was estimated as between two and three million pounds. The streets were full, all night, of military and police.

On the following morning what had been the main thoroughfare of the city was nothing but a scene of wreckage and smouldering debris. Thousands of people had been thrown out of work.

One explanation offered by the English authorities was that the citizens of Cork had burnt their own city for reasons of their own. English insurance companies refused to pay claims, pleading "malicious injuries" as covering the fires. Another suggested explanation was that the affair was a spontaneous reprisal by Crown Forces for an ambush which took place that evening some miles outside Cork.

The British Labour Commission, however, which was still making investigations in Ireland, came to another conclusion. The following is from its official report<sup>2</sup>:

"The Commission was impressed by the sense of impending disaster which overhung the city of Cork during the time it was staying there. This uncertainty was ended by the tragic

<sup>1</sup> Dr. Fogarty's interview, *Irish Press*, June 20th, 1935.

<sup>2</sup> Report of the Labour Commission, pp. 32 *et seq.*



occurrences of Saturday, December 11th, when the Regent Street of Cork was destroyed by incendiaries.

“ Shortly after 9 p.m. on Saturday, December 11th, Auxiliary Police and ‘ Black and Tans ’ appeared in large numbers in the streets of the city, and at the revolver point (before actual firing took place) drove people to their homes earlier than the Curfew regulations required.

“ This was regarded by the citizens as ominous and increased the nervousness which had been caused by the ambush at Dillon’s Cross during the same day and the apprehensions of reprisals that were naturally entertained by the people. The streets were soon entirely deserted and the work of destruction begun. . . .

“ The members of the Commission made special inquiries regarding the origin and cause of the fires and numerous witnesses were interviewed. Eye-witnesses observing the fires from adjacent premises state positively that the incendiaries were agents of the British Government. Some persons had witnessed the entry of members of the forces into the buildings which shortly afterwards were on fire. In some cases explosions occurred. Others, again, saw them engaged in looting. The smashing of glass and doors was heard as men forced their way into business premises intent upon theft.

“ Firemen of the local brigade received assistance from the military engaged on patrol duty during Curfew hours. The old R.I.C. men (as distinct from ‘ Black and Tans ’) were engaged mainly in conveying information to the brigade of further outbreaks of fire occurring from time to time during the night. Two members of the brigade were slightly wounded by bullets whilst carrying out their duties.

“ We would point out that the fires occurred after the Crown Forces had driven the people indoors, and that during the greater part of the time that outbreaks of fire took place the Curfew regulations were in operation. We are of opinion that the incendiarism in Cork during the night of December 11th–12th was not a ‘ reprisal ’ for the ambush which took place on the same date at Dillon’s Cross. The fires appear to have been an organised attempt to destroy the most valuable premises in the city, and we do not think that the arrangements could

have been carried out if they had been hastily made after the unfortunate occurrence at Dillon's Cross."<sup>1</sup>

The only inquiry instituted by the British Authorities was an inquiry conducted by the Military under Major-General Strickland's command on December 18th. The Press was excluded; lawyers were excluded, witnesses were to be admitted only one by one. T. M. Healy, who had been engaged to represent the Cork Incorporated Chamber of Commerce and Shipping and the Cork Employers' Federation, received a notice that he would not be permitted to attend. General Strickland reported to the British Cabinet and his report was suppressed.

On the 14th a Proclamation was issued by the British Military Authorities in the counties under Martial Law to the effect that after December 27th any person convicted by a Military Court of certain offences would be liable to suffer death. The offences included the possession of arms, ammunition or explosives; wearing Irish Volunteer uniform or "clothing likely to deceive" and "harbouring and aiding or abetting" rebels—an offence with which nearly every member of nearly every family in Munster was chargeable at this time.

During the week following the burning of Cork there were a number of ambushes against Crown Forces by the Republicans. On December 18th Brigadier-General Higginson, the British Military Governor of the Martial Law area, issued a notice giving warning that captured officers of the "rebel forces" would in future be carried in Government motors and lorries.

In the whole country, from December 1st to 20th, the number of members of the Crown Forces killed in conflict was twelve and two more had been shot at sight. The number of Republicans killed in action in this period is not known. It is known, however, that besides those who fell in action, thirty-three Irish men and boys had during these twenty days been killed by the Forces of the Crown. Two of the number were brothers—Patrick and Henry Loughnane of Gort, whose bodies, showing traces of barbarous cruelty, were found on December 6th in a pond. Another of the victims was Canon Magner, parish priest at

<sup>1</sup> See also, *Report of the American Commission, Evidence*, p. 135. Also, Crozier, *Ireland for Ever*, p. 109.

Dunmanway in County Cork, who was over seventy-three years of age. The priest had received a letter on November 10th threatening him with penalties unless he tolled the bell of his chapel on Armistice Day; it was signed the "Black and Tans." He took no notice of the "order." On December 15th he was talking with a young man, Timothy Crowley, and a motorist on the roadway near Bandon when Auxiliary Cadets from Macroom Castle drove up in a lorry, stopped, dismounted and began to speak abusively to Crowley and the priest. Suddenly an Auxiliary officer shot Crowley dead. The priest rebuked him; they demanded his name; he gave it and was immediately shot dead by the same man. None of the other Auxiliaries intervened; some of them emptied the pockets of the two victims and dragged the bodies behind the fence.

The motorist, who escaped, was a resident magistrate under the British Government. He insisted upon an inquiry and the Cadet, Harte, who had done the shooting was pronounced guilty but insane. The other Auxiliaries concerned were not charged.<sup>1</sup>

On December 20th General Macready issued an order to the Crown Forces forbidding offences against person and property, but it proved ineffective. Three days later Mrs. Regan of Callan was killed by police. On December 26th police broke into a dance hall at Bruff, County Limerick, and killed five young men and wounded seventeen.<sup>2</sup>

The number of unarmed persons killed by Crown Forces in Ireland during the twelve months of 1920 reached two hundred and three; this included six women and twelve children under seventeen years of age. Sixty-nine were persons deliberately killed in the streets or their own homes; thirty-six were men killed while in custody; the rest were victims of indiscriminate firing by the Military and Police.

On December 29th the British Labour Commission presented its report to a special Conference held at Caxton Hall. It recorded not only the destruction of life, but "the wanton destruction of economic Ireland."<sup>3</sup> The Auxiliaries and Black and Tans

<sup>1</sup> See *Irish Press*, December 15th, 1920.

<sup>2</sup> The total of Republicans killed in action during the year 1920 was not ascertained. The number of members of the Crown Forces killed in action is believed to be 184, and the number killed while unarmed, as Secret Service agents, 65.

<sup>3</sup> Labour Commission's Report, Appendix V., p. 101.

were "compelling the whole Irish people—men, women and children—to live in an atmosphere of sheer terrorism." The report was a record, laboriously authenticated and documented, of destruction, arson, looting, cruelty, outrage and murder perpetrated by the Forces of the Crown.

The Conference recommended negotiation on the policy which had already been sponsored by the British Labour Party in the House of Commons, and approved by an Irish Labour Congress on November 16th.

The Irish people had no illusions as to the probability of the Labour Party's advocacy producing results. They had many friends, but their enemies were in power.

The Government of Ireland Act became law on December 23rd. It was to be brought into operation early in May. It was understood that for refusal to work it the penalty would be Crown Colony Government in Ireland. On December 27th the new Regulations concerning the death penalty came into force. The Irish people prepared themselves to face the coming year with what endurance they could command.

It was not known in Ireland or America, except to a few of his associates, that President de Valéra had sailed. The British Authorities suspected it, however, and the *Celtic*, on which he was travelling, was searched for him at the English port. He evaded the search and was in Ireland on Christmas Day.



**PART VIII**

**A STATE OF WAR**

**JANUARY TO JUNE 1921**



## CHAPTER 48

*January to March 1921*

OFFICIAL REPRISALS — THE DEATH PENALTY — THE  
“ WEEKLY SUMMARY ” — MURDERS IN CLONMILT, DRUM-  
CONDRA, LIMERICK — ENGLISH PROTESTS

ON New Year's Day 1921 seven householders in Midleton, Co. Cork, received notice from the British Military authorities that in one hour's time their houses would be destroyed. They had permission to remove valuables but not furniture. An ambush had been carried out in the neighbourhood and the inhabitants, it was officially stated, had “ neglected to give information to the military and police.”<sup>1</sup>

It was highly improbable that the householders had any knowledge of the intentions of the Volunteers, with whom secrecy and surprise were the essence of every plan. The destruction of these houses was obviously an act of terrorism designed, not to punish those responsible for the ambush, but to throw the local people against the I.R.A. This was the inauguration of the new policy of official reprisals.

To the areas placed under Martial Law on December 19th were added, in the first week in January, the counties of Wexford, Waterford, Kilkenny and Clare. The whole of the South of Ireland was now at the mercy of Military Governors who were unrestrained by Coroner's Inquest, *habeas corpus*, or even by the rules of ordinary war.<sup>2</sup>

Major-General Strickland was Military Governor of Cork. By a proclamation of January 3rd, he commanded the people to refuse food and shelter, aid and comfort, to the Irish Volunteers, and to report to the British authorities any person suspected of being in possession of arms. Citizens failing to obey were to be prosecuted by Court Martial or “ dealt with summarily.” An

<sup>1</sup> *Cork Examiner*, January 8th, 1921.

<sup>2</sup> It is forbidden by the Hague Convention (Section II., Article 28 (g)) to destroy or seize enemy property, unless such destruction or seizure be imperatively demanded by the necessities of war. And by Section III., Article 44, “A belligerent is forbidden to force the inhabitants of territory occupied by it to furnish information about the army of the other belligerent or about its means of defence.”



attitude of neutrality, the Proclamation stated, "is inconsistent with loyalty and will render the person liable under the order."

The first execution under the new ordinance took place on February 1st, when Cornelius Murphy, charged with being in possession of a revolver and seven rounds of ammunition, was shot. His brother was arrested for failing to inform against him. The *Weekly Summary* reported the execution under the heading "Potential Murderer Shot."

Internment camps, capable of holding thousands of prisoners, were set up at Ballykinlar, Gormanstown and elsewhere.

Whether or not a state of war should be considered to exist in Ireland was a question which, during February, occupied the courts under British control. John Allen of Tipperary was on trial for his life, charged with being in possession of a revolver, some ammunition, and a document entitled "Night Fighting." The case was appealed before the King's Bench. The issue turned on the question of the powers of Military Courts. Sir Nevil Macready claimed, in the Martial Law area, despotic powers of life and death, on the grounds that actual war was now raging. He described the Republican Army as an organised and disciplined force, under a central command, with a General Staff. The High Court gave the ruling he desired, declaring that "a state of war actually existed and continued to exist." This decision was interpreted by the British, in spite of international usage and the rulings of the Hague Convention, as enabling them to execute their prisoners, not as conferring on those prisoners belligerent rights.

On February 28th, John Allen and five other young Irishmen,<sup>1</sup> sentenced by Court Martial for possession of arms, were executed by shooting in Cork.

Six British soldiers were shot dead in Cork that night.

Outside the Martial Law areas, also, executions continued. On March 14th, in Dublin, six Republican prisoners were hanged. Four of them had been convicted of "High Treason by levying war." Two—a Galway lad named Thomas Whelan and a Dublin man, Patrick Moran—were accused of complicity in the assassination of British officers on November 21st, 1920. They

<sup>1</sup> See list, p. 1021.

had been paraded, with some five hundred other prisoners, for identification in connection with the assassination. The British witnesses were unreliable, as was shown by their "identifying" some men who had been in prison at the time of the event; moreover, Whelan and Moran had evidence of alibi; nevertheless they were hanged.

March 14th was a day of public mourning in Dublin, all business was suspended until 11 a.m. Before dawn crowds began to assemble outside Mountjoy Jail; sacred pictures and candles were set up in the streets and around these about twenty thousand people stood, praying and singing hymns. When the bells tolled at six o'clock for two executions, again at seven o'clock and again at eight, the people fell on their knees to pray for the dying; their emotions of grief and anger were overpowering. An impression remained which nothing could efface.

Shortly after these executions a prisoner named Barnett, a Galway boy who had been arrested with Whelan, was transferred from jail to the Richmond Lunatic Asylum. There were marks of recent wounds on his head. A friend who had visited him in prison reported that Barnett had told him that under torture he had made a false statement which he feared had incriminated Whelan. He was inconsolable. Hearing the news of Whelan's execution, Barnett became hopelessly insane.

There would probably have been yet another hanging at this time had not Frank Teeling, under sentence of death for his part in the shootings of British agents on November 21st, made his escape from Kilmainham Prison, with Earnan O'Malley and Simon Donnelly, a month before. They had the help, in their enterprise, of members of the I.R.A. Dublin Brigade and a sympathetic guard.<sup>1</sup>

In Dublin, although the city was not under Martial Law, a state of something very like war existed. Curfew was imposed as early as 8 p.m., and from that hour until daylight the armoured lorries roared through the streets, drawing up outside houses listed for raiding. Frequently military cordons were drawn around large areas which were then ransacked for wanted men.

<sup>1</sup> See Ernie O'Malley, *On Another Man's Wound*, chapter xviii.

Bodies of troops and police often took possession of a house believed to be a Republican meeting-place and there lurked for days, concealing all signs of their presence, to seize persons coming in. The hunt for Michael Collins was incessant: a reward of £10,000 had been offered for his arrest. His escapes became fabulous.<sup>1</sup>

During the day, the troops and police ordered out, reluctant, to parade the streets, crouched in their lorries and armoured cars, their mood murderous with terror and hate, ready to shoot if a man on the sidewalk put his hand in his pocket or if a group emerged from an alley too suddenly. Night and day they were ambushed. Even in crowded thoroughfares sharp engagements took place. Inevitably, civilians were wounded from time to time.

In the effort to break up the Republican Army the British authorities instituted a systematic search for men and boys suffering from bullet wounds. Whenever it was possible wounded Volunteers were nursed in remote places safe from discovery, but sometimes, after city ambushes, Volunteers as well as civilians accidentally wounded were conveyed to the public hospitals. An order was issued from Dublin Castle to members of the medical profession to report instantly to the military authorities all cases of bullet wounds; this order Irish doctors and hospital matrons refused to obey. The raiding of the hospitals for wounded men then began. Patients were sometimes taken from the doctors and nurses engaged in dressing their wounds. A boy of fourteen, accidentally injured by a bomb, was torn by force from his mother and the doctor, and died a few days later in the military hospital in Dublin.

Wounded Volunteers were not left by their comrades in public hospitals when it was possible to transfer them to places of greater safety. A Volunteer, wounded in Pearse Street when a corps of seven, under Sean MacBride, ambushed a party of Auxiliaries, was taken to Mercers Hospital. His leg had to be amputated and he lay helpless, expecting capture and execution. Presently his young officer with three or four other comrades appeared in the ward, armed; held up the staff, carried him out to a car and drove him to a house where Mrs. Darrell Figgis kept him in safety and nursed him back to health.

<sup>1</sup> Beaslai, II., p. 205.

“ A state of war ” was an inadequate description of the conditions that prevailed throughout Ireland. The Auxiliaries and Black and Tans had realised the extent of their license and the *Weekly Summary* kept their temper at fever pitch. In this journal which Sir Hamar Greenwood had started, as he explained, to “ revive the morale ” of the police forces in Ireland, Sinn Fein was described as “ crime incarnate,” for whose propagators “ the rope and the bullet are all too good.” Its incitements were concentrated on President de Valéra from the moment of his return to Ireland. The issue of February 4th described him as belonging to “ a race of treacherous murderers,” a man “ with a fancy for ditch murders ”; “ if the fellow had a thousand lives they would be less than dung,” it declared, “ compared to what Ireland has lost.” This journal taught the police that they had license “ to use force to the uttermost, force without stint.”

Sir Hamar Greenwood constantly disclaimed responsibility for reprisals, but the effect of these crude incitements working on men recruited for the purpose of crushing a resistant population could not have been unintended; they were such as must have been foreseen. By Black and Tans and Auxiliaries the hunting of Republicans was indulged in as a form of sport and the inflicting of indignities on young and old came to be regarded as a normal feature of the programme of suppression. During rounds-up in towns and villages the Black and Tans made a practice of forcing Irishmen to shout “ God Save the King,” spit on the portrait of De Valéra, kneel in the gutter and drag the tricolour in the mud.<sup>1</sup>

The Auxiliaries numbered, by April, about fifteen hundred men. These were organised in fifteen divisions of which seven were stationed in the Martial Law area under the control of the Military Governor of the area; three were in Dublin under General Tudor; other companies, scattered throughout the country, were under Constabulary control—control that was merely nominal in many parts.

The brutalising duties entrusted to these men, the license permitted to them, the lavish pay, of which the greater part was, notoriously, spent on drink,<sup>2</sup> combined with the incitements of

<sup>1</sup> See Labour Commission's Report, p. 82.

<sup>2</sup> General Crozier, *Ireland for Ever*, p. 89.

the *Weekly Summary* were making them less and less amenable to control.

Volunteers who surrendered to them faced more than courts martial and the firing squad.

At Clonmult in County Cork, in February, a party of fifteen Volunteers was surrounded in a cottage by Auxiliaries and troops. They resisted, firing from windows, for about two hours, until the thatch was set ablaze. A military officer then called on them to surrender, promising that they would be properly treated, and the fifteen men came out, unarmed, with their hands up. The Auxiliaries fell on them, "like wild beasts," one Volunteer said afterwards, killed nine of them, wounded five and tore from the dead and wounded watches, pens, religious medals, shouting and cursing the while. The military maintained discipline and an officer stopped it at last.<sup>1</sup>

On February 9th, two incidents occurred, one in County Meath, one near Dublin, which led General Crozier to despair of maintaining any discipline in these forces and to resign his command.

Eleven lorry-loads of Auxiliaries arrived at Chandler's shop at Balbraddagh, near Trim, County Meath. Richard Chandler, giving evidence in court, years afterwards,<sup>2</sup> described how they arrived at his place, demanded ammunition and, when he said he had none, knocked him down the stairs. They knocked the necks off bottles and drank the contents. They looted his mother's shop. That same night they returned in force and took clothing out of the house, heaped it in the backyard, and, having sprinkled it with petrol, burned it. Among the property he missed on his return from Mountjoy Prison were a gold watch and chain, a gold tie-pin and cuff-links, suits of clothes and overcoats. "The men were all drunk and mad from drinking," he said. "They consumed up to a hundred pounds' worth of drink in the shop. . . . They ill-treated my sister, who is an invalid."

"They smashed and burned all before them," a woman witness said. She described the men as "like a lot of hungry

<sup>1</sup> *Irish Bulletin*, February 20th, 1921.

<sup>2</sup> See *Irish Press* (Dublin), February 8th, 1936, and General Crozier's letter in same paper, February 18th, 1936.

animals. They would take a bite out of a cake and trample on the remainder."

Two Cadets, General Crozier records, came to Dublin—"at the peril of their lives," he declares; "their comrades undoubtedly would have killed them had they known"—and reported the case to him. He investigated and suspended a number of the Auxiliaries.

On the same night Drumcondra, a suburb of Dublin, was the scene of a double murder. Two young men, Patrick Kennedy and James Murphy, were arrested and taken to the Castle. At about midnight they were taken out in a car by a Company Commander of Auxiliaries named King, with two Cadets. In the morning the youths were found in a field in Drumcondra, Murphy dying, Kennedy dead. Murphy said that they had been taken out of the car and made to stand against a wall in the field; buckets were thrust over their heads and they were shot.

Certain British officers demanded an inquiry and a military inquiry was arranged to take place on April 12th. The suspended Cadets secured an interview with a high Government official and, according to Crozier, threatened that if they were not reinstated they would give evidence concerning the murders and other activities of their forces. He described the machine of Administration as being "paralysed with the fear of exposure." The Cadets were reinstated; the inquiry took place and King and the two others accused were acquitted. "The verdict should have been otherwise," Crozier wrote.<sup>1</sup>

The casualties in Ireland in two months—from January 21st to March 31st, 1921, were estimated as follows: Crown Forces, killed 174, wounded 288; Irish Volunteers and civilians, killed 317, wounded 285.

The British House of Commons assembled on February 15th. Every Member of Parliament had received from President de Valéra a letter pointing out the responsibility of each and all of them for the war being waged against the people of Ireland.

<sup>1</sup> See Crozier, letter to the Press, May 14th, 1921; and letter to the *Irish Press* of April 18th, 1926.

Lloyd George expressed satisfaction at the progress which his policy in Ireland was making. Six months ago, he pointed out,

“the Irish Republican organisation had all the symbols and they had all the realities of a Government. . . . Sinn Fein Courts were held openly and attended by litigants, jurors and advocates, and their decisions were respected. Sinn Fein soldiers patrolled the towns. . . . That was the condition six months ago. . . .”

All that he boasted of having destroyed.

“Sinn Fein patrols, military and police, are gone. The Sinn Fein Courts have disappeared into cellars,” he said.

He exaggerated. It was true that the Irish Courts, now, had to be held secretly; nevertheless, they were held. Judge Crowley, arrested while in Ballina as a Circuit judge, was sentenced in February to one year and nine months' imprisonment; the other judges, however, were carrying on their work. Witnesses still refused to attend the British, and attended the Republican Courts; the decisions of the Courts were still, despite increasing danger, enforced by the Republican Police.

On the same day, Lloyd George, speaking to a meeting of Welsh National Liberals at the Central Hall, Westminster, explained what self-determination in Ireland would mean and his attitude to that demand. “They must have an Irish Republic, an Irish army, an Irish navy. They won't get it,” he said.

When Captain Redmond, in the House of Commons, on February 21st, demanded an inquiry into the situation in Ireland it was refused.

Joseph Devlin, fearing that non-combatants were being executed, asked that civil tribunals should be set up in Ireland. He was told by Lloyd George that to do so would interfere with the course of justice. On the following day, in the House of Lords, the Archbishop of Canterbury made a memorable speech, in which the Government's Irish policy was denounced.

Lloyd George's optimism was not warranted by the state of feeling in Ireland.

Shooting at hazard and the killing of captured Republicans,

while it shocked the Irish people and increased anxiety to anguish, did not make them more ready to resign themselves to British rule. It would be better, they were declaring, to let Ireland be reduced to "a blackened rock in the ocean" than to put the nation again under the control of a country which let loose such agents of government as these. Yet more drastic methods were necessary if surrender was to be induced. The killing of selected Republicans was preferred by some of the authorities. It was practised in the city of Limerick in March. In Limerick, in one night during Curfew hours, three of the leading citizens were killed—George Clancy, the Lord Mayor; the former Lord Mayor, Michael O'Callaghan, and Joseph O'Donoghue.

The murders were not unexpected. Every Republican who accepted public office knew that he did so at the risk of his life. Michael O'Callaghan, during his year of Mayoralty, 1920, had been a devoted and vehement champion of the rights of the citizens against aggression which never ceased. He had received threatening letters—the first on his return from the funeral of Lord Mayor MacCurtain in Cork. In February his house was subjected to a raid of a violent and brutal description by drunken police who told his wife she would soon "know more about murder." This was one of many raids. On March 6th, late at night, men knocked at his house demanding admission. Mrs. O'Callaghan opened the door and two men, wearing goggles, with their coat collars turned up and hats pulled over their eyes forced their way past her into the house. They had revolvers. They shot Michael O'Callaghan dead at the foot of the stairs where he stood. On the following morning it was discovered that Lord Mayor Clancy had been shot dead in his house. Mrs. Clancy, in struggling with the murderers, was shot through the arm.

A quantity of evidence pointed to the murders having been carried out by the police with the connivance of the troops whose usual Curfew patrol was suspended on that night. Mrs. O'Callaghan published the evidence and demanded an inquest.

No inquiry other than the military inquiry was held. Asquith and Sir John Simon were among those who stated that there was every reason to believe that the police were the murderers. Vehement protests appeared in sections of the English Press.



“When is this going to end?” the *Nation and Athenæum* said.

“The Government still cling to the belief that they can crush the Irish spirit, destroy some of the bravest and most promising of Ireland’s young men, and win by these means an outward victory. They are wrong. . . . Men of noble spirit and unfaltering courage are dying, but their race does not perish. . . . We can spread ruin; that we are doing. A week ago a deputation from the American Relief Committee waited upon General Macready and Sir John Anderson to explain that America proposed to raise thirty million dollars for repairing the havoc caused by the armed forces of the British Empire in Ireland: there have been prouder moments in our history. We can spread death; that we are doing. We can do to Ireland just as much as Austria did to Italy or Germany to Belgium. But the end is as certain in this case as in those, for the Irish people, supported as they are by their own spiritual vitality, and by the sympathy of the world, can keep this struggle alive till it ceases to be merely a struggle between a Government and a Nation. The Government which refuses to give peace to Ireland may find, sooner or later, that it has broken the peace of the world.”

Protests continued to be made. Among those who felt, most acutely and bitterly, that British administration in Ireland had fallen into contempt were officers of the British Army.

“Law and order have given place to a bloody and brutal anarchy,” General Gough wrote in March, “in which the armed agents of the Crown violate every law in aimless and vindictive and insolent savagery. England has departed further from her own standards, and further from the standards even of any nation in the world, not excepting the Turk and Zulu, than has ever been known in history before.”

## CHAPTER 44

### *March and April 1921*

CASUALTY LISTS – THE WHITE CROSS – THE ARMY OF THE REPUBLIC – DE VALÉRA'S STATEMENT – MILITARY ENGAGEMENTS – BRITISH LOSSES – WOMEN SHOT – HOSTAGES EXECUTED – REPRISALS IN ENGLAND – PROTESTS AND PROPAGANDA – THE IRISH SELF-DETERMINATION LEAGUE

THE number of persons murdered<sup>1</sup> by Crown Forces in Ireland was keeping with grim regularity to an average of one a day. The number so killed during April was thirty. There were several cases in which two brothers were seized on the same night and put to death. There were cases in which the state of the bodies when found showed that the men had been tortured.

The daily papers were publishing casualty lists. The following is from the *Irish Independent* of April 12th :

“ Miss Kate Burke, of Wexford, died of wounds sustained in a bomb explosion in Amiens St., Dublin, on Tuesday.

“ Mrs. Mary Patterson, 15 Clonmore Ter., Ballybough, shot dead in Dublin.

“ Frederick C. Stenning, assistant land agent, shot dead near Bandon.

“ William Latimer, farmer, shot dead in County Leitrim.

“ James O'Loughlin died in Thurles of bullet wounds inflicted by Crown Forces when he was alleged to be trying to escape.

“ Henry Carr, Corvoy, Ballybay, who was shot on Saturday, died of his wounds.

“ Commandant Sean Finn, West Limerick Brigade, I.R.A., killed in fight in County Limerick.

“ Sergeant Shea and Constable Borles killed in attack on Rosscarberry Barracks.”

This paper published on the same day a list of twenty-one Republican women held in the jails; it included Constance Markievicz, still serving her sentence of two years with hard labour; and it had an account of the sentence passed by a Court

<sup>1</sup> Volunteers killed in action are not so described.

Martial in Belfast on Nurse Linda Kearns. Miss Kearns had been captured in Sligo when driving some Republican men in a motor car which contained military supplies. The Auxiliaries who took her prisoner spent the night in trying to make her give information concerning the Sligo Volunteers. They used bribes and threats alternatively, finally striking her in the face and breaking her teeth. At her trial, realising that the Republican men with her would, if convicted, receive very severe sentences, she declared herself responsible for the car and the contents. She was sentenced to ten years' penal servitude, the men each to thirteen years.<sup>1</sup>

Executions continued. On April 25th Thomas Traynor was hanged in Mountjoy, and on the 28th four Volunteers, Patrick Sullivan, Patrick Roynane, Thomas Mulcahy and Maurice Moore, were executed by shooting in Cork. Patrick Casey was executed in Cork on the 2nd May and Dan O'Brien on the 16th.

Those who sympathised with the Irish people could do nothing to check the violence of their enemies; they contrived, however, to do a great deal to blunt the edge of that enemy's deadliest weapon—economic distress. Had it not been for the help given by the Relief organisations it is probable that the Irish people would have broken down. Families whose breadwinners were in prison, without prospect of trial or release, or with the unpaid Republican Army, or hunted and “on the run,” were stripping their houses of everything raiders left to them in order to buy food. Families whose houses had been burnt down or destroyed by bombing were living in stables and barns; women and children, driven at night out to fields and bogs, were dying as the result of exposure; old people whose sons had been murdered before their eyes were dying from shock and grief; with increasing frequency babies were born dead. For the devastation wrought by the military and Black and Tans in the Martial Law areas, the plundered and starving people were forced to pay. British Courts of Justice were prohibited from hearing claims for compensation against the Forces of the Crown for destruction done in the areas under Martial Law.

<sup>1</sup> See *Irish Press* (Dublin), January 23rd, 1926.

By April 1st awards given in seven Irish counties for injuries resulting from shootings, lootings and burnings, amounted to £4,317,318. In the County Waterford the additional burden on the rates was 5s. in the pound.

Funds withheld by the Local Government Board from those public bodies which rendered allegiance to Dail Eireann amounted by the end of April to one million pounds. Thus hospitals, asylums and other public institutions were deprived of the support to which the Irish people had contributed for their upkeep.

These charges and withholdings of money, added to the paralysis of trade, the destruction of centres of employment and the utter confusion of the economic life of the country would surely have produced collapse sooner or later had not the people of the Irish race abroad and sympathisers all over the world combined to relieve some of Ireland's distressed.

The American Committee for Relief in Ireland had started work, allotting to each State in the Union one devastated area in Ireland to be its particular charge. Many of the States over-subscribed the quotas assigned to them.<sup>1</sup>

Shiploads of food and clothing were sent to Ireland during the winter. A committee of American delegates opened offices for administration in Dublin. On February 1st, in the Dublin Mansion House, Lord Mayor O'Neill opened the Irish organisation to assist in the distribution of the "White Cross Fund."<sup>2</sup> Irish men and women of varying political views served on its committees. Collections were carried out in many countries and extraordinarily generous subscriptions were received. On April 27th His Holiness Pope Benedict the Fifteenth sent a subscription of over £5,000; at the same time he sent his Apostolic Benediction to the people of Ireland who were being subjected to "devastation and slaughter," expressing compassion for their sufferings in indignant terms. "Neither sacred places nor sacred persons are spared," he wrote.

<sup>1</sup> Connecticut State alone gave £90,000.

<sup>2</sup> *Report of the Irish White Cross*, to August 31st, 1922, was published by Martin Lester, Dublin. To this date the total income of the White Cross Society was £1,374,795. Of this amount the United States sent over one and a quarter million, England sent £9,517, Canada £8,659, Scotland £3,814. The American Red Cross Reserve Funds contributed £12,500. John McCormack, by giving concerts in aid of the fund, collected for it £35,000.

The funds were applied to the relief of all victims of the struggle not otherwise entitled to compensation. Those who benefited included thousands of expelled workers and fugitive families from North-East Ulster. The need was so acute and so widespread that only the minimum weekly allowance necessary to support life could be made to each applicant. Investigators were impressed by the reluctance of even the most destitute to draw on this fund. The Irish people were proud of the deprivations they were enduring in the Republican cause.

With undisguised chagrin the British Executive in Dublin saw their hope of reducing the Irish to submission by the pressure of hunger frustrated. Their agents seized collecting boxes, raided the offices of the White Cross and the houses of relief workers but they dared not, on account of American vigilance, suppress the White Cross Fund.

To British Ministers preparing for the representation of their Government at the Disarmament Conference in Washington this action by eminent American citizens, so wholeheartedly supported throughout the States of the Union, was disturbing in the extreme.<sup>1</sup>

The conflict in Ireland had passed beyond the bounds of political struggle. It could be foreseen that foreign opinion and humane English opinion would eventually enforce a cessation of the terrorist campaign; but in any negotiations that might afterwards take place between the two nations the military situation would be the dominant factor. The future of Ireland depended now on the endurance of the people and the strength of the I.R.A.

In Ireland this was recognised, yet an ambiguous situation existed.

Although in the eyes of the Irish people the I.R.A. was the National army, and although it was so regarded by every Volunteer and by the Dail, and was supported by a vote of money from the Dail, no official declaration of its position had so far been publicly made; this fact made it easier for British propaganda to represent the Republican Army as "a small army of assassins" or "murder gang." President de Valéra

<sup>1</sup> Callwell, II., p. 289.

lost no time, after his return from America, in bringing this ambiguous state of things to an end. He raised with Dail Eireann the whole question of the formal and explicit acceptance of a State of War with England. He felt that their acceptance of it should be publicly asserted. This involved the question of the status of the I.R.A. He did not think it right that the Volunteers should appear to be in the position of working as irresponsible forces. He thought it absolutely necessary that the Dail should let the world know that they took full responsibility for all the operations of their army.

The Dail empowered the President to make a public statement on the lines which he had indicated at whatever time he should deem most opportune.

Accordingly, on March 30th, President de Valéra gave an interview to the representatives of the *International News* and the *Universal Service* in which he reviewed the establishing of the Republic and the title of its government to rule and to defend the Republic in arms. He said:

“ Five years ago men and women who knew the mind and understood the heart of our nation proclaimed this Republic. Within three years their judgment was put to the test, was definitely passed upon and confirmed by an overwhelming majority in a national plebiscite.

“ The Republic of 1916, provisional and liable to question before the elections of December 1918, was by these elections placed on a foundation of certitude unassailable either in point of fact or of moral right. Those who question the moral validity of the Republic now must challenge the foundations of democracy and the constitutional right of peoples everywhere. . . .

“ . . . We took office,” he continued, “ knowing that the people wanted us to be a government in fact as well as in name. We have acted consistently on this conviction; and we have not hesitated to use the authority vested in us and to employ the powers of command which this authority made available. . . .

“ For example, one of our first governmental acts was to take over the control of the voluntary armed forces of the

nation. From the Irish Volunteers we fashioned the Irish Republican Army to be the military arm of the Government. This army is, therefore, a regular State force, under the civil control of the elected representatives, and under organisation and a discipline imposed by these representatives, and under officers who hold their commissions under warrant from these representatives. The Government is, therefore, responsible for the actions of this army. These actions are not the acts of irresponsible individuals or groups, therefore, nor is the I.R.A., as the enemy would have one believe, a prætorian guard. It is the national army of defence."

The interviewer asked the President whether he considered the ambushing of the British Forces justifiable:

"Certainly," answered the President. "If the Irish nation and the Irish Republic as a State directly founded upon the consent and the will of the people is not entitled to use force to defend itself, then no nation and no state is entitled to use force. The English forces are in our country as invaders, on a war-footing as they themselves have declared; in fact actually waging upon us not only an unjust but a barbarous war. Protected by the most modern war-appliances, they swoop down upon us and kill and burn and loot and outrage—why should it be wrong for us to do our utmost to see that they will not do these things with impunity?"

"If they may use their tanks and steel-armoured cars, why should we hesitate to use the cover of stone walls and ditches? Why should the use of the element of surprise be denied to us? Apart from the fact that we are a nation unjustly attacked and defending our most sacred right—every army uses it. For us not to use it if we proposed defending ourselves at all would be stupid. If German forces had landed in England during the recent war, would it have been held wrong for Englishmen to surprise them? Would it have been held wrong for Englishmen to harass the invader by every means in their power? If not wrong for Englishmen, why wrong for us?"

"It is only people who are completely ignorant of the

circumstances, or who are blinded with partisanship, or those who but half think, or who do not dare to think, that talk as if there was something inherently criminal in the ambush."

The President's statement came as an immeasurable relief and stimulus to the Republican Volunteers, and the impression it made abroad was considerable. Cutting through a fog of British propaganda it had made one fact plain: it was not with a small gang of extremists but on a nation that England was waging war.

The military struggle, although it might have seemed to outside observers to have reached a deadlock, was actually at a highly critical phase during the Spring. The Volunteers and Republican police were extremely active but their work was being done in greater secrecy, as was the work of the Republican Courts. The men of the I.R.A. continued to occupy remote houses and dugouts in hilly parts of the country, harboured, aided and abetted by the people. They trenched and barricaded roads and ambushed the Crown Forces incessantly. In a great part of the West and Midlands the British troops and police scarcely dared to emerge from their barracks except in parties of several hundred. The flying columns frequently attacked barracks and captured the buildings and their military supplies. Among their captures during the spring were an aeroplane and an armoured car. They were manufacturing bombs and land mines with a high degree of success. The Director of Chemicals, Seumas O'Donovan, contrived to import the requisite substances in the guise of salt, baking powder and so on, while Sean Russell, Director of Munitions, arranged to have quarry works raided for gelignite.

The British authorities organised efforts on a large scale to encircle the flying columns, but the Republicans, knowing every track and crevice of the countryside and helped ingeniously and boldly by the people, were nearly always able to withdraw without casualties.

A re-organisation for the purpose of decentralising control to some extent was begun in March. Hitherto, all Brigades had been directly responsible to G.H.Q. in Dublin. On March 21st



Earnan O'Malley was given charge of a Division, a new unit comprising several Brigades, and immediately afterwards Liam Lynch was made Commandant of the First Southern Division, covering part of Munster, including the whole of County Waterford. This and O'Malley's, the Second Southern Division, which included County Kilkenny, covered between them the whole Martial Law area.

While elsewhere a great number of the Volunteers were trying to work in secret, and even carrying on ordinary occupations during the day, there were now in Munster about nine hundred who devoted themselves entirely to warfare, organised in flying columns and wearing such uniforms as they possessed. In July 1921 County Cork had about 1,800 Volunteers on its roll and had over 1,200 guns. Whatever arms belonged to the Southern Divisions were in use. Engagements on a considerable scale took place.

There were fierce engagements in County Cork. At Clonbannin, in February, Volunteers under Sean Moylan ambushed a convoy and Brigadier-General Cummings and other British officers were killed.

The British were making a determined effort to capture the very active column led by Tom Barry, and the Volunteers decided to attack rather than wait to be taken. A company of over one hundred Volunteers set an ambush at Crossbarry on March 19th. British troops travelling in nine lorries came down the road; three of the lorries came under fire; about thirty-five of the men in them were killed and the rest surrendered while the other six lorries were driven away. The Volunteers had lost three dead and four wounded. Now they were being surrounded and had to fight their way out. They succeeded in scattering without one man being captured. Those who took part in the fight at Crossbarry always remembered fighting to the wild music of pipes: one Volunteer, a piper, had played the traditional war tunes without ceasing while the fight went on.<sup>1</sup>

The character of the fighting in the West is illustrated by the following account—the official Republican report—of an engagement which took place in May:

<sup>1</sup> See *Daily Mail*, March 21st, 1921.

“ At Tourmakeady, Co. Mayo, on May 3rd, a party of 60 officers and men of the South Mayo Brigade, I.R.A., engaged an enemy patrol travelling in two motor lorries. After an action lasting thirty minutes four of the enemy were killed and four wounded, one mortally. The remainder of the patrol took refuge in a neighbouring hotel, and the Republicans, after an unsuccessful effort to dislodge them, withdrew. Having dismissed half of his force, the Republican Officer Commanding retired with thirty men to the neighbouring hills where the column rested. An hour later the outposts reported the advance of large parties of British troops. It was then about 2.30 p.m. Scouts were sent out to ascertain the enemy's numbers. They reported that the party first sighted consisted of twenty-four lorries of soldiers and that this force had been distributed to the South, South-East and South-West of the Republican position, and were advancing upon it. Acting on this information, the Officer Commanding ordered a retreat towards the North. Using the natural cover to great advantage, the Republican forces had traversed a distance of four or five miles when their advance-guard sighted a large party of British troops holding the line of their retreat. The British immediately opened fire with Lewis guns. It was then 4 p.m.—six hours before nightfall. The O.C. ordered his men to take cover, and after consultation with them, decided that the column, though now obviously surrounded by overwhelming forces, would not surrender on any terms. The British forces kept up a continuous fire on the Republican position, which was replied to only at long intervals. The Irish troops had little ammunition and used it in concentrated fire whenever the enemy attempted a forward movement. These tactics had the desired effect. For six hours the exchange of fire continued, but the enemy never attempted to close in. When darkness came the Republican forces decided to break through the cordon, which at nightfall was greatly weakened by the withdrawal of the main body of the British troops. Although Very lights were thrown up frequently by the remaining troops, the Irish party succeeded in passing through the British lines and escaping, carrying with them two of their number who were wounded. The total Republican casualties in these

actions were one killed, two wounded and two captured. Enemy casualties in the fight on the hills as observed by the Officer Commanding were one officer and one constable killed and one officer and two soldiers wounded. It is believed the enemy suffered many other casualties. A short time after the Republican column had broken through the enemy's position two flying columns of the West Mayo Brigade I.R.A. arrived in the district. They had come many miles by forced marches in order to relieve the invested column. Their assistance was, however, not needed."<sup>1</sup>

By the end of April the number of police barracks and court-houses which the I.R.A. had destroyed or damaged since the beginning of the campaign totalled over eight hundred; the total casualties among the Crown Forces were believed to number over one thousand, but this was probably an exaggerated estimate.

As the Crown Forces intensified their pressure the fight waged by the I.R.A. became more drastic in character, and especially in the areas under Martial Law. As a counter-reprisal for the destruction of Irish houses, houses belonging to active supporters of the British régime were burnt down. This measure was effective: in consequence of it, Unionists of County Cork appealed to the British Government to make a settlement with Ireland. Houses of Nationalists were sometimes destroyed, as a result of error or local prejudice.

The Volunteers attacked not only lorries but passenger trains which were used for conveying troops. An attack on a train made in March resulted in an engagement which lasted for fifty minutes; a civilian passenger, a British officer, and six soldiers were killed. In June a train carrying troops from Belfast to the Curragh was mined and derailed at Adavoyle in County Armagh. A guard was killed as well as three passengers.

In the Martial Law area, although a State of War had been acknowledged, British officers continued the habit of attending social functions and often drove through the streets accompanied by ladies, when in uniform and carrying arms. Two ambushes—one on May 14th in Tipperary and one on the following day in

<sup>1</sup> *Irish Bulletin* of May 30th, 1921.

County Galway—resulted in the deaths of ladies travelling with police officers—Miss Barrington and Mrs. Blake.

The Crown Forces when travelling in lorries often carried prisoners as hostages; in Macroom on February 25th in a fight between Volunteers and Auxiliaries, a Republican hostage was killed.

On both sides men were executed. Men suspected of informing against the I.R.A. were made subjects of investigation by the Republican Intelligence Department and, if convicted, were liable to be shot. Where possible those convicted were arrested, court martialled, and given an opportunity to defend themselves. Where the offence was not flagrant, informers were, as a rule, ordered by the I.R.A. to leave the country and were conducted to a port.

Among the men executed for informing by the Republican Army was Sir Arthur Vicars. He was shot dead outside his house at Listowel on April 14th and the house was burnt down. On a placard on the body was written, " A warning to Spies."

The number of persons found shot with placards of this kind attached to the bodies between January 1st and the end of April was stated to be seventy-three.<sup>1</sup> This is probably far in excess of the number of men executed by the I.R.A. It was well known that labels bearing such phrases as " Spies and Informers Beware " were attached to the bodies of the victims of common murderers and of the Forces of the Crown.

The Republican Government did not sanction the execution of women although it was known that a number were employed by the British as spies. Nevertheless, one woman was taken prisoner by the Cork No. 1 Brigade and was shot. Mrs. Lindsay of Coachford, in County Cork, becoming aware of an intended ambush, gave information to the British Military which resulted in five Volunteers being captured and sentenced to death. Their Brigade seized Mrs. Lindsay and held her, a convicted informer, as a hostage for these five men, and warned the British authorities that she was so held. When the news of the five executions reached the Brigade Mrs. Lindsay was executed.<sup>2</sup>

<sup>1</sup> *British Annual Register.*

<sup>2</sup> Beaslai, II., p. 191. A sensational story issued by certain pro-British writers to the effect that Mrs. Lindsay was killed by women is without foundation.

The attempt to stop the execution of Republicans by holding hostages for them failed, and it led to the execution of two British officers for whom their captors had a sincere regard. Six of the Volunteers who had survived the surrender at Clonmult were court martialled and sentenced to death. As hostage for their lives, the Cork No. 1 Brigade held Major Compton Smith of the Royal Welch Fusiliers. The six Republicans were executed, and the English Major was shot on April 28th. In Tipperary, District-Inspector Potter of the R.I.C. was held as a hostage and was shot after the hanging of Thomas Traynor in Mountjoy.<sup>1</sup>

The companies of the I.R.A. in England continued to organise reprisals there for the destruction of Irish houses and centres of employment. On March 6th fires were started in Newcastle, South Shields, and Hyde, and about forty fires did considerable damage in Cheshire during the month. In April there were burnings in Manchester, and in London there was a window-smashing campaign.

On April 10th, in Liverpool, a number of Irishmen were tried, convicted of conspiracy and arson, and sentenced to terms of penal servitude of from five to ten years. One of these men, when on trial, declared boldly that reprisals in England would continue until the British Forces ceased their campaign of devastation in Ireland.

The volume of protest was growing. Several great English newspapers—*The Times*, *The Manchester Guardian*, *The Westminster Gazette*, and *The Daily News* as well as periodicals like *The Nation and Athenæum* were tirelessly exposing the brutal terrorist régime. Asquith had denounced the “hellish policy of reprisals.” Lord Henry Cavendish-Bentinck, through his “Peace with Ireland Council,” was conducting an effective campaign. Sir John Simon was engaged in eloquent propaganda against the “Greenwood Government.” The régime was rebuked by Lord Robert and Lord Hugh Cecil in the House of Lords. The British Labour Party never ceased to demand inquiries and pass resolutions denouncing the policy sponsored by Lloyd George. Ecclesiastics of all political affiliations sent protests to the Government and the Press. The Archbishop of Canterbury made

<sup>1</sup> Beaslai, II., pp. 92-4. See Press of April 29th, 1921.

his impressive protest in the House of Lords, which was endorsed on April 3rd by a letter to the Prime Minister from the Bishop of Chelmsford and other Protestant and Nonconformist Church leaders. They pointed out that the Government's Irish policy was "causing grave unrest throughout the Empire" and exposing Britain to "the hostile criticism of even of the most friendly of the Nations of the World." They appealed to the Government to take the initiative in bringing about a Truce. Cardinal Bourne, at the same time, informed Lloyd George that the Catholic Bishops of England, at their annual meeting, expressed the wish that the Auxiliaries should be withdrawn from Ireland without delay.

The truth of the situation was beginning to be understood.

In Erskine Childers the Republic had an advocate of genius who possessed, moreover, an unequalled knowledge of the mentality to which Ireland's advocates had to appeal. In March, when Dail Eireann's director of publicity, Desmond Fitzgerald, was arrested, Childers was appointed to the office, with the duty of issuing the *Republican Bulletin*. Assisted by Frank Gallagher, he carried out the task with a vigour of attack and brilliance of analysis which exposed all the manoeuvres of the hostile propagandists, even when these resorted to forgery.

The Dail Publicity Department was raided on March 26th and the typewriters and duplicator used for the *Bulletin* were taken to Dublin Castle, together with the list of addresses to which it was usually sent. Four days later the daily issuing of forged *Bulletins* began. These were produced, with much astuteness, in a form calculated to alienate the readers' sympathies, subtly and gradually, from the I.R.A. In a week's time, however, the genuine *Bulletin* was again in circulation and one number contained a list of minute signs, such as flaws in one letter of the typewriter, by which the forged and genuine issues might be distinguished.<sup>1</sup>

In the United States, the organisation founded by President de Valéra was active. A Convention held at Chicago on April 21st, at which about 500,000 members were represented, urged President Harding to recognise the Republic of Ireland.

The Irish Self-Determination League of Great Britain was holding meetings and circulating literature. This League, working under the chairmanship of Art O'Brien, had three

hundred branches by the summer of 1921. It had no military side and gave no direct assistance to the Republican Army's activities in Great Britain. It was not an illegal organisation and had not been proscribed; its meetings, nevertheless, were banned or held under police supervision; its books and papers were frequently seized; its Secretary, Sean McGrath, its Treasurer and their successors in office, with other members, were arrested and interned.<sup>1</sup>

These police operations served, however, only to point the lesson which it was a function of the League to teach.

<sup>1</sup> See *Press*, June 26th and 27th, 1921.

## CHAPTER 45

*April and May 1921*

LLOYD GEORGE'S PROGRAMME — PEACE MOVES IN DUBLIN —  
INTERMEDIARIES — DE VALÉRA'S VIEW — "KILLING REBELS"

By April it was evident to all parties in England that the optimism which Lloyd George had displayed in February was not being justified by the event. The Prime Minister, nevertheless, was clinging to his programme with a blind obstinacy.

"So long as Sinn Fein demands a Republic," he replied to the protests of English ecclesiastics on April 19th, "the present evils must go on. So long as the leaders of Sinn Fein stand in this position, and receive the support of their countrymen, settlement is in my judgment impossible."

The fact that the Irish people so overwhelmingly desired Independence had thus become the British Premier's pretext for refusing it.

The slogans of democracy had served their purpose. Even the tribute of hypocrisy was denied to that principle now.

No success was attending the efforts of Sir Horace Plunkett and his colleagues in their effort to reconcile Ireland to a scheme of Dominion Home Rule. When they proposed that the Dail be permitted to meet, and a Constituent Assembly be set up to devise a form of Government for Ireland, Sinn Fein's consistent reply was that this would be agreed to provided that all parties pledged themselves to abide by the decision of the majority. As the establishment of the Irish Republic was a foregone conclusion if such a pledge were given, the proposal was not carried into effect.

Lloyd George proceeded with his plans under the Government of Ireland Act. The Act was to come into operation in May. During that month elections for the two new Irish Parliaments would be held. What likelihood was there that by that time the Irish resistance would have broken down and the people be ready to repudiate Sinn Fein, or that the Republican leaders would show themselves ready to negotiate as conquered or



repentant rebels with their Sovereign? These were the questions which English politicians were asking themselves and one another as the critical date drew near. But from Ireland, meanwhile, no sign or foreshadowing of surrender came.

Lloyd George did not cease his efforts to extract some sign of weakening; he allowed unofficial peace moves to continue, although his attempt, through Dr. Clune's offices, to bring about a Truce and his subsequent withdrawal from his own undertaking had done British policy no good.

Dr. Clune, on his way back to Australia in January, called at the Vatican. There he found that British pressure was being exerted to induce Pope Benedict to issue a Rescript against Sinn Fein. Dr. Clune was able to throw a light on the Irish situation which, together with the representations of the Republican Envoy in Rome, defeated the British scheme.<sup>1</sup>

Next, A. W. Cope, Assistant Under-Secretary for Ireland, was charged by the British Government with the task of exploring, unofficially, lines of possible negotiation. Father O'Flanagan and Lord Justice O'Connor were among those with whom Cope had conversations; it was believed that he saw Michael Collins in secret more than once. Cardinal Logue and the Most Reverend Dr. Fogarty also interested themselves in these efforts for peace. Cope was optimistic: he maintained that if the Act of 1920 were cancelled a settlement by which Ireland would remain within the Empire might be achieved.

Prominent Republicans were continually invited by persons unofficially in touch with British Ministers to state their views as to whether this or that basis of settlement would be considered by Sinn Fein. They received the impression that the British Government, or at any rate some members of it, were extremely anxious to persuade Sinn Fein to accept something less than the Republic and to make peace without delay.

President de Valéra took no part in these discussions and discouraged them. His view was that when the British were ready to make any offer that would be acceptable to the Republican Executive they would make it openly and officially and that until this happened subterranean negotiations had better be left alone. He consented, however, to give interviews to Press

<sup>1</sup> T. M. Healy, p. 635.

representatives, relying on their professional honour and discretion for the preservation of secrecy as to their place of meeting with him. Not once did he find this confidence misplaced.

Michael Collins also gave occasional interviews. Lloyd George often expressed to his colleagues his eagerness to ascertain Collins's views but he could not, he felt, personally meet the man who had ordered the shooting of policemen. No doubt the interview which Carl Ackerman of the *Philadelphia Public Ledger* had with Michael Collins on April 2nd was not without interest for the British Prime Minister. Questioned as to the acceptability of Dominion Home Rule for Ireland, Michael Collins expressed himself as confident of victory and contemptuous of any suggestion of compromise.

Carl Ackerman quoted Collins as saying: ". . . It is only a question of time until we shall have Ireland cleared of Crown Forces."

"What are your terms of settlement?" the interviewer inquired.

"Lloyd George has a chance of showing himself to be a great statesman by recognising the Irish Republic," Collins replied.

"Do you mean a Republic within the British Commonwealth of Nations, or outside?" Mr. Ackerman asked, and Collins, quick as a flash, answered: "No, I mean an Irish Republic!"

When asked: "So you are still opposed to a compromise?" Collins replied:

"When I saw you before, I said that the same effort which would get us Dominion Home Rule would get us a Republic. I am still of that opinion, and we have never had so many peace moves as we have had since last autumn. Our army is becoming stronger every day, its morale is improving, and efficiency is increasing."

Discussing the Home Rule Act, Collins said: "We do not intend to have Lloyd George put a little red spot on the map of one corner of Ireland and call it part of England, as he does Gibraltar. We want a united Ireland. We have always said that Ulster would be given every guarantee."

Among the foreign journalists who thronged to Ireland as the date of the elections approached were many who had an informed

and sympathetic interest in the Republican cause. In interviews with these President de Valéra was able to clarify the political situation and demonstrate not only the logic but the reasonable moderation of the Irish demand.

Dr. Eugen Zehnder, representing the *Neue Zeitung* of Zurich, on May 2nd questioned the President as to whether if an offer of Dominion Home Rule on the Canadian line were made by England it would be rejected.

The President replied:

“The essence of Dominion Home Rule as it exists in Canada and New Zealand is the fact that the Dominions are part of the Empire of *their own free will*. The most Conservative British statesmen, such as Mr. Bonar Law, have acknowledged the right of the British Dominions to secede should they choose to exercise it. It is obvious that when England is ready to make us an offer with this implication she will in fact be admitting our right to have a Republic. Without the right to secede the British Dominions would not be what they are—free partners of the Empire. The test of their status is their right to secede. By denying us that right the British deny us that status. Ireland of course has never been a free partner in the British system. She has been brought into it and kept in it entirely by force. We deny there has been any real union with England, and my use of the word ‘secede’ is not to be regarded as an admission of anything of the kind.”<sup>1</sup>

An unofficial intermediary came to Ireland under an assumed name to visit President de Valéra on April 21st. This was Lord Derby. He gave the President to understand that the British Government was ready to offer something more “generous” than the status provided by the Government of Ireland Act—something more nearly resembling a restricted measure of Dominion Home Rule. The President made it clear to him that no lasting and satisfactory settlement could be made on any basis other than the recognition of Ireland’s full rights. Lord Derby returned to London to give a verbal account of the interview to Lloyd George. Now for the first time a question of vital

<sup>1</sup> Appendix 12, p. 965.

importance was formulated: whether, as a preliminary to negotiations, President de Valéra insisted on the principle of complete independence being first conceded. Lord Derby conveyed this question to the President by letter, asking for a reply.

President de Valéra wrote on April 26th:

“ Before I reply to the unsigned note, I would like to ask the British Premier a question—Will he not consent to meet me or any representative of the Government of Ireland unless the principle of complete independence be first surrendered by us ? ”

To this no direct answer was received.

Some of the unofficial intermediaries, who supposed that some agreement might be founded on the Council of Ireland clause of the Government of Ireland Act, were very anxious for a meeting between President de Valéra and Sir James Craig, and succeeded in bringing one about early in May. When Sir James Craig, on May 5th, called on President de Valéra in Dublin—the secrecy of the meeting-place strictly guarded—each discovered that he had been led without justification to believe that the other had expressed a wish for a consultation. A long conversation followed, but produced no result.

Among the British threats and offers indirectly conveyed was a statement made by Chief Justice O'Connor to Father O'Flanagan in May. The Judge had seen Carson and Lloyd George and said that the latter would now consider giving an Irish Parliament fiscal control on condition of a Free Trade agreement between England and Ireland; on the other hand, he threatened an extension of Martial Law and a struggle which would continue for at least a year.

Lloyd George contemplated seeking a Truce with Sinn Fein for the period of the election, but Sir Henry Wilson opposed it. “ We are having more success than usual in killing rebels and now is the time to reinforce and not to parley,” he told the Prime Minister.<sup>1</sup>

Early in May, Lloyd George made a statement which was in the nature of a reply to the question as to preliminary conditions

<sup>1</sup> Callwell, entry under May 11th, 1921, II., p. 200.

which President de Valéra had asked Lord Derby. This statement was made to Martin Glynn of New York when he called on Lloyd George at the House of Commons. A week later it was conveyed to President de Valéra by a journalist. In the course of an interview on May 11th a representative of the *New York Herald* told the President that Lloyd George had said:

“ I will meet Mr. de Valéra, or any of the Irish leaders without condition on my part, and without exacting promises from them. It is the only way a conclusion can be reached. The conference will lead to an exchange of opinions out of which we may find common ground upon which we can refer to our respective people for a settlement.”

De Valéra answered:

“ If Mr. Lloyd George makes that statement in public I shall give him a public reply.”

This was as far as approaches to a truce and conference had proceeded when the general elections were held.

## CHAPTER 46

*May 1921*

THE PARTITION ACT IN OPERATION – GENERAL ELECTIONS  
IN IRELAND – RIOTS IN ULSTER – TWO PARLIAMENTS  
SUMMONED – THE COST OF RE-CONQUERING IRELAND –  
COPE AND MACREADY – HENRY WILSON – CHURCHILL –  
“ A TREMENDOUS ONSLAUGHT ”

THE Better Government of Ireland Act came nominally into force on May 3rd. On May 19th, the “ appointed day ” under the Act, the first Catholic Viceroy of Ireland, James Talbot, Lord Fitzalan, came into office. Hitherto Catholics had been disqualified from representing the Crown in Ireland and British Ministers hoped that the appointment would be accepted as a conciliatory gesture. “ We would as soon have a Catholic hangman,” was the Irish comment, characteristic of the notorious “ Irish ingratitude.”<sup>1</sup>

Lord Fitzalan issued the Proclamation summoning the Parliament of Northern Ireland and the Parliament of Southern Ireland to meet in June. The elections of members to sit in these Parliaments were to take place in the Twenty-six Counties on May 19th; in the Six Counties May 24th. May 13th was Nomination Day. The House of Commons of “ Northern Ireland ” was to have fifty-two members, that of “ Southern Ireland ” one hundred and twenty-eight. The Six Counties were entitled to send thirteen Representatives to Westminster, the Twenty-six Counties to send thirty-three.

The Republican Government decreed that as a demonstration of the people's will the elections were to take place and were to be regarded as elections for the Second Dail Eireann. Elections for the Senates, however, were not to be recognised, as the Constitutions proposed for these bodies were not democratic, a certain number of Senators being nominated by the Representative of the Crown.

The Representatives of all Ireland as elected would constitute

<sup>1</sup> This remark was attributed in popular anecdote to Cardinal Logue.

the Dail and each would be allowed to take his or her seat on subscribing to the Republican oath.<sup>1</sup>

This election would undoubtedly be known in history as "the Partition Election" and it was important that there should be no splitting of the anti-Partition vote. The Nationalists of Ulster—even those whose preference was for the old Parliamentary programme—would not contest seats against Sinn Fein. A contract to that effect was signed between their leader, Joseph Devlin, and President de Valéra on April 6th. The remnant of the Parliamentary Party surviving in the Twenty-six Counties under John Dillon's leadership came to the same decision. Bitterly as John Dillon was opposed to Sinn Fein he would do nothing which might seem an encouragement to Britain's coercive régime. "The policy and proceedings of the British Government for the past three years," he wrote to the Press of May 9th, "make it practically impossible for a Nationalist Irishman to fight Sinn Fein at this election." Denouncing the "scandalous and appalling" consequences of the British courses, he pointed out that the final result was that the Government would not find a single candidate to stand in support of their policy.

Thus some non-Republican votes were cast for Sinn Fein in the election; nevertheless, the pronouncements of the Republican Government left no loophole for doubt as to the issues at stake and the dangers and responsibilities involved. President de Valéra in his address to the electors declared that the issue was "nothing less than the legitimacy of the Republic." He warned the Irish people that the issue between Ireland and England could never be settled until it was settled on a basis of right. "We are advancing steadily to that final settlement," he wrote, and ended: "The blossoms are not the fruit but the precursors of the fruit—beware how you pluck them."<sup>2</sup>

The system of Proportional Representation had been introduced for the whole of Ireland.

In the Twenty-six Counties no elections were necessary; in every county and borough the Republican candidate was returned unopposed. All of the one hundred and twenty-four

<sup>1</sup> Official Report of Dail Eireann, May 19th, 1921, pp. 291-2.

<sup>2</sup> Appendix 18, p. 968.

seats filled by popular election and the four seats allotted to the National University were given to men and women pledged to the Irish Republic and to its Government. The entire elected opposition consisted of four men returned unopposed by Trinity College and two who were returned in County Dublin as senators. This was the extent of the support given by the Electorate to the Partition Bill.

Among the Republicans who were returned without a contest were a number of officers of the Republican Army. There were one hundred and twelve of the elected representatives who had served terms of imprisonment; fifteen had, at one time or another, been sentenced to death. Commandant Sean McKeon, now awaiting trial on the charge of murder, was elected for the district in which he fought. Countess Markievicz, the mother of Padraic Pearse, and Mrs. O'Callaghan (widow of the murdered Michael O'Callaghan of Limerick) were among those returned.

In the Six Counties violence accompanied and succeeded the election campaign. The police as well as the Orange mob were openly employed to wreck the election organisation of Sinn Fein. Offices were raided, literature seized, and organisers attacked. On the 24th, Catholics went to the polling-booths at risk of being assaulted on the way or punished afterwards. Republican and Nationalist agents in the polling-booths were dragged out and beaten or waylaid on their way home. Twelve received serious injuries.

The results showed that, despite the recent expulsion of thousands of Catholics from Ulster and despite interference with the election, Nationalists and Republicans had been elected to nearly one-fourth of the seats. Of the 52 seats Unionists won 40, Nationalists and Republicans 12.

Among Republicans elected for constituencies in the Six Counties were President de Valéra for South Down, Michael Collins for Armagh, Eoin MacNeill for Derry, and Arthur Griffith, Sean Milroy, and Sean O'Mahony for Fermanagh and Tyrone.

Fermanagh and the large county of Tyrone, which together formed more than a third of the excluded Six-county area, showed an anti-Partition majority of 7,831.



When the Northern Parliament met on June 7th, the Nationalist Party and Republican members were absent. Later, Joseph Devlin and his followers decided to take their seats; the Republicans, however, continued to abstain.

Sir James Craig became Prime Minister, Carson having declined the leadership owing to advancing age.

The Unionist members of the Northern Parliament had a majority larger than the sentiments of the electors warranted; nevertheless, from the Orangemen's point of view "too many Sinn Fein votes had been cast."<sup>1</sup> Unionists frankly stated from Press and platform that "they would take steps to expel Sinn Fein from the Six Counties,<sup>2</sup> and that by the organisation of a special force they would "drive Sinn Fein bag and baggage out of the Six Counties."<sup>3</sup>

Such incitements had their immediate results. On June 8th, the day after the first meeting of the Northern Parliament, concerted acts of terrorism and violence against Catholics began. Typical of the crimes committed by the Ulster Special Constabulary was the double murder at the house of the Magees at Corrogs, County Down, on June 8th. Specials entered the house forcibly, kicked and beat the old man who owned it, threatened his daughter, killed his son Stephen, and wounded his second son. After two hours they returned, took the second son out and left him in a hospital, dying or dead.<sup>4</sup>

During the pogrom which lasted from June 10th to 15th in Belfast five Catholic men were assassinated by Specials and a sixth beaten to death by them; eleven other persons were shot dead during the riots and about one hundred and fifty Catholic families were driven from their homes.

The result of the elections was recognised in England as "a sweeping victory for Sinn Fein and a virtually unanimous repudiation of the Government of Ireland Act."<sup>5</sup> Nevertheless from the British viewpoint that Act was now law in Ireland, to

<sup>1</sup> Colonel Chichester, thanking constituents who had elected his wife to Parliament at Castle Dawson on May 27th.

<sup>2</sup> William Grant, M.P., in his speech at Belfast on June 6th.

<sup>3</sup> S. McGuffin, M.P., at the same meeting.

<sup>4</sup> Appendix 14, p. 970.

<sup>5</sup> *Annual Register*, 1921.

be enforced with violence in proportion to the Irish people's detestation of it.

The month of May had brought an electoral victory to the Republic, but it was not by elections that this matter was to be settled, and the same month had given to the British Government a tactical advantage much greater than most of the Ministers realised at the time. The Partition Act, by establishing a separate government in the Six-county area, created a *fait accompli* which elections and electorates were powerless to overthrow. Churchill realised it.

"From that moment," he wrote, "the position of Ulster became unassailable."<sup>1</sup>

The Irish nation, however, had not yet been subdued.

England's policy towards Ireland had come to the fork in the road: on the course which Lloyd George and Sir Hamar Greenwood had chosen—a secretive, shamefaced, semi-official campaign of terrorism coupled with Partition and an offer of narrowly restricted Home Rule—no progress was being made. The crisis was at hand. The Parliament of Southern Ireland had been summoned by the Lord Lieutenant to meet in Dublin on June 28th. It was provided in the Act that unless at least half of the members presented themselves and took the oath of allegiance the Parliament would be dissolved and Crown Colony Government set up.

The British Government was now in a curious dilemma, for while it decreed the assembly of this Parliament it held about one-third of the elected members in internment camps and jails and had set a price on the heads of others. It was common knowledge, moreover, that even had the one hundred and twenty-eight members been free not more than four would have presented themselves to take the oath to the King. June 28th was obviously destined to provide the world with a spectacle that would not add to the British Empire's prestige.

Lloyd George could not but know that his Crown Colony Government would be resisted in arms. Observers in Ireland told him that his war would have to continue for another twelve

<sup>1</sup> Churchill, *Aftermath*, p. 286.

months: were the people of England prepared to tolerate his policy of reprisals for another year?

There were many discouraging factors which Lloyd George had to take into account. A storm of protest was gathering in England, Scotland and, with particular force, in Wales. Not only protests but material support for Ireland were coming from abroad. De Valéra's statements as to the safeguards offered to minority interests by Sinn Fein, and Ireland's desire for guaranteed neutrality were winning world opinion to the Irish side. English propaganda had defeated its own ends. It was patent to the simplest mind, and even to the sophisticated, that the Republican Army could not, unless it had the Irish people behind it, render British Administration in Ireland impotent and wear out a force of nearly eighty thousand trained soldiers and police. Lloyd George was forced to abandon his "small gang of assassins" argument and also the pretence that the Irish people did not know what they wanted. Characteristically, his abandonment of the blunted weapon was sudden and complete.

"Two-thirds of the population of Ireland," he said at Portmadoc on June 15th,

"demand the setting up of an independent Republic in that island. At a recent election they re-affirmed that demand. Every effort I have made, publicly and otherwise, to secure a modification of that demand has failed. They have emphatically stated they will agree to nothing else."

The I.R.A. was showing itself relentlessly determined to sacrifice anything and everything to the demolition of English rule. The counter-reprisals which they were carrying out in England would produce a fresh outcry against the Government's policy very soon. The war in Ireland was already proving extremely costly and the outlay would have to be multiplied.<sup>1</sup>

A. W. Cope, who knew the situation from inside, was insisting that the Republicans were unconquerable: that either a settlement must be made with them or a war of extermination waged. When General Macready came to London in May he

<sup>1</sup> Macready, II., pp. 492-3.

told the Cabinet that nothing less than Martial Law over the whole of the twenty-six counties would be effective, with suppression of the Civil Courts and of all newspapers and the commandeering of all means of transport. And to carry out this programme would require a new army. He declared that the present state of affairs in Ireland must be brought to a conclusion by October or it would be necessary to relieve nearly the whole of the troops and the great majority of the Commanders and their Staff. Churchill, Sir Henry Wilson relates,<sup>1</sup> was deeply impressed.

Sir Henry Wilson had for months been urging the same course, indicting the Government for scattering troops abroad instead of concentrating them in Ireland. The Government must either, he contended, clear out or take much more drastic steps than any yet taken: "Sweep up all motors, bicycles and horses, and make the rebels immobile, then close the Post Offices and banks, and then 'drive.'" It would be "a foul job for any soldier," he foresaw.<sup>2</sup>

Yet even Wilson was beginning to doubt whether the English people would support such a course and he now opposed further coercion unless the English people could be brought wholly to the Government's side.<sup>3</sup>

Winston Churchill, now Secretary of State for the Colonies, was Chairman of the Cabinet Committee on Irish Affairs. His estimate of the cost of crushing Sinn Fein was not encouraging to his colleagues. He maintained:

"A hundred thousand new special troops and police must be raised, thousands of motor cars must be armoured and equipped; the three Southern Provinces of Ireland must be closely laced with cordons of block-houses and barbed wire; a systematic rummaging and questioning of every individual must be put in force."

It would still be necessary to "camouflage" military action as police measures, but the attempt to do this had so far met with little success.

In the Irish Administration confusion was made worse

<sup>1</sup> Callwell, II., p. 292.

<sup>2</sup> Callwell, II., p. 281.

<sup>3</sup> Callwell, II., pp. 295-6.

confounded by dual control, the police interfering in matters which the military considered to be properly their function. Colonel Seely emphasised this strongly,<sup>1</sup> and the fact could not be denied. The military authorities felt that they would have known how to suppress rebellion but that they were "hampered by politicians" by whom, as an English Intelligence Officer complained afterwards, "the fiction was maintained that Ireland as a whole was opposed to the methods of the Sinn Fein extremists."<sup>2</sup>

' One result of general Martial Law would be, as the same writer foretold, to increase the people's reliance on the I.R.A.

"The Commander in Chief would become the sole representative of British authority, acting at the head of his armies in a hostile country. The people of Ireland would suffer all the restrictions which military necessity imposes on the inhabitants of a zone of battle. There could be no reasonable doubt that the I.R.A. would receive an accession of strength on this ground alone."

These considerations must all have been present in the minds of the Ministry. It was not easy for them to decide on a course of action. Austen Chamberlain and Lord Birkenhead combined with Winston Churchill to urge the most drastic courses or at least the threat of such, but they insisted that at the same time an offer should be made—an offer of a much larger measure of self-government for the Twenty-six Counties than was contained in the Home Rule Act. This offer, alternated with "the most unlimited exercise of rough-handed force"—"a tremendous onslaught"—was what Churchill advised.

The British Cabinet held weighty discussions. The question of an offer remained in abeyance. On the tremendous onslaught a decision was taken.

At a meeting of the Cabinet on May 24th it was decided to reinforce the troops in Ireland to the utmost extent and a Cabinet Committee on the 26th determined that, if the Southern Parliament was not in operation by July 12th, Martial Law would be extended to the whole country except Ulster.<sup>3</sup>

<sup>1</sup> House of Commons, June 1st.

<sup>2</sup> Street ("I. O."), *Ireland in 1921*, p. 46.

<sup>3</sup> Callwell, II., p. 293.

## CHAPTER 47

*May and June 1921*

DANGERS OF A SUMMER CAMPAIGN — “HABEAS CORPUS”  
REFUSED — SEAN MCKEON — THE CUSTOMS HOUSE BURNT —  
I.R.A. REPRISALS — APPEAL TO THE LORDS — OPENING OF  
THE NORTHERN PARLIAMENT — THE KING’S SPEECH — DE  
VALÉRA ARRESTED — AND RELEASED — LLOYD GEORGE  
INVITES CONFERENCE

ON the Irish side the military situation was not all that it appeared to be. Although the Republican Army was making a stronger impression than ever on its opponents, it was struggling against increasing difficulties. In Munster, the Martial Law area, its strength and efficiency were certainly increasing, but elsewhere the leaders were growing anxious about the possibility of sustaining another Summer campaign. The unusually dry weather was giving an advantage to the British, enabling their armoured lorries to travel on the mountain roads. For the Republican flying columns, now often closely pursued and surrounded, the hours of darkness provided the only respite, and now lengthening days meant that they could be harried almost unceasingly and the British would be able to carry out large sweeping operations with increasing success.

In many parts of the country the shortage of ammunition was taxing the resources of the Volunteers to the utmost. They were refilling old cartridge cases, making bombs out of bits of gas piping, and, in the cities, converting rifle into revolver bullets. Their active force had been greatly reduced by captures; there were nearly five thousand Republicans in internment camps and about fifteen hundred serving terms of penal servitude. Volunteers, insufficiently armed to defend themselves, were being captured in large numbers, and prisoners were undergoing atrocious ill-treatment.

The British Military, on the plea that a state of war was raging in Ireland, were hanging and shooting their prisoners. Applications for *habeas corpus* were refused. In February Timothy Healy, K.C., had made application for *habeas corpus* in the case of Cornelius Murphy; it was refused and Murphy

was executed. He had made another application on behalf of John Allen; it was refused and Allen was shot; the same sequence was repeated again.

Thomas Keane was shot in Limerick on June 4th. On June 7th, Edward Foley and Patrick Maher, charged with the shooting of a sergeant at Knocklong in May 1919,<sup>1</sup> were hanged.

Twenty-four Irish Volunteers were executed between November and June.<sup>2</sup> In the first half of the year—between January and June 1921—Republicans killed, untried, while in custody were believed to number one hundred and thirty-one, and the people killed by indiscriminate firing to include seventeen children, five women and sixteen men.

The total number killed on the Irish side since the first meeting of Dail Eireann in January 1919, including civilians and volunteers, was estimated at about seven hundred.<sup>3</sup>

The unequal combat was rendered more unequal by the difference between the attitude to prisoners on the two sides. More than eight hundred members of the British Forces, captured by the I.R.A. between January 1919 and June 1921, were released unhurt; but, while the Volunteers, proud of their cause and eager to show themselves its worthy soldiers, were scrupulous in their treatment of captured combatants, no such ideal hampered the British Auxiliaries. An example of the difference which impressed English as well as Irish observers was the case of Commandant Sean McKeon.

Commandant McKeon, whose columns were active in County Longford, received a warning that he was to be shot at sight. On January 7th he saw police closing round Miss Martin's cottage where he was living. In order to avoid a fight in the house he rushed out, firing. There was an exchange of shots; District Inspector McGrath of the R.I.C. was fatally shot and Sean McKeon escaped. The police seized five women as hostages and burned the cottage.

<sup>1</sup> See *supra*, p. 305.

<sup>2</sup> See list of Republicans executed. Appendix 34, p. 1021.

<sup>3</sup> Between January 1st, 1919, and July 12th, 1921, 752 killed and 866 wounded. Estimate probably below the actual figure as numerous casualties were never reported.

On February 2nd McKeon ambushed a reprisal party in lorries near Ballinalee; after a fight lasting three quarters of an hour, in which two Auxiliaries and a District Inspector of Police were killed, the surviving fifteen, of whom eight were wounded, surrendered and laid down their arms. The uninjured prisoners were released and given one of the captured lorries in order that they might convey their wounded comrades to hospital.

A month later, Commandant McKeon was captured and handcuffed; attempting to escape he was shot and wounded; he was recaptured and beaten with rifle butts. While in prison he was elected a member of Dail Eireann for Longford and Westmeath. On June 14th he was charged before a Field General Court Martial in Dublin with the murder of District Inspector McGrath and sentenced to be hanged. A plea was made by the relatives of the dead D.I. that "the man who spared and protected his prisoners should be spared and protected when a prisoner himself."<sup>1</sup>

In spite of the losses and difficulties, the I.R.A. contrived to carry out important operations during May and June. The chief of these was the destruction of the Dublin Customs House, ordered, with the approval of the Dail Executive, and carried out, after careful preparation, by the Dublin Brigade of the I.R.A. The building, one of the finest in the country, with a position commanding the port, was the centre of nine departments of British Administration.

The operation was carried out by about a hundred and twenty Volunteers. On the afternoon of May 25th they surrounded the building, entered it, and forced the staff to evacuate. The caretaker, who resisted, was fatally shot. Elsewhere Volunteers held up the Dublin Fire Brigade. The building was then systematically set on fire. Some confusion was caused by a mistaken signal; the Volunteers suffered a number of casualties and about eighty active members of the Dublin Brigade were arrested.

The destruction was carried out thoroughly. The fire blazed all night and the great copper dome collapsed. In the morning only the walls were standing.

A telling blow had been struck at British Administration in

<sup>1</sup> *Irish Bulletin*, June 15th, 1921. McKeon remained under sentence of death.



Ireland, notably by means of the destruction of the files of two great taxing departments and all the records of the Local Government Board. The Board, embarrassed for the past eighteen months by the refusal of local bodies to recognise its authority, had been seeking every means to enforce obedience. Funds had been withheld from recalcitrant Councils. Republican representatives on these Councils had been subjected to incessant raiding and arrest. The records of the Board had, no doubt, been of considerable service to the British Military Intelligence.

“The destruction of the Customs House,” the *Irish Bulletin* declared, “reduces the most important branches of the British Civil Government in Ireland—already gravely disorganised—to virtual impotence. If it had been possible to strike as effectively at the tyranny it represented without injury to the structure, the Customs House would have been spared. But it was not possible: the destruction was an unavoidable military necessity.”

The official *Republican Bulletin* reported that during the week ending on June 25th fifty-two attacks on the British Forces had been made.

Owing to lack of ammunition the I.R.A. were resorting increasingly to burning and destruction as methods of attack. They prepared to make counter-reprisals on a large scale an official part of their programme: the destruction of Irish Republicans' property was to be countered by the burning of the houses of Unionists who were known to give active help to the enemy. The Republican Army General Headquarters issued an order to this effect on June 22nd; it was stipulated that formal notice be served on the person whose house was to be destroyed, specifying the particular property for whose destruction it was a reprisal and that

“for the purposes of such reprisals no persons shall be regarded as enemies of Ireland, whether they may be described locally as Unionists, Orangemen, etc., unless they are actively anti-Irish in their actions.”<sup>1</sup>

<sup>1</sup> Appendix 15, p. 972. The members of the General Headquarters Staff of the Republican Army in the Summer of 1921 were as follows: Richard Mulcahy, Chief of Staff; Eoin O'Duffy and J. J. O'Connell, Assistants to the Chief of Staff (Austin

The resistant spirit of the people showed no sign of weakening, but the strain under which they were living was terrible and even the generous funds collected for relief could not keep pace with their economic distress.<sup>1</sup>

Still the Irish people were resolved to maintain the Republic and still the British Government was determined to force their acceptance of a restricted form of Home Rule.

President de Valéra's estimate of the British intention was expressed in a letter which he wrote to Art O'Brien on June 14th. The letter expressed also his undeviating insistence on recognition of Ireland's separate nationhood. "We are taking no direct or official action," he wrote.

"The British are trying to get in touch, through intermediaries of course, to learn whether we would accept the following. They intend using Smuts in the matter.

"1. Fiscal autonomy for the whole of Ireland.

"2. Senate of Southern Parliament to be elected.

"3. Belfast Parliament to retain its present powers unless by mutual agreement with the rest of Ireland.

"4. Free Trade between England and Ireland.

"5. No reserved Services.

"6. Portion of the National Debt (the amount to be ascertained by a Commission) to be taken over.

"The best line to pursue is to indicate that they are going on the wrong track, that the right way is to propose a treaty with Ireland regarded as a separate State. Irish representatives would then be willing to consider making certain concessions to England's fears and England's interest, that there is no other way."

Delegations from the British Dominions were assembling in London for the Imperial Conference. Art O'Brien suggested to President de Valéra that Tom Casement (a brother of Roger

Stack occupied the position of Deputy Chief of Staff for a time); Gearoid O'Sullivan, Adjutant-General; Diarmuid O'Hegarty, Director of Organisation; Sean McMahon, Quartermaster-General; Michael Collins, Director of Intelligence; Emmet Dalton, Director of Training; Rory O'Connor, Director of Engineering; Liam Mellowes, Director of Purchases; Sean Russell, Director of Munitions; Seumas O'Donovan, Director of Chemicals; Piaras Beaslai, Director of Publicity.

<sup>1</sup> By June the amount of decrees given for injuries to person and property totalled nearly seven million pounds in slightly over a year.

Casement), who was acquainted with General Smuts, should see him and try to enlist the sympathy of the South African Delegates on behalf of Ireland. With De Valéra's consent Tom Casement went to London and had unofficial conversations with Smuts and other South African Delegates during the latter half of June. He found them all deeply interested in Ireland and General Smuts discussed the Irish situation with the Prime Minister and King George.<sup>1</sup>

On June 21st a pessimistic debate took place on Ireland in the House of Lords. It was Lord Desart who said: "No man or woman is now happy in Ireland." Lord Birkenhead spoke of "the desperate nature of the present position" and foreshadowed a struggle that must continue for an indefinite time.

On that day the Irish Hierarchy were meeting in convention at Maynooth. President de Valéra, believing that support from the Bishops would immeasurably reinforce the national position, went to Maynooth and urged them to issue a statement recognising the Irish Government as the legitimate Government of Ireland. The Bishops did not take the action he desired. They did, however, make a declaration to the effect that the Partition Act was a "sham settlement" and that there would be no peace in Ireland until the right of the Irish people to choose their own form of government had been acknowledged.

In June there were forty-two Volunteers under sentence of death. Action was taken now, through the Courts, in an effort to save their lives and to bring the whole policy of Courts Martial to an end. Michael Comyn, K.C., was acting as Senior Counsel to the Republican Army. He had seen that applications for *habeas corpus* were worse than useless in such cases and he determined now to take a step that was without precedent. He applied, on behalf of two of the sentenced Volunteers (Clifford and O'Sullivan of Mitchelstown) for a Writ of Prohibition to stop the Courts Martial from functioning, on the ground that they were illegal Tribunals; and he gave warning that, if necessary, he would carry the appeal to the House of Lords.

The writ was refused in Ireland on the ground of the existence of a State of War. The appeal was heard by the Lords, the

<sup>1</sup> Millin, *General Smuts: The Second Volume*, pp. 319-32.

hearing commencing on June 16th. Their decision, given some weeks later, was in favour of the appellant: the Courts Martial and executions were found to have been illegal.<sup>1</sup>

King George was about to visit Ireland; June 22nd was the date appointed for the formal opening of the Northern Parliament and the King was to open it in person. Sir James Craig invited his Military Adviser, Sir Henry Wilson, to attend. Very reluctantly, the Chief of the Imperial General Staff declined. In a letter to Craig, dated June 16th, he explained that it might not be politic for him to attend as he expected very shortly to be "ordering thousands of troops over to crush the rebellion in the South and West." King George, happily, had other views and had the humanity and courage to seize this opportunity to express them. The speech prepared for him to deliver on the occasion of the opening of the Northern Parliament did not satisfy him. He discussed its tenor with General Smuts, and, in consultation with him, revised the speech. The alteration was agreed to by the members of the Cabinet, not without reluctance: its tone made it impossible for them to proceed with the full rigour of their plans.

When the King spoke in Belfast on the 22nd he concluded with the following words:

" . . . I speak from a full heart when I pray that my coming to Ireland to-day may prove to be the first step towards the end of strife among her people, whatever their race or creed.

" In that hope I appeal to all Irishmen to pause, to stretch out the hand of forbearance and conciliation, to forgive and forget, and to join in making for the land they love a new era of peace, contentment and goodwill.

" It is my earnest desire that in Southern Ireland, too, there may, ere long, take place a parallel to what is now passing in this hall; that there a similar occasion may present itself, and a similar ceremony be performed. For this the Parliament of the United Kingdom has in the fullest measure provided

<sup>1</sup>The Military Authorities suspended executions in the meantime but requested the House of Lords to expedite the case by hearing it without the customary printing of the books of appeal. Mr. Comyn pleaded the cause at Westminster during the second week of July. King George intervened with a request that executions in Ireland should cease. Judgment was given on July 28th.

the powers. For this the Parliament of Ulster is pointing the way.

“The future lies in the hands of my Irish people themselves. May this historic gathering be the prelude of the day in which the Irish people, North and South, under one Parliament or two, as those Parliaments may themselves decide, shall work together in common love for Ireland upon the sure foundation of mutual justice and respect.”

If the British Government was to make an offer to the Irish, this was the moment and the cue. Hasty consultations took place in London. A decision was reached at last.<sup>1</sup>

So unlooked for in Ireland was this decision that an incident which occurred on the same day in Dublin seemed inexplicable at the time.

On the afternoon of the 22nd troops raiding a house in Blackrock arrested a man of whose identity they were not aware. The prisoner proved to be President de Valéra. Twenty-four hours later, to the bewilderment of himself and of all Ireland, the President found himself a free man. Neither he nor any of his colleagues knew that Cope, whose plans for a truce seemed doomed at the moment of fruition to sudden overthrow by this arrest, had with extreme difficulty secured De Valéra's release.

For three days the mystery remained unexplained. On June 25th the President received a letter from the English Prime Minister proposing a conference with a view to peace.

**PART IX**

**NEGOTIATIONS**

**JUNE TO OCTOBER 1921**



## CHAPTER 48

*June and July 1921*

DE VALÉRA REPLIES TO LLOYD GEORGE — CONSULTING THE  
MINORITY — A MEETING IN LONDON ARRANGED — TRUCE —  
VIOLENCE IN BELFAST

THE letter, dated June 24th, 1921, in which the English Prime Minister invited President de Valéra to a Conference made no overt mention of preliminary conditions. Lloyd George wrote:

“ SIR,

“ The British Government are deeply anxious that, so far as they can assure it, the King’s appeal for reconciliation in Ireland shall not have been made in vain. Rather than allow yet another opportunity of settlement in Ireland to be cast aside, they felt it incumbent upon them to make a final appeal, in the spirit of the King’s words, for a conference between themselves and the representatives of Southern and Northern Ireland.

“ I write, therefore, to convey the following invitation to you as the chosen leader of the great majority in Southern Ireland, and to Sir James Craig, the Premier of Northern Ireland:

- (1) That you should attend a conference here in London, in company with Sir James Craig, to explore to the utmost the possibility of a settlement.
- (2) That you should bring with you for the purpose any colleagues whom you may select. The Government will, of course, give a safe conduct to all who may be chosen to participate in the conference.

“ We make this invitation with a fervent desire to end the ruinous conflict which has for centuries divided Ireland and embittered the relations of the peoples of these two islands, who ought to live in neighbourly harmony with each other, and whose co-operation would mean so much not only to the Empire but to humanity.

“ We wish that no endeavour should be lacking on our part



to realise the King's prayer, and we ask you to meet us, as we will meet you, in the spirit of conciliation for which His Majesty appealed.

" I am, Sir,

" Your obedient servant,

" (*Signed*) D. LLOYD GEORGE.<sup>1</sup>

" E. de Valéra, Esq."

The intention of the phrases was easily discerned. Lloyd George's conditions were implied; he sought to obtain from President de Valéra a tacit acceptance of Partition and an abandonment of his position as elected head of the Irish nation, and then to deal as arbiter between him and Sir James Craig as between two disputing subjects of the British Crown. It was a trap into which the President was not ready to fall. He sent the following reply:

" SIR,

" I have received your letter. I am in consultation with such of the principal representatives of our nation as are available. We most earnestly desire to help in bringing about a lasting peace between the peoples of these two islands, but see no avenue by which it can be reached if you deny Ireland's essential unity and set aside the principle of national self-determination.

" Before replying more fully to your letter, I am seeking a conference with certain representatives of the political minority in this country.

" (*Signed*) EAMON DE VALÉRA.

" Mansion House, Dublin."

June 28th, the date of this letter, was the date appointed for the assembling in Dublin of the " Southern Parliament." The event was farcical. Out of the sixty-four Senators fifteen—those nominated by the Governor-General—attended; of the one hundred and twenty-eight seats composing the Lower House

<sup>1</sup> See Official Correspondence relating to the Peace Negotiations, July–September 1921 (Dail Eireann Publication, Eason, Dublin). The correspondence between Lloyd George and De Valéra is also published as Command Papers 1502 and 1589, 1921. For an accurate account of the period June to December 1921 see Pakenham, *Peace by Ordeal*.

four only were filled—those occupied by the Representatives of Dublin University.

The Parliament met for fifteen minutes and adjourned *sine die*. After this, as the statutory proportion of members had not attended, this "Southern Parliament" lapsed.

President de Valéra's invitation to five representative Unionists was sent on the same day. One of the five was the Prime Minister of the Parliament in Belfast. To Sir James Craig, the Earl of Midleton, Sir Maurice Dockrell, Sir Robert H. Woods, and Mr. Andrew Jameson the President wrote:

" A CHARA,<sup>1</sup>

" The reply which I, as spokesman for the Irish Nation, shall make to Mr. Lloyd George will affect the lives and fortunes of the political minority in this island, no less than those of the majority.

" Before sending that reply, therefore, I would like to confer with you and to learn from you at first hand the views of a certain section of our people of whom you are representative.

" I am confident that you will not refuse this service to Ireland, and I shall await you at the Mansion House, Dublin, at 11 a.m. on Monday next in the hope that you will find it possible to attend.

" Misc,<sup>2</sup>

" (Signed) EAMON DE VALÉRA."

Sir James Craig refused the invitation; the others accepted. The meeting was to be held at the Dublin Mansion House on July 4th—America's Independence Day.

The President made his headquarters at the Dublin Mansion House. There he was joined by Arthur Griffith, released from Mountjoy Prison. Presently Robert Barton was released from Portsmouth Prison to which he had been transferred from Portland, where he had served sixteen months of a sentence of three years' penal servitude. Eoin MacNeill, Eamon Duggan, and Michael Staines were also released immediately, but thirty-four members of Dail Eireann were prisoners still.

<sup>1</sup> *A Chara*—an Irish form of salutation meaning, literally, "Friend," and used as the equivalent of "Dear Sir," etc.

<sup>2</sup> *Misc*—a form of subscription corresponding to "I am."

The tension in Dublin was indescribable, as was the welcome which the President and his colleagues received. On the Republican leaders now rested the responsibility of safeguarding the Republic for which such immense efforts and sacrifices had been made, and, at the same time, of averting from the country the menace of renewed and more merciless war.

On July 4th the Stars and Stripes were flown from the front of the Mansion House; President de Valéra had ordered that on that day official honour was to be paid throughout Ireland to the American flag,

“ in appreciation of the sympathy and aid given to our people by their friends in the United States, and as the recognised symbol throughout the world of the principle for which we are fighting—namely, ‘ Governments . . . derive their just powers from the consent of the governed.’ ”

De Valéra consulted with his Republican colleagues and with the four representatives of the minority, explaining the terms in which he proposed to reply to Lloyd George and eliciting their views.

The President insisted on the necessity of a Truce as a preliminary to conference with the British Government. At first, the British Government refused, but Lord Midleton intervened and secured Lloyd George’s consent to a suspension of hostilities.

On the 5th General Smuts arrived from London for a talk with the President; he spoke of the compromise which had ended the war between England and the Boer Republics and of the relation which had been established between South Africa and the British Commonwealth. President de Valéra explained to him how the position of Ireland differed from that of South Africa.

On July 8th, at the close of the discussions at the Mansion House, De Valéra telegraphed to Lloyd George that he was ready to meet and discuss with him “ on what basis such a conference as that proposed can reasonably hope to achieve the object desired.” Lloyd George telegraphed that he would be happy to see De Valéra, and any colleagues he would wish to bring with him, at Downing Street. De Valéra replied that he would be in London on the following Thursday, July 14th.

General Macready was now invited to the Mansion House; the general principles governing the Truce were agreed upon and liaison officers were appointed to conduct discussions between the two armies on matters of detail, Robert Barton and Eamon Duggan acting for the I.R.A., and truce terms were discussed. A premature statement of these terms was issued from the British Military Headquarters at Park-Gate Street—it was, in fact, merely a draft which had been submitted for discussion before negotiations had been completed. It was not until 3 p.m. on the 9th that terms were finally agreed to. The parties to the agreement were General Macready, Colonel J. Brind, G.S., and A. W. Cope, Assistant Under-Secretary, acting for the British Army, and Commandant R. C. Barton, T.D., with Commandant E. J. Duggan, T.D., acting for the Army of the Republic. The following statement was then issued by the Dail Publicity Department:

“ On behalf of the British Army it is agreed as follows:

1. No incoming troops, R.I.C., and Auxiliary Police and munitions, and no movements for military purposes of troops and munitions, except maintenance drafts.
2. No provocative display of forces, armed or unarmed.
3. It is understood that all provisions of this truce apply to the martial law area equally with the rest of Ireland.
4. No pursuit of Irish officers or men or war material or military stores.
5. No secret agents, noting description or movements, and no interference with the movements of Irish persons, military or civil, and no attempts to discover the haunts or habits of Irish officers and men.

NOTE:—This supposes the abandonment of Curfew restrictions.

6. No pursuit or observance of lines of communication or connection.

NOTE:—There are other details connected with courts martial, motor permits, and R.O.I.R. to be agreed later.”

“ On behalf of the Irish Army it is agreed that:

- (a) Attacks on Crown Forces and civilians to cease.

- (b) No provocative displays of forces, armed or unarmed.
- (c) No interference with Government or private property.
- (d) To discountenance and prevent any action likely to cause disturbance of the peace which might necessitate military interference."

These terms came into effect at noon on Monday, July 11th.

It was understood, as Chamberlain explained in the British Parliament on August 2nd, that if negotiations broke down reasonable notice would be given before a termination of the Truce.

The men of the Republican Army were given leave to return to their homes, but were ordered to keep in touch with their units and hold themselves ready for mobilisation at short notice. As the groups of Volunteers from the columns entered their home towns and villages they were met with banners and torchlights and rejoicing crowds.

In London the Imperial Conference was in session at Downing Street. The subject of Ireland was avoided by the Dominion Premiers in official discussions, but Mr. Meighan, the Canadian Premier, urged the British Ministers to make a sincere effort for peace.

General Smuts, on his return from Ireland, told Lloyd George that he believed a solution of the Irish problem could be found.

Observers of the situation who comprehended the trend of British politics and appreciated the sincerity of the Irish Republican struggle held that the chances of settlement were slight. The Irish position in negotiation was not strong. The establishment of the Northern Parliament had given the British an asset of such importance that on the day after its opening the Government had realised that it could afford to make a larger offer than ever before to Sinn Fein and Lloyd George had sent his invitation to a conference. Never yet had England—even the sympathetic minority in England—admitted any obligation or disposition to take the straight and simple course of acknowledging the nationhood of Ireland and applying the democratic principle of self-determination to her case. Those democratic doctrines which had served as recruiting slogans during the European War

had faded to faint echoes since the victory of the Allies. Between Ireland and the League of Nations lay Great Britain. With the old barbarous law, "might is right," still prevailing over the negotiations what hope had Ireland of achieving her freedom? Compromise, surrender of the Republic and acceptance of some form of Home Rule, or else a resumption by England of aggression were certain to be the alternatives presented to Ireland's representatives. Was there any Irishman alive, or any group of leaders, who would be able to persuade British statesmen to realise where their own country's ultimate interests as well as those of Ireland lay, and who would win British consent and recognition for an Irish Republic, united and free?

In the I.R.A. there were many who had small hope of a successful issue and distrusted even the attempt; these dreaded "the smile of the Englishman" and the meshes of diplomacy; they would have preferred to continue to fight. The majority of the civil population, however, were carried away on a wild tide of exultation and hope. To them the Truce of July 11th brought a sudden return to normality, release from a prolonged and almost intolerable strain, relief so immeasurable that they lost all caution, all foresight and rejoiced as though victory had been won. It felt like victory—the removal of Curfew, freedom to walk at night in the streets, to light bonfires, fly the Tricolour, shout "Up the Republic" and sing "The Soldier's Song." To thousands of homes in the towns, villages and lonely countryside, men were returning who had been long away with the "columns" and in hourly danger of death. The people's minds were full, too, of thoughts of the prisoners, some incarcerated for years, many ill, many charged with offences punishable by death.<sup>1</sup> They imagined that all would be coming home. They thought—or pretended to themselves—that England had repented of her oppression, that the ideals of a new statesmanship had become a reality, that the Irish Republic was about to be recognised and that an era of peace, freedom and international amity had begun.

The young Volunteers sternly extinguished the bonfires, silenced the clamour for release of the prisoners, took their friends angrily to task: this was a truce, not a settlement. Unless the nation maintained its morale and the army its discipline no

<sup>1</sup> The number so charged, by January 1922, was forty-three.

good conclusion would come of it. Ireland must stand armed and ready for a resumption of war.

President de Valéra's Proclamation of July 9th recalled the people to a sense of reality:

**" FELLOW CITIZENS !**

" During the period of the truce each individual soldier and citizen must regard himself as a custodian of the nation's honour.

" Your discipline must prove in the most convincing manner that this is the struggle of an organised nation.

" In the negotiations now initiated your representatives will do their utmost to secure a just and peaceful termination of this struggle, but history, particularly our own history, and the character of the issue to be decided are a warning against undue confidence.

" An unbending determination to endure all that may still be necessary, and fortitude such as you have shown in all your recent sufferings—these alone will lead you to the peace you desire.

" Should force be resumed against our nation, you must be ready on your part once more to resist. Thus alone will you secure the final abandonment of force, and the acceptance of justice and reason as the arbiter."

In Belfast there was no rejoicing over the Truce.

The prospect of a truce with Sinn Fein did not please the Covenanters and they did not permit the Nationalists to rejoice in it. On the day before hostilities were to cease they carried out an attack of such ferocity against the Catholics of the city that " Bloody Sunday " is the name by which July 10th is remembered in Belfast. Orange mobs and special constables took part; one hundred and sixty-one houses of Catholics were burnt down; fifteen persons were killed and the number seriously injured and treated in hospital was sixty-eight. The American delegation of the White Cross found a thousand homeless Catholics sheltering in old stores and stables and schools. Not a single house belonging to Protestants had been burnt.

The English Press was turning the situation in Ireland to full account as propaganda: the Government had made a generous gesture and if the Irish did not show their gratitude by accepting whatever terms might now be offered, England would be morally justified, beyond cavil, in using the utmost violence to reduce the rebels. Such was the tenor of editorial comments on the Truce. Telegrams of congratulation poured in from the British Dominions to Lloyd George.

World-wide interest was concentrated on the situation, but not only on the British aspect. The Republican Government had a unique opportunity of stating Ireland's case at last in a form which would reach all civilised nations.

To President de Valéra, also, came innumerable messages from foreign countries, wishing Ireland success. Ireland's case had become a test case in the conflict between the old evil system of international relations and the enlightened ideals in which lay the world's sole hope of peace. President de Valéra said, in reply to messages from the United States:

“ The fundamental principles which were set aside in Paris are again at stake. The world cannot afford to look on unconcernedly.”



## CHAPTER 49

### *July and August 1921*

DE VALÉRA AND LLOYD GEORGE MEET—CRAIG'S STATEMENT  
— THE BRITISH OFFER — THE IRISH CABINET REJECTS —  
SMUTS INTERVENES — LLOYD GEORGE STILL SEEKS  
CONFERENCE

PRESIDENT DE VALÉRA, with a party which included Austin Stack, Arthur Griffith, Robert Barton, Count Plunkett and Erskine Childers, crossed to London on July 12th. The President, unaccompanied, was received by Lloyd George at No. 10 Downing Street on the afternoon of the 14th. The Prime Minister's manner was courteous and amiable; he spent some time in talk about the Welsh and Irish languages and other Celtic relationships. He observed that the Welsh language contained no equivalent for the word *Republic* and asked whether one existed in Irish. The President told him that *Saorstát* had been preferred to *Poblacht* by the linguists and Lloyd George asked what was the literal translation of *Saorstát*. On being told that it was "Free State" he smiled and said that the name would not need to be changed. Lloyd George went on to summon up before the imagination of his visitor historic scenes which had taken place in that room, around the council table where the Dominion Premiers met to consult about the government of a great part of the globe. He pointed out the chairs allotted to the representatives of the several Dominions. Over one chair, that opposite his own, he passed, deliberately, in silence, with a gesture more expressive than words. Their talk lasted for three hours. At its conclusion a further meeting was arranged.

Lloyd George, speaking at a public dinner that evening referred to De Valéra as "the Chieftain of the vast majority of the Irish Race."

The Prime Minister now had talks with Sir James Craig and the latter, when leaving London, gave a characteristic statement to the Press. "It now merely remains," he said, "for Mr. de Valéra and the British people to come to terms regarding that area outside of that of which I am Prime Minister."

This interview was published on the 19th. De Valéra immediately wrote in terms of protest to Lloyd George.

“ Grosvenor Hotel,  
“ *July 19th, 1921.*

“ SIR,—Sir James Craig, after conversations with you, has published a statement of which I am bound to take immediate notice. You are aware that in meeting you in London I have been acting as the representative of Ireland, in accordance with the mandate conferred upon me by the Irish people as a whole, and that before accepting your invitation to come here I made it perfectly clear that no conversations or conferences were possible which would imply any denial of the essential right of the Irish people to full national self-determination.

“ Sir James Craig's statement is a direct denial of both. His claim is that six counties of Ulster, arbitrarily selected and containing a minority of one fifth of our people, who oppose the national demand are, and must permanently remain, a separate political unit with a separate right to self-determination, and that they can co-operate with the remaining four-fifths of Ireland only on that basis and upon a footing of privilege which would give to the minority a voting strength relatively several times that of the majority.

“ Our answer to this wholly inadmissible claim is not a mere negation. I have made it clear in public statements, which reflect the views of the Irish people, that Ireland, so far from disregarding the special position of the minority in North-East Ulster, would be willing to sanction any measure of local autonomy which they might desire, provided that it were just and were consistent with the unity and integrity of our island.

“ It is plain, however, that if the claim of Sir James Craig is concurred in and supported by the British Government, there can be no purpose in pursuing our conversations, which would cease at once to be consistent with justice and the honour and the interest of my country.

“ Accordingly, although our provisional arrangements were for a further meeting on Thursday, I feel, in view of the vital issue which has now been publicly raised, that I can hardly

defer asking you for a definite statement as to whether your Government is in agreement with Sir James Craig and intends to support his view.

“I am, Sir,

“Yours faithfully,

“*(Signed)* EAMON DE VALÉRA.”

The Prime Minister replied:

“I am responsible neither for Sir James Craig’s statement to the Press to which you refer, nor for your statement to which Sir James Craig’s purports to be a reply.”

In a statement to the Press, designed to counteract rumours of compromise which were being circulated, President de Valéra affirmed that he was making

“no demand but one—the only one that I am entitled to make—that the self-determination of the Irish nation be recognised.”

In an interview with the representative of *Le Matin*, defining his position concisely, he said:

“If peace is to come, the negotiations must be conducted between nation and nation.”

On Wednesday, July 20th, Lloyd George’s proposals for a treaty were handed to President de Valéra. The document was a lengthy one with a preamble which, ignoring the question of self-determination, invited Ireland “to take her place in the great association of free nations over which His Majesty reigns.” There followed an enumeration of the departments in which Ireland was offered autonomy, including taxation and finance, and then six paragraphs describing the conditions demanded by the British Government. They were restrictions unknown in any form of Dominion Home Rule; they included naval facilities, rights of recruiting, restrictions as to the number of the Irish armed forces, free trade between Ireland and Britain, financial contribution from Ireland to Britain’s War Debt. There followed the statement that the form of settlement “must allow for full recognition of the existing powers and privileges of the Parliament of Northern Ireland, which cannot be abrogated except by their own consent.”

The text of the communication was as follows:

“ The British Government are actuated by an earnest desire to end the unhappy divisions between Great Britain and Ireland which have produced so many conflicts in the past and which have once more shattered the peace and well-being of Ireland at the present time. They long, with His Majesty the King, in the words of His gracious speech in Ireland last month, for a satisfactory solution of ‘ those age-long Irish problems which for generations embarrassed our forefathers as they now weigh heavily upon us,’ and they wish to do their utmost to secure that ‘ every man of Irish birth, whatever be his creed and wherever be his home, should work in loyal co-operation with the free communities on which the British Empire is based.’ They are convinced that the Irish people may find as worthy and as complete an expression of their political and spiritual ideals within the Empire as any of the numerous and varied nations united in allegiance to His Majesty’s throne; and they desire such consummation, not only for the welfare of Great Britain, Ireland and the Empire as a whole, but also for the cause of peace and harmony throughout the world. There is no part of the world where Irishmen have made their home but suffers from our ancient feuds; no part of it but looks to this meeting between the British Government and the Irish leaders to resolve these feuds in a new understanding honourable and satisfactory to all the peoples involved.

“ The free Nations which compose the British Empire are drawn from many races, with different histories, traditions, ideals. In the Dominion of Canada, British and French have long forgotten the bitter conflicts which divided their ancestors. In South Africa the Transvaal Republic and the Orange Free State have joined with two British colonies to make a great self-governing union under His Majesty’s sway. The British people cannot believe that where Canada and South Africa, with equal or even greater difficulties, have so signally succeeded, Ireland will fail; and they are determined that, so far as they themselves can assure it, nothing shall hinder Irish statesmen from joining together to build up an

Irish state in free and willing co-operation with the other peoples of the Empire.

“ Moved by these considerations, the British Government invite Ireland to take her place in the great association of free nations over which His Majesty reigns. As earnest of their desire to obliterate old quarrels and to enable Ireland to face the future with her own strength and hope, they propose that Ireland shall assume forthwith the status of a Dominion with all the powers and privileges set forth in this document. By the adoption of Dominion status it is understood that Ireland shall enjoy complete autonomy in taxation and finance; that she shall maintain her own courts of law and judges; that she shall maintain her own military forces for home defence, her own constabulary and her own police; that she shall take over the Irish postal services and all matters relating thereto; education, land, agriculture, mines and minerals, forestry, housing, labour, unemployment, transport, trade, public health, health insurance and the liquor traffic; and, in sum, that she shall exercise all those powers and privileges upon which the autonomy of the self-governing Dominions is based, subject only to the considerations set out in the ensuing paragraphs. Guaranteed in these liberties, which no foreign people can challenge without challenging the Empire as a whole, the Dominions hold each and severally by virtue of their British fellowship a standing amongst the nations equivalent, not merely to their individual strength, but to the combined power and influence of all nations of the Commonwealth. That guarantee, that fellowship, that freedom the whole Empire looks to Ireland to accept.

“ To this settlement the British Government are prepared to give immediate effect upon the following conditions, which are, in their opinion, vital to the welfare and safety of both Great Britain and Ireland, forming as they do the heart of the Commonwealth.

- “ 1. The common concern of Great Britain and Ireland in the defence of their interests by land and sea shall be mutually recognised. Great Britain lives by sea-borne

food; her communications depend upon the freedom of the great sea routes. Ireland lies at Britain's side across the sea ways North and South that link her with the sister nations of the Empire, the markets of the world and the vital sources of her food supply. In recognition of this fact, which nature has imposed and no statesmanship can change, it is essential that the Royal Navy alone should control the seas around Ireland and Great Britain, and that such rights and liberties should be accorded to it by the Irish State as are essential for naval purposes in the Irish harbours and on the Irish coast.

- “ 2. In order that the movement towards the limitation of armaments which is now making progress in the world should in no way be hampered, it is stipulated that the Irish Territorial force shall within reasonable limits conform in respect of numbers to the military establishments of the other parts of these islands.
- “ 3. The position of Ireland is also of great importance for the Air Services, both military and civil. The Royal Air Force will need facilities for all purposes that it serves; and Ireland will form an essential link in the development of Air routes between the British Isles and the North American Continent. It is therefore stipulated that Great Britain shall have all necessary facilities for the development of defence and of communications by Air.
- “ 4. Great Britain hopes that Ireland will in due course and of her own free will contribute in proportion to her wealth to the regular Naval, Military and Air forces of the Empire. It is further assumed that voluntary recruitment for these forces will be permitted throughout Ireland, particularly for those famous Irish Regiments which have so long and so gallantly served His Majesty in all parts of the world.
- “ 5. While the Irish people shall enjoy complete autonomy in taxation and finance, it is essential to prevent a recurrence of ancient differences between the two islands, and in particular to avert the possibility of

ruinous trade wars. With this object in view, the British and Irish Governments shall agree to impose no protective duties or other restrictions upon the flow of transport, trade and commerce between all parts of these islands.

- “ 6. The Irish people shall agree to assume responsibility for a share of the present debt of the United Kingdom and of the liability of pensions arising out of the Great War, the share in default of agreement between the Governments concerned to be determined by an independent arbitrator appointed from within His Majesty’s Dominions.

“ In accordance with these principles, the British Government propose that the conditions of settlement between Great Britain and Ireland shall be embodied in the form of a Treaty, to which effect shall in due course be given by the British and Irish Parliaments. They look to such an instrument to obliterate old conflicts forthwith, to clear the way for a detailed settlement in full accordance with Irish conditions and needs, and thus to establish a new and happier relation between Irish patriotism and that wider community of aims and interests by which the unity of the whole Empire is freely sustained.

“ The form in which the settlement is to take effect will depend upon Ireland herself. It must allow for full recognition of the existing powers and privileges of the Parliament of Northern Ireland, which cannot be abrogated except by their own consent. For their part, the British Government entertain an earnest hope that the necessity of harmonious co-operation amongst Irishmen of all classes and creeds will be recognised throughout Ireland, and they will welcome the day when by those means unity is achieved. But no such common action can be secured by force. Union came in Canada by the free consent of the Provinces; so in Australia; so in South Africa. It will come in Ireland by no other way than consent. There can, in fact, be no settlement on terms involving, on the one side or the other, that bitter appeal to bloodshed and violence which all men of good will are

longing to terminate. The British Government will undertake to give effect, so far as that depends on them, to any terms in this respect on which all Ireland unites. But in no conditions can they consent to any proposals which would kindle civil war in Ireland. Such a war would not touch Ireland alone, for partisans would flock to either side from Great Britain, the Empire, and elsewhere, with consequences more devastating to the welfare both of Ireland and the Empire than the conflict to which a truce has been called this month. Throughout the Empire there is a deep desire that the day of violence should pass and that a solution should be found, consonant with the highest ideals and interests of all parts of Ireland, which will enable her to co-operate as a willing partner in the British Commonwealth.

“The British Government will therefore leave Irishmen themselves to determine by negotiations between themselves whether the new powers which the Pact defines shall be taken over by Ireland as a whole and administered by a single Irish body, or be taken over separately by Southern and Northern Ireland, with or without a joint authority to harmonise their common interests. They will willingly assist in the negotiation of such a settlement, if Irishmen should so desire.

“By these proposals the British Government sincerely believe that they will have shattered the foundations of that ancient hatred and distrust which have disfigured our common history for centuries past. The future of Ireland within the Commonwealth is for the Irish people to shape.

“In the foregoing proposals the British Government have attempted no more than the broad outline of a settlement. The details they leave for discussion when the Irish people have signified their acceptance of the principle of this pact.

“10 Downing Street, S.W.1.

“July 20th, 1921.”

President de Valéra told Lloyd George that he would not recommend such terms for acceptance by Dail Eireann; he would not even bring them back for consideration. Lloyd George threatened an immediate resumption of hostilities but the



President's attitude remained unchanged. Lloyd George threatened to publish his offer and expressed his belief that it would prove acceptable to the Irish people. De Valéra made no objection. Lloyd George finally asked for a considered written reply and this De Valéra promised to send him, but made the condition that he was to be given the opportunity to consult his colleagues and that the British offer and his reply should be published simultaneously.

De Valéra returned with his colleagues to Ireland. The proposals, forwarded to him in Dublin, were discussed by the Republican Ministry at a full meeting. They were rejected, with varying degrees of disfavour. The majority were confident that Dail Eireann, when it met in August, would endorse the rejection unanimously. Even without the other restrictions proposed on Irish independence the British insistence on giving the Belfast Parliament power to partition Ireland was enough to render these proposals utterly unacceptable.

Republican Ireland had unbounded confidence in its leaders. This was demonstrated afresh at a meeting of the Irish Trades Union Congress which was held in Dublin on August 1st. The President of the Congress declared that if the Irish Representatives deemed it advisable to reject the British Government's proposals they would have the support of the Labour movement in any event that might follow. President de Valéra addressed the Congress and thanked Irish Labour for the loyal and unselfish part it had played throughout the struggle.

The terms offered by the Prime Minister were not made public at this time. General Smuts, who was in Lloyd George's confidence, studied them and wrote to President de Valéra strongly urging him to accept the British offer; the President explained to him, in reply, that in face of the refusal to recognise Ireland's essential unity no progress could be made.

"An Ireland in fragments," he wrote, "nobody cares about. A unified Ireland alone can be happy or prosperous. To the British Commonwealth group and to Britain itself Ireland would readily become friendly, but it is only in

freedom that friendship could come. To the principle of national self-determination our people are devotedly attached, for they recognise in it a principle vital to the peace of the world. The Republic is the expression of that principle. They will not readily abandon it."

On August 4th, before leaving for South Africa, General Smuts addressed to the President another letter advising him to accept Partition for a time. He wrote:

"I believe that it is in the interests of Ulster to come in and that the force of community of interests will, over a period of years, prove so great and compelling that Ulster will herself decide to join the Irish State."

He urged the abandonment for the time being of the effort to secure Irish unity. He referred to descriptions of Dominion Status which had satisfied the representatives of British Dominion and said "what is good enough for these nations ought surely to be good enough for Ireland too." He cited the Transvaal and Orange Free State as having advanced from an inferior position to that of "a happy, contented, united, and completely free country," and argued: "What they have finally achieved after years of warfare and political evolution is now offered you, not in doles or instalments, but at once, and completely." He pointed out that if Ireland became "a sister Dominion" her rights would be defended by the other Dominions as if they were their own.

This letter, with the assumption that full Dominion Status had been offered to Ireland, served the purposes of British propaganda at this juncture and was given to the Press by the Prime Minister without President de Valéra's consent. It appeared on August 14th before the publication of the terms to which it referred. A protest was immediately issued by the Publicity Department of the Dail.

On August 10th, President de Valéra sent to Lloyd George the Republican Cabinet's reply to his proposals, rejecting them, and, at the same time, indicating the nature of the settlement which he and his colleagues would be willing to recommend to

the Dail. He suggested treaties, agreements as to trade relations, and guarantees to satisfy England's legitimate fears on which he and his colleagues would willingly negotiate.

The question between the Irish majority and minority, he declared, must remain one for the Irish people to settle.

"If your Government stands aside we can effect a complete reconciliation," he declared.

His letter was as follows:

" (Official Translation)

" Office of Dublin.

" The President. Mansion House,  
August 10th, 1921.

" The Right Hon. David Lloyd George,  
" 10 Downing Street,  
" Whitehall, London.

" SIR,

" On the occasion of our last interview I gave it as my judgment that Dáil Eireann could not and that the Irish people would not accept the proposals of your Government as set forth in the draft of July 20th, which you had presented to me. Having consulted my colleagues, and with them given these proposals the most earnest consideration, I now confirm that judgment.

" The outline given in the draft is self-contradictory, and ' the principle of the pact ' not easy to determine. To the extent that it implies a recognition of Ireland's separate nationhood and her right to self-determination, we appreciate and accept it. But in the stipulations and express conditions concerning the matters that are vital the principle is strangely set aside and a claim advanced by your Government to an interference in our affairs, and to a control which we cannot admit.

" Ireland's right to choose for herself the path she shall take to realise her own destiny must be accepted as indefeasible. It is a right that has been maintained through centuries of oppression and at the cost of unparalleled sacrifice and untold suffering, and it will not be surrendered. We cannot propose

to abrogate or impair it, nor can Britain or any other foreign state or group of states legitimately claim to interfere with its exercise in order to serve their own special interests.

“ The Irish people’s belief is that the national destiny can best be realised in political detachment, free from Imperialistic entanglements which they feel will involve enterprises out of harmony with the national character, prove destructive of their ideals, and be fruitful only of ruinous wars, crushing burdens, social discontent, and general unrest and unhappiness. Like the small states of Europe, they are prepared to hazard their independence on the basis of moral right, confident that as they would threaten no nation or people they would in turn be free from aggression themselves. This is the policy they have declared for in plebiscite after plebiscite, and the degree to which any other line of policy deviates from it must be taken as a measure of the extent to which external pressure is operative and violence is being done to the wishes of the majority.

“ As for myself and my colleagues, it is our deep conviction that true friendship with England, which military coercion has frustrated for centuries, can be obtained most readily now through amicable but absolute separation. The fear, groundless though we believe it to be, that Irish territory may be used as the basis for an attack upon England’s liberties, can be met by reasonable guarantees not inconsistent with Irish sovereignty.

“ ‘ Dominion ’ status for Ireland everyone who understands the conditions knows to be illusory. The freedom which the British Dominions enjoy is not so much the result of legal enactments or of treaties as of the immense distances which separate them from Britain and have made interference by her impracticable. The most explicit guarantees, including the Dominions’ acknowledged right to secede, would be necessary to secure for Ireland an equal degree of freedom. There is no suggestion, however, in the proposals made of any such guarantees. Instead, the natural position is reversed; our geographical situation with respect to Britain is made the basis of denials and restrictions unheard of in the case of the Dominions; the smaller island must give military safeguards

and guarantees to the larger and suffer itself to be reduced to the position of a helpless dependency.

“ It should be obvious that we could not urge the acceptance of such proposals upon our people. A certain treaty of free association with the British Commonwealth group, as with a partial league of nations, we would have been ready to recommend, and as a Government to negotiate and take responsibility for, had we an assurance that the entry of the nation as a whole into such association would secure for it the allegiance of the present dissenting minority, to meet whose sentiment alone this step could be contemplated.

“ Treaties dealing with the proposals for free inter-trade and mutual limitation of armaments we are ready at any time to negotiate. Mutual agreement for facilitating air communications, as well as railway and other communications, can, we feel certain, also be effected. No obstacle of any kind will be placed by us in the way of that smooth commercial intercourse which is essential in the life of both islands, each the best customer and the best market of the other. It must, of course, be understood that all treaties and agreements would have to be submitted for ratification to the national legislature in the first instance, and subsequently to the Irish people as a whole under circumstances which would make it evident that their decision would be a free decision, and that every element of military compulsion was absent.

“ The question of Ireland’s liability ‘ for a share of the present debt of the United Kingdom ’ we are prepared to leave to be determined by a board of arbitrators, one appointed by Ireland, one by Great Britain, and a third to be chosen by agreement, or in default, to be nominated, say, by the President of the United States of America, if the President would consent.

“ As regards the question at issue between the political minority and the great majority of the Irish people, that must remain a question for the Irish people themselves to settle. We cannot admit the right of the British Government to mutilate our country, either in its own interest or at the call of any section of our population. We do not contemplate the use of force. If your Government stands aside, we can effect

a complete reconciliation. We agree with you 'that no common action can be secured by force.' Our regret is that this wise and true principle which your Government prescribes to us for the settlement of our local problem it seems unwilling to apply consistently to the fundamental problem of the relations between our island and yours. The principle we rely on in the one case we are ready to apply in the other, but should this principle not yield an immediate settlement we are willing that this question too be submitted to external arbitration.

"Thus we are ready to meet you in all that is reasonable and just. The responsibility for initiating and effecting an honourable peace rests primarily not with our Government but with yours. We have no conditions to impose, no claims to advance but the one, that we be freed from aggression. We reciprocate with a sincerity to be measured only by the terrible sufferings our people have undergone the desire you express for mutual and lasting friendship. The sole cause of the 'ancient feuds' which you deplore has been, as we know, and as history proves, the attacks of English rulers upon Irish liberties. These attacks can cease forthwith, if your Government has the will. The road to peace and understanding lies open.

"I am, Sir,

"Faithfully yours,

"(Signed) EAMON DE VALÉRA."

At the meeting of the British Cabinet held on the 12th to consider this communication, Lord Fitzalan, General Tudor, and General Macready were called into consultation.

Lloyd George's reply, sent on August 13th, reiterated his insistence on the conditions which he had proposed and declared that the British Government could not acknowledge "the right of Ireland to secede from her allegiance to the King."

The Prime Minister wrote:

"SIR,

"The earlier part of your letter is so much opposed to our fundamental position that we feel bound to leave you in no doubt of our meaning. You state that after consulting your

colleagues you confirm your declaration that our proposals are such as Dáil Eireann could not and the Irish people would not accept. You add that the outline given in our draft is self-contradictory, and the principle of the pact offered to you not easy to determine. We desire, therefore, to make our position absolutely clear.

“ In our opinion, nothing is to be gained by prolonging a theoretical discussion of the national status which you may be willing to accept as compared with that of the great self-governing Dominions of the British Commonwealth, but we must direct your attention to one point upon which you lay some emphasis and upon which no British Government can compromise—namely, the claim that we should acknowledge the right of Ireland to secede from her allegiance to the King. No such right can ever be acknowledged by us. The geographical propinquity of Ireland to the British Isles is a fundamental fact. The history of the two islands for many centuries, however it is read, is sufficient proof that their destinies are indissolubly linked. Ireland has sent members to the British Parliament for more than a hundred years. Many thousands of her people during all that time have enlisted freely and served gallantly in the Forces of the Crown. Great numbers, in all the Irish provinces, are profoundly attached to the Throne. These facts permit of one answer, and one only, to the claim that Britain should negotiate with Ireland as a separate and foreign power.

“ When you, as the chosen representative of Irish National ideals, came to speak with me, I made one condition only, of which our proposals plainly stated the effect—that Ireland should recognise the force of geographical and historical facts. It is those facts which govern the problem of British and Irish relations. If they did not exist, there would be no problem to discuss.

“ I pass therefore to the conditions which are imposed by these facts. We set them out clearly in six clauses in our former proposals, and need not re-state them here, except to say that the British Government cannot consent to the reference of any such questions, which concern Great Britain and Ireland alone, to the arbitration of a foreign Power.

"We are profoundly glad to have your agreement that Northern Ireland cannot be coerced. This point is of great importance, because the resolve of our people to resist with their full power any attempt at secession by one part of Ireland carries with it of necessity an equal resolve to resist any effort to coerce another part of Ireland to abandon its allegiance to the Crown. We gladly give you the assurance that we will concur in any settlement which Southern and Northern Ireland may make for Irish unity within the six conditions already laid down, which apply to Southern and Northern Ireland alike; but we cannot agree to refer the question of your relations with Northern Ireland to foreign arbitration.

"The conditions of the proposed settlement do not arise from any desire to force our will upon people of another race, but from facts which are as vital to Ireland's welfare as to our own. They contain no derogation from Ireland's status as a Dominion, no desire for British ascendancy over Ireland, and no impairment of Ireland's national ideals.

"Our proposals present to the Irish people an opportunity such as has never dawned in their history before. We have made them in the sincere desire to achieve peace; but beyond them we cannot go. We trust that you will be able to accept them in principle. I shall be ready to discuss their application in detail whenever your acceptance in principle is communicated to me."

The British proposals, the Republican Cabinet's rejection of them, and Lloyd George's letter of the 13th were published fully in the Press on August 15th, the eve of the first assembly of the Second Dail.

The Press of the same day published a letter in which Sir James Craig informed Lloyd George that he would not meet De Valéra until the latter admitted that the Six Counties were independent of the rest of Ireland and recognised the "sanctity" of the powers and privileges of the Northern Parliament.



## CHAPTER 50

*August 16th to 26th, 1921*

THE SECOND DAIL EIREANN — RELEASE OF DEPUTIES —  
THE PEOPLE'S WELCOME — DAIL EIREANN REJECTS LLOYD  
GEORGE'S OFFER — DE VALÉRA'S SPEECH — THREATS OF  
WAR — PRESIDENT OF THE IRISH REPUBLIC

DAIL EIREANN was to meet in August for the purpose of accepting or refusing the English terms. On the 6th, Dublin Castle issued an announcement that all interned and imprisoned members of the Dail would be released, with one exception—Sean McKeon<sup>1</sup>: “J. J. McKeon, who has been convicted of murder, cannot be released.”

President de Valéra immediately issued a public statement in which he said:

“If the detention of Commandant McKeon is persisted in, I cannot accept responsibility of proceeding further with the negotiations. . . .

“In British legal phraseology he is termed a murderer ; but for us, and, I believe, for the world, he is a heroic Irishman.”

The Deputy was at once released.

No demand was made by the Republican Government for the release of other prisoners and the prisoners themselves sent out loyal messages expressing the hope that no considerations concerning their future should be allowed to defeat the end for which they had fought and suffered, or weaken the national resolution to preserve the Republic.

On August 16th, the Second Dail assembled in the Round Room of the Mansion House. The meeting was a public one.

The elected Representatives of all Ireland had received the summons to this Assembly. The roll of the Dail comprised 180 Republican, 6 Nationalist and 44 Unionist members. The Unionists, as always, absented themselves but the Six Counties

<sup>1</sup> *Séán*, pronounced “Shawn,” is Anglicised as “John.”

of the north-east were not unrepresented: there were five Republican Deputies present who represented constituencies in that area as well as constituencies elsewhere: De Valéra, Michael Collins, Eoin MacNeill, Arthur Griffith and Sean Milroy, while a sixth, Sean O'Mahony, represented only Fermanagh and Tyrone. It was the National Assembly of Ireland which met in Dublin on August 16th. Three hundred Volunteers marched in formation to take up positions before the Mansion House and to keep order among the crowd thronging the approaches. Only a fraction of the people who asked for admission could be accommodated in the great hall. Seats of honour were reserved for relatives of men who had given their lives in the conflict and for members of the Republican Army disabled from wounds.

The President and his colleagues made their way to the Mansion House amid storms of cheers and when they entered the Round Room those present rose and greeted them with applause which was prolonged until the Speaker was obliged to silence it. Thus the people expressed their pride and satisfaction at the Cabinet's rejection of the British terms.

Among the Deputies present there were a great number who had been prevented by imprisonment, active service or pursuit by the enemy from attending previous sessions of the Dail. The Republican Envoys from foreign capitals also had arrived, with passports from the British Government this time; among them was Sean T. O'Kelly, who had represented the Republican Government in Rome and Paris alternately since 1919. Among those who had not yet had an opportunity to take the oath to the Republic was De Valéra, who had been in prison when the First Dail was sworn. All took it now with uplifted hands.

De Valéra explained the programme of the session. Two days of public meeting were to be followed by a private session to which the reply that the Dail proposed to send to Lloyd George's offer would be submitted. When that reply had been approved another public session would be held and the new Ministry would be elected.

The President went on to speak of the mandate laid upon the members of Dail Eireann by the elections (which had amounted to a plebiscite) of 1918. It was a mandate not so

much for a form of government—they were not, he said, “Republican doctrinaires”—but it was for

“ . . . Irish freedom and independence, and it was obvious to everyone who considered the question that Irish independence could not be realised at the present time in any other way so suitably as through a Republic.”

He said that the first duty of the Ministry had been to make the *de jure* Republic a *de facto* Republic; theirs was a mission not only for this country but for the whole world.

He referred to the principle of freedom for small nations of which the British Prime Minister had been one of the most eloquent champions during the world war, quoting his statement that “the heroic deeds that thrill humanity through generations were the deeds of little nations fighting for their freedom.” He quoted, also, President Wilson’s declaration at Washington’s Tomb in 1918.

Arthur Griffith, in his closing address, said that every member’s ambition was to work for the independence of his country, and no body of men had ever been brought together for the task who had worked in such complete harmony. The Ministry were acting together in a bond of brotherhood without the slightest friction or discord. They were all absolutely united in their efforts to secure a sovereign Republic.

Ireland was ready, he said, to negotiate on the basis of these principles.

When the session was resumed on the following day De Valéra spoke of the kind of association which Lloyd George had offered and of the kind which Ireland, he believed, would be willing to accept.

He said:

“The fact that we are near neighbours . . . would make for our cultivating proper relations with Britain—relations which would bring us more closely together for mutual interest than any other nations in the world; but there is no likelihood that we shall seek combination when it is simply combination with the enemy that has despoiled us most,

and would seek in the combination an opportunity of despoiling us still further. Still, an association that would be consistent with our right to see that we were the judges of what was our own interest, and that we were not compelled to leave the judgment of what were our own interests or not to others—a combination of that sort would, I believe, commend itself to the majority of my colleagues. . . .

“ It is, therefore, as a separate nation that we are talking—a nation which is defending itself against the encroachments of a foreign nation. It is as such that we entered into negotiations with Britain, and if negotiations are to be continued it is as such that we must enter into them.”

With regard to the Ulster question he said that for him these negotiations had been, all the time,

“ an attempt to get in touch with the people of the North of Ireland and to tell them that for them we had no enmity, and that we would make sacrifices for them we would never think of making for Britain, because they are Irishmen living in Ireland.”

“ I think,” he concluded,

“ I have made my attitude and the attitude of the Ministry fairly clear to you. It is on that attitude that we are here before you for judgment. It is on that attitude we were before the Irish people for judgment. I state it here in public session, so that the Irish people may judge, and I feel that as the Irish people in the past have not flinched when force was brought against them to deprive them of their rights, the Irish people will not flinch now because more arms are being sent for.”

It was a speech of warning and a challenge to endurance; it was received with enthusiastic applause.

In the days that followed, the atmosphere was tense with the anticipation of crisis. Threats of renewing war on Ireland were being reiterated in the House of Lords, the House of Commons and the English Press. On August 19th, when the

British Parliament was prorogued until October 19th, it was announced that Parliament would be summoned at forty-eight hours' notice should the negotiations break down and that emergency measures would be taken possibly even before Parliament could meet. Lord Birkenhead said that if negotiations broke down Great Britain would be committed to "hostilities on a scale never hitherto undertaken by this country against Ireland." Lord Curzon spoke in the same strain. The English Press foreshadowed the dragooning of Irish villages, a strict naval blockade, such unprecedented military action as would result in a crushing defeat.

The organ of Dail Eireann, the *Irish Bulletin*, far from attempting to conceal from the Irish people the alternative which confronted them, collected and quoted a number of these threatening utterances.<sup>1</sup>

The Dail met in private session on the 23rd and unanimously and enthusiastically rejected the English terms. At the meeting the decision was taken to nominate De Valéra at the public session on the 26th for re-election as President. De Valéra then spoke with great frankness to the members of the Dail. He told them that he did not, for himself, regard the Oath as relating to forms of government. He regarded himself as pledged to maintain the independence of Ireland and to do the best for the Irish people.<sup>2</sup>

He explained to them, definitely, his position, which was always that he had one allegiance only—to the people of Ireland. He held it to be his duty to do the best he could for the people of Ireland as he conceived it. He would keep himself free to consider each question as it arose and, as President, would act simply as the head of the government of any country would act.

"I am no longer," he said, "to be regarded as a party leader. I am representing the nation and I shall represent the whole nation if I am elected to the office and I shall not be bound by any section whatever of the nation." The Dail, he reminded

<sup>1</sup> *Irish Bulletin*, August 19th. The *Bulletin* is the only comprehensive source of information concerning this period, other than Pakenham.

<sup>2</sup> See Dail Debate on Treaty, December 19th, 1921. The incident is recorded, also, in the unpublished memorandum of Austin Stack.

them, was in the fortunate position of being able to change its Ministry without an appeal to the country if it wished a different policy to be followed at any time. He then spoke of the position that would be held by the Plenipotentiaries if such were appointed to negotiate. He said that they would go as Plenipotentiaries on the basis of a certain principle to negotiate peace. They would come back and be in touch with the Cabinet and their proposals would finally be brought before that House. The Ministry would then have a policy and the Ministry would take a definite attitude before the House in respect to it. The Ministry itself might not be able to agree and in such a case the majority would rule.

He discussed the possibility of the Plenipotentiaries bringing back proposals which would not satisfy everybody. He said:

“ My position is that when such a time comes I will be in a position, having discussed the matter with the Cabinet, to come forward with such proposals as we think wise and right. It will be then for you either to accept the recommendations of the Ministry or reject them. If you reject them you then would have to elect a new Ministry. You would then be creating a definite active opposition.”<sup>1</sup>

At this session of the 23rd the Dail, without a single dissident, confirmed the Cabinet's rejection of the British terms. In the letter sent on August 24th informing Lloyd George of Dail Eireann's decision De Valéra assured him that Ireland longed to end the conflict and that Dail Eireann was ready to appoint representatives to negotiate on the broad guiding principle of government by consent of the governed.

The President wrote:

“ SIR,

“ The anticipatory judgment I gave in my reply of August

<sup>1</sup> At a private session on the 26th the question of the powers of Plenipotentiaries was again discussed. The President held strongly that they should be bound only by the broad principles already laid down in the correspondence with the British and by terms which would be stated at the time of their appointment. It was unanimously agreed that they should be given a free hand in negotiations and report to the Dail. This account of the private sessions is from the Dail Report as quoted in a legal “ Document for the Defendant, Mr. O'Mara,” in a case heard in the High Court of Saorstát Eireann on July 22nd, 1924.

10th has been confirmed. I laid the proposals of your Government before Dail Eireann, and, by a unanimous vote, it has rejected them.

“From your letter of August 13th it was clear that the principle we were asked to accept was that the “geographical propinquity” of Ireland to Britain imposed the condition of the subordination of Ireland’s right to Britain’s strategic interests as she conceived them, and that the very length and persistence of the efforts made in the past to compel Ireland’s acquiescence in a foreign domination imposed the condition of acceptance of that domination now.

“We cannot believe that your Government intends to commit itself to a principle of sheer militarism destructive of international morality and fatal to the world’s peace. If a small nation’s right to independence is forfeit when a mere powerful neighbour covets its territory for the military or other advantages it is supposed to confer, there is an end to liberty. No longer can any small nation claim a right to a separate sovereign existence. Holland and Denmark can be made subservient to Germany, Belgium to Germany or to France, Portugal to Spain. If nations that have been forcibly annexed to empires lose thereby their title to independence, there can be for them no rebirth to freedom. In Ireland’s case, to speak of her seceding from a partnership she has not accepted, or from an allegiance which she has not undertaken to render, is fundamentally false, just as the claim to subordinate her independence to British strategy is fundamentally unjust. To neither can we, as the representatives of the nation, lend countenance.

“If our refusal to betray our nation’s honour and the trust that has been reposed in us is to be made an issue for war by Great Britain, we deplore it. We are as conscious of our responsibilities to the living as we are mindful of principle or of our obligations to the heroic dead. We have not sought war, nor do we seek war, but if war be made upon us we must defend ourselves and shall do so, confident that whether our defence be successful or unsuccessful, no body of representative Irishmen or Irishwomen will ever propose to the nation the surrender of its birthright.

" We long to end the conflict between Britain and Ireland. If your Government be determined to impose its will on us by force, and, antecedent to negotiation, to insist upon conditions that involve a surrender of our whole national position and make negotiation a mockery, the responsibility for the continuance of the conflict rests upon you.

" On the basis of the broad guiding principle of government by the consent of the governed, peace can be secured—a peace that will be just and honourable to all, and fruitful of concord and enduring amity. To negotiate such a peace, Dail Eireann is ready to appoint its representatives, and if your Government accepts the principle proposed, to invest them with plenary powers to meet and arrange with you for its application in detail."

When, on August 25th, Robert Barton and Joseph McGrath handed to Lloyd George this communication conveying the Dail's rejection of his offer the British Cabinet was hastily called. It was agreed between the British and Irish Governments that the text of the Dail's communication should be made public at 12 noon on August 26th.

On August 26th the Dail met in public session again, for the purpose of electing its President and Ministry.

The Speaker was Eoin MacNeill.

The election of Eamon de Valéra as President of the Irish Republic was proposed by Commandant McKeon.<sup>1</sup>

After speaking in Irish he said:

" The honour has fallen to me to put before the Dail the name of Eamon de Valéra as President of the Irish Republic. You know, and the people of Ireland know, what he has done for Irish freedom. Our hope and our belief now are that he will bring our cause to success. In no generation for more than a century has any Irish leader equalled his achievements. No one has shown himself more fitted to deal with

<sup>1</sup> " President of the Irish Republic "—this form of nomination was deliberately chosen by the Republican Ministry as serving the purpose of a " Declaratory Act " and formally recording the status which had been attributed to the office of President from its institution in 1919. In view of the negotiations a formal record of the kind seemed advisable.



our traditional foe. He has not been deceived by their promises nor intimidated by their threats. Eamon de Valéra first met the English as a soldier and beat them as a soldier. He has been meeting them now as a statesman, and he will beat them as a statesman. The honour and the interests of our nation are alike safe in his hands."

General Richard Mulcahy, in seconding, said that it was with something more than pleasure that he asked the Dail to elect as President of the Irish Republic a man who had done so much for them and for the nation. There was no other nomination and the Speaker declared Eamon de Valéra re-elected.

Speaking of his election the President said:

"My comrades and colleagues have conferred upon me what I believe is the highest honour that can be conferred at this moment on any human being, because here is an issue of peace and war, and I have been chosen to be a leader. I don't proclaim that because I have been chosen I lead, for there has been no necessity for leadership of that kind amongst us. We know our minds and we know we have a straight road to travel, with no by-paths to lead us astray, and it is a very easy task to lead on a straight road.

"We have courage to face whatever difficulties there are in the path which, though it is straight, we know it is narrow and difficult. It is because I appreciate that that I am proud of the honour, too proud to dare to speak as it has affected me."

The election of the Cabinet gave proof of the confidence of the Dail in those who had been its leaders through such critical years. The following were re-elected to the Ministry: Arthur Griffith (Foreign Affairs); Austin Stack (Home Affairs); Cathal Brugha (Defence); Michael Collins (Finance); W. T. Cosgrave (Local Government); Robert Barton (Economic Affairs).

The following were appointed Ministers outside the Cabinet: Count Plunkett (Fine Arts); Kevin O'Higgins (to assist W. T. Cosgrave in Local Government); Desmond Fitzgerald (Propaganda); J. J. Kelly (Education); Constance Markievicz (Labour);

Ernest Blythe (Trade and Commerce); Art O'Connor (Agriculture); Sean Etchingham (Fisheries).

A copy of the letter which had been sent by Dail Eireann to the British Prime Minister rejecting his proposals was in the President's hands. He paused for a few minutes until it was twelve o'clock, the time agreed upon with Lloyd George for publication. He then read the letter.

After he had read the letter the President spoke very briefly. “ Our position is unchanged,” he said. “ We cannot change our position because it is fundamentally sound and just and the moment we get off that fundamental rock of right and justice then we have no case whatever. No fight can be made except on that rock, and on that rock we shall stand.”

His listeners endorsed that resolve with applause.

## CHAPTER 51

*August and September 1921*

CORRESPONDENCE BETWEEN DE VALÉRA AND LLOYD  
GEORGE — THE BRITISH CABINET AT INVERNESS — NO BASIS  
FOR CONFERENCE

LLOYD GEORGE'S reply was communicated to President de Valéra on the evening of the same day (August 26th), and was handed to the Press. It was a lengthy document, complete with many historical references showing that Irish leaders in the past had asked less than England offered to-day, the whole calculated to impress foreign readers rather than to convince Irish Republicans that it was not a Republic that they desired. After expatiating on the liberality of the English offer, Lloyd George claimed that his proposal completely fulfilled the Irish leader's wish that the principle of "government by the consent of the governed" should be the broad guiding principle of a settlement.

"We can discuss no settlement," he wrote, "which involves a refusal on the part of Ireland to accept our invitation to free, equal and loyal partnership under one Sovereign."

"26th August, 1921.

"SIR,

"The British Government are profoundly disappointed by your letter of August 24th, which was delivered to me yesterday. You write of the conditions of a meeting between us as though no meeting had ever taken place. I must remind you, therefore, that when I asked you to meet me six weeks ago, I made no preliminary conditions of any sort. You came to London on that invitation and exchanged views with me at three meetings of considerable length. The proposals which I made to you after those meetings were based upon full and sympathetic consideration of the views which you expressed. As I have already said, they were not made in any haggling spirit. On the contrary, my colleagues and I went to the very limit of our powers in endeavouring to reconcile British and

Irish interests. Our proposals have gone far beyond all precedent, and have been approved as liberal by the whole civilised world. Even in quarters which have shown a sympathy with the most extreme of Irish claims, they are regarded as the utmost which the Empire can reasonably offer or Ireland reasonably expect. The only criticism of them which I have yet heard outside Ireland is from those who maintain that our proposals have outstepped both warrant and wisdom in their liberality. Your letter shows no recognition of this, and further negotiations must, I fear, be futile unless some definite progress is made towards acceptance of a basis.

“ You declare that our proposals involve a surrender of Ireland’s whole national position and reduce her to subservience. What are the facts? Under the settlement which we have outlined Ireland would control every nerve and fibre of her national existence; she would speak her own language and make her own religious life: she would have complete power over taxation and finance, subject only to an agreement for keeping trade and transport as free as possible between herself and Great Britain, her best market; she would have uncontrolled authority over education and all the moral and spiritual interests of her race; she would have it also over law and order, over land and agriculture, over the conditions of labour and industry, over the health and homes of her people, and over her own land defence. She would, in fact, within the shores of Ireland, be free in every aspect of national activity, national expression and national development. The States of the American Union, sovereign though they be, enjoy no such range of rights. And our proposals go even further, for they invite Ireland to take her place as a partner in the great commonwealth of free nations united by allegiance to the King.

“ We consider that these proposals completely fulfil your wish that the principle of ‘government by consent of the governed’ should be the broad guiding principle of the settlement which your plenipotentiaries are to negotiate. That principle was first developed in England, and is the mainspring of the representative institutions which she was the first to create. It was spread by her throughout the world, and is now

the very life of the British Commonwealth. We could not have invited the Irish people to take their place in that Commonwealth on any other principle, and we are convinced that through it we can heal the old misunderstandings and achieve an enduring partnership as honourable to Ireland as to the other nations of which the Commonwealth consists.

“ But when you argue that the relations of Ireland with the British Empire are comparable in principle to those of Holland or Belgium with the German Empire, I find it necessary to repeat once more that those are premises which no British Government, whatever its complexion, can ever accept. In demanding that Ireland should be treated as a separate sovereign Power, with no allegiance to the Crown and no loyalty to the sister nations of the Commonwealth, you are advancing claims which the most famous national leaders in Irish history, from Grattan to Parnell and Redmond, have explicitly disowned. Grattan, in a famous phrase, declared that ‘ the ocean protests against separation, and the sea against union.’ Daniel O’Connell, the most eloquent perhaps of all the spokesmen of the Irish national cause, protested thus in the House of Commons in 1830:

“ ‘ Never did monarch receive more undivided allegiance than the present king from the men who in Ireland agitate the repeal of the Union. Never, too, was there a grosser calumny than to assert that they wish to produce a separation between the two countries. Never was there a greater mistake than to suppose that we wish to dissolve the connection.’

“ And in a well-known letter to the Duke of Wellington in 1845, Thomas Davis, the fervent exponent of the ideals of Young Ireland, wrote:

“ ‘ I do not seek a raw repeal of the Act of Union. I want you to retain the Imperial Parliament with its Imperial power. I ask you only to disencumber it of those cares which exhaust its patience and embarrass its attention. I ask you to give Ireland a Senate of some sort, selected by

the people, in part or in whole; levying their Customs and Excise and other taxes; making their roads, harbours, railways, canals, and bridges; encouraging their manufactures, commerce, agriculture and fisheries; settling their Poor Laws, their tithes, tenures, grand juries and franchises; giving a vent to ambition, an opportunity for knowledge, restoring the absentees, securing work, and diminishing poverty, crime, ignorance and discontent. This, were I an Englishman, I should ask for England, besides the Imperial Parliament. So would I for Wales, were I a Welshman, and for Scotland, were I a Scotchman; this I ask for Ireland.'

"The British Government have offered Ireland all that O'Connell and Thomas Davis asked, and more; and we are met only by an unqualified demand that we should recognise Ireland as a foreign power. It is playing with phrases to suggest that the principle of government by consent of the governed compels a recognition of that demand on our part, or that in repudiating it we are straining geographical and historical considerations to justify a claim to ascendancy over the Irish race. There is no political principle, however clear, that can be applied without regard to limitations imposed by physical and historical facts. Those limitations are as necessary as the very principle itself of the structure of every free nation; to deny them would involve the dissolution of all democratic States. It is on these elementary grounds that we have called attention to the governing force of the geographical propinquity of these two islands, and of their long historic association despite great differences of character and race. We do not believe that the permanent reconciliation of Great Britain and Ireland can ever be attained without a recognition of their physical and historical interdependence, which makes complete political and economic separation impracticable for both.

"I cannot better express the British standpoint in this respect than in words used of the Northern and Southern States by Abraham Lincoln in the First Inaugural Address. They were spoken by him on the brink of the American Civil War, which he was striving to avert:

“ ‘ Physically speaking ’ (he said) ‘ we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. . . . It is impossible, then, to make that intercourse more advantageous or more satisfactory after separation than before. . . . Suppose you go to war, you cannot fight always; and when, after much loss on both sides and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you.’

“ I do not think it can be reasonably contended that the relations of Great Britain and Ireland are in any different case.

“ I thought I had made it clear, both in my conversations with you and in my two subsequent communications, that we can discuss no settlement which involves a refusal on the part of Ireland to accept our invitation to free, equal, and loyal partnership in the British Commonwealth under one Sovereign. We are reluctant to precipitate the issue, but we must point out that a prolongation of the present state of affairs is dangerous. Action is being taken in various directions which, if continued, would prejudice the truce and must ultimately lead to its termination. This would indeed be deplorable. Whilst, therefore, prepared to make every allowance as to time which will advance the cause of peace, we cannot prolong a mere exchange of notes. It is essential that some definite and immediate progress should be made towards a basis upon which further negotiations can usefully proceed. Your letter seems to us unfortunately to show no such progress.

“ In this and my previous letters I have set forth the considerations which must govern the attitude of His Majesty’s Government in any negotiations which they undertake. If you are prepared to examine how far these considerations can be reconciled with the aspirations which you represent, I shall be happy to meet you and your colleagues.

“ I am, Sir;

“ Yours faithfully,

“ (*Signed*) D. LLOYD GEORGE.”

The President’s reply to this letter was considered at a Cabinet meeting in Dublin and despatched on the 30th. It referred to the

Irish rejection of the proposals of July 20th as "irrevocable," touched briefly on Lloyd George's "fallacious historical references" and analysed the attitude of the two partners to the dispute: The Irish people, relying on what they considered their fundamental right, had declared for independence and had set up a Republic and had more than once confirmed their choice; Great Britain, on the contrary, based aggressive action on the notorious Act of Union as though that were a valid contract. The Prime Minister threatened force; "Our reply must be that we can only resist, as the generations before us have resisted."

Only on the basis of "Government by consent of the governed" was there a hope of reconciling their attitudes. On this basis the Dail was ready at once to appoint Plenipotentiaries.

"Mansion House, Dublin,  
"August 30th, 1921.

"SIR,

"We, too, are convinced that it is essential that some 'definite and immediate progress should be made towards a basis upon which further negotiations can usefully proceed,' and recognise the futility of a 'mere exchange' of argumentative notes. I shall refrain, therefore, from commenting on the fallacious historical references in your last communication.

"The present is the reality with which we have to deal. The conditions to-day are the resultant of the past, accurately summing it up and giving in simplest form the essential data of the problem. These data are:

- "(1) The people of Ireland, acknowledging no voluntary union with Great Britain, and claiming as a fundamental natural right to choose freely for themselves the path they shall take to realise their national destiny, have by an overwhelming majority declared for independence, set up a Republic, and more than once confirmed their choice.
- "(2) Great Britain, on the other hand, acts as though Ireland were bound to her by a contract of union that forbade separation. The circumstances of the supposed contract are notorious, yet on the theory of its validity



the British Government and Parliament claim to rule and legislate for Ireland, even to the point of partitioning Irish territory against the will of the Irish people, and killing or casting into prison every Irish citizen who refuses allegiance.

“ The proposals of your Government submitted in the draft of July 20th are based fundamentally on the latter premises. We have rejected these proposals and our rejection is irrevocable. They were *not* an invitation to Ireland to enter into ‘ a free and willing ’ partnership with the free nations of the British Commonwealth. They were an invitation to Ireland to enter in a guise, and under conditions which determine a status definitely inferior to that of these free States. Canada, Australia, South Africa, New Zealand are all guaranteed against the domination of the major State, not only by the acknowledged constitutional rights which give them equality of status with Great Britain and absolute freedom from the control of the British Parliament and Government, but by the thousands of miles that separate them from Great Britain. Ireland would have the guarantees neither of distance nor of right. The conditions sought to be imposed would divide her into two artificial states, each destructive of the other’s influence in any common Council, and both subject to the military, naval, and economic control of the British Government.

“ The main historical and geographical facts are not in dispute, but your Government insists on viewing them from your standpoint. We must be allowed to view them from ours. The history that you interpret as dictating union we read as dictating separation. Our interpretations of the fact of ‘ geographical propinquity ’ are no less diametrically opposed. We are convinced that ours is the true and just interpretation, and as a proof are willing that a neutral, impartial arbitrator should be the judge. You refuse and threaten to give effect to your view by force. Our reply must be that if you adopt that course we can only resist as the generations before us have resisted.

“ Force will not solve the problem. It will never secure the

ultimate victory over reason and right. If you again resort to force, and if victory be not on the side of justice, the problem that confronts us will confront our successors. The fact that for 750 years this problem has resisted a solution by force is evidence and warning sufficient. It is true wisdom, therefore, and true statesmanship, not any false idealism, that prompts me and my colleagues. Threats of force must be set aside. They must be set aside from the beginning, as well as during the actual conduct of the negotiations. The respective plenipotentiaries must meet untrammelled by any conditions save the facts themselves, and must be prepared to reconcile their subsequent differences not by appeals to force, covert or open, but by reference to some guiding principle on which there is common agreement. We have proposed the principle of government by consent of the governed, and do not mean it as a mere phrase. It is a simple expression of the test to which any proposed solution must respond if it is to prove adequate, and it can be used as a criterion for the details as well as for the whole. That you claim it as a peculiarly British principle, instituted by Britain, and 'now the very life of the British Commonwealth' should make it peculiarly acceptable to you. On this basis, and this only, we see a hope of reconciling 'the considerations which must govern the attitude' of Britain's representatives with the considerations that must govern the attitude of Ireland's representatives, and on this basis we are ready at once to appoint plenipotentiaries.

" I am, Sir,

" Faithfully yours,

" (*Signed*) EAMON DE VALÉRA "

Lloyd George was in Gairloch in Inverness-shire when President de Valéra's letter was handed to him by the emissaries of the Dail. The English Cabinet was summoned to Inverness.

So far, in this duel, President de Valéra had given nothing away. Neither threats nor arguments had elicited from him an abandonment of any part of the Irish claim; on the other hand, he had written nothing which offered to the English Government a plausible pretext for a break. The question at issue had been narrowed down: the British were prepared to negotiate on a war

basis, as a strong and victorious power offering terms to a small, rebellious and defeated subject State. The Irish were ready to continue their resistance rather than take part in any conference not based on democratic principles. England proposed a conference similar to thousands of others recorded in history; the Irish contended for one based on principles which had been accepted in theory but never yet applied in the making of peace after war. They were principles which deprived the stronger party of the advantages of its strength.

President de Valéra was anxious to avert a break. He had a solution to propose—one in which he believed profoundly as being just and advantageous to both countries and containing the elements of a lasting peace. He had foreshadowed in his letter of August 10th a proposal for “a treaty of free association with the British Commonwealth group.”

The British Cabinet met on September 7th at the Town Hall, Inverness; Lord Curzon, the Right Hon. Edward Shortt, now Home Secretary, and Sir Hamar Greenwood attended, also General Macready, who arrived in a destroyer. Their reply was conveyed by Robert Barton to Dublin that night.

De Valéra was asked in it for a definite reply as to “whether you are prepared to enter a conference to ascertain how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations.”

It read as follows:

“SIR,

“His Majesty’s Government have considered your letter of August 30th, and have to make the following observations upon it.

“The principle of government by consent of the governed is the foundation of British constitutional development, but we cannot accept as a basis of practical conference an interpretation of that principle which would commit us to any demands which you might present—even to the extent of setting up a republic and repudiating the Crown. You must be aware that conference on such a basis is impossible. So applied, the principle of government by consent of the governed would

undermine the fabric of every democratic State and drive the civilised world back into tribalism.

“ On the other hand, we have invited you to discuss our proposals on their merits, in order that you may have no doubt as to the scope and sincerity of our intentions. It would be open to you in such a conference to raise the subject of guarantees on any points in which you may consider Irish freedom prejudiced by these proposals.

“ His Majesty's Government are loth to believe that you will insist upon rejecting their proposals without examining them in conference. To decline to discuss a settlement which would bestow upon the Irish people the fullest freedom of national development within the Empire can only mean that you repudiate all allegiance to the Crown and all membership of the British Commonwealth. If we were to draw this inference from your letter, then further discussion between us could serve no useful purpose, and all conference would be vain. If, however, we are mistaken in this inference, as we still hope, and if your real objection to our proposals is that they offer Ireland less than the liberty which we have described, that objection can be explored at a Conference.

“ You will agree that this correspondence has lasted long enough. His Majesty's Government must therefore ask for a definite reply as to whether you are prepared to enter a Conference to ascertain how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations. If, as we hope, your answer is in the affirmative, I suggest that the Conference should meet at Inverness on the 20th instant.

“ I am, Sir,

“ Yours faithfully,

“ (Signed) D. LLOYD GEORGE.”

Lloyd George, in his concluding paragraph, had described correctly the basis on which the Republican Government was willing to negotiate. Encouraged by the phrase, De Valéra summoned the Dail to discuss the nomination of Delegates and replied to the Prime Minister informing him that he had done so.

In his letter, sent on September 12th, he took care, however, to reaffirm the position of the Republican Representatives:

“ Our nation has formally declared its independence and recognises itself as a sovereign State. It is only as the representatives of that State and its chosen guardians that we have any authority or powers to act on behalf of our people.”

The President wrote:

“ SIR,

“ We have no hesitation in declaring our willingness ‘ to enter a Conference to ascertain how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations.’ Our readiness to contemplate such an association was indicated in our letter of August 10th. We have accordingly summoned Dail Eireann that we may submit to it for ratification the names of the representatives it is our intention to propose. We hope that these representatives will find it possible to be at Inverness on the date you suggest, September 20th.

“ In this final note we deem it our duty to reaffirm that our position is and can only be as we have defined it throughout this correspondence. Our nation has formally declared its independence and recognises itself as a sovereign State. It is only as the representatives of that State and as its chosen guardians that we have any authority or powers to act on behalf of our people.

“ As regards the principle of ‘ government by consent of the governed,’ in the very nature of things it must be the basis of any agreement that will achieve the purpose we have at heart, that is, the final reconciliation of our nation with yours. We have suggested no interpretation of that principle save its everyday interpretation, the sense, for example, in which it was understood by the plain men and women of the world when on January 5th, 1918, you said:

“ ‘ . . . The settlement of the new Europe must be based on such grounds of reason and justice as will give some promise of stability. Therefore it is that we feel that government with the consent of the governed must be the basis of any territorial settlement in this war.’

“ These words are the true answer to the criticism of our position which your last letter puts forward. The principle was understood then to mean the right of nations that had been annexed to empires against their will to free themselves from the grappling hook. That is the sense in which we understand it. In reality it is your Government, when it seeks to rend our ancient nation and to partition its territory, that would give to the principle an interpretation that ‘ would undermine the fabric of every democratic state and drive the civilised world back into tribalism.’ ”

“ I am, Sir,

“ Faithfully yours,

“ (*Signed*) EAMON DE VALÉRA.”

Harry Boland and Joseph McGrath went with this communication to Scotland.

At a private meeting of the Dail held on the 14th the terms of the letter were unanimously approved and five delegates were appointed with a view to conference.

Sir Henry Wilson described what to him seemed “ a delightful comedy ” which took place at Gairloch when De Valéra’s letter was brought to Lloyd George. No sooner had the President’s reply been circulated to the Cabinet than Lloyd George regretted it. He “ realised that this was rather strong meat even for his Cabinet.” He sent round a message to the effect that the report of De Valéra’s letter was quite unauthorised and an order that all copies should be destroyed.<sup>1</sup>

The Prime Minister was gravely disconcerted by De Valéra’s assertion that the Irish nation recognised itself as a Sovereign State. He told Joseph McGrath and Harry Boland that the letter in its present form would make conference impossible. He offered to regard it as undelivered and suggested that De Valéra should excise the offending paragraph.

Informed of what was happening, De Valéra summoned the Dail. The members gave their unanimous approval to his letter, regardless of the consequences, and a copy was sent to the Press.

The Prime Minister now summoned his colleagues and

<sup>1</sup> Callwell, II., p. 505.

informed De Valéra by telegram that he was consulting them. He protested:

“ If we accepted conference with your delegates on a formal statement of the claim which you have reaffirmed, it would constitute an official recognition by His Majesty’s Government of the severance of Ireland from the Empire and of its existence as an independent Republic.”

He complained that all concessions had, so far, come from the English side.

His telegram was as follows:

“ Gairloch,  
“ *Sept. 15th.*

“ SIR,

“ I informed your emissaries who came to me here on Tuesday the 13th, that the reiteration of your claim to negotiate with His Majesty’s Government as the representative of an independent and sovereign State would make conference between us impossible.

“ They brought me a letter from you in which you specifically reaffirmed that claim, stating that your nation ‘ has formally declared its independence and recognises itself as a sovereign State,’ and ‘ it is only,’ you added, ‘ as the representatives of that State and as its chosen guardians that we have any authority or powers to act on behalf of our people.’

“ I asked them to warn you of the very serious effect of such a paragraph, and I offered to regard the letter as undelivered to me in order that you might have time to reconsider it.

“ Despite this intimation, you have now published the letter in its original form. I must accordingly cancel the arrangements for conference next week at Inverness and must consult my colleagues on the course of action which this new situation necessitates. I will communicate this to you as soon as possible, but as I am for the moment laid up here a few days’ delay is inevitable.

“ Meanwhile I must make it absolutely clear that His

Majesty's Government cannot reconsider the position which I have stated to you. If we accepted conference with your delegates on a formal statement of the claim which you have reaffirmed, it would constitute an official recognition by His Majesty's Government of the severance of Ireland from the Empire and of its existence as an independent Republic.

"It would, moreover, entitle you to declare as of right acknowledged by us that in preference to association with the British Empire you would pursue a closer association by treaty with some other foreign Power. There is only one answer possible to such a claim as that.

"The great concessions which His Majesty's Government have made to the feelings of your people in order to secure a lasting settlement deserved, in my opinion, some more generous response, but so far every advance has been made by us. On your part you have not come to meet us by a single step, but have merely reiterated in phrases of emphatic challenge the letter and the spirit of your original claims.

"I am, Sir,

"Yours faithfully,

"D. LLOYD GEORGE."



## CHAPTER 52

*September 1921*

“THE ASSOCIATION OF IRELAND WITH THE COMMON-WEALTH” — IRELAND A SOVEREIGN STATE — POSITIONS DEFINED — EXCHANGE OF TELEGRAMS — CONFERENCE WITHOUT CONDITIONS

LLOYD GEORGE had failed in his attempt to induce the Irish leader to make a surrender before entering upon negotiations. Had he succeeded, the Irish Delegates would have gone to London with their case already prejudiced, for they would have gone as subjects negotiating with a Paramount Power; the elections which established the Republic would have been treated in conference as a mere romantic gesture, an episode from a contentious and regrettable period which should be forgotten and forgiven now.

But the establishment of the Irish Republic was something more than a gesture. De Valéra and Dail Eireann had been elected and re-elected to the supreme responsibility for defending the Republic, and to compromise their mandate would have been an act of cynical insincerity. The time might come when the Irish people might desire to surrender the Republic rather than face further aggression, but it could not be surrendered, explicitly or implicitly, by its Government, by the Parliament elected to maintain it, as a condition preliminary to conference. Lloyd George in the first phase of the correspondence—the letters preceding the interview in London—and in the second phase, which followed the proposals of July 20th, had endeavoured to secure such a surrender, while De Valéra's resolution not to make it had been manifest. The President's letter of August 24th had initiated a third phase—the effort to secure conference on the basis of the principle of government by the consent of the governed; Lloyd George's long reply had attempted to evade that issue and De Valéra had reiterated the necessity for this guiding principle on August 30th.

In his letter of September 7th, Lloyd George had theoretically admitted that principle, ceased to urge the rejected proposals

and proposed conference to ascertain how the association of Ireland with the British Commonwealth could be reconciled with Irish aspirations. In accepting, De Valéra had reaffirmed the position of the Irish representatives in order to forestall any possibility that acceptance might be interpreted as compromise.

Lloyd George now took a line that seemed to render a breakdown almost inevitable. He interpreted De Valéra's statement that "Ireland recognises itself as a sovereign State" as a demand for British recognition of that position as preliminary to conference.

The President's letter had not made such a demand, and there was now no obstacle to conference except the British Prime Minister's anxiety to secure a preliminary admission prejudicial to the Republic's claim.

De Valéra, in a message telegraphed to Lloyd George on September 16th, pointed this out and asked only that the negotiators should meet without prejudice and untrammelled by any conditions save the facts.

His telegram was as follows:

"SIR—I received your telegram last night. I am surprised that you do not see that if we on our side accepted the Conference on the basis of your letter of Sept. 7th without making our position equally clear, Ireland's representatives would enter the Conference with their position misunderstood and the cause of Ireland's right irreparably prejudiced.

"Throughout the correspondence that has taken place you have defined your Government's position. We have defined ours. If the positions were not so definitely opposed there would, indeed, be no problem to discuss.

"It should be obvious that in a case like this, if there is to be any result, the negotiators must meet without prejudice and untrammelled by any conditions whatsoever except those imposed by the facts as they know them.

"I am, Sir, faithfully yours,

"EAMON DE VALÉRA."

Lloyd George was unable, or appeared to be unable, to accept the possibility of such a conference, as was shown by his reply, sent on the following day:

“ SIR,

“ I have received the communication which you telegraphed to me last night. It is idle to say that a conference in which we had already met your delegates as representatives of an independent and sovereign State would be a conference ‘ without prejudice.’ To receive them as such would constitute a formal and official recognition of Ireland’s severance from the King’s domains.

“ It would, indeed, entitle you, if you thought fit, to make a treaty of amity with the King, but it would equally entitle you to break off the conference with us at any point and by a right which we ourselves had already recognised to negotiate the union of Ireland with a foreign Power. It would also entitle you, if you insisted upon another appeal to force, to claim from foreign Powers by our implicit admission the rights of lawful belligerents against the King, for if we deal with you as a sovereign and independent State we should have no right to complain of other Powers for following our example. These would be the consequences of receiving your delegates as the representatives of an independent State.

“ We are prepared, in the words of my letter of the 7th, to discuss with you ‘ how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations.’ We cannot consent to any abandonment, however, of the principle of allegiance to the King upon which the whole fabric of the Empire and every constitution within it are based. It is fatal to that principle that your delegates in the conference should be there as the representatives of an independent and sovereign State. While you insist on claiming that, conference between us is impossible.

“ I am, yours faithfully,

“ D. LLOYD GEORGE.”

De Valéra’s reply, telegraphed the same evening, while declaring “ we can only recognise ourselves for what we are ” pointed out that “ self-recognition ” should be no bar to conference, and repeated his anxiety to put the conference on a basis of truth and reality:

“SIR,—In reply to your last telegram, just received, I have only to say that we have already accepted your invitation in the exact words which you re-quote from your letter of the 7th. We have not asked you to abandon any principle—even informally—but surely you must understand that we can only recognise ourselves for what we are.

“If this self-recognition be made a reason for the cancellation of the Conference, we regret it; but it seems inconsistent. I have already had conferences with you, and in these conferences and in my written communications I have never ceased to recognise myself for what I was and am.

“If this involves recognition on your part, then you have already recognised us. Had it been our desire to add to the solid substance of Ireland’s natural right the venter of the technicalities of international usage which you now introduce, we might have claimed already the advantage of all these consequences which you fear would flow from the reception of our delegates now.

“Believe me, we have but one object at heart—the setting of the Conference on such a basis of truth and reality as would make it possible to secure through it the result which the peoples of these two islands so ardently desire.”

Lloyd George replied on the 18th with a repetition of his demand for a withdrawal of the offending paragraph:

“SIR—I have received your telegram of last night, and observe that it does not modify the claim that your delegates should meet us as the representatives of a sovereign and independent State. You made no such condition in advance when you came to see me in July. I invited you then to meet me, in the words of my letter, as ‘the chosen leader of the great majority in Southern Ireland,’ and you accepted that invitation.

“From the very outset of our conversations I told you that we looked to Ireland to own allegiance to the Throne, and to make her future as a member of the British Commonwealth. That was the basis of our proposals, and we cannot

alter it. The status which you now claim in advance for your delegates is, in effect, a repudiation of that basis.

“ I am prepared to meet your delegates as I met you in July, in the capacity of ‘ chosen spokesmen ’ for your people, to discuss the association of Ireland with the British Commonwealth.

“ My colleagues and I cannot meet them as the representatives of a sovereign and independent State without disloyalty on our part to the Throne and the Empire. I must, therefore, repeat that unless the second paragraph in your letter of the 12th is withdrawn, conference between us is impossible.

“ D. LLOYD GEORGE.”

De Valéra again assured the Prime Minister that he sought for no preliminary recognition; that, in fact, he would consider such a demand as being unreasonable from one side as from the other; that he believed a Treaty of Association would end the dispute for ever, and that he and his colleagues were willing to accept an invitation to a conference free on both sides and without prejudice.

He wrote on September 19th:

“ SIR,—We have had no thought at any time of asking you to accept any conditions precedent to a Conference. We would have thought it as unreasonable to expect you, as a preliminary, to recognise the Irish Republic formally, or informally, as that you should expect us formally, or informally, to surrender our national position. It is precisely because neither side accepts the position of the other that there is a dispute at all, and that a Conference is necessary to search for and to discuss such adjustments as might compose it.

“ A treaty of accommodation and association properly concluded between the peoples of these two islands and between Ireland and the group of States in the British Commonwealth would, we believe, end the dispute for ever, and enable the two nations to settle down in peace, each pursuing its own individual development and contributing

its own quota to civilisation, but working together in free and friendly co-operation in affairs of agreed common concern. To negotiate such a treaty the respective representatives of the two nations must meet. If you seek to impose preliminary conditions, which we must regard as involving a surrender of our whole position, they cannot meet.

“ Your last telegram makes it clear that misunderstandings are more likely to increase than to diminish, and the cause of peace more likely to be retarded than advanced, by a continuance of the present correspondence. We request you, therefore, to state whether your letter of September 7th is intended to be a demand for a surrender on our part, or an invitation to a Conference free on both sides and without prejudice should agreement not be reached. If the latter, we readily confirm our acceptance of the invitation, and our appointed delegates will meet your Government’s representatives at any time in the immediate future that you designate.

“ I am, Sir, yours faithfully,

“ EAMON DE VALÉRA.”

No reply was sent by Lloyd George until ten days had elapsed. Meanwhile, observers in many countries were drawing their conclusions from as much of the correspondence as they had read. The President’s letters had shown that the Irish revolutionaries were not of the type of unreasoning fanatic or simple militarist. On September 23rd the Catholic Hierarchy of the United States cabled to Cardinal Logue their sympathy with Ireland and good wishes for the success of the conference and expressed their pride to see “ the representatives of their race conduct themselves with a statesmanship that has challenged the admiration of the world.”

On the same day Winston Churchill, speaking in Dundee, repeated his threats of war—“ real war, not mere bushranging ”—but he added:

“ When in moments of doubt or hours of despondency we feel that the course we are pursuing towards the Sinn Feiners is repugnant to some of our feelings in many aspects and for many reasons, we must cheer ourselves by remembering that

a lasting settlement with Ireland would not only be a blessing in itself but with it would also be removed the greatest obstacle which has ever existed to Anglo-American unity and that far across the Atlantic Ocean we should reap a harvest sown in the Emerald Isle."

Lloyd George's reply, sent to De Valéra on September 29th, was to the effect that he could not enter a conference on the basis of the correspondence; but at the same time, he sent "a fresh invitation to a conference in London on the 11th, where we can meet your delegates as spokesmen of the people whom you represent with a view to ascertaining how the association of Ireland with the community of nations known as the British Empire may best be reconciled with Irish national aspirations."

"SIR,

"His Majesty's Government have given close and earnest consideration to the correspondence which has passed between us since their invitation to you to send delegates to a conference at Inverness. In spite of their sincere desire for peace and in spite of the more conciliatory tone of your last communication, they cannot enter a conference upon the basis of this correspondence. Notwithstanding your personal assurance to the contrary, which they much appreciate, it might be argued in future that the acceptance of a conference on this basis had involved them in a recognition which no British Government can accord. On this point they must guard themselves against any possible doubt. There is no purpose to be served by any further interchange of explanatory and argumentative communications upon this subject. The position taken up by His Majesty's Government is fundamental to the existence of the British Empire and they cannot alter it. My colleagues and I remain, however, keenly anxious to make in co-operation with your delegates another determined effort to explore every possibility of settlement by personal discussion. The proposals which we have already made have been taken by the whole world as proof that our endeavours for reconciliation and settlement are no empty form, and we feel that conference not correspondence is the most practical and hopeful way to

an understanding such as we ardently desire to achieve. We, therefore, send you herewith a fresh invitation to a conference in London on October 11th, where we can meet your delegates as spokesmen of the people whom you represent with a view to ascertaining how the association of Ireland with the community of nations known as the British Empire may best be reconciled with Irish national aspirations.

" I am, Sir,

" Yours faithfully.

" D. LLOYD GEORGE."

President de Valéra's final acceptance was sent, in the following terms, on September 30th :

" Rt. Hon. D. Lloyd George,  
" Gairloch.

Mansion House, Dublin,  
30th September, 1921.

" SIR,—We have received your letter of invitation to a Conference in London on October 11th ' with a view to ascertaining how the association of Ireland with the community of nations known as the British Empire may best be reconciled with Irish national aspirations.'

" Our respective positions have been stated and are understood, and we agree that conference, not correspondence, is the most practical and hopeful way to an understanding. We accept the invitation, and our Delegates will meet you in London on the date mentioned ' to explore every possibility of settlement by personal discussion.'

" Faithfully yours,

" EAMON DE VALÉRA."

The termination of the correspondence left the advantage on Ireland's side. The Republic had been safeguarded from compromise and the people from aggression. The Irish Delegates would meet the English Delegates committed to no surrender.

English opinion was sharply divided. The *Morning Post*, virulently anti-Irish in temper, commented bitterly on Lloyd George's policy.

" De Valéra," it declared, " may well condescend to the favour which he has granted, for he will come to the Conference



as one who has already gained his point. Even the elementary condition that he should acknowledge the sovereignty of the Crown has been waived. As the *Manchester Guardian* and the *Daily Herald* delight in pointing out, Mr. Lloyd George has made no allegiance demand, but has wiped the slate clean. The self-styled President of the Irish Republic has, on the other hand, committed himself to nothing.”

## CHAPTER 53

*September and October 1921*

A FORMULA FOR NEGOTIATIONS – THE IDEA OF EXTERNAL ASSOCIATION – IRISH DELEGATES APPOINTED – THE REPUBLICAN PROJECT – THE IRISH DELEGATES IN LONDON

“ How the association of Ireland with the community of nations known as the British Empire may best be reconciled with Irish national aspirations ”: to this simple formula the age-old conflict had at length been reduced. It was a formula profoundly interesting to students of the situation, fraught with urgent questions for Irish Republicans.

Did it imply any surrender by Ireland ? There was nothing in the formula as it stood inconsistent with the preservation of the Republic and all its institutions intact; nothing impossible in the idea of a sovereign Irish Republic associated by Treaty with the British Dominions for purposes of common concern. The formula left room for such a solution, and this was the solution which the Irish Cabinet visualised. They hoped that, in the course of negotiations, the scope of the interests common to Ireland and the Dominions would be explored and that a Treaty on these lines would be framed. Such a settlement would, however, be inconsistent with isolation and therefore unpleasing to those who believed that only in complete separateness from the British Empire could Ireland's destiny be achieved. If these agreed to it, it would be because in such an association lay the last hope of reconciling the minority in Ireland to the Republic.

There were, however, many thoughtful Republicans to whom the idea of a Treaty of Association between the Irish Republic and the British Commonwealth appealed on its merits, even had the problem of the Unionists and the element of coercion not entered in; indeed the element of coercion was the factor which most strongly militated against that appeal. A free Irish Republic and the neighbouring island would inevitably have many interests in common; agreements as to trade and defence would, in the nature of historical process, sooner or later seem desirable.

So long as there was no implication of Irish subjection in the terms of association and no sacrifice of the Republic, no interference with the functioning of Dail Eireann and the Republican Army, an agreement of this kind could be contemplated hopefully as a solution of the conflict, a lasting settlement between the two peoples, and as a compact that would take its place naturally in a new world policy wherein the isolation of nations was becoming a thing of the past.

The Irish people had no single ambition which in any way threatened the rights of the British people. In such trade rivalry as might arise between the two nations British interests could not, in the nature of things, suffer much. If the British people thought their security menaced more by a free and friendly Ireland than by a subject and hostile Ireland, guarantees of neutrality could be arranged which would satisfy such fears. Only enlightened statesmanship was needed for the peaceful sealing of such a pact between the two nations—statesmanship a little in advance of this dark era of politics which had produced the World War.

This, in rough outline, was President de Valéra's view; it was shared by Erskine Childers who, of all his colleagues, had the most intimate knowledge of British politics and mentality. To this view, the President secured the assent of his colleagues, even the uncompromising Stack and Brugha, during the weeks of the correspondence with Lloyd George. In September, details of an offer to England were under discussion by the Republican Cabinet; by the end of the month De Valéra, with the help of Erskine Childers, George Gavan Duffy and others, had sketched the outline of a draft of a treaty such as he would be willing to sponsor and to recommend. External association with the British Commonwealth was its basis; its terms left the Irish Republic intact. In the files of Dail Eireann and in correspondence with the Delegation it was known as "Draft Treaty A."

When the Republican Cabinet met to appoint its Delegates to negotiate with the British, some of the Ministers urged that De Valéra should take part in the negotiations as a Delegate. He was recognised as the most persuasive negotiator and at the same

time the most formidable antagonist against British machinations. The President's own feeling, however, was that, as head of the State, his place during this crisis was at home. Lloyd George's attempt to obscure the fact that De Valéra was the head of a State which had declared its independence made it important to emphasise the President's position. The appropriate person to head a Delegation to England was the Minister for Foreign Affairs.

Every contingency, moreover, had to be visualised. Another rejection might prove necessary. In that case it would be advisable that De Valéra, who had already rejected a British offer, should not be the spokesman, but that the refusal should be delivered by someone known for the moderation of his views. Moreover, if a partial or temporary breakdown occurred in the negotiations it would be useful to have the President in a neutral position from which he might be able to secure a reopening of the conference. Again, it was possible that a settlement might be arrived at in London which would satisfy the Republican Cabinet but meet with opposition from a section of Republicans. In that event the President's influence in recommending the settlement would be stronger if he were outside the Delegation which had effected it. In any event it would be easier for the Irish people to remain steady in the face of rumours, alarms and hostile propaganda if the President remained at home.

It would be easy for the Delegation and the members of the Cabinet remaining in Dublin to keep in constant touch, and it was obviously desirable that all proposals should be finally decided upon in Dublin.

These and other considerations made De Valéra hold strongly to the view that he should not be a member of the Delegation, and four out of the six members of the Cabinet—Griffith, Barton, Brugha and Stack, supported him.

The President proposed Arthur Griffith and Michael Collins as leaders of the Delegation and they consented, Collins reluctantly, to act; Cathal Brugha, as Minister for Defence, refused to leave the Army; Austin Stack also preferred to remain at home; Robert Barton was pressed to go and consented. There were thus on the Delegation the Minister for Foreign Affairs, the Minister of Finance, and the Minister of Economic Affairs. It was desired

to include legal advisers, and two members of the Dail, George Gavan Duffy, who had been acting as Envoy in Rome, and Eamon Duggan were appointed. The secretaries to the Delegation were Erskine Childers, Finian Lynch, Diarmuid O'Hegarty and John Chartres. Erskine Childers was already at work, drafting memoranda on Defence and other matters which would be subjects of conference. There was some intention of inviting a constitutional lawyer to act as adviser to the Delegation, but this was not done.

The Dail sanctioned the appointments at its meeting on September 14th. As soon as the agreement was reached with Lloyd George as to the basis of conference, arrangements were made for the accommodation of the Delegates in London. They were to meet Lloyd George on October 11th, just four months after the commencement of the Truce.

The Irish Government sent its Delegates to London forewarned and forearmed. At a meeting of the Cabinet held on October 7th they were given their credentials. These read as follows:

“ In virtue of the authority vested in me by Dail Eireann, I hereby appoint Arthur Griffith, T.D., Minister for Foreign Affairs; Michael Collins, T.D., Minister of Finance; Robert C. Barton, T.D., Minister of Economic Affairs; Edmund J. Duggan, T.D., and George Gavan Duffy, T.D., as Envoys Plenipotentiary from the elected Government of the Republic of Ireland to negotiate and conclude on behalf of Ireland, with the representatives of His Majesty George V, a treaty or treaties of settlement, association and accommodation between Ireland and the community of nations known as the British Commonwealth. In witness whereof I hereunder subscribe my name as President.

“ EAMON DE VALÉRA.”

In these credentials, which the President expected the Delegates to present to Lloyd George, he had once more affirmed the sovereignty of the Irish Nation and the status of its Representatives.

Lest any doubt should arise as to the interpretation of the powers of those “ Envoys Plenipotentiary ” they were given

explicit and written instructions. These instructions were as follows:

- " 1. The Plenipotentiaries have full powers as defined in their credentials.
- " 2. It is understood before decisions are finally reached on a main question, 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.
- " 3. It is also understood that the complete text of the draft treaty about to be signed will be similarly submitted to Dublin, and reply awaited.
- " 4. In case of a break, the text of the final proposals from our side will be similarly submitted.
- " 5. It is understood the Cabinet in Dublin will be kept regularly informed of the progress of the negotiations."

At this Cabinet meeting the President's outline draft for a Treaty of External Association<sup>1</sup> was approved as the basis of an acceptable settlement.

This "Draft Treaty A" on which, by the unanimous decision of the Cabinet, the Irish Delegates were to work as a tactical basis for discussion, contained, in its later form, six articles. These provided that the British Commonwealth should recognise Ireland as a sovereign and independent State and renounce all claim to any interference in Irish affairs; that Ireland should agree to become an external associate of the British Commonwealth; that Ireland be a neutral State, the British Commonwealth to guarantee Ireland's perpetual neutrality and the integrity and inviolability of Irish territory; that a request be made to the League of Nations and States not members of the League to guarantee Ireland's neutrality, integrity and inviolability; that the States of the British Commonwealth support Ireland's application for membership to the League of Nations and, lastly, that after the signing of the Treaty all British Military and armed Police and all Police recruited since January 21st, 1919,<sup>2</sup> should be withdrawn from Ireland.

<sup>1</sup> Appendix 16, p. 974.

<sup>2</sup> The date of the Declaration of Independence.

Each Delegate was given a copy of the President's outline for this "Draft Treaty A." It was a confidential document. Its details were not completed: a clause concerning North-East Ulster was to be forwarded to the Delegation in London; the whole draft was to be worked on and reduced to precise form by the members of the Cabinet remaining in Dublin and a fresh draft was to be communicated to the Delegates. The Delegates were to fill in details as the negotiations progressed.<sup>1</sup>

On October 7th, also, the British Delegates were appointed. They were Lloyd George, Lord Birkenhead (Lord Chancellor), Sir L. Worthington Evans (Secretary of State for War), Austen Chamberlain (leader of the House of Commons), Winston Churchill (Secretary of State for the Colonies), and Sir Hamar Greenwood (Chief Secretary for Ireland). In addition, Sir Gordon Hewart, British Attorney-General, was appointed to act as a member of the Conference whenever constitutional questions were being discussed. Lionel Curtis acted as one Secretary; the other Secretary was to play an important part in the negotiations; he was the Prime Minister's private secretary, Thomas Jones.

The departure of the nation's Delegates to London filled the Irish people with unbounded, if ill-founded, hope. The Proclamation by the President issued on October 10th was a warning against excessive optimism and an appeal for solidarity:

" . . . The only peace that, in the very nature of things, can end this struggle will be a peace consistent with the nation's right and guaranteeing a freedom worthy of the sufferings endured to secure it.

" Such a peace will not be easy to obtain. The claim that conflicts with Ireland's right has been ruthlessly persisted in through centuries of blood. It seems unlikely that this claim will be abandoned now. Peace and that claim are incompatible.

" The delegates are aware that no wisdom of theirs and no

<sup>1</sup> The following is Robert Barton's appreciation of the proposals which the Delegates were to press, as noted in a memorandum written after the close of the conference: "The Dail members understood that their Delegates' object was external association. The definition of that term was vague and even the Delegates had but a hazy conception of what would be its final form. This, however, was clear to us: External Association meant that no vestige of British authority would remain in Ireland. The compromise would be as regarded our foreign relations."

ability of theirs will suffice. They indulge, therefore, in no foolish hopes, nor should the country indulge in them. The peace that will end this conflict will be secured, not by the skill or statesmanship of leaders, but by the stern determination of a close-knit nation steeled to the acceptance of death rather than the abandonment of its rightful liberty. Nothing but such a determination in our people can overcome the forces that our delegates will have to contend with.

“By an heroic endurance in suffering, Ireland has gained the position she holds. Were the prospect of further horrors or further sacrifices to cause her to quail or falter for a moment, all would again be lost.”

The courage and loyalty of the Irish people had shown no sign of wavering yet. Cathal O'Shannon, the Vice-President of the Irish Labour Party, in an interview given on the following day to the *Echo de Paris* expressed his conviction that the great majority of the people were firmly against compromise.

“Sinn Fein,” he said, “cannot compromise. If liberty is not complete liberty it is not liberty at all, and besides the Dail has been specially returned to defend the Republican ideal.”

He said that 50 per cent of Ireland's manual and intellectual workers belonged to the Sinn Fein Party or the Republican Army; he spoke for a Federation comprising 300,000 persons.

Arriving in London on October 9th, the Irish Delegates found at Euston an immense crowd whose enthusiasm broke all bounds. The elaborate arrangements made by the railway officials failed to stem the tide of their welcome. It seemed to the Delegates that every Irish man and woman in London had come there to call a blessing upon their efforts and to cheer them for their task.



## CHAPTER 54

*October 11th to 21st, 1921*

THE MEETING AT DOWNING STREET — LLOYD GEORGE,  
GRIFFITH AND COLLINS — CONFERENCES AND COMMITTEES  
— TELEGRAM FROM THE POPE TO KING GEORGE — DE  
VALÉRA TO THE POPE — A CRISIS IN THE CONFERENCE

THE Irish Delegates took up the quarters prepared for them at Cadogan Gardens and 22 Hans Place. On the morning of October 11th they drove with Art O'Brien to No. 10 Downing Street.

Art O'Brien presented the Irish Delegates individually to Lloyd George who received them cordially but, to their relief, without offering to shake hands. When they had taken their places along one side of the Cabinet Table the Prime Minister introduced his colleagues who sat with him on the opposite side. Facing one another across the centre were Michael Collins and Lloyd George. In the background sat the Secretaries. "It was the famous room," Lloyd George wrote afterwards, "wherein British Cabinets have, for generations, forged their Irish policies. Coercion and conciliation alike issued from that chamber. Pitt's Act of Union was discussed there and so were Gladstone's Home Rule Bills. . . ."<sup>1</sup>

The Irish credentials were not asked for or presented. The conversations opened amicably. Lloyd George lost no time in drawing the conference on to his own ground. He opened by asking for a statement of the Irish objections to the six conditions contained in the English offer of July. England, he protested, was not seeking military domination of Ireland: the British Government was anxious about coastal defence and aerodromes and feared tariff war; nothing was intended, Lord Birkenhead declared, to prevent the economic development of Ireland. The Irish Delegates said little at that meeting, but what they said was frank. If there was a change in the British policy of subordinating Ireland to England's interests, Griffith stated, there appeared to be a possibility of peace.

<sup>1</sup> David Lloyd George, *Is It Peace?* p. 270.

Another meeting of the Plenary Conference was held that afternoon. On the 13th and 14th and 17th they met again, but without coming to grips on the larger issues at stake. Sub-committees were formed on Defence, Financial Relations and the observance of the Truce. On all these Michael Collins, with the help of Erskine Childers, did a major portion of work on the Irish side.

At the Conference Table the English Delegates seemed anxious to head the discussions into comparatively small questions of detail. It became evident that Lloyd George was continually anxious to appease the Opposition in the House of Commons—the Conservative Unionist section led by Carson and Bonar Law.

Arthur Griffith, in his logical, forceful style, quoted facts and figures to expose the fallacy of the notion of a predominantly Unionist Ulster and declared that the “riots” had been deliberately organised by Unionists in Derry and Belfast. Lloyd George promised that in relation to Ulster the British Government would stand aside; that any effort which the Irish Representatives might make to induce Ulster to unite with the rest of Ireland would have their “benevolent neutrality.” With extreme frankness the Irish Delegates told Lloyd George that the Nationalists in the Six Counties would never submit to the Northern Parliament. There was discussion of local options, electoral units, a Boundary Commission, but no conclusion was reached at this stage.

Still with Dominion Status in mind, Lloyd George spoke of the participation of the Dominions in any war involving England as a voluntary act; nevertheless he objected to a proposal for guaranteed neutrality for Ireland as incompatible with Ireland’s membership of the Commonwealth; he insisted, moreover, on naval facilities on the Irish coast, although, as the Irishmen pointed out, to grant the British Navy such facilities would automatically involve Ireland in England’s wars.

Financial relations were touched on, Robert Barton proposing that Ireland should have complete fiscal autonomy and should accord “most favoured nation” treatment to England. A sub-committee was agreed on to consider the question of war debt and Ireland’s liability for the world war.

Lionel Curtis wrote a memorandum on Dominion Status. Erskine Childers later prepared an analysis of "Law and Fact in Canada," showing that safeguards enjoyed by a far distant Dominion would not be adequate for a small island, a close neighbour of Great Britain.

Controversy began to centre around a question which was to prove very important to Ireland, that of the "law, practice and constitutional usage" governing the relationship of the Crown to the Dominions. The dominant position given by the letter of the law to the Crown was not one which could be made acceptable to the Irish people, but that position as modified by practice and constitutional usage might prove less objectionable. Indeed, the distance between that relationship and the relationship envisaged in the Irish Cabinet's Draft Treaty was one that might possibly be bridged. It might, it appeared to the Irish Delegates, prove possible to find a formula which, while demanding no allegiance to the Crown from the Irish people, might satisfy the British Government by admitting some such relation with the Crown as Canada, in actual usage, maintained. On such a formula, a Treaty between the Irish Republic and the British Commonwealth might be concerted which would lead to lasting peace. The British Delegates, however, insisted upon analysing "law, practice and constitutional usage" into the component elements and insisted on acceptance of the law as it stood, with inclusion in the Empire and allegiance to the King, thus raising an insuperable obstacle to settlement.

Obstructions were accumulating on the path to peace. Grimest of all stood "Ulster"—"A rock of granite," Sir James Craig called it in a speech in Belfast on October 16th. The Ulster Volunteers were reorganising. The Force claimed to have 100,000 men.

The Republican Army was collecting arms and ammunition; consignments of these were intercepted and Lloyd George declared at the conference table that, in continuing to arm themselves, the Republicans were breaking the Truce. The Irish Delegates did not accept this interpretation of its terms. In Sligo a British officer commandeered winter quarters for

his troops. The Committee on the Truce had to deal with many questions such as these.

The Committee on Defence was finding no basis for agreement. The British were demanding that Irish harbours, inlets and naval posts should remain unreservedly at the disposal of the Imperial Government in peace or war; they were demanding, also, facilities for air services in connection with the naval bases, and recruiting facilities in Ireland.

Michael Collins argued that an Irish Government would be able to defend the Irish coast, that Ireland could not give concessions which would involve the nation in England's wars, and he suggested some such agreement as that embodied in the clause of the Cuban Treaty by which Cuba promised to do nothing which would injure her own liberties or those of the United States.<sup>1</sup>

The memorandum on defence which he submitted (drawn up with the help of Erskine Childers) proved to be a direct refutation of the claims made in the memorandum which had been drawn up by the British Naval Staff. Guaranteed neutrality was the essence of Ireland's claim. The British continued to press their demands—far exceeding any demands made upon the Dominions—with firmness and urgency, and continued to increase their requirements. They wished to limit the Irish Army and prohibit the formation of an Irish Navy or Air Force.

In spite of the fearless and outspoken attitude of the Irish Delegation, the Conference up to this point had a trend invidious to their cause. Ireland's right to independence had not been mentioned; the whole discussion had been kept remote from the fundamental question of democratic principle on which the Republican case relied; there was an undoubted tendency to confine discussion to details of Dominion Home Rule; the finesse of the Prime Minister was rendering it very difficult for the Irishmen to keep the Republican issue in sight. At this point, however, an incident occurred which brought the fundamental issue to the fore and set the British and Irish Delegates facing one another in a realistic mood.

<sup>1</sup> See *supra*, p. 382.

King George, on October 19th, received from the Pope a telegram in which the following passage occurred:

“ We rejoice at the resumption of the Anglo-Irish negotiations, and pray to the Lord, with all our heart, that He may bless them and grant to your Majesty the great joy and imperishable glory of bringing to an end the age-long dissension.”

King George, in his reply, used phrases which contained an implicit denial of the separate nationhood of Ireland and a rebuttal of the fundamental claim which the Irish Delegates had been appointed to represent. He expressed his hope that the Conference

“ may achieve a permanent settlement of the troubles in Ireland, and may initiate a new era of peace and happiness for my people.”

The President of the Irish Republic could not permit that assumption to pass by default. He sent a telegram to Pope Benedict which was immediately published in the Press. It was as follows:

“ His Holiness Benedict XV, Rome.

“ The people of Ireland have read the message sent by your Holiness to the King of Great Britain, and appreciate the kindly interest in their welfare and the paternal regard which suggested it. I tender to your Holiness their gratitude. They are confident that the ambiguities in the reply sent in the name of King George will not mislead you, as it may the uninformed, into believing that the troubles are ‘in’ Ireland, or that the people of Ireland own allegiance to the British King.

“ The independence of Ireland has been formally proclaimed by the regularly elected representatives of the people of Ireland, and ratified by subsequent plebiscites.

“ The trouble is between Ireland and Britain, and its source that the rulers of Britain have sought to impose their will upon Ireland, and by brutal force have endeavoured

to rob her people of the liberty which is their natural right and their ancient heritage.

“ We long to be at peace and in friendship with the people of Britain as with other peoples, but the same constancy through persecution and martyrdom that has proved the reality of our people's attachment to the faith of their fathers proves the reality of their attachment to their national freedom, and no consideration will ever induce them to abandon it.”

President de Valéra's telegram greatly pleased his colleagues in Dublin, but it was a shock to British diplomacy. When the Delegates met at the Conference Table on the following day, October 21st, Lloyd George had preliminary questions of the gravest importance to raise. He protested with vehemence that De Valéra's action was an offence to the King and rendered the task of peace making almost impossible. In his agitation he slipped into the use of terms which he had been warily avoiding and referred to De Valéra as “the Head of your Government.” Ireland had, moreover, been importing war-like supplies; he considered this a breach of the Truce. Michael Collins had presented a formidable document to the Committee on Defence refusing access to Irish ports, refusing aerodromes, refusing facilities for recruiting, refusing a promise not to build an Irish Navy. Lloyd George declared that the situation as it existed could not be prolonged. They must know whether the King was to be repudiated by the Irish Representatives or whether Ireland was prepared to be associated like the other Dominions within the British Empire and to give the Naval facilities which England required.

The conference adjourned for three days for the preparation of the Irish Delegation's reply to these vital questions.

The time for presenting the Irish proposals had come.

## CHAPTER 55

### *Summer and Autumn 1921*

BREACHES OF THE TRUCE — REPUBLICAN ARMS —  
REPUBLICAN COURTS — SEVENTY-TWO HOURS' WARNING  
AGREED UPON — PRISONS AND INTERNMENT CAMPS —  
NORTHERN NATIONALISTS

THE Irish people were taking advantage of the Truce to return as nearly as they could to normal conditions of life. The observance of the Truce was, however, imperfect. The British officers in Ireland, it is true, observed its terms with propriety as a rule, showing respect for the army opposed to them and scrupulously addressing Republican Commandants by their correct military titles. The British rank and file, however, and especially the Auxiliary and "Black and Tan" Constabulary committed frequent and serious breaches of the Truce. Almost every day, in one part of the twenty-six counties or another, as well as in the Six-county area, civilians were assaulted by members of the Crown Forces. In July, in Clare, pedestrians were threatened by armed constables; in Kilkenny a house was raided and a man beaten; in Cork a man was assaulted for singing national songs; in Limerick when a military band played "God Save the King" soldiers rushed among the people striking those who had not raised their hats. On the 24th, in Limerick, Constables made wholesale attacks with batons in which several persons were badly injured and windows of houses were smashed.

Such acts of violence were incessant and were, indeed, almost inevitable. These men had become habituated to the assaulting of Sinn Feiners; the sport which they called "hunting Shinnors" was a routine part of their lives; they had at times suffered at the hands of the I.R.A.; now they saw, walking openly in the streets, persons known to be Republicans, leaders of the Republican Army who had inflicted heavy losses on them and for whom, filled with fierce vindictive hate, they had been searching intensively. Unaccustomed, even while a state of war existed, to discipline or control, these soldiers and constables

could scarcely be expected to refrain now from provocative action, abuse and assault.

Much of the aggression was carried out by individuals or small parties; occasionally, however, large parties collected for orgies of violence in the pre-Truce manner.

Such incidents served to keep before the minds of the people the character of the Power opposed to them and the humiliation which subjection to it implied. Without these reminders, they might have settled down too completely into the relaxation of the Truce. Even as things were, responsible observers began to fear diminution of the people's power of endurance and fortitude and feared that if they were called on to face renewal of the British Terror the majority might prove unequal to the strain.

The effect of the prolonged Truce upon the Volunteers was anxiously watched by those leaders who realised that the nation might need their service again. The young Volunteers were enjoying, in their localities, a prestige rightly due to their courage and patriotism and found themselves exercising an influence which demanded a larger experience than theirs and a greater judgment in political affairs. It was greatly to their credit that these young men maintained their fine standards of temperance, continued to drill, spent the summer weeks in training camps and kept in close touch with their units. If a fault was to be found it was with a growing militaristic spirit, a professional army outlook from which, as citizen soldiers, the Volunteers had hitherto been remarkably free. This was increased by the enlisting of men who, having been non-combatants during the times of danger, compensated for that inaction by taking an extremist attitude now. A tendency was developing to domineer over civilians and despise "politicians." It was a tendency which had not existed among the Volunteers of 1916 and it was to have unhappy consequences later on.

The I.R.A. continued, when possible, to import arms. A German boat, the *Frieda*, setting out with a cargo for Ireland of arms ordered months before, was intercepted by the German authorities, who received warm expressions of thanks from Lloyd George. The British regarded all attempts to equip the



Republican Army as breaches of the Truce. They wished, also, to prevent drilling by Volunteers, but, as it was pointed out to them by Arthur Griffith, nothing of this kind was being done during the Truce that had not been done before it; and the terms of the Truce did not presuppose that, while the British Army of Occupation continued its normal training and preparations for emergency, the Irish Army should do nothing of the kind.

“My conception is that the Truce does not mean that your military forces should prepare during the period of the Truce for the end of it and that we should not,” Griffith declared.<sup>1</sup>

As a general rule care was taken by the I.R.A. to avoid “provocative displays” and matters were settled amicably between the liaison officers.

Certain activities of members of the Republican Army, such as levying money for Army purposes, were discontinued by order of the Republican Government in October.

The Army now recognised itself, and was regarded by Dail Eireann, as a State Army directly controlled by the Government and Army Council.

The continued functioning of the Republican Courts embarrassed the British Government, especially as they now functioned openly—even, in some areas, ostentatiously. After much discussion in Downing Street and correspondence between the members of the Republican Cabinet in London and those in Dublin, it was agreed “that no court shall function otherwise than as before the Truce.” President de Valéra would not agree to any further concession in this matter. “Court decrees must be executed,” he wrote to the Delegates, “and the sanction of force must be there. . . . We cannot give way an inch on this question of the civil functioning.”

The members of the sub-committee formed in London to deal with observance of the Truce were, on the Irish side, Michael Collins, Robert Barton, Eamon Duggan and Art O’Brien; on the British side, Sir Laming Worthington Evans and Sir

<sup>1</sup> October 21st.

Hamar Greenwood. They were assisted by Sir J. Anderson, A. W. Cope, General Macready, General Tudor, with Erskine Childers as Irish Secretary and Tom Jones and Lionel Curtis as Secretaries on the British side.

At a meeting of the sub-committee held on October 12th an agreement was drawn up covering disputed points. The final paragraph of the agreement was "notice of termination of the Truce: seventy-two hours was to be given." Meetings of this committee were held at intervals and it dealt with all reported breaches of the Truce.

During the Truce trials of Irish prisoners for political offences continued and several sentences were passed in the British courts. For possessing a revolver and ammunition a member of the Republican Army was sentenced to ten years' penal servitude on July 25th. Three men who refused to sign recognisances declaring themselves loyal subjects of the King of England were sentenced to nine months' imprisonment.

Many prisoners were released, but on September 11th, according to a statement of Michael Collins, there were still 3,200 men interned of whom about 1,500 had been tried and were serving sentences; 40 women were serving sentences—two for 10 years and three for life. The conditions were deplorable. Girls and women were often detained in barracks and jails without female attendants: jails and internment camps were in a condition conducive to disease. Representation from the Republican Government resulted in the setting up of a joint English and Irish committee to investigate conditions in jails and internment camps.

There were some remarkable escapes, mostly by means of tunnelling, from the internment camps. Michael Collins declared that these were made without help from the army outside, since to give such help would have been a breach of the Truce.<sup>1</sup>

The Nationalists of the Six Counties gained nothing by the Truce; on the contrary, the anxiety of the Unionists to drive them out of the area was intensified. "Things seem to be going

<sup>1</sup> Accounts of escapes appeared in the *Irish Press* (Dublin) during the winter of 1935-6; these were reports of broadcasts,

from bad to worse," Doctor MacRory<sup>1</sup> wrote on September 2nd to the Chairman of the American Committee of Relief in Ireland. These attacks broke out recurrently during the whole period of the Truce.

During the autumn the Nationalists of the Six-county area sent deputation after deputation to Dail Eireann to explain how terrible would be their future if their fellow-countrymen accepted terms which would leave them at the mercy of the Northern Government. A deputation from Belfast, received by the President and Cabinet on September 28th, declared: "We will refuse to co-operate with any Partition Parliament or any Government other than the Government of the whole Irish nation."

Tyrone and Fermanagh, with their Nationalist majorities, had, in every election since Partition became an issue, voted against separation from the rest of Ireland.<sup>2</sup> The people of Fermanagh, their delegates declared, "would never consent to be bartered and sold" but would do everything in their power to assert their right to self-determination.

The result of the London negotiations was nowhere awaited with more intense hopes and fears than in the Six Counties of the North-East.

<sup>1</sup> The Most Rev. Dr. MacRory, Bishop of Down and Connor, whose diocese included Belfast.

<sup>2</sup> Fermanagh with Tyrone forms 36 per cent of the Six-county area and Catholics form 56 per cent of the population of the two counties. On Fermanagh County Council there were at this time 11 Nationalists and 9 Unionists. The election for Urban Councils had put the capital towns of all of the Six Counties, except Antrim, in Nationalist hands. Belfast was the only large town in Ireland with a majority of Unionists.

## CHAPTER 56

*October 1921*

THE IRISH MEMORANDUM PRESENTED AT DOWNING STREET  
—DE VALÉRA AND GRIFFITH—THE BRITISH MEMORANDUM—  
THE SINN FEIN CONVENTION — DE VALÉRA RE-ELECTED  
PRESIDENT OF SINN FEIN

THE Irish Delegates in London were keeping in close touch with the members of the Cabinet in Dublin, Arthur Griffith writing frequently and fully to the President and being informed by him of the Cabinet's views. Until the middle of October the President and his colleagues were working on their proposal relating to North-East Ulster. It was sent to the Delegates, who had been anxiously expecting it, on the 14th.

The proposal was in greater detail than the rest of Draft Treaty A. Its principal feature was an offer to the predominantly Unionist area of a subordinate Parliament with local government powers as well as representation in the All-Ireland Parliament.

The clause was as follows:

“The following constituencies of North-East Ireland, viz. the Boroughs of Belfast and Derry, North, South, East and Mid Antrim, North, South and Mid Armagh, North and South Derry, North, South, East, West and Mid Down, North and South Fermanagh, and North-East, North-West and South Tyrone, may by vote of their registered electors (or adult inhabitants) severally elect to be directly represented in the Irish Parliament; provided that if all of them, or a smaller number contiguous and forming a territorially continuous group, do not so elect they shall be entitled to maintain a legislature possessed of the local governing powers set out in the Act of the British Parliament known as ‘Government of Ireland Act, 1920’ (10 & 11 Geo. V, c. 67), and provided they shall be entitled to the same representation relatively to the rest of Ireland in the Irish Parliament as they would have been entitled to in the British Parliament under the provisions of the above-mentioned Act.

“Should the constituencies enumerated opt to be directly represented in the National Parliament, it is agreed that a Convention be executed with their elected representatives safeguarding any lawful interests peculiar to the area, and for this purpose a Commission shall be appointed consisting of \_\_\_\_\_ persons nominated by the National Government and \_\_\_\_\_ persons elected by the representatives of the area mentioned.

“To provide adequate and just representation for the political minority, the Irish Government agrees to take into consultation the representatives of this minority with a view to devising a scheme of proportional representation which will secure this object.”

The Irish Delegates and the Secretaries to the Delegation now completed a Memorandum embodying the Irish offer approved by the Republican Cabinet, but not including details concerning the North-East. They presented this, their first Memorandum, to the British Delegation, on October 24th, a few hours before the time arranged for resuming conference.

They opened their preamble by a grave warning that the conference could produce no result as long as the British Representatives failed to realise that Ireland was not a Colony or Dependency, but an ancient and spirited nation. They pointed out that Dominion Status was not Ireland's claim, and that, if it were, the British proposals were not such as to confer that status. The realities were stated briefly: England desired the security of her Empire; Ireland was resolved to achieve freedom. These aims could be reconciled, and Ireland offered proposals for a Treaty which would ensure their realisation.

Ireland would consent to adhere for all purposes of agreed concern to the League of Sovereign States associated and known as the British Commonwealth of Nations, and called upon Great Britain to renounce all claims to authority over Ireland and Irish affairs.

It was proposed that Ireland should be recognised as a free state, that the British Commonwealth should guarantee Ireland's freedom and integrity and that the League of Nations and the United States of America should be invited to join in that

guarantee. Ireland, on her part, would bind herself to permit no compact or action inconsistent with the obligation to preserve her freedom and integrity.

In the event of refusal by the United States or the League of Nations to join in the intended guarantee, it was proposed that the question of Ireland's naval defence should be further discussed between the Representatives of Ireland and the Imperial Conference.

Ireland, while retaining complete authority in taxes and finance, was willing to join in a Trade Convention with Great Britain and to make reciprocity agreements on citizenship and other matters which the Memorandum specified.

The question of the Six Counties in Ulster they declared to be a domestic matter for Ireland. For the separation of these counties from the rest of Ireland, British policy was responsible. The Irish Representatives proposed to deal with the situation which existed in Ulster by meeting the elected Representatives within that area and forming agreements with them to safeguard any interests peculiar to the area. Should this fail, freedom of choice must be given to electorates within the area.<sup>1</sup>

This document was probably unique in history: although consequent on a most bitter military campaign it treated questions of mutual advantage in a spirit of neighbourly co-operation.

In this document were contained potentialities of peace for Ireland, good relations between the two nations and fruitful co-operation for their mutual aims. The limitations of Ireland's freedom which it suggested were such as European nations were preparing to submit to in the cause of international peace and, although they might be deplored by the more uncompromising element in Ireland, they were almost sure of endorsement by a large majority if a united Cabinet sponsored them. The offer to the Irish minority was in accordance with the most advanced democratic ideals of the post-war world. The guarantees offered to England safeguarded her interests as well as her rights. Had civilised ideals of international relations prevailed on the English Cabinet—had even one statesman with vision and

<sup>1</sup> Appendix 17, p. 977 : Memorandum in full.

courage sat on the English side of that table in Downing Street, years of misery for Ireland and of discredit for England might have been averted.

The men representing the British people that day in Downing Street were dominated by traditions of disingenuous diplomacy, by inherited conventions and the rules of the old political game of skill; they probably saw nothing in these proposals except an attempt to depart farther from the Government of Ireland Act than they were prepared to permit.

They brought the discussion back to the question of the Crown. A brief general discussion took place as to the form of "association" proposed; then the Prime Minister and Winston Churchill expressed a wish to meet Arthur Griffith and Michael Collins in private conference.

This was agreed to, and from that moment the character of the negotiations changed. The Irish Delegation never sat in the Conference-room as a unit again. The seventh session of the Plenary Conference was the last. During the weeks that followed, conferences were conducted between Lloyd George with one or two of his colleagues on one hand and members invited by them from the Irish Delegation, usually Arthur Griffith or Michael Collins or both.

Arthur Griffith reported to the President on the 24th, that in their private conference on that day both the Prime Minister and Churchill were insistent about acceptance of the Crown. In reply the President wrote him a letter reaffirming the attitude of the Cabinet in definite terms:

"We are all here at one that there can be no question of asking the Irish people to enter into an agreement which would make them subject to the Crown or demand from them allegiance to the King."

In this note the President was reiterating the conditions which had been fully understood and accepted by the Delegates at the time of their appointment; he was therefore a good deal perturbed by receiving in reply a protest signed by each of the five Delegates in which they objected that he was now tying

their hands. He realised two things as a result of their communication: first, that the Delegates were in a state of strain and, second, that the Delegation's unanimity and firmness on the question of allegiance was somewhat shaken.

In reply to their protest he wrote, on the 26th, a letter which reassured and satisfied them, explaining that there was no intention of binding them more than they were already bound by their instructions.

The President was urging at this time that the question of Ulster should be pressed and the basis of its representation in an All-Ireland Parliament agreed upon, the right of Tyrone and Fermanagh to choose whether they should be represented in the subordinate Parliament in Ulster being preserved.

After a conversation with British Delegates on the 27th, Griffith reported to the President that the English seemed to be ready, if the Crown were accepted, to insist upon the Ulster Unionists coming in under an All-Ireland Parliament. Griffith had told them that he had no power to accept the Crown but that some form of association might be considered if Ireland's unity were secured.

Discussions on the Crown and on Ulster were taking place almost daily between Griffith and Collins and members of the British Delegation. The Irishmen were standing firmly against Partition.

A written Memorandum was delivered by the British to the Irish Delegates on October 27th. It contained a demand (which ignored the opening statement of the Irish offer) for a statement as to whether or not Ireland was willing "to maintain its ancient allegiance to the Throne." "A man must," it contended, "be either a subject of the King or an alien." Neutrality was stated to be incompatible with partnership in the British Empire; facilities in Irish ports for the British Naval and Air Forces were insisted upon; a free trade agreement was demanded; it was also asked that Ireland assume responsibility for a portion of the debt of the United Kingdom and liability for pensions arising out of the Great War.

In short, Ireland's offer of "external association" with



the British Commonwealth, the basis on which a lasting peace might have been achieved, was not explicitly rejected, but was ignored.

The Irish reply, sent on the 29th, expressed willingness to consider the granting of temporary coastal facilities under license from the Irish Government to the British Navy and Air Forces on condition that there should be no armed occupation of Irish soil. It formulated afresh the proposal for Association, stating that the Irish Delegates were willing to recommend that "the elected Government of a free and undivided Ireland, secured in the absolute and unfettered possession of all legislative and executive authority, should, for the purposes of the association, recognise the Crown as symbol and accepted head of the combination of signatory states."<sup>1</sup>

Allegiance to the Crown, inclusion in the Empire, and Naval facilities were the essentials upon which the British were insisting now.

The Republican Ministers in Ireland, who had been kept in close touch with the work of the Delegates, were prepared to hear at any moment that the negotiations had broken down. In their view the greatest possible Irish offer had already been made at the Conference; they believed that the proposals which they had authorised represented the utmost limit of concession to which the Delegates could be induced to go. There seemed to be a possibility that the British would advance far enough to meet them at that point; if not, they must face what appeared to be the only alternative. The Ministers were preparing their own minds and the minds of the people to confront a renewal of war.

The Ard-Fheis of Sinn Fein met at the Mansion House on October 27th and 28th. The session opened in public.

Eamon de Valéra was re-elected, by acclamation, President of Sinn Fein.

His speech to the Assembly contained a promise and a warning. He said that Ireland's Representatives would never

<sup>1</sup> This formula was the achievement of John Chartres. See Pakenham, chapter xii.

call upon the people to swear allegiance to the English King, but they would perhaps be forced to call upon them to face an "abomination of persecution" again. Speaking of the task that was before the Delegation he said:

"The problem is to devise a scheme that will not detract from Irish freedom. They may come back having found what seems to them a way and recommend it to us. When they come we in the Cabinet will have to decide our policy with respect to the scheme, and Dail Eireann will then have to consider it. What may happen I am not able to judge, but I am anxious that you should realise the difficulties that are in the way, and the fact that the best people might legitimately differ on such a scheme. The worst thing that could happen would be that we should not be tolerant of honest differences of opinion. I believe that if such differences of opinion arose and were carried to the country it would mean disaster for our hopes. As sure as the nation is divided, the nation will be tricked."

Summing up the position of the negotiations at the moment he said:

"One question, the allegiance question, is closed from our point of view. The question of some form of association with the States of the British Empire is open. There is no reason why this nation should not associate itself with other nations provided the association was one a self-respecting nation might enter, and that it was not against our interests to do so. The question of defence is partially open. We have never denied that, if the rights of other people should conflict with ours, it was a question of adjusting our respective rights. We will not, however, ever take the view that English interests may override our rights."

The speech was received with an outburst of enthusiasm which proved beyond any shadow of doubt that Sinn Fein was at one with the President in refusing allegiance to the Crown.

In view of the possibility of a resumption of war, an important change was made during the Autumn in the control of the

I.R.A. The Army Executive decided to dissolve itself in order to remove any doubt as to the effective control of the Government over all the Forces of the State and to place the Irish Republican Army in an unambiguous position as a Regular Military Force. Two or three members of the Executive, including Sean McEntee,<sup>1</sup> opposed this course as being, in all the circumstances, premature. The change was made, however, on a majority vote.

The President, in November, asked the Ministry of Defence to prepare a scheme for the re-commissioning of the officers and general re-organisation of the Volunteer Force as a Regular State Army. He was not satisfied with the scheme submitted and the plan was not carried out.

<sup>1</sup> Later Minister of Finance in President de Valéra's Cabinet.

**PART X**

**ARTICLES OF AGREEMENT**

**OCTOBER TO DECEMBER 1921**



## CHAPTER 57

*October and November 1921*

LLOYD GEORGE AND THE UNIONISTS — LLOYD GEORGE AND GRIFFITH — PERSONAL ASSURANCES — CRAIG IN LONDON — BOUNDARY COMMISSION OPPOSED — DEADLOCK

LLOYD GEORGE, in the last days of October, was preparing to deal with an organised effort by the Opposition to bring his negotiations with Ireland to an abrupt end. He had to face a vote of censure in the House of Commons on October 31st, meet Craig in London in the second week of November and withstand the attack of the National Unionist Conference which was to take place in Liverpool—almost as strong an Orange citadel as Belfast, on November 17th.

On one condition he might hope to induce the Unionists to tolerate his Conference and at last to take part in it: they must be made to believe that he was succeeding in persuading the Irish Delegates to accept inclusion in the Empire and allegiance to the Crown. The Ulstermen, believing this, might be induced to consider accepting local autonomy under an All-Ireland Parliament. That much achieved, Lloyd George did not place it beyond his own powers to effect a real accord.

He had, however, no evidence which could be construed to show the Ulstermen that the Irish Delegates were becoming compliant about the Empire and the Crown. Their reply of October 29th could not be interpreted as containing the assurances that he required. He set to work, now, to obtain such assurances, or something that could be represented to the Unionists as promising them. He knew Griffith's obduracy yet did not despair of persuading him to give him what he required.

On the evening of Sunday, October 30th, he saw Griffith at Churchill's house. He asked him for "personal assurances," explaining that he wished to be able to "meet the Die-hards" forearmed on the questions of the Crown, free partnership with the British Empire and facilities for the British Navy on the Irish coast. He promised, Griffith reported to De Valéra, ". . . If I would give him personal assurances on this matter,

he would go out to smite the Die-hards, and would fight on the Ulster matter to secure essential unity."

The proposition had, for Griffith, a certain appeal. He had always cared intensely about Irish unity; on the Crown and Empire questions his feelings were less intense. Moreover, he and all his colleagues, both in Dublin and London, realised the probability of the negotiations breaking down, and the advantage, if that happened, of making it clear that the unreasonable demands of the Ulstermen—their refusal of a fair offer—were to blame. He and Lloyd George had thus a purpose in common as strategists and Griffith was persuaded to co-operate with his antagonist. There were people in Ireland who would have told him that for what he was doing he would need a long spoon, but Griffith, no doubt, trusted to his own sagacity. He promised to give Lloyd George, in a few days, such personal assurances as would serve his immediate aim.

From that moment Griffith, and with him the Irish nation, were in the toils.

Lloyd George came triumphantly through his ordeal in the House of Commons on the following day. With Colonel Gretton as their spokesman, the Conservative Unionists charged the Government with surrendering to assassins. The Prime Minister defended his policy with eloquence. He reminded the House of the difficulties of dealing with guerilla war in a "highly difficult, mountainous country, where the population is entirely in sympathy with the guerillas," and he recalled "how gigantic were the forces that had to be put into South Africa."

The I.R.A. had already grown in British estimation from "a handful of extremists" to a popular army no less formidable than that which had engaged the Empire's forces in the long-drawn-out Boer War.

Austen Chamberlain vigorously defended the Conference of which he was a member. Asquith and the Liberal Party, as well as Labour, were in favour of continuing the effort for peace. The censure motion was lost by 489 votes to a negligible 43. The Prime Minister, however, promised the Ulster Unionists that he would take immediate steps to have the powers conferred

by the 1920 Act on the Northern Government transferred to it with the minimum of delay.

On November 10th Parliament would be prorogued. Lloyd George's concern now was to prepare his case for Craig and for the rally at Liverpool.

If the Government was denounced at that meeting for its negotiations he would have no alternative but to yield to the demands of the Ulstermen or resign, and be written down as a failure in either event.

Griffith, on November 1st, set to work to draft a letter in non-committal terms which would contain, or appear to the Ulstermen to contain, the evidence Lloyd George desired. Some of Griffith's colleagues realised the danger of this course. Barton and Gavan Duffy strenuously opposed the sending of any personal letter. The letter which Griffith drafted was in terms so compromising that they insisted that it must not be sent. The effect of it, they declared, would be to undermine the stand the Delegation had taken in its Memorandum on the form of recognition of the British Crown which they were willing to recommend. Griffith re-drafted the letter, discussed its terms on November 2nd with Lloyd George, Birkenhead and Chamberlain, and yielded to some of their many requests for alterations in it. He secured the consent of his colleagues—Barton and Gavan Duffy giving theirs reluctantly—and signed the letter as Chairman of the Delegation.

In its final form the letter read:

“ 22 Hans Place,  
London, S.W.  
2nd November, 1921.

“ The Right Hon. David Lloyd George,  
“ 10 Downing Street, London.

“ SIR,

“ In our personal conversation on Sunday night you stated that three things were vital—our attitude to the British Commonwealth, the Crown and Naval Defence. You asked me whether, provided I was satisfied on other points, I would give you personal assurances in relation to these matters.

“ I assured you in reply that, provided I was so satisfied, I was prepared to recommend a free partnership of Ireland



with the other States associated within the British Commonwealth, the formula defining the partnership to be arrived at in a later discussion. I was, on the same condition, prepared to recommend that Ireland should consent to a recognition of the Crown as head of the proposed association of free States.

“As to Naval Defence, I noted the assurance contained in your memorandum of October 27th to the effect that:

“‘The objects of the British Government in regard to the Navy and the Air Force are and will remain purely defensive. None of their stipulations is intended in the smallest degree to afford either armed occupation or political control of any part of Ireland’;”

and I agreed consequently to recommend that the British Navy should be afforded such coastal facilities as may be necessary pending an agreement similar to those made with the Dominions providing for the assumption by Ireland of her own coastal defence.

“I stated that this attitude of mine was conditional on the recognition of the essential unity of Ireland. As to the North-East of Ireland, while reserving for further discussion the question of area, I would agree to any necessary safeguards and to the maintenance of existing parliamentary powers, and would agree that its industrial life should not be hampered or discriminated against in any way.

“With reference to the question of financial relations between the two nations, I am willing to let the adjustment of this matter rest in the hands of the agreed arbitrator.”

The next day Griffith forwarded a copy to De Valéra, explaining,

“. . . In this letter I have adhered to the basis of our Memo to them. They are satisfied to face the ‘Ulster’ question on it, and assure me that if ‘Ulster’ proves unreasonable they are prepared to resign rather than use force against us. In such an event no English Government is capable of formation on a war-policy against Ireland.”

The line which Griffith and Collins were pursuing with the English had troubled Barton greatly for some time. Griffith, he felt now, was permitting the English to delude the Ulstermen with the idea that there was a possibility of the Delegation's agreeing to a settlement bringing Ireland within the Empire, while no such settlement was, in reality, possible. Gavan Duffy shared his anxiety. They would have seriously considered resigning but that they believed—as did Erskine Childers—that the final decision would rest with the Cabinet in Dublin and that nothing that happened in London could constitute a fatal surrender of Ireland's claim.

Gavan Duffy went to Dublin to impress on the President the dangers which seemed to him to exist in the policy that was being followed in London of dividing the Delegation, only Griffith and Collins negotiating with the British; the President, however, preferred not to interfere with the arrangement so long as in all formal actions the Delegation acted as a whole.

Meetings between Lloyd George and Craig began in London on November 5th and during the following week Thomas Jones was in constant communication with Arthur Griffith and Michael Collins, recounting to them the progress of the duel between the two Premiers.

Lloyd George was proposing a Northern Parliament subordinate to an All-Ireland Parliament; Craig, on the 8th, was refusing to come under an All-Ireland Parliament, refusing to change the Six-county area. Lloyd George declared that if an All-Ireland Parliament was refused he would resign and retire from public life. This, Thomas Jones pointed out, would mean military rule again in Ireland under the premiership of Bonar Law.

Jones had the idea of a Boundary Commission as a possible way out.

"This," Griffith wrote on the 8th to the President, "would give us most of Tyrone, Fermanagh and part of Armagh, Down, etc."

This Boundary Commission proposal, which was to prove an engine for the partitioning of Ireland, was made to prevail by insidious small degrees.

In his personal assurances to Lloyd George on November  
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2nd Griffith had promised that, "conditional on the recognition of the essential unity of Ireland," he would agree to "the maintenance of existing parliamentary powers" by the Northern Government, "while reserving for further discussion the question of area." If, at that time, he visualised a Boundary Commission it was as a commission which would delimit the area to come under a subordinate parliament; it would be a small area since "the wishes of the inhabitants" would leave two counties and parts of other counties outside it; an area so small, in fact, that its people would have everything to gain, economically and socially, by uniting with the rest of Ireland.

On the 8th, however, this Boundary Commission was being proposed by the British as a means of delimiting an area which would be independent of the rest of Ireland—in short, as an instrument of Partition. The threat of having his Six-county area diminished in accordance with the wishes of the inhabitants was to be held over Craig: he was to be asked to choose between the full Six-county area with a Parliament subordinate to an All-Ireland Parliament and a partitioned area diminished—or so Griffith understood—by most of Tyrone and Fermanagh and parts of other counties.

On the 9th, according to Griffith's report to De Valéra, Jones told him that Lloyd George was proposing that a Parliament for the twenty-six counties should be set up

"and that a boundary Commission to delimit the Six-county area be established so as to give us the districts in which we are a majority."

The phrasing suggests that Lloyd George had in mind by this time a commission which would leave six counties under the Northern Government with, perhaps, a slight rectification of frontiers. The next paragraph suggests that he proposed to allow this area to be independent of the rest of Ireland:

"Further, he said," Griffith wrote, "that Lloyd George would give no further powers than what they possessed under the present Act to the area that remained obdurate after the Boundary Commission had completed its work. Also, that this area would have to bear its proportion of British taxation."

In the light of after events it seems probable that by November

9th Lloyd George was contemplating surrender to the Ulstermen's demand—to retain their Six-county area independent of the rest of Ireland.

Griffith would probably have seen the proposal in this light and have repudiated it but that it was represented to him as being merely a kind of bluff—a "tactical manœuvre." The Ulstermen, it was argued, would never consent to it and their refusal would deprive them of sympathy in England, showing them as utterly unreasonable in insisting on coercing areas that wished to be outside their control.

Jones asked, then (Griffith reported), whether the Delegation would stand behind such a proposal. Griffith replied:

"We said that it would be their proposal—not ours, and we would not, therefore, be bound by it, but we realised its value as a technical manœuvre and if Lloyd George made it we would not queer his position."

Once more Griffith had committed himself to co-operate, if not conspire, with his opponent. In doing so he had given Lloyd George a way out of his promise to prevail about an All-Ireland Parliament or resign; instead of resigning Lloyd George was free to offer the Ulstermen Partition with a Boundary Commission now.

On that critical day, November 9th, De Valéra wrote Griffith a letter which contained, as well as encouragement, a warning which was more timely than he could know. While realising that "Ulster," if it refused to enter the Conference, would be "crushed between the public opinion of both countries," he added,

"The danger is now that we should be tempted, in order to put them more hopelessly in the wrong, to make further advances on our side.

"I think as far as the 'Crown and Empire' connection is concerned we should not budge a single inch from the point to where the negotiations have now led us."

Lloyd George, armed with Griffith's promise not to queer his position, sent a letter next day to Craig. On this day, November 10th, in London, a meeting of the British Cabinet and a

meeting of Craig's Cabinet were held. Lloyd George's letter was a formal invitation to conference.

The picture which he gave Craig of the situation on the Conference with the Irish Delegates was somewhat remote from actuality and much nearer to his heart's desire.<sup>1</sup>

He wrote that the settlement towards which His Majesty's Government had been working and which they believed to be not unattainable was closely based on the proposals made by them on the 20th of July and that it comprised the following main principles: Ireland would give allegiance to the Throne and take her place as a partner in the British Empire; Naval securities would be given to the British Government; the Government of Northern Ireland would retain all the powers conferred upon her by the Government of Ireland Act. The unity of Ireland would be recognised by the establishment of an All-Ireland Parliament, upon which would be devolved the further powers necessary to form the self-governing Irish State.

Sir James Craig and his Cabinet were invited to consult with the British Government as to the area to be within the special jurisdiction of the Northern Parliament and also as to questions of revenue and taxation.

Lloyd George pointed out the disadvantages, financial and other, which "Northern Ireland" would suffer if it remained a part of the United Kingdom whilst "Southern Ireland" became a Dominion.

Craig's reply was sent on the following day: he and his Cabinet were surprised to find Lloyd George mentioning the questions of allegiance and the Empire, and were equally surprised that Lloyd George should think it necessary to emphasise the fact that he did not propose to take away any of the powers conferred on the Northern Government by the Act which they had accepted, as a "supreme sacrifice in the interests of peace," and observed with concern that the area within the jurisdiction of the Northern Parliament was referred to as being open to possible revision. An All-Ireland Parliament they refused for the present to discuss. Should Northern and Southern Ireland eventually agree to an All-Ireland Parliament,

<sup>1</sup> See *Correspondence between His Majesty's Government and the Prime Minister of Northern Ireland relating to the proposals for an Irish settlement.*

Sir James pointed out, they had the machinery for establishing it under the Council of Ireland Provision of the Act of 1920. No paper safeguards would be sufficient at present to make Northern Ireland agree: discussion would be fruitless unless the proposal for an All-Ireland Parliament be withdrawn. He proposed, as an alternative, that Northern and Southern Ireland have two separate Parliaments with equal powers.

This was, in effect, a flat refusal to come under an All-Ireland Parliament or to consent to alteration in the Six-county area. A deadlock had been reached.

Once again, Lloyd George turned to Griffith for help. They met on the 12th, at the house of Sir Philip Sassoon in Park Lane.

Lloyd George showed Griffith the letters exchanged between himself and Craig. He explained to him also the proposal which he now intended to make to the Ulstermen.

It involved an All-Ireland Parliament but gave Ulster the right to remove itself from the control of that Parliament within twelve months.

Lloyd George and his colleagues were extremely anxious, he confessed, about the Unionist meeting which was to take place on the following Thursday in Liverpool. Birkenhead and Chamberlain were going North and would risk their political careers in an attempt to secure agreement to this proposal, but only on one condition. They would present it to the Unionists only if it could be represented as a proposal which the Irish Delegation was ready to accept. Lloyd George wanted from Griffith an assurance that the Delegates would not repudiate it.

This request placed Griffith in a dilemma. He was being asked to refrain from repudiating a proposal which imperilled Ireland's unity, which made Partition a possibility, and to pledge his colleagues also to refrain.

No doubt Griffith believed that the question was still one of a mere manœuvre against the Ulstermen and that no such settlement would ever be actually enforced.<sup>1</sup>

<sup>1</sup> This is Pakenham's theory, after a close study of all the circumstances. See his *Peace by Ordeal*, p. 222.

He gave Lloyd George, with qualifications, the assurance that he required.

To De Valéra he wrote:

“ . . . Lloyd George and his colleagues are sending a further reply to the Ulstermen—refusing their Dominion proposal, but offering to create an All-Ireland Parliament, Ulster to have the right to vote itself out within twelve months, but if it does a Boundary Commission to be set up to delimit the area, and the part that remains after the Commission has acted to be subject to equal financial burdens with England.

“ Lloyd George intimated this would be their last word to Ulster. If they refused, as he believed they would, he would fight, summon parliament, appeal to it against Ulster, dissolve or pass an Act establishing the All-Ireland Parliament.

“ I told him it was his proposal, not ours. . . . He agreed, but said that when they were fighting next Thursday with the Die-hards and ‘ Ulster ’ in front, they were lost if we cut the ground away behind them by repudiating the proposal.

“ I said we would not do that, if he meant that he thought we would come out in public decrying it.”

Griffith had promised that if the Ulstermen accepted it he and his colleagues would discuss it with Lloyd George in the privacy of the Conference. He would not guarantee its acceptance.

“ But I would guarantee that while he was fighting the ‘ Ulster ’ crowd we would not help them by repudiating him.”

Lloyd George asked Griffith for secrecy. He was afraid of the charge of conspiring with him against “ Ulster.”

There was much now—too much—that Griffith was expected not to repudiate: the Prime Minister’s statement to Craig to the effect that a settlement within the Empire, with allegiance to the Crown, seemed not unattainable, and now the implication that the Delegation’s consent to Partition might be won. He was allowing Lloyd George to represent him as yielding on the three great principles which he had been sent to defend. He was allowing himself to be made an ally of an able diplomatist. He

risked, to adopt a phrase Austen Chamberlain used in another context, "from being the angler, becoming the fish."

Lloyd George was not the man to fail to establish the advantage which he had gained. He told Chamberlain what had been agreed on between himself and Griffith; he made Thomas Jones write it down.

On the following evening, Sunday 13th, Pakenham writes, "Jones showed Griffith the paper. Griffith briefly indicated his assent to its proposals."<sup>1</sup>

Did the British achieve even more? Did Jones obtain from Griffith his assent in writing? This seems possible in the light of later events, but it is not certain. What is known is that three weeks later, at the moment when Ireland's fate trembled in the balance, Griffith was shown a paper, or the envelope containing a paper, which recalled to his memory his promise to Lloyd George.

<sup>1</sup> Pakenham, p. 218.



## CHAPTER 58

*November 1921*

LLOYD GEORGE AND CRAIG - GRIFFITH AND SOUTHERN UNIONISTS - UNIONISTS AT LIVERPOOL - DAIL EIREANN SECOND EXTERNAL LOAN - MEMORANDUM OF BRITISH DELEGATES - SECOND IRISH MEMORANDUM - " ESSENTIAL UNITY "

GIVEN an All-Ireland Parliament the Republicans might accept Crown and Empire; given Crown and Empire, the Ulstermen might consent to an All-Ireland Parliament: this is how the major aspects of the position presented themselves to the British Delegates, at their more optimistic moments, now. But Craig would not consent to an All-Ireland Parliament and Griffith would not, without that consent, make concessions about Empire and Crown. From the British viewpoint it was a vicious circle but Lloyd George had not despaired of squaring it.

Once more, on November 14th, he wrote persuasively to Craig.

First he had to wean Craig from his new idea of two Dominions. Eloquently he expounded the confusion which would arise if they adopted that plan. The establishment of two Dominions would, he argued,

"stereotype a frontier, based neither upon natural features nor broad geographical considerations, by giving it the character of an international boundary. Partition on these lines," he wrote, "the majority of Irish people will never accept, nor could we conscientiously attempt to enforce it."

He reiterated his desire for an unconditional conference.

In his reply, sent on November 17th, Sir James Craig declared that the insurmountable difficulty was the proposal to place Ulster under Sinn Fein.

"To sum up," he wrote, "if you force Ulster to leave the United Kingdom against the wishes of her people, she desires to be left in a position to make her own fiscal and international policy conform as nearly as possible with the policy of the

Mother Country, and to retain British traditions, British currency, British ideals, and the British language, and in this way render the disadvantages entailed by her separation from Great Britain as slight as possible."

It was a concise statement of the Ulster Unionists' attitude—that colonial garrison spirit which made the Irish majority despair of ever finding in this section of the population loyal citizens of the nation and which made the thought of being subject to the Belfast Government intolerable to Ulster Nationalists.

Meanwhile, Unionists of a less intolerant temper were asking Griffith for assurances. Residents of the Twenty-six Counties who called themselves "Southern Unionists" were naturally anxious as to what their own future would be if those over whom they had so long held ascendancy found themselves in power. Their representatives, the Earl of Midleton, the Provost of Trinity College (Dr. Bernard), and Andrew Jameson had a conversation with Griffith on the 16th. Griffith promised them that he would recommend safeguards for their interests.

Unionists from all parts of Great Britain and Ireland were gathering at Liverpool for the Conference on the 17th. Colonel Gretton was to move the Resolution denouncing the Government for its negotiations with Sinn Fein.

Among the men on whose support the Orangemen counted most confidently was the renowned Municipal Councillor, Sir Archibald Salvidge, whose influence in Liverpool was extremely strong.<sup>1</sup>

Salvidge was too ill to respond to an urgent Ministerial summons to London. Lord Birkenhead came, in secret, to him, to give him the inside story of the Irish Conference and persuaded him to use his influence for the negotiations and peace.

Salvidge recounted, and his son has recorded, the version of the situation on the Conference which Birkenhead gave him then. A settlement was almost reached, Birkenhead said, which would keep Ireland within the Empire, preserve the supremacy of the Crown, and leave Ulster freedom of choice. He urged that

<sup>1</sup> Stanley Salvidge, *Salvidge of Liverpool*, p. 189.

Ulster ought to unite with the rest of Ireland. He appealed for Sir Archibald's support.

Salvidge reassured him. Already, in consultation with Lord Derby, he had made his decision. In this crisis he would stand on the Government's side.

His decision was said to have turned the scale. The meeting, attended by about two thousand delegates, developed into a tense conflict between those who wished the Irish negotiations to continue and those who wished to bring them to a sharp end. The Resolution upholding the obstructionist Ulstermen's policy was defeated and an amendment in favour of continuing the Conference was passed.

Craig, however, was not to be placated by vague assurances as to a settlement "almost reached." He required an unequivocal statement of the intentions of Sinn Fein. He wrote, on the 20th, to Lloyd George, asking for definite information on the question: "Whether Sinn Fein was prepared to give allegiance to the Crown without reservation . . . or whether their consent to do so is still withheld and made dependent on your first having procured the consent of Ulster to an All-Ireland Parliament."

He wished to announce the answer to the Northern Parliament in its session of November 29th.

The Irish people did not, until long afterwards, see Craig's correspondence with Lloyd George; they knew only that their Delegates and their Government reported no very hopeful news. Actually, the Republican Ministers, sure that the next two or three weeks would bring the end of the Conference, were taking such measures as would be equally useful in peace or war.

The Cabinet decreed, on the 15th, the Second External Loan of the Republic.<sup>1</sup> Twenty million dollars was the amount asked for, "to enable the Irish Republic to function, to preserve its integrity and to achieve its recognition." On the 25th they ordered that the electoral register be brought up to date. In the next election, the greatest question yet put before the Irish people for their decision might be the issue. It was essential that the register should be correct. The following was part of the decision on this matter come to by the Dail:

<sup>1</sup> Appendix 85, p. 1024.

\$10

# REPUBLIC OF IRELAND

210666

BOND CERTIFICATE

210666

TEN DOLLARS

TEN

*The Council of State, President of the State, in accordance with the provisions of the Republic of Ireland Act, 1922, and the provisions of the Act of the 1st day of July, 1923, in relation to the issue of bonds, do hereby certify that the above is a valid and legal certificate of the Republic of Ireland, and that the same is a full and complete discharge of the Republic of Ireland, and that the same is a full and complete discharge of the Republic of Ireland, and that the same is a full and complete discharge of the Republic of Ireland.*

1923

Seán Mac Diarmáid

Seán Mac Diarmáid





“(c) The Minister for Local Government to prepare draft of public repudiation declaring that the present voters’ lists are incomplete and known to be false and that they will not be accepted by the Irish Government. This repudiation to be issued in the event of the falsity of the lists being proved on investigation.”

The register had not been revised since October 1918, and in consequence a great part of the population, including those who had done most to establish a Republic, remained unfranchised.<sup>1</sup> A revision was essential before a full or fair plebiscite could be taken on any question.

It was during this critical time that the National University of Ireland testified to its adherence to the Republic by electing President de Valéra to the honorary position of its Chancellor. When the formal reception took place in Dublin, on November 19th, the President’s Guard of Honour was composed of members of the students corps of the I.R.A.

In London, sub-committees were at work on questions of finance and defence. Collins was reflecting, also, on the Association proposals. A personal and unofficial memorandum on the question, signed by him, was later sent by Chamberlain to Birkenhead. After explaining the difference between the outlook of the Irish nation and that of a British colony, and on the nature of the association with England which the Irish people might be willing to accept, it declared:

“The only association which it will be satisfactory to Ireland to enter will be based, not on the present technical status of a dominion, but on the real position they claim, and have, in fact, secured. . . .

“An association of the foregoing condition would be a novelty in the world. But the world is looking for such a development, and it is necessary if the old world of internecine conflict is to emerge into a new world of co-operative harmony. For such an association would be the pattern for national co-operation on a wider scale, and might form the nucleus of

<sup>1</sup> See Press of October 13th, November 8th, and November 26th, 1919.

a real league of nations of the world. . . . Into such a league might not America be willing to enter ? ”

Childers was engaged in an analysis of the Status of the Dominions.

Between the British and Irish Delegates discussion was centring around the project of a Boundary Commission. It was treated in all their talks as involving a plebiscite in the disputed contiguous areas by the result of which the Boundary should be defined. They discussed into what units the electorate should be organised for the purpose of the plebiscite, the merits of all feasible divisions from Poor Law to County areas being examined. Always, these talks seemed to leave Griffith optimistic. There was agreement about details. “ Islands,” as Lloyd George called small areas of one sentiment in the midst of populations of another, would have to accept the government which the surrounding populations preferred; West Belfast, for instance, although Nationalist, could not be separated from the rest of the city. Robert Barton afterwards recalled how

“ Arthur Griffith, after the conversations which he and Michael Collins used to have with Mr. Lloyd George, Mr. Chamberlain and Lord Birkenhead, used to return to our house in Hans Place and, standing in front of the fireplace, over and over again declared: ‘ If they do not come in they will lose half their territory and they can’t stay out.’ Not once but many times he reiterated this.”<sup>1</sup>

The Irish delegates had, it seemed, reconciled themselves to Partition being offered to the Ulstermen and put all their trust in the expectation that the findings of a Boundary Commission would convince the Northern Government of the necessity of unity.

The British were drafting their offer in the form of treaty-proposals. This draft was handed to the Irish secretary by a secretary from Downing Street on November 16th. It was a curiously informal document and bore neither heading nor signature. Its actual phrasing was notably inoffensive: the

<sup>1</sup> Speech at Enniscorthy reported in Press of January 18th, 1933.

words King, Crown, Empire, Oath, Allegiance, did not occur. A Boundary Commission, if Northern Ireland preferred separation, would determine the Boundaries "in accordance with the wishes of the inhabitants," and no other factor was mentioned as affecting the Commission's award.

It was a document which might well, at a cursory glance, put the Irish Delegates into an amenable state of mind. But restrictions on the Irish army and on tariffs and the demand for naval facilities were stated and, in the first and second clauses, the Crown and Empire were implied. Ireland was offered, subject to the provisions specified, the status of a self-governing Dominion, her position with regard to the Imperial Government approximating to that of Canada.

These, Arthur Griffith was informed later, were tentative suggestions.

Closely studied, they were sufficient to indicate how small a distance the British had advanced from the rejected offer of July 20th and how completely Ireland's claim to Independence was being ignored by them.

President de Valéra, writing to Arthur Griffith on the 17th, after reading the draft, advised him that the Irish Proposals as prepared before the Delegates had left Ireland should be put forward as soon as possible, "Draft Treaty A" being modified to meet the exact position.

"You have no doubt been working on your draft," he wrote in a postscript, "so that possibly the best course is to let us have yours and then we can give you our views on it. This document will, of course, be of tremendous importance and every line of it must be regarded as embodying an important decision. We expect, therefore, that we will have an opportunity of seeing it before you send it."

Arthur Griffith, on the following day, wrote to the President a letter in which he said, "the crucial question—'Crown and Empire'—must be next week. If 'Ulster' gets us to break on them, she will have re-won the game."

The new Irish Memorandum<sup>1</sup> was sent to the British on November 22nd. It had been drafted by Childers, Gavan Duffy

<sup>1</sup> Appendix 18, p. 980.



and Barton. It was prefaced by a note stating that the proposals were put forward "upon the assumption that the essential unity of Ireland is maintained."

It insisted upon the preservation of Irish independence and integrity, the sovereignty of Ireland, equality with England in the League of Nations, the maintenance by Ireland of defence forces for service on land, sea, and air. In return it offered, on behalf of Ireland, association with the British Empire for purposes of common concern and, in respect of those purposes, to recognise the Crown as the symbol and accepted head of the Association; consultation with the States of the British Commonwealth on matters of common concern; and an undertaking to refuse to any foreign nation control over Irish territory which might be inimical to Great Britain.

It offered consideration of claims by Great Britain for naval facilities for not more than five years and acquiesced in a limitation of the numbers of the Irish defence forces.

It was proposed that a financial settlement between the two countries should be made by an Arbitration Tribunal; that an agreement should be made as to free trade commodities, each Government remaining free to deal at its discretion with commodities outside the agreement. The Delegates were prepared to recommend that the Irish Government should conclude trade conventions with the other States of the British Commonwealth, arrange facilities for air communications and make mutual agreements on matters of common concern, such as domicile, income tax, death duties and stamp duties, posts, cables, and wireless telegraphy, currency and coinage, trade marks, copyright and patents, emigration and immigration, merchant shipping, sea fisheries and quarantine.

If the Northern Parliament accepted its position under the National Parliament it would be confirmed in its existing powers, and safeguards would be provided to protect special interests in the area of its functioning. Discussion of these safeguards was invited.

The Irish Representatives had now made important concessions. Their proposal, while leaving open the possibility of retaining the Republic and its institutions intact, would

commit Ireland to a foreign policy involving consultation (though not necessarily co-operation) with the British Commonwealth in such vital matters as peace and war.

In order to meet British fears and legitimate interests, they had somewhat enlarged the offer envisaged in the original "Draft Treaty A."<sup>1</sup>

The Irish Delegates had not, however, agreed in this offer to the complete severance of any part of Ireland from the Irish State, nor to inclusion in the British Empire, nor to acceptance of the King of England as King of Ireland. On the maintenance of the Republic, on the essential unity of Ireland, they had, in this document, remained firm.

<sup>1</sup> Appendix 16, p. 974.

## CHAPTER 59

*November and December 1921*

GRIFFITH'S TRAGEDY - CROWN AND EMPIRE - CABINET MEETING IN DUBLIN - AN AGREED FORMULA - ERSKINE CHILDERS - A PROMISE TO CRAIG - VIOLENCE IN ULSTER - PREPARATIONS FOR WAR - THE ENGLISH OFFER - THE IRISH CABINET AND THE TREATY

ARTHUR GRIFFITH, during the last week of November and the first five days of December, lived through the tragic crisis of his life. He must have seen himself in those days as a man who, having spent himself in awakening the dormant ardours of nationalism in his people, had aroused passions greater than he could moderate and ambitions higher than he could satisfy. His own dream for Ireland seemed on the brink of realisation: an Irish Parliament was within his grasp. Had he been free to concede what, for himself, he had never been unwilling to concede, Allegiance, a settlement might have been achieved. But, by the ironic destiny that has shaped the ends of so many Irish patriots, it had become his duty to refuse what seemed to him attainable in a forlorn effort to secure something which had always been outside his scheme. Hating violence, he found himself charged with the task of wrecking the hope of peace that he believed in and committing his country to the risk of war. So regarded, Griffith's long-sustained faithfulness to his instructions is the remarkable thing, rather than his last-minute failure to comply with them.

Thomas Jones came to him on the 22nd and told him that the Irish document had filled Lloyd George with despair. A letter terminating the negotiations was the only answer that the Prime Minister could devise. A conversation followed, Collins taking part in it, which showed clearly that the Crown and Empire had to be dealt with as the decisive issues now.

Tenaciously, Griffith refused further compromise on these, declaring that the External Association proposal must stand. He had De Valéra's warning in mind:

“ We are all here at one that there can be no question of our asking the Irish people to enter an arrangement which would make them subject to the Crown or demand from them allegiance to the British King.”

Writing to the President that night an account of the British refusal of the Irish offer, he said: “ In view of your letter of October 25th I cannot discuss the alternative with them.”

In a conference on the following day, at which Barton was present, the British made a slight advance on questions of trade and defence. It began to appear that on these matters, as well as on finance, an agreement might be reached.

These were not the critical questions now.

On the 24th, in the House of Lords, the delegates held a sub-conference on the Crown; Gavan Duffy and John Chartres took part. The Irish offer to recognise the Crown as head of an association was repeated; Ireland, Chartres suggested, might evidence the recognition of the King as head of the aggregate of States by voting annually a contribution to the King's personal revenue. The Irish Delegates agreed that there could be no question of allegiance. They undertook to prepare a formula which would express the extent to which they were willing to recognise the Crown.

Collins and Griffith crossed to Dublin for a Cabinet meeting on the 25th.

The Irish Ministers discussed the Crown. They endorsed the decisions which the Delegates had expressed in London and approved a formula embodying them.

It was as follows:

“ Ireland shall recognise the British Crown for the purposes of the Association as the symbol and accepted head of the combination of Associated States.”<sup>1</sup>

<sup>1</sup> Cathal Brugha noted, at the President's request, his appreciation of the policy involved. His note was as follows: “ All other matters being satisfactorily settled, we are prepared to recommend to our people that the accepted head of Great Britain be recognised as the head of the new association. We are prepared to co-operate with, and send a representative to, whatever council is appointed to conduct the affairs of the group. In matters that do not affect the group we continue to act independently, our form of government remains the same as at present, and can only be altered by the Irish people themselves.”

The suggestion as to the voting of an annual sum to the King's Civil List was mentioned; Brugha objected to it, to be told by Collins that the proposal had already been sent to Downing Street. Austin Stack felt disturbed by this, the first, indication that members of the Delegation were taking action in such important matters without waiting to consult the President or the Ministers at home. This proposal represented a very great concession and was the maximum that could be offered, to the President's mind.

On Monday a Memorandum on External Association was handed by the Irish Delegates to the British. In the evening, at Chequers, Griffith and Duggan met Lloyd George, Birkenhead and Horne. The British Delegates declared that the Irish proposals were impossible: no British government could possibly agree to the abrogation by Ireland of the Crown. Arthur Griffith told them that the Irish Delegates had no authority to deal with them on any basis other than the exclusion of the Crown from purely Irish affairs. The British Representatives seemed anxious to avoid a break on what they felt to be a question of a symbol merely and offered to include in the Treaty a clause—the Irishmen were invited to devise it—which would ensure that the functions of the Crown in Ireland would be no more than in the distant Dominions; they were ready to alter the proposed oath accordingly; they guaranteed that any nominal head of the Irish State appointed would be appointed only in consultation with the Irish Ministry.

On the following day, Tuesday, the 29th, at a meeting at Downing Street, Griffith was told that the British Delegates intended to have their final proposals ready within a week and to send them on Tuesday, December 6th, to the Irish Plenipotentiaries and to Sir James Craig. Griffith secured a promise that they would be sent first to his Delegation—on next Thursday, December 1st.

Griffith wrote to the President that he would come to Dublin on Friday. He asked that a Cabinet meeting be summoned for Saturday, December 3rd.

Behind these scenes Erskine Childers was working with fierce, concentrated energy, striving to save the Republic by

the only means which was open to him in his position as Secretary—by drawing up memoranda, supplying facts and analyses to the Delegates out of his store of expert knowledge. He prepared a memorandum on the position of the Crown in Canada, in law and in fact. He made an analysis, which angered Griffith, of the concessions already made by the Delegation. To Childers, with his long experience of English political methods, the Republic seemed to be already almost irretrievably imperilled. He was spending sleepless nights and laborious days.

Sir James Craig had received a promise from Lloyd George. He announced it in Belfast on November 29th.

“By Thursday next either negotiations will have broken down or the Prime Minister will send me new proposals for consideration by the Cabinet. In the meantime the rights of Ulster will be in no way sacrificed or compromised.”

If Lloyd George had indeed promised that he would not insist on anything disliked by the Ulster Unionists he had made Irish unity impossible, mortgaged already the one thing which he had offered to Griffith in exchange for allegiance to the Crown. If the likelihood of a Boundary Commission's overruling Craig's recalcitrance was to be relied on as a guarantee of unity, Craig himself showed that there was an illusion here.

“Sinn Fein,” he asserted, “fully alive as it is now to our unflinching determination not to go into an All-Ireland Parliament, has to say by Tuesday next if she will still work for a settlement or else all negotiations are broken off.”

The Northern Government was enrolling another armed force—“C Specials.” The force was to be a military one and ex-soldiers were asked to enlist. Secret instructions had been issued on November 9th from R.I.C. Headquarters in Belfast, declaring that the matter was urgent.

Within the Six-county area, meanwhile, districts which had Nationalist majorities were repudiating, through their public Boards, the authority of the Belfast Government. On the 28th, the Tyrone County Council pledged its allegiance to Dail

Eireann, declaring that the people of Tyrone and Fermanagh would never submit to separation from the rest of Ireland. The Council's offices were raided by the Constabulary and their books were seized.

Scenes of violence began once again in Belfast on November 25th, when a train-load of workmen was bombed. In four days ninety-four persons were wounded and twenty-six killed. The death roll from violence since July 1st now numbered one hundred and seventy-four.

The Conservative section of the English Press was still denouncing the Government for hesitating to deal with Ireland by force. The *Morning Post* of November 28th contained an examination by General Sir Charles Callwell of the most economic and effective military methods of suppression which might be employed against the Irish. As examples of successful subjugation of nations fighting for their freedom he cited the Greek war of Liberation, the Polish rebellion of 1830, the effort of Hungary to break her connection with Austria in 1848, the uprising of Lombardy and Venetia against the Hapsburgs about the same time, and the South African struggle of 1899-1902.

In Ireland preparations were being made to face a renewal of war. President de Valéra, with the Minister for Defence and the Chief of Staff, spent the greater part of this momentous week in reviewing contingents of the Republican Army in Limerick, Galway and Clare. Austin Stack remained in charge in Dublin.<sup>1</sup>

On November 30th, addressing the Mid Clare Brigade, the President said:

“ We are going to stand on the rock of truth and principle. We will face the future with exactly the same confidence and knowledge we faced our work four years ago. We know what can be done by the same powerful nation against us. We know the terrorism, we know the savagery that can be used against us, and we defy it.”

<sup>1</sup> Much of the information concerning Cabinet meetings and Ministerial action during this period is derived from an unpublished memorandum written by Austin Stack.

Everywhere he was received with demonstrations of fidelity to the Republican cause.

The Ennis County Council stated in an address:

“ . . . We would prefer to consummate our national independence without further bloodshed, but if it should be, as recent events entitle us to suspect, that British statesmen are planning another betrayal, then, on behalf of the people of Clare, with the full sense of the gravity of our words, we tell you we are ready.

“ We have unqualified confidence in you and in our Government and in the cause of Irish independence. We will follow you if needs be to the death.”

“ Proposed Articles of Agreement ” were duly delivered to the Irish Delegation on Thursday, December 1st. There were eighteen clauses and an Annex in which the naval and war facilities required by Great Britain were specified. It was an elaboration of the earlier British Memoranda based on the status of Canada.

Barton left at once for Dublin. Arthur Griffith and Michael Collins, summoned to Downing Street, discussed amendments with the British Ministers until late at night, and a revised document was sent to the Delegation headquarters at about 1.30 a.m.

On Friday the remaining members of the Irish Delegation travelled to Ireland. At 11 p.m. Arthur Griffith called on the President, who had just arrived in Dublin, having hurried back from Clare. Griffith showed him notes of the English offer. The President told him that that was a document that he would not be able to accept.

Michael Collins, Gavan Duffy and Erskine Childers caught the mail train at Euston on Friday evening at 8.45 p.m. In the station Thomas Jones handed them the latest amendments to the draft. A collision in mid-channel delayed the boat and they arrived in Dublin just as the Cabinet meeting was about to begin at 11 a.m.

Cathal Brugha had hurried back with the President from the West. Members of the Delegation who were not Ministers, and



Erskine Childers and Kevin O'Higgins were present during the morning session. In the afternoon the Cabinet met alone.

The proposals before the Cabinet<sup>1</sup> bore very little resemblance to Draft Treaty A as approved and entrusted to the Delegates as the basis of negotiations in October. They bore much closer resemblance to the offer which had been made by Lloyd George on July 20th, and unhesitatingly rejected by a unanimous Cabinet and Dail.

Ireland was offered the status of a British Dominion and the title of the "Irish Free State." The following form of oath was proposed:

"I . . . solemnly swear to bear true faith and allegiance to the Constitution of the Irish Free State; to the Community of Nations known as the British Empire; and to the King as head of the State and of the Empire."

Coastal defence was, until otherwise agreed, to be undertaken exclusively by the Imperial forces. In time of war or strained relations the British Government was to receive whatever facilities for defence it might require. Northern Ireland, if it so wished, was to be excluded from the Irish Free State, the Northern Government retaining its powers under the Act of 1920. If the Northern Government decided on exclusion, an Arbitration Commission should be set up to delimit the boundary. The Treaty was to come into force twelve months from the date of signing.

The discussion of the proposal continued for many hours of close and exhausting work.<sup>2</sup>

The President repeated what he had already said to Griffith: This was a document which he could not accept.

Arthur Griffith gave it as his view that the Delegation should not take the responsibility of breaking on the Crown. The people, he believed, would not fight on the question of allegiance, and if they were called on to do so there would be a split. He

<sup>1</sup> Appendix 19, p. 988.

<sup>2</sup> No written record of these discussions is in existence except jottings by Robert Barton made afterwards, Stack's memorandum, and the unconfirmed notes made during the meetings by the Acting Secretary of the Cabinet, Colm O'Murchada. The present account is derived from recollections of some of the participants supplemented by these.

held that the proposed Treaty would practically recognise the Republic. He thought that the Plenipotentiaries should get as many concessions as possible, get it accepted by Craig, and sign. He did not recommend the Cabinet to accept it. The Dail was the body to decide for or against war.

Eamon Duggan was in favour of acceptance, believing that no more concessions could be obtained.

Michael Collins's view was complicated. He believed that further concessions could be obtained from the British on trade and defence. It would be twelve months before the oath would come into force. The British, on the other hand, could arrange a war in Ireland within a week. Refusal would be a gamble. He suggested agreeing to recommend the Treaty to the Electorate, but recommending non-acceptance of the oath.

Gavan Duffy was definitely against acceptance. He believed that the Irish proposals, with slight reservations on defence and other matters, could yet be obtained if insisted upon. The Dail should reject this Treaty and propose amendments to the British, he held.

Barton pointed out that the proposal did not give even Dominion Status or offer any guarantee against Partition. He believed England could not declare war on the question of allegiance and he was against acceptance.

Erskine Childers was consulted. He declared that the Treaty proposed would give Ireland no national status and rendered neutrality impossible.

Cathal Brugha was opposed to acceptance of the document; he was in general agreement with the President.

Definitely opposed to acceptance also was Austin Stack.

The majority of the Cabinet rejected the Dominion clauses as a whole.

The division of the Cabinet between those who wished to sign the document before them and those totally averse to acceptance of proposals of this nature was acute; the President, however, believed that a possibility of reconciling their differences and of securing an acceptable settlement still remained. The Cabinet had agreed, as long ago as October, on an offer of Association and on recognition of the King as Head of the Association—an offer which would leave the Republic and its

institutions intact. Many concessions on minor matters had since been agreed upon; the distance between the British and Irish requirements had been considerably lessened during the negotiations; he felt that if the British were made to realise that Ireland would face war rather than accept Partition or inclusion in the Empire they might be induced to withdraw those demands. He wished the Delegates to return to London and make the British realise that the Irish Representatives were prepared to face renewed war as the alternative to Allegiance or Partition.

All the major issues were, to his mind, epitomised in the oath. The oath proposed by the British included allegiance to the King, not only as head of the Empire but also as head of the Irish State: to that oath, he told the Cabinet, he could not subscribe, nor could he sign any document which gave North-East Ulster power to vote itself out of the Irish State.

He explained this view to the meeting, and said that he thought counter-proposals based upon those agreed upon in October, and consistently urged by the Delegation, should be presented again. One of the Delegates pointed out that the British insisted upon some form of oath. The President was opposed to any oath being included in the counter-proposals, but on being pressed on this matter he said that if counter-proposals were accepted which gave Ireland a free Constitution, an oath might be added pledging "true faith and allegiance" to that free Constitution, and also to the Treaty of Association which they proposed.

"Well, if there has to be an oath at all, it should be in conformity with our status of external association," he said.<sup>1</sup> "Something like this, I suppose." Barton and Gavan Duffy at this point tried to make notes of the President's words, but he was speaking hastily and informally, and there was some question afterwards as to what form of words he had used. According to Robert Barton's memorandum, written afterwards, and the President's own recollection, it was as follows:

"I do swear true faith and allegiance to the Constitution of Ireland and to the Treaty of Association of Ireland with the British Commonwealth of Nations and to recognise the King of Great Britain as Head of the Association."

<sup>1</sup>As recorded by Robert Barton.

Robert Barton made an appeal to the President to join the Delegation in London, pointing out that it was not fair to ask Griffith to go back as leader of the Delegation to secure terms that would only be secured if the Delegates were prepared to go to war, when Griffith was not prepared to do so. For the moment the President was inclined to think that it would be wiser to go. At this point, however, Cathal Brugha asked a question which brought the whole controversy to a head. With the gravest emphasis he asked Arthur Griffith whether he realised that to sign such proposals as those before them would split the nation. Arthur Griffith was impressed with the truth of this and, in reply, he gave an express undertaking: he promised that, while he would not break on the Crown, he would not sign an acceptance of allegiance. He would not sign this document; he would bring it back and refer the matter to the Dail; if necessary, to the people.<sup>1</sup>

Satisfied with that assurance, the meeting decided unanimously that the President should remain in Dublin.

The general conclusion was that the Delegates were to return to London and tell Lloyd George that they could not sign that document, could not accept the oath in that document, were ready to face war rather than accept Allegiance or Partition, and would not consent to either without first referring the question to the Dail. If possible Ulster was to be shown to be the cause of the break. The Delegates were empowered, if they thought it necessary, to meet Sir James Craig.

The Delegates and Secretaries returned to London that night.

The Ministers who remained in Dublin did not feel hopeless. They thought that the concessions on which they had agreed might, if urged with all the force of a united Delegation, be accepted by the British as a basis of settlement. Nevertheless, they were prepared to hear that negotiations were broken down and that, with only seventy-two hours' notice, the Truce would come to an end.

President de Valéra returned to the West and to the reviewing of the Volunteers.

<sup>1</sup> From Stack's recollection and the other sources mentioned.

## CHAPTER 60

*December 4th to 6th, 1921*

IRISH DELEGATES IN LONDON – DIVISION – A MEETING AT DOWNING STREET – NEGOTIATIONS BREAK DOWN – LLOYD GEORGE AND COLLINS – DOWNING STREET AGAIN – LLOYD GEORGE'S ULTIMATUM – DISCUSSION AT HANS PLACE – RETURN TO DOWNING STREET – THE TREATY SIGNED

THE following morning, Sunday, at Hans Place, Gavan Duffy, Robert Barton and Erskine Childers drafted counter-proposals in the form of "Amendments to the Proposed Articles of Agreement," based on the agreed policy of the Irish Cabinet and embodying as faithfully as they were able the conclusions arrived at on the previous day.

When the draft was completed, Barton and Gavan Duffy were astounded to find that Griffith and Collins had abandoned all idea of urging counter-proposals: they did not intend to go to the British with this or any other draft; they, and Duggan also, refused to go to Downing Street; Collins said that those who wanted to break should present it.

A discussion on the Memorandum followed and Collins, Griffith and Duggan insisted on making certain alterations in it, taking out of it the Irish demand for complete control of their own trade after ten years and altering the oath clause by substituting for "Association" the phrase "Associated States."<sup>1</sup>

The latter amendment was of considerable importance and was the subject, afterwards, of controversy. To accept the King as head of the "Associated States" could be interpreted as accepting him as the head of each state and, therefore, the head of the Irish State; the Cabinet's agreed policy, however, proposed to accept the King only as head of a certain association to which Ireland would adhere externally for purposes of common concern. Thus in one syllable and one word was epitomised a great part of the issue which divided the status offered to Ireland by the British Government from the status which the Republican Cabinet was unanimously willing to accept.<sup>2</sup>

<sup>1</sup> See *Evening Herald* (Dublin), August 14th and 15th, 1922.

<sup>2</sup> Robert Barton's recollection of the incident of December 4th is as follows: "I happened to write down De Valéra's words as he said them. As a matter of

When these amendments had been made and Collins and Duggan still persisted in their refusal to go to Downing Street with them, Barton and Gavan Duffy declared that they would go alone. It was only then that Griffith consented to go, apparently for the purpose of preventing a break with the British. Collins and Duggan remained behind.

Collins's attitude was disastrous. Unless urged with all the force of a united Irish Delegation the Irish counter-proposals had no chance whatever of receiving serious consideration from the British at this stage; it was evident, too, that Griffith would have no heart in insisting upon them.

Chamberlain, Birkenhead and Horne were with Lloyd George. The Irish counter-proposals were read<sup>1</sup> and the English Delegates retired to discuss them. When they returned they declared that these proposals were a complete going back on all previous discussions and a definite refusal of fundamental conditions. They had already been rejected. Griffith defended the proposals with unexpected tenacity. He tried to make Craig's refusal of an All-Ireland Parliament the dominant factor again—unsuccessfully, however: the British said that, with or without Craig's approval, their Ulster proposal remained.

If the Irish Delegates signed the Treaty, the British Ministers would, they promised, call Parliament together immediately, pass an Act to ratify it before Christmas, withdraw their troops from Ireland and hand over Dublin Castle.

Robert Barton spoke of the necessity of a settlement based on good will.

When Gavan Duffy's turn came to speak he began by saying, "The difficulty is coming into the Empire. . . ."

As if by a prearranged signal the Englishmen sprang to their feet. In tones as excited as though the objection to inclusion in

fact, he repeated it twice, and in the draft for amendments to the English Treaty which Duffy, Childers and I wrote next morning in London, the oath reads Association. Collins insisted that the words used by De Valera were Associated States. Griffith and Duggan supported him. When I referred to my notes of De Valera's words I found that I had written in one case 'Head of the Assoc.' (I do not write shorthand). This might have been 'Associated States,' and as Duffy was not certain of the words used, I gave way, and the oath appears in our amendments page just as it is given by O'Murchada, except that the word 'solemnly' is omitted." O'Murchada's note reads "of the Associated States."

<sup>1</sup> Appendix 20, p. 988.

the Empire was something new to them, they declared that the Conference was at an end. It seemed as though, regarding Gavan Duffy as the most obstructive of their opponents, they had seized the opportunity to cast responsibility on him. They said that they would send word to Sir James Craig that the negotiations had broken down.

The Irish Delegates returned to their Headquarters. Griffith was gloomy. If this was indeed the end, they had failed doubly—failed, not only to make peace but to ensure that the break should be on the Ulster question when it came.

The Conference, however, was not ended. The British were not going to consider as final a discussion from which Collins had absented himself.

Later that evening Thomas Jones had a conversation with Arthur Griffith and the latter told Michael Collins that Lloyd George wanted to see him in the morning before calling on the King. The other Delegates were not consulted on the question of the morning appointment. Collins saw Lloyd George at 9.30 a.m. on Monday and reported to his colleagues afterwards.<sup>1</sup>

Lloyd George told him he was holding a meeting of his Cabinet at midday and said that the break was definitely on the question of “within or without” the Empire. Collins told him, however, that he was wholly dissatisfied as to the position of the North-East. Lloyd George remarked, Michael Collins recorded,

“that I myself pointed out on a previous occasion that the North would be forced economically to come in. I assented, but I said that the position was so serious that I was anxious to secure a definite reply from Craig and his colleagues and that I was as agreeable to a reply rejecting as accepting. In view of the former we would save Tyrone, Fermanagh and parts of Derry, Armagh and Down by the Boundary Commission.”<sup>2</sup>

Lloyd George succeeded in convincing him that the Boundary Commission clause would save Ireland from Partition.

<sup>1</sup> Michael Collins's written minute of this interview is the source of information.

<sup>2</sup> Quoted by Robert Barton at Enniscorthy. See *Press*, January 18th, 1933.

It was arranged that Collins should ask his colleagues to meet the Prime Minister in the afternoon.

Arthur Griffith persuaded the other Delegates to agree: they would go to Downing Street for the purpose of narrowing the issue down, if possible, to the Ulster question or of securing terms to be submitted to the Dail.

Once again, at three o'clock, Griffith, Collins and Barton were in Downing Street. Griffith must have gone with a heavy heart. His dilemma was a paralysing one; moreover, in the letter which he had given to Lloyd George for use with the Unionists, and in the promises given later in Park Lane, he had handed a weapon to his antagonist of which the edge was not blunted yet.

Copies of the Articles of Agreement, as already proposed by the British, with a few minor alterations, were before the Delegates. Lloyd George opened the attack by referring to the Ulster proposal in that document, declaring that Arthur Griffith had already agreed to this and had given him an undertaking not to "let him down." Griffith replied that he would not let him down but that he wanted a reply from Craig either accepting or refusing Irish unity. Chamberlain declared that he and his colleagues had staked their political future at Liverpool on the understanding that they would not be let down and that this demand was contrary to that undertaking. Collins insisted that every proposal made by the Irish Delegates for the association of Ireland with the British Commonwealth had been conditional upon the unity of Ireland and that without Craig's acceptance unity was not assured.

The reply was simply that Craig would not write such a letter, and the Englishmen maintained that, as they were going forward with their Ulster proposal irrespective of Craig, there was no ground for contention here.

Lloyd George had won a move in the game.

By making the Ulster project one which left a final decision to the future, and representing it as sure to work out as the Irish Delegates wished, no matter what Craig's intention might be, he had placed the whole question outside the pale of the immediate Conference. When Collins demanded to know Craig's intention he



could be told that it was irrelevant at this stage; if others protested, they could be reminded of the letter of November 2nd; if Griffith showed a sign of recalcitrance, the 12th of November remained.

Bravely Griffith struggled to regain his lost foothold, but unsuccessfully. He had sawn through the branch on which he wanted to climb. The discussion lapsed again on to matters of defence, trade and finance and the wording of an oath. Then the British Delegates retired and Griffith, Collins and Barton consulted together. Once more, they resolved, they would demand a statement from Craig.

Lloyd George had other plans. He did not return until ten minutes later than his colleagues. He held an envelope in front of Griffith—a long envelope with its contents partly withdrawn,<sup>1</sup> and again charged Griffith with letting him down. Griffith answered with some heat to the effect that he had never let a friend or an enemy down on an undertaking and would not do so now.

Lloyd George spoke of having had Griffith's assent to his proposal. He spoke of a letter. Barton did not know what he could be referring to, nor did Michael Collins. Chamberlain now passed a paper across the table. It proved to be a memorandum by Lloyd George of his Ulster proposal.

It read as follows:

“ If Ulster did not see her way to accept immediately the principle of a Parliament of All-Ireland—coupled with the retention by the Parliament of Northern Ireland of the powers conferred upon it by the Act of 1920 and such other safeguards as have already been suggested in my letter of 10th November—we should then propose to create such a Parliament for All-Ireland but to allow Ulster the right within a specified time on an address to the Throne carried in both Houses of the Ulster Parliament to elect to remain subject to the Imperial Parliament for all the reserved services. In this case she would continue to exercise through her own Parliament all her present rights; she would continue to be represented in the British Parliament and she would continue subject to British

<sup>1</sup> From Robert Barton's memorandum, written on the following day.

taxation except in so far as already modified by the Act of 1920. In this case, however, it would be necessary to revise the Boundary of Northern Ireland. This might be done by a Boundary Commission which would be directed to adjust the line both by inclusion and exclusion so as to make the Boundary conform as closely as possible to the wishes of the population."

After an interval during which the English Delegates made certain concessions, chiefly on trade, Griffith gave his decision. His commitments to Lloyd George had isolated him from the Delegation of which he was chairman: this he seemed to realise, for he gave it as a personal one. His colleagues, he said, were in a different position from himself, for they were not party to the promise which he had given to Lloyd George. It was not fair to demand their acceptance before Craig had replied.

He would sign the Treaty.

That, indeed, was the moment of Lloyd George's triumph. Arthur Griffith's life-long loyalty to Ireland, his loyalty to his Government, to his colleagues, to his mission and to his Republican oath had given way before loyalty to a promise, made as part of a tactical manoeuvre, to Lloyd George.

It could hardly have happened if Griffith had not in his own mind been satisfied with the prospect of an Ireland within the Empire, under the Crown.

Lloyd George pressed his advantage home. This release of four men out of five he was not going to allow. The entanglement in which he had involved Griffith was to enmesh them all.

He said, impressively, that he had understood that Griffith spoke for the Delegation; that this was peace or war, and that there was no agreement unless every member of the Delegation signed and promised to recommend the Treaty. Turning to Barton, he said very solemnly that any Delegate who refused to sign was taking responsibility for the war that would follow immediately. Already, that afternoon, he had made two papers do effective work for him. He had two more in reserve. They lay on the table before him. The moment for the ultimatum had come.

One of these papers, he informed them, was to be sent, without one hour's delay, to Sir James Craig. Geoffrey Shakespeare was waiting to take one or the other of them to Belfast. There was a special train with steam up at Euston and a destroyer at Holyhead.

Sir Austen Chamberlain has written an account of the delivery of this ultimatum by Lloyd George. He describes how the Prime Minister asked whether the Irish Delegation was prepared to sign, and said:

“ I have to communicate with Sir James Craig to-night: here are the alternative letters I have prepared, one enclosing the Articles of Agreement reached by His Majesty's Government and yourselves, the other saying that the Sinn Fein representatives refuse the oath of allegiance and refuse to come within the Empire. If I send this letter it is war—and war in three days ! Which letter am I to send ? ”<sup>1</sup>

Possibly Lloyd George was bluffing, but that was not the impression made on the Irishmen's minds when, as Robert Barton afterwards said:

“ Speaking for himself and his colleagues, the English Prime Minister, with all the solemnity and the power of conviction that he alone, of all men I met, can impart by word and gesture—the vehicles by which the mind of one man oppresses and impresses the mind of another—declared that the signature and recommendation of every member of our delegation was necessary or war would follow immediately.”<sup>2</sup>

The Irishmen's reception of the ultimatum has been described by Churchill:

“ Mr. Griffith said, speaking in his soft voice, and with his modest manner, ‘ I will give the answer of the Irish Delegates at nine to-night; but, Mr. Prime Minister, I personally will

<sup>1</sup> Chamberlain, *Down the Years*, p. 149; *Daily Telegraph*, March 29th, 1932.

<sup>2</sup> See Robert Barton's speech in the Dail, December 19th, official reports of Dail Eireann debates on the Treaty, p. 49, and Gavan Duffy's speech of December 21st, p. 85.

sign this agreement and will recommend it to my countrymen.' 'Do I understand, Mr. Griffith,' said Mr. Lloyd George, 'that though everyone else refuses you will nevertheless agree to sign?' 'Yes, that is so, Mr. Prime Minister,' replied this quiet little man of great heart and of great purpose.

"Michael Collins rose, looking as though he were going to shoot someone, preferably himself. In all my life I never saw so much passion and suffering in restraint."<sup>1</sup>

Lloyd George also was struck by the painful hesitation of Michael Collins's demeanour. "Both," he writes of Michael Collins and Arthur Griffith at this moment,

"saw the shadow of doom clouding over that fateful paper—their own doom. . . Michael Collins was not appalled by the spectre of death, but he had the Irishman's fear of encountering that charge which comes so readily to the lips of the oppressed—that of having succumbed to alien will and betrayed their country. . . .

". . . He asked for a few hours to consider, promising a reply by nine o'clock. Nine passed, but the Irish leaders did not return. Ten, eleven, and they were not yet back. We had doubts as to whether we should see them again."<sup>2</sup>

In Dublin, Auxiliaries were moving about the streets, showing revolvers and holding-up pedestrians. There were rumours that the Delegates were coming home. Austin Stack waited for a message from London, but none came.

Ireland's destiny was being decided in a room at Hans Place. There the Irishmen received the final draft of the British proposals at 9 p.m. No vital alteration had been made. It was, in essentials, the Treaty which had been rejected in Dublin two days before. Ireland was offered a status less than that of a Dominion of the British Crown. The Partition clause remained.

Arthur Griffith spoke with vehemence in support of signing, asking should they call young men to die in a hopeless cause; declaring that no other settlement could be obtained. Duggan came to the same decision, even if the terms pleased him less.

<sup>1</sup> Churchill, *Aftermath*.

<sup>2</sup> David Lloyd George, *Is It Peace?* pp. 272-3.

Michael Collins said little. It seems probable, in the light of after events, that the I.R.B. and some of the I.R.A. leaders had learnt from him, before this, the vital details of the offer, and urged him to accept; it must have seemed to him a bitter conclusion of his great labours for the Republic of Ireland; but his decision was to sign.

Finally, Collins, Griffith, and Duggan declared that they would sign, whether the other two did so or not.

Barton refused until it was pointed out to him that by doing so he made himself responsible for bringing war on the Irish people without their having the opportunity to decide between the alternatives for themselves. It occurred to him that, though the Delegates might sign, the Cabinet would be free to repudiate their signature as a betrayal of their trust, even to have the Delegates arrested on their return, and that the delay would at least give the Cabinet and the Dail a chance to prepare for what might come. He consented to sign.

Collins's consent had astounded Barton and Gavan Duffy; until that moment they had thought he would never accept Dominion status. What had induced him to accept less? He believed that Lloyd George, in his threat of war, was not bluffing; he knew the I.R.A. as no other man did; it was evident that he felt that it could not sustain a renewed attack.

Gavan Duffy had not believed in Lloyd George's threat of war, but now, with the other four convinced by it and with Collins declaring resistance impossible, he could not stand out alone; he could not take the whole and sole responsibility for what might come. He would sign, he said, under duress.

It is an unaccountable fact that, during those hours of painful indecision, not one of the five thought of telephoning to Dublin. The charge of disobeying their written instructions and breaking Griffith's promise given two days earlier to the Cabinet might, at least, have been averted in that way.

It was past midnight when Griffith, Collins and Barton returned to Downing Street.

None of the British Representatives, Churchill records, expected that anyone but Arthur Griffith would sign. He describes how they waited around the green-covered table until, long after midnight, the Irish Delegates appeared.

“ As before, they were superficially calm and very quiet. There was a long pause, or there seemed to be, and then Mr. Griffith said, ‘ Mr. Prime Minister, the Delegation is willing to sign the agreements, but there are a few points of drafting which perhaps it would be convenient if I mentioned at once.’ Thus, by the easiest of gestures, he carried the whole matter into the region of detail, and everyone concentrated upon these points with overstrained interest so as to drive the main issue into the background for ever. . . .

“ We had become allies and associates in a common cause.

“ . . . It was nearly three o’clock in the morning before we separated.”<sup>1</sup>

Lloyd George gave a similar account of the signing; and he recalls the desperate, tragic face of Erskine Childers, who waited outside in the lobby, helpless, while Ireland’s Independence was signed away.

## CHAPTER 61

*December 6th to 12th, 1921*

THE TERMS OF THE AGREEMENT — GRIFFITH AND SOUTHERN UNIONISTS — THE NEWS IN IRELAND — DE VALÉRA RECEIVES THE DOCUMENT — THE REPUBLICAN CABINET DIVIDED — THE PRESIDENT'S REJECTION — THE I.R.B. AND I.R.A. — A COMPLEX SITUATION

THE copy of the Agreement which Lloyd George sent to Sir James Craig was dated December 5th. The signing actually took place at 2.15 a.m. on Tuesday, December 6th.

What had been signed was a draft of Articles of Agreement. They had to be submitted to the British Parliament for ratification, and would not become law for England until implemented by an Act of Parliament.

The document contained eighteen Articles and an Annex.<sup>1</sup> Ireland, according to their terms, was to have the same constitutional status in the Empire as the Dominion of Canada, with a Parliament and Executive, and was to be known as the Irish Free State (Articles 1 and 2).

The powers of the Government of the Irish Free State were not to apply to Northern Ireland until one month after the passing of the English Act ratifying the Treaty (11). If within that month the Northern Parliament expressed a wish for exclusion, Northern Ireland was to become excluded from the Irish Free State and keep its powers under the Act of 1920. (Thus "statutory" Northern Ireland need never come under an All-Ireland Parliament even for one day.) If exclusion was decided upon, a Boundary Commission was to determine the Boundaries of Northern Ireland

"in accordance with the wishes of the inhabitants so far as may be compatible with economic and geographic conditions."

This Commission was to consist of a Chairman appointed by the British Government, another member appointed by the Northern Government, and a third appointed by the Government of the Irish Free State (12).

<sup>1</sup> Appendix 21, p. 990.

The Free State Parliament was to have power to elect members to a Council of Ireland, should such Council be established, as provided for in the Act of 1920 (18).

Article 3 provided:

“The representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada. . . .”

Article 4 read:

“The oath to be taken by Members of the Parliament of the Irish Free State shall be in the following form:

“I . . . do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V, his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.”

By Article 5 the Irish Free State assumed liability for the public debt of the United Kingdom and for war pensions in such proportion as might be deemed equitable, any counter-claim by Ireland being taken into consideration; any disagreement on the matter was to be arbitrated by persons who must be citizens of the British Empire.

Naval and coastal defence of Ireland was to be undertaken by the Imperial Forces, the Free State, however, being permitted to provide for protection of its fisheries and revenue. This provision (6) was to be reviewed by a Commission of the British and Irish Governments after five years with a view to Ireland's undertaking a share of her own coastal defence.

Certain harbour and other facilities were to be given by the Irish Free State to the British Government: in time of peace such as were specified in the Annex or might be agreed on, but in time of war or strained relations such as the British Government “may require.”

The facilities specified in the Annex, to be immediately accorded, involved British occupation of the ports of Berehaven, Queenstown (Cobh), Lough Swilly and Belfast Lough.



The defence force of the Irish Free State was to be limited in numbers according to the population (8).

There were Articles concerning ports, payment of pensions, religious and educational freedom and there were transition clauses concerning the transference of powers from the British Government and the legalising of the Treaty, and provisions for possible arrangements between the Northern Government and the Government of the rest of Ireland.

It was not such a Treaty as would conceivably be freely negotiated and freely signed between two independent States. It not only made Partition possible but it prevented the wishes of the inhabitants from being the sole determining factor in delimiting boundaries.

The attitude of the British Ministers towards this agreement was not in doubt. The Cabinet had been in constant touch with Lloyd George. The question of the Irish Cabinet's reaction was, on the contrary, doubtful in the extreme and this the Irish Delegates knew.

Already, in signing, they had contravened their instructions and in promising to recommend the Agreement they had exceeded their powers. Their chairman's promise to the Cabinet had been broken. They had been entrusted with the duty of safeguarding the unity of Ireland and refusing allegiance. Neither one nor the other had been done.

It was not unlikely that a majority of the Cabinet would refuse to recommend this Agreement and that it would be repudiated by the Dail. Steps were taken, however, by Griffith as well as by the British Government, to represent a settlement as a *fait accompli*.

Griffith, on the morning of Tuesday, the 6th, in London, met the representatives of the Southern Unionists, gave them certain promises and reported these in a letter to Lloyd George:

“ SIR,—I write to inform you that at a meeting I had with representatives of Southern Unionists I agreed that a scheme should be devised to give them their full share of representation in the first Chamber of the Irish Parliament, and that, as

to the Upper Chamber, we will consult them as to its Constitution, and undertake that their interests will be duly represented. I wish also to take this occasion to say that we desire to secure the willing co-operation of Unionists in common with all other sections of the Irish nation in raising the structure and shaping the destiny of the Irish Free State.

“ We look for their assistance in the same spirit of understanding and good will which we ourselves will show towards their traditions and interests.”

The Irish President had not heard of the signing of the Agreement when Griffith gave these promises and communicated them to Lloyd George.

On Monday night, December 5th, De Valéra was in Limerick. Speaking there, he said that nothing would be accepted which would deprive the nation of the essentials of freedom. They had not been bluffing. They meant to achieve exactly what they set out to achieve and would not be deflected from it by threats. Their resistance might not be sufficient to drive the English out of Ireland, but, certainly, it would be sufficient to prevent their ruling Ireland. “ This is a separate nation and never till the end of time will they get from this nation allegiance to their rulers.”

He warned the people that such contests go in the end to the spiritual forces, but not for a long time, and he bade them get rid of foolish optimism.

Tuesday morning's papers contained the news that an agreement had been reached in London and that a copy of the terms had been sent by special messenger to Sir James Craig. The terms were not published and no message concerning a settlement had come to the President. He was surprised, but, remembering the promise which Griffith had given, he did not doubt that this meant that the Irish counter-proposals had been accepted. He returned to Dublin filled with the highest hopes.

The President had promised to preside that evening at a Dante Commemoration at the Mansion House, and arrived at the Lord Mayor's office a little before the meeting was due to begin. There he was met by Austin Stack, a copy of the evening paper in his hand. Stack could tell him nothing, knew nothing; he had

himself received no information except what was in the newspapers. The *Evening Mail* quoted some of the terms of the document which had been signed in London; it had the Article containing the oath.

Eamon Duggan came in hurriedly; he had arrived by the evening mail boat. Duggan handed the President a document in an envelope—the Agreement. He told the President that it had been agreed with the British that it was to be published in London and Dublin at eight o'clock. Publication had been agreed upon with the British without reference to the Republican Cabinet.

The people who filled the hall knew nothing but what the papers had reported and were told nothing from the platform. De Valéra presided with a stony formality, unlike the manner they knew. In an atmosphere of oppressive constraint and tension the lectures on Dante went on. Of the elation and comradeship that had characterised Republican reunions there was no sign.

The morning papers published the terms of the Agreement, with declarations from English statesmen acclaiming the achievement of peace. The *Daily Chronicle*, loyal supporter of Lloyd George's policies, did not hesitate to reveal the alternative with which he had threatened the Irish delegates: "The issue now," it explained, describing the events of Monday afternoon, "was the grim choice between acceptance and immediate war."

In Ireland there was no acclamation; barefoot children who, remembering the first night of the Truce, begged pennies for sods to make bonfires met with sharp rebukes. No bonfires were lit for this news.

Cathal Brugha, Austin Stack and William Cosgrave met the President. The other members of the Cabinet had not yet returned from London. De Valéra asked their approval of a statement repudiating the Agreement and for the removal from the Cabinet of those members who had signed the Agreement in violation of their instructions and of Griffith's pledge.

Nothing was said in defence of the Agreement; Cosgrave, however, asked the President not to take action against the

Delegates until they should be given an opportunity to explain their action and De Valéra consented to wait. He summoned the absent members by telegram to a Cabinet meeting "to consider the circumstances under which the Plenipotentiaries had signed the Agreement in London."

The following was the only statement issued by the Government that day:

"In view of the nature of the proposed Treaty with Great Britain, President de Valéra has sent an urgent summons to the members of the Cabinet in London to report at once, so that a full Cabinet decision may be taken. The hour of meeting is fixed for 12 o'clock noon to-morrow. A meeting of the Dail will be summoned later."

Arthur Griffith, meanwhile, issued the following statement to the International News Service of America:

"These proposals do give Ireland control of her own destinies. They put our future in our own hands—enable us to stand on our own feet, develop our own civilisation and national distinctiveness. In short, we have won liberty after the struggle of centuries."

It appeared in the Press of the 8th under headlines acclaiming victory.

The British Government, without waiting for the Dail to approve or reject the Agreement, ordered the release of Irish political internees. On that day the evacuation of internment camps began. The joy of the prisoners' homecoming was marred by a fatality. In County Down and in Thurles bombs were thrown at trains in which released prisoners were travelling; many were wounded and one man was killed.

All the seven members of the Republican inner Cabinet and Gavan Duffy and Childers also were present at the meeting held on December 8th. The signatories of the Articles of Agreement would not have been present if certain Commandants of the Republican Army had had their way. These had made preparations to arrest the Delegates when they landed for high treason against the Republic: Cathal Brugha refused to allow it.

The discussion in the Cabinet lasted for five hours. Arthur Griffith defended the Agreement; he would not admit the influence of duress. Collins admitted "the duress of the facts." Barton and Gavan Duffy said frankly that they had signed solely on account of the threat of war. Cosgrave, who at first seemed undecided, eventually supported Collins and Arthur Griffith. Robert Barton felt bound by his signature to vote for the Agreement. De Valéra, Brugha and Stack spent hours in endeavouring to persuade the others not to recommend this document to the Dail. When the vote was taken there were four for the Agreement, three against.

That evening the President issued a Proclamation to the Irish people declaring that he could not recommend acceptance of the Agreement:

" A CHAIRDE GAEDHEAL,

" You have seen in the public press the text of the proposed Treaty with Great Britain.

" The terms of this Agreement are in violent conflict with the wishes of the majority of this nation as expressed freely in successive elections during the past three years.

" I feel it my duty to inform you immediately that I cannot recommend the acceptance of this Treaty either to Dail Eireann or to the country. In this attitude I am supported by the Ministers for Home Affairs and Defence.

" A Public Session of Dail Eireann is being summoned for Wednesday next at 11 o'clock a.m. I ask the people to maintain during the interval the same discipline as heretofore. The members of the Cabinet though divided in opinions are prepared to carry on the public services as usual.

" The Army as such is of course not affected by the political situation and continues under the same orders and control.

" The greatest test of our people has come. Let us face it worthily, without bitterness and above all without recriminations. There is a definite constitutional way of resolving our political differences—let us not depart from it, and let the conduct of the Cabinet in this matter be an example to the whole nation."

Arthur Griffith issued his own statement the next day. He wrote:

“ I have signed the Treaty of peace between Ireland and Great Britain.

“ I believe that this treaty will lay the foundation of peace and friendship between the two nations.

“ What I have signed I will stand by, in the belief that the end of the conflict of centuries is at hand.”

Dail Eireann was summoned to meet on December 14th, only those members who had duly taken the Republican oath being called. A statement by the President was published drawing attention to the fact that the Treaty would not take effect unless ratified by the Dail and the British Parliament. The usual course would be, he explained, for the Cabinet of the Dail to introduce the Agreement as a Cabinet measure. As members of the Delegation held views which differed from those of certain members of the Cabinet this course could not be taken and Arthur Griffith would introduce the motion for ratification.

On the same day the *Irish Independent* published comments by fifteen members of the Hierarchy, giving the proposed Agreement their support.

The British Parliament and people, President de Valéra explained in another statement issued on the 12th, would, on their side, consider the Agreement and could reject it if they wished. Similarly, in Ireland, it could be rejected by Dail Eireann if it did not commend itself to Dail Eireann, or by the country if it did not commend itself to the country. He declared that the honour of Ireland was not involved.

Certain leaders of the Irish Republican Brotherhood, meanwhile, were meeting. Despite the Brotherhood's name, its tradition and its oath, their decision was in favour of the Treaty. Their powerful influence was to be thrown into the scale for its approval by the Dail. This was not, however, a decision of the I.R.B. Council as a whole. The Republican Army leaders were in consultation with one another and with Michael Collins. His influence with the Headquarters Staff was very great. For

many of its members, the fact that Collins had signed was a strong argument in favour of the Treaty, even if it was the only one.

' Should the proposed Treaty be supported by a majority of Dail Eireann, a complicated situation would be created. The Dail had, in fact, no power to ratify an agreement disestablishing the Republic; it could only approve it and recommend it to the Electorate.

The provisions of the Articles of Agreement contained no mention of Dail Eireann or of any All-Ireland Parliament. Article 17 of the document required that

“ steps shall be taken forthwith for summoning a meeting of Members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a provisional government.”

This was careful wording; it allowed for the apparent continuity of Dail Eireann while in reality substituting the Southern Parliament for the Dail. Representatives elected in May in the Twenty-six Counties had been, in the Republican view, elected to Dail Eireann; in the British view they had been returned to the Southern Parliament. The Article was calculated to make it possible for the Parliament summoned to be indistinguishable from Dail Eireann even while carrying out the functions required of the Southern Parliament and putting the Treaty into effect. There was, however, one flaw in this design: Dail Eireann, the Parliament, not of twenty-six counties, but of the Republic of Ireland, included one member who would have no seat in a Southern Parliament—Sean O'Mahony. He was Deputy for South Fermanagh and for no other constituency. De Valera, Griffith and MacNeill and others who represented constituencies in the Six-county area represented constituencies outside it as well: their presence in the Parliament would give no indication that it was not Dail Eireann, but Sean O'Mahony had the power, by presenting himself to take his seat in an Assembly of the elected Deputies, to test

whether the Assembly was Dail Eireann or the Twenty-six county Assembly which the Treaty proposed to create.

Article 18 of the document required that these Articles of Agreement should be submitted forthwith by the British Government to the Imperial Parliament and

“ by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland.”

The Agreement, it appeared, neither repealed nor replaced the Partition Act of 1920, but assumed that Act to be in force and supplemented it. Indeed, it could be argued that the 1920 Act had given Ireland—or portion of Ireland—a status which prohibited the cancellation by England of any rights accorded by that Act.

If this “ Southern Parliament ” approved this Agreement it was to be ratified by legislation, a Provisional Government was to be constituted (for “ Southern Ireland ”); its members were to signify in writing their acceptance of the Articles of Agreement and the British Government would then transfer certain powers and machinery to them. The Provisional Government would function until the Free State Parliament and Government were constituted.

A memorandum dated December 21st, 1921, by Winston Churchill, discloses the procedure which the British Ministers had in mind:

“ Should the Dail ratify, the first step should be to get an Irish delegation, comprising Mr. Griffith and Mr. Collins, over here at the earliest moment. We should then tell them that we wish them to form a Provisional Government without delay. This Government should be immediately responsible for the whole internal peace and order of Southern Ireland and would take executive control of the country on the basis arranged.

“ When the basis has been worked out, it will be for the Viceroy, after consultation with such leaders of parties and political personages as he thinks fit, to invite some gentleman to form a government. Presumably he would invite



Arthur Griffith and we shall know by then whether this gentleman will accept the commission, and on what basis. Griffith would then form his government, his Ministers would sign the declaration prescribed in the Treaty, and take up their duties without delay. . . .”<sup>1</sup>

The English plans for Ireland were precise. What these carefully wrought plans were to achieve for the Empire, what this offer of a half-measure of freedom would do to Ireland, not even the keenest student of history could foretell. Those who knew Ireland and cared for her future were unhappy.

<sup>1</sup> Churchill, *Aftermath*, p. 314.

## CHAPTER 62

*December 14th, 15th and 16th, 1921*

### CRAIG DISSATISFIED — DEBATES ON THE TREATY: HOUSE OF COMMONS, HOUSE OF LORDS

SIR JAMES CRAIG was dissatisfied. Lloyd George saw him on December 9th and they discussed the probable operation of the Boundary Commission. It was intended, Lloyd George gave Craig to understand, to make "a slight readjustment" of the boundary line, so as to bring into Northern Ireland loyalists who were now outside that area "and to transfer an equivalent number of those having Sinn Fein sympathies to the area of the Irish Free State."<sup>1</sup>

This was a very different exposition from that given to Collins and Griffith of the intention of Article 12. It did not succeed in appeasing Sir James Craig. He still felt, as he told the Northern Parliament on December 12th, "grave dissatisfaction and alarm." Writing to Lloyd George on the 14th, he said that his Cabinet reserved the right to dissent from the appointment of any Boundary Commission. His letter concluded:

"In the long run the British nation will realise the advantage of having in Northern Ireland a population which is determined to remain loyal to British traditions and citizenship . . . will come to recognise that the action we are taking is in their interests and will accord to Northern Ireland such measures of protection and such fair considerations as will counteract any disadvantages to her position as a Frontier State of the United Kingdom."

In the British House of Commons and the House of Lords, as well as in Dail Eireann, the debates on the proposed Treaty began on December 14th. At Westminster they were concluded in two days; in Ireland, not until many weeks had passed.

Lloyd George had not neglected his preparations; nothing had been left undone to create an atmosphere favourable to

<sup>1</sup> Letter from Craig to Lloyd George, December 14th, 1921.

the settlement which he had to uphold. Immediately after the signing of it an exchange of telegrams and issue of newsheets began throughout the British Empire and continued for days. The Press was jubilant, *The Morning Post* almost alone withholding its voice from the "finely orchestrated chorus" to which it bore angry witness. The Prime Minister's "stage-management was perfect," as Lord Carson sarcastically remarked.

When Lloyd George recommended his Articles of Agreement to the British House of Commons on December 14th he was in a position to say:

"They have been received in every quarter in this country with satisfaction and with relief. They have been received throughout the whole of His Majesty's Dominions with acclaim."

In the House of Commons Lloyd George had a task which suited his peculiar powers. In replying to the attacks of Unionists he had to represent the Agreement as a victory for British policy, while, in order to help Griffith and Collins to secure ratification of it in Ireland, he had to make it seem that an immense concession had been made by the British Government and that Irish freedom had been practically assured. His fellow-feeling for the delicate task confronting Griffith and Collins was natural.

"Not a word will I say," he declared, "and I appeal to every member in this House not to say a word, to make their task more difficult."

He explained the main operation of his scheme as the "raising" of Ireland to the status of a Dominion of the British Empire. Dominion status, however, he declined to define, saying "it is difficult and dangerous to give a definition," and the "raising" of Ireland had, after all, been to something less than Dominion status. This he confessed. "There is no use saying 'apply Dominion Home Rule fully and completely.'" They had to safeguard the security of their own country. "There has been complete acceptance of allegiance to the British Crown

and acceptance of common citizenship in the Empire," he pointed out, and went on to show that the Treaty imposed on Ireland a limitation "upon the raising of armaments and the training of armed men. . . ." With regard to the navy they could not allow the ordinary working of Dominion status to operate, . . . "so that the first thing we provided for was that in the case of war we should have free access to all the Irish harbours and creeks. If there is war we cannot wait for discussions between governments as to whether you can send your ships here or land men there."

With regard to the Irish Constitution he explained that "any proposals in contravention of this agreement will be *ultra vires*."

He congratulated himself on having chosen the psychological moment for his achievement. It could not have been done, he thought, a year ago. You do not choose for such proposals the moment when the parties "are confident they are going to win, when they are confident not merely in the justice of their case but in the invincibility of their counsel." The establishing of the Northern Government alone had made it possible, he maintained:

"That accomplished fact—by legislation, by the setting up of the government, by the operation of the government—it was there to deal with, not in the abstract, not in an agreement, not in contention across tables, but in an actual living government. . . ."

He described the new situation in highly optimistic terms:

" . . . Ireland has accepted allegiance to the Crown, partnership in the same Empire, and subordinated her external relations to the judgment of the same General Council of the Empire as we have. She has agreed to freedom of choice for Ulster. . . ."

"This brings new credit to the Empire, and it brings new strength. It brings to our side a valiant comrade. . . ."

"By this agreement we win to our side a nation of deep abiding and even passionate loyalties. . . ."

"It would be taking too hopeful a view of the future to

imagine that the last peril of the British Empire had passed. There are still dangers lurking in the mists. Whence will they come? From what quarter? Who knows? But when they do come, I feel glad to know that Ireland will be here by our side, and the old motto that 'England's danger is Ireland's opportunity' will have a new meaning. As in the case of the Dominions in 1914, our peril will be her danger, our fears will be her anxieties, our victories will be her joy."

It was, indeed, a sudden and perfect reversal of history that this magician among statesmen supposed himself to have achieved.

In the House of Lords on the same day, Lord Curzon advocated the Treaty in similar terms.

"Ireland," he said, "remains within the circle of the British Empire. . . . Her people are our fellow-subjects in the fullest sense of the term."

With reference to the question of neutrality he showed that "if any foreign Power were to declare war against this country she would be declaring war against Ireland, and if in any war in the future Ireland attempted to declare her own neutrality that would be an act of secession from the Empire."

As to the achievement of the settlement at this moment, he could imagine the view being held that had it not been for what he called the "tragic experiences" of the past year in Ireland, "the Irish Party would never have been persuaded to drop the claim for independence which they had put forward." He was convinced, also, that

"you would never have got this settlement had it not been that Ulster, by legislation which we passed here in 1920, attained a separate being of her own."

On the following day Winston Churchill, in the House of Commons, confessed that the re-conquest of Ireland by force of arms would have involved a further costly campaign. When

the Truce was made the movements of the rebels, he stated, had not been quelled.

“ On the contrary, it attained larger proportions every week. There was more fighting; there were more casualties; there was fighting on a larger scale. There was bloodshed on a larger scale. The jails were filled with Irish convicts. Four thousand interned prisoners, against whom there was no evidence and no means of formulating a charge, were wired in compounds all over the country. Martial Law was declared over a large portion of Ireland. Plans were made to declare it over a much larger area. The troops at our disposal were insufficient. Plans were on foot to raise much larger bodies of troops. . . . Official reprisals were instituted under Martial Law. Our whole army was tethered to Ireland. Our great interests, to which both honourable members who have spoken have referred, in India and in Egypt, were sensibly affected by that weakness. So were our interests all over the world, especially in our Dominions and in the United States. . . .

“ The Cabinet were confronted with the preparations for the autumn and winter campaign in Ireland. It was obvious that many, many thousands of troops would have to be raised and that Martial Law must be extended to the whole of the twenty-six counties.”<sup>1</sup>

The settlement, he pointed out, had not been achieved easily.

“ Sinn Fein Ireland demanded an independent Sovereign Republic for the whole of Ireland, including Ulster. We insisted upon allegiance to the Crown, partnership in the Empire, facilities and securities for the Navy, and complete option for Ulster. Every one of these conditions is embodied in the Treaty.”

The oath he described as

“ far more precise and searching than the ordinary oath which is taken elsewhere—it mentions specifically membership of the Empire, common citizenship and faithfulness to the Crown, whereas only one of these matters is dealt with in the Dominion oath.”

<sup>1</sup> Winston Churchill elaborated this argument on February 16th, 1922.

They had secured, he felt, that "any force which is raised by Ireland will not be a force beyond the military power of the British Empire to control." With regard to naval measures, Ireland had not been allowed the same liberty as the Dominions: "the British Government is solely responsible for the safety of these islands and the seas around them." As to the suggested revision in five years, for any agreement then made, "the assent of the two parties is necessary" and, he said,

"it is conceivable that we might require other facilities in five years' time. . . . All these matters are entirely within the control of the Imperial Parliament and the government of the future, and there is no jot or tittle in which naval securities of this country have been departed from or whittled down."

Bonar Law, speaking in the House of Commons, gave the Agreement his whole-hearted support.

A discordant note among these rejoicings was the indignation of the Northern Unionists. Ulster, they considered, had been betrayed. Unionist Ulster was threatened with the loss of two of the Six Counties secured by the 1920 Act. If the Boundary Commission, in determining the area to be controlled by Belfast, actually consulted the "wishes of the inhabitants," it would give the Free State the counties of Fermanagh and Tyrone. Lloyd George admitted this. In replying he did not forget that Griffith and Collins would have to answer to the Irish people for his words.

"There is no doubt," he said, "certainly since the Act of 1920, that the majority of the people of the two counties prefer being with their Southern neighbours to being in the Northern Parliament. Take it either by constituency or by Poor Law Union, or, if you like, by counting heads, and you will find that the majority in these two counties prefer to be with their Southern neighbours—What does that mean? If Ulster is to remain a separate community, you can only by means of coercion keep them there, and although I am against the coercion of Ulster, I do not believe in Ulster coercing other units."

His attitude was that of one innocent of guile, too modest to interfere with the formidable processes of history or even to forecast the consequences of what had been done.

“ We have recommended a Boundary Commission,” he said, and he added:

“ It is not for me to say whether it will mean that the area of Ulster will be increased or diminished. There are those who think both. . . .”

There were, indeed, those who thought the one and those who thought the other: had that position not been achieved, with finesse and completeness, the Articles of Agreement would never have been signed

To the Unionists, “ the wishes of the inhabitants ” was an offensive phrase.

“ It may mean,” Captain C. C. Craig, Member for South Antrim, pointed out,

“ that our Northern areas will be so cut up and mutilated that we shall no longer be masters in our own house. The decision of that Commission may be a matter of life and death to us. I submit to the Prime Minister that he had no right to do that, and that he was in honour bound not to allow such a Commission to appear in this document by the promise he had given to the Prime Minister of Northern Ireland.”

Lord Carson made a speech full of indignation, contempt and invective, and the Marquis of Londonderry, speaking on the following day, made a statement that was not without an echo of the threats that the British Government had heard before from Ulster Unionists in connection with Home Rule:

“ . . . All that I would say now is that it may be necessary for the Government of Northern Ireland to refuse to nominate a representative on the proposed Boundary Commission, and that, if by its findings any part of the territory transferred to us under the Act of 1920 is placed under the Free State, we may have to consider very carefully and very anxiously the measures which we shall have to adopt, as a Government, for



the purpose of assisting loyalists whom your Commission may propose to transfer to the Free State but who may wish to remain with us, with Great Britain and the Empire.”

Sympathising with the indignation of Sir James Craig’s party at the signing of the Articles without further conference with them, Austen Chamberlain explained on the 16th:

“ To have held up at that last moment for further consultation with Cabinet Ministers, who were not here but were in Belfast, the Articles of Agreement which were then ready for signature and which the Irish Representatives were prepared to sign would have been to jeopardise, and in my opinion to destroy, all chance of an agreement.”

This statement pricked one bubble of Lloyd George’s diplomacy. Actually, it appeared now, he had promised Sir James Craig to delay the signing of any such Agreement until the Belfast Ministers could be consulted again. When, however, he found Arthur Griffith ready to sign, with or without his colleagues, he did not scruple to rush the issue by assuring them vehemently that his promise to Sir James Craig did not admit of a day’s delay.

The British vote was taken on December 16th in the form of a vote on amendments to the Address to the King’s Speech. The House of Commons ratified the Treaty by a majority of 343; the House of Lords by a majority of 119.

The British Empire had welcomed this “ Irish Settlement ” with enthusiasm. To secure the confirmation of the Treaty by Ireland would naturally be “ a more difficult and delicate matter,” as *The Daily News* observed.

## CHAPTER 63

*December 14th to 19th, 1921*

### DE VALÉRA'S PROPOSAL - DAIL EIREANN

IN deep anxiety, but not in despair, De Valéra prepared for the assembly of Dail Eireann summoned for December 14th. The Cabinet was sharply divided; no hope remained of giving the Dail and the country a unified lead. But the comradeship of Sinn Fein had survived many severe tests; no party spirit had ever yet threatened the solidarity of the Dail. If the Dail could be held together, be persuaded to show a united front to England and give an example of calmness to the people, the Republic might yet be saved. He did not believe that all efforts had been exhausted. To him, the Irish offer of External Association seemed to contain so much that was of advantage to both countries that he could not but hope that, if urged on the British people by a strong majority in Ireland, it might find acceptance yet.

He worked, therefore, at a re-draft of the Irish proposals. His purpose was to present these in a form which would emphasise the safeguards offered to Great Britain and to the minority in Ireland, and in language which, while leaving the Irish people free to maintain the Republic, would offend English prejudices as little as possible. He was striving to make the form of the Treaty already signed contain, by means of certain alterations, the substance of those External Association proposals which the Cabinet had unanimously approved.

When the Dail reassembled on December 14th, in public, a depressing debate took place.<sup>1</sup> No argument was heard for or against approval of the proposed Treaty; the President's alternative was not brought forward; nothing was discussed except the action of the Plenipotentiaries in signing the Articles of Agreement without permission from the Cabinet. Questions were asked and answered on the powers of the Plenipotentiaries; their credentials and terms of reference were questioned and

<sup>1</sup> See Dail Eireann Official Report; Debates on the Treaty, December 1921-January 1922 (Dublin: Talbot Press).

quoted in vindication and condemnation of what they had done. Had they, Griffith was asked, presented their Credentials from the Republic? Griffith replied that the Credentials had not been presented or accepted: he believed Lloyd George had seen them, nevertheless.

Collins was bitter. Some one had called him a "traitor," it seemed. He felt bound to "recommend" the Treaty: the Dail, he reminded them, "is perfectly free to accept or reject."

The Dail adjourned, agreeing that the motion on the Treaty should be moved later in public.

A private session took place on the 15th, and the President brought his project before the Dail. He introduced his draft with the explanation that it was tentative—a rough outline merely intended to indicate his idea and to serve as a basis for suggestions; it did not, he said, satisfy him in its present form. He hoped that it would prove possible for them to construct upon this basis a proposal which the Dail could unanimously recommend.

The reception of his proposal surprised him. By those who had committed themselves to approval of the document signed in London it was fiercely opposed. The London document had been made a matter of partisanship. The fact that it had been signed was used as a supreme argument in its favour and obtained for it support from people for whom its terms, on their merits, would have had no appeal. These treated the acceptance of the Agreement as a *fait accompli*.

Realising that he had failed in his purpose, which was primarily to unite the Dail and secure an agreed policy, the President withdrew his proposal for the moment and asked that it should be treated as confidential until he could submit it in its proper place and form. Nevertheless, when the Dail assembled in public on the 19th, this document was made the subject of hostile statements by Arthur Griffith and Sean Milroy. The campaign against De Valéra's effort to find an alternative had begun.

Griffith introduced the motion standing in his name:

"That Dail Eireann approves of the Treaty between Great Britain and Ireland signed in London on December 6th, 1921."

The word "approves" was used advisedly. "Ratification," as the President pointed out later, could be carried only by the people at a general election and would be *ultra vires* for Dail Eireann, which was the Government of the Republic and had no mandate to disestablish the Republic. His view was not disputed at the time, although the word "ratify" continued to be used erroneously, causing misunderstanding later on.

Griffith defended the Treaty that he had signed, "not as the ideal thing," but believing that it safeguarded the vital interests of Ireland. He referred contemptuously to the President's document, to the External Association project, speaking of the difference between that and the signed Treaty as a "quibble of words," not worth one Irishman's life. He described the signed document as "a Treaty of equality." He said:

"We have brought back the flag; we have brought back the evacuation of Ireland after 700 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."

He went on to declare that the document gave Ireland "equality with England."

He pointed out that "in any contest that would follow the rejection of this offer Ireland would be fighting with the sympathy of the world against her."

"I have never in my life departed one inch from the principles of Thomas Davis," he said, "and in signing this Treaty and bringing it here and asking Ireland to ratify it I am following Thomas Davis still."

It was an indirect confession that something much less than an Irish Republic had been, and was still, Arthur Griffith's ideal.

Sean McKeon seconded the motion. He showed little disposition to examine the Treaty in detail or waste thought on the question of status or on the prospect of a lasting peace. He spoke as a soldier. "To me symbols, recognitions, shadows, have very little meaning," he said, and declared that the Treaty

“gives me my hope and dream—our own army, not half-equipped but fully equipped, to defend our interests.”

His opinion had weight, no doubt, with a section of the young fighting men, though some of the Volunteers acutely resented his action in using his influence in this way.

De Valéra rose to appeal to the House not to approve of the Treaty.

“We were elected by the Irish people,” he said, “and did the Irish people think we were liars when we said that we meant to uphold the Republic, which was ratified by the vote of the people three years ago, and was further ratified—expressly ratified—by the vote of the people at the elections last May?”

“When the proposal for negotiations came from the British Government asking that we should try by negotiation to reconcile Irish national aspirations with the association of nations forming the British Empire there was no one here as strong as I was to make sure that every human attempt should be made to find whether such reconciliation was possible. 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.

“We went out to effect such a reconciliation and we have brought back a thing which will not even reconcile our own people, much less reconcile Britain and Ireland.

“If there was to be reconciliation, it is obvious that the party in Ireland which typifies national aspirations for centuries should be satisfied, and the test of every agreement would be the test of whether the people were satisfied or not. A war-weary people will take things which are not in accordance with their aspirations. You may have a snatch election now, and you may get a vote of the people, but I will tell you that Treaty will renew the contest that is going to begin the same history that the Union began. . . .

“ . . . And are we in this generation, which has made Irishmen famous throughout the world, to sign our names to the most ignoble document that could be signed ? ”

Austin Stack supported the President. He spoke out of a mind and spirit impregnated with the Fenian tradition. Even if this document gave Ireland full Canadian powers, he, for one, would not accept that status for Ireland. This country had never been “ a child of England’s.” Membership of the Empire, an oath to the English King, a contract by which Irishmen would acknowledge themselves British subjects, was abhorrent to him. “ Has any man here,” he asked, “ the hardihood to stand up and say that it was for this our fathers have suffered, if it was for this our comrades have died on the field and in the barrack yard ? ”

The speech of Michael Collins showed that he had felt deeply the blame which had fallen on the Plenipotentiaries for signing the Agreement as they did. The alterations made in the document in London, after its rejection in Dublin, seemed to him to justify the signature. As to intimidation, he protested:

“ The whole attitude of Britain towards Ireland in the past was an attitude of intimidation, and we, as negotiators, were not in the position of conquerors dictating terms of peace to a vanquished foe. We had not beaten the enemy out 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, apart from any alternative document. Rejection of the Treaty means your national policy is war. If you do this, if you go on that as a national policy, I, for one, am satisfied. . . .<sup>1</sup>

“ I signed it because I would not be one of those to commit the people to war without the Irish people committing themselves to war.”

This Treaty, he agreed, was one which gave Ireland a status almost equal to that of Canada, with power to enforce the interpretation of that status most favourable to herself, and

<sup>1</sup> This statement was quoted, framed, in the *Independent* under the heading “ Rejection Means War.”

with sufficient freedom to advance towards the achievement of economic independence and a Gaelic state.

This, which became known as the "stepping-stone" argument for the Treaty, fitted the anxious mood of the people of Ireland and made a strong appeal.

Erskine Childers was the next to speak. He assured the Dail that until "that last terrible hour" terms honourable to Ireland had been pressed; that

"the counter-proposals put up to the British Government did, on the face of them, and in their text, preserve the independence of Ireland while arranging to associate it with the British Commonwealth. Until the last moment that proposal was before the British Government. . . . The proposals on our side were honourable proposals. They stated in explicit terms that they demanded the preservation of the independence of our country, to exclude the King of England and British authority wholly from our country, and only when that was done, and Ireland was absolutely free in Irish affairs, to enter an association on free and honourable terms with Britain. That, alas, was lost in the last hour of the time the Delegation spent in London and the result was the Treaty."

He dealt with the terms of the Treaty, bringing all the force of a mind highly trained in the analysis and interpretation of political documents to the task of revealing the profound and perilous significance of phrases which seemed meaningless shadows and symbols to many less experienced minds. He showed that "this Treaty does not give you what is called Dominion status"; that Ireland under it was not to be allowed to provide coastal defence against attack by a foreign enemy, and that the proviso as to re-consideration of this matter in five years gave no guarantee whatever of any result. Under Clause 7 some of Ireland's ports might be permanently occupied by British Forces, while whenever England

"pleases to announce that there are strained relations with a foreign Power, or when England is actually in war with a foreign Power, any use whatever can be made of this island whether for naval or military purposes."

He showed that under the Treaty the framing of the Irish Constitution would be “ subject to the terms of this Agreement,” and that

“ every limitation, and there are a hundred of them that are in this Constitution of Canada under the British Act of 1867, all the fundamental limitations as to the authority of the Crown, and the authority of the British Government will inevitably appear in the Irish Constitution if it is framed under the terms of this Treaty. . . . The King, representing the British Government, or the Governor-General, will have power to give or refuse assent to Irish legislation.

“ . . . This Treaty is a step backward,” he continued, “ and I, for my part, would be inclined to say he would be a bold man who would dare set a boundary to the backward march of a nation which, of its own free will, has deliberately relinquished its own independence.”

He would not despair, however, of yet making peace with England, and referred hopefully to the alternative proposals which the President intended to submit to the Dail.

Kevin O’Higgins made an able speech—a speech which assumes a tragic irony in the light of subsequent events. He advocated the Treaty as the sole way of avoiding bloodshed. He reminded the Dail of Lloyd George’s threat: “ ‘ The man who is against peace,’ said the English Premier in presenting the ultimatum, ‘ must bear now and for ever the responsibility for terrible and immediate war.’ ” He maintained that the leaders were not entitled to plunge the plain people of Ireland into a terrible and immediate war for the difference between the terms of the Treaty and what they knew a united Cabinet would recommend to the Dail.

“ Ireland, England and the world must know the circumstances under which this Treaty is presented for your ratification. Neither honour nor principle can demand rejection of such a measure in face of the alternative so unequivocally stated by the English Prime Minister. Neither honour nor principle can make you plunge your people into war again.”



He represented the Treaty, but without quoting or analysing it, as giving Ireland "complete control over her internal affairs"; as rendering her "liable to no taxation from England"; as allowing her to "maintain an army and defend her coasts"; and he suggested, although he did not state it, that Ireland would retain the power to remain neutral in England's wars. "We go into the Empire," he declared, ". . . with our heads up."

Like a number of the supporters of the Treaty he seemed ready to erect this barrier against independence in the full confidence that some future generation would sweep it away. "Principle is immortal," he said.

"If the principle of Ireland's nationhood could be vitally affected by the action of a representative body of Irishmen at any time, it has died many deaths. . . . And yet when men, realising there was a mandate for revolution because the people's will could not be interpreted as it should be—when men went out fighting for a Republic—no one ever suggested that they acted dishonourably. . . ."

This was "a political experiment," Kevin O'Higgins admitted. It was his hope that "what remains may be won by agreement and by peaceful political evolution."

Robert Barton's speech was short. He said not one word for or against the Treaty, but confined himself to a description of the circumstances in which it had been signed:

". . . I do not seek to shield myself from the charge of having broken my oath of allegiance to the Republic—my signature is proof of the fact. That oath was, and is still to me, the most sacred bond on earth. I broke my oath because I judged that violation to be the lesser of alternative outrages forced upon me, and between which I was compelled to choose. On Sunday, December 4th, the Conference had precipitately and definitely broken down. An intermediary effected contact next day, and on Monday at 3 p.m. Arthur Griffith, Michael Collins and myself met the English Representatives. In the struggle that ensued Arthur Griffith sought repeatedly to have the decision between war and peace on the terms of the

Treaty referred back to this assembly. This proposal Mr. Lloyd George directly negatived. He claimed that we were plenipotentiaries and that we must either accept or reject. Speaking for himself and his colleagues, the English Prime Minister with all the solemnity and power of conviction that he alone, of all men I met, can impart by word and gesture—the vehicles by which the mind of one man oppresses and impresses the mind of another—declared that the signature and recommendation of every member of our delegation was necessary or war would follow immediately. He gave us until 10 o'clock to make up our minds, and it was then about 8.30. We returned to our house to decide upon our answer. The issue before us was whether we should stand behind our proposals for external association, face war and maintain the Republic, or whether we should accept inclusion in the British Empire and take peace.

“ Arthur Griffith, Michael Collins and Eamon Duggan were for acceptance of peace; Gavan Duffy and myself were for refusal—war or no war. An answer that was not unanimous committed you to immediate war, and the responsibility for that was to rest directly upon those two delegates who refused to sign. For myself, I preferred war. I told my colleagues so, but for the nation, without consultation, I dared not accept that responsibility. The alternative which I sought to avoid seemed to me a lesser outrage than the violation of what is my faith. So that I myself, and of my own choice, must commit my nation to immediate war, without you, Mr. President, or the Members of the Dail, or the nation having the opportunity to examine the terms upon which war could be avoided. I signed, and now I have fulfilled my undertaking I recommend to you the Treaty I signed in London.”

## CHAPTER 64

*December 19th to 31st, 1921*

DEBATES IN DAIL EIREANN — THE THREAT OF WAR — THE  
WOMEN DEPUTIES — DISSENSION IN IRELAND — RETURN OF  
THE PRISONERS — THE I.R.A. — THE I.R.B. — THE BREAKING  
OF SINN FEIN

ON the following days, as the debate developed, all hope of an agreed effort for a better Treaty, all hope of any agreed conclusion, began rapidly to recede. There vanished, also, all prospect of having the British terms examined on their merits, voted on in the light of knowledge of their implications and comprehension of consequences. This was inevitable. The document was too technical and too thick with ambiguities to be profitably examined in so large and general an assembly as the Dail. Had the Cabinet found it possible to bring a definite recommendation unanimously before the Dail the discussion would doubtless have proceeded in a different temper; now with the leadership divided, resentments and partisanship developing hourly and misunderstandings gaining ground, confusion ensued.

Every circumstance that could cloud vision and distort judgment was present. Ancestral passions, reaction and exhaustion, hatred of England, dread of responsibility, respect for the patriot dead, loathing of war, fear of the taunt of "traitor," fear of yielding to that fear, personal loyalties, all were at work and all were expressing themselves in the form of reasoned advocacy of this or that clause. Party spirit, for the first time, split the Dail into two factions, violently antagonistic each to each. For the most part, those who opposed the Treaty could see no good in it, looking down on it from the height of the Republic, not up from the depths of subjection; seeing it as degradation and sheer loss; while those who defended its terms distorted and magnified them, representing them as giving more than they gave. They declared that this was a Treaty between two sovereign States, that it safeguarded Ireland's neutrality, involved no danger of Partition, gave the British Government no veto over

the Irish Constitution or over Irish legislation: that it was independence in all but name. Others showed themselves obsessed with some one aspect of its provisions to the exclusion of the national question, contending, one, that it gave Ireland her own army, another that it was the last chance of saving the Irish language—each concentrating on the aspect that appealed to his imagination most.

Over all considerations one dominated the minds of the Deputies—Lloyd George's threat of war. Men who had played a fearless part in the fight for independence were appalled by the responsibility of deciding for the nation between peace and resistance now.

“ I feel,” Dr. McCartan said,

“ in the position of a man landed on an island without any means of escape who was asked to vote if he will remain or vote if he would leave it. . . . I see no glimmer of hope. We are presented with a *fait accompli* and asked to endorse it. I, as a Republican, will not endorse it, but I will not vote for chaos. Then I will not vote against it. To vote for it would be violating my oath which I took to the Republic, that I took to the Irish Republican Brotherhood. I never intend violating these oaths. I took these oaths seriously and I mean to keep them as long as I can. I believe, just the same, rejection means war. I believe every man who votes for it should be prepared for war. But you are going into war under different conditions to what we had when we had a united Cabinet, a united Dail, and a united people.”

When, on the 21st, Gavan Duffy spoke, he showed, as Robert Barton had done, how that threat had worked on the Irish Delegates' minds.

“ I am going to recommend this Treaty to you very reluctantly but very sincerely because I see no alternative,” he said.

To his mind the vital defect of the Treaty was that it inflicted a wound upon the dignity of the nation by thrusting upon it an alien King.

“ It will be the duty,” he said, “ of those who frame the Constitution to frame it in accordance with the wishes of the Irish people so far as the Treaty allows them; it will be their duty, therefore, to relegate the King of England to the exterior darkness as far as they can, and they can to a very considerable extent.”

He recalled the circumstances in which they had signed.

“ I could not forget,” he said, “ that the nation has won the admiration of the world by putting up the noblest and most heroic national fight in all history and that it is unconquered still. I did not forget these things and yet I signed.”

He told the story of how Lloyd George had delivered an ultimatum, saying:

“ ‘ I have here two answers, one enclosing the Treaty, the other declaring a rupture, and, if it be a rupture, you shall have immediate war.’ ”

“ This ultimatum,” he said, “ might have been bluff, but every one of those who heard the British Prime Minister believed beyond all reasonable doubt that this time he was not play-acting, and that he meant what he said. It is, I think, worth while recording that the semi-official organ of Mr. Lloyd George—the *Daily Chronicle*—confirmed that attitude. The next day it stated quite openly in the most shameless manner :

“ ‘ Before the delegates separated for dinner the Prime Minister made his final appeal. He made it clear that the draft before them was the last concession which any British Government could make. The issue now was the grim choice between acceptance and immediate war.’ ”

I wonder do you realise the iniquity? . . .

“ . . . The complaint is not that the alternative to signing a Treaty was war; the complaint is that the alternative to our signing that particular Treaty was immediate war: that we who were sent to London as the apostles of peace—the qualified apostles of peace—were suddenly transformed into

the unqualified arbiters of war; that we had to make this choice within three hours and to make it without any reference to our Cabinet, to our Parliament or to our people. And that monstrous iniquity was perpetrated by the man who had invited us under his roof in order, *maryah*,<sup>1</sup> to make a friendly settlement. So that the position was this, that if we, every one of us, did not sign and undertake to recommend, fresh hordes of savages would be let loose upon this country to trample and torture and terrify it, and whether the Cabinet, Dail Eireann, or the people of Ireland willed war or not, the iron heel would come down upon their heads with all the force which a last desperate effort at terrorism could impart to it. This is the complaint. We found ourselves faced with these alternatives, either to save the national dignity by unyielding principle, or to save the lives of the people by yielding to *force majeure*, and that is why I stand where I do. We lost the Republic of Ireland in order to save the people of Ireland. . . . "

Eamon Duggan, in his speech, while stating that he had not been present at the fateful conference in Downing Street but had "signed the Treaty in the quiet seclusion of 22 Hans Place," admitted that

"there was one dominating fact in my mind at the time that I signed it, and it was this, that Britain militarily is stronger than we are. . . ."

"I dislike the Treaty as much as any man or woman here, but that is not the point."

Sean T. O'Kelly spoke vehemently against the desertion of national principle which the Treaty involved. In each century of her struggle, he reminded the Deputies, Irishmen had been asked to face such a crisis, make the same choice, as this.<sup>2</sup> He could not tolerate the oath.

"I am opposed," he said, "to this declaration of fidelity to an alien King because it is an outrage on the memory of our martyred comrades . . . to support it or even condone it would be tantamount to perjuring myself. . . ."<sup>3</sup>

<sup>1</sup> An Irish expression of scepticism.

<sup>2</sup> December 20th, 1921.

<sup>3</sup> December 22nd, 1921.

Alderman Cosgrave, the Minister for Local Government, had voted in the Cabinet for the Treaty. As he interpreted the oath, he found nothing objectionable in it. He spoke of the constitutional usage in relation to the Crown in Canada and found it connoted little interference in the country's affairs. He defended the Treaty on these grounds and on the ground that it gave an opportunity for reconciling the Northern Unionists to Irish citizenship.

"They are great citizens of the nation even though they differ from us," he said; ". . . no one has suggested any better method of dealing with them than that laid down here."

He thought the Treaty would bring Ireland unity.

Many of those who advocated approval were influenced strongly by fears of renewed pogroms against the Nationalist minority in Ulster. Many dwelt on the sufferings which the women of Ireland had endured and would be subject to again if war was renewed.

The women Deputies were at one, however, in rejecting the Treaty; and most of them were women who had suffered: Mrs. Tom Clarke had welcomed her husband home after fifteen years of prison to see him go out to insurrection and to execution. Mrs. Pearse's sons had both been executed in 1916; Constance Markievicz had served a term of penal servitude; Mary MacSwiney had seen her brother die on hunger-strike; Mrs. Michael O'Callaghan had seen her husband murdered. None spoke against the Treaty more eloquently than these.

"It is a surrender of all our national ideals," Mrs. Clarke said.

"If this Treaty is ratified the result will be a divided people; the same old division will go on; those who will enter the British Empire and those who will not, and so England's game of divide and conquer goes on."

"I cannot see what war has to do with it," Mrs. O'Callaghan said; "if we had not a soldier or a gun in the Irish Republican Army I would vote against the Treaty."

Miss MacSwiney's speech, a masterpiece of logic and eloquence, was equally uncompromising in tone.

“I stand here,” she said, “for the will of the people, and the will of the people of Ireland is their freedom, which this so-called Treaty does not give them. The will of the people was expressed in December 1918. The will of the people was expressed in the manifesto which sent every one of you here. And I ask any one of you voting for this Treaty what chance would you have if on the twenty-fourth of last May you came out for Dominion Home Rule?”

Summarising the growth of the national movement since 1916 she said that the Treaty did represent the lifelong ideal of Griffith who, although he had taken the Republican oath, had never believed in the Republic and had now reverted to his original allegiance; that such a settlement might have satisfied Sinn Fein before it became a Republican movement; but that

“half measures are no longer possible, because on the twenty-first of January 1919, this assembly, elected by the will of the sovereign people of Ireland, declared by the will of the people the Republican form of Government as the best for Ireland, and cast off for ever their allegiance to any foreigner.”

She then reviewed the negotiations, showing where weakness had crept in and how the English had been allowed to gain advantage by making false and premature statements in the Press.

She complained of the tactics which were being used against the President in his effort to provide an alternative, when some of the signatories had insisted

“that no amendment to this Treaty was possible, that it was the Treaty, and nothing but the Treaty, or war. It was said that the President was trying to draw a red herring across the track of the discussion and the President took what, to my mind, was the only straight and honourable course. He withdrew the document entirely and let the Delegation have their way.”

She implored the Dail to throw out the Treaty, not to commit



“ the one unforgivable crime that has ever been committed by the representatives of the people of Ireland.”

Of the few who were still undecided many looked to one man for guidance. This was a question of peace or war, a question, therefore, of the ability of the Republican Army to withstand a fresh campaign. None knew the position of the army better than did Richard Mulcahy, Chief of Staff. Mulcahy, they thought, could speak for the Army. But Mulcahy was a member of the I.R.B. He spoke on the 22nd.

“ What we are looking for is not arguments but alternatives,” he said. “ None of us want this Treaty. None of us want the Crown. None of us want the representative of the Crown. None of us want our harbours occupied by enemy forces; and none of us want what is said to be Partition; and we want no arguments against any of these things. . . . I, personally, see no alternative to the acceptance of this Treaty. . . .

“ As to our ports, we are not in a position of force, either militarily or otherwise, to drive the enemy from our ports. We have not—those on whom the responsibility has been for doing such things—we have not been able to drive the enemy from anything but from a fairly good-sized police barracks. We have suffered a defeat.”

He supported the Treaty in the belief that the Irish nation could advance from it towards independence.

On the motion of Michael Collins the Dail adjourned on December 22nd to reassemble on January 3rd.

Had the vote been taken on December 22nd the Treaty would probably have been rejected, or so its opponents believed. Undoubtedly the campaign in its favour made headway during the Recess. Both sides had agreed that there should be no speechmaking, and the effect of this was that while authoritative and reasoned opinion against the Treaty was silenced, the crude and sensational aspect of the situation was freely exploited by the Press. Such headlines as “ Ratification or Ruin,” “ Rejection or Chaos,” displayed without cessation and without scruple, had their effect on a people already over-strained.

The section of the population which had been against the whole struggle for independence became active and influential now. Small miscellaneous groups which assembled to pass resolutions in favour of the Treaty were reported by the Press as important representative gatherings. Public bodies which showed a majority for acceptance were reported as favouring it "unanimously."<sup>1</sup> Letters supporting it were published at full length and much space was devoted to quotations from a pamphlet by Professor O'Rahilly, who maintained that "the right of secession is inherent in the recognised Dominion Status" and that "national extinction" was the alternative to "hopeful compromise." All warnings against the Treaty, all caution as to the dangers latent in it, all opposition to Partition, even, seemed flung to the winds. Every effort of the Press was concentrated in stampeding the people into a panic-stricken terror of rejection, a blind clamour for surrender, for peace at any price.

The demand for peace was enforced, also, by the Churches. Christmas sermons became pro-Treaty speeches in more places than one. The Most Rev. Dr. Fogarty, preaching at Ennis Cathedral, said, "Let the people have no mistake about it; the rejection of this Treaty must lead inevitably to war of such a destructive character as would lay Ireland out dead in a very short time."<sup>2</sup>

These appeals, coinciding with the return of prisoners, exhausted and ill from the hardships of winter in the camps and jails, weakened the spirit of resistance in thousands of Irish homes. There were at stake, moreover, the lives of forty-three Irishmen, under sentence of death. In the North, the longing for respite was intensified by raids along the Border and attacks on the Catholic quarters of Belfast.

Within the Irish Republican Brotherhood there was a section ready to compromise. Its higher circles included Michael Collins and a number of the Army chiefs, while Cathal Brugha, like President de Valéra, had refused to be enrolled. It began to appear that a majority of its leaders were already employing

<sup>1</sup> See Speeches of Frank Fahy, Dail Eireann, January 3rd, p. 196, and Desmond Fitzgerald, Dail Eireann, January 4th, p. 236.

<sup>2</sup> *Irish Independent*, December 28th, 1921.

all the resources available to a powerful secret society to influence groups and meetings by which the question of the Treaty was discussed.

The anomaly of a "Brotherhood" nominally Republican voting for the disestablishment of the Republic was countered by the "stepping-stone" argument. The Treaty offered "freedom to achieve freedom," it was declared. Many members of the Headquarters Staff of the I.R.A. were thus won over and it was not difficult for these to suppress or render impotent the bitter and indignant opposition of a great part—perhaps the majority—of the rank and file.

With no machine such as the I.R.B. at their disposal, with no national Press and, against them, all the resources of British diplomacy, all the memories of ruin left by the British terror, the imminent threat of its renewal and the weakness of an exhausted people, those who strove to save the Republic worked with diminishing hope.

The year closed on a nation racked with anxiety, every group in the country, every family, indeed almost every individual spirit, torn between loyalty and fear. Even among those who agreed to support acceptance, there were divergent feelings. There were a few who wholeheartedly welcomed the Treaty—those who would have welcomed peace after the nightmare reign of terror, at any price. There were those of the older generation who reflected that the Treaty gave what John Redmond had worked for and who desired no more. There were some who, although they had fought and laboured for the Republic, were prepared to accept the Treaty now with the intention of wrecking it later, when an Irish army should be equipped and organised and the British Forces have left Irish soil. To others, common honesty forbade the adoption of such a course, and they resigned themselves in bitterness of spirit to defeat and surrender because they thought Ireland could endure no more. These were filled with hatred of the enemy which had inflicted this last humiliation and with a sense of shame and misery before comrades who, in face of all threats, refused still to compromise.

To the rest—perhaps half the nation, perhaps less—the abandonment of the Republic and a false peace with England were

equally intolerable—more unendurable than anything that the enemies of Ireland could inflict.

The more militaristic among them had set their hearts on a clear victory over the ancient enemy of their country; the more pacifist had cherished hopes of a true and lasting peace between the two nations, founded on justice and honest dealing and enlightened statesmanship. These had to choose now between a dishonest and precarious settlement, and rejection—rejection which might call down “immediate and terrible war” on a people whose endurance had broken down.

This the signing in London of these Articles of Agreement had done. Upon all those who had shared one of the most intense loyalties, one of the most devoted and self-sacrificing efforts recorded in history, lay a weight of sorrow and desolation for the breaking of Sinn Fein.



**PART XI**

**THE BREAKING OF SINN FEIN**

**JANUARY TO MARCH 1922**



## CHAPTER 65

*January 3rd to 5th, 1922*

### THE DAIL AND THE TREATY — THE REPUBLICAN ARMY — THE PRESIDENT'S DOCUMENT

THE year 1922 opened, for Ireland, in an atmosphere charged thunderously with passions in restraint. Less than three years ago the first assembly of Dail Eireann had inaugurated and manifested the reversal of centuries of submission: the people's defiant establishment of a democratic Irish State. On January 3rd, when the Second Dail reassembled in the Convocation Hall of the National University, the Deputies had before them a motion disestablishing that State, and accepting for the Irish people subjection to the British Crown.

The feelings and arguments for and against acceptance had been intensified in some, modified in other, Deputies during the Christmas Recess. A few had been shaken by the agitation for acceptance led by the Press and declared that in spite of their distrust of the Treaty they felt obliged to yield to the sudden popular demand. Others maintained that feeling against the Treaty was strong in their constituencies, although it had found no voice in the Press. In any case, some argued, individual demands and miscellaneous resolutions of this kind had no validity as against the clear and definite mandate on which the Deputies had been elected, or against their conscience, judgment, oath and public pledges, the Declaration of Independence and the Constitution of Dail Eireann. "If the people didn't mean the mandate," Art O'Connor said, "the people should never have given us the mandate. I believe that the people mean us to work out for them an independent sovereign State."

Some had taken a decision, firm and unchangeable, from their first reading of the Treaty. Others were torn with indecision still. Members of the I.R.B. Supreme Council had been at work, without the authority of the Council as a whole, urging acceptance on members of the Brotherhood. Eight of the twelve members of the Supreme Council favoured acceptance. There were vehement differences of opinion in the Army Headquarters Staff.



For five painful days the debate wore on. The threat of immediate war, chaos, unimaginable disaster, as the sole alternative to the Treaty, dominated the arguments for acceptance.

“What we are asked is,” Piaras Beaslai declared, “to choose between this Treaty on the one hand, and, on the other, bloodshed, political and social chaos and the frustration of all our hopes of national regeneration.”<sup>1</sup>

He visualised Ireland growing, under the Treaty, to a prosperous Gaelic State. “Think of the evacuation of Ireland by foreign troops. Why, it seems like a faery vision,” he exclaimed.

The diversity of the aspirations which Revolution welds into unity was revealed in the speeches made during the debates. To one, the Republic had connoted, above all else, an Irish Army; to another, a fearless polity, free from deceit; to another, the Irish language; to another, the emancipation of the wage-earners; to all, an Ireland liberated from alien rule.

Countess Markievicz, like the other women Deputies, opposed the Treaty with all her strength. She spoke as a disciple of James Connolly and complained, especially, of Griffith’s offer to the Unionists. One of the biggest blots on the Treaty, she said, was the “deliberate attempt to set up a privileged class.” She pointed out that a dangerous vagueness characterised the Treaty, that “the King,” who might seem a harmless figurehead, meant here the “British Cabinet”; that the oath was a “dishonourable oath . . . that can be twisted in every imaginable form.” She pointed out that English Imperialism always “worked by a change of names.” “It is the capitalist interests in England and Ireland,” she maintained, “that are pushing this Treaty to block the march of the working people in England and Ireland.”

The mother of Padraic and Willie Pearse spoke with equal firmness against surrender: “We will hold,” she said, “what they upheld.”

J. J. Walsh, who declared that he had “a very elastic mind on oaths” and that “war knows no principles,” supported the Treaty on the ground that to accept a Treaty of peace now

<sup>1</sup> Dail Eireann Official Reports, December 1921–January 1922.

would be the best preparation for resuming hostilities later on:

“ We are entrenching here; we wait for reinforcements and we wait for supplies, and at an opportune moment we march on.”

To arguments like this last, reiterated throughout the Session, those who were sincere in their Republicanism and who had hoped to make, without any more intrigue or turmoil, an honourable and lasting peace with England, listened almost in despair.

Frank Fahy made a plea for honesty in politics. “ Had this instrument been submitted unsigned to Dail Eireann,” he said, “ I feel convinced it would have been rejected by an overwhelming majority. The signing of it does not make it more acceptable, but we must base our arguments and our decision on a *fait accompli*.” But, he asked,

“ is not the declaration of the Republic also a *fait accompli*, or have we been playing at Republicanism ? . . . Can a Treaty based on fear, naked and unashamed, be a sound basis for friendship between the two peoples ? . . . Honour cannot stand rooted in dishonour. Faith unfaithful to England’s King cannot make us falsely true to Republicanism. Let, at least, our word be our bond.”

A point which failed to make an appeal at the moment, but which was to prove vital to Ireland in later years, was made by Ernest Blythe.

“ It seems to me,” he said, “ that there is some ambiguity as to whether or not this oath is obligatory at all. It certainly, to my mind, is not made obligatory by Clause 4, but it may be made obligatory by Clause 2.”

He upheld the Treaty.

Eoin O’Duffy also defended it, not on its merits, but because of the reign of terror which seemed to him the only alternative. Before the Truce he had commanded Republican Volunteers in Ulster and he had witnessed the terror and misery inflicted on

the people there. Already, a new phase of the campaign against Catholics had begun: their children were being shot. On the previous day two Catholic children had been shot dead by snipers in Belfast.<sup>1</sup>

“ Let us consider a moment,” Eoin O’Duffy said,

“ what will happen to our unfortunate people in the North-East if this Treaty is rejected. My opinion is that there will be callous, cold-blooded murder there again. Of all the atrocities committed in this country by the Black and Tans, and God knows there were many, there was nothing to equal the atrocities committed on our Catholic people in Ulster by the ‘ A ’ and ‘ B ’ Specials. . . .”

He mentioned some particularly revolting mutilations of prisoners and said:

“ That is the lot that is before our people there if we are not in a position to defend them and ourselves.”

He spoke of the Republican prisoners still in jails:

“ At this very moment there are over forty brave men awaiting the hangman’s rope. Seven of these come from my brigade and I got a message from them. That message is, ‘ Don’t mind us; we are soldiers; do what you think best for Ireland.’ ”

Undoubtedly Eoin O’Duffy expressed the feeling of many Deputies holding positions of command in the Army when he said that fighting on the field was one thing but taking responsibility for it here was quite another thing.

One young Republican Commandant spoke against compromise with a simple conviction which left an ineffaceable impression on the minds of all who heard him.

Liam Mellows said:

<sup>1</sup> This phase of the campaign did not cease for four months. During that time more than fifty Catholic children under sixteen years of age were wounded or killed by bullets or bombs. See Articles by D. Macardle in *An Phoblacht na h-Eireann*, June 1922.

“ To my mind the Republic does exist. It is a living, tangible thing, something for which men gave their lives, for which men were hanged, for which men are in jail, for which people suffered, for which men are still prepared to give their lives. It is not a question, so far as I am aware, before any of us, or the people of Ireland, that the Irish heifer was going to be sold in the fair and that we were asking a high price so that we would get something else. There was no question of making a bargain over this thing, over the honour of Ireland, because I hold that the honour of Ireland is too sacred a thing to make a bargain over. . . .”

“ The people are being stampeded,” he declared. Among his constituents he found that it was only the belief that there was no alternative but “ immediate and terrible war,” which made any favour acceptance.

“ That is not the will of the people; that is the fear of the people.”

His own belief was that the unanimous rejection of the Treaty would put Ireland’s case in such a fashion before the world that England would not dare to make war on the basis of the rejection, and that “. . . Instead of discussing this Treaty here, we should be considering how we are going to maintain the Republic after that Treaty has been rejected and put on one side.”

He spoke of the “ crucifixion of India and the degradation of Egypt,” and asked whether Ireland was now going to enter the Empire and participate in its shame. Had Ireland been fighting for nothing but to become like the richer countries of the world ?

“ That was not the ideal that inspired men in this cause in every age, and it is not the ideal which inspires us to-day. We do not seek to make this country a materially great country at the expense of its honour in any way whatsoever. We would rather have this country poor and indigent, we would rather have the people of Ireland eking out a poor existence on the soil as long as they possessed their souls,

their minds, and their honour. This fight has been for something more than the fleshpots of Empires."

And he pointed out that the Treaty could not bring peace to Ireland, that under it Ireland would be "the cockpit of the next naval war in which England is engaged."

Liam Mellows's was a speech so full of foresight as to seem, afterwards, to have been prophetic, although the young speaker foresaw no events quite so terrible as those which led, before the year ended, to his own death at the command of comrades to whom he now appealed.

The majority of the rank and file of the Republican Army, it appeared later, regarded the issue in this simple uncompromising way. Seumas Fitzgerald had found among his constituents in County Cork that, while those individuals who had always been against the struggle for independence favoured the Treaty, "those who bore the brunt of the fighting" were "almost unanimously against this Treaty, war or no war."

Seumas Robinson, Commandant of the South Tipperary Brigade, declared that the Volunteers, who were a citizen army and held political views, had a right to exercise a veto on the change of their country's Constitution. He demanded that a convention should be summoned of all the Volunteers who had been active before the Truce.

It could be seen now that the Headquarters Staff of the Army was sharply divided. Against the Treaty were Cathal Brugha, Minister for Defence; Austin Stack, formerly Deputy Chief of Staff; Liam Mellows, Director of Purchases; Rory O'Connor, Director of Engineering; Sean Russell, Director of Munitions; Seumas O'Donovan, Director of Chemicals, and Oscar Traynor, Commandant of the Dublin Brigade. Supporting the Treaty were Richard Mulcahy, Chief of Staff; J. J. O'Connell, Assistant Chief of Staff; Eoin O'Duffy, Deputy Chief of Staff; Michael Collins, Director of Intelligence; Dermot O'Hegarty, Director of Organisation; Piaras Beaslai, Director of Publicity.

The division existed right through the army, and, as was natural among men of high spirit and energy who had devoted

themselves with ardour to the national struggle, feeling on both sides was acute.

It became evident, during the Session, that should the Treaty be approved and the Provisional Government set up in contravention of the Republican Constitution, a dangerous situation would arise.

This was realised by the supporters, no less than by the opponents of the Treaty, and during the critical days of the January Session several efforts were made to secure a compromise which might avert a break. Michael Collins made a certain suggestion on January 3rd, on the assumption that "the Irish people have accepted the Treaty." He explained his proposal to the President thus: "That you allow the Treaty to go through and let the Provisional Government come into existence; and if necessary you can fight the Provisional Government on the Republican question afterwards."

"We will do that if you carry ratification, perhaps," was the President's reply.

Michael Collins's proposals were formulated by a committee and submitted to the leaders on both sides on January 5th. They proved wholly unacceptable to those who held it to be their first duty to save the Republic and who still hoped to present a basis for a genuine Treaty of peace. They were, therefore, by agreement, not brought before the Dail. "That we should let the Free State take existence and take root, and then try to pull it up again. That is the substance of what it amounts to," the President said.

The committee, however, continued its efforts in private, and other groups of a similar semi-official nature exerted themselves as intermediaries from time to time.

Supporters of the Treaty, by this time, constituted a close party within the Dail, and no effort to effectively preserve the Republican position or secure better terms received any cooperation from them. They showed, indeed, an acute antagonism to the idea of any possible alternative. Although they admitted that only the threat of war could induce them to approve the Treaty, nevertheless, once having committed themselves to accepting it, they exaggerated its benefits and blinded themselves to its defects. Loyalty to Griffith and "Mick" Collins,

moreover, led their adherents to insist that no better terms than those which these men had signed could conceivably be obtained. The saying "What's good enough for Mick is good enough for me" became the popular slogan of their party. These tendencies and impatience to put an end, one way or the other, to the prolonged strain of uncertainty no doubt accounted for the intense resentment which the prospect of a renewal of negotiations with England seemed to evoke.

Efforts to discredit the President's counter-proposals led to efforts to discredit his leadership in any and every way, and attacks of the most far-fetched and irrelevant nature were made upon him by Deputies and by the Press. These culminated, on January 5th, in an article in the *Freeman's Journal*, which even De Valéra's opponents described as "infamous." It was probably only his intervention and that of Erskine Childers, who had been assailed in it with equal malevolence, that prevented the paper's representative from being excluded from the Dail.

More serious than these personal calumnies was the campaign against the President's immediate policy—his effort to have the Treaty rejected and counter-proposals offered to the British Government by the Dail.

He was still working on the proposals, endeavouring, from the rough and tentative first draft shown in the private session, to formulate a considered series of proposals which he would feel able to sponsor and support. He intended to bring these forward in the Dail as an amendment to the motion to approve the Treaty. The House seemed about equally divided, and most of those supporting the Treaty had expressed their dislike of it: it was not unlikely that a large majority would welcome the way out from their terrible dilemma which his alternative proposed.

The Dail was, however, never to hear that alternative fully explained. The campaign waged against it by certain pro-Treaty Deputies was too strong.

During the course of the debates this document, of whose clauses the public knew nothing, was incessantly referred to in hostile and misleading terms. Provisions were attributed to it which were contrary to its whole tenor and which it did not

contain. It was said to include an oath, to admit Partition, permanent British occupation of the ports, and a Governor-General—assertions wholly untrue. It was said to differ from the Treaty only by a " quibble of words "; yet, at the same time, it was stated that the difference was such that the British Government would wage, for it, a war of extermination on the Irish race.

Arthur Griffith made extraordinary capital out of the fact that the President's completed document differed from the rough draft. He maintained that the President had no right to make any alterations, and that the original document consisted of twenty-three clauses and an appendix, whereas the new document had only seventeen clauses.

The reason for this difference was that the President had omitted from his finished draft the clauses on Ulster which, although they did not satisfy his own views, he had inserted in the rough draft as a basis to work upon. As he felt that an Irish domestic question should not be a subject of Treaty with any outside Power, he did not include any clause relating to Ulster in the body of his final document, but indicated Ulster provisions in an addendum in the form of a resolution of the Dail. These indicated an offer to Ulster closely in accordance with the Cabinet's policy formulated in the previous October.

" Document Number Two," the President's completed draft, was in fact an elaboration of the External Association proposals on which Griffith, Collins and the entire Republican Cabinet had agreed to negotiate. It was such a Treaty as might be entered into between sovereign States.

His intention to present it as an amendment to the motion approving the Treaty was frustrated on a technicality, and he decided on January 4th to withdraw the document for the present. The tactics of his opponents, however, defeated him. When the Dail adjourned that evening, Griffith, without De Valéra's knowledge, handed a copy, not of the completed proposal, but of the President's rough draft, to the Press. It appeared in papers of the following morning side by side with the completed document, under headings which used every device to suggest a political scandal to unthinking or prejudiced minds.

The President protested against the publication of his rough



draft. "That draft," he said next day, "should have no more interest for the public in general than, for instance, the rough draft of a reply which I was preparing to send Lloyd George. It is a great pity, when we are discussing such tremendous matters, that questions of that sort should be made to assume an importance which they really have not. . . ."

"What is at stake is this: that we, as Dail Eireann, set out to make peace between Ireland and Great Britain. I hold that that was the primary object of the negotiations, to have a definite peace, a lasting peace, so far as any human thing we do to-day can be regarded as lasting—something that would be built on a secure foundation. . . . If we let a chance like this to pass without reaching a definite peace we are not doing our duty either to the Irish nation or to humanity as a whole."

English political thinkers and writers regarded the President's document<sup>1</sup> with serious interest. It was described by *The Times* of January 6th as a plan which would make Ireland "an independent State in loose Treaty association with this country."

But lies travel fast and the truth is tardy in overtaking them. For years, in Ireland as well as England, the External Association proposal was misunderstood.

<sup>1</sup> Appendix 22, p. 996.

## CHAPTER 66

*January 6th to 10th, 1922*

DE VALÉRA SPEAKS — THE VOTE ON THE TREATY — AN  
AMBIGUOUS SITUATION — DE VALÉRA RESIGNS — ARTHUR  
GRIFFITH ELECTED — THE NEW MINISTRY — PROMISES

ON January 6th President de Valéra offered his resignation to the Dail. His duty, as long as he was Chief Executive, was to preserve the Republic and to use all the means at the Republic's disposal to preserve itself. He could do that no longer, the Cabinet being divided as it was.

He spoke in very definite terms to the Dail. His own convictions remained unchanged.

"I believe fundamentally," he said, "in the right of the Irish people to govern themselves. . . . Anything that would take away the Executive or fundamental authority, whether executive, legislative or judicial, is absolutely against my principles and I hold that would be a subversion of nationality, as I understand it, for this nation."

It had been proved, he maintained, that the men who rose in Easter Week "did represent the hearts and souls and aspirations of the Irish people. I say that no election taken under duress or anything else will disprove that to-day. I say, therefore, that there will never be a peace which neglects the fundamental fact because it is the fact of the whole situation."

He said he knew what the Irish people wanted:

"I have been brought up among the Irish people. I was reared in a labourer's cottage here in Ireland, I have not lived solely among the intellectuals. . . . I stand definitely for the Irish Republic as it was established—as it was proclaimed in 1916—as it was constitutionally established by the Irish nation in 1919, and I stand for that definitely; and I will stand by no policy whatever that is not consistent with that."

If the Dail re-elected him and rejected the Treaty, and if the British then refused the offer which he would make to

them, "then we will, as in the past, stick to the Sinn Fein Constitution," he declared.

"We will deny the right, we will oppose the will, of the British Parliamentary power to legislate for Ireland; and we will make use of any and every means to render impotent the power of England to hold Ireland in subjection by military force or otherwise."

The anti-Treaty leaders protested vehemently against the President's resigning at this juncture. The President insisted that he could not continue to hold office with divided responsibility. He consented, however, to withdraw his resignation for the present on securing a promise from Griffith that the division on the motion to approve the Treaty should be taken within twenty-four hours.

Arthur Griffith's motion for the approval of the Treaty came before the Dail on the following day, January 7th. There was silent, brooding anxiety throughout Ireland. There could be no doubt that the thought of losing De Valéra's leadership dismayed those who, since 1916, had elected and re-elected him, with complete unanimity, to the leadership of Sinn Fein, of the Volunteers, of Dail Eireann, of the whole national struggle. Some whose dread of consequences had withheld them from opposing the Treaty were tempted to vote against it rather than lose his guidance at such a time. This fact was recognised and resented by Griffith's adherents now.

Griffith, on the other hand, had done much to lessen De Valéra's influence by his misrepresentation of "Document Number Two." Men who would have voted against the Treaty if they had believed the alternative to be a firm stand for the Republic were led into supporting it, believing now that the alternative was merely the offer of another compromise and one which the British might refuse.

One hundred and twenty-two Deputies answered the Roll. Cathal Brugha made a vigorous speech. No man was more devoted to the Republic than he, more fiercely opposed to the

Treaty, more clear-sighted and firm in support of the External Association proposal which the Dail had refused to discuss.<sup>1</sup>

Griffith had said the difference between that proposal and the Treaty was only a quibble. Brugha said, "the difference, to me, is the difference between a draught of water and a draught of poison."

The Treaty he regarded as "national suicide." England's position was weak; Ireland's strong; yet they were asked to do such a thing as this.

"Why," he exclaimed,

"if instead of being so strong, our last cartridge had been fired, our last shilling had been 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 the Empire?'—he should say, and he would say: 'No, I will not.' That is the spirit which has lasted all through the centuries, and you people in favour of the Treaty know that the British Government and the British Empire will have gone down before that spirit dies out in Ireland."

He defied anyone to prove that the Cabinet, in making the External Association proposal, had "deviated one hair's breadth from the Republican position by making such a proposal."

He reminded the House how, at the Ard-Fheis of 1917, Arthur Griffith, stepping down in favour of De Valéra, had won respect only second to that given to De Valéra, and he appealed to Griffith to do as much for the country now: to refrain from voting for the Treaty. "I tell him," he said, "that if he does this his name will live for ever in Ireland."

Griffith's answer was contemptuous; the old antagonism against Brugha broke out. He spoke at length, defending the Treaty and his own action in signing it. He did not defend it, now, as a final settlement, but as a basis on which they could make peace.

<sup>1</sup> Speaking at Cork on February 19th, 1922, Cathal Brugha referred to Document Number Two as "a supreme effort by the Captain of the ship to pull it off the rocks on which it had been driven by the incompetent amateurs who had seized the helm."

“ It does not,” he said, “ for ever bind us not to ask for any more. England is going beyond where she is at present; all nations are going beyond where they are at present; and in the meantime we can move on in comfort and peace to the ultimate goal.”

He spoke at length and very bitterly, denouncing those who opposed the Treaty. When he ended, the Deputies voted on the motion to approve the Treaty, voting openly by answering the Roll. The result of the division was sixty-four for approval and fifty-seven against.

By a majority of seven, Dail Eireann had recommended the people of Ireland to surrender the Republic proclaimed in 1916, re-affirmed by democratic sanction in 1919 and defended with such immeasurable effort and sacrifice.

President de Valéra rose to make a plea for discipline. “ We have had four years of magnificent discipline in our nation,” he said. “ The world is looking at us now. . . .” Overcome by a sudden realisation of all that this meant and must mean in the future to Ireland, he was unable to continue.

Cathal Brugha gave a promise, for his part, that, in the army, discipline would be maintained.

When the Dail assembled again on the 9th the President's resignation was before the Deputies.

The situation which had been created by the vote for the Treaty was an intricate and ambiguous one.

To do more than approve the Treaty and thus recommend its acceptance to the Electorate was not within the competence of the Dail. No mandate had ever been given to Dail Eireann by the Irish people to abdicate or to transfer its functions or to organise any other governmental authority on Irish soil. It was obligatory upon Dail Eireann to continue, as far as possible, to function in accordance with its mandate, its oath and its Constitution, as the Government of the Republic, unless and until the people should disestablish the Republic by their vote. No other government could have any democratic sanction in Ireland until a general election had been held.

The Treaty, however, made no allowance for an appeal to

the Electorate before the governmental change, no acknowledgment of the democratic position of the Government of the Irish Republic: on the contrary, its terms regarded that Government as non-existent, Article 18 requiring that the Treaty should be submitted forthwith to "a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland." That assembly was, under Article 17, to elect the "Provisional Government" to which the British Government should transfer certain powers and machinery. Dail Eireann was ignored.

In consequence of its vote, Dail Eireann had placed itself in an impossible position; whilst continuing to function as the Government of the Republic and to safeguard the Republican position until an election could be held, it had to countenance the summoning of a rival assembly (which would mainly, in personnel, be a portion of itself); countenance the recognising of one government in the North and the setting up of another government in Dublin, both with the subversion of the Republic and the supplanting of Dail Eireann as their immediate aim.

And the summoning of this Southern Ireland Parliament was to be done by Arthur Griffith, who had no representative capacity except as a member of Dail Eireann and Republican Minister for Foreign Affairs. As first signatory of the Treaty he was expected, by the British Government, to arrange for the constituting of the Provisional Government "forthwith."

On De Valéra's party, at the same time, devolved the duty of guarding the Republic's position against betrayal and usurpation, preserving the Republican Government intact until an election could be held, and contesting the election against the Treaty when the time should come.

The Republicans recognised the dangerous character of these stipulations. The setting up of a Provisional Government would, it was realised, be a step that, by anticipating the Electorate's decision, would prejudice the elections. The powers to be transferred by England to the Treaty Party would enable that party to exercise, in the meantime, incalculable influence. It was feared that efforts would be made by its supporters to secure a verdict before the implications of the Treaty could be fully realised by

the people, or even to secure an unrepresentative verdict before the register could be revised. Duplicity and suspicion, bitter and perilous dissension, were inherent in the situation created by this transition clause.

The majority party, on the other hand, realised that the resignation of President de Valéra would emphasise the unconstitutional nature of the steps which they were about to take. When the Dail reassembled on January 9th, Michael Collins made the suggestion that the President should continue to hold his position, with a joint committee for the preservation of peace, while the Treaty Party took over power—"on our side we form a committee to arrange details and do all the dirty work," as he expressed it.

This would have meant that De Valéra, a nominal President without a unified Cabinet, without the co-operation of the majority of the Dail, without control of resources, would have been powerless to preserve the integrity of Dail Eireann or to protect the Republican position in any way and that meanwhile, under the ægis of his prestige, and with a false appearance of democratic sanction by Dail Eireann, the subversion of the Republic would be prepared. To consent to this would have been to treat the vote in the Dail as the final disestablishment of the Republic. The President refused to lend himself to the scheme.

The Republic, he said, must exist until the people had disestablished it.

He was about to resign, but was willing, if re-elected, to take office again. He was confident that when the Treaty was put before the people in its detailed, legislative form they would reject it. Meanwhile, if he was in office, he would, he promised, set his personal antagonism to the Treaty aside and would not actively oppose the measures which its supporters would take in accordance with its terms. He would require, however,

"that the resources of Dail Eireann be here still invested in this House, and that we be entitled to use the funds and everything else for the preservation and independence of Ireland and for the maintenance of the Republic until such time as the Irish people have decided otherwise."

When the people had the Act to vote upon, he said, referring to the Act of the British Parliament which was necessary to complete and confirm the Articles of Agreement, and when they could not be fooled, "then the Irish Republic can be disestablished if the people want it; but until then we go ahead."

In reply to a question as to how his Cabinet, if he were re-elected, would be composed, he said that the Cabinet would be composed of those who stood definitely by the Republic; the Cabinet would be responsible to the Dail; those who wished to take action in accordance with the Treaty would ask sanction for their acts.

The course which he suggested was a difficult one. This the President knew.

"But I am thinking," he said, "only of the best way to do two things—to carry on over the interim period, and to do what I told this House several times I would like to see done. We came together to a certain bridge. At that bridge for years I thought we might part. I am anxious, at least, we should never be driven back beyond that bridge: that we should entrench ourselves on that bridge and leave the final decision to the Irish people; and that in fairness to the Irish people we do not play party politics now any more than in the past. In fairness to the Irish people we will present them with an issue which will be so clear-cut and definite that they will not have any doubt on it."

No other candidate for the Presidency was proposed.

Arthur Griffith said that he would vote against the re-election of De Valéra with the greatest regret.

A division was taken on the motion "that Mr. de Valéra be re-elected President of the Irish Republic." De Valéra refrained from voting. Fifty-eight Deputies voted for his re-election, sixty against. The pro-Treaty majority of seven had been reduced to a majority of two.

Arthur Griffith spoke of De Valéra in warm and sincere terms, "There is scarcely a man I have met in my life that I have more love and respect for," he said. "We want him with us."



There was a good deal of excitement in the House, one Deputy calling out something about "fratricidal strife."

De Valéra spoke quietly. "I hope," he said, "that nobody will talk of fratricidal strife. That is all nonsense. We have got a nation that knows how to conduct itself. . . . Unfortunately," he continued,

"on the Treaty we cannot co-operate; you acting in this case for the majority—and I suppose for Ireland—have to do certain work. Even to get through that portion of the work you will need us. We will be there with you against any outside enemy at any time. Meantime you must simply regard us as an auxiliary army with a certain objective, which is the complete independence of Ireland. Every step which we can believe you are taking to help in that road we will feel it our duty to go behind you, in so long as we are not committing ourselves or our principles in co-operating. You know how hard I was working for peace, and how I was trying to prepare this Dail, to try if we were able, having gone to the furthest limit we could go. I knew there would be a big minority against it and I would be glad to see the minority. I am against this Treaty on one basis only: that we are signing our names to a promise we cannot keep. It is beyond the nature of men and women and they cannot keep it. . . . I am against you on principle. And I believe to get the best out of the Treaty you need us in a solid, compact body. We will keep in a solid compact body. We will not interfere with you except when we find that you are going to do something that will definitely injure the Irish nation. And if we have two evils to choose from I hope it will be the lesser of the two, in the best interests of the Irish nation, that we will choose."

In reply to De Valéra's question as to whether those taking over authority intended to preserve the Republic until the Irish people disestablished it, Arthur Griffith replied that Dail Eireann could only be disestablished by the will of the Irish people and that he proposed, after the formation of the Provisional Government, to arrange for a "plebiscite of the Irish

people or a general election on this question as to whether they will have a Free State or a Republic." De Valéra enquired what use would be made of the funds of the Sinn Fein organisation. Michael Collins suggested that those funds should remain in trust and that De Valéra should be sole Trustee. This was agreed.

The motion now before the House was that Arthur Griffith should be asked to form an Executive. It met with strong opposition from the Republican side. Arthur Griffith, as the man most deeply involved with England, the man who was to summon the members of the Southern Parliament and on whom the task of setting up the Free State Government chiefly devolved, was, they felt, the most unsuitable of all those present to hold the position of President of the Republican Dail. "No Executive that was not Republican could be formed from Dail Eireann," Miss MacSwiney pointed out. Liam Mellows protested vehemently against this attempt to use the machinery of Dail Eireann for setting up the Free State, "this crowning act of iniquity against the Irish Republic." De Valéra submitted that the Treaty Party were working on very dangerous ground, subverting the Constitution, making a situation which the Republican members could not sanction by their presence. Cathal Brugha insisted that "the majority of this Assembly must abide by the Constitution until it is altered."

Protests were renewed on the following day and stringent questions were addressed to Arthur Griffith. He gave certain definite undertakings in response to these:

"The Republic of Ireland remains in being until the Free State comes into operation"; and "If I am elected I will occupy whatever position President de Valéra occupied."

De Valéra pointed out that Arthur Griffith's position was doubly difficult,

"because he is supposed with the right hand to maintain the Republic and with the left to knock it down. . . . No matter what Mr. Griffith says or undertakes to do, every Republican in the country will be suspicious of every act he

is taking in the name of the Republic. It does not conduce, I hold, to the maintenance of order, or it is not to the interests of the country at the present time, that Mr. Griffith should hold that office. . . . I only ask for the good of the country that Mr. Griffith would not take that office."

The election of Arthur Griffith was proceeded with, however, De Valéra, with Stack, Brugha, and all his supporters leaving the House, as a protest, while the Roll was called, and the new Ministry appointed.

Michael Collins became Minister for Finance; William Cosgrave for Local Government; Gavan Duffy, Minister for Foreign Affairs; Kevin O'Higgins, Minister for Economic Affairs; and Richard Mulcahy, Minister for Defence.

When the Republican Deputies returned to the House, De Valéra spoke. He said that when Griffith was acting in his capacity as President of the Republic the anti-Treaty party would not stand in his way, but when he functioned in his other capacity as head of another Government they could give that Government no recognition.

"We will have to insist and continue insisting on our attitude that that government is not the legitimate government of this country until the Irish people have disestablished the Republic, and we shall do everything in our power to see they do not disestablish it. I have also said whenever there is a question between the President of the Republic as head of this State, and any outside power that he can count on us to the full; that he can count on our support as definitely as if there had never been a division between us. . . .

" . . . I have said changes are good things, and I am glad to be able, as a private individual, to act my part as a private Irish citizen; and the President of the Republic will receive from me, personally, and I hope from every Irish citizen, while he is acting in that capacity, the fullest respect which his office entitles him to. It will be my duty to do everything in my power to see this established Republic is not disestablished. On this side of the House, even amongst those who most bitterly oppose his policy, there is a sympathetic feeling,

and the magnitude of the task imposed upon him is realised. I regret it is not possible for me consistently to be able to congratulate him on the office which he is taking up in the present circumstances."

De Valéra explained his view of the vote for approval as being

" simply a license to the Executive—that they might promote the setting up of a Provisional Government in accordance with the terms; in other words that we would not be actively hostile to the setting up of the Government, though we do not, and cannot, admit its right as the Government of this country until the Irish people have spoken. . . ."

The House was about to adjourn until February 14th. " The only thing we are really anxious about is the army," De Valéra said, " and perhaps the Minister for Defence would give us some idea of what he proposes to do ? "

General Mulcahy replied:

" The army will remain occupying the same position with regard to the Government of the Republic and occupying the same position with regard to the Minister for Defence, and under the same management, and in the same spirit as we have had up to the present."

He stated again:

" If any assurance is required, the army will remain the army of the Irish Republic."

These promises, definite and unequivocal, caused relief in the Assembly and were received with applause.

The Session then came to an end.

## CHAPTER 67

*January 11th to 18th, 1922*

ARMY OFFICERS MEET — THE SOUTHERN PARLIAMENT — THE PROVISIONAL GOVERNMENT — DUBLIN CASTLE TRANSFERRED — EVACUATION — THE CIVIC GUARD — THE I.R.A. — ECONOMIC SITUATION — THE RELEASED PRISONERS

THE Republican Army had, two years earlier, placed itself voluntarily under the control of the Dail; now the Dail had voted for the disestablishment of the Republic; what would the position of the army be?

Among the opponents of the Treaty who were members of the I.R.A. there was keen resentment against the Dail decision and strong disinclination to accept Mulcahy in place of Brugha as Minister for Defence. On the evening after the change of government took place a meeting of senior officers was held, Mulcahy being present. De Valéra attended the meeting and asked the officers to give the same co-operation to the new Minister as they had given to the old and asked Mulcahy not to take any action that would widen the cleavage in the army. Mulcahy repeated the assurances he had given in the Dail to the effect that the army would be maintained as the Army of the Republic and the anti-Treaty officers agreed, on this understanding, to co-operate with him.

Within a few days, however, some of those opposed to the Treaty began to feel that further precautions would be desirable. They met to discuss what measures could be taken to ensure that the army would not be converted into a party weapon by the new Ministry and used for the subversion of the Republic which it had been created to defend. Some argued that the army could be preserved only by a change of control—by releasing itself from the Dail and reverting to its former status as an independent Volunteer Force governed only by an Executive elected by itself.

It was a constitutional right of the Irish Volunteers to hold, at intervals, conventions representative of the whole army for the purpose of settling questions which affected the I.R.A. as a whole.

These officers concluded that the time had come when such a convention should be held. On January 11th, a letter requesting the holding of a General Army Convention was sent to the new Minister for Defence. It was signed first by Rory O'Connor, Director of Engineering, G.H.Q., then by Liam Mellowes, James O'Donovan and Sean Russell, Directors of Departments, G.H.Q.; by Oscar Traynor, O.C. the Dublin Brigade, Liam Lynch, O.C. the First Southern Division, and other Commandants of Divisions in the West and South.

The following were the resolutions which they proposed to lay before the Convention:

“ That the army reaffirm its allegiance to the Irish Republic.

“ That it shall be maintained as the Army of the Irish Republic, under an Executive appointed by the Convention.

“ That the army shall be under the supreme control of such Executive, which shall draft a Constitution for submission to a subsequent convention.”

The answer which they received was not reassuring. General Mulcahy demanded obedience, in the name of the Republic, to the Dail. He stated:

“ That the Dail as a whole is the elected Government of the Irish Republic, and that the supreme control of the army is vested in it; and

“ That the proposal contained in the resolution to change the supreme control of the army is entirely outside the constitutional powers vested in the Dail Executive by the Dail.”

He proposed a private meeting to discuss the position but refused to call a convention. The Republican officers who had initiated the proposal then formed themselves into an Acting Military Council and Rory O'Connor wrote, as Chairman of that Council, to inform General Mulcahy that the convention would be called by them. He added:

“ We repeat our desire to co-operate with you in hastening the evacuation of the country by enemy troops, but to that end the signatories can only act on order issued by you and counter-signed by me.”

It was agreed that an Army Convention should be held within two months.

Difficulties recurred, however, and some weeks later an agreement was reached that two Republicans should attend Army Council meetings with a watching brief, "as a guarantee that the Republican aim shall not be prejudiced." The two men appointed were Oscar Traynor and Earnan O'Malley.

Earnan O'Malley went down from Dublin to Munster to find that the men of his Division—the Second Southern—objected strenuously to remaining under the control of the Dail. It was decided that the Division should repudiate the authority of the Dail and remain independent. O'Malley remained in the South and his "watching brief" was taken over by Andrew Mac-Donnell, Commandant of the South Dublin Brigade.

Arthur Griffith, meanwhile, had taken steps to carry out the first task required of him by the transition clauses of the Articles of Agreement for a Treaty.<sup>1</sup>

On January 11th he sent the following summons to the elected Representatives of the Twenty-six Counties of Ireland:

"A Chara.—Pursuant to the provisions of Clauses 17 and 18 of the Articles of Agreement for a Treaty between Great Britain and Ireland, signed in London, December 6th, 1921, I request your attendance at a meeting convened in accordance with the terms of these clauses for the formal approval of the instrument in question, and for the constituting of a Provisional Government. The meeting will be held at the Mansion House, Dublin, at 11 a.m. on Saturday next, the 14th inst."

He signed the summons as "Chairman of the Irish Delegation of Plenipotentiaries."

The elected Representatives of the Irish people numbered one hundred and eighty. Of these, fifty-two, representing constituencies within the Six-county area, were not summoned by Griffith.

The distinction between Dail Eireann and the Southern

<sup>1</sup> In this book, the Articles of Agreement are referred to as the *Treaty*, in spite of the inaccuracy of that description of them, merely for the sake of brevity and in accordance with usage.

Parliament was demonstrated in particular by the omission, from the list of those summoned, of Sean O'Mahony's name. The Republican Deputy for Fermanagh habitually sat and voted in the Dail. Had he presented himself to take a seat in this Assembly summoned by Griffith he would have found himself excluded.

His was the test case.

De Valéra was summoned, not as a member for South Down, but only as member for Clare. Asked by an interviewer whether he proposed to attend the meeting of the "Southern Parliament" he replied: "We don't recognise any such Parliament." All the anti-Treaty Deputies ignored the summons.

The meeting on January 14th was composed of sixty pro-Treaty members of Dail Eircann and the four Representatives of Trinity Colledge. This "Southern Parliament" met to perform two functions and, having performed these, disappeared. It passed a motion approving the Treaty and it elected a Provisional Government for twenty-six counties of Ireland.

To this Provisional Government the British Government was to transfer certain powers and machinery. It would give place, twelve months after the date of the signing of the Treaty (on December 6th), to the Government of the Irish Free State. Its composition and function created new ambiguities.

Men who were still Ministers of Dail Eircann, the Government of the Republic, became Ministers in the Provisional Government.

To the new Dail Ministry had been added five names: P. J. Hogan, Minister for Agriculture; Joseph McGrath, for Labour; Professor M. Hayes, for Education; Desmond Fitzgerald, for Publicity; Ernest Blythe for Trade and Commerce.

Michael Collins, Minister of Finance in Dail Eireann, became Chairman of the Provisional Government; William Cosgrave, Eamon Duggan, Kevin O'Higgins, P. J. Hogan and Joseph McGrath held office in both. Other members of the Provisional Government were Fionan Lynch and Eoin MacNeill.

This Executive allocated among its members fifty-nine departments of government. It relied upon recognition by England, though it was not clear from what source, even from the English



point of view, its authority could legally derive. The Partition Act of 1920 provided under the Crown Colony clause (No. 72) that by Orders in Council the King might give the Lord Lieutenant power to appoint persons to be heads of departments in Southern Ireland provided they became members of the Irish Privy Council and took the requisite oath. As yet, however, no such orders in Council had been issued nor, unless they had done so in secrecy, had these Ministers taken the Privy Council oath.

On January 16th His Majesty's Lord Lieutenant received Michael Collins at the Castle and the Provisional Government was "duly installed." The new Government "received the surrender of Dublin Castle," according to its own manifesto; the proceedings, however, were conducted in the absence of the Press.

The new Ministry immediately issued a proclamation to the effect that its signatories had been "duly constituted a Provisional Government," ordering that law courts and public servants hitherto acting under the authority of the British Government should continue to carry on their functions.

Michael Collins now went to London to confer with the Committee set up by Churchill for the transfer of services, evacuation and amnesty. It was in the Colonial Office, Churchill's Ministry, that such business connected with the Irish Free State was transacted henceforth.

Evacuation of the British troops from the Twenty-six Counties at once began. The regiments departed with flying colours to the music of their bands. "Let Erin Remember" was their favourite and appropriate farewell tune. Many units were transferred to the Six-county area where troops stood ready to support the Royal Ulster Constabulary who guarded the Border.

At this time, as General Macready states in his *Annals*, "England was practically denuded of troops and reliefs were required for garrisons abroad." The British authorities wished to release all their troops from "Southern Ireland" before Easter, but felt it necessary in view of the Republican attitude to retain

large numbers, for the present, in Dublin, the Curragh and Cork.<sup>1</sup>

“Plans had already been made,” General Macreedy writes, “for the concentration of the British forces in Dublin on an arc to the west of the town running from Richmond Barracks through the Phoenix Park and the Royal Barracks to the North Dublin Union, a position which in case of trouble would offer facilities for defence, and present a well defined enceinte.”

General Boyd, commanding the Dublin area, moved his headquarters from the Castle to Phoenix Park.

In January, also, the evacuation of the Auxiliaries and Black and Tans began, also the disbanding of the Royal Irish Constabulary.

Now, if Dail Eireann was the effective Government and was maintaining the Republican position, the policing of the country would be entrusted to the Republican Police; the fact that another course was taken, and that Griffith permitted it, indicated that the authority of the Dail was not going to be upheld by him.

Recruiting began for the Civic Guards—a new force, which received uniforms and pay. The Criminal Investigation Department was instituted and given headquarters at Oriel House. To these forces were added plain-clothes detectives and military police. Men of the Republican Police were offered paid positions in these new bodies, those known to be opposed to the Treaty being exempted from the offer, often by name.

In the Republican Army, although no change was openly made, a quiet process of reorganisation was being carried out, the Republican Brotherhood directing it to a large extent. Even before the vote was taken on the Treaty in Dail Eireann, it had begun. Officers, and especially members of the Headquarters Staff, who supported the Treaty, were in a position to gather round them, in all the more influential positions, men who declared for its acceptance, thus forming the nucleus of the professional army for which the Treaty provided. No expense was spared to make posts in this professional army attractive,

<sup>1</sup> Macreedy, II., p. 620.

while many officers known to be opposed to the Treaty found themselves superseded.

Presently there were units of the army which were definitely recognised as pro-Treaty and were equipped by the Provisional Government with uniforms and arms.

Eoin O'Duffy was Chief of Staff; Gearoid O'Sullivan Adjutant-General.

These men of the I.R.A., although they were supporting the Treaty, no doubt believed that they were not deserting the Republic. The line was far from clear-cut. Besides the Party which refused to compromise for one instant and the small minority of "Home Rulers" who thought the Treaty good enough, there were other bodies of opinion—there were those who firmly believed that the British Empire was dissolving and that membership of it would soon be compatible with independence, and those who were prepared to accept the Treaty temporarily, as a "stepping-stone." These had a definite policy; some of them had expounded it in the Dail: take the Treaty, get rid of the British, and then re-establish the Republic. That, Collins's adherents believed to be his policy. That, no doubt, was the programme of the I.R.B. To those who longed for peace yet could not reconcile themselves to the final surrender of the Republic, it offered a line of argument easy to accept.

In pursuance of this policy and in order to reconcile the Volunteers to the new dispensation the Government used every possible means to make it appear that the army controlled by the Dail was the Army of the Irish Republic still. The symbols were retained: the men, though paid, were still known as Volunteers, the Tricolour flew over their barracks; they were supplied with the green uniform and the badge worn in 1916.

On January 31st, a section of the army was marched to Beggars Bush Barracks, provided by the Government to be the headquarters of its professional army. As the men marched past the City Hall, Michael Collins stood on the steps to receive their salute, although this was the army, not of the Provisional Government of which he was head, but of the Dail, in whose Executive he was Minister for Finance.

General Mulcahy made an eloquent address to them, assuring them that they were "going ahead under the old flag with the

old aspirations in their hearts, still guarding the old ideals." He referred to the "burning spirit of patriotism" and "the fires of Easter Week."

"Our army remains the Army of the Irish Republic," their official organ, *An t-Óglach*, declared.

Meanwhile, throughout the twenty-six counties, barracks were being handed over by the British troops to officers who took them over formally, "for and on behalf of the Provisional Government."

Very soon there were resignations from the pro-Treaty sections and, more frequently, desertions from it by men who felt that they had been deceived. A great number left these units and joined anti-Treaty units, bringing their arms.

The situation was a precarious one for Ireland's peace.

The formation of a paid pro-Treaty army was rendered less difficult than it might otherwise have been by a combination of factors which existed just at this time: economic conditions, the release of prisoners and the disbandment of Irish Regiments of the British Army and of the Royal Irish Constabulary.

The English campaign against the economic life of Ireland had produced results; whole towns were suffering from industrial stagnation; hundreds of thousands of acres had gone out of cultivation; it was estimated that the number of the unemployed was one hundred and thirty thousand.<sup>1</sup>

Hundreds of untried internees had just been released from the camps; on January 12th an amnesty was declared which released nearly four hundred political prisoners sentenced in Ireland before the Truce.<sup>2</sup> These men returning, weakened in health and without compensation, to find their farms gone out of cultivation, their businesses ruined or employment lost, were faced with a desperate struggle for livelihood. This was a condition of things in which the resistance of the Irish people could not remain at its highest; the temptation to see only the good

<sup>1</sup> Thomas Johnson, heading a deputation of the Irish Labour Party and Trades Union Council to Dail Eireann on January 10th, 1922.

<sup>2</sup> Those sentenced after the Truce or sentenced in England or Scotland were detained as convicts, and four men who had accidentally killed a warden in an attempt to escape from Derry Prison were sentenced to death. The sentence was commuted to penal servitude. Others under sentence of death were released.

side in any terms which might offer a livelihood was almost overwhelming; promises which at another time might have been doubted and examined were readily believed. The Treaty was discussed without being examined and accepted without being understood. Men who, if they had realised the truth, would have felt willing to starve to death, like MacSwiney, rather than surrender the Republic, joined the army which was to be used for its overthrow.

## CHAPTER 68

*January to March 1922*

WORK OF ERSKINE CHILDERS — “ CUMANN-NA-MBAN ” —  
COLLINS AND CRAIG — THE BORDER — ARMS FOR THE PROVI-  
SIONAL GOVERNMENT — DRAFTING THE CONSTITUTION — THE  
SINN FEIN AGREEMENT — THE IRISH RACE CONVENTION —  
AN UNREVISED REGISTER — THE REPUBLICAN FUNDS

EAMON DE VALÉRA, after Griffith was elected President, called together those Deputies who had voted against the Treaty and formed a new political group—*Cumann-na-Poblachta*, the Republican Party.

The members of this Party, equally anxious to prevent the subversion of the Republic and avert fratricidal conflict, had before them an arduous task. They sought to instruct the people in the implications of the Treaty and restore their courage, and to have the elections postponed until this could be accomplished, the Constitution published and the register revised; and they sought to devise some *modus vivendi*, some method by which the position of the Republic might be safeguarded and the country governed peacefully meanwhile.

This Party had opposed to it the whole English and nearly the whole of the Irish Press; the latter was co-operating with the pro-Treaty leaders to represent the Treaty as giving “ the Republic in all but name ”—the most powerful of all the arguments which its supporters employed.

In the work of exposing the worst features of the Treaty and counteracting misrepresentations Erskine Childers played a leading part, by means of a small journal, *The Republic of Ireland* (*An Phoblacht na h-Eireann*), which he brought out once or twice a week from the beginning of the year. It contained, week after week, penetrating analyses of the inferior constitutional position which the Treaty was designed to create, exposures of the delusions fostered by the pro-Treaty Press, and appeals to the reason and loyalty of the Irish people.<sup>1</sup>

<sup>1</sup> The issue of January 5th contained, side by side, the Treaty and Document Number Two, showing how important were the differences between them. This

The middle of January brought, or so it seemed for a while, a turning of the tide. De Valéra's resignation gave a check to the illusion that the Treaty was compatible with a Republican Constitution. The forthright contempt of young army commandants for the Treaty was making itself felt, especially in the South and West; and the influence of the women's organisation was set strongly against compromise.

Cumann-na-mBan held its Convention in Dublin on February 5th, reaffirmed its allegiance to the Republic, and rejected a motion to support the Treaty by 419 votes to 63. Constance Markievicz was elected President of the organisation. Pro-Treaty members were requested to resign.

Michael Collins was meeting Churchill from time to time at the Colonial Office and formulating agreements as to the implementing of Articles of the Treaty which left certain matters undefined. The financial clauses were discussed in January,<sup>1</sup> and there was much discussion of Article 12. He met Sir James Craig in London and made an agreement with him to the effect that the Boundary should be determined between representatives of their two Governments. The following was the first clause:

“ The Boundary Commission, as outlined in the Treaty, to be altered. The Governments of the Free State and of Northern Ireland to appoint one representative each to report to Mr. Collins and Sir James Craig, who will mutually agree on behalf of their respective Governments on the boundaries between the two.”

This Pact, published on January 21st, was regarded by Unionists as a stroke of statesmanship on the part of Sir James Craig, and as “ the definite and formal recognition by Mr. Collins of the status of Ulster as a separate Government in Ireland.”<sup>2</sup>

Sir James Craig made a similar assertion in Belfast on January counter-proposal, Childers wrote, was “ neither a dead negative to the English claims nor a humiliating sacrifice of the Irish rights. It is an earnest effort to go to the utmost lengths possible in meeting England's fears and prejudices without sacrificing any essential Irish right or the sovereign status of Ireland.”

<sup>1</sup> See *Éire*, August 11th, 1923: *Morning Post*, July 10th, 1923, and *infra*, p. 868.

<sup>2</sup> Ronald McNeill, M.P., in the *Morning Post*, January 24th.

25th, declaring, further, "I will never give in to any re-arrangement of the boundary that leaves our Ulster area less than it is under the Government of Ireland Act."

These proceedings caused consternation in the counties of Tyrone and Fermanagh, where the unfortunate Nationalist majorities were vesting their last hopes in the Boundary Commission. The inhabitants of South Down and South Armagh, too, became more than ever alarmed, even Unionists agreeing that government by Belfast would mean ruin, and sent deputations to Arthur Griffith and Michael Collins to plead their cause. In Derry a great protest meeting was held.

On his own initiative, Michael Collins undertook to cancel the boycott of Belfast goods which Dail Eireann had officially imposed, receiving in return the very hypothetical promise that Sir James Craig would

"facilitate in every possible way the return of Catholic workmen without tests to the shipyards, as and when trade revival enables the firms concerned to absorb the present unemployed."

When the next meeting between Sir James Craig and Michael Collins took place the fact that they had been conversing heretofore at cross purposes was revealed. The British Premier's remark, "there are some who think both," was at last understood. He had given to each Irishman the undertaking which each desired, leaving them to discover the contrary nature of these promises and extricate themselves as best they might from his entanglements, after the Treaty had been signed.

Sir James Craig and Michael Collins were reported after this interview as having failed to agree.

Craig told a Press representative that he had had assurances from British Ministers, and had understood from Lloyd George himself, that the Boundary Commission would deal with a mere rectification of borders, and not with large excisions of territory; he told them how Collins had shown him a map which led Craig to the conclusion that Collins had already been promised

"almost half of Northern Ireland, including the counties of Fermanagh and Tyrone, large parts of Antrim and Down, Derry city and Enniskillen and Newry."



Michael Collins, after a meeting of the Provisional Government, issued a statement in which he declared that the interpretation of the clause admitted of no ambiguity:

“ It is a matter of fact, and fact only. The maps presented by the Irish Delegation to the British Delegation are clear and unquestionable. The maps are marked on five different bases: (a) counties, (b) constituencies, (c) county council areas, (d) Poor Law areas,<sup>1</sup> (e) parishes according to religion. Our claim is clear; majorities must rule; in any map marked on that principle under the above-mentioned headings, we secure immense anti-Partition areas. If we go by counties, anti-Partition has a clear majority in two of the six. Under the other headings, the anti-Partitionists gain very large areas in Down, Derry, Armagh. . . . These are facts and we can only come to agreements on recognition of facts.”

He contributed a series of articles to the Hearst Press, the first of which appeared in the *Sunday Herald* of February 5th and in the *Irish Independent* of February 6th.<sup>2</sup>

The Press of both countries concurred in declaring that a serious situation had arisen through the failure of Craig and Collins to agree.

It was serious indeed, for, the instant that negotiation was seen to fail, armed force came into play.

On the Border dividing the Six North-east Counties from the rest of Ireland armed Ulster Specials, supported by British troops, stood face to face with the I.R.A.—pro-Treaty and anti-Treaty Volunteers, still serving together. Here, first, acts of violence broke out; raids and skirmishes began. At Clones in County Monaghan, on February 11th, Ulster Specials showed themselves on the Southern side carrying arms. They were ordered off by Commandant Fitzpatrick of the I.R.A.; shots were fired and there were some fifteen casualties, Fitzpatrick and four Specials being shot dead.

<sup>1</sup> Compare Ulster map at end of book.

<sup>2</sup> Re-issued in substance in book form as *The Path to Freedom*, published by the Talbot Press, Dublin. See also *Arguments for the Treaty*, by Michael Collins, and *Arguments for the Treaty*, by Arthur Griffith; collections of speeches.

Within the Six Counties attacks on Catholics continued. In Belfast, on February 14th, twelve deaths by violence occurred, several being deaths of Catholic children among whom a bomb was thrown when they were playing in Weaver Street. The casualties reported between February 6th and 25th numbered 138, of whom 42 were Protestants.<sup>1</sup>

The evacuation of British troops from the Twenty-six Counties was suspended, as a result, it was understood, of the troubles on the Border, on February 13th.

The British House of Commons, meanwhile, debated the Irish Free State (Agreement) Bill.

The Bill was introduced early in February. Its main purposes were to give the force of British law to the Articles of Agreement, to provide for an election in "Southern Ireland," and, meanwhile, for the giving of British legal authority by means of Orders in Council to the Provisional Government in Dublin, authority which would empower this body to collect taxes and revenue in the Twenty-six counties from the beginning of the financial year.

This "Provisional Government," described by Lord Robert Cecil as "a series of private individuals who are carrying out perfectly unsanctioned acts,"<sup>2</sup> had been provided by Winston Churchill with

"certain rifles and certain special stores in order that they might equip and organise some uniformed disciplined force capable of giving sanction to their authority in regard to the maintenance of law."<sup>3</sup>

Lord Birkenhead in the House of Lords on the 14th explained that:

"There was a small force attached entirely to the Provisional Government for the enforcement of the Treaty, which it was desired to render specially efficient: two hundred rifles only had been handed over for that particular body."

<sup>1</sup> *Facts and Figures of the Belfast Pogrom, 1920-1922*, p. 103.

<sup>2</sup> House of Lords, February 10th.

<sup>3</sup> House of Commons, February 10th.

The fact that the Provisional Government was purely an illegal body and His Majesty's Government was supplying them with arms, stated by Ronald McNeill on the 10th, only showed, Winston Churchill said, how important it was to pass the Bill.

Tact was required on the part of the British Ministers and of the pro-Treaty leaders in Ireland, to avoid the appearance of co-operation which would have shocked the Irish people: that the British Ministers perfectly understood. The Marquis of Crewe pointed out on the 14th that

“ the measure of support which the British Government can give to Mr. Griffith and his Government is greatly limited by the fact that any appearance of interference on our part must necessarily tend to drive into the opposite camp those who are thoroughly suspicious of England and would dread any appearance of co-operation or combination of the Irish Provisional Government with the Government of this country.”

Michael Collins had sent a cable message to the American Association for the Recognition of the Irish Republic to the effect that the alternative to the Treaty sooner or later was a reversion to war conditions, and that if the Irish people decided for war no one need doubt where he would stand. This occasioned a question in the House of Commons on February 15th. Winston Churchill replied:

“ The very purpose of the statement made by Mr. Collins to America was, I assume, to induce and facilitate the acceptance of the Treaty. Anyhow, I do not think we want to make more heavy weather than we can help.”

Winston Churchill was anxious to hasten the passage of the Bill which would, in the English view, “ legalise and regularise ” the Provisional Government's now anomalous position and give Griffith the opportunity to bring about the situation which the British Government desired.

“ Take Mr. Griffith's position,” he said. “ Mr. Griffith has not joined this Government. He has been chosen as the President of the Dail. He is also, in Irish eyes, the President of the non-recognised Irish Republic, and if the Irish people

accept his advice and guidance, and ratify the Treaty and endorse the Treaty which he has signed, he will be able to disestablish the Irish Republic and to lay aside these functions. These matters do not affect us in our procedure in any way; but is it not a desirable thing that upon the authority of the Irish people recorded at an election, the Republican idea should be definitely, finally and completely put aside ? ”

The importance to British policy of the Boundary question was understood. Sir James Craig, on February 10th, bluntly declared:

“ There is at this moment a steady stream of opinion changing to the side of Mr. de Valéra,”

and said that, should a Boundary Commission sit and

“ make anything more than the very minutest change in our Boundary, the inevitable result of that would be bloodshed and chaos of the worst description.”

Winston Churchill refused to be apprehensive about the fate of the Belfast Government or the implications of Article 12 with its “ wishes of the inhabitants ” clause. The Boundary Commission would not be so wanting in a sense of what was expected of them as to interpret that stipulation literally, he presumed. He indicated his view of their duty in significant words:

“ . . . Let us take an extreme and absurd supposition. Let us assume that the Commission, going far beyond what any reasonable man would expect, and far beyond what those who signed the Treaty meant, were to reduce Ulster to its preponderatingly Orange areas. I am taking that extreme and absurd supposition. Suppose that were to happen, would not that be a fatal and permanent obstacle to the unity and co-operation of Ireland ? . . . What would Great Britain do in such an absurd and extreme contingency as that which I have indicated ? She is bound by the Treaty; but, in my opinion, if we saw Ulster maltreated and mutilated by the Boundary Commission so that she was no longer an Irish economic entity,

we should be bound to reconsider her whole economic and financial position.”<sup>1</sup>

Austen Chamberlain felt equal confidence in the Boundary Commission. It would act, he reminded the House on the following day, under an “impartial Chairman.” The apprehensive speeches of Ronald McNeill and his friends were based, he said,

“on the assumption that there is peril of this impartial chairman doing something which we should all regard as an act of folly and madness, contrary to the spirit of the doctrine the Commission has been asked to interpret. I decline to believe that the person chosen for the Commission would be a fool or a knave. I think he will have at least the same proportion of common sense and ability as we members of this House flatter ourselves that we are endowed with.”

The Bill provided that not later than four months after its passing the Parliament of Southern Ireland should be dissolved, and elections “to the Parliament” should then be held. The British Government had every reason for wishing to hasten this event. They hoped to have the elections decreed in March or April, as soon as their Bill had received the Royal Assent. They assumed that the Irish people would return a pro-Treaty Assembly, thus disestablishing their Republic, that this “Constituent Assembly” would proceed to draft a Constitution in accordance with the Treaty, and that this Constitution would come before the Imperial Parliament to be approved and legalised in June or July.

The month within which the Six-county area would be required to decide for or against exclusion would date from that confirmatory legislation, in the Attorney-General’s view. Winston Churchill felt that “Ulster” would have a grievance if “Ulster had to take a decision of the kind without even seeing the kind of Government or the form of Constitution with which she was invited to associate herself.”

The form of Constitution under which the people of the Twenty-six counties were to live was to be made an Act of the

<sup>1</sup> House of Commons, February 16th.

British Parliament whether the people had approved it or not. If it satisfied the British Government that Government would make it law.

The Committee appointed by the Provisional Government to draft a Constitution was under the chairmanship of Michael Collins; his deputy was Darrell Figgis.<sup>1</sup> They had begun their labours early in February; their task was proving to be a complex one.

During the debate on the Treaty in Dail Eireann, Gavan Duffy had said that it would be the duty of those who framed the Constitution, "to relegate the King of England to the exterior darkness as far as they can," adding that they could do this "to a very considerable extent." Eoin MacNeill, in the same session, had "ventured to predict" that

"the Irish Constitution will claim as a right for Ireland complete authority—sovereignty based on the will of the Irish people and on nothing else—over all persons and over all things in Ireland. Let them pass their Dominion Act. We don't care a fig for their Dominion Act,"

he had declared.

The task of drawing up a Constitution which would be acceptable both to the Irish people and to the British Government could not be completed rapidly. Meanwhile, the danger of a national split, angry, bitter and irremediable, became more imminent each day. It would either be precipitated or averted, for the moment, at the Ard-Fheis of Sinn Fein.

Sinn Fein had directed elections for the Republic since 1917; it possessed the prestige of tradition and achievement; had at its disposal teams of experienced election workers; controlled funds; no election could take place in the Twenty-six Counties without the co-operation of Sinn Fein. At its Ard-Fheis Sinn Fein would be called upon to vote for or against the Treaty or else to attempt to re-unite its broken forces. On the result much would depend.

<sup>1</sup> Its members included Hugh Kennedy, K.C., later Chief Justice; James MacNeill; Professor A. J. O'Rahilly, of Cork University; James Douglas; John O'Byrne, later High Court Judge; Kevin O'Shiel and James Murnaghan. Professor of Jurisprudence in the National University.

The Ard-Fheis met in the Dublin Rotunda on February 21st. The Delegates—many of them from the Six Counties—numbered nearly three thousand. There was a good deal of excitement. Early in the proceedings Michael Collins declared frankly that there was a majority against the Treaty in that hall.

De Valéra, still President of Sinn Fein, moved a resolution of fidelity to the spirit and letter of the Constitution of the organisation, and moved that

“in accordance with this programme the organisation shall put forward and shall support at the coming parliamentary elections only such candidates as shall publicly subscribe to it, and pledge themselves not to take an oath of fidelity to, or own allegiance to, the British King.”

He made an uncompromising speech asking the people

“in God’s name not to give a British Monarch a democratic title in Ireland.”

There were demonstrations of intense Republican feeling, but it soon became clear that the assembly desired above all things to avoid a bitter and irretrievable break in the ranks of Sinn Fein. The leaders undertook to try to work out an agreement which would avert a precipitate decision. On the following day De Valéra and Griffith submitted to the Ard-Fheis an agreement contrived between them to that end. It provided that the elections were to be postponed for at least three months so that the Constitution as well as the Treaty should be before the Electorate when the election took place.

The text was as follows:

“In order to avoid a division of the Sinn Fein organisation, and to avert the danger to the country of an immediate election, to give an opportunity to the signatories of the London Agreement to draft a Constitution, so that when the people are asked to vote at elections to decide between the Republic and the Saorstát the Constitution of the latter may be definitely before them—

“ It is hereby agreed:

“ 1. This Ard-Fheis shall stand adjourned for three months.

“ 2. That in the meantime:

(a) The Officer Board of the organisation shall act as a standing Committee.

(b) Dail Eireann shall meet regularly and continue to function in all its departments as before the signing of the Articles of Agreement, and that no vote in Dail Eireann shall be regarded as a party vote requiring the resignation of the President and Cabinet.

(c) That in the meantime no Parliamentary Election shall be held, and that when held the Constitution of the Saorstát in its final form shall be presented at the same time as the Articles of Agreement.

“ 3. That this Agreement shall be submitted to the Ard-Fheis, and if approved shall be binding.”

The agreement was welcomed with infinite relief and passed without a dissentient.<sup>1</sup>

A few days later a great Congress of the Irish Race took place in Paris and an association, *Fine nGhaedheal*, was formed. Eamon de Valéra was unanimously elected head.

The Ard-Fheis agreement was a rebuff to British policy. Signatories of the Treaty were summoned to the Colonial Office. Griffith and Duggan went, but Collins stayed at home.

Mr. Churchill was able to report to the House of Commons on February 27th that the result of his conferences with the Irish leaders had been satisfactory and reassuring:

“ The Irish Ministers have in no respect receded from the Treaty or weakened in their determination to carry it through in its integrity. Their opposition to the Republican Party continues unabated. . . .

“ The result of this agreement will be to delay the election for six or seven weeks, and it is now expected to take place in the early part of June instead of April. There is nothing in this change which affects the position of the British Government or which touches the Treaty in any way. All that is

<sup>1</sup> See description of the Ard-Fheis by F. Gallagher in *An Phoblacht na h-Eireann*, February 28th, 1922.



needed is a simple Amendment in the Bill before the House providing that instead of the election taking place as soon as may be, it shall take place within four months. The Constitution will be submitted to the Irish people by and with the authority of the Provisional Government, and not by and with the authority of Dail Eireann. The Provisional Government recognise that they will have to take steps to satisfy themselves that the Constitution so framed is of a character that the British Government can accept as fulfilling the Treaty."

He also stated, with more optimism than accuracy, that "the so-called Irish Republican Army" was in almost every county of Ireland strictly obeying the orders of the Provisional Government.

The Provisional Government, he explained on the following day,

"had no need to raid for rifles, because they have only to ask the Imperial Government, and they can have rifles supplied to them."<sup>1</sup>

He admitted that there were parts of Ireland in which the Irish Republican Army had defied the Provisional Government. "In the case of Limerick, the Provisional Government have turned the men out and put in their own men," he said, and added, "Tipperary will have to be treated in the same way."

"Thank God," Churchill wrote to Collins shortly afterwards, "you have got to manage it and not we!"<sup>2</sup>

The authority of Dail Eireann was being rapidly undermined in favour of the Provisional Government. It was being undermined by Arthur Griffith, its President, no less than by Michael Collins and his Ministry. At the session held from February 28th to March 2nd this was demonstrated afresh. Griffith appointed six new Ministers outside the Cabinet, putting Ernest Blythe in charge of Trade, Joseph McGrath of Labour, Michael Hayes of Education, Patrick Hogan of Agriculture, Desmond Fitzgerald of Publicity and Michael Staines of the Belfast Boycott

<sup>1</sup> House of Commons, February 28th.

<sup>2</sup> *Aftermath*, p. 322.

—already a sinecure. All these were pro-Treaty men ; McGrath and Hogan were members of the Provisional Government. In reply to Sean T. O’Kelly’s sharp question as to whether these were to be responsible to Dail Eireann, Michael Collins replied “ Certainly not.” Collins, as Minister of Finance in Dail Eireann, presented estimates for the half year totalling £203,000 and these were passed by the Treaty Party *en bloc* without any reports from the departments involved, De Valéra protesting in vain. Most serious fact of all, the Army of the Dail was, undoubtedly, coming under the Provisional Government’s control.

The Dail, however, on March 2nd, ratified the Ard-Fheis agreement. This action constituted a decree that no election should be held until the proposed Constitution of the Saorstat (Free State) had been presented to the people in its “ final form.” Since English legislation “ ratifying ” the Constitution for the Free State would be passed at a date later than these elections, this could only mean the form approved by the Irish Executive responsible for presenting it to the Irish people. It meant, De Valéra suggested, the form in which the Constitution would be presented to the people by the Cabinet of Dail Eireann: the form by which the Cabinet, whatever alterations might be attempted by English Ministers, would be prepared to stand or fall. Griffith replied that this was their exact intention. It was therefore understood by both parties that Griffith would receive from the British Government assurances as to the acceptability of his document before presenting it to the Electorate.

In view of the importance of the forthcoming elections, Mrs. Michael O’Callaghan brought in a motion for the extension of the franchise to women on the same terms as men. De Valéra supported it, reminding the House that equality of citizenship had been promised by the proclamation of 1916. In any case, he said, a new register would have to be prepared. The normal legal time for the work was three months.

The motion for revision was defeated, Griffith regarding any demand for a revision of the register as a party device to delay the elections.

The Dail adjourned until April 25th. Matters of the gravest

urgency were thus left to the discretion of the Provisional Government, controlled by Michael Collins, and the Dail Executive, controlled by Arthur Griffith.

On the question of the revision of the register Griffith proved immovable. Mrs. O'Callaghan presented a schedule showing that three months—the exact period prescribed by the “Representation of the People Act”—would be ample for the necessary revision to be completed and the elections held on June 15th. De Valéra, not now pressing a demand for any immediate change in the franchise system, protested, in a series of letters to Griffith, against the retention on the register of thousands of names of deceased or unqualified persons which provided opportunity for wholesale personation, and the “muzzling” of tens of thousands of citizens, many of them among those who had done most for the country, who had attained voting age since the previous revision, made as long ago as October, 1918.

The revision recently prescribed by Dail Eireann had, owing to war conditions, been carried out only in a few areas; in the registers of many areas the names of the “newly qualified” or of the “no longer qualified” or both, had been left blank.

“Examination,” he wrote, “reveals some such condition as this in county after county throughout the country. I have the proofs before me in letters from the several registration officers, and in files of the lists (B & C) from the several counties of the newly qualified electors and those no longer qualified, blank of names, but with the word ‘Nil’ for one registration unit after another. I repeat such a register as this is unfair and invalid, and I contest your right to go to the country on it.”<sup>1</sup>

The register remained unrevised.

The funds subscribed for the maintenance of the Republic were the subject of a discussion between the leaders of both

<sup>1</sup> *Independent*, March 16th: see also March 17th, 23rd, 25th and 27th. An illustration of the condition of the Registers was afforded by that of No. 1 West Limerick division. Printed in October 1920, it was brought “up to date” by affixing over the old date a printed slip bearing the date “this 15th day of February 1922.” The list of names remained unchanged: those of persons qualified in the interim were not added nor were those of persons who had died deleted.

**Parties in March.** Of the Internal Loan there remained about £200,000. Of this, £25,700 in gold was buried in the house of Batt O'Connor, a supporter of Collins. The rest was on deposit in various banks in the names of several individuals. The Treasurer was Dathi O'Donoghue. At this meeting it was agreed and ordered that all the money should be collected and deposited in the Land Bank.<sup>1</sup>

The unexpended balance of the External Loan remained untouched in American banks.<sup>2</sup>

<sup>1</sup> In September 1922, the Provisional Government appointed new Trustees and took possession of the money.

<sup>2</sup> See Appendix 35, p. 1024.

## CHAPTER 69

### *February and March 1922*

#### COLLINS'S POLICY -- INTOLERANCE -- TWO ARMIES -- A CRISIS IN LIMERICK -- THE ARMY CONVENTION MEETS

THE elements of conflict which were natural to the situation created by the Treaty were many and serious, but the policy of the Treaty Party added to these and gave the Republicans reasons for increasing anxiety and vigilance. Neither Griffith nor Collins showed any disposition to await the verdict of the Electorate. Both treated the vote in the Dail as giving them license to carry out the British Government's programme, institute the régime required by the Treaty and, in short, regard its acceptance as a *fait accompli*.

At the same time they continued to use any and every means to convince the Irish people that the Republic was not being overthrown.

Harry Boland and Sean T. O'Kelly, Irish Envoys respectively at Washington and Paris, were dismissed, their opposition to the Treaty being declared<sup>1</sup>; nevertheless, Harry Boland's successor, Mr. Smiddy, on March 7th, received from Arthur Griffith his credentials as "Envoy Extraordinary from the Elected Government of the Irish Republic to the United States of America." In July Mr. Smiddy was still using letter-heads stamped with the seal of the Republic of Ireland—*Sigillum Reipublicæ Hibernicæ*, and in the following October, the Free State Representative in France was using letter-heads reading *Délégué Commercial de la République Irlandaise*.

Within the army similar tactics were constantly employed. The Government's forces were referred to officially as "the Republican Army" and in the pro-Treaty Press as "the Republican Army," the "National Army" and "the Dail troops." Their form of enlistment read as an engagement to serve in "the Regular Forces of the Irish Republican Army."

The men were paraded to commemorate the burning of the Customs House and on the anniversaries of Volunteers who fell

<sup>1</sup> Question in Dail, May 3rd, 1922, p. 355.

in action before the Truce. Their bands played the "Soldiers' Song."

The British Government did not object. When, on March 21st, in the House of Commons, Churchill was asked by Sir J. Butcher whether he did not think it "extremely undesirable that a Government that is not a Republican Government should utilise forces which describe themselves as Republican," Churchill replied: "I think in all the difficult circumstances prevailing in Ireland the Provisional Government are doing their best."

The British statesman assumed that Collins was deliberately deceiving his countrymen, and this was the view of many of Collins's opponents at home. But others believed that he was, rather, inviting his countrymen to co-operate with him in deceiving the British and would presently declare the Republic again. Had he received such co-operation on a large scale, there is little doubt that he would have thrown all his great energies into achieving progress on those lines. But Sinn Fein had taught open and frank defiance, and the rank and file of the Republican Army contained men to whom secret courses made little appeal. The Volunteers were thus sharply divided: with Collins were those who were ready to accept the Treaty either on its merits or with the intention of secretly preparing its overthrow; against him, those who wanted either honourable peace with England or a continuance of the struggle. The anti-Treaty Volunteers saw the situation in simple terms of black and white and they were made bitterly angry by the process of deception which they saw at work. Their fidelity to the Republic was open and absolute; now they saw it betrayed and surrendered; saw Ireland's enemies consulted and placated and themselves ignored. And they saw a mesh of deception, a subtle process which they had no power to fight against, being woven by their opponents.

These Volunteers had no faith in politics or propaganda as a means of saving the Republic; they had faith in very little except the gun; to them there was one thought more repugnant than the thought of civil war.

Between men who had been comrades through years of danger, bitter intolerance grew up. It was the inevitable consequence of the English offer which left Ireland neither bound nor free. How could a loyal Republican forgive those who were destroying the Republic? Or how could a man who believed that a victorious peace had been won as the reward of great sacrifice forgive men who were ready to wreck that peace?

The harsh aftermath of all revolution lay for Ireland to harvest still.

The I.R.A. was becoming two armies. As a Division or Brigade took its character from the majority of the men in it, the members opposed to them would leave and join a unit where their own views prevailed. Soon whole Brigades and Divisions were definitely pro-Treaty or anti-Treaty.<sup>1</sup> While still, nominally, nearly all obeyed the Dail and the Minister for Defence, Mulcahy, the Republicans were restive and felt that they must prepare for the possible necessity of resistance to the Treaty in arms.

Barracks were being taken over from the British, in every case by the local unit of the Irish Army. In some parts, therefore, there was a pro-Treaty garrison, in others were anti-Treaty men.

During February and March, in one district after another, minor clashes occurred between pro-Treaty and Republican units; arms, munitions and lorries were taken from one side by the other; arrests and counter-arrests were made.

On March 2nd a large cargo of arms purchased for the I.R.A. in Germany was landed at Helvic Head in County Waterford, and with these the Republicans of Dublin were armed.

Earnan O'Malley and all his Division, who, with the exception of the East Limerick Brigade, had removed themselves from the control of Dail Eireann soon after the Dail vote on the Treaty, refused to take orders from Mulcahy or the Provisional Government's Headquarters Staff and acted as an independent Division. They accepted neither arms nor maintenance from the Government but seized about three hundred rifles from the barracks at Clonmel.

The area covered by the Mid-Limerick Brigade of this Division included Limerick city which was garrisoned by British

<sup>1</sup> Appendix 28, p. 1001.

troops. Here the clash between the two sections of the Irish Army assumed a threatening aspect in February and March. The barracks and posts occupied by the British were to be transferred to the Irish Army on February 23rd. On the 18th the Commandant of the Mid-Limerick Brigade posted up the following proclamation:

“ The aims of the head of the army and the majority of its G.H.Q. Staffs are now unquestionably to subvert the Republic, support the Provisional Government and make possible the establishment of the Irish Free State. We declare that we no longer recognise the authority of the present head of the army, and renew our allegiance to the existing Irish Republic, confident we will have the support of all units of the I.R.A. and of the loyal citizens of the Irish Republic.”<sup>1</sup>

Limerick, like Kilkenny, was a key position. Eoin O’Duffy was arranging to occupy such positions with pro-Treaty troops and Mulcahy was co-operating with him in this. On the 23rd troops from outside entered the city under Commandant Hurley and proceeded, without consulting the local Commandant, to take over the various barracks from the British. The local Brigade put Hurley under arrest and held him for four days, during which he was on hunger-strike. O’Malley then entered Limerick with sixty men of his Division, intending to rush the barracks. He hoped that desertions from the pro-Treaty units would enable him to do this without bloodshed. The plan miscarried; he occupied other buildings in the city and, with Tom Barry, called on Commandant Slattery, who had taken the Castle Barracks, and told him that his troops would have to evacuate Limerick or fight. Slattery refused to evacuate and O’Malley went to Dublin and applied to the Director of Engineering, Rory O’Connor, for engineers to breach the Castle walls. Rory O’Connor, disapproving, as did Liam Lynch, of action that might start serious fighting, refused.

Meanwhile, pro-Treaty troops from surrounding districts and from Dublin were poured into Limerick. On March 3rd, this military occupation began and soon hotels, schools, a jail and

<sup>1</sup> See Appendix C of Mulcahy’s Report of April 26th, 1922.



hospital as well as seven barracks were manned by the pro-Treaty forces. Two battalions of British troops were still in occupation of a part of the city and drove about the streets in armoured lorries, uniformed and carrying rifles.

Republican Volunteers were thronging into the city, armed, from the South and West.

There was consternation among the pro-Treaty leaders. Armed clashes would undoubtedly send a great number of the Volunteers who supported the Government out of the new army to rejoin their old comrades. The Republican leaders were no less anxious to avoid conflict which might easily precipitate civil war. De Valéra sent an urgent message to General Mulcahy asking him to do his utmost to find a solution which would avert violence. Mulcahy was starting for Limerick when the message was delivered. He sent no direct reply.

The Lord Mayor of Limerick, Alderman Stephen O'Mara, succeeded in arranging a conference of officers of both sides, and then went to Dublin to consult De Valéra and other leaders. The solution which he proposed was indignantly condemned by Griffith in a statement published on the 10th as a "negation of the national authority which could under no circumstances be acquiesced in," and as emanating from a supporter of De Valéra.

There seemed to be no group and no man in a position effectively to intervene, and the situation grew more menacing every day. On March 10th two Republican Commandants, Liam Lynch and Oscar Traynor, were sent for to Beggars Bush Barracks; there Mulcahy, Michael Collins, and Eoin O'Duffy met them and told them that they must force the anti-Treaty Volunteers to evacuate the buildings which they held in Limerick, otherwise the Government would order its troops to do so. Neither Liam Lynch nor Oscar Traynor was in authority over the Division occupying Limerick; these two officers could do no more than make a personal appeal. They travelled that night to Limerick and, after much difficulty with the leaders of both sides in the city, succeeded in making peace. On the following day, while the pro-Treaty troops were confined to barracks, all the Republicans who had come into the city from outside marched out with their arms, leaving the Mid-Limerick Brigade in control.

All the British Forces remaining in the Twenty-six counties were concentrated, according to plan, in Dublin, Cork, and the Curragh, before the end of March.

Among the Republican Volunteers there was an increasing determination to withdraw their obedience from the Dail. The Republican Acting Military Council, which, in January, had secured Mulcahy's promise that an Army Convention should be held within two months, realised that in such a Convention lay the best hope of peace. If the two sections of the army could succeed in making a working agreement the situation would be eased.

For the moment the I.R.A., except the Second Southern Division, acted within the terms of obedience to the Dail.

On February 24th Rory O'Connor requested General Mulcahy to obtain from the Dail permission for the Army Convention to be held in March.

The Cabinet of the Dail, on February 27th, accepted Mulcahy's recommendation that the Convention be proceeded with. The Convention was duly announced for March 26th, and was summoned by Eoin O'Duffy, Chief of Staff of the Government's Forces, who also summoned Brigade Conventions to elect delegates to the General Convention.

These Brigade meetings were held and left little doubt as to the wishes of the majority of the I.R.A. Seventy or eighty per cent of the men were against the Treaty. General Mulcahy realised that the Convention would show a result most embarrassing to the Treaty Party. He became afraid that if the Convention were held a military dictatorship might be set up.<sup>1</sup> He made representations to the Dail Cabinet which met on March 15th.

The Divisional and Brigade Commandants, who met that evening to prepare the Agenda for the Convention, were startled to receive notification that the holding of the General Convention summoned for March 26th was prohibited by the Cabinet of the Dail. Griffith had determined that no such Convention should be held, and made a proclamation forbidding it.

The proclamation was followed by an order from the Minister for Defence that any officer attending the Convention was to be

<sup>1</sup> *An t-Oglach*, March 31st.

dismissed. This order was likely to divide the whole army, finally, into two antagonistic sections and to leave only a small force at the disposition of the Government.

It was, perhaps, a realisation of this fact which induced General Mulcahy five days later to offer further terms. At a meeting of the First Southern Division on March 20th, he suggested the setting up of a joint Council which would elect eight Commissioners "to frame definite proposals for associating the I.R.A. with the Government elected by the Irish people." The majority of the officers of the First Southern were ready to agree, but only on condition that the Convention should be held not later than April 16th and that, meanwhile, recruiting for the Civic Guards should be stopped. On the latter condition they were insistent; the formation of a separate pro-Treaty force, they maintained, could not be countenanced by Republicans. General Mulcahy refused these conditions, and the proposals failed.<sup>1</sup> Many of the Republican officers felt that there was no sincere intention on the part of the pro-Treaty leaders to seek unity.

The Republican Military Council now took it upon themselves to call the Convention for March 26th. This was an open defiance of Griffith's order and marked a definite breakaway of the Republican section of the army from his control. The summons to attend was signed by a list of over fifty senior officers of the army, including Rory O'Connor, Liam Mellows, Sean Russell and J. O'Donovan, members of the H.Q. Staff; five Divisional Commandants: Liam Lynch, Earnan O'Malley, Thomas Maguire, William (Liam) Pilkington, Michael Kilroy; Oscar Traynor and Andrew McDonnell, Commandants of the Dublin Brigades, and Brigade Commandants from the Midland and First Northern Divisions.

The signed Manifesto summoning the Convention appeared in the Press of March 23rd, together with an interview with Rory O'Connor which was published under the sensational headline, "Repudiation of the Dail."

Rory O'Connor had invited a number of Irish and American Pressmen to meet him at the headquarters of the Republican

<sup>1</sup> The Report of the Minister for Defence, Appendix B, and statement of General O'Duffy in the Press of April 26th.

Party in Suffolk Street. Since the Party and the army had no official connection, except in so far as the army had hitherto held itself under the authority of Dail Eiréann, the Republican Party would perhaps have dissociated itself from his action had not the natural sympathy due to a common cause overcome official considerations.

Rory O'Connor told the Pressmen that he had not prepared a statement but would answer any questions that they liked to ask.

He was asked whether he represented G.H.Q., and he replied: "I do not. I represent eighty per cent of the Irish Republican Army."

Questioned about his attitude to Dail Eireann, he said:

"Dail Eireann has done an act which it had no moral right to do. The Volunteers are not going into the British Empire; they stand for Irish liberty."

He explained that when the Republican Government was formed the Irish Republican Army had come over to it; that this was done without the summoning of an Army Convention and without any formal declaration being made; every Volunteer had taken an oath of allegiance to the Republic and the Dail.

"The army feels now," he said, "that the Dail having let down the Republic, it is in a dilemma, having the choice of supporting its oath to the Republic or still giving allegiance to the Dail, which, it considers, has abandoned the Republic. The contention of the army is that the Dail did a thing that it had no right to do."

He said that President de Valéra had asked the army to obey the existing G.H.Q., "but," he said, "the army for which I speak cannot, because the Minister for Defence has broken his agreement."

He said that the promise given by the Minister for Defence to De Valéra was that the army should be maintained as the Army of the Republic. The pro-Treaty Ministers had broken this promise when they approached members of the Irish

Republican Army and enlisted them in a permanent army. "That force," he said, "is now a paid force, and as a matter of fact we hold it is a nucleus of the Free State Army."

He, and those with him, held the view that the Minister for Defence and others who voted for the Treaty in the Dail were false to their oaths to the Republic. The Republic still existed.

Asked whether the army would obey President Griffith, Rory O'Connor answered: "No; he has violated his oath."

He was asked whether there was any government in Ireland to which the army gave allegiance, and replied "No."

He told the Pressmen that "the holding of the Convention means that we repudiate the Dail." Every army officer would be invited to the Convention whatever his views. They wanted unity in the army, and believed this was the only way to get it. "We will set up an Executive which will issue orders to the I.R.A. all over the country," he said.

"Do we take it we are going to have a military dictatorship, then?" he was asked. He answered:

"You can take it that way if you like."

The Convention met at the Mansion House on March 26th. Two hundred and twenty delegates were present, representing forty-nine Brigades of the I.R.A. The delegates of the First Southern, expecting interference, came in an armoured car. No attempt was made to stop them.

Only anti-Treaty men attended. The meeting endorsed unanimously the resolution of January 11th, re-affirming allegiance to the Republic and placing their force under the supreme control of an Executive to be appointed by the Convention. A new Constitution was drawn up and a temporary Executive of sixteen, which included Rory O'Connor, Liam Mellows and Liam Lynch and Earnan O'Malley was elected to draft it.

The Convention then adjourned until April 9th.

On March 27th, a number of officers who had hitherto remained under Mulcahy declared their adherence to the Republican Army Executive.

These anti-Treaty Volunteers reserved for their own army henceforth the title "Irish Republican Army," and referred to

the pro-Treaty forces as "Beggars Bush troops," or the "Free State Army." The Provisional Government and its supporters indignantly objected to the term "Free State Army"; they continued to refer to the pro-Treaty forces as the Irish Republican Army, representing those obeying the new Executive as mutineers.<sup>1</sup>

The Republicans lost no time before proving that they intended action. On March 29th, by order of their temporary Executive, the machinery of the *Freeman's Journal* was destroyed. The proprietor was served with a notice informing him that this had been done because the paper had published a misleading article on the Convention.

On the same day the Volunteers of the First Southern Division carried out a daring capture of arms and ammunition from a British Admiralty vessel, the *Upton*, at Cobh; a great quantity of explosives and machine guns—equipment of evacuated barracks, which was to have been removed to England—was seized.

<sup>1</sup> In the following pages the forces adhering to the *de facto* government of the moment will be referred to as "government" troops (or army). No implication as to the legality of the *de facto* government is intended. Only the anti-Treaty Volunteers will be referred to as "Republicans" or I.R.A.

## CHAPTER 70

*March 1922*

THE NORTHERN GOVERNMENT – MURDER OF THE MAC-  
MAHONS – COLLINS AND CRAIG – BIRKENHEAD TO BALFOUR  
– THE FREE STATE AGREEMENT ACT – “ AN ECONOMY OF  
ENGLISH LIVES ”

A FACTOR of the general situation which called for unity among Nationalists of all sections was the terrible situation of the Catholics in the Six Counties. In March the Northern Government introduced a Special Powers Bill by which trial by jury could be superseded, inquests abolished, and flogging and the death penalty inflicted for the possession of arms. Sentences of extreme severity, such as three years' penal servitude and ten lashes with the cat for the possession of a revolver and ammunition became frequent. Permits to carry arms were, however, readily given to Unionists, and soon nearly every adult male Orangeman had a gun.

Catholic families living in streets mainly occupied by Protestants had long since been driven out, and had taken refuge in Catholic quarters such as Ballymacarett and the Falls Road. Here, sheds and disused buildings, as well as the little houses, were now overcrowded with refugees. During the Spring, the work of clearing these districts of Catholics was undertaken with enthusiasm. The procedure became familiar. During the week, Specials and Military would search the houses for arms, and on Saturdays the intoxicated and bloodthirsty mob, led on by armed Specials and supplied with bombs, would rush the narrow streets, howling and looting, burning and murdering as they went. Sometimes, but rarely, a handful of Nationalists who had succeeded in securing firearms would make an effort to defend a street. The wounding or killing of a Protestant would then prove an incitement for intensified terrorism and provide the governmental answer to protests.

Sir James Craig refused to institute Martial Law. “ Our cause in England would suffer immediately and intensely,” he said.<sup>1</sup>

<sup>1</sup> Belfast Parliament, March 14th.

“ They will say one side is as bad as the other. . . . I would much prefer to take a more drastic action under this Bill and enroll every citizen as a Special Constable to deal with the situation.”

He secured expert military advice. He announced that Sir Henry Wilson would in future advise his Government on military policy, and that he was setting aside £2,000,000 on the Estimates for the carrying out of whatever measures the Field Marshal might advocate, “ regardless of consequences or of cost.”

In a letter published on March 20th, Sir Henry Wilson advised Sir James Craig to strengthen and reorganise the armed forces under his control. He advised him, also: “ Get England on your side.”

Public opinion in England was not entirely on the side of the Belfast Government. Many important newspapers subjected it to severe criticism. Commenting on its Special Powers Bill, the *Manchester Guardian* said:

“ Whilst envenomed politicians in the Ulster Parliament are voting themselves power to use torture and capital punishment against citizens whom they forbid to defend themselves while they scarcely attempt to protect them from massacre, some of their own partisans in Belfast carry wholesale murder to refinements of barbarity hardly surpassed in the Turkish atrocities in Armenia and Constantinople.”<sup>1</sup>

The Imperial Government had already given earnest of its determination to support the policy of its “ frontier State.”

“ Considerably more Catholics have been killed and wounded than Protestants,” Churchill pointed out on March 21st. Nevertheless, the Protestant bodies were to be strengthened, if they desired it, by overwhelming force.

“ Certainly we, as a Government, have not been lacking in proper exertions to protect the interests of Ulster,” the Lord Chancellor asserted on March 22nd:

<sup>1</sup> Quoted in the *Irish Independent*, March 27th.



“ There are at this moment in Ulster thirteen battalions, not indeed at full strength, of British troops who are there for that purpose, and there are some 15,000 men in the various police forces in Ulster who have been equipped with rifles by the British Government in order that they may be effective for protective purposes should intervention become necessary, and we are constantly giving pecuniary subventions and assistance to Ulster. . . . I would have stated what we were doing for Southern Ireland, although it does not amount to one-tenth part of what we are doing for Northern Ireland.”

The British Government was bearing a very heavy expenditure, Churchill stated on the 27th, for the maintenance of the Ulster Specials,

“ of whom over 25,000 armed and unarmed, or in the process of being armed, are at the present moment mobilised.”<sup>1</sup>

He was forced, on the 28th, to refer to “ episodes which fill everyone with the most profound shrinking and regret ”; nevertheless the British Government had decided to grant further money to the Northern Government in aid of their “ special police arrangements,” and to put in considerable numbers of troops.

“ I do not at all exclude,” he added, “ recourse to the impartial authority of the Imperial troops, who are now, in response to the demand of the Irish people, withdrawing their impartial and moderating influence from Irish affairs.”

Churchill’s picture of the British forces exercising an “ impartial and moderating influence ” in Irish affairs was appreciated equally in Tuam and Balbriggan, Belfast and Cork.

One of the “ regrettable episodes ” to which Churchill referred, occurred in the night of March 23rd, when, during curfew hours, uniformed men broke into the house of the MacMahons—a Catholic family—in Austin Road, and murdered

<sup>1</sup> The number of Specials was later officially estimated as 49,000. The sum to be granted in aid of the Northern Government, as set out in a Supplementary Estimate for the British Civil Service on July 20th, 1922, was £2,225,000.

five persons, only the youngest child, who succeeded in hiding himself, escaping death.

Joseph Devlin, member of the British House of Commons for a Nationalist constituency of Belfast, made an impassioned protest at Westminster, showing that murders of a similar nature had been committed repeatedly in the city, and no one had been brought to justice for them.

“ If Catholics have no revolvers to protect themselves they are murdered,” he said. “ If they have revolvers they are flogged and sentenced to death.”

Irish Protestants in all parts of the country from Dundalk to Tralee, expressed their “ abhorrence of the murders of our Catholic fellow-countrymen,”<sup>1</sup> and recorded that they lived on the friendliest terms with their Catholic neighbours, receiving, as Protestants, nothing but justice, tolerance and courtesy from them. From Sligo came the declaration that in that district, “ during the greatest political upheaval that ever occurred in Ireland, not one Protestant was injured.”

Neither exposure nor protests proved of any avail; deaths by violence in Belfast mounted up to the total of sixty for the month of March. The Northern Government was, it became clear, either unable or unwilling to interfere with the midnight activities of the Forces which, with the aid of the British Government, it had armed.

On March 28th a meeting of Republican Deputies passed a resolution asking that steps be taken to arrange a joint plan of action between both parties in Dail Eireann, so that these murders might be stopped or no longer committed with impunity. They proposed the suspension by both parties of the campaign of political meetings, “ so that public attention . . . might be concentrated on the intolerable situation existing in Belfast.”

The Treaty Party ignored this request. Michael Collins had decided to attempt once more a settlement by agreement with Sir James Craig. They met in London, at the Colonial Office. An

<sup>1</sup> At Athy. *Irish Independent*, March 31st.

agreement was signed on March 30th by representatives of the Provisional Government and the Government of Northern Ireland, and countersigned by Winston Churchill and others on behalf of the British Government. The text began:

“Peace is to-day declared.”<sup>1</sup>

The terms of the Pact provided for the enrolment of a proportion of Catholics in the Belfast Police force; the compulsory wearing by police of uniforms; the proper control of arms and ammunition. The court for trial without jury of persons charged with serious crime was to consist of the Lord Chief Justice and one of the Lords Justices of Appeal for Northern Ireland. A joint committee of Catholics and Protestants was to be set up to investigate complaints as to intimidation and outrages. I.R.A. activities in the Six Counties were to cease. Political prisoners were to be released, by agreement, and expelled persons readmitted to their homes. The British Government was to submit a vote of £500,000 for the Ministry of Labour of Northern Ireland for relief work, one-third for the benefit of Roman Catholics, two-thirds for Protestants, the Northern signatories agreeing to use every effort to secure the re-employment of expelled Catholic workers.

A further meeting was to take place between the signatories with a view to ascertaining whether the unity of Ireland could be preserved or an agreement arrived at without recourse to the Boundary Commission.

Michael Collins signed this Pact, no doubt, in the sincere belief that, in return for his recognition of the Northern Government, Sir James Craig would use his influence to secure the eventual political unity of Ireland. Within a few days—on April 4th—Craig, in the Northern Parliament, showed that he had reserved his own very different interpretation of “unity.” “If any person can be found in Ulster to lead the people into a Free State,” he declared, “it will not be me.” As to the Commission, he hoped to secure an arrangement whereby “there shall be no tampering with our boundaries without the agreement of my Government and myself.”

Michael Collins continued to assure the Northern Nationalists

<sup>1</sup> Appendix 24, p. 1008.

that they need have no fears; that the Boundary would be determined by "the wishes of the inhabitants." His statements, the ambiguous character of Article 12, and Sir James Craig's apprehensions concerning it were perturbing British Conservatives. Lord Balfour, who had been absent from England at the time of the framing of the Treaty, desired to be reassured as to the meaning of this Article 12 and, in a letter to him, Lord Birkenhead made his own interpretation plain. The letter was dated from the House of Lords, March 3rd, 1922. He wrote:

"The main purpose of that Article is to preserve to Northern Ireland, if the Parliament of Northern Ireland desire, the maintenance of the provisions of the Government of Ireland Act, 1920, so far as they relate to Northern Ireland. The Article contemplates the maintenance of Northern Ireland as an entity already existing—not as a new State to be brought into existence upon the ratification of the Articles of Agreement. It is regarded as a creature already constituted, having its own Parliament and its own defined boundaries. . . .

"It appears to me inconceivable that any competent and honest arbitrator could take the opposite view. If the Article had meant what Craig now apprehends that it does, quite obviously the Agreement would have been drafted in very different words. . . .

"The real truth is that Collins, very likely pressed by his own people, and anxious to appraise at their highest value the benefits which he had brought to them, in a moment of excitement committed himself unguardedly to this doctrine, and that it has no foundation whatever except in his overheated imagination.

"If, and when, Collins and Griffith obtain a majority and a sane Parliament, I think it highly probable that they will come to terms with Craig. If this does not happen, I have no doubt that the Tribunal,<sup>1</sup> not being presided over by a lunatic, will take a rational view of the limits of its own jurisdiction and will reach a rational conclusion."

Lord Balfour sent this letter to the Press for the first time on September 6th, 1924. It was kept secret until then.

<sup>1</sup> i.e. Boundary Commission.

The Irish Free State (Agreement) Bill, delayed by the attempts of Craig and Collins to come to terms, occupied the British Parliament during the greater part of the month of March. Its opponents, though few in number, were tenacious, and the subtleties of the framers of the Treaty were subjected to some rude exposures. The very word "Treaty" was challenged. "It is not possible constitutionally for Ministers of the Crown or the Crown itself to make a treaty with subjects of the Crown," Colonel Gretton pointed out on March 2nd. But he understood the position and explained it with clarity:

"When you come to choose what words you will use, and when your actual position is not affected thereby, you should surely use the words most likely to help you and secure the goodwill, support and agreement which you seek."

"The truth of the matter is this," Sir J. Butcher maintained,

"that this Agreement was described as a Treaty, I do not say with the object of deceiving the Irishmen, but certainly it has had the effect of deceiving the Irishmen."

"We have to ensure the success of the speeches of Mr. Griffith and Mr. Collins," was Colonel Newman's view:

"This is electioneering. The object is to give an advantage to the Provisional Government, nothing more and nothing less."

Churchill explained that "the insertion of these words does not convey any power, they dealt with the closing of an episode," and this view had the support of high authority. "The use of the word 'Treaty' in regard to these Articles," the Attorney-General stated, "does not add any ingredient to those Articles which they do not otherwise contain."

The use of the word "Ireland" was criticised. "There is a headland which is the most northerly point in Ireland and it is included in Southern Ireland," Colonel Newman pointed out. And he added:

“ I think the word ‘ Ireland ’ was only put in to meet the objections of the ex-President of the Irish Republic and it is only a bit of swank.”

Viscount Wolmer disliked the use of the phrase “ Dominion Home Rule.” He disliked altogether the rushing through of such a Bill at a time when the Republicans in Ireland were “ gaining strength rapidly,” and “ in a very short time, for all we know, the Party which desires to repudiate the Treaty may be in the ascendancy.”

“ To say that Articles so vaguely, so loosely, so misleading [*sic*] drafted, using the words in a sense which are differently interpreted by different parties, which I venture to suggest were intended to be interpreted differently by different parties, to say that words of that sort should have the force of law appears to me to be the height of impolicy and madness.”

He quoted words of Bonar Law to the effect that Dominion Home Rule implied the right of secession and that to give Dominion Home Rule to Ireland meant nothing less than to give an Irish Republic.<sup>1</sup>

Winston Churchill was embarrassed. “ I deprecate very much indeed endeavouring exactly to define these matters,” he said. But he assured the House that “ we are not going to have an independent Republic in Ireland.” “ What tactics we should employ,” he went on,

“ what weapons we should use, what machinery we should bring to bear—moral, political, military, economic—whatever it might be that we should do, whatever it was that we thought the best and most convenient, that we should undoubtedly bring to bear on any attempt to set up an independent sovereign Republic of Ireland. There is absolutely no question of accommodation on that subject, none whatever. None can be suggested, and none whatever would be agreed to. The battle has been joined in Ireland on that

<sup>1</sup> Speech of March 20th, 1920.

issue. There is no weakening on that issue by the men with whom we have signed the Treaty."

The issue was about to be put to the Irish people, he added, with a naïve absence of all sense of irony, "so that the Irish people shall choose freely between a Republic and a Free State."

"We have not," he reminded the House, "given complete Dominion Home Rule."

Speaking on the 8th, he pointed out a very real advantage which the Empire hoped to gain:

"If you strip Ireland of the weapon she has hitherto used, if you strip her of the accusation against Britain of being the oppressor, if you strip her of her means of exciting and commanding the sympathy of almost the whole world, of the support she has received in the United States, in our own Dominions; indeed, throughout the whole English-speaking world; if by acting in strict, inflexible good faith you place Ireland in the position that if she breaks the Treaty she is in the wrong and you are in the right, that she is absolutely isolated in the whole world—then, I say, the strength of your economic position emerges in its integrity."

And Lord Birkenhead, in the House of Lords on the same day, contended that it was surely a gain

"that you have in Southern Ireland men who have hitherto been organised against us now, as far as one can see, honestly attempting to carry out their duty and their responsibility, and to put down this movement in the South of Ireland. . . . I would far rather that they were undertaking that task than that we were, and I believe that if that task is effectively and successfully carried out by them, the fact that it should be done by them and not by us will have resulted in an economy of English lives. . . ."

He emphasised the point again, on March 16th, with imaginative eloquence:

“ Does the noble and learned Lord really imagine that if someone had presented Queen Elizabeth with this alternative—if they had said to her: ‘ Would you rather send Lord Essex and British troops to put down the turbulent population of the South of Ireland or would you rather deal with a man who is prepared, with Irish troops, to do it for you; who is prepared to acknowledge allegiance to yourself and who will relieve you of further anxiety and responsibility in the matter? ’—that she would have hesitated? I know what that sagacious statesman would have said in the first place. She would have said she would at least try it before she sent her own expedition, and I look with infinite pleasure on every illustration from Ireland that Mr. Collins and Mr. Griffith are attempting to place themselves, under great difficulties, at the head of such forces as are available in order that they may restore law and order among the countrymen of the noble and learned Lord. I, as an Englishman, rejoice to see them making this effort.

“ If there are to be struggles and fisticuffs, and if blood is to be shed, then in the first place it ought to be Irish blood and Irish fisticuffs that are expended. . . .

“ I would much rather hear Mr. Michael Collins called a traitor by Mr. de Valéra than hear myself called a traitor by anyone else. This is the kind of political development which I observe with great pleasure, and it is being followed at this particular moment.”

If the experiment of the Treaty should fail, he remarked on the 22nd, “ it can be corrected, and it can be corrected in two days, either by military, moral, or economic weapons.”

The House of Lords passed amendments. Lord Carson pressed for definitions of the clauses relating to Ulster, but Winston Churchill would consent to nothing that might suggest to the Irish people a closer scrutiny of the Bill. Speaking in the House of Commons on the 3rd he said:

“ As to the amendments made to the Bill in the Lords, the Government could not consent to any alteration of the Treaty, however small . . . any alteration would be used to



. . . force the Provisional Government to embark on long explanations."

He "could think of nothing more dangerous." He begged the House not to "mar the symmetry and solidarity of the position taken up."

The only amendment accepted was one defining Ulster's month of option as the first month after the passing, not of the present Act, but of the Act to be passed later, embodying the Free State Constitution.

The Bill passed its Second Reading in the House of Commons on March 8th with a majority of two hundred and forty-three. It passed the House of Lords without a division and received the Royal Assent on the last day of March.

The Provisional Government had at last been legalised from the British point of view. It had not, however, been given powers to form or maintain an army, and Collins's position as Chairman of the Provisional Government gave him no authority, from any viewpoint, over the army controlled by Mulcahy. That army derived its legal existence solely from the Government of the Republic and owed obedience to Mulcahy as Minister for Defence in the Dail. The British Government, nevertheless, was transferring military posts to that army "for and on behalf of the Provisional Government," and supplying the Provisional Government with arms.

**PART XII**  
**ENGLISH GUNS**  
**APRIL TO JULY 1922**



## CHAPTER 71

*April 1922*

THE I.R.A. EXECUTIVE — THE FOUR COURTS OCCUPIED — CASUALTIES — FIGHTING IN KILKENNY — THE BISHOPS' PRONOUNCEMENT — THE LABOUR PARTY — HENRY WILSON AND CHURCHILL — MURDERS IN NORTH AND SOUTH

ON April 9th the adjourned meeting of the Army Convention was held. A strong war temper showed itself. A great number of the delegates urged that the question of Ireland's independence should no longer be left subject to debate or to votes, that a military dictatorship should be declared immediately and the Provisional Government prevented from functioning. They wished to prevent elections on the issue of the Treaty from being held.

Cathal Brugha opposed and the proposal was defeated by a few votes.

A new Constitution was drawn up for the Republican Army. Its leading clauses were as follows:

- “(1) The army shall be known as the Irish Republican Army.
- “(2) It shall be on a purely Volunteer Army basis.
- “(3) Its objects shall be:
  - (a) To guard the honour and maintain the independence of the Irish Republic,
  - (b) To protect the rights and liberties common to the people of Ireland,
  - (c) To place its services at the disposal of an established Republican Government which faithfully upholds the above objects.”

An Executive of sixteen was elected, to which alone the anti-Treaty Volunteers would hold themselves responsible in future. The members were Liam Lynch, Liam Mellows, Rory O'Connor, Joseph McKelvey, Earnan O'Malley, Sean Moylan, Frank Barrett, Michael Kilroy, Liam Deasy, Peadar O'Donnell, P. J.

Ruttledge, Seamus Robinson, Joseph O'Connor, Sean Hegarty, F. O'Donoghue and Tom Hales.<sup>1</sup>

This Executive appointed from among its number an Army Council. Liam Lynch was made Chief of Staff of the Republican Army; Joseph McKelvey, Deputy Chief of Staff; F. O'Donoghue, Adjutant-General; Earnan O'Malley, Director of Organisation; Joseph Griffin, Director of Intelligence; Liam Mellowes, Quartermaster-General; Rory O'Connor, Seumas O'Donovan and Sean Russell were Directors, as formerly, of Engineering, Chemicals and Munitions.

The Republican Army carried out certain operations immediately; they took over a number of barracks which had been occupied by the pro-Treaty troops. In many cases the garrison offered no resistance but joined the Republicans, bringing their arms.

The Government, while it was rapidly losing adherents from the rank and file of the old army, had begun to increase its force by recruitment. The recruiting was done not only from the ranks of the unemployed men who had taken no part in the struggle, but also from the ranks of the Irish regiments of the British Army which were being disbanded and from the disbanded R.I.C.; worst of all, in the opinion of Republicans, was the admission of men who had been dismissed for bad conduct from the pre-Truce I.R.A.

The Republican Army Council, on April 13th, decided that it was necessary, in order to maintain the cohesion of its forces, to set up Military Headquarters in Dublin, and the Dublin Brigade was ordered to occupy the Four Courts. The same night men of the First and Second battalions of this Brigade quietly entered the Four Courts and established headquarters there. They barricaded windows with sacks filled with clay and fortified points of vantage. They began to make a tunnel which would provide a means of retreat in case of attack.

Kilmainham Jail was occupied the following day.

<sup>1</sup> The three last resigned later, and before June 28th had been replaced by Tom Barry, Pax Whelan and Tom Derrig. Oscar Traynor was elected, but resigned at the first meeting owing to some complaints that Dublin was over-represented.

Rory O'Connor, when interviewed by a representative of the Press, declared that there was nothing in their move in the nature of revolution or of a *coup d'état*. He explained that the Republican Army was not now associated with any political organisation, "but," he added, "I am safe in saying that if the army were ever to follow a political leader Mr. de Valéra is the man." He said that he and his comrades "recognised Dail Eireann as an institution," but that the majority in Dail Eireann had "done a thing they had no right to do." His opinion was that no people had a right to vote away its independence.

On the 14th, Liam Mellows, Secretary to the Army Council, sent to the Secretary of Dail Eireann a letter setting out "the conditions upon which the Council is prepared to discuss measures by which the unity of the army might be attained."

The six conditions were as follows:

- "(1) To maintain the existing Republic.
- "(2) That Dail Eireann, as the Government of the Republic, be the only Government of the country.
- "(3) To maintain the army as the Irish Republican Army, under the control of an elected independent Executive.
- "(4) Disbanding of the Civic Guard, the policing of the country to be carried out by the Irish Republican Army, as decided by the Executive of that army.
- "(5) All financial liabilities of the army to be discharged, and future requirements met, by *an Dáil*.<sup>1</sup>
- "(6) No elections on the issue at present before the country to be held while the threat of war with England exists."

No reply beyond a formal acknowledgment was received, and, on April 25th, a letter was sent from the Republican Army Executive to every member of the Dail, quoting these proposals and explaining the position:

"In order to give that body an opportunity, probably the last, of taking this matter out of the hands of the Cabinet, of saving the country from Civil War, now threatened by those who have abandoned the Republic."

<sup>1</sup> Irish form: *an* = the.

In the Republican section of the army counsels were divided and authority uncertain now. Within the Four Courts, the Commandant of the Dublin Brigade had less authority than Liam Mellowes and Rory O'Connor; Earnan O'Malley, Andrew McDonell, Sean MacBride and other enterprising young commandants carried out independent activities from time to time; Liam Lynch, moving between Munster and Dublin, found operations being carried out which seemed to him to serve no good purpose; Cathal Brugha, without authority or influence over this independent army, tried to oppose a policy provocative of fratricidal conflict, but was not heeded.

In Dublin an 'atmosphere of uneasiness prevailed. There was nervous tension among the troops in the Government's posts and a great deal of purposeless firing took place. The Press contained sensational accounts of "attacks" on barracks, midnight "battles," even "an attempt to assassinate Michael Collins," most of which appeared, on investigation, to have no foundation beyond some reckless shooting by nervous guards.

After more than one such episode, Republican Army officers gave it as their opinion that *agents provocateurs* were at work.

The I.R.A. was, at the same time, carrying out active opposition to the Provisional Government's programme within certain lines.

Michael Collins and Arthur Griffith had cancelled the Belfast Boycott. The Boycott was never discontinued by the I.R.A.; now, Leo Henderson acting as Director of the Boycott, it was actively prosecuted. The Volunteers obstructed the railways, seized goods from the trains, emptied casks of whiskey into the Liffey. Dublin firms imported goods from the Six Counties at the risk of having them seized by the men from the Four Courts.

The Republican Army was without funds, since the Dail funds, subscribed for the preservation of the Republic, were now being spent on the Treaty policy. They felt justified in taking money by force, not from private sources, but from the Government's supplies. In many parts of the country raids were made on post offices and money was seized, to be used for the arming and provisioning of Republican posts. Some of these raids were carried out on the initiative of local commandants, but the

Executive took full responsibility for the organised raids which took place on May 1st. On that day branches of the Bank of Ireland, the financial agent of the Provisional Government, were forcibly entered and money amounting to nearly £50,000 was taken by the I.R.A. In a statement published on the following day Rory O'Connor explained that the army was in debt to traders, that the Minister for Defence had undertaken to pay all debts incurred before the cleavage on March 26th, and that his promise had not been kept. Rather than allow the traders to suffer, the Army Executive had taken forcible possession of the funds necessary for the payment of a share of the debts.

The commandants were everywhere instructed to give receipts.

Commandeering from stores was resorted to for the provisioning of Republican posts, and when transport was needed motor-cars were seized. These were taken from highly placed British officials as a rule.

Efforts were made to obstruct recruiting for the Government's Forces and for the Civic Guards. These troops were used to enhance the impressiveness of pro-Treaty meetings, and this led to counter-activities on the part of the I.R.A. In a statement to the Press of April 26th Rory O'Connor said:

“ Those who move pro-Treaty troops from place to place in connection with political meetings are guilty of grave indiscretion which tends to create and promote bitterness which is liable to produce undesirable results. The army should be kept apart from politics under separate control, as it was in the early days, and the Executive is working laudably in that respect.”

Republican Volunteers in County Wicklow and County Wexford tore up railway lines to prevent pro-Treaty meetings.

A meeting organised for Arthur Griffith in Sligo on April 16th was proclaimed by the local I.R.A. Arthur Griffith spoke, nevertheless, and bloodshed was only prevented by the strenuous exertions of army officers on both sides. In Killarney, a platform prepared for Collins was burnt.

It was seldom that real bitterness entered into these conflicts; both sides seemed to wish to keep hostilities within bounds; but



strong feeling was engendered by such fatalities as the shooting in Dublin of Michael Sweeney, a Republican prisoner, unarmed and lame, by his escort, and the shooting, during an angry encounter, of Brigadier Adamson of the pro-Treaty Forces, on April 24th in Athlone.

It seemed probable that these fatalities and several others were accidental, the men who fired the shots intending to threaten, not to wound or kill, but they indicated the gravity of the situation.

The total casualties throughout the Twenty-six Counties resulting from clashes between the pro-Treaty and anti-Treaty Forces, by May 6th, amounted to forty-nine wounded and eight killed.

In the first week of May Republicans made an attempt to drive out the Government's troops who were in occupation of barracks and other buildings in Kilkenny. They entered the town, seized Ormonde Castle, two barracks, the City Hall, factories and hotels. Two hundred troops from Dublin were sent down by train and re-occupied the buildings. Tipperary Republicans then advanced towards Kilkenny, and there was considerable firing. There were no casualties, however, and an agreement made in Dublin, by which they were allowed to occupy certain posts in Kilkenny, satisfied the Republicans.

In Dublin, buildings at points of strategic importance for the defence of the Four Courts were seized, including the Ballast Office and Lever Brothers' premises on Essex Quay. The Masonic Hall in Molesworth Street and the Kildare Street Club, centres of Unionist influence, were also taken.

These seizures were made without armed opposition being encountered. The Republican Army was now in a position of considerable strength.

The Republican Party, meanwhile, was not finding it possible to follow a policy of co-operation with the pro-Treaty leaders as they had hoped, after the Sinn Fein agreement, to do. Collins and his colleagues had become too deeply involved with the British Government. He and Griffith continued on their course of establishing the Treaty régime.

The British Free State (Agreement) Act stipulated that an election should be held in the Twenty-six Counties not later than July 31st. The Parliament thus elected would be termed the Provisional Parliament. It would not elect Ministers and Executive: the Orders in Council transferring powers to the Provisional Government in accordance with the Act provided that the present Provisional Government should still remain in control after the election and continue to function until "legality" should have been given to a Free State Constitution by another British Act, to be passed not later than December 6th, 1922.

These Orders in Council appeared in the *London Gazette* on April 4th. They did not appear in the corresponding organ of the Provisional Government. Instead, the Irish official gazette (*Iris Oifigiúil*) contained a notice in which the Provisional Ministry claimed governmental functions and services:

"By virtue of the powers conferred on the Irish Provisional Government by the provisions of the Treaty made between Ireland and Great [sic] and signed in London on the 6th day of December 1921, by the Irish Plenipotentiaries respectively, and duly approved by Dail Eireann . . ."

This assumption that the Treaty was already "made," ignoring the fact that the Articles of Agreement had not yet been submitted to the Electorate, was consistent with the policy upon which the Treaty Party had definitely embarked, as was also Michael Collins's repudiation of responsibility to the Dail.

Against this usurpation of the functions of Dail Eireann, and this attempt to forestall the verdict of the Electorate, the Republicans continued to contend. Had Arthur Griffith and General Mulcahy kept their promises to preserve the Republican Dail and Army intact until the elections the position would have been constitutional and co-operation between the two parties might possibly have been arranged. The policy of co-operation which would, in that case, have been followed by De Valéra was briefly outlined in an interview which he gave to the representative of the *Observer*, published on April 10th:

“ Dail Eireann, as the Government of the Republic and the legitimate Government of the country, should continue its functions until a vote has been taken. In the interim, an Executive that would command universal respect, and would have the backing of a united army, could easily be selected and be made responsible to the Dail. The army and the Republican police could, without difficulty, maintain order and afford adequate protection to the community.”

On the same day he told a representative of the *Chicago Tribune* that

“ had the majority party in Dail Eireann continued legally to function as the Government of the Republic there would have been no objection. It was when the Ministers proceeded to abdicate their functions as the Executive of the Republic in favour of a so-called ‘ Provisional Government ’ operating under British law, and were allowing the departments of the Dail to lapse into a mere nominal existence that objection was made. The Army of the Republic was naturally the first to object. It has now definitely reverted to its former independent status.”

With reference to the attitude of the Republican section of the army, De Valéra contended that :

“ If the Irish people were allowed a free choice they would choose by an overwhelming majority exactly what these armed forces desire.”

This remark was the object of criticism in an *Independent* editorial of April 11th to which De Valéra replied in an interview published on the 12th.

“ Your editorial asks,” he said, “‘Who now prevents, or purposes to prevent, the Irish people’s free choice?’ I answer: ‘The British Government.’ The threat of war from this Government is intimidation operating on the side of Mr. Griffith and Mr. Collins as sure and as definite as if these gentlemen were using it themselves, and far more effective, because indirect and kept well in the background. Is our army to be blamed

if it strives to save the people from being influenced by, and from the consequences of, giving way to this intimidation ?

“ Your editorial asks further, ‘ What then becomes of the free choice of the Irish people ? ’ I answer : ‘ It does not exist. ’ ”

De Valéra, as these statements indicated, felt warm sympathy with the Republican Volunteers in their desire to prevent the betrayal of all that the nation in resurgence had achieved. Some of their activities, however, he could not support. He deprecated interference with pro-Treaty meetings and, in conjunction with the Standing Committee of Sinn Féin, he issued an appeal to both sides in the electoral contest to respect the rights of free speech.

Public opinion was still wavering and no one could foretell what the result of an election would be. Possibly the Treaty Party was gaining ground, since their insidious processes were not realised by the people as a whole while the militaristic actions of Republicans were given every publicity and were often strongly condemned.

The Irish Hierarchy, in a pronouncement issued from Maynooth at the end of April, condemned the Volunteers who had set up an independent Executive; the unconstitutional formation of the Provisional Government's Army went unrebuked. With regard to their attitude, De Valéra made only one comment. Questioned as to whether he wished to say anything in reply to a statement by Archbishop Gilmartin, he said :

“ His Grace is reported as saying : ‘ The existing Government at present was the majority of the people's elected representatives. ’ I regret that that attitude was not adopted when I asked for the formal recognition of the Republic and its Government, Dail Eircann, a few days before Mr. Lloyd George sent me his invitation for a conference. I am glad that it is accepted now. ”<sup>1</sup>

The Labour Party condemned militarism on both sides. In a manifesto issued on April 11th its National Executive declared :

<sup>1</sup> *Irish Independent*, April 12th.

“ The Labour movement resolutely opposes, and will use all its power against, any body of men, official or unofficial, regular forces or irregular forces, who seek to impose their will upon the people by virtue of their armaments alone.”

Another Labour protest was issued on April 20th and was endorsed by a general stoppage of work throughout the Twenty-six Counties on April 24th. It called upon both parties to put into effect the democratic programme of the Dail. It reminded the people's representatives that:

“ It is for them to assert the sovereignty of the Dail over all other councils or governments in Ireland. It is for them to re-unite the army and bring it under a single command, that it may defend the nation and its liberties against foreign intervention.”

While recognising the sincerity of the Labour Party, the Republicans felt that a want of realistic thought was revealed in all its protests and proposals for peace. Was it possible to “ assert the sovereignty of the Dail ” while accepting a Treaty which rendered the Irish legislature subordinate to the British Crown ? Could the liberties of the nation be defended against foreign intervention by surrendering to a foreign government's demands?

The truth was that two democratic principles had been brought into conflict: while the Republican Army was determined to defend the right of a people to govern itself, free from foreign domination of any kind, the Labour Party insisted upon the right of the people to submit to a measure of domination should they prefer that submission to the risk of war.

The forces accumulating towards a conflict seemed to be acquiring a momentum that would presently be too strong for any human effort to control. The British Government had every reason for wishing to see a conflict precipitated. Winston Churchill, now head of the Cabinet Committee on Irish Affairs, was, like Lord Birkenhead, watching these developments with satisfaction.

“ It is possible,” he said, speaking on April 8th at Dundee,

“that things will get worse before they are better. It is possible that Irishmen will kill and murder each other, and destroy Irish property and cripple Irish prosperity for some time before they realise that they, and they alone—and it is their country—will have to pay the bill in life and treasure. . . .”

The British Government was in a position, since the passing of the Free State Act, to continue the arming of the Provisional Government's forces without those scruples about legality which had pained, though not otherwise influenced, some of its members hitherto. Churchill stated on April 12th :

“4,000 rifles, 2,200 revolvers, and 6 machine guns, together with corresponding amounts of ammunition, have been handed over by the British Government to the Provisional Government. I have, with the approval of the Cabinet, given authority for further issues to be made as required.”

He confessed that many rifles as well as one of the armoured cars handed over to the Provisional Government had now “passed out of its control,” and, further, that the Provisional Government had grounds of complaint against the British authorities for “having allowed, no doubt under very difficult circumstances,” the capture, by Republicans, of arms and ammunition from a British vessel in Cork Harbour on March 29th.

During the same debate, Sir Henry Wilson, with the military bluntness so disconcerting to diplomatists, asked Churchill, as a friendly act to Michael Collins, to “announce publicly what he will do if a Republic is declared.”

“Well, I am not sure that that would be very wise,” Churchill replied, and explained that he was “very anxious indeed to avoid the appearance of putting duress on the Irish people.” He did, however, reiterate

“. . . what we have said again and again, that we will not in any circumstances tolerate the creation of an independent Republic, or a Republican form of government in Ireland. . . . If a Republic is set up, that is a form of government in

Ireland which the British Empire can in no circumstances whatever tolerate or agree to.”

In what form his intolerance would express itself he did not say. The British Government required to be in a position to say to the world that the Irish people had, by a free and voluntary vote, chosen to disestablish their Republic and become subjects of the British Crown.

Those people in England whose views were represented by the *Morning Post* were impatient to see the Provisional Government deal with the Republicans by force of arms. Otherwise, they believed, a conflict would break out in the North-East, between Orangemen and Republicans, which would mean “the resurgence of pure Republicanism with a re-united rebel Ireland behind it.”<sup>1</sup>

The *Morning Post's* best hope for “peace” was to see the pro-Treaty and anti-Treaty sections at war with one another — “to see Collins locking horns with De Valéra” while making peace with Craig.

Craig, however, showed little anxiety to maintain peace with Michael Collins or any representative of Nationalist Ireland. His second Pact with Collins, published on March 31st, failed as completely as his first. Within forty-eight hours of its signing, the Belfast Specials had shown their respect for it by a crime which rivalled in barbarity the murder of the MacMahons. Arriving late at night in lorries, they broke into houses in Stanhope Street and Arnon Street. They killed an old man and a sailor home on leave. Finding a man named Walsh in bed with a child of seven they shot the boy, killed the father with a sledge-hammer, and wounded another boy aged thirteen. The authorities refused an inquiry; no one was brought to justice. The killing of Catholics, children as well as adults, continued, alternating with legislation to forbid them to defend themselves.

On April 7th the Civil Authorities (Special Powers) Bill, popularly called the “Flogging Bill,” received the Royal Assent.<sup>2</sup>

<sup>1</sup> *Morning Post*, quoted by *Irish Independent*, March 23rd.

<sup>2</sup> The following description of this Act prefaces the report of a Commission of Inquiry appointed in 1935 to Inquire into the Purpose and Effect of the Civil

By April 27th, when Michael Collins wrote to Sir James Craig to protest vehemently against "the abominations that have taken place in Belfast since the signing of our Pact," seventy-five more Catholic houses had been burned and looted and twenty-four more Catholics killed. Murders of Belfast Catholics had, indeed, become so familiar that they occupied little space in the Press. They caused little comment in comparison with the murders which took place during the last week of April in County Cork.

On April 25th, Acting Commandant O'Neill of the Third Cork Brigade of the I.R.A. called at the house of a Protestant family named Hornibrook near Bandon on some business connected with the Brigade. As the door was opened to him he was shot dead from within. Within the next few days a series of murders took place in the neighbourhood, ten men being shot dead in or near their homes. The fact that all were Protestants suggested that these crimes were a reprisal, either for the murder of O'Neill or for the murders of Catholics in the North. The Commandant of the I.R.A. Third Cork Brigade, Tom Hales, ordered that all arms were to be called under control and all citizens protected. In a notice which appeared in the Press of May 1st he promised "to give to all citizens in this area, irrespective of creed or class, every protection within my power."

Authorities (Special Powers) Acts (Northern Ireland), 1922 and 1933. "Under these Acts the Home Minister of Northern Ireland is furnished with what are practically dictatorship powers, and he may delegate these powers to any police officer. The Acts give unlimited powers of search and seizure, and the Home Minister may make new Regulations creating new crimes at will. *Habeas corpus* is suspended, persons may be arrested on suspicion only and they may be kept in prison indefinitely without a trial. Persons may also be interned indefinitely on the recommendation of a police officer, and there is no right of appeal against such imprisonment or internment. Cases may be heard *in camera*. The Home Minister, acting on the advice of the police, may refuse to allow a person so imprisoned (or interned) to send or to receive letters or to receive visits from his friends or legal adviser. Thus the prisoner, denied a trial, is also denied access to all outside aid. The bankbooks of a suspect may be examined by the police and his money may be confiscated. The death penalty may be imposed for offences other than murder and treason. After a prisoner's death, the Home Minister or a police officer may direct that no Coroner's inquest shall be held, and thus the prisoner's relatives and friends are denied all opportunity of inspecting on the corpse any marks of possible violence in arrest or detention. The extraordinary powers contained in these Acts have actually been in use since 1922, and they are now a permanent part of Northern Irish law." This Report was published in London by the National Council for Civil Liberties, in 1936.



These murders, violently in conflict with the traditions and principles of the Republican Army, created shame and anger throughout Ireland. They were strongly condemned by innumerable public bodies, including the Belfast *Comhairle Ceann-tair* of Sinn Fein.

De Valéra, speaking at Mullingar on April 30th, said:

“The German Palatines, the French Huguenots, the English Protestants flying from the fires of Smithfield, later the Wesleyans and the Jews, who were persecuted in every land, in this land of ours always found safe asylum. That glorious record must not be tarnished by acts against a helpless minority.”

Dail Eireann was united in condemning the crime and in resolving to use all its resources to bring the criminals to justice. “The Irish nation,” it declared, “consists of no one class or creed but combines all.”

## CHAPTER 72

*April to June 1922*

PEACE EFFORTS — THE MANSION HOUSE CONFERENCE —  
TRUCE — THE COLLINS-DE VALÉRA PACT

THE Ard-Fheis agreement was not proving adequate to preserve peace; moreover, its major provisions would expire in May. In the middle of April the Archbishop of Dublin, with the Lord Mayor, summoned a conference of the two parties, in the hope that they might succeed in devising some means of co-operating in the interests of peace and order.

On the question of the Treaty neither party was open to argument; the debatable issues had narrowed down; of these the chief, now, was the question as to whether an election on the Treaty should be held as soon as possible, or postponed. For the Treaty Party haste was important: their chance of a majority, uncertain now, was not likely to gain anything by delay, and the situation at the moment, in which they felt that they had responsibility yet found their authority everywhere challenged, was an impossible one from their point of view. The British Government, moreover, was growing impatient.

The Republicans, on the contrary, held that, while a hurried election might secure a verdict for the Treaty, that decision would not be the final one, would be instantly repudiated by a large section of the population and would sooner or later be regretted by those who had made it. In a month or two the Constitution would be completed and published, and the worst of the implications imposed by the Treaty would stand revealed; sooner or later, a revised register would add thousands of Republicans to the poll; and, most important of all, the English threats of renewed warfare would lose their full terror as the people recovered calmness and poise. The chief anxiety of the Republican leaders was lest, at an election, snatched at this moment of ignorance, confusion and panic, the people should vote their independence away, to be for ever after, however

bitterly they might regret it, held to that surrender, the national claim irretrievably compromised.

The more militaristic Republicans believed that nothing but force could avert that calamity, but De Valéra and his colleagues in Dail Eireann were still hopeful of averting it by an agreement with the other side.

On April 26th three representatives of the Labour Party entered the Conference which was taking place in the Mansion House. It was their wish that representatives of the Republican Army Executive should also be called into consultation, but Griffith and Collins refused emphatically to sit in conference with those men.<sup>1</sup>

The Labour Party's proposals for peace included the reassertion of Dail Eireann as "the supreme governing Authority in Ireland," with a Ministry appointed by it as the Government, responsible to the Dail; the Provisional Government to be regarded as a "Committee for the purpose of facilitating the transfer of machinery," authority being delegated to it for this purpose by the Dail. There were further proposals relating to the preparation of the Constitution, the unification of the army, and establishment of a police force under civil control.<sup>2</sup>

Griffith, however, refused every proposal that did not include either an election or a plebiscite on the issue of the Treaty, to be held not later than June. He insisted, moreover, that the register could not possibly be revised in time and Collins proposed a system by which each person was to record his or her vote, for or against the Treaty, on some Sunday at the chapel gates. This somewhat primitive arrangement he called a "plebiscite."

The Republicans could not agree to this proposal. A plebiscite "with stone age machinery" would, they held, be inconclusive; they objected to an election confined to the Twenty-six Counties and worked on an out-of-date register; they held to the Ard-Fheis agreement that the Constitution should be before the people at the election. De Valéra agreed that the question of the Treaty "must be decided by force or by reference to the people at some stage." In the interest of peace he proposed that

<sup>1</sup> Labour Party Report, p. 28.

<sup>2</sup> Appendix 25, p. 1006.

an election should be held, but not until six months had passed.

For the intervening period arrangements on the lines suggested by the Labour Party would be accepted, he said, by him. The army could be united under a single command, Dail Eireann remain in session, the proposed Constitution could be introduced, adult suffrage enacted, and preparations made for a peaceful election.

“Time would be secured,” he wrote,

“for the present passions to subside, for personalities to disappear, and the fundamental differences between the two sides to be appreciated—time during which Ireland’s reputation could be vindicated, the work of national reconstruction begun, and normal conditions restored.”<sup>1</sup>

He promised to use what influence he possessed with the Republican Party and with the army to win acceptance for the proposal, “not, indeed, as a principle of right and justice, but as a principle of peace and order.”

Arthur Griffith refused.

The Conference ended, in failure, on April 29th.

On both sides, private efforts were being made to find a basis for a peaceful compromise. One came, on May 2nd, from ten army officers, five from each side, acting on their own initiative. Their suggestions showed a tendency which now prevailed in the peace efforts of both parties—a desire to remove from the Electorate the responsibility of the immediate decision, so that the nation as a whole might still remain uncommitted to the Treaty, whatever action might be taken by the Dail.

The proposals of these officers included the immediate acceptance of the Treaty by both parties in the Dail and, as a whole, were repudiated by the Republican Army Council, which declared that “any agreement upon which the army can be united must be based upon maintenance of the Republic.”

The proposals were submitted to Dail Eireann by a delegation headed by Sean O’Hegarty, Commandant of the Cork No. 1 Brigade. In the Dail a motion to approve their statement was rejected, but the delegation was received. One of the devices

<sup>1</sup> De Valéra’s public statement of May 2nd.

for unity proposed—an agreed election—aroused interest, and a committee of the Dail was appointed, with Mrs. Tom Clarke as Chairman, “to consider and discuss” these proposals. The Dail agreed to a cessation of political meetings while the possibilities of a settlement were being explored.

Meanwhile, the two sections of the army declared a Truce, beginning on May 4th, to continue for four days “with a view to giving representatives of both sections of the army an immediate opportunity to discover a basis for army unification.” A few days later an open continuance of the Truce was agreed upon. At the same time a group of army officers, five Republicans, selected by the Army Council, and six pro-Treaty, began to hold a series of conferences.<sup>1</sup>

On May 10th the committee appointed by the Dail reported that it had failed to agree. Further efforts ended in a further report of failure on the 16th, and the committee presented separate reports. The suggestion of an agreed election and a Coalition Ministry of the Dail had seemed acceptable to both sides. The ground of disagreement was the insistence of the pro-Treaty group that acceptance of the Treaty should be presumed. The difficulty resolved itself into a question of the proportion of candidates to be allocated to the respective parties. The Treaty Party demanded an increased representation but the Republicans would not agree, seeing that to increase that majority would imply acceptance of the Treaty.

The reports gave rise to an interesting debate in the Dail on May 17th. The Republicans were trying to ascertain how far the other party had gone in an alliance of sympathies and policies with the British Government, and in a determination to suppress Republicanism. De Valéra asked Griffith a question which crystallised the issue: Did he or did he not want the co-operation of Republicans on the understanding that they were not committed to the Treaty, and that the people should not be asked to commit itself to the Treaty?

Arthur Griffith replied that if De Valéra meant to agree not

<sup>1</sup> The members of this conference were Rory O'Connor, Liam Mellows, Liam Lynch, Seumas Robinson, Sean Moylan, Michael Collins, Richard Mulcahy, Eoin O'Duffy, Sean McKeon, Diarmuid O'Hegarty and Gearoid O'Sullivan.

to obstruct the people in expressing their views his answer was "yes." To this Cathal Brugha retorted that it was the Treaty Party which wanted to prevent a million Irish adults from expressing their views, by holding an election on the unrevised register. He was sick, he said, of politics, and thought that what both sides should do was to unite on a crusade for the protection of their people in the North-East.

Michael Collins made a long speech. He seemed sincerely anxious to arrange a Coalition "on a basis of goodwill and carrying out the advantages of the Treaty position . . . to consolidate their position, having in view the unity of Ireland."

It was a speech which showed less contempt for the Dail, less alliance with British policy, and a much more self-reliant national spirit than had been heard from his Party for some time. De Valéra welcomed it and made a definite offer of co-operation in reply.

"Being for the moment in a minority here," he said, "and realising that the interests of the country demand that there be stable government, if our assistance is required, so long as we are not committed further than I have stated, we are willing to give that assistance in any way in which we can benefit the country."

The House received this offer with applause and with a feeling of hopefulness that an accommodation might yet be arranged. De Valéra and Collins were requested to examine the possibility of finding a basis of agreement.

The Dail met on Thursday, May 18th, and again on Friday, when Arthur Griffith, in accordance with the British Free State Act, moved that an election be held in June. He spoke with intense bitterness against those who were endeavouring to postpone an election.

Arthur Griffith, in moving this motion, was acting in accordance with the British Free State Act and in opposition to all the demands for a revised register and for a clear exposition of the final implications of the Treaty. The moment was a critical one for the Provisional Government. It seemed probable that by pressing his motion in this atmosphere of accommodation

Arthur Griffith would be inviting defeat for the Treaty Party in the Dail.

A division was postponed.

Michael Collins continued to confer with De Valéra, and they promised to report on the following day.

Their difficulties seemed almost insurmountable, and it was realised that failure would be final; would mean, inevitably, the arbitrament of civil war.

“ If the peace conference fails, then there will be no other,” Michael Collins had said publicly.<sup>1</sup>

Collins was insisting that if a Coalition Parliament were agreed upon it must be arranged that his side should have a working majority of at least fifteen. He was persuaded at length, by Frank Aiken and others, to withdraw this demand. Harry Boland, Sean T. O’Kelly and Richard Mulcahy joined in the work of trying to discover an acceptable compromise. The conference between the leaders was, again and again, on the point of failing, but their mutual detestation of the idea of war between Irishmen, which would serve the purpose of the nation’s enemies, was a strong incentive to preserve unity; at last they arrived at a programme of action acceptable to both.

During the meeting of the Dail on Saturday afternoon, May 20th, it was announced that Eamon de Valéra and Michael Collins had agreed upon a settlement and signed a Pact. The news was received with an outburst of applause.

The Pact was an agreement by which the forthcoming elections should not be taken as deciding the issue of the Treaty, but as creating a government to preserve peace. It provided for a National Coalition Government. Sinn Fein was to put forward a panel of candidates, sixty-six nominated by the Treaty Party and fifty-eight by the Republicans, each party keeping its present strength “ without prejudice to their present respective positions.”

Proportional Representation was the method which would be used.

The expectation of the supporters of the Pact was that each voter, having given votes to the Panel Candidates of his own

<sup>1</sup> Interview to representative of *Chicago Tribune* quoted in the *Irish Independent* of May 16th.

Party, would give the rest of his votes to the Panel Candidates of the Opposition Party, pro-Treaty or anti-Treaty. Thus the men and women who had represented the nation throughout its recent struggle would be returned. The new Ministry would consist of four Republican and five pro-Treaty members as well as the President, who would be elected by the Dail (and would therefore probably be a pro-Treaty man), and the Minister for Defence, who was to be elected by the army. (This meant the likelihood that he would be a Republican.)

The following were the terms of the Pact:

“ We are agreed:

- “(1) That a National Coalition panel for this Third Dail, representing both parties in the Dail and in the Sinn Fein Organisation, be sent forward, on the ground that the national position requires the entrusting of the Government of the country into the joint hands of those who have been the strength of the national situation during the last few years, without prejudice to their present respective positions.
- “(2) That this Coalition panel be sent forward as from the Sinn Fein Organisation, the number for each party being their present strength in the Dail.
- “(3) That the candidates be nominated through each of the existing party Executives.
- “(4) That every and any interest is free to go up and contest the election equally with the National-Sinn Fein panel.
- “(5) That constituencies where an election is not held shall continue to be represented by their present Deputies.
- “(6) That after the election the Executive shall consist of the President, elected as formerly; the Minister for Defence, representing the army; and nine other Ministers—five from the majority party and four from the minority, each party to choose its own nominees. The allocation will be in the hands of the President.
- “(7) That in the event of the Coalition Government finding it necessary to dissolve, a general election will be held as soon as possible on adult suffrage.”



These were, in all essentials, the terms already proposed by the Republican section of the Peace Committee and rejected by the pro-Treaty section.

Arthur Griffith alone showed displeasure at this settlement. With unconcealed disgust he amended his motion for an election in June, making it subject to the terms of the Pact. The motion thus amended was seconded by De Valéra and unanimously approved. This, constituting a decree of the Second Dail for an election for a Third Dail, made the Pact part of the law of the Republic.

Throughout the country relief was profound. The shadow of imminent war had been lifted; the "constitutional way out of our difficulties," for which De Valéra had persisted in searching, seemed to have been found.

It was understood that the Treaty was not to be an issue in the elections decreed for June. Instead of being faced with the necessity of recording an immediate decision on this overwhelming question, the people were offered a chance to postpone their decision until the matter could be clarified and understood. Instead of being forced to choose at once between a government committed to the Empire and a government pledged to defend the Republic even at the risk of war, they were offered an opportunity of returning a coalition government pledged to peaceful conservation of the present national strength. Should the differences between the two parties in the Government later oblige it to dissolve, the issue of the Treaty was to be put before the people at a General Election. By that time, the Treaty-Constitution would have been published and examined, adult suffrage established, and the electoral register properly revised. Thus an ultimate peaceful solution was provided for.

No Pact could place the Republic beyond danger, but any further attempts to weaken the Republican position in advance of a decision of the people could be forestalled. For the new Parliament was to be the Third Dail. It was to be the heir and successor of the First and Second Dail Eireann, not a "Provisional Parliament" for the Twenty-six Counties, creature of an English Act. Partition was resisted in Clause 5 of the Pact which provided for the representation of constituencies in the

Six-county area " by their present Deputies." The Treaty Party had surrendered its claim to an increased number of seats, and four of the nine Ministers in the Executive would be Republicans.

These things would follow the return of the candidates put forward on the joint panel by Sinn Fein. Clause 4 of the Pact, which preserved to all interests the right to contest the election against these Coalition candidates, endangered the main purpose of the Agreement, but it was believed that every section of the community would realise the importance of returning Panel Candidates, while the political leaders of both parties were now committed to the Panel by their own votes and the decree of the Dail.

Every member of Sinn Fein became committed to it on May 23rd, when the Pact was ratified, with only one dissident, by a great Ard-Fheis.

Speaking to that assembly, De Valéra said that those who made the Pact and those who approved it looked upon it not as a triumph for one section or the other, but as a great triumph for the Irish nation.

Michael Collins made a speech which was regarded as signifying a determination to sacrifice even the Treaty if necessary to this reconciliation among Republicans; it would, he said, bring stable conditions to the country, and if those stable conditions were not more valuable than any other agreement, well, then, they must face what those stable conditions would enable them to face. His words were received with tremendous applause.

An Army Coalition Conference was formed to help in implementing the Pact.

This effort at reconciliation between the two parties in Ireland threatened to frustrate the British Government's plans. Churchill, on May 15th, wrote to Collins, vehemently denouncing it.

Collins and Griffith were summoned to London and crossed in the last week of May. Churchill records that he found Griffith " plainly in resolute dissent to what had been done," Collins " half defiant, half obviously embarrassed."<sup>1</sup>

<sup>1</sup> *Aftermath*, pp. 330, 331.

The Unionists' wrath against the Pact was vociferous. Unity in "Southern Ireland" meant, they believed, a threat to the North. Sir Henry Wilson's anger knew no bounds. In Liverpool on the 25th he denounced "the surrender of the Provisional Government to De Valéra" as "one of the most pitiful, miserable, and cowardly stories in history." Now De Valéra had Michael Collins in his pocket, he said, and repeated "the Union must be re-established." "There is grave danger," he said, addressing the Cabinet in Belfast on the following day, "that the British Cabinet will come to the view that the Pact between Mr. Collins and Mr. de Valéra does not violate the Treaty."

The interests of the Northern Government were not being neglected by the Colonial Office. Already, Churchill announced on May 29th, a naval force in the shape of a destroyer and other war vessels had been sent to Northern Ireland and the position there was being studied by the War Office and the Admiralty. There were nineteen battalions already in Northern Ireland and if necessary infantry, cavalry and artillery would be sent. The British troops in Ulster, as he explained the following day, were under the direct command of the British War Office. He had suspended the evacuation of British troops from the Twenty-six counties, and suspended supplies to the Provisional Government from the date of the Collins-De Valéra Pact.

Meanwhile, in Dublin, General Macready made preparations for the shelling of the city, should that operation be decided upon, and had a proclamation drawn up, ready for issue, in the terms traditionally employed on such occasions, pointing out that all the responsibility lay on the Irishmen, and warning the people to make arrangements for their own safety. Cork had been evacuated, and the troops were concentrated in Dublin and the Curragh. Preparations for a naval blockade of Cork and Limerick were also made.<sup>1</sup>

A long and agitated discussion took place in the House of Commons, on May 31st, as to whether the Treaty had been violated by the Pact.

Churchill explained that all members of the Irish Government, in the period that would elapse between the elections and the

<sup>1</sup> Macready, *Annals of an Active Life*, Vol. II., p. 642.

establishment of the Free State, were bound by Article 17 to sign a declaration of adherence to the Treaty.

“ If Republicans were to become members of the Government without signing that declaration, the Treaty is broken by that very fact at that very moment, and the Imperial Government resumes such liberty of action, whether in regard to the resumption of powers which have been transferred or the re-occupation of territory, as we may think appropriate to the gravity of the breach.”

He could not believe that the members of the Provisional Government were acting in bad faith to England, for

“ Not only Mr. Griffith and Mr. Collins, the two leading men on whose good faith we took this memorable departure, but the other Ministers who are in this country, Mr. Cosgrave, Mr. Kevin O’Higgins and others, have repeatedly declared their adherence to the Treaty and have renewed their personal assurances, while they have been here with us, in the strongest manner. They have argued vehemently that the course they are taking—questionable and doubtful as it appears to British eyes, as it must necessarily appear to almost any eyes—they have argued that the course is the surest way, and indeed the only way open to them of bringing the Treaty into permanent effect.”

In reply to questions from Sir Henry Wilson and others Churchill said:

“ The troops in Dublin are remaining in the position they hold, and which I am assured are militarily completely secure. . . .

“ In the event of a setting up of a Republic it would be the intention of the Government to hold Dublin as one of the preliminary and essential steps for the military operations.”

The part to be played by the North-East was Sir Henry Wilson’s chief concern.

“ If serious trouble arises on the frontier between the Six Counties and the Twenty-six Counties, I hope,” he said, “that

the Government will not restrain the military from crossing the frontier in their own self-defence.”

Michael Collins and Arthur Griffith, who were in the Distinguished Strangers' Gallery, heard little good of themselves from Sir Henry Wilson during this debate.

Birkenhead endorsed Churchill's assurances that in no conceivable circumstances would they consent to the inclusion in an Irish Government of men who excluded themselves from the fullest obligations of the Treaty. "Should a crisis arise," he pointed out, "the resources of our civilisation are by no means exhausted." England would be in an immeasurably stronger position than formerly "to resume the inevitable bloody struggle."

## CHAPTER 73

*May 25th to June 24th, 1922*

THE PACT OPPOSED — PARLIAMENT SUMMONED — LLOYD  
GEORGE AND THE CONSTITUTION — THE PACT BROKEN —  
GENERAL ELECTIONS — THE CONSTITUTION PUBLISHED —  
PROBLEMS

THE Irish elections were prepared for under the shadow of the English threat. If the people returned Republicans to their Ministry the resources of English civilisation might be turned against them; and the Irish people had seen that civilisation at work. To be loyal to the Pact meant incurring that risk. The Pact, moreover, made no appeal to the excitements and prejudices of the moment; indeed it demanded an almost superhuman magnanimity, since it asked each voter to give the opposing party a number of votes.

It asked a good deal, moreover, of the Labour Party and Farmers' Party in expecting them to subordinate their sectional interests once more; while no one could hope the Unionists and the business class, which had never been sympathetic to independence, would refrain from putting forward candidates of their own. The quarter from which an attempt to wreck the Coalition came first, however, was a surprise. The initiator was Darrell Figgis, a prominent member of the Standing Committee of Sinn Fein. On May 25th he addressed the Executive of the Farmers' Union and representatives of business interests and urged these to put forward pro-Treaty candidates to oppose the Panel candidates in the constituencies where Republicans might otherwise head the Poll. An associate of Darrell Figgis, A. Belton, wrote a memorandum, which was shown by Lord Midleton to Churchill, stating that Michael Collins was now afraid of the consequences of the Pact, that he should be compelled to go to London where it would be possible to "make him break down," that the election of twenty-five Independents would break the Pact and that such candidates ought to be financed.<sup>1</sup>

<sup>1</sup> Darrell Figgis sent a letter defending his action to the Press on May 21st. Details of the whole transaction were published subsequently, on February 27th, 1924, in the *Wireless Broadcasting Report* (see p. 547 *et seq.*).

Independent candidates were put forward and Collins's party did not protest.

Pro-Treaty propagandists exploited the threat of war.<sup>1</sup>

The new Parliament was summoned by Collins and the manner of its convening was another disappointment to Republicans. It was not summoned in the name of Dail Eireann and was not summoned as the Third Dail. The proclamation, dated May 27th, was issued by the Provisional Government. Nomination forms, moreover, were issued referring to elections for a "Provisional Parliament pursuant to the Free State (Agreement) Act." The Republican Party insisted on different forms, headed "Dail Eireann," for their own use.

Later, on May 27th, Lord Fitzalan, "General Governor of Ireland," declared the "Parliament of Southern Ireland" dissolved and announced:

"The Provisional Government having so advised, I hereby call a Parliament to be known as and styled the Provisional Parliament."<sup>2</sup>

The election, which was decreed also by the Dail, was to take place on June 16th. In the weeks preceding it the hopes and fears of the Republicans centred round two questions: how far would Michael Collins enforce in his Party faithfulness to this Pact which he had signed, and how far would his promises of a Republican Constitution be fulfilled?

Early in June it became known that the draft Constitution was completed and was in the hands of British Ministers, who were examining it to satisfy themselves that it was in accordance with the Treaty. Its publication was eagerly awaited in Ireland where many optimists affirmed that it would be found to embody the substance of Republican demands, would justify the supporters of the Treaty and would prove to be an acceptable solution of the whole problem.

The Treaty had been framed with such "meticulous ambiguity"<sup>3</sup> that it was capable of two interpretations, one so narrow that Lloyd George had been able to appease with it the

<sup>1</sup> See Appendix 26, p. 1007.

<sup>2</sup> This was in accordance with the provision in Section II of the Act of 1920 that: "The Lord Lieutenant shall, in His Majesty's name, summon, prorogue, and dissolve the Parliament of Southern Ireland."

<sup>3</sup> See *King and Constitution*, a pamphlet by Frank Gallagher.

English Conservatives, one so wide that Michael Collins had been able to persuade half the nation that it gave Ireland a Republic in all but name.

Between that body of Irish men and women who were ready to face war for the Republic and those who were ready to accede to the British demand stood a great number, and among them more than one Republican military leader, who held that, while the British interpretation was intolerable, an Irish interpretation such as that foreshadowed by Michael Collins, safeguarded by a firm and united Irish Government with a united army behind it, might be tolerated as an alternative to war.

When Republicans consented to a Pact with Michael Collins it was in the belief that his Party, so strengthened, would now hold out with the utmost firmness for the widest possible interpretation of the Treaty in the interests of Ireland. Only if they did so could a coalition between pro-Treaty and Republican Representatives hope to succeed.

The Constitution would be the first critical test of Collins's sincerity and firmness and his Party's loyalty to the Pact.

On June 6th Arthur Griffith, Kevin O'Higgins, and Hugh Kennedy, K.C., legal adviser to the Provisional Government,<sup>1</sup> went to London, bringing the Constitution drafted by the Irish Committee to the British Cabinet. Michael Collins would not go unless his presence proved vital, he said.

The Second Dail adjourned on June 8th after decreeing that it would meet on June 30th to dissolve and transfer its powers. The new Parliament was to meet on July 1st.

The number of seats to be filled was one hundred and twenty-eight, four of which were allocated to Trinity College. Committees of the Republican and Treaty Parties drew up a panel of one hundred and twenty-five candidates.

On June 5th De Valéra and Collins issued a joint appeal to the electorate to support the Pact, so that electoral contests might be reduced to a minimum, since

“many of the dangers that threaten us can be met only by keeping intact the forces which constituted the national resistance in recent years.”

<sup>1</sup> Later Chief Justice of the Irish Free State.



On the following day, when the nomination of candidates was completed, it was found that in only seven constituencies were the Panel Candidates, pro-Treaty and anti-Treaty, unopposed. They numbered thirty-four. The Unionists representing Trinity College were unopposed also, but in the remaining twenty constituencies the Panel Candidates were opposed by the Labour Party or the Farmers' Party or by Independents.

The election campaign proceeded, as had been agreed, the Coalition candidates often sharing platforms and addressing meetings in common. At the opening meeting, held on June 9th, at the Mansion House, De Valéra and Collins both spoke. Collins appeared happy to find himself working with all his old comrades again. He declared that only the enemies of Ireland were displeased with the Pact.

Arthur Griffith was still in London. The draft Constitution which the Irishmen had brought over had been regarded as an outrage by Lloyd George.

The Irish committee had worked well. Having compiled a volume of select Constitutions of the World, it had studied and collated provisions which seemed applicable to Ireland and had prepared three drafts, all democratic in principle. In that chosen for presentation to the British very little place was given to the English King. While the constitutional usage of Canada was more or less followed, the letter of the law, giving the King nominal authority, was largely ignored. They had sought to make the interpretation of the Treaty most favourable to Ireland the basis of the Constitution.

This was not to be permitted. The British Ministers expressed indignation and surprise. Lloyd George applied his blue pencil to the draft and left a Constitution wholly different in effect from that which the Irish Committee had devised. The Irishmen strove to secure acceptance of their view that Ireland had never been a British Colony in the full sense of that term, and argued that the Dominions had power, in fact, to adopt Constitutions not in accordance with British Common Law. Their efforts were, however, unsuccessful.

Of all this the Irish people knew nothing. They grew anxious as Polling Day drew near and the Constitution, which they

wished to examine and interpret to its last implication before voting, was still withheld.

Sir James Craig was also in London, and representatives of Southern Unionists were being called into consultation at Downing Street. On the night of June 12th—four days before Polling Day—Michael Collins went to London. He met Churchill on the following day, returned to Ireland and spoke, on the 14th, at a meeting in Cork.

On that day De Valéra also was addressing election meetings; everywhere he appealed to the people to refrain from supporting outside candidates. Speaking in Kildare, he asked those who were in favour of the Republican programme to vote also for the Panel candidates of the opposition, and said that he hoped that those who were for the Treaty would be equally honest in voting for the candidates who were not on their side. That was the spirit in which the Pact was made.<sup>1</sup>

Michael Collins made, in Cork, a speech which was a direct repudiation of the Pact.

He said:

“ You are facing an election here on Friday and I am not hampered now by being on a platform where there are Coalitionists. I can make a straight appeal to you—to the citizens of Cork, to vote for the candidates you think best of, whom the electors of Cork think will carry on best in the future the work they want carried on. When I spoke in Dublin I put it as gravely as I could that the country was facing a very serious situation. If the situation is to be met as it should be met, the country must have the representatives it wants. You understand fully what you have to do, and I depend on you to do it.”

The *Freeman's Journal* printed headlines in large type to call the attention of the Electorate to Collins's speech.

“ After such a speech the Pact can only be described as breaking up,” was the comment of the *Daily Mail*.<sup>2</sup>

Arthur Griffith did not return until the night before the Poll. The Irish people had not yet seen the Constitution.

<sup>1</sup> *Irish Independent*, June 15th.

<sup>2</sup> *Daily Mail*, June 16th.

Even in the British House of Commons protests were heard. Were they to understand, Captain Foxcroft asked, that "the elections will take place and the Constitution be promulgated on one and the same day?" "That will be actually what is going to happen," Churchill replied. Were the electors of Ireland not to have an opportunity of approving this Constitution? Sir W. Davidson inquired. The Provisional Government would publish the Constitution, Churchill replied, when it saw fit.

"It is a question of what is our business in this matter, and what is not our business. Our business with this Constitution will be very serious when it comes to us in the regular course, but we have nothing in the Treaty which justifies us in requiring the Irish Provisional Government to put the Constitution before the electors at this election."

The Constitution appeared in the newspapers on the morning of Polling Day.<sup>1</sup> Those voters who lived at any distance from Dublin did not see it before going to the Poll. Tens of thousands voted with the promise of a Republican Constitution still in their minds. Republicans who studied the document felt that their worst fears had been justified—that this Constitution meant, if it was put into operation, not only the end of the Irish Republic, but the end of Republicanism in Ireland, so far as any Act of Parliament was capable of destroying that force.

When, on June 24th, the election returns were known, two divergent views were taken of the result. Of the Panel candidates 94 had been returned, 58 pro-Treaty and 36 Republican.<sup>2</sup> The Labour Party had 17 Deputies, the Farmers' Party 7, and there were 4 Unionists (representing Trinity College) and 6 Independents.

Regarded as a vote, not for or against the Treaty, but for or against government by a Coalition, this was a clear mandate for Coalition and peace. About three-fourths of the new assembly—ninety-four out of one hundred and twenty-eight Deputies—were pledged to the Pact. The National Panel candidates had

<sup>1</sup> June 16th.

<sup>2</sup> The Treaty Party had been reduced from 66 to 58 members, the Republican Party from 58 to 36, not counting Sean O'Mahony, who, by the Pact, was to retain his seat for Fermanagh. See Appendix 33, p. 1020.

been returned in a majority of 78 per cent, and, in addition, the seventeen Labour candidates returned had declared their support of the Pact.

The Treaty Party did not, however, adhere to their understanding that the Treaty should not be an issue at these elections. They proclaimed the results to be a victory for their policy. Their representation had been decreased, but the Republican losses were greater than theirs.

Republicans, loyal to the terms of the Pact, had given votes to their opponents, purposing to give them a mandate for government by a Coalition. Now they saw that mandate interpreted as a mandate for the Treaty.

The situation which faced the Republican Deputies and, indeed, every member of the new Assembly, was complex in the extreme. The Constitution brought back from London by Griffith made co-operation almost impossible. That Constitution was the English interpretation of the Treaty embodied in concrete form.

The Constitution was made, by its own Preamble, subordinate to the Treaty; if in any respect it conflicted with the Treaty it remained in that respect "void and inoperative."

The Executive authority of the Irish Free State was declared to be vested in the King. The King and the two Houses composed the legislature. The oath was made compulsory by Article 17 which, after quoting the oath in the Treaty,<sup>1</sup> provided:

"Such oath shall be taken and subscribed by every member of the Parliament (Oireachtas) before taking his seat therein before the Representative of the Crown or some person authorised by him."

The Constitution was to come into operation by proclamation of the King. The King had the power of veto over all legislation and the King's Representative might withhold or reserve a Bill passed by both Houses of the Oireachtas for the King's assent.

The Representative of the Crown was to be styled the Governor-General of the Irish Free State; was to be paid a salary

<sup>1</sup> Appendix 21, p. 990, Article 4.

equal to that of the Governor-General of Australia; that sum and the upkeep of his official establishment were to be paid by the Irish Free State. He was to summon and dissolve Parliament, appoint Ministers and sign Acts of Parliament, and the Parliament could vote no money for any purpose not recommended by him. He was to appoint the judges of all Courts established under the Constitution. Appeal could be made from the Irish Free State Supreme Court to the King's Privy Council.

The Constitution was acclaimed as a triumph for British diplomacy by the Imperialist Press. The *Sunday Times* declared:

“ Instead of weakening the Treaty, as was generally expected in Ireland, it underwrites the Treaty and underscores the Treaty in a most emphatic manner. The English victory is plain. Everything which left the question of the Imperial connection in doubt in the Irish draft has been positively and successfully restored. The King is vested with the executive authority. Legislation must receive the Royal Assent and he or his representative is to summon and dissolve the Parliament. The oath, moreover, is imperative, and if the oath is not taken the King can withhold his assent to legislation.”

Gavan Duffy, whose hope that the Constitution would “relegate the King of England to exterior darkness” had been so rudely broken, immediately the published draft came into his hands notified Griffith that he felt himself compelled publicly to state that there were important clauses in that printed document which he considered a violation of Ireland's rights under the Treaty. He tendered his resignation but was persuaded to retain his Ministry until Parliament should have met.<sup>1</sup>

He expressed his view freely, a year later, in a French publication, *L'Annuaire de Législation Comparée*. His article summarised the history of the committee's draft, recapitulated the changes insisted upon by the British Ministers and showed to what an inferior instrument the Constitution had been reduced.

<sup>1</sup> See Gavan Duffy's own statement in the Provisional Parliament on September 21st, 1922. Official Report, col. 581.

“ In February 1922 (he wrote), the Irish Provisional Government set up a committee to undertake the drafting of a constitution for the Free State, on the basis of the Treaty. As the twelve members of this committee failed to agree on certain points, they produced three drafts, one of which was substantially adopted by the Provisional Government; it is to be noted that the committee was unanimous on the issues as to the principles of construction of the Anglo-Irish Treaty, which were to provoke such violent protests in England.

“ In May 1922, before convening the constituent assembly, the Provisional Government communicated its draft Constitution to the British Cabinet; Mr. Lloyd George and his colleagues, having examined the text, denounced it with such indignation that the Treaty itself seemed to be in jeopardy, and gave the Provisional Government to understand that its draft amounted to a violation of the Treaty. The Crown figured only in a single article which provided for the nomination of a Commissioner to represent the British Commonwealth of Nations in Ireland. . . . The British Government vehemently insisted on the insertion in the text of the traditional formalism which had been deliberately left out of the Irish draft with a view to facilitating the acceptance in Ireland of the new régime; thus, King George was to be invested, as a formality (!), with the executive power; the judges were to be nominated by his viceroy; the King and the two chambers were together to constitute the legislature; the right of veto was to be acknowledged; the article of the Treaty which prescribed the form of parliamentary oath was to be remodelled in the constitution so as to leave no loophole; and the Anglo-Irish Treaty was to be recognised as the sole foundation of Irish autonomy.

“ In face of the insistence of the British Government, what action did the Irish Provisional Government take? It might have temporised; it might have assembled the Parliament, already convened, and have published to the House the diplomatic situation of which no one outside the Cabinet was aware; it might have called in aid the compulsory arbitration of the League of Nations; it might have appealed to the Dominions; it might have resigned and have left the

British Cabinet face to face with Mr. de Valéra and the opponents of the Treaty and it might give in. . . .<sup>1</sup>

This Constitution made the prospect of a Coalition Government indeed seem a useless dream. What would take place on July 1st when the new Parliament met ?

The Dail would elect its President, in all probability Michael Collins, whom the Republican Deputies regarded as more sympathetic to their aims than Arthur Griffith, and his Cabinet would be nominated by the two Parties in accordance with the Pact. Here, at the outset, a crisis might arise. How would that Cabinet be composed? Would those militant Republicans, Cathal Brugha and Austin Stack, consent to act as Ministers in so uncongenial a combination? What office would De Valéra hold? He was aware that the pro-Treaty leaders intended to relegate him to the non-political office of Education, and that position he did not intend to accept. If, as seemed possible, a majority vote in the army elected him Minister for Defence, would Michael Collins dare to leave him a position of such power? Or would he then try to deny to the army the right to select the Minister who was to represent it in accordance with the terms of the Pact?

The same duality would create similar crises within the Dail. The pro-Treaty members were already engaged in satisfying the British Ministers that this was the "Provisional Parliament" for Twenty-six counties decreed by their Free State Act.<sup>2</sup>

The Republican representatives would be constantly endeavouring to uphold its status as Dail Eireann and treat the Provisional Government merely as a body licensed by the Dail, during a period of transition, to take over from the British certain functions and services. How far could each party go in sympathy with the difficulties of the other? How far, on the Republican side, could a generous spirit of co-operation be

<sup>1</sup> George Gavan Duffy's translation from the original published by the Société de Législation Comparée, Librairie Générale de Droit et Jurisprudence.

<sup>2</sup> A summons appeared in *Iris Oifigiúil* of June 27th for the meeting on July 1st of the "House of Parliament to which the Provisional Government is to be responsible," and the list of elected Deputies appeared under the headings "Irish Provisional Government" and "Irish Free State (Agreement) Act, 1922."

shown without leading to a disastrous compromise? The Republican oath, if insisted upon, would exclude Independent Deputies and members for Trinity College: could the Republican oath be foregone? If Sean O'Mahony, member for South Fermanagh, took his seat, the British Government might threaten to regard the Treaty as violated: but Republicans would feel it a surrender to Partition should he abstain.

At best, the difficulties would have been such as only sincere mutual goodwill, infinite patience, and a national outlook wide enough to transcend all party feeling, could hope to overcome; they had been rendered almost insuperable now. This Constitution could not be accepted by any Republican. If Michael Collins was urged by the British to secure its enactment by this Parliament, which they regarded as a "Constituent Assembly," was there some hope that he would resist (resist even Griffith), if necessary, using the Republican strength as a weapon against the British demands? Or would he press in the Dail for obedience on the grounds of the British threat of war? Insistence on this Constitution would inevitably mean a break. The Coalition would be at an end. Then Clause 8 of the Pact would come into operation, and a General Election on the issue of the Treaty and the Constitution would have to be held.

Whether, in the event of rejection of the Treaty by the majority in such an election the British would renew the war, or whether, in case of its acceptance, the militant Republicans would resort to arms, remained a question still.

One fact seemed certain when the result of the Pact election was made known—that on this Coalition Assembly all the hopes of the nation now rested: on the political leaders of both parties a heavy responsibility lay.

The Coalition Government was, however, not being formed. Daily, De Valéra expected a request from Michael Collins to forward the names selected by his Party for the Coalition Cabinet. No such request came.



## CHAPTER 74

### *May and June 1922*

BELFAST AND THE BORDER — BELLEEK — THE PRO-TREATY  
ARMY — PLANNING WAR IN THE NORTH — EXCHANGE OF  
ARMS — THE ARMY CONFERENCES — INCIDENT IN KILDARE  
— DISSENSION IN THE FOUR COURTS

THE Collins-De Valéra Pact, the breaking of it by Collins and the acceptance by his party of the Constitution imposing subjection and allegiance, had disastrous repercussions in the army, and further complications were added by the situation in the North-East.

In Ulster an indemnity Act had given fresh audacity to the Special Constabulary, and the British Government was supporting the Northern Government with such generosity, in arms, money and troops, that there seemed no reason why the campaign for the ejection of Catholics from its territory should not go on indefinitely.

Between July 1920 and January 1922, property in the Catholic quarters of Belfast to the value of about two million pounds had been destroyed, but the British Exchequer was subsidising the Northern Government for its first year of office at the rate of six and a half million a year.<sup>1</sup>

The Treaty had not yet divided the people of the North-East or the units of the Republican Army operating there. By these Volunteers Collins's promise of a Republican Constitution was accepted in complete good faith. They concentrated their efforts on collecting arms, ammunition and explosives for the protection of the Nationalists and trying to prevent the Northern Government from establishing control. Their operations consisted, for the most part, of setting fire to empty warehouses and uninhabited castles, railway stations and government property. Sniping of armed Specials was infrequent, but it occurred, and, when it did, reprisals were pitiless.

In Belfast, on May 31st, the shooting of two Special Constables brought a horde of Specials in armoured-cars into the Catholic streets, which they raked with machine-gun fire. Renewing the attack at night, they broke into houses and set

<sup>1</sup> See reports of proceedings in the British Parliament on May 17th and in the Parliament of Northern Ireland on May 24th, 1922.

fire to them, fired on fugitives and murdered, among others, a blind man and a bedridden woman who were too helpless to fly. Over eighty Catholic families were rendered homeless in that one night; three Catholic women and five Catholic men were killed. The blind man, who was killed by a bomb, proved to be a Protestant lodging in a Catholic house. Another Special Constable and another Protestant civilian were killed.

By the end of May, it was estimated, the total number of Protestants killed during the year in the Six Counties was 87; of Catholics 150. The first eighteen days of June added 6 Protestants and 21 Catholics killed.

The Catholic Hospital, the *Mater Misericordiæ*, in Belfast, was like a war hospital in the first week in June. The wards, even the children's wards, were filled with bullet-wound and shrapnel-wound cases; fifty children under sixteen years of age had been treated there for wounds since February, when the bombing and sniping of children had first become a part of the expulsion campaign, and there were boys lamed for life in the wards. On the night of June 4th the hospital was surrounded by an armed mob who fired through the windows with rifles and revolvers. Doctors and nurses rushed from ward to ward, lifting patients who could not roll or crawl from their beds and laying them on the floor under the windows where they were safe. Many patients, after that experience, were too unnerved to remain in the hospital and invalids on crutches and on stretchers joined the throng of fugitives fleeing to the South.<sup>1</sup>

In Dublin, the citizens were hastily organising shelter and relief. Soon the workhouses and hostels were so full that no more could be received. The Republican Army held a discussion. It was proposed that tenement houses should be taken over for the refugees, but that would have involved hardship on poor families. It was decided, instead, to take over for them the Orangemen's Hall in Parnell Square. Here they were housed while other accommodation was being found.

The influx of about a thousand fugitives into Glasgow, where there was already a large number of unemployed, made British Ministers realise that matters were becoming serious in Belfast.

<sup>1</sup> See articles by D. Macardle in *An Phoblacht na h-Eireann*, June 1922.

By June 18th, 1922, it was calculated, the total casualties since June 21st, 1920, were 1,766 wounded and 428 killed. The number of Catholics driven from employment was 8,750; the number driven from their homes, the ultimate triumph of the pogrom, was about 23,000.

This work was carried out by the Specials and the mob. The British troops stationed throughout the towns of the Six Counties did not interfere. They refused to intervene even when a frantic Catholic woman ran out of her home and implored them to stop the sniper who was picking off the men in her street; a Catholic named O'Hara was beaten and kicked and then drowned in the Lagan whilst soldiers looked on.

The first concern of the British troops was to guard the Border between the Six Counties and the Twenty-six from "the hill tribes" as they ingenuously called the Republicans. On June 7th a little town, Belleek, on the Border between Fermanagh and Donegal, was occupied by a British force of two battalions with howitzers, field artillery, armoured-cars, transport lorries, ambulances and field kitchens—with a paraphernalia covering a mile of road. This force, advancing from the Six-county area across the Border, seized two fishermen and two hotel-keepers and bombarded the little fort, which had been recently vacated by Republican Volunteers. The Border village of Pettigo had a similar experience, and encounters with the I.R.A. took place at strategic points such as Clones and Strabane.

Incursions across the Border by the British troops or armed Specials from the Six Counties were resented and resisted by Volunteers of both Parties, and as such incursions, on one pretext or another, became frequent, conflicts increased in number. Michael Collins complained of the action of the British troops, especially at Pettigo and Belleek, and demanded investigation, but an inquiry was refused by the British.

Each incident in itself was slight, but their recurrence constituted a menace in view of the fact that there were, in Lloyd George's words,<sup>1</sup> "60,000 men in Ulster suppressing rebellion," with full war equipment provided by the British Government, and promise of unlimited aid. To certain Republican Army men

<sup>1</sup> House of Commons, June 26th.

who had supported the Treaty, British disregard of Irish rights in these matters brought disillusionment.

In June an attempt to stop these conflicts on the Border was made by the establishment of a "neutral zone." It extended two and a half or three miles on either side of the Border, and within that belt no person was to be permitted to carry arms. It was to be guarded by an unarmed Police of the Northern Government: "A provision which became a dead letter in practice," as General Macready stated.<sup>1</sup>

"The scheme must eventually wipe out the Boundary Commission," Sir James Craig explained.<sup>2</sup>

On the subject of the Ulster Nationalists the pro-Treaty and anti-Treaty parties were at one. Collins, notwithstanding his pacts with Craig, had not ceased to encourage armed resistance in the North-East, and Mulcahy was helping to organise it. Five Commandants of the Northern Divisions of the I.R.A. who had not broken with the Dail were formed into a committee with Frank Aiken, O.C. Fourth Northern Division, as chairman. They were charged by Mulcahy with the organising and equipping of the army in the Six Counties. During the Summer Mulcahy invited General Aiken to take command of all the Northern sections of the army and conduct the operations in Ulster. Aiken consented, but only on condition of being given full authority, and a decision on the matter was postponed.

In the matter of arms for the fighting in Ulster there was co-operation between the pro-Treaty and anti-Treaty Parties in the army.

It had to be taken into account that arms might be captured and that every weapon supplied by Great Britain bore a number and could be recognised. Arms supplied to the Provisional Government must not appear in this campaign. Careful and detailed arrangements were therefore made between the military leaders on the two sides for an exchange of guns. Liam Lynch was asked to send arms from the Republican Divisions in Munster to the North and to accept for the Southern Divisions, in exchange, arms which the British had supplied.<sup>3</sup> Already, even before the signing of the Pact, a beginning had been made.

<sup>1</sup> Macready, II., p. 647.

<sup>2</sup> Northern Parliament, June 27th.

<sup>3</sup> See letter from Liam Lynch in *Irish Independent*, April 27th, 1922.

A hundred Cork men, with guns captured in March from the *Upton*, had come to Dublin. These guns lay, packed, sealed, and guarded by the Cork men who had brought them, in Beggars Bush Barracks. The men had been promised that they would be sent North with the guns. During the second and third week of June large stores of rifles and ammunition were sent to and fro between the Four Courts and Beggars Bush and many officers were sent with equipment to the Divisions in the North.

As soon as the Pact was signed between Collins and De Valéra, efforts to secure a reunification of the army began. Each side appointed four officers to meet in conference. Those appointed were, on the pro-Treaty side, Richard Mulcahy, Eoin O'Duffy, Gearoid O'Sullivan and Sean MacMahon; on the Republican side, Liam Lynch, Rory O'Connor, Earnan O'Malley and Sean Moylan.

By this time, all the barracks in the Twenty-six counties had been taken over from the British and now the pro-Treaty Army was taking over various buildings as extra posts. It was, first of all, agreed that no more of those extra posts should be occupied by them and that the Republicans should evacuate some of the buildings they had seized in Dublin, including the Ballast Office and Kildare Street Club. The Republicans were not asked to evacuate the Four Courts; on the contrary, Rory O'Connor wrote afterwards, Mulcahy preferred that they should continue to occupy it, since as long as they held this place the war against the Northern Government would be attributed to them.<sup>1</sup>

On this matter the members of the Army Conference were agreed. Their chief task, however, was to draw up a scheme for the reunification of the army. A general system was outlined, corresponding to the original Constitution of the I.R.A., and seemed acceptable to both sides. Both agreed, too, that an Army Coalition Council should be formed, to include the Minister for Defence. Beyond this point, however, they found it difficult to agree. The Republicans wished Cathal Brugha to be the Minister, and to this the others would not consent. It was then proposed that the Minister for Defence should be appointed in the usual way, by the Government, and that the Party not represented by him should select the Chief of Staff and that both these

<sup>1</sup> Appendix 27, p. 1008.

appointments should be subject to ratification by a majority of the Army Council.

To this the Republicans were willing to consent, though it meant that the Minister for Defence would be a pro-Treaty man; but when the question of the choice of Chief of Staff was discussed they found that the other side were determined to appoint Eoin O'Duffy, temporarily, at any rate, to that post. They offered to appoint two Republicans as Deputy Chiefs of Staff, Liam Lynch, with special charge of inspection and reorganisation, and Liam Deasy, in charge of Training. To this arrangement Liam Lynch would have consented, especially as it was suggested that Eoin O'Duffy should be replaced by a Republican after a few months; but some of Lynch's associates were far from satisfied. Mulcahy proposed, as Adjutant-General, Gearoid O'Sullivan, and as Quartermaster-General, Sean MacMahon, both supporters of the Treaty. He was willing to appoint an anti-Treaty officer, F. O'Donoghue, to be Director of Intelligence and to include in the Army Council three more Republicans, Sean Moylan, Liam Mellows and Rory O'Connor.

The Republican members of the Conference, when they reported to their colleagues at the Four Courts, found that there were intense objections to allowing the pro-Treaty side to appoint the Chief of Staff as well as the Minister for Defence, especially as it proved impossible to secure any guarantee from them that the arrangement would be a temporary one. Many Volunteers were declaring that these army conferences were serving no purpose except to delude the Republicans.

While Liam Lynch remained anxious to avert civil war, even at the cost of large concessions, and others firmly refused to agree to the concessions proposed, an agreement with the Treaty Party began to appear less imminent than an angry division among the Four Courts men.

Mulcahy was refusing to go any further to meet the views of Republicans. In a letter, dated June 12th, he said:

“responsibility for dealing further with the situation must now be left to the new Coalition Government which is being formed.”

The Republican Army Executive met in the Four Courts on Sunday, June 14th, to hear the report of the four who had

represented it at the conferences. Liam Lynch presented the proposals to which Mulcahy had agreed. He was ready, for himself, to agree to them, but did not advocate them with any warmth. They were rejected by a majority of the Executive, and it was decided that the negotiations be broken off.

The following resolution was passed:

“ That we instruct the officers deputed to meet the Beggars Bush officers to inform them that:

“ (a) Negotiations on Army unification with Beggars Bush must cease.

“ (b) We take whatever action may be necessary to maintain the Republic against British aggression.

“ (c) No offensive will be taken by our troops against the Beggars Bush troops.”<sup>1</sup>

Rory O'Connor and Earnan O'Malley, later on the following day, handed a copy of these resolutions to General Mulcahy.<sup>2</sup>

With the publication of the Constitution on June 16th cleavages between the pro-Treaty and anti-Treaty sections became wider. Men who had remained under the Dail, trusting to Mulcahy's promises and to Collins's assurance that the Constitution would be a Republican one, were disillusioned. It seemed obvious to them that no Coalition Government and no Army Coalition could ever be formed to work such a Constitution, governed by such an oath. Rory O'Connor and his associates were frankly contemptuous of the document and of all who hoped to achieve anything by negotiation with Irishmen who accepted it.

In the Four Courts there was now a strong party eager to make an end of political conferences and to resort to arms. They wanted to give seventy-two hours' notice of the termination of the Truce and carry out an open act of war, not against the Irish troops but against the British troops stationed in Dublin. They believed that such an action would be the signal that would bring Irishmen out from the pro-Treaty Government's Army to their old allegiance and alliance. The I.R.A. Executive appointed a sub-committee to report on the possibility of an immediate

<sup>1</sup> Since the establishment of its headquarters at Beggars Bush Barracks in Dublin this description had been applied by Republicans to the Army remaining under the control of the Dail.

<sup>2</sup> The proceedings of the conferences were not reported, nor were the proposals for unification discussed by it made known until September 12th, 1922, when Mulcahy read extracts to the Assembly at Leinster House.

attack on the British troops remaining in the Twenty-six counties with headquarters in Phoenix Park.

Some Republican officers, encountering members of the new Civic Guard at Kildare, told them that war would soon be declared on England, all Republicans would be reunited and would make a joint attack on the Northern Government.

"If it is a joint attack on the North," the Guards replied, "we are with you," and they handed over to the Republicans some lorries and a quantity of arms.

The proposals drawn up in the conferences had yet to be discussed by a Republican Army Convention; it was realised that such a meeting was likely to be sharply divided and that feelings for and against the scheme would be strong.

The Extraordinary Convention summoned for the purpose of discussing the proposals met in the Mansion House on Sunday, June 18th. No sooner had the proposals been read than indignant protests were heard. There was some anger against Liam Lynch because he gave them his support. Angry disputes arose. These were interrupted by Tom Barry who moved that, instead of considering this question further, they should decide on an immediate attack on the British troops.

This suggestion, too, created vehement discussion; Liam Lynch, and with him all the Delegates of his Division, opposed it vigorously, as did Cathal Brugha. This was not the place or the moment, in their opinion, when such a question should be discussed. The motion was put to a vote and defeated by a small majority. The minority refused to abide by this decision. They rose from their seats and left the Mansion House and retired to the Four Courts and closed its gates against those who had opposed the resolution. Their position was a strong one, since twelve out of the sixteen members of the Executive were on their side. With Liam Lynch there were only Liam Deasy, Frank Barrett and Sean Moylan. Joe McKelvey was with the men in the Four Courts. These now repudiated the authority of Liam Lynch and appointed Joe McKelvey Chief of Staff.

Dissension, the evil genius of Ireland's destiny, had once more entered her counsels, and on the eve of an event which gave every enemy of Irish Independence a new weapon to his hand.



## CHAPTER 75

*June 22nd to 28th, 1922*

SIR HENRY WILSON KILLED — A BRITISH ULTIMATUM —  
MACREADY RECEIVES ORDERS — THE MEN IN THE FOUR  
COURTS — THE HOUSE OF COMMONS — SEIZURE OF MOTOR  
CARS — ARREST OF A GENERAL — BOMBARDMENT

ON Thursday, June 22nd, Sir Henry Wilson, while standing on the doorstep of his house in London, was shot dead. The young men who fired the shots were immediately captured. Their names were Reginald Dunne and Joseph O'Sullivan. Both were ex-soldiers of the British Army, living with their parents in London. O'Sullivan had lost a leg at Ypres. This lame man and his comrade had no chance of escape. They were Irishmen and the motive of their action was never in doubt. Neither then nor at the time of their trial and execution did they say anything to implicate any person or organisation. They maintained that they were justified by the verdict of their consciences.<sup>1</sup>

No evidence appeared to connect the Republican Party or Army with the assassination. A statement issued from the Four Courts declared that "the shooting of Sir Henry Wilson was not done at the instance of the Irish Republican Army."

De Valéra, asked by Pressmen to make a statement on the subject, said:

"The killing of a human being is an awful act, but as awful when the victim is the humble worker or peasant, unknown outside his own immediate neighbourhood, as when the victim is placed in the seats of the mighty and his name known in every corner of the earth. It is characteristic of our hypo-

<sup>1</sup> They were tried at the Old Bailey on July 18th and executed in Wandsworth Prison on August 16th. The following is an extract from a speech which Reginald Dunne prepared (but was not permitted to deliver) for his trial (it was quoted by the *Irish Independent* of July 21st): ". . . We took our part in supporting the aspirations of our fellow-countrymen in the same way as we took our part in supporting the nations of the world who fought for the rights of small nationalities. . . . The same principles for which we shed our blood on the battle-field of Europe led us to commit the act we are charged with. You can condemn us to death to-day, but you cannot deprive us of the belief that what we have done was necessary to preserve the lives and the happiness of our countrymen in Ireland. You may, by your verdict, find us guilty, but we will go to the scaffold justified by the verdict of our own consciences."

critical civilisation that it is in the latter case only we are expected to cry out and express our horror and condemnation. . . .

“ . . . I do not know who they were who shot Sir Henry Wilson, or why they shot him. . . .

“ I know that life has been made a hell for the Nationalist minority in Belfast and its neighbourhood for the past couple of years.

“ . . . I do not approve but I must not pretend to misunderstand.”

Griffith issued an unqualified condemnation of “ this anarchic deed.”

Neither then nor later did anything transpire to throw doubt on the sincerity of these statements. Popular belief attributed the assassination to the I.R.B. It was thought that Michael Collins had ordered it.

Whoever was responsible, Republicans were to pay the price. By what had happened, the immediate requirements of the British policy for Ireland were well served; the Government was now in a position to put a sharp end to the situation created by the Pact and the election following it and to prevent a Coalition Government with Republicans in the Ministry from being set up in Ireland. At the same time they were enabled to deal with the project of an attack on the British troops in Dublin which had been propounded, without secrecy, in the Four Courts.

Hitherto, the British Ministers had been embarrassed by the necessity of seeming to use no overt pressure on Collins; now they had a pretext for vigorous action: “ the motive and the cue for passion ” were here.

Without a day's delay Lloyd George wrote to Collins in terms which suggested that unless he took strong and prompt action against the Republicans in the Four Courts the Treaty would be held to have been violated and grave consequences would ensue. He offered the Provisional Government such military assistance as it might require.

Collins was absent in the South, and a temporising reply was sent on behalf of the Provisional Government to Lloyd George

requesting that the evidence which the Prime Minister believed to connect the Republicans in the Four Courts with the shooting of Sir Henry Wilson might be made available to them, and expressing the opinion that these Republican Forces were in process of disruption from within their own ranks and that time would effect their complete disintegration without the necessity of taking action which might evoke misplaced sympathy for them.

The evidence which the Irish Ministers requested was refused.

This correspondence was kept secret, and the fact that the Irish Ministers had received a demand from the British Government to take action against the Republicans was never acknowledged by them.<sup>1</sup>

General Macready was summoned to Downing Street. He was still Commanding-in-Chief the British Forces in Ireland and was at his Dublin Headquarters, the Royal Hospital, when the news of the assassination reached him. In his account of this day and the momentous week which followed he writes:

“ At 6 p.m. on 22nd June, I reached the Royal Hospital, to be greeted with the news of the murder of Sir Henry Wilson in London. . . .

“ There was, so far as I am aware, no evidence to connect

<sup>1</sup> De Valéra, speaking at New Ross on August 14th, 1936, quoted a portion of Lloyd George's ultimatum. He said: “Mr. Lloyd George wrote to Mr. Collins, stating that:

“ ‘ Documents have been found upon the murderers of Field-Marshal Sir Henry Wilson which clearly connect the assassins with the Irish Republican Army and which further reveal the existence of a definite conspiracy against the peace and order of this country.

“ ‘ Other information has reached His Majesty's Government showing that active preparations are on foot among the irregular elements of the I.R.A. to resume attacks upon the lives and property of British subjects both in England and in Ulster.’ ”

“ He insisted,” De Valéra continued, “ that Rory O'Connor and his followers should not be permitted to remain in the Four Courts and formally demanded that the situation there be brought to an end, promising whatever military assistance might be necessary to do so.

“ On June 23rd a reply was sent by the Provisional Government in the absence of Mr. Collins.

“ I can only say, having read it, that, having regard to their views, it was a very proper reply in the circumstances.

“ They asked that the information to which Mr. Lloyd George had referred as being in the possession of the British Government should be placed at their disposal.

“ To this request the British Government telegraphed that the information was of a highly secret character and could not be disclosed.”

the two men directly with De Valéra or Rory O'Connor. . . .

“ An hour after I heard the sad news, a telegram arrived calling me over to London. . . .

“ I went straight to Downing Street. . . . I confess that I was somewhat taken aback when asked if the Dublin Four Courts, in which Rory O'Connor had been established with his Republicans for the last two months, could be captured at once by the British troops. . . .”<sup>1</sup>

He recounts how strongly he opposed a decision which, he believed, would drive the pro-Treaty Forces in Ireland into an immediate alliance with the Republicans.

Macready's estimate of the situation was not an unnatural one. The ties binding Collins to his former Republican comrades and Irish tradition were old and strong; his understanding with England new.

The position of Collins and his colleagues of the Provisional Government was an unhappy one—Griffith, as President of Dail Eireann, also had a decision to make.

On Friday, June 23rd, Griffith was in conference, according to the *Manchester Guardian*, with the British Military officers attached to the troops in Phoenix Park. Following the Provisional Government's policy in army nomenclature, the paper said:

“ A conference was held in Dublin yesterday at which Mr. Griffith, Mr. Cope (Assistant Under-Secretary), Major General Dalton of the I.R.A. and two British Military officers were present, to consider the continued occupation of the Four Courts by the Irregulars under General Rory O'Connor. The proceedings were secret.”

General Macready returned to Dublin on the 24th (Saturday). He writes:

“ Soon after arriving in Dublin, and while I was going over the details of the scheme with General Boyd, whose troops could carry out the operation if it materialised, a telegram came ordering it to be put into effect the next day.

“ On the following day, i.e. June 25th, word came through

<sup>1</sup> Macready, II., p. 652.

from London that the Government had reconsidered their original decision and that no action was to be taken against the Four Courts—I have never ceased to congratulate myself on having been an instrument in staving off what would have been a disaster. . . .

“The Army Council and the Cabinet, with the exception of the originator of the scheme, heaved a sigh of relief when wiser counsels prevailed.”

The “wiser counsel” was to have this operation carried out, not by British troops, but by Irishmen.

The men in the Four Courts knew nothing of these consultations in London. On Sunday, June 25th, they were holding a meeting to discuss their own plans and the unfortunate dissension with Liam Lynch and the Southern Divisions.

It was an inconclusive discussion. The quarrel within the ranks of the Republican Army had made all projects for an attack either on the British troops or the Northern Government seem useless. To heal that breach seemed the first necessity to many. Others felt that a fight against “the common enemy” was the surest way to bring Republicans together again. Some believed that the shooting of Wilson would produce punitive measures against the Catholics in Ulster and that the most imperative obligation was to go to their aid.

It was decided that a Section should go at once, under Peadar O'Donnell, to the North.

No general decision was taken that day in the Four Courts.

Liam Lynch and other members of the Army Executive were still in Dublin, at the Clarence Hotel. Conversations took place between these and officers from the Four Courts section, and friendly relations were established again.

The House of Commons met on Monday, June 26th. It was a House “hungry with anti-Irish fury,” in William O'Brien's phrase. Bonar Law had expressed his views with “intense passion”<sup>1</sup> to the Prime Minister and Winston Churchill, who realised that they must answer to the Empire for the death of

<sup>1</sup> Winston Churchill, *Aftermath*, p. 314.

Sir Henry Wilson, or give way to a Conservative Government.

Churchill, in a speech of stirring eloquence, directed the storm against the I.R.A.

“The presence in Dublin,” he said, “of a band of men styling themselves the Headquarters of the Republican Executive is a gross breach and defiance of the Treaty. The time has come when it is not unfair, premature or impatient for us to make to this strengthened Irish Government and new Irish Parliament a request in express terms that this sort of thing must come to an end. If it does not come to an end, if through weakness, want of courage, or some other even less creditable reason it is not brought to an end, and a speedy end, then it is my duty to say, on behalf of His Majesty’s Government, that we shall regard the Treaty as having been formally violated, that we shall take no steps to carry out or legalise its further stages, and that we shall resume full liberty of action in any direction that may seem proper, to any extent that may be necessary to safeguard the interests and the rights that are entrusted to our care.”

The Provisional Government, he pointed out, had now been adequately equipped with war material, so had the Northern Government, which had been furnished with “upward of 50,000 stand of arms and all the equipment necessary for a defence force organised upon that scale.” “It constitutes,” he said, “the second half of the policy which we have been pursuing since the Treaty was signed.”

Lloyd George endorsed the statement of Churchill:

“We have communicated our views to the Provisional Government on this matter,” he said.

He preferred not to give details:

“I do not want at the present moment to give any details of the communication which we have sent to the Provisional Government. I would rather they acted upon their own initiative, rather than with the appearance that they are doing it under compulsion from the British Government. If

it should be necessary we shall lay the communication on the Table of the House; but I hope it will not be necessary."

Collins and his colleagues were in the toils. Even if those Republican leaders who sought peace rather than war prevailed, the Treaty Party had a situation of extreme difficulty to face. In five days the new Parliament was to meet and the Coalition Government, in which Collins was to co-operate with De Valéra, be set up. In the nature of the Constitution to be enacted that Coalition could scarcely survive. If it broke, the Pact required that a general election should follow. In such an election what would be the pro-Treaty party's fate?

They were entangled in a mesh woven by the Treaty; the temptation to cut the knot must have been strong, and the British were thrusting the sword into their hands.

It was not easy for the pro-Treaty leaders to forecast how far-reaching the results of violence on their part would be. Knowing of the breach in the I.R.A. Executive and the repudiation of Liam Lynch by the men in the Four Courts, they might hope that the latter would find themselves isolated in their resistance. They knew nothing, it appeared later, of the reconciliation that was taking place. With the anti-Treaty Army broken, Republican opposition in Parliament might be less formidable than, at the moment, it seemed likely to be. Perhaps—the thought must have presented itself—the Coalition Government need never be set up.

If Michael Collins hesitated to obey the British demand, felt reluctant to take arms against his countrymen, lacked an immediate incentive to violent action, it was not for long.

Later, when called on to justify the bombardment which precipitated Civil War, Irish Ministers declared that the reasons for it were the arrest of an officer and the seizure of motor cars.<sup>1</sup>

These incidents occurred on the day on which Churchill and Lloyd George made their statements about Ireland in the House of Commons: on Monday, June 26th.

<sup>1</sup> Speaking in the Provisional Parliament on September 12th, Mulcahy said that the Government's decision to proceed against the Four Courts was "practically taken" before General O'Connell was arrested on the same night. Cosgrave gave a different version in Galway on July 15th, attributing the attack solely to the capture of General O'Connell.

The men in the Four Courts required transport for the convoy going to the North; they proposed to obtain it, and at the same time act in accordance with the boycott of goods from the Six Counties, by seizing motor cars recently imported from Belfast by Ferguson's, a Dublin firm.

A party was ordered out to seize sixteen cars. This was carried out, but the Republican officer in charge, Leo Henderson, was arrested.

The Truce was still in operation between the pro-Treaty and anti-Treaty Forces. Republican officers called at Beggars Bush Barracks to protest. They were assured that Henderson would receive proper treatment and be released on parole. That night, it was discovered that he was imprisoned as a common delinquent in Mountjoy. The I.R.A. determined to take a reprisal and a party was sent to arrest the pro-Treaty Deputy Chief of Staff. General J. J. O'Connell was seized in Leeson Street, conveyed to the Four Courts and there detained, with the treatment due to a prisoner of officer's rank. His headquarters were informed that he would be detained as a hostage until Leo Henderson was released.

On Tuesday, the Four Courts was full of activity and of rumours. Crossley tenders were loaded for the journey to Ulster. A unit of Cumann-na-mBan was given orders to start that day for the North. The morning papers contained a statement by the Government commenting on the raiding of the garage, the seizing of Lieutenant-General O'Connell and the "reckless and wicked acts" which had disturbed the country for some months past. It concluded:

"The Government is determined that the country shall no longer be held up from the pursuit of its normal life and the re-establishment of its free national institutions. It calls, therefore, on the citizens to co-operate actively with it in the measures it is taking to ensure the public safety and to secure Ireland for the Irish people."

Word came from a friend in Beggars Bush Barracks that the decision to attack the Four Courts had been taken and a message was sent to Oscar Traynor to mobilise the Dublin Brigade of the



I.R.A. Information was received later that the decision to attack them had been reversed. In the evening, Traynor moved hurriedly around Dublin, placing units of the Brigade in various posts in the city. At about ten o'clock Liam Lynch came to the Four Courts with some of his colleagues and sat there in consultation with Mellowes until 1 a.m. Other officers were entertaining their prisoner, General O'Connell, with a game of bridge. When Lynch and his colleagues left, Mellowes accompanied them out to the street. There was no sign of hostile activity. He returned to the Four Courts.

A little later the streets around the building were full of Government soldiers. These drove Lancia cars against the gates of the Four Courts and dismantled them, blocking the exits. The officer of the Guard in the Four Courts was Paddy O'Brien. Every man in the building now placed himself under his orders, and each was given a pre-arranged post. Preparations for such an emergency had been made. Some of the garrison wanted to attack, but this was not permitted. The other side, Rory O'Connor insisted, must fire the first shot. So the men in the Four Courts waited, while eighteen-pounder guns, lent to Collins by the British, were placed in position on the other side of the Liffey and trained on the Four Courts walls.<sup>1</sup>

At 3.40 a.m. the Commandant of the garrison received a note signed by Tom Ennis on behalf of the Government demanding surrender before 4 a.m.

At seven minutes past four the field guns opened fire.

<sup>1</sup> The following is General Macready's account of the activities of the pro-Treaty side on that night: "Through representations to London by Cope, I received instructions to hand over two eighteen-pounder field-guns to the Provisional Government with a reasonable supply of ammunition, of which only sufficient for our needs was on hand. . . . Although the Provisional Government wanted the guns they were not at all sure that they had any men who could work them, nor was it to become known until they were in action that the British Government had loaned them. In the end, General Dalton, the one man who among Collins's officers had any knowledge of such things, came up after dark to our artillery lines with some motor-lorries, on the tails of which the guns were hitched and taken into town. At 4 a.m. the next morning the noise began."

## CHAPTER 76

*June 28th to July 5th; 1922*

### FIGHTING IN DUBLIN — THE DEATH OF CATHAL BRUGHA

WHEN the citizens of Dublin were wakened on Wednesday morning by the sound of explosions and machine-gun fire, the first thought of many was that the British were bombarding the city, perhaps from a gunboat in the Liffey, as in 1916. Many who had read the speeches made at Westminster on Monday had expected such an attack. There were even soldiers in the barracks who supposed that it was to meet the British they were mobilised. In Portobello Barracks the Supplies Officer, Frank Carney, was ordered by General O'Duffy to hand over a large requisition, including incendiary bombs, to men who had arrived with armoured lorries and cars. He was about to obey when he recognised the officer receiving them as a British officer from the Phoenix Park depot. Realising that it was in alliance with the British and against Republicans that he was being called upon to take action, he refused to comply and resigned. Several men resigned with him and all were placed under arrest.

Liam Lynch, at the Clarence Hotel, was wakened by the sound of firing. There, in the morning, all the available Senior Officers of the Republican Army met. Lynch was again Chief of Staff of the Republican Army; that had been understood before he parted from his friends in the Four Courts the previous night. He was resolved now to defend the Republic in arms. He knew he could rely on his own Division and prepared to set out at once for the South.

The directing of the military situation in Dublin was left to Oscar Traynor, Commandant of the Dublin Brigade.

Liam Lynch sent a message in to the men in the Four Courts telling them that he was going to rouse the country. From the meeting at his hotel a proclamation was sent out:

**“ FELLOW CITIZENS OF THE IRISH REPUBLIC:**

“ The fateful hour has come. At the dictation of our hereditary enemy our rightful cause is being treacherously

assailed by recreant Irishmen. The crash of arms and the boom of artillery reverberate in this supreme test of the Nation's destiny.

"Gallant soldiers of the Irish Republic stand vigorously firm in its defence and worthily uphold their noblest traditions. The sacred spirits of the Illustrious Dead are with us in this great struggle. 'Death before Dishonour' being an unchanging principle of our national faith as it was of theirs, still inspires us to emulate their glorious effort.

"We, therefore, appeal to all citizens who have withstood unflinchingly the oppression of the enemy during the past six years, to rally to the support of the Republic and recognise that the resistance now being offered is but the continuance of the struggle that was suspended by the truce with the British. We especially appeal to our former comrades of the Irish Republic to return to that allegiance and thus guard the nation's honour from the infamous stigma that her sons aided her foes in retaining a hateful domination over her.

"Confident of victory and of maintaining Ireland's Independence, this appeal is issued by the Army Executive on behalf of the Irish Republican Army."

They appended the signatures of the members of the Executive in the Four Courts—Liam Mellows, Rory O'Connor, Joe McKelvey and Earnan O'Malley—and added their own.<sup>1</sup>

Cathal Brugha reported for duty to Oscar Traynor and became a commandant in the Dublin Brigade.

De Valéra issued a public statement declaring that those who were being attacked were "the best and bravest of our nation." He wrote:

"At the last meeting of Dail Eireann an agreement was ratified which, if faithfully observed, would have given us

<sup>1</sup> It was signed: Comdt.-Gen. Liam Mellows, Comdt.-Gen. Rory O'Connor, Comdt.-Gen. Jos. McKelvey, Comdt.-Gen. Earnan O'Maille [O'Malley], Comdt.-Gen. Seamus Robinson, Comdt.-Gen. Sean Moylan, Comdt.-Gen. Michael Kilroy, Comdt.-Gen. Frank Barrett, Comdt.-Gen. Thomas Derrig, Comdt. T. Barry, Col.-Comdt. F. O'Faolain [Pax Whelan], Brig.-Gen. J. O'Connor, Gen. Liam Lynch, Comdt.-Gen. Liam Deasy, Col.-Commdt. Peadar O'Donnell, P. Rutledge.

an opportunity of working for internal peace and of taking steps which would make this nation strong against the only enemy it has to fear—the enemy from outside.

“ At the bidding of the English this Agreement was broken, and at the bidding of the English, Irishmen are to-day shooting down on the streets of our capital brother Irishmen—old comrades in arms, companions in the recent struggle for Ireland’s independence and its embodiment—the Republic.

“ English propaganda will strive to lay the blame for this war on Irishmen, but the world outside must not be deceived. England’s threat of war, that, and that alone, is responsible for the present situation.

“ In face of England’s threat some of our countrymen yielded. The men who are now being attacked by the forces of the Provisional Government are those who refuse to obey the order to yield—preferring to die. They are the best and bravest of our nation, and would most loyally have obeyed the will of the Irish people freely expressed, but are not willing that Ireland’s independence should be abandoned under the lash of an alien Government.”

Having issued this statement, De Valéra reported to his old battalion, the Third, which had given itself the name, *Dev’s Own*. He was attached to its Headquarter Staff.

Traynor took over Barry’s Hotel on the north side of the city as a centre for mobilisation; units of the Brigade were posted in buildings commanding the rear of the Four Courts, in Parnell Square, Capel Street, and in other parts of the city. Hotels in O’Connell Street were occupied and became the General Headquarters of the Brigade. The posts on the south side of the river, opposite the Four Courts, had fallen to the Government’s Army, and shells were crashing against the Four Courts walls.

Traynor’s hope was to get ten thousand men from the provinces into Dublin who would seize the barracks and garrison them. They would meet with little resistance, he believed. They, with the Dublin Brigade, would keep peace in Dublin while De Valéra insisted on the summoning of Parliament. It seemed probable that the Dail would repudiate those who had opened

war at England's bidding, denounce the Treaty, and declare for the Republic again. Couriers were sent to the different Divisional Commandants. Meanwhile, the positions in Dublin were fortified.

To Brigade Headquarters came Robert Barton, to fight for the Republic, and Art O'Connor, Austin Stack, and Constance Markievicz.

All hope of peaceful solution through the Pact had been shattered; they were forced to choose between two armies: "So, having to choose," as De Valéra said later, "they preferred to stand with those who, whatever the difference with them in other matters, were yet true to their pledges and professions and the tradition of their national faith."<sup>1</sup>

Childers, already at work beside a printing press, rushed out copies of the leaders' statements, and appeals to the people to stand by the I.R.A.

Cumann-na-mBan was mobilised. The members helped in the various posts, nursing the wounded, cooking for the garrisons, carrying despatches. They opened first-aid stations in many parts of the city. Mary Comerford, riding her bicycle along the bullet-swept streets and quays, kept communication open between the Four Courts and the Headquarters of the Brigade. One contingent of women went to the North, as the order received from the Four Courts to do so had not been cancelled.

Liam Lynch and Liam Deasy did not know whether the Provisional Government would have them arrested or allow them to go South. They started for Kingsbridge Station before the Proclamation which they had signed was printed, and hoped that Collins, aware of their break with the Four Courts, might suppose that they would take no part in the fighting and leave them at liberty rather than provoke the Southern Divisions by arresting them. They were, however, arrested on the way to the train and conveyed to a barracks where Eoin O'Duffy questioned Liam Lynch. Lynch refused to commit himself by giving any assurance. He reserved his decision, he declared. Both were released and sent to Kingsbridge in time to catch their train. Travelling with them was Seamus Robinson, now Commandant of the Second Southern Division, and other officers from the South.

<sup>1</sup> Interview with De Valéra in *Independent* of September 14th, 1922.

The shelling of the Four Courts went on all Wednesday and Wednesday night, all Thursday and Thursday night, and until noon on Friday.

On the first day no great damage was done. The Government Forces were unused to artillery, and the Four Courts walls were thick. The big guns were placed on the south side of the river at the foot of Wine-Tavern Street and Bridgefoot Street; a British officer gave instructions to the Irishmen firing them. Towards evening the gunners needed more high-explosive shells. Macready had sent a destroyer for ammunition, and telegraphed to England for more ammunition and guns; Eoin O'Duffy was vexed by the delay, as Macready records with amusement:

“ O'Duffy did not fail to tell me it was my fault, and that he would telegraph to Mr. Churchill to say so, an Irishism for which I was quite prepared.”

The General was able to supply shrapnel, which was fired during the night at intervals of a quarter of an hour.

On this first day there were some casualties in the Four Courts. A room was arranged as a hospital; Dr. Charles Macaulay made his way in and took charge. Nurse Geraldine O'Donel arrived with supplies of dressings, and the wounded were well cared for by the girls of Cumann-na-mBan. The hospital room, however, came under heavy fire, and Mary Comerford was sent out to negotiate with Commandant Daly of the Government's Army about sending the wounded away. This was not permitted, unless they came out as prisoners, but it was agreed that Red Cross lamps should be placed above the hospital and there was a cessation of firing while this was done. No sooner were the lamps lit, however, and the firing was resumed than they were shattered. The hospital was moved to the cellars then. Two Franciscan monks, Father Dominic and Father Albert, stayed with the garrison all the time.

On Thursday morning the walls of the Four Courts were still standing and the garrison was unsubdued. The men were hoping for a relieving attack by the Dublin Brigade, but there was no possibility of this. In the Fourth Battalion of the Brigade there was confusion; the Commandant, Sean Dowling, was in action,

but many of the men would take no part in Civil War, and in consequence the area which they should have held remained in the hands of the Government Forces; it was the area opposite the Four Courts from which the field-guns were bombarding the walls.

Traynor's hope of reinforcements from the country was frustrated; the Volunteers were mobilising in their several districts instead of advancing on Dublin; all the Dublin Brigade could do was hold the positions which it had occupied.

Madame Gonne MacBride and other Dublin women, appalled at the thought of civil war, formed themselves into a Committee, under Lord Mayor O'Neill as chairman, and sent delegations to the military leaders of both sides.<sup>1</sup>

They approached the Treaty Party first. They found Griffith quiet and unresponsive; Collins in a highly excited state; Cosgrave calm and competent. All insisted that there could be no truce until the Republicans surrendered their arms. Many of the delegates were reluctant to bring this message to the Republicans; they went, however, to the Brigade Headquarters, now at the Hamman Hotel. The Commandant told them that the Republican Volunteers would be willing to return to their homes with their arms but not to surrender them.

The Most Reverend Dr. O'Byrne, the Archbishop of Dublin, with the Lord Mayor and a representative of the Labour Party, Cathal O'Shannon, also tried to make peace. They were given the same answers; Traynor told them that the war could be ended in five minutes if the attack were stopped and the Republicans permitted to disperse with their arms; Griffith and Collins told them that they would insist on the surrender of arms.

General Mulcahy issued a message to his forces exhorting them to surmount the ties of comradeship and affection binding them to those against whom they found themselves ranged.

On Thursday afternoon Macready met Collins and Mulcahy at the Provisional Government's offices to discuss the heavy

<sup>1</sup> The delegations included Mrs. Sheehy-Skeffington, Miss Louie Bennett, Mr. Thomas Johnson, Mrs. Despard, Miss Rosamond Jacob, Miss Agnes O'Farrelly and Miss Gertrude Webb. See Memorandum by Madame Gonne MacBride in *Éire*, September 1923.

demands which they were making on the British Government for artillery. He advised them to make an assault on the Four Courts "preferably at night, when the gates could be blown in without much loss."

The Government troops had made difficulties for themselves in the way of an assault by blocking the gates of the Four Courts with dismantled cars. They succeeded, however, in making a breach in the walls and entering part of the building—the Records Office. The Republicans were holding out with difficulty now. The central court was under continuous fire, and to get from one part of the building to another they had to make a tunnel. In the evening they planned a sortie. Their armoured car was to be driven against the obstruction in the gateway and then they were to fight their way out; but the machine gun was found to be out of action; that project was abandoned; they resumed defensive firing and the incessant shelling went on.

On Friday morning the building caught fire. Flames threatened the north side where a great store of explosives lay. The men began an attempt to shift the explosives and carried quantities through the tunnel to the south side. Before all were cleared, however, they were forced back by the flames to the south-east corner. Presently there was a terrific explosion. Paddy O'Brien was wounded and a great number of the soldiers who had been attempting, at that moment, to break in, were killed.

Hand-grenades were falling now round the gate and in the central court, which the Republicans had mined. Shells were bursting. Of the garrison, six had been wounded and two, Tom Wall and John Cusack, killed. The defence could not last much longer. The wounded were taken out in a fire brigade ambulance and the women were sent away. These were allowed to pass out, but for the garrison there was no way of retreat.

They were gathered now, some in the south-east corner of the Four Courts, some in the cellars. Flames were closing in around them. The enemy did not appear to be preparing to attack. If they remained they would perish in the flames and explosions. They could blow up the gates and the obstructing lorries and dash out, but that would mean great loss of life. Some were in favour of this course, others of surrender, now that they had



made their protest against the Treaty in arms. A despatch had been sent out to Traynor, describing their position; now, while they were still undecided, a message came from him. It was an order to surrender.

He wrote:

“ I have gone into the whole situation *re* your position, and have studied the same very carefully, and I have come to the following conclusion: To help me to carry on the fight outside you must surrender forthwith. I would be unable to fight my way through to you even at terrific sacrifice. I am expecting reinforcements at any moment.

“ If the Republic is to be saved your surrender is a necessity.

“ As Senior Officer outside I take it that I am entitled to order you to make a move which places me in a better military position. This order must be carried out without discussion. I take full responsibility.”

They threw their arms into the flames and marched out under a flag of truce. The building behind them was a skeleton, the interior a mass of flames, from which explosion after explosion threw down the battered masonry in dust.

It was midday of Friday, June 30th, the day that ought to have brought the last meeting of the Second Dail.

No parliament met in Dublin that day.

The prisoners numbered over one hundred. They were taken to Mountjoy; six escaped on the way; among them was Earnan O'Malley, now Commandant of the First Eastern Division of the I.R.A.

The prisoners claimed the right to be treated as military captives. The Government issued a statement in which, although various charges were made against the prisoners, a definite undertaking was given. It was as follows:

“ Until such time as their cases can be individually examined, the Government is prepared to treat the prisoners as military captives, and to allow them, consistent with public safety, privileges not accorded to ordinary prisoners. . . .

“ . . . So long as they comply with the regulations governing their case they will be treated with the fullest consideration and will be permitted as much individual liberty as is consistent with their safe custody. . . .”

Among the prisoners were Rory O'Connor, Liam Mellowes, Joseph McKelvey, and Dick Barrett.

After the fall of the Four Courts the Government troops concentrated their fire on the block of hotels in O'Connell Street, now the Headquarters of the Dublin Brigade of the I.R.A. As one front after another was shattered, the garrison, breaking the walls between the buildings, withdrew into the Grenville and then into the Hamman Hotel. The Brigade Commandant had decided on a plan of action which should save life and leave some of the leaders free to organise resistance throughout the country by means of guerilla war. He arranged that the Republicans should try, simply, to evacuate their posts, leaving a small garrison to carry on resistance as long as possible and surrender only when the building became quite untenable.

On Sunday, by his orders, a part of the garrison went out with a white flag and surrendered. De Valéra, Stack, Brugha and a number of other leaders remained.

On Monday, De Valéra, Stack, Traynor and several others, went out. To their astonishment they passed through the streets and across the bridges unrecognised, to houses where they were expected and where they remained in concealment, receiving and sending communications from and to Cathal Brugha.

Brugha, with seventeen men and with three women to care for the wounded, had remained. The plan of action had been agreed on and perfectly understood. They were to go on firing until they could remain in the building no longer; then they were to surrender. If possible, no life was to be lost.

On Tuesday the building was on fire—Traynor sent a despatch to Brugha telling him that it was time to surrender. The messenger found the door in the lane, at which entry had been made formerly, shut. Traynor sent another letter, an angry one, threatening to return himself. The door was still shut and the messenger fell, wounded, in the lane.

On Wednesday the little garrison was still fighting. The bombardment was incessant and the buildings were burning. Soldiers threw petrol on the flames.

The defenders held out until evening, driven from point to point. At last, Cathal Brugha called them together. He ordered them to surrender before the blazing walls should fall. To one of the nurses, Linda Kearns, he gave permission to remain. The rest of the garrison went out and surrendered in obedience to his order except one young man who was devoted to Brugha and refused to leave him. By a personal appeal to his affection Brugha at last prevailed upon him to go. The surrendered men stood in a lane behind the hotel which was crowded with soldiers and men of the Fire Brigade; they waited anxiously asking one another, "Where is Cathal Brugha?" Suddenly they saw him in the doorway, a small, smoke-blackened figure, a revolver in each hand raised against the levelled rifles of the troops. Enemies and friends cried out "Surrender!" But shouting "No!" Brugha darted forward, firing, and fell amid a volley of shots.

Desperate wounds had been added to the fourteen scars of Easter 1916. While he was being driven to hospital the nurse who had remained with him held a severed artery between her fingers. Two days later news came that he was dead.

Those who were with Brugha in those last desperate days of fighting believed that he had never intended to surrender, that he had chosen to reveal the nature of this war to the people by resisting to the death.

The fighting in Dublin had lasted eight days. About three hundred Irishmen had been wounded and sixty killed. The east side of O'Connell Street lay in ruins, wrecked, as the west side had been in 1916, by English guns.

**PART XIII**

**CIVIL WAR**

**JULY TO DECEMBER 1922**



## CHAPTER 77

*July and August 1922*

GRATIFICATION OF ENGLISH MINISTERS — LIAM LYNCH — THE  
FIGHTING EXTENDS — DE VALÉRA IN THE SOUTH — DUNDALK  
— FRANK AIKEN'S EFFORTS — QUIET IN ULSTER

THE gratification of British Ministers over the developments in Ireland was undisguised. The fact that the Treaty had brought not peace but civil war to Ireland troubled its English Signatories not at all. "Hitherto" Sir Laming Worthington-Evans said at Colchester on the second day of the bombardment, "the dirty work in Ireland had been left to the British, but a change had resulted from the policies of the last two years."

Churchill a week later expressed his satisfaction in eloquent terms:

"Look," he said, "at that great historic street of the historic capital of Ireland, which was the property, and would have remained the property in the national sense, certainly so far as its great buildings were concerned, of this new Government. They have not even hesitated, in order to stamp out the armed resistance to the Treaty, to invade by force of arms, and to destroy as a result of their assault even their own property, worth millions of pounds."

In the House of Lords on July 6th, Lord Birkenhead echoed that note of triumph:

"They have destroyed in the course of their necessary operations some of the most beautiful and some of the most historic districts of Dublin. . . . I, for one, rejoice, as I have said before in this House, that this task, painful, costly, bloody as it must ultimately prove, is being undertaken by those to whom it properly falls. . . .

". . . I am even bold enough—cautious as I have been throughout all these discussions—to say that at the moment the situation is more hopeful than it has been at any moment since this Treaty was come to."

For Collins and Griffith, there must have been bitter irony in this praise from Englishmen, while, in Ireland, they heard themselves called traitors and renegades.

They had not intended to precipitate Civil War. There can be little doubt that, when they took the decision to attack the Four Courts, they thought the conflict would begin and end there, and quiet be restored in a very short time. They had under-estimated the sincerity of the opposition to the Treaty and the deep loyalty that underlay all differences among those who resisted it. They failed to foresee that the first shell fired at the Four Courts would be, for Republicans, a National Call to Arms.

In County Cork, within a few hours of the opening of the attack in Dublin, war had begun.

Officers of the First Southern Division met at their headquarters at Mallow and arranged attacks on the barracks held by pro-Treaty troops in Listowel and Skibbereen. Liam Lynch and Liam Deasy, when they arrived the following morning, endorsed what had been done.

Lynch and Deasy had been delayed on their journey South by damage to the railway line at Newbridge. Lynch now issued a statement to the effect that he hoped to establish communication with Republican Army units in all parts and to secure complete control of the South and West.

The general plan was that each section of the I.R.A. should operate in its own locality; the units were not to pass from one Divisional Area to another; thus there was no concentration in Dublin and most of the fighting took place in Munster and Connacht, where the I.R.A. was strongest in numbers and in arms.

During the first week of July sporadic fighting broke out in many parts of the country, attacks being made on occupied posts. Republicans were taking up positions and commandeering supplies.

The South Dublin Brigade, under Commandant Andrew McDonnell, had not nominally broken with the Dail and occupied barracks in the counties of Dublin and Wicklow until the fighting in Dublin began. On the day of the fall of the Four

Courts they received Traynor's request to move to Blessington to meet men coming to the city from Tipperary and enter Dublin with them. They burned their barracks, passed over the Sally Gap to Blessington and there met the contingent from Tipperary, about seventy in number under Michael Sheehan. Earnan O'Malley was there trying to collect a sufficient force for an attack on the Provisional Government's Headquarters. They advanced together towards the city as far as Crooksling; there, however, they received a despatch from Traynor telling them that the fight was over in Dublin.

O'Malley went South, formed the South-Eastern Command of the Republican Army, took Enniscorthy and put small garrisons in barracks in neighbouring towns. Presently he was appointed Assistant Chief of Staff.

Meanwhile, so one of the men who had been turned back at Crooksling occupied barracks in the surrounding district. At Baltinglass a fight took place and many Republicans were captured. Those in Ballymore-Eustace were completely surrounded by Government troops, but some Volunteers broke through the circle from outside and all made their way into the hills. After that fight a Volunteer on the Republican side discovered that one of those killed on the pro-Treaty side was his brother. Their father had fought in Mount Street in 1916.

Liam Lynch, on July 1st, went to Limerick with a contingent from County Cork. They took Adare Barracks, occupied a portion of Limerick city and then invited the local Government Commandant, Michael Brennan, to make a truce. Frank Aiken, whose Division was still neutral, came from Dundalk to try to help to make peace. Brennan agreed to a truce. This, however, was not permitted by the Government; they drafted fresh troops into Limerick and fighting continued there for about a week, until the Republicans withdrew. There was sharp fighting still in the county; the I.R.A. took a great number of prisoners whom they released when they had secured their arms.

Before the middle of July all hope of a truce in Munster was at an end and the two Irish armies were committed to war.

Liam Lynch moved with some of his General Headquarters Staff to Clonmel. There, in the second week of July, De Valéra



joined him and was attached as Adjutant to the Director of Operations, Sean Moylan. Columns from this centre had attempted to occupy Thurles but failed, owing largely to the confusion which made it difficult as yet to know friends from enemies, since men on both sides wore the same green uniform and on both sides there were un-uniformed men. Many of the Republicans were captured and the rest retreated from Thurles.

Liam Lynch now established Army Headquarters at Fermoy, leaving Seumas Robinson in charge of the Second Division at Clonmel, where De Valéra, also, remained.

The I.R.A. now held a line extending from the sea almost to the Shannon—from the city of Waterford to Limerick<sup>1</sup>; all the country south of this line was under their control. There was not a single position of any significance occupied by the Government's Army in the counties of Waterford, Tipperary, Kerry or Cork. In the city of Cork the I.R.A. collected the Customs and Excise duties; the *Cork Examiner* was edited under their supervision.<sup>2</sup>

The Eastern Division of the I.R.A. under Earnan O'Malley was active in County Wexford. They captured the town of Wexford and placed a small garrison there, allowing members of the Government's troops who were in the town to march out. Certain of the officers among the Government troops who were known to have fought against the British before the Treaty were permitted to retain their side-arms on giving their word of honour that they would not take part in any subsequent fighting. Their promise was not kept, however, and soon afterwards the Republicans were driven out of the town.

In the West the Volunteers were active from the first. They occupied Ennis on the day on which the Four Courts fell; in Sligo they burned the barracks and in Clifden they destroyed the Marconi station; they occupied Castlebar and established Divisional Headquarters there.

The equipment available for the Western Divisions was entirely inadequate and thousands of young men who were eager to join the Republican ranks were unable to get arms. The

<sup>1</sup> See map of Ireland at end of book.

<sup>2</sup> The files of this newspaper for this period contain accounts of the fighting in the South.

small armed columns, by means of capturing Provisional Government posts and patrols, succeeded in increasing their store of arms and ammunition. They succeeded, also, in capturing one armoured car, the famous "Ballinalce."

This could not long continue; the Government was sending troops round Ireland by sea. On July 24th troops landed at Westport in County Mayo and advanced towards Castlebar. The Republicans burned their barracks and evacuated the town.

In the Six North-eastern Counties, meanwhile, there was comparative peace. On July 27th the Lord Mayor of Belfast had appealed for a truce. What the response would have been was uncertain when the fighting broke out in Dublin on the 28th. That conflict brought the Nationalist resistance in the Six Counties to a standstill.

An exceptional situation existed in Dundalk, where the barracks had been for some time occupied by about three hundred men of the Fourth Northern Division of the army under Frank Aiken. Aiken had not attended the Army Convention in March. With his Staff and the majority of his Division, he had decided to remain under the Dail Ministry of Defence until the publication of the Constitution, unless they were asked to do something that they could not honourably do.<sup>1</sup>

When the attack on the Four Courts opened, Frank Aiken succeeded in maintaining neutrality between the pro-Treaty and anti-Treaty sections of his division in Dundalk. He saw the whole situation as disastrous. To his mind the one impassable barrier separating the Irish parties was Article 17 of the Free State Constitution—the Article making obligatory an oath of allegiance to the English King. He believed that if the Treaty Party eliminated this from the Constitution, co-operation could be arranged. He wrote a letter to the Minister for Defence on July 4th expressing his feeling that an effort should be made to stop fighting.

"Our civil parties are quickly being lessened," he wrote, "to the level of ordinary European or American political parties, and our army annihilating itself in a fratricidal way,

<sup>1</sup>This summary of the position and quotations are from a note on the "Position of the Fourth Northern Division" which General Aiken wrote on July 17th, 1922.

and this, while there is an opportunity of framing a Constitution that would make the Treaty acceptable to everyone as an honourable breathing space in our fight for Independence.

“Boil down all this wrangling and fighting and however great the tactical mistakes of the anti-Treatyites may have been, you have the simple national abhorrence of swearing allegiance to a foreign king and allowing part of the Nation to be ruled by people who have sworn loyalty to that king.

“Now, you are a member of the Executive of the Government of Ireland and have the majority of the people behind you, because they fear war with England. Are you prepared to carry on a war with your own people to enforce that Oath of Allegiance to England, while you have a splendid opportunity of uniting the whole Nation to fight against it with success? Are you prepared to smash the National strength, to force these men who helped greatly to build up that strength, to take the Oath which they feel they cannot honourably take? Are you prepared, if you do not give these men a Constitutional way to carry on working for the Republic in the army and in the Civil Government—to recruit in the attempt to drive them under an army of mercenaries, whose souls were unstirred by the National fight of these last few years?”

He informed Mulcahy that he would not fight on either side, “because that fight would only ruin the country without gaining any ground for the Republic.” He went to Limerick and saw Liam Lynch there on July 8th and told him that although he had the moral right to fight it was bad tactics. Having failed to convince Liam Lynch, he returned to Dundalk. There he found his troops under orders from Beggars Bush to attack the Republican Volunteers in his area.

On the 14th he held a meeting of officers in which the Republicans took part. In the memorandum which he wrote a few days later he recorded:

“We agreed that if the Provisional Government did not give the anti-Treaty parties, civil and military, a

constitutional way of carrying on for the Republic, such as withdrawing the Oath for admission to Parliament, we would give them no support, moral or material."

He ordered all war material belonging to the Division to be concealed.

He next visited the Minister for Defence in Dublin and informed him of the decision of the officers of his Division. Mulcahy received him with apparent sympathy and requested him to return to Dundalk and write a full memorandum for the Government. Aiken obeyed, to be awakened at five-thirty the next morning with a gun at his head. Some of his men who were under arrest for drunkenness had opened the gates and the barracks was in possession of the Provisional Government's troops.

The daily Press, which was regularly announcing "great victories" for the Government, described the affair under sensational headlines such as "Great Coup at Dundalk. Whole town taken in two hours. Three hundred prisoners and arms."

Frank Aiken obtained parole and again saw the Minister for Defence, who offered to have the prisoners in Dundalk released if they would sign an undertaking not to attack the Government. General Aiken thought they would not wish to attack, but thought they would sign nothing until the Government withdrew from the Constitution the Oath of Allegiance to the King. Returning to Dundalk he was informed by the Provisional Government's officers that he and his men were to be arrested. They were sent to the local jail.

On July 20th Frank Aiken wrote to the Minister for Defence from prison. He pointed out that the war which the Provisional Government declared was being fought for the rights of the people was in reality a war

"waged by eight Irishmen without a mandate from the people and without consulting the representatives of the people to force Irishmen to take an oath of allegiance to a foreign king."

With others, he broke out of jail on July 28th.

He wrote on August 3rd an appeal to former members of the I.R.A. now serving under the Provisional Government to "down tools." "The onus of stopping the fight rests on you," he declared; "while you attack the men who can never accept the oath, you are in the wrong and must be met."

By this time the Republicans of his own Division had found themselves hunted and harried to such an extent by the Provisional Government's troops that they had been forced to fight. On August 13th they recaptured Dundalk barracks and prison by a surprise attack, released the Republican prisoners and went back to the country with all the garrison's equipment and arms.

In that engagement five men were killed and several wounded. The following notice was posted up the next morning in Dundalk.

"OGLAIGH NA H-EIREANN

"Headquarters,

"4th Northern Division,

"Dundalk.

"14th August, 1922.

"TO THE PEOPLE OF THE DIVISIONAL AREA:

"In previous statements issued to you we have pointed out our position fully and directed your attention to the fact that we have always been out for unity of the army and honourable peace among Irishmen.

"We feel confident that your views are the same as our own, but we regret that you did not make them publicly known. Had this been done, the casualties of to-day's struggle on both sides, which we heartily deplore, might have been avoided.

"We believe you have still a chance to achieve both your and our desires, and we invite you to

A PUBLIC MEETING IN THE MARKET SQUARE

TO-MORROW

(Tuesday, 15th August) at 1 p.m. sharp

at which the following resolution will be proposed:

"That the People of this Area demand an immediate Truce, and that the Dail be summoned at once in order—(1)

to reaffirm the Sovereignty of the Irish People and arrange an honourable peace among all parties, or (2) If this is not possible, to dissolve the Third Dail<sup>1</sup> and hold a new Election, at which the issue shall be the present Constitution, which means a DISHONOURABLE PEACE WITH ENGLAND, UNREST AND CIVIL WAR IN IRELAND—OR a MANDATE FROM THE IRISH PEOPLE TO MAINTAIN THE INDEPENDENCE OF THE SOVEREIGN IRISH NATION AT ALL HAZARDS.’

“ Is sinne,<sup>2</sup>

“ OFFICERS 4th N. Div.”

A public Meeting was held and a resolution was passed demanding that the Dail should be summoned.

The Fourth Northern Division of the Republican Army continued to carry out guerilla warfare in the country around Dundalk.

<sup>1</sup> The newly elected Assembly is referred to.

<sup>2</sup> “ We are.”

## CHAPTER 78

*July 1922*

THE PROVISIONAL GOVERNMENT — PROPAGANDA AND CENSORSHIP — PARLIAMENT PROROGUED — AN UNCONSTITUTIONAL GOVERNMENT — THE WAR COUNCIL — REPUBLICAN COURTS ABOLISHED — “HABEAS CORPUS” — JUDGE CROWLEY’S OPINION — GAVAN DUFFY RESIGNS

THE Provisional Government had before it the task, not only of inflicting a military defeat on the Republican Army, but of establishing the Treaty Constitution in the Twenty-six Counties. In order to do this it was necessary to create such a mental attitude among the people that when an election took place they would vote against Republicans. Propaganda was of the utmost importance to the accomplishment of this design and this fact the Government realised. A strict military censorship was established on July 2nd. It applied to English and foreign as well as Irish publications. No newspaper might be printed, imported or circulated that had not been submitted to the official censors of the pro-Treaty Army. The congratulatory expressions of British Ministers were not helpful to the Provisional Government’s campaign and this was realised in England. Even when the censorship was extended to the opening of letters from England in the Irish Post Office, Churchill sympathetically defended it.<sup>1</sup>

The question of nomenclature was important. Irish newspaper proprietors were given implicit instructions in this connection. The pro-Treaty Army had no legitimate existence except as the army controlled by Dail Eireann and obeying Mulcahy as Minister for Defence in the Dail; but this army was now carrying out the orders of Michael Collins, Chairman of the Provisional Government, and being used as the army of this Government. This fact it was deemed advisable to conceal. This army was referred to, from this time forward, as “the Irish Army,” or the “National Army,” while its opponents were described as “bands” or “bodies of armed men” or as “irregulars.” Arrests effected by Republicans were described as “kid-

<sup>1</sup> House of Commons, July 17th.

napping." In connection with the Provisional Government's forces the hated word "enlisted," with its British association, was abandoned in favour of "enrolled." For the term "Provisional Government" was substituted "the Government," or "the Irish Government."<sup>1</sup>

Military titles were used only with reference to members of the Provisional Government's troops.

On July 6th a Call to Arms was issued, inviting citizens to join the ranks of the Government's Army, which was described as the "Irish Volunteers." The Republican resistance was referred to as an "armed conspiracy." The Attestation Form signed by men joining the Government Army read:

"I agree to serve in the Regular Forces of the Irish Republican Army for a period of six months from this date. . . ."<sup>2</sup>

This propaganda was only partially successful: the Irish people continued to speak of the *de facto* Government's forces as "the Free State Army" or briefly "the Staters" while the anti-Treaty forces were still called "Republicans" more often than "irregulars."

An untiring campaign against false propaganda was waged by Erskine Childers and did not cease when he was on Active Service with the I.R.A. in the South. Even when moving about with the Columns he carried with him a little printing press on which the *Republican War News* was printed. Distribution of the paper, however, proved difficult in the extreme.<sup>3</sup>

The meeting of Dail Eircann decreed for June 30th, at which the Second Dail was to dissolve, was never held. The Provisional Government ignored that decree and convened a new Assembly without taking any steps for the formal dissolution of the Second Dail. The new parliament was not summoned as the Third Dail. On June 27th the official gazette<sup>4</sup> contained the following notice:

<sup>1</sup> In the following pages the group in power and acting as a *de facto* Government is referred to, for brevity, as "the Government." No opinion as to the legitimacy or otherwise of its claim is implied by the use of this term.

<sup>2</sup> This was the form still in use in December 1922.

<sup>3</sup> See article in *Irish Press*, Christmas Number, 1932.

<sup>4</sup> *Iris Oifigiuil*.



“ The House of Parliament to which the Provisional Government is to be responsible will assemble at the Theatre of the Royal Dublin Society, Leinster Lawn, Kildare Street, Dublin, on Saturday, the 1st day of July, 1922, at the hour of 11 o'clock in the forenoon, for the purpose of answering the Roll, after which the House will proceed to the election of a Speaker, and to the discharge of such other business as may be decided.”

It was signed by Diarmuid O'Hegarty, Secretary to the Provisional Government. The notice was issued in the name of the Irish Provisional Government, pursuant to the Irish Free State (Agreement) Act, and was addressed to members for Constituencies in “ Southern Ireland ” only.

On June 30th a notice appeared by which the Provisional Government “ for certain causes and considerations ” prorogued the meeting of Parliament to July 15th. On the 13th the meeting was prorogued again. This time the notice was signed by fifteen men: Arthur Griffith, Ernest Blythe, William Cosgrave, George Gavan Duffy, E. J. Duggan, Desmond Fitzgerald, Michael Hayes, P. J. Hogan, Michael Collins, Finan Lynch, Richard Mulcahy, Joseph McGrath, Eoin MacNeill, Kevin O'Higgins, J. J. Walsh. Of these fifteen men only seven were members of the Cabinet of the Dail, the rest had no constitutional right in such a matter as the proroguing of Parliament. This was, in fact, a joint proclamation of the Provisional Government and the Ministry of the Dail. It was evidence that this combination proposed to act as the government of the Twenty-six Counties. Griffith was allowing the Dail to be absorbed.

This group of fifteen now created a War Council. It consisted of Michael Collins, who was appointed Commander-in-Chief, Richard Mulcahy, now Chief of Staff as well as Minister for Defence, and Eoin O'Duffy, appointed General in Command of the South-Western Division. Other appointments made on the same day included Diarmuid O'Hegarty to be Commandant-General.

At the same time Arthur Griffith proceeded to rescind the most important decrees and destroy one of the most fundamental institutions of the Dail.

The Supreme Court of the Irish Republic, ever since its creation in 1920, had continued to function in war and in peace. The judges of the Supreme Court and Circuit Judges held office for life and were "removable only by special decree of An Dail for cause assigned passed by a two-thirds majority." No person or body could legally interfere with the sitting of any Dail Court. The terms of the Treaty made no attempt to empower the Provisional Government to interfere with them.

On July 13th the re-opening of the courts was announced in the usual way in the Press. On the following day an order was issued suspending the sittings of the Supreme Court. It was issued in the name of the Cabinet of Dail Eireann.

"Many reasons" were offered for this act, the chief being that the excessive use of the Republican Courts had been in a large measure "irregu'lar and unlawful," that a reorganisation of a judicial system would be required later on, and that, in the meantime, the Government preferred the use of the former British Courts which had now passed into Irish hands. The real reason was presently clear—the courts had been invoked by Republicans in a matter which, had their claim succeeded, would have affected the Government's policy of arrests.

Count Plunkett, on the 18th, instituted an application for *habeas corpus* for the liberation of his son George, who, since surrendering with the garrison of the Four Courts, had been a prisoner in Mountjoy Jail.

In the course of a long affidavit he categorically impugned the legality of the whole proceeding of those who had signed the Articles of Agreement and those who, while claiming to be Ministers of Dail Eireann, had endeavoured to subvert Dail Eireann and had attacked the Four Courts. "They are acting," he affirmed, "in exercise of arbitrary power and in direct violation of every constitutional principle." He applied for a writ of *habeas corpus* to be served upon Richard Mulcahy, Minister for Defence, and Colm O'Murchadha, Governor of Mountjoy Prison, commanding them to produce the body of George Oliver Plunkett at such time and place as might be appointed by the court.

The suspension of the sittings of a court, even when legally and constitutionally ordered by the competent authorities, does

not affect the power of a judge of that court to grant an application for *habeas corpus*, even at his private house. Judge Crowley, on July 19th, signed a conditional order commanding the persons named to appear on July 26th at 11 a.m., bringing George Oliver Plunkett.

On the 25th, in the British House of Commons, Churchill was questioned about the continued existence in Ireland of Republican Courts. He answered: "At this particular period of transition there is a certain amount of duality"; but he told the House, "we have every reason to believe it will be put an end to."

On the night of July 25th Judge Crowley received a letter from the Dail Department of Home Affairs stating that the Minister, with the concurrence of the Cabinet of Dail Eireann, hereby rescinded the Decree establishing Republican Courts and declared it to be of no effect from that date save as respected Parish Courts and District Courts outside the city of Dublin.<sup>1</sup>

When the Supreme Court sat on the following morning the writs had been duly served, but the Minister for Defence did not appear, nor did the Governor of the Prison; the Dail Cabinet was not represented, nor was the prisoner produced in court.

Judge Crowley, holding that the arrest of George Oliver Plunkett and his comrades was illegal, made an Order for his release. He also made an Order for the immediate arrest of Richard Mulcahy and Colm O'Murchadha, this Order to be circulated to all police officers and to all officers and soldiers of the Irish Republican Army.

On the same day the Provisional Government announced that the meeting of Parliament was again postponed.

On July 31st there appeared in the Press, under the heading "Dail Eireann" an official notice, dated July 25th, signed by E. Duggan as Minister of Home Affairs, by which the Dail decree "purporting to establish Courts of Law and Equity and Criminal Jurisdiction as part of the Government of the Irish Republic" was "hereby rescinded and declared to be of no effect as from this date."

Shortly afterwards, George Gavan Duffy, Minister for Foreign Affairs, resigned from the Cabinet of the Dail. As he was a

<sup>1</sup> Shortly afterwards, these courts also were suppressed.

distinguished lawyer his resignation was the cause of much speculation in legal circles; the reason was not known until he wrote a full explanation to the Press.

He had been in agreement with his colleagues, he stated, "on the predominant military question," but was now "compelled to break, upon issues involving a very grave matter of principle."

His letter continued:

"On July 25th it was determined to abolish the Supreme Court and its Judges rather than meet in open court an application for release on writ of *habeas corpus* made on behalf of one of the military prisoners in Mountjoy."

He pointed out that this was an attack upon "the first principles of our freedom and democracy"; that the Dail itself had set up this court and these judges; that the military authorities had recognised its *habeas corpus* jurisdiction three months previously; that "the transcendent importance of this safeguard against the Executive" had been recognised;

"*habeas corpus* was deemed so vital and fundamental a right that it had to be scrupulously secured to the Irish people, even in time of war, by being incorporated in the Constitution itself."

The illegality of the proceedings seemed to him inexcusable. He maintained that the Government could have "taken steps within its own legal powers to render its position unassailable in law with regard to the other military prisoners."

He disliked, too, this resort to the King's Inns.

"Ministers must feel some diffidence," he wrote, "about championing against their own justices the judges of the old régime, most of whom, a year or two ago, would have welcomed any opportunity of lodging our present rulers in jail, fully persuaded that there could be no better way of serving King and country. The war record of that Judiciary is still branded upon the public memory. . . . But," he declared, "the vital point is that no Government may annihilate its Tribunals and its judges at the moment when their most sacred jurisdiction over the Executive itself is being involved."

The Provisional Government published on August 21st angry refutation of this account of their motive for the suppression of the courts.

The abolition was completed by a Decree published on October 27th, which abolished the District and Parish Courts outside the City of Dublin. Supporters of the Treaty were appointed as Magistrates.

Republicans were not prepared to acquiesce in either the suppression of the courts or the proroguing of the Dail, and action was taken early in August which signified a protest against both.

On Eoin MacNeill, as Speaker of the Dail, lay the duty of summoning the Dail and fixing the place and hour of meeting. This he had not done, ignoring the decree of the Dail by which a final meeting of the Second Dail was to take place on June 30th. Now Mrs. Thomas Clarke, exercising the right of a Deputy, applied to the Republican Supreme Court for a Mandamus to be directed to Eoin MacNeill, commanding him to summon the Dail. Michael Comyn, K.C., on August 4th, made application to Judge Crowley for this Mandamus on her behalf. Judge Crowley granted a Conditional Order directing that the Speaker should show cause why he had failed to summon the Dail, and this was duly served on Eoin MacNeill. The hearing was fixed for August 11th. Judge Clery attended and presided. Eoin MacNeill made no appearance nor did anyone attend to represent him. The Conditional Order was made absolute, but the Republicans were powerless to put it into effect.

Presently, Judge Crowley was arrested and imprisoned.

During July and August the Labour Party repeatedly demanded that the Dail should be summoned but again and again the Assembly was prorogued. It was prorogued on August 4th for the last time, the date of meeting being given as September 9th.

## CHAPTER 79

*August 1922*

DAIL EIREANN REPUDIATED — THE PRISONERS — FIGHTING  
IN MUNSTER — FERMOY EVACUATED — DEATH OF HARRY  
BOLAND — DEATH OF ARTHUR GRIFFITH — DEATH OF  
MICHAEL COLLINS

THE undermining of Republican institutions was proceeding rapidly.

Early in August, statements were made by Michael Collins and his associates which proved that the violation of the Pact was complete and that these men had no intention of allowing the Second Dail Eireann to meet again.

A "People's Rights Association" had been formed and this body asked Liam Lynch on what basis peace might be discussed. He replied:

"When the Provisional Government cease their attack on us, defensive action on our part can cease. If the Second Dail, which is the Government of the Republic, or any other elected Assembly, carry on such Government, I see no difficulty as to the allegiance of the army."

On August 1st the Committee forwarded this statement to Michael Collins<sup>1</sup> with a request that the Dail should be allowed to assemble "to decide on the necessity or policy of a bitter and prolonged civil war." Collins, now Commander-in-Chief of the Government's Army, replied by a demand for the surrender of arms, and passed the letter to Cosgrave who had been appointed Acting Chairman of the Provisional Government. Cosgrave's reply constituted an outright repudiation of the authority of the Second Dail. He wrote:

"The functions of the Second Dail came to an end on June 30th. The meeting which was to have taken place on that date would have been purely formal for the purpose of bringing its business to a conclusion. The Sovereign Assembly of Ireland

<sup>1</sup> See *Irish Independent*, August 7th, for extracts from this correspondence.

is now the Parliament elected in June last, whose authority the irregulars have flouted."

This reply was accompanied by a statement from the Government Publicity Department declaring that the Second Dail "now possesses no authority whatever."

It might have been asked, if, in spite of never having been dissolved, the Second Dail was extinct, from what source did Griffith and Mulcahy derive the authority which they were exercising? If the newly elected Parliament was the Sovereign Assembly, who had the right to forbid it to meet? The fact was that Griffith was retaining office solely by means of preventing the assembling of the new Parliament, while Collins and his Provisional Ministry derived authority from the British Free State (Agreement) Act alone and were preventing the meeting of the Parliament to which that Ministry was to be responsible. Neither the one Ministry nor the other was giving any recognition to "the Parliament elected in June last," except by forbidding it to meet. It was not "the irregulars" who were "flouting" its authority.

The Parliament which had been elected in June would, if it met as Dail Eireann, elect a Coalition Cabinet in accordance with the Pact or, violating the Pact, elect a pro-Treaty Executive. If, on the other hand, it met, in accordance with the Treaty, as the "Parliament to which the Provisional Government is to be responsible," it would actually have no say in the appointment of the Executive, since the men appointed in January were to retain office with or without its consent.

In the numerous official notices proroguing the assembly it was as "the House of Parliament to which the Provisional Government is to be responsible" that it was described. During July and August it was five times prorogued.

These things were not allowed to pass without protest. Professor O'Rahilly of Cork, a strong supporter and advocate of the Treaty, declared on August 5th that Michael Collins had

"received no mandate from Parliament, not even from the Parliament recently elected to which he professed to be responsible."

The Labour Party protested vehemently. At its Annual Meeting, held on August 7th in Dublin, the chairman, Cathal O'Shannon, said that, while they must not be understood as supporting the Republican Party's policy, they condemned the Provisional Government for this:

“That they, having allowed certain acts, e.g. seizures, arrests, etc., by the Army Executive to go on for several months, and after negotiations on the instructions of the Dail, with the Army Executive to bring about unity, suddenly reversed engines. Without warning the public, without the sanction of the Dail, and without giving any satisfactory explanation of their change of policy, they precipitated an attack upon the headquarters of the forces with whose leaders they had been in negotiation, and practically drove the whole political Republican Party into giving active support to the Army Executive's policy.”<sup>1</sup>

Protests against the proroguing of Parliament were without effect, however, as were the protests which Labour Representatives made against the Government's system of arrests.

Arrests were made on suspicion by police and military; prisoners not known to be active against the Government were asked, as a condition of their release, to sign a form which implied a promise not to support the I.R.A. and attempted to arrogate to the Provisional Parliament the mandate given to the Dail.

The form of declaration ran:

“I promise that I will not use arms against the Parliament elected by the Irish people, or the Government for the time being responsible to that Parliament, and that I will not support in any way any such action. Nor will I interfere with the property or persons of others.”

This form was signed by very few. No member of the Republican Army or adherent of it was willing to sign a repudiation of his own side; even Republican prisoners who deplored the armed resistance of the I.R.A. and whose efforts had been for peace

<sup>1</sup> See Report of the Twenty-eighth Annual Meeting of the Irish Labour Party and Trades Union Congress, 1921-2.



objected to giving to the group which was acting as a *de facto* government the recognition due to a legitimate government. The result was that the prisons were soon filled with Republicans, non-combatant as well as combatant. The organisation of the prisons was inadequate to receive such large numbers, and remained inadequate to provide proper accommodation. Deplorable conditions developed. In many jails an attempt to treat these uncharged prisoners as criminals produced the old unhappy cycle of ever more strenuous resistance by the prisoners and increasing callousness on the part of the military guards.

During August hundreds of arrests of civilian "suspects" were made. Protests were ignored; all efforts to secure a meeting of the Dail or to effect a truce proved unavailing, and the Civil War went relentlessly on.

The Provisional Government had recruited a large paid army from all available sources; they had no lack of arms or ammunition and no need, as Churchill had suggested repeatedly, to economise supplies. This army was concentrating on an effort to dislodge the I.R.A. from Munster.

At the beginning of August the Republicans, although they had evacuated the cities of Wexford and Limerick, still controlled large parts of the counties of Limerick, Waterford, Kerry and Tipperary and controlled the whole of County Cork.

Notable leaders of the army which had fought the British operated along the Republican line; the old tactics were employed. By breaking bridges, trenching roads and setting ambushes in the mountain passes the Volunteers guarded the ways of approach.

They found themselves opposed, in August, by Forces which enormously outnumbered them and were incomparably better armed. The I.R.A. flanks were turned at Waterford and in County Limerick. At Newcastle West they resisted for twelve hours but were forced back. One by one, the towns which they held along the approaches to Munster were taken: Waterford, Carrick-on-Suir, Tipperary and Cahir. Still, along a front including Clonmel and Fermoy, their Headquarters, the I.R.A. held their own; but troops were occupying the country south of them now, arriving by sea. Some landed at Fenit, in Kerry, and, after

meeting with sharp resistance, took Tralee. Others landed in Passage East and entered Cork city on August 10th.

Always, before evacuating a town which they could hold no longer, the I.R.A. burned the barracks which they had occupied.

It was on August 11th that the last town held by the Republicans fell.

On that day, Liam Lynch heard that the troops were advancing in strength against Fermoy. His forces there were insufficient for resistance and he realised that he must evacuate the town. He burned the barracks and other buildings which had been garrisoned and retreated with De Valéra and the rest of the Headquarters Staff into the surrounding hills. The Second Southern Division had already left Clonmel, breaking up into columns.

Not a sod of Irish soil remained, now, under Republican control. The I.R.A. was faced with a prolonged guerilla war in which their ever-diminishing resources would be opposed to ever-increasing odds.

De Valéra did not believe it probable that the I.R.A. could prevail or that any good could come to Ireland by continuing this war, and he expressed this view to some of the military leaders, earnestly asking them to consider whether victory was not clearly out of reach. The members of the Army Executive, however, would not yet admit the probability of failure. They believed that the tactics of guerilla war carried out by flying columns would prevail against the new enemy as it had prevailed against the old.

August was a month of gloomy forebodings. The fact that the country was committed to a bitter and prolonged Civil War had become painfully clear. Casualties on both sides were increasing, and, besides the men who fell in action, both parties, before the month ended, had lost men whose personalities, position and records in the fight for independence were such that the whole nation grieved for each of them.

Harry Boland had fought in Easter Week and had served as Secretary to Sinn Fein, then as Republican Envoy and as Secretary to President de Valéra in the United States. A close personal friend of Michael Collins as well as of De Valéra, he had

helped to bring about the Pact. He was Deputy for Roscommon in Dail Eireann and was re-elected at the Pact Election in June. Although a prominent member of the I.R.B. he had voted against the Treaty. After the fall of the Four Courts he had undertaken to help in reorganising the Republican Army in Leinster.

He was sleeping with Commandant Griffin in the Grand Hotel in Skerries on the night of July 30th. At about 2 a.m. a large body of soldiers surrounded the house. They had an armoured car. Some guarded the exits and others occupied the corridors while a party of six entered the room in which Harry Boland slept. He awoke, made a dash for the corridor and was shot. He died at St. Vincent's Hospital on August 2nd.

The official report of the occurrence admitted that he had been unarmed. It stated:

“ When accosted in his bedroom he made an unsuccessful attempt to seize a gun from one of the troops and then rushed out to the corridor. After firing two shots at random and calling to Mr. Boland to halt it was found necessary to fire a third shot to prevent escape.”

The soldiers who shot him seemed unaccustomed to firearms and distressed by what they had done.

On August 12th Arthur Griffith died. His death, wholly unexpected, at the height of his success and power, was a shock to every Irish man and woman who had learned from him the doctrine of Sinn Fein. He had been suffering from overwork and strain and from a slight attack of tonsillitis, and had gone as a patient to a nursing-home. He seemed well and was leaving for his office when he fell forward unconscious. He died in a few hours.

Ten days later the whole country was shaken by the news that Michael Collins had been killed in action in County Cork. The official notice stated:

“ General Michael Collins, Commander-in-Chief of the Army, was killed in an ambush by irregulars at Beal-na-Blath, between Macroom and Bandon, on last night (Tuesday). Towards the close of the engagement, which lasted

close upon an hour, the Commander-in-Chief was wounded in the head."

It transpired that the Republican attackers had numbered not more than six.

The I.R.A. post had learned that a very large enemy convoy had passed over the road. Orders were issued for it to be ambushed when returning. The convoy delayed, and the order was countermanded, but the countermand did not reach the last section and five or six men remained on duty, waiting behind a small fence where the road had been blocked. The convoy came along the road. It consisted of a scout on a motorcycle, a Leyland car in which were five staff officers, all armed, a touring car, a Crossley tender with a Lewis gun, and an armoured car. The Republicans opened fire; the officers, throwing themselves out of the car, replied from the road.

For over half an hour the Volunteers lay firing, under fire themselves from the armoured car. They saw an officer fall, shot through the head. The men with him carried him to a car and the convoy drove off. It was Collins who had been shot and he was dead.

There was little joy in such achievements, for the Republican side. Most of those to whom they were opposed were strangers, but not seldom old comrades were recognised, after an engagement, among the wounded and dead. After a fight in Bantry, a Republican Volunteer found that his brother had been killed on the other side. The same thing had happened elsewhere. Any enthusiasm which they had felt when the fight started was ebbing away. During September there was a lull in the fighting in the South, but the war did not end.

## CHAPTER 80

*September 1922*

REPUBLICANS AND THE PARLIAMENT — DE VALÉRA IN DUBLIN — THE ASSEMBLY IN LEINSTER HOUSE — MINISTERS ON THE BOMBARDMENT — THE POWERS OF THE MILITARY

PARLIAMENT was to assemble in Dublin on September 9th. Republican Deputies had to decide on a course of action. It was not easy for them to do this. Many of them were on active service; these and others also were liable to arrest. Sean T. O'Kelly and Liam Mellows, members of the Second Dail, were prisoners, as was Patrick MacCarvill, and raids and arrests were incessant. It was impossible for those who were free to meet as a body and difficult for them to communicate.

De Valéra's position as leader of the party was weakened by the action of the Republican Army in repudiating all civil control. He was anxious, at this crisis, to meet the I.R.A. Executive and to agree upon a programme with them but he found Liam Lynch and certain other army leaders averse to consultation and no meeting was held.<sup>1</sup>

A number of the Republican Deputies, however, contrived to communicate or meet with one another and various points of view were discussed. The vital question was, which Parliament would this prove to be? It was "The new Dail" according to the *Irish Independent*; "The Provisional Parliament" according to the *Irish Times*. Republicans assumed that it would prove not to be the Second Dail. Some held the view that until the Second Dail was formally dissolved no other assembly should be recognised as legal; and there were a few among these who maintained that those Deputies who had broken their oath by conspiring to overthrow the Republic had forfeited their right to sit in Dail Eireann and that the faithful Republican Deputies, assembling together, would have the constitutional right to act as the Second Dail. This was Mary MacSwiney's

<sup>1</sup> See *Correspondence of Mr. Eamon de Valéra and Others*, captured and published as a pamphlet by the Provisional Government and quoted in Press of October 16th, 1922, including letter from Liam Lynch to Eamon de Valéra dated August 30th, and Eamon de Valéra's note of September 12th.

view. Others would have been satisfied, in the emergency, to waive the formality of the meeting and dissolving of the Second Dail and to attend, if it were possible, a meeting of the Third Dail Eireann elected in June. De Valéra was one of these. He, and others with him, thought that if Dail Eireann—either the Second or Third Dail Eireann—was meeting, Republican Deputies ought to go and claim their seats, even if to do so was to offer themselves for arrest.

Having come to this decision, De Valéra made his way up secretly from the South and reached Dublin at the beginning of September. An Irish priest, Monsignor Rogers, appealed to him to see Mulcahy, and he agreed. The interview took place in Dublin on September 6th. It ended in failure, Mulcahy insisting that the Treaty must be accepted and De Valéra declaring that this was impossible.

On the following day De Valéra, again in concealment in Dublin, reported the failure of this interview to the Headquarters of the Republican Party and sent a memorandum to the Party in which his view of the situation was explained.<sup>1</sup>

He pointed out that the Second Dail was not dissolved and that the Assembly summoned to meet on Saturday did not pretend to be Dail Eireann but was the Provisional Parliament. It had not been summoned by the proper authority. The question of the Republican oath would arise. The presence of Republicans would retard rather than promote peace. Hence he was in favour of non-attendance. There were two exceptions: he thought it would be an advantage if Ginnell would attend, and he was particularly anxious that Sean O'Mahony should go and claim his seat as representative of Fermanagh. A refusal to let O'Mahony sit would be evidence that the Treaty Party were violating the Pact subject to which the Parliament had been elected and that the Assembly was not the all-Ireland Parliament which was Dail Eireann but the Provisional Parliament whose powers, according to the Treaty, did not extend to Northern Ireland. O'Mahony decided, however, not to attend.

Including him, the strength of the Republican Party, reduced by the deaths of Cathal Brugha and Harry Boland, would have

<sup>1</sup> See *Correspondence*, Letter 13.

been 35 in the Third Dail. The Treaty Party (having lost Arthur Griffith and Michael Collins) numbered 56; Labour, 17; the Farmers' Party, 7; Trinity College had 4 members and there were 6 Independent Deputies.

There was considerable public interest in the Assembly at Leinster House on September 9th. The crowds who watched the Deputies entering were interested to see one Republican member of Dail Eireann enter, and only one—Laurence Ginnell. He had recently returned from the Argentine, where he had acted as Envoy of the Irish Republic. Still fresh in the memories of the Irish people were the occasions when this veteran of the movement had been forcibly ejected from the British House of Commons for asking questions to which it did not suit the Ministers to reply.

On the present occasion Ginnell had given notice of several important motions and took a prominent seat. One of the resolutions which he proposed to move was a categorical vote of censure upon those Deputies who,

“having no authority to change policy, least of all from peace to war . . . did illegally usurp authority as a government and establish themselves as military dictators . . . did illegally at the bidding of a foreign government begin civil war . . . did illegally by decree purport to suppress the Supreme Court of the Republic . . . and are steadily overthrowing Dail Eireann and substituting their own personal government.”

William Cosgrave, who had acted under Collins as Deputy Chairman of the Provisional Government, took the chair. He referred to the House as “the Dail” (which means no more than “the Assembly”), not as “Dail Eireann.” He called upon the “Clerk of the Dail” to read “the Proclamation summoning the Parliament.” The Proclamation read was that issued on the 27th May “by the Irish Provisional Government”:

“In the matter of the Treaty between Great Britain and Ireland signed at London on the 6th day of December, 1921, and the Irish Free State (Agreement) Act . . .”

referring to

“provisions with respect to the holding of an election and the Constitution of a House of Parliament to which we, the said Provisional Government, shall be responsible.”

The Deputies were called forward to sign the roll.

No mention was made of the Republican oath which in Dail Eireann was obligatory upon every Deputy.

When the rest of the Deputies had signed, a question was asked by Laurence Ginnell. He said:

“I want some explanation before I sign. I have been elected in pursuance of a decree by Dail Eireann, which decree embodies the decree of May 20th, 1922. I have heard nothing read in reference to that decree, nothing but an Act of a foreign Parliament. I have not been elected to attend any such Parliament. I have been elected as a member of Dail Eireann. Will anyone tell me with authority whether it is——”

He was interrupted but resumed, saying that if the answer was not satisfactory he would walk out, but if this was Dail Eireann he would sign the roll and take his seat.

Ginnell was informed that he was not entitled to ask his question because the Ceann Comhairle<sup>1</sup> had not yet been elected. He repeated his efforts to obtain an answer and was ignored, while Professor Hayes was elected Ceann Comhairle. He repeated his question again, saying that he wished to sign the roll if this was Dail Eireann, and was told that he was not entitled to ask a question because the Ceann Comhairle had been elected and the Deputy had not signed the roll. He persisted, asking “Will any member of the Six Counties be allowed to sit in this Dail?” and Cosgrave thereupon moved that he be excluded from the House. Ginnell protested that they had no right to remove a member of Dail Eireann, and resisted; he was dragged out by force.

His question had been answered, though not by words.

<sup>1</sup> Speaker.



The election of the "President of the Dail" was the next business; Richard Mulcahy proposed William Cosgrave and the motion was seconded by Professor MacNeill.

Gavan Duffy asked, "Will the President elected here be Chairman of the Provisional Government? Will the Ministers elected here be the Provisional Government; if not, what will their relations be?" "Up to now," he said, "we have been working upon what they call in America an inter-locking directorate." Darrell Figgis questioned whether the office under discussion should not be called that of "President of the Council of Ministers," the Ceann Comhairle being President of the Dail.

William Cosgrave said:

"If elected to this position it is my intention to implement the Treaty—as sanctioned by the vote of the Dail and the Electorate, in so far as it was free to express an opinion; to enact a Constitution; to assert the authority and supremacy of Parliament; to support and assist the National Army in asserting the people's rights; to ask Parliament, if necessary, for such powers as are deemed essential for the purpose of restoring order and to suppress all crimes; to expedite as far as lies in the power of the Government the return to normal conditions throughout the country, and, having established the Saorstát on a constitutional basis, to speed up the work of reconstruction and reparation."

Thomas Johnson said that the Labour Party were dissatisfied with this statement and would have to vote against Cosgrave's election.

Cosgrave was elected President and proceeded to appoint his Ministry.

Gavan Duffy pressed the question whether the present system of dual government would continue and Cosgrave replied that it was their intention to assimilate the two governments.

The appointments were as follows: President and Minister of Finance, William Cosgrave; External Affairs, Desmond Fitzgerald; Local Government, Ernest Blythe; Agriculture, Patrick Hogan; Labour, Industry, Commerce, and Economic Affairs,

Joseph McGrath; Postmaster General, J. J. Walsh; Education, Eoin MacNeill; Home Affairs, Kevin O'Higgins; Richard Mulcahy became Minister for Defence; although there were some objections to the combination of that office with the position of Commander-in-Chief of the Army, which he held.

Cosgrave nominated, as Ministers without portfolios, E. J. Duggan and Finian Lynch.

In reply to protests against the election of such Ministers Cosgrave explained that these two gentlemen had been members of the Provisional Government and that there was no provision for either a dismissal or a resignation; Professor Magennis, who had objected, agreed to "submit to the inevitable" and they were, therefore, included in the Executive.

Cosgrave had thus included in the new Ministry, with or without this Parliament's approval, every living member of the Provisional Government, while he had ignored the Pact for a Coalition Government on which his party, no less than the Republicans, had gone to the country and had received votes. British requirements were satisfied. This Parliament, though it preferred, for obvious reasons, to call itself "the Dail" was, none the less, the Provisional Parliament for Southern Ireland required by the British Act.

The King's Representative in Ireland had, apparently, waited for these developments before committing himself. Just before the adjournment the Ceann Comhairle announced that he had received a letter from Lord Fitzalan stating that the Parliament had his best wishes and prayers.

No member of the Republican Party was in the House but the challenge which the Provisional Government had kept at bay for more than two months was now heard. It came from the Labour Party. Thomas Johnson and Cathal O'Shannon demanded that the public should be informed of the results of the army negotiations which had taken place in June.

"Why is it," Cathal O'Shannon asked,

"that all these documents have not been produced so that the country might know? We are not concerned with who is at fault, or who is not at fault, but we want to know where

the fault is. We are not speaking on behalf of the Republicans. If they want to speak they have their own means and methods. We are speaking for the great part of the population of the country which is suffering from the actions of the two armies, and the two sections of Sinn Fein, and the two parties in the Dail. The innocent people of the country have to suffer, to bleed, to starve and die, while the Government keep all these negotiations as secret and hidden as it is possible for anyone to keep them secret and hidden. . . .”

He spoke of the hundreds of prisoners detained without warrant, investigation or trial, and of the conditions in the jails.

“There is not a county in the Twenty-six Counties,” he said, “there is not a barracks or jail out of which has not come information which is a disgrace to any Irish Government. These things may not be true. If not true, deny them.”

He complained that no one in Ireland knew whether

“the operations were in charge of the Civil authorities, or whether the Army is in charge.”

Kevin O’Higgins answered for the Ministry.

“... We believed,” he said, “and we still believe that had we not taken this step this Parliament would not have met, and the very existence of the Parliament was at stake. We had very good reasons to believe that we anticipated by a couple of hours the creation of conditions under which this Parliament never would have met—conditions which would have brought back the British power—horse, foot, artillery and Navy—in hostile relations to this country. . . .”

To this line of defence the Ministers adhered. Cosgrave, on the 11th, dwelt on the military activities of the Republicans prior to June 28th. He spoke of the incident at Kildare in June when officers from the Four Courts approached members of the Civic Guards, told them that they were going to declare war on England, that an ultimatum was to be issued at once, and that they did not want to fight with Irishmen, and asked the Guards to join them.

Richard Mulcahy, on the 12th, said that the Government had taken action against the Four Courts "because a coup was meditated." Certain reports and resolutions drawn up in the Four Courts had come into his hands since the bombardment. One was the report of the I.R.A. sub-Committee appointed to inquire into the possibilities of an attack on British posts in the Twenty-six Counties and another was a resolution advocating such an attack. He neither denied nor affirmed that the Republican Army had prepared to act on these reports, but he allowed the suggestion that it would have done so, had it not been prevented, to remain. He did not mention the joint plans for an advance against the Northern Government.

Referring to the bombardment,

"These particular documents were not in our hands when we took the decision we did," he admitted, "but that general information was in our hands and a raid for a large number of motor cars being made on a firm here in Dublin, the Government decided that the Four Courts were to be proceeded against, and that decision was practically taken, if not formally taken, before General O'Connell was arrested on the same night of the attack."

Answering the Labour Party's questions as to terms of peace, General Mulcahy outlined his views of the essential conditions, including acceptance of the Treaty and Treaty Constitution and the surrender of arms.

As to the methods by which the armed opposition was to be met, he did not, he said, "want to go into details," but it was to be met "vigorously" and in a manner "as legal as possible" and without "squeamishness."

He made no direct reply to O'Shannon's complaints against the armed forces of lawless raiding and arrests, or inquiries as to the charges of brutality in the barracks or jails, but pleaded for sympathy with the difficulties against which the army had to contend.

"And if any young men in the army," he said, "brush up against individuals here and there in a rough or in an untactful way, well it is a very great credit to the army as a

whole, and to the young men of this country who form it, that there is not a greater volume of complaint along that line."

The motion "that the Dail approves of the action that the Government has taken and is taking to assert and vindicate the authority of this House," was passed by fifty-four votes to fifteen.

The question of the arrests and detention without trial which were being carried out incessantly by the Free State forces was again raised, this time by Gavan Duffy on September 14th, but, again, without effect. Thomas Johnson declared that there were already about five thousand persons imprisoned without charge.

The Ministers refused to interfere with the proceedings of the military in this matter.

On the 15th an appeal of some of these prisoners for release on writ of *habeas corpus* came before the Lord Chief Justice at the King's Inns. The Adjutant-General of the Free State Army claimed in an Affidavit that the state of the country justified detention of suspects. The questions arose whether the Defence of the Realm Act was existing law and could be enforced by the Provisional Government; whether the country was in a state of war and whether the forces established by the Provisional Government without Act of Parliament had any legal existence unless as the King's forces.

The Lord Chief Justice said that there was no real controversy as regards the law and ruled that

"a state of war and rebellion does exist, which justifies the application of martial law by the duly constituted Government of the country,"

and that *durante bello* the Courts had no jurisdiction to inquire into or pass judgment upon the conduct of the Commander of the Forces in repression of the rebellion.

This judgment left to Mulcahy, as Minister for Defence, and General Sean MacMahon, now Chief of Staff of the Free State Army, supreme power to arrest and detain suspects without investigation, charge or trial.

## CHAPTER 81

*September and October 1922*

### THE PROVISIONAL PARLIAMENT : THE FREE STATE CONSTITUTION

IN accordance with the British Act the Provisional Parliament was to become the Parliament of the Irish Free State not later than December 6th. The Provisional Government proposed, in the meantime, to enact a Constitution for the new State, and the Assembly now prepared to pass the Constitution approved by the British Ministers into law.

The Executive looked for no serious opposition. The thirty-four seats to which Republicans had been returned for constituencies in the Twenty-six Counties remained empty. The Labour Party, now constituting the parliamentary opposition, had only seventeen seats. The Treaty Party had fifty-six members and could count on support from the four Unionists representing Dublin University, and most, if not all, of the seven Representatives of the Farmers' Party and six Independent members.

On September 18th Cosgrave introduced the Constitution Bill. It was entitled:

“ Bill to enact a Constitution for Saorstát Eireann for implementing the Treaty between Great Britain and Ireland, signed at London on the sixth day of December 1921.”

The “ First Schedule ” of the draft constitution consisted of seventy-nine articles as approved by the British Ministers and published on June 16th: the “ Second Schedule ” consisted of the Treaty. These, with a Preamble, comprised the Bill.

The only feature added since June 16th was the opening of the Preamble which had been, presumably, prefixed by the Ministers now sponsoring the Bill. It was a curiosity of legal draftsmanship. It began:

“ Dail Eireann sitting as a constituent Assembly in this Provisional Parliament. . . . ”

By the Preamble the Constitution of Saorstat Eireann (the Irish Free State) was made a subordinate instrument to the Treaty. It contained the stipulation that

“ if any provision of the said Constitution or of any amendments thereof or of any law made thereunder is in any respect repugnant to any of the provisions of the Scheduled Treaty, it shall, to the extent only of such repugnancy, be absolutely void and inoperative and the Parliament and the Executive Council of the Irish Free State (Saorstat Eireann) shall respectively pass such further legislation and do all such other things as may be necessary to implement the Scheduled Treaty.”

Cosgrave, in introducing the Bill, revealed further restrictions by which his Executive held itself to be bound and to which this Assembly was required to submit.

He explained that the articles of the Draft were of three classes: first, there were articles vital to the Treaty; second, articles affected by another agreement—one, he said, “ made in much the same way as the Articles of Agreement with the British Government—that is, the agreement entered into with the representatives of the Southern Unionists on the one hand and Mr. Griffith on the other—mainly Mr. Griffith, though I believe the Minister for Home Affairs was associated with him.” (These were eleven provisions concerning a Second House and the election of Senators.) Thirdly, there were articles which comprised recommendations put up by the Irish Government and “ not vital to the instrument itself.” It was in the third class of articles alone, it transpired, that the Government could consent to amendments of any kind: the Ministry stood committed to England on all the vital part.

The Constitution of the Irish Free State was thus, in its creation, to be made an instrument subordinate not only to a Treaty never yet submitted to the electorate but subordinate, also, to an agreement of which the origin, on the Irish side, was devoid of all democratic sanction and remained, even now, obscure.

The Minister for Home Affairs, Kevin O’Higgins, took charge of the Bill. Speaking with frankness, he said that if they had been

able to drive the British out of the country, things that were in the Constitution which many found irksome would not be there. Certain parts of it had to be regarded as matters on which the Government must stand or fall.

Thomas Johnson protested that there was no compulsion, so far as he could read in the Treaty, for such a written Constitution to be established during the present year. He urged that a matter of such extreme importance to the nation as an enactment of a Constitution should be left until there was something like quietude in the country.

Cosgrave explained on the 19th that this Provisional Parliament was bound to refrain from legislating until the Constitution should have been enacted, although administrative business could be carried on meantime. He claimed, nevertheless, to have power to set up a military force.

On that day the Assembly agreed to a motion for the preparation of a new Electoral Register. Women were to be admitted to the franchise on the same terms as men. The Government expected that a general election would take place in April 1923. By that time, according to the schedule agreed upon with the British Government, the Constitution now being enacted would have been passed and adopted by the British Parliament and have become operative by Proclamation of the King.

The debate on the Second Reading of the Constitution Bill began on the 20th. O'Higgins urged again that

“ people do not expect us to eliminate from the Constitution features of the Treaty which, while undoubtedly unpleasant to the sentiments of the vast majority, are yet explicitly and implicitly embodied in the document which the Plenipotentiaries signed.”

The Assembly had not been permitted to see any draft of the Constitution other than that approved by the British Ministers. Gavan Duffy, on the 31st, denounced the action of the Provisional Government in “ withholding from this Dail the Draft Constitution prepared by their own experts and adopted by themselves, as complying with the Treaty.” He declared that in



the Draft before the House there were important clauses which he considered to be a violation of Ireland's rights under the Treaty. He instanced the Preamble and the Oath. He protested, also, that it was impossible in present conditions for proper consideration to be given to the Constitution. "There could not be a worse moment than the present for moulding in cast-iron form the Irish Constitution," he declared.

His protest received no consideration.

In his speech concluding this stage of the debate Kevin O'Higgins complained that the opponents of the Government lacked a sense of reality. The Treaty had been signed under duress: "the whole position for seven centuries back has been a position of duress," he said, "and the position is likely to remain in all essentials a position of duress."

"Deputies do not particularly like the Constitution," he went on;

"Deputies do not particularly like the Treaty, but Deputies will have to say whether they are prepared to put to the hazard, to put back into the melting-pot, the destinies of this country."

In reply to demands from the Labour Party he now named those clauses upon which the Government definitely stood:

"Article 12 is one. Articles 1 and 2 are agreed as stating the position, and we would consider it inadvisable to alter them. Article 12 is the first serious one; Article 17, Article 24, or certain portions of it, Article 36, Article 40, Article 41, Article 50, Article 55, Article 58, Article 65, Article 67, Article 77, Article 79."

These, he explained, were the Articles which affirmed the authority of the Crown. Article 12 provided that the Free State Parliament should consist of the King and two Houses. Article 17 embodied and made compulsory the oath formulated in the Treaty. Article 24 provided that the Parliament should be summoned and dissolved by the Representative of the Crown. Article 36 decreed that no money should be voted without the approval of the Representative of the Crown; 40, that no Free

State Bill could become law without the King's assent; 41, that if two copies of a law differ the correct copy is that signed by the King's Representative; 50, that the Executive authority is vested in the King and a Ministry appointed by the Representative of the King; 55, that Ministers external to the Chamber must take the oath prescribed for Deputies; 58 concerned the appointment, salary and establishment of the Representative of the Crown; 65 gave the King's Privy Council appellate jurisdiction over the Supreme Court of the Irish Free State; 67 provided that judges of all courts in the Free State should be appointed by the Representative of the Crown on the advice of the Executive Council; 77 concerned the powers conferred upon the Parliament elected in pursuance of the Irish Free State Act subject to the taking by its members of the prescribed oath; 79 provided that the Constitution should come into force when passed and adopted by the Constituent Assembly and the British Parliament, not later than December 6th, 1922, by Proclamation of His Majesty.<sup>1</sup>

The announcement that these were the Articles to which the Government stood committed closed this stage of the debate. The question was put: "That the Constitution of Saorstát Éireann be read a second time," and was carried by forty-seven votes to sixteen.

The committee stage of the Bill began on September 25th and occupied nine days. The report stage was taken on October 18th and 19th and the final stage began and ended on October 25th.

Throughout the debates, Labour Deputies were active in striving to give a more democratic character to the Constitution while Gavan Duffy strenuously contested those Articles which gave authority in Ireland to the British Crown. All such efforts, however, were defeated. Certain amendments concerning the powers of the Executive and the control of finance—amendments which subtracted nothing from the powers claimed by the Crown—were initiated by Ministers and were passed. The Government also introduced and carried amendments depriving the citizens of certain guarantees of liberty provided for in the

<sup>1</sup> The numbers here quoted are as in the Draft. Owing to the addition to the Draft of new Articles the number attached above to each Article after and including Number 36 is not the same in the enacted Constitution as in the Draft.

**Draft.** To Article 16 of the Draft, which declared the liberty of the person to be inviolable, they added a proviso that nothing in the Article should control or interfere with any act of the military forces during a state of war or armed rebellion.

When, on October 3rd, Article 17 was moved, Gavan Duffy opposed its adoption with all his power. This Article, making the oath compulsory on every member of the Oireachtas, would have the effect of keeping the Republican seats empty, of closing to the anti-Treaty element in the country the path of parliamentary opposition and making violence the only means of protest open to them. As approved in London and as moved now by O'Higgins, the clause left the Government without power to grant exemption in the matter of the oath.<sup>1</sup>

It provided that: "Such oath shall be taken and subscribed by every member of the Oireachtas before taking his seat therein before the Representative of the Crown or some person authorised by him."

Gavan Duffy moved to delete this paragraph. He said:

"I think it is a matter of transcendent importance that, if we be entitled to grant exemption from the taking of the oath, we should not waive that right. I believe that something like ninety per cent of the opposition to the Treaty would disappear, or cease to be, if this Dail recognised that it had that right of granting exemption. . . . In my view, the British Government know well that we have the right to grant exemption. . . . I think it is clear that it is precisely because the British Government saw at the moment when they were in a bad temper that we should be entitled to interpret Article 4 of the Treaty in a manner enabling us to give exemption, that they decided to use the big stick to get this other interpretation into the Constitution. . . . Are you going to put into the Constitution something more stringent about the oath than what you find in the Treaty?"

<sup>1</sup> The oath prescribed by Article 4 of the Treaty read: "The oath to be taken by members of Parliament of the Irish Free State shall be in the following form: I . . . do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V, his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations."

He discussed the legal aspect of the question. He pointed out that the obligation indisputably imposed on Representatives in the Constitutions of the three great Dominions had not been imposed in this Treaty, and suggested that the British Ministers had refrained from insisting on it because they were afraid that if the clause which now appeared in the Constitution were put into the Treaty, Dail Eireann would reject the whole thing. He thought that they had said to themselves, "We will provide the form, let the Irish Parliament arrange the machinery."

"What I object to is this," he concluded, "we are asked in this Draft to prejudge the question which is primarily one for each Irish Parliament to settle for themselves. I think the English knew well they were leaving this possibility of exemption, and I think they did not mind, but in other clauses they have tried to force this upon us."

Supporting Gavan Duffy's amendment, Thomas Johnson said that he believed that the clause, if inserted,

"will inevitably have the effect of depriving this country of the services of quite a number of very estimable and very capable men and women."

He moved an alteration in the form of the oath.

Kevin O'Higgins defended the clause which made the oath to the English King compulsory on the grounds of "the honour and dignity of this nation."

The amendment was lost; the clause making the oath compulsory remained in the Constitution as Article 17.<sup>1</sup>

On October 4th, clauses concerning the Senate were discussed. Seanad Eireann, the Senate, Articles 30 to 34 and Article 82 provided, was to consist of persons proposed on grounds of their public service or as representing important aspects of the nation's life. It was to consist of sixty members of whom, in the first instance, thirty were to be nominated by the President of the Executive Council and thirty elected by the Dail. Membership was to continue for specified periods of years.

These provisions were clearly designed to facilitate the

<sup>1</sup> Until May 3rd, 1933, when De Valera's Government removed it.

fulfilment of promises made by Griffith to the Southern Unionists, and the Government refused amendments on the ground of arrangements already made.

Articles 46 and 47 of the Draft concerned the exercise by the people of the Referendum and Initiative. On these the Ministry took a democratic stand. Article 46 provided that a Bill passed by both Houses could be suspended for ninety days on the regular demand of two-fifths of the members of the Dail; or the majority of the members of the Senate; and that on a further demand (the conditions of which were specified) such a Bill must be submitted to a referendum.

In moving the Article, O'Higgins said of the Referendum,

“ It is, we consider, particularly suited to this country in the circumstances of the time. It will impress on the people more forcibly perhaps than would otherwise be the case that henceforth the law of this country is their law, is the creature of their will, is something which they can make, alter, or repeal as it seems best to them.”

Article 47 gave the people power, by petition, to oblige Parliament to provide for the initiation by the people of laws or constitutional amendments. O'Higgins described this provision as the direct complement of the referendum, in that it, also,

“ keeps contact between the people and their laws, and keeps responsibility and consciousness in the minds of the people that they are the real and ultimate rulers of the country.”

Both of these Articles were passed.

On the motion of O'Higgins additions were made to Article 49, permitting amendments to the Constitution, within the terms of the Treaty, to be made by ordinary legislation within a period of eight years from its coming into operation.

Another of the “ tied Articles ” was contested by Gavan Duffy. He moved to delete from Article 50 of the Draft the statement:

“ The Executive authority of the Irish Free State is hereby declared to be vested in the King.”

He declared that

“ The insertion of the King in the Executive is much more clearly a violation of our Treaty rights than its insertion elsewhere.”

He supported his argument on the grounds of constitutional law and usage: “ the doctrine of ministerial responsibility which has grown through many evolutions to be the actual practice to-day is one that ought to be expressed in terms,” he maintained.

O’Higgins said that there was a fundamental objection to the amendment; he referred to the Treaty provision by which the Irish Free State was to have the same relation to the Crown as the Dominion of Canada.

The amendment was lost.

Gavan Duffy then tried to secure another amendment in the form of a new Article providing that

“ No act of State shall be done and no Executive action shall be taken in the Irish Free State/Saorstát Eireann otherwise than upon the initiative, and with the authority, of the Executive Council/Aireacht.”

He quoted authorities to prove that they were entitled to express the constitutional usage in that form. He reminded the Dail that Professor Keith had said:

“ It is not compatible with the idea of the equality of status between the Dominions and the United Kingdom asserted at the Imperial War Conference of 1917 that a Ministry which represents the choice of Parliament and the constituencies should be subject to control in their actions by a nominee of the Imperial Government, even though his action is taken on his own initiative.”

O’Higgins preferred “ to leave these matters undefined.”

Article 58 of the Draft provided for the appointment of the Governor-General, his salary and establishment.

Thomas Johnson, on behalf of Cathal O’Shannon, moved that this clause be deleted. According to the Treaty the appointment of the Governor-General was a duty for somebody, he thought,

but not for the Irish legislature. "It is a duty which will devolve on the Crown to appoint its Representative," he suggested. The question of salary again, he thought, was not a matter that ought to be put into the Constitution. He objected to the title, Governor-General. He said, "It suggests a Crown Colony. It suggests somebody appointed as Governor with powers. It suggests powers behind him. It suggests Government, general Government."

Gavan Duffy seconded the proposal. He objected expressly to the stipulation that the Governor-General was to be paid a salary of £10,000 a year. "In each of the three Dominion Constitutions," he said, "you will find an express provision for leaving it to the Parliament of the Dominions to decide how much this gentleman shall have. That is the express provision, and we must get into this Constitution an equally express provision for leaving it to the Dail." The insertion of a provision concerning the Governor-General's establishment was also, he pointed out, a distinct departure from the practice in those Constitutions.

The Government would accept no amendment to the Article. "It is a vital clause on which we stand," Kevin O'Higgins said. The amendment was lost.

Article 65 of the Draft concerned the Judiciary and contained a provision by which the citizen may "petition His Majesty for special leave to appeal from the Supreme Court to His Majesty in Council."

Cathal O'Shannon moved to delete that provision. Supporting his amendment, Professor Magennis said:

"We are not independent; we are not what we are supposed to be under the Treaty, if such an appeal on an Irish question of law is to exist in any shape or form. . . . Downing Street is the ruler in the last resort, and no declaration of right such as in that Draft Constitution, or any other documents which might emanate from us, or from any other similar body, will get rid of that actual fact. All the power lies there where the last appeal lies. . . ."

Ernest Blythe, replying, referred to Clause 2 of the Treaty and said, "There is no use in going back, or attempting to go

back, or asking for a reconsideration of something that has already been considered.”

The amendment was lost.

Article 69 of the Draft guaranteed the citizen against the establishment of extraordinary Courts and trial of civilians by courts martial, except in time of war. The words “ or armed rebellion ” were added on the motion of Ernest Blythe, and the provision was passed.

The concluding Article, 79, of the Draft read:

“ The passing and adoption of this Constitution by the Constituent Assembly and the British Parliament shall be announced as soon as may be and not later than the sixth day of December, nineteen-hundred-and-twenty-two, by Proclamation of His Majesty, and this Constitution shall come into operation on the issue of such Proclamation.”

Gavan Duffy proposed that instead of providing for the “ passing and adoption of the Constitution ” by the British Parliament, the clause should provide for its “ registration ” by the British Parliament.

The words that stood in the Draft were, he thought, a surrender of the whole national position. “ Are we taking the position that the foundation of our authority lies in a British Act of Parliament ? ” he asked.

Kevin O’Higgins reminded the House that “ it would be in the power of the British Parliament to refuse to adopt this Constitution if it were not, in their opinion, within the four corners of the Treaty signed last December. The Government,” he concluded, “ intended to make a grim stand on this last Article.”

The amendment was withdrawn.

Of the amendments which had been accepted or initiated by the Government a number concerned the machinery of representation and the composition of the Executive Council; some were Transitory Provisions concerning pensions; two conferred extraordinary powers, during time of armed rebellion, on the Executive and the Military Forces; all were articles whose scope



was confined to matters of internal organisation, with the exception of Article 55. Of this, the text was altered, but the vital provision, that Ministers who were not members of Dail Eireann must take the Oath prescribed for members, remained.

Of the clauses upon which the British Government and Cosgrave's Executive insisted as vital, with that exception, not a comma had been changed.

These "vital" clauses became, in the enacted Constitution, Articles 17, 24, 37, 41, 42, 51, 55, 60, 66, 68, 81, 88.

The Executive was satisfied. "Substantially," Kevin O'Higgins said, "the Constitution stands as presented to the Dail."

The Constitution remained one which gave power to the Executive, at any hint of armed opposition, to establish a military dictatorship under which the lives and the liberties of the citizen would be at the discretion of military Courts.

The position of the Crown, as far as the Constitution could protect it, remained secure.

The enacted Constitution was something unique among the Constitutions of States—as strange a medley of good and bad, wise and preposterous, as the circumstances of its origin and framing might have led observers to expect. It contained clauses, drafted in Ireland, of a fine, advanced, and democratic character, worthy of a nation with an old tradition of just laws, and, intermixed with these, the British injections, provisions destructive of sovereignty, restrictive of liberty, insufferably humiliating to any people with a claim to nationhood.

The best feature of the Constitution as a whole was the ease with which (subject only to the Treaty) it could be amended: it could be amended by ordinary legislation within a period of eight years. It remained a document with which, given wisdom and courage in the Administration, something could yet be done.

For the moment what was outstandingly apparent was that the Constitution fastened the Treaty by iron rivets upon Ireland and preserved the prerogatives of the Crown.

Bonar Law was satisfied. While this Constitution was being enacted in Ireland he was taking over the reins of power from

Lloyd George. He assured the Irish Ministers that the Conservative Party would put no obstacle in the way of ratification of the Constitution as enacted. He would do all in his power to make it a success.

The General Election which took place in Great Britain in November was held also in the Six Counties, "Northern Ireland" being regarded as portion of the United Kingdom still. In accordance with the Partition Act of 1920 each constituency in that area was entitled to send one member to the British Parliament, and Antrim, Down, and the large Fermanagh and Tyrone constituency could send two. The number of members to be returned for the Belfast Parliament was 52; the total for Westminster 13.

In the Six Counties these elections produced no result that could be useful in estimating "the wishes of the inhabitants," as the elections to a large extent were ignored by Nationalists. Hundreds of Nationalists were interned still, and others boycotted the elections as a protest against Partition.

Two Nationalists, however, were put forward for Tyrone and Fermanagh: Thomas Harbison and Cahir Healy, who was an internee on the prison ship *Argenta*. They were returned at the head of the Poll.<sup>1</sup>

<sup>1</sup> See Press of November 18th, 1922.

## CHAPTER 82

*September and October 1922*

THE SECOND PHASE OF THE WAR — THE ARMY POWERS RESOLUTION — AN OFFER OF AMNESTY — THE BISHOPS' PASTORAL — THE I.R.A. AND THE PRESIDENT — A REPUBLICAN EMERGENCY GOVERNMENT

THE Constitution under which the Irish people were to attempt the reconstruction of their national life had been hurried through parliament while the country was in a state of war. Between its introduction and its final passing there elapsed only thirty-seven days. The Irish people read in their newspapers such headings as "Most Democratic Constitution on Earth," but they took very little interest in the proceedings in Leinster House. Many Republicans were still hoping that the I.R.A. would save the Republic and that the Treaty and Constitution would both be overthrown.

The I.R.A. was endeavouring to prevent the Provisional Government from establishing control. The men were able to hold together in columns numbering about two hundred men and attack posts held by their opponents. They captured quantities of war material. In September there was a good deal of fighting in the West. On the 12th, Ballina was taken by a force of about fifty-five men under Divisional-Commandant Michael Kilroy, equipped with rifles and the armoured car, the "Ballinalee." The garrisons in the town surrendered without fighting, and the I.R.A. took over a hundred prisoners, whom they disarmed and liberated. Having taken possession of an amount of ammunition and other equipment, the I.R.A. column marched away into the hills and there distributed the arms and ammunition to men who were waiting their chance to take part in the campaign.

The Volunteers of the Southern divisions were carrying out similar operations from their centres of concealment in the hills. The hills of the counties of Limerick and Tipperary were surrounded by Government troops, who combed the districts for Volunteers but without making many captures. In Kerry, however, the Republican losses were considerable.

Casualties on the Republican side were not easily computed. The Government Army's admitted losses during July and August amounted to five hundred and forty killed. In all probability the Republican losses greatly exceeded theirs.

To the roll of Republicans who fell in action there had to be added the names of other men killed while unarmed. Between August 1st and September 23rd twelve Republicans were killed while in custody and ten shot dead while unarmed in the streets and in the countryside.<sup>1</sup>

On September 20th, on the slopes of Ben Bulbin, in Sligo, six Volunteers were killed after surrender. One of them was Commandant Devins, T.D., and another was Brian MacNeill, a son of Eoin MacNeill.<sup>2</sup>

Noel Lemass, seized by Government Forces in Dublin on July 3rd, was heard of no more until his body was discovered in the Dublin mountains on October 12th.

It was hoped, for a time, that these murders of Republicans would elicit a rebuke from the Irish Hierarchy, but this hope was disappointed. The Bishops had definitely adopted the attitude of supporting the Provisional Government as the legitimate Government and regarding armed opposition to it as a crime. On September 24th there was read in all the Catholic churches in the Diocese of Cork a Pastoral Letter from the Most Reverend Dr. Cohalan in which he warned his flock that: "According to the declaration of the Bishops of Ireland the killing of National soldiers is murder." He made no mention of the killing of Republicans. Catholics who refused to accept the Bishops' pronouncement in this matter were warned that they did wrong in setting up their own judgment against their Pastors, and he affirmed that priests were doing their duty when they refused absolution to those who took part in the activities which the Bishops condemned.

The military policy of the Government was beginning to reproduce, one after another, the features of the British campaign. A type not superior to the "Black and Tan" element of the British Forces had enlisted in the paid Irish Army and their

<sup>1</sup> *An Phoblacht na h-Eireann*, September 27th, 1922.

<sup>2</sup> *An Phoblacht na h-Eireann*, January 27th, 1923.

behaviour lowered its morale. The temper of the leaders was hardening, also, as resistance was prolonged, and their readiness to use drastic methods increased. Nothing done by the British Administration showed more harshness of intention than the granting of extraordinary powers to the army on which the Government decided now.

On September 27th General Mulcahy asked Parliament to grant the army certain emergency powers. The required resolution was proposed by Cosgrave. Its effect was to empower the military authorities to set up Military Courts. These courts were to have power to try any person charged with aiding or abetting an attack upon the National Forces, with damaging property, with being in unauthorised possession of arms or ammunition or committing a breach of "any General Order or Regulation made by the Army Authorities," and to inflict punishment of fine, imprisonment, deportation or death.

The Labour Party opposed. Thomas Johnson declared that to pass the Resolution would amount to establishing a military dictatorship. No army of novices, he said, should be entrusted with the power of life and death over civilians, and added:

"I predict, with very great sorrow, that if this Order is passed, we will learn of very many more cases of Colleys and Nevilles, and the other men who have lost their lives, for which no explanation has been given to the courts or to the public."

He complained that the relations of the Army and the Government had never been explained to the Dail, and asked, "Is the Army the organ of the Government? If it is so, why offer this authority to that subordinate institution?"

In the course of a long speech defending the measure, Mulcahy showed that it was necessary to give the troops power to kill their prisoners in an authorised way in order "to prevent men from taking upon themselves authority to execute people in an unauthorised way."

Kevin O'Higgins supported the Resolution in an extraordinary speech. His words could not fail to suggest that in supporting the principle of executions he had one individual in mind. He said:

“The life of this country is menaced economically; we all here know it; no one knows it better than the men who sit opposite. There is a time limit. This thing cannot go on indefinitely, and to a large extent the task of the Government is a task against time. . . . I do know that the able Englishman who is leading those who are opposed to this Government has his eye quite definitely on one objective, and that that is the complete breakdown of the economic and social fabric, so that this thing that is trying so hard to be an Irish nation will go down in chaos, anarchy and futility. His programme is a negative programme, a purely destructive programme, and it will be victory to him and his peculiar mind if he prevents the Government coming into existence under the terms of the Treaty signed in London last December. He has no constructive programme, and so he keeps steadily, callously and ghoulishly at his career of striking at the heart of this Nation, striking deadly, or what he hopes are deadly, blows at the economic life of this nation.”

William Davin interrupted: “On a point of information, may I ask to whom you are referring?”

O’Higgins replied: “I am now referring to the Englishman, Erskine Childers. I trust the Deputy did not think my words were capable of being applied to anyone else.”

“I had that doubt, when I asked the question,” Davin said. O’Higgins went on:

“I did not mean that there should be any doubt. He keeps on, as I have said, striking deadly blows at the economic life of this nation, and it is quite definitely our duty to face the fact, to realise that there is a limit, to realise that it is very largely a question of time, and to take what we consider are the most effective steps to check this headlong race to ruin.”

The word “Englishman” had been used on a previous occasion as a description of Erskine Childers: Arthur Griffith had used it in a moment when his uncontrollable and inexplicable hostility to Childers broke out, in the Dail. Now, as then, it indicated virulent prejudice, for it was only half true—less than half, if, in the question of nationality, a man deriving from two

countries may choose what his nationality shall be. Irish on his mother's side, Childers had been brought up in the home of her family in County Wicklow, and his enthusiasm for the cause of Home Rule dated from his youth. Since his gun-running for the Volunteers at Howth in 1914 his services to the Republican cause had been mainly literary and diplomatic. In the Republican Army he held no higher rank than that of captain. The description of Childers as "leading those who were opposed to this Government" was a distortion which left on all who heard or read it an impression sinister in the extreme.

The Military Courts, Mulcahy indicated, were to be secret. Gavan Duffy's proposal that prisoners charged with armed opposition to the Government should be treated as prisoners of war was defeated. "We are not going to treat rebels as prisoners of war," Cosgrave said.

The resolution, with a few amendments, was carried by 47 votes to 15.

On October 3rd the Government issued a conditional offer of amnesty. In a long proclamation which announced that Military Courts were about to be established, they offered to those engaged in armed opposition to the Government an opportunity "to withdraw from this rebellion with immunity for themselves." A full pardon was offered to all such, who, before October 15th, delivered to the "National Forces" all arms, ammunition, etc., in their possession, and who ceased to aid or abet the armed opposition in any way.

On October 10th, the Irish Hierarchy, meeting at Maynooth, issued to the priests and people of Ireland a Joint Pastoral Letter in which resistance to the Provisional Government was once more condemned, and the war, on the Republican side, was described as "morally only a system of murder and assassination of the National forces."

Concerning the Republican oath, they wrote that "no oath can bind any man to carry on a warfare against his own country in circumstances forbidden by the law of God." They expressed the hope that Republicans would take advantage of the Government's offer.

Despite the strictures of the Pastoral Letter there were priests who asked no question in the confessional concerning a penitent's national creed. But some of the Prison Chaplains accepted it as a duty to use all influence of their Office to induce the prisoners to submit to the Provisional Government and to deny the sacraments to those who refused.

The Press of the 12th contained a Proclamation by the Free State Army Authorities which announced that the Military Courts would begin to function on October 15th, set out their powers and proclaimed the Government's offer of amnesty. Every and any act of war by Republicans and the mere possession of arms or ammunition would be punishable, after October 15th, by death.<sup>1</sup>

The men who were fighting for the Republic were faced with clear alternatives now: continued resistance, with the knowledge that capture might mean execution, or desertion to the enemy with arms. To the rigours of the fight was added, for Catholics, of whom nearly the whole army was composed, the penalty of virtual excommunication: many a man was going into danger without absolution, knowing that if he fell in action or was captured and executed he might be refused the Last Sacrament.

While these preparations to crush their resistance were being completed by the *de facto* Government, the Republican Army and Republican Party had been endeavouring to find some means to keep the *de jure* Government, Dail Eireann, in being, even though it might be prevented from functioning.

On September 9th, when the Assembly in Dublin was shown definitely to be the Provisional Parliament decreed by the British Act, Republicans found themselves debarred from all channels of democratic action and without programme or policy other than a military one. It was a situation which called for a declaratory act by the Republican Party—an act which would not only register their protest against this repudiation of Dail Eireann but would create a political position that the Republican Party would be able to maintain.

The position in which Republicans found themselves was in a

<sup>1</sup> Appendix 28, p. 1009.



measure a revolutionary one, for, although they were fighting to maintain a Republic democratically established they were without a functioning government and their army was under no civil control. The Pact election, while it had given no mandate to the Treaty Party to function as the Provisional Government, had not, on the other hand, given authority to Republicans to resist such usurpation with arms. Their armed struggle was not now, therefore, endorsed by the votes of the people. The army was, at the same time, in absolute control of Republican policy: the Republican Party was without power.

De Valéra, now in Dublin, apprehended the intentions of the Provisional Government and realised that all means of propaganda and the machinery of elections as well as superior force and equipment was at that Government's disposal now.

On September 18th he addressed a letter to the Republican Party in which he reviewed the situation, analysed the courses of action open to Republicans and explained his own views on each.

“The position, as I see it,” he wrote, “is this: Either (a) The Republican Party must take control, acting as the legitimate Dail. (b) The Army Executive take control and assume responsibility. (c) A Joint Committee be formed to decide policy for both.”

He was opposed to the first course because he thought it would be impossible for the Republican Party to secure the allegiance of the Republican Army, without which a Government would have no reality. He foresaw, moreover, that even if that allegiance were given, their military strength would not be sufficient to make the Republican Government effective.

Of the three courses he preferred the second. “It is most in accord with fact,” he wrote.

“But then the Army Executive must publicly accept responsibility. There must be no doubt in the minds of anybody on the matter. This pretence from the pro-Treaty Party that we are inciting the army must be ended by a declaration from the army itself that that is not so. The natural corollary to this is that we, as a political party, should cease to operate in any public way—resign in fact. This is the course I have

long been tempted to take myself, and were it not that my action might prejudice the cause of the Republic, I'd have taken it long since. Our position as public representatives is impossible."<sup>1</sup>

In spite of these foreseen difficulties, however, it was on the basis of the first of the three courses suggested that action was taken. A few weeks later, the Republican Army Executive declared itself willing to give allegiance to a Republican Government under the presidency of Eamon de Valéra, reserving to itself certain powers in the matter of peace and war.

They called upon De Valéra to reconstitute the Government and to form a Council of State, and declared that such Cabinet as might be appointed by that Council would be

“temporarily the Supreme Executive of the Republic and the State, until such time as the elected Parliament of the Republic can freely assemble, or the people being rid of external aggression are at liberty to decide freely how they are to be governed and what shall be their political relations with other countries.”

Their declaration continued:

“On behalf of the army, we pledge to that Executive our allegiance and our support in all its legitimate efforts to maintain and defend the Republic, and we call upon all our comrades and loyal fellow-citizens, and upon our kin throughout the world, to join with us in reasserting our ancient right to be a free people and a free nation, owing allegiance to no foreign authority whatever.”

It was signed on behalf of the Army of the Republic by thirteen senior officers, members of the Executive of the I.R.A.<sup>2</sup>

<sup>1</sup> *Correspondence of Eamon de Valéra and Others*, captured and published in Dublin by the Provisional Government.

<sup>2</sup> They were: Liam Lynch, Chief of Staff; Liam Deasy, Deputy Chief of Staff; E. O'Maille, Assistant Chief of Staff; Con Maloney, Adjutant-General; Tom Derrig, Assistant Adjutant-General; Sean Lehane, O.C. 1st and 2nd Northern Divisions; Frank Aiken, O.C. 4th Northern Division; Frank Barrett, O.C. 1st Western Division; Seamus Robinson, O.C. 2nd Southern Division; Tom Barry, Operations Staff; Sean Moylan, O.C. Cork No. 3 Brigade; P. Whelan, O.C. Waterford Brigade; Joe O'Connor, O.C. 3rd Battalion, Dublin 1st Brigade.

In consequence of this decision by the I.R.A., Republican Deputies, members of the Second Dail, held a meeting in Dublin. The meeting took place in secret on October 25th, the day on which the Provisional Parliament passed the Constitution Bill.

The view taken by this meeting was that this assembly of the Deputies who remained faithful to the Republic and to the Republican oath now represented and constituted the Second Dail. They called upon Eamon de Valéra "in the name of all loyal citizens of the Republic and by the express wish of the soldiers fighting in its defence" to resume the presidency.

De Valéra, appointed by unanimous Resolution, "President of the Republic and Chief Executive of the State," nominated twelve members of the Second Dail to act as a Council of State: Austin Stack, Robert Barton, Count Plunkett, J. J. O'Kelly, Laurence Ginnell, Sean T. O'Kelly, Mrs. O'Callaghan, Mary MacSwiney, P. J. Rutledge, Sean Moylan, M. P. Colivet, and Sean O'Mahony.

An Emergency Government was formed in which Austin Stack became Minister of Finance and P. J. Rutledge Minister for Home Affairs.

The decisions taken at this meeting on the 25th were published on the following day in the form of Resolutions passed by Dail Eireann, the Parliament and Government of the Republic, meeting in secret session.

At the same time, a Proclamation was issued, signed by the Chief of Staff and twelve other officers of the Republican Army. It stated:

" . . . We, on behalf of the soldiers of the Republic, acting in the spirit of our oath as the final custodians of the Republic and interpreting the desire of all true citizens of the Republic, have called upon the former President, Eamon de Valéra, and the faithful members of Dail Eireann, to form a Government, which they have done."

It named the members of the new Council of State and went on to

" declare such Cabinet as they shall appoint to be temporarily the Supreme Executive of the Republic and the State,

until such time as the elected Parliament of the Republic can freely assemble, or the people being rid of external aggression are at liberty to decide freely how they are to be governed and what shall be their political relations with other countries.”

The action taken by the Republican Army and Deputies was in accordance with a Resolution of Dail Eireann which provided that if at any time all democratic means of securing a Republican Government should be prevented by enemy action the army should have power to proclaim an emergency government.

The re-constituted Republican Government was not able to function. Although regarded by a large portion of the population as the only *de jure* government it could do little more than represent the protest against the seizure of power by the pro-Treaty Party and place the logical and constitutional facts of the situation on record by means of statements and proclamations issued from time to time.<sup>1</sup>

<sup>1</sup> The Irish daily Press published extracts from these statements, as a rule, some days after their issue. For the full text of many Republican proclamations of this period see Supplement to *Eire* for February 4th, 1923.

## CHAPTER 83

*November 1922*

### THE CAPTURE OF ERSKINE CHILDERS – FOUR EXECUTIONS – THE EXECUTION OF ERSKINE CHILDERS – THE DEATH PENALTY EXTENDED

THE civil war persisted. It had entered on a third phase. During the autumn the Republican columns found it necessary to break up into small mobile contingents. They were no longer able to attack large garrisons or to hold prisoners or to occupy positions in which their presence was known to their opponents. Such barracks as remained in the Twenty-six counties were now garrisoned by pro-Treaty troops. These garrisons, however, frequently found themselves isolated, prevented by the fear of ambushes from leaving the buildings in which, protected by sandbags, they lived in a state of siege. They no longer dared to move through the country except in large contingents with armoured lorries or cars. Roads were trenched, bridges blown up and surprise attacks made against convoys and patrols by the I.R.A. The fight was, in short, more and more resembling the latter phase of the Anglo-Irish conflict. The Provisional Government recognised that a similar war of attrition was being directed against it and the Ministers were determined to use such means, however drastic, as might seem to them advisable in order to bring it to an end.

On November 1st the Parliament adjourned for a fortnight in order, as the Minister for Agriculture explained, to give the Executive “ a free hand to restore order.” The Army Emergency Powers were now in force and Republicans knew that an intensive effort to crush their resistance was about to begin.

They knew, also, that a particular effort was being made by the Provisional Government to capture one man.

Erskine Childers had never, even in the most harassing times of the guerilla warfare, ceased to combat the pro-Treaty propaganda. He was attached as Staff Captain to the Republican Army in Munster. After they had evacuated Fermoy and Cork

he set up his printing press in a deserted barracks at Ballymakeera, near Macroom<sup>1</sup>; forced from that position he moved to a vacant two-roomed cottage near Ballyvourney and after that westward towards Kealkil. In October he was sent for to come to Dublin to act as Secretary to the re-constituted Republican Government and tried to make his way up through the counties of Waterford, Wexford and Wicklow, carrying a small automatic which had been a souvenir from Collins. He slept at the house of his cousin, Robert Barton, at Annamoe on November 10th. Early on the following morning pro-Treaty troops entered the house and captured him in a corridor. He was holding the automatic, with which he had intended to defend himself; he was prevented from firing by the presence of women whose lives would have been endangered by a fight.

On the following day Winston Churchill, in a speech at Dundee, made an extraordinary reference to the prisoner. The fact that the case was *sub judice* did not deter him from using language calculated to excite violent prejudice against Childers. He said:

“ I have seen with satisfaction that the mischief-making murderous renegade, Erskine Childers, has been captured. No man has done more harm or shown more genuine malice, or endeavoured to bring a greater curse upon the common people of Ireland than this strange being, actuated by a deadly and malignant hatred for the land of his birth. Such as he is may all who hate us be.”

On November 17th the trial took place *in camera*, before the Military Court. Grave anxiety was felt as to Childers's fate— anxiety which was lightened only by the fact that, although the regulation empowering the army to execute its prisoners had been in force for four weeks, no execution had yet taken place. On the day of the trial, however, four Republican prisoners, Volunteers of the rank and file whose names had been quite unknown to the public, were executed in Dublin. Possession of revolvers without proper authority was the reason given.<sup>2</sup>

In the Provisional Parliament, that evening, members of the

<sup>1</sup> See article in *Irish Press*, Christmas Number, 1932.

<sup>2</sup> The four men were P. Cassidy and John Gaffney of the Third Battalion, I.R.A., and James Fisher and R. Twohig of the Second Battalion, I.R.A.

Labour Party, shocked to find that such action had been taken without Parliament being consulted, demanded the reason for the executions. Mulcahy pleaded "military necessity" in general terms, but Kevin O'Higgins gave a specific explanation in ominous and cynical words. He said that they had thought it better, for the first executions, to take average cases which had no particular facts to distinguish them. He went on:

"If they took, as their first case, some man who was outstandingly active and outstandingly wicked in his activities, the unfortunate dupes throughout the country might say that he was killed because he was a leader, because he was an Englishman, or because he combined with others to commit raids."<sup>1</sup>

Childers was the one man in the Republican movement to whom his enemies had attached the name "Englishman." He was on trial for his life; even if, at the moment when O'Higgins spoke, sentence had already been passed on him, it remained to be confirmed by two members of the Army Council. Like the British Minister for the Colonies, the Irish Minister for Home Affairs had not hesitated to fling against the prisoner indictments which he was powerless, now, to challenge or refute, nor scrupled to indicate to the court what sentence his Government expected and would approve.

These suggestions as to "outstandingly wicked activities," coming from so high a source, received the widest publicity. De Valéra sent to the Press a statement on the prisoner's behalf, but "this," the *Irish Independent* of the 20th stated, they were "not in a position to publish."

The trial before the Military Court was held in such secrecy that the nature of the charge was not known to the public, a section of which assumed that it was for some "outstandingly wicked activity" that Childers was being tried.

The charge was that of "being in unlawful possession of a Colt automatic pistol." Childers's defence was to claim the status of a belligerent as an officer of the Republican Army taken in war. In reply to the campaign of calumny which had been waged

<sup>1</sup> *Irish Independent* report, November 18th, 1922.

against him, he sent out of prison a brief statement,<sup>1</sup> recounted the appointments which he had held under Dail Eireann and re-affirmed his attitude to the Treaty which, for the first time, had brought him into conflict with Republican comrades and colleagues.

“Until then,” he wrote, “not a shadow of a cloud had disturbed the absolute harmony of our relationship. For myself I had passed through the Dominion phase years before, discarded it and sworn allegiance to the established Republic. The slow growth of moral and intellectual conviction had brought me where I stood, and it was and is impossible and unthinkable to go back. I was bound by honour, conscience and principle to oppose the Treaty by speech, writing and action, both in peace and, when it came to the disastrous point, in war. For we hold that a nation has no right to surrender its declared and established independence, and that even a minority has a right to resist that surrender in arms.

“I take the fullest responsibility for any influence I may have had on my fellow-countrymen. The influence has been grossly and ridiculously exaggerated by our enemies in order to discredit our cause through me, but such as it has been I am proud of it.

“I have fought and worked for a sacred principle, the loyalty of the Nation to its declared Independence and repudiation of any voluntary surrender to conquest and inclusion in the British Empire. That is the faith of my comrades, my leaders and myself. Some day we shall be justified when the Nation forgets its weakness and reverts to the ancient and holy tradition which we are preserving in our struggle, and may God hasten the day of re-union amongst us all under the honoured flag of the Republic.”

Not acknowledging the authority of the Provisional Government, Childers refused to recognise the Court, and, although it was the custom of the Republican Army to exercise the right of appeal when a capital charge was in question, he preferred

<sup>1</sup> Published in *The Irish Times* of November 27th, in *An Phoblacht na h-Eireann* of November 29th, and, with letters and other matter, in a pamphlet, *Erskine Childers*, issued by the Republican Party after his trial.



not to allow an appeal to be made in his name. His counsel reluctantly accepted his decision in this matter until Childers was persuaded to reverse it by an unexpected situation which then arose. Eight other prisoners had been tried at the same time as himself and on a similar charge. It was desired to apply for writs of *habeas corpus* in their cases but the Provisional Government took the unprecedented course of withholding the men's names. This rendered it impossible to make application on their behalf except by one means: by means of a parallel case in which the name of the prisoner could be declared. Erskine Childers's was such a case, and the only existing one. In the hope of saving these eight lives he gave permission for an application in his name. The application for a conditional order of *habeas corpus* was made late at night at the private house of the Master of the Rolls, who gave leave to serve notice of the application on the persons having the body of Erskine Childers.

The application was refused on the grounds of the existence of a State of War during which the court could not "for any purpose, or under any circumstance, control the Military Authority." Notice of appeal against the Order refusing an order of *habeas corpus* was served.

Proceedings in the Dublin High Court concluded late on Thursday evening, November 23rd. The Military Authorities sentenced the other eight prisoners to terms of imprisonment, but in the case of Erskine Childers they did not take the risk of waiting for the result of the appeal. He was shot at dawn in Beggars Bush Barracks on Friday, November 24th.

He had long expected to pay the extreme penalty for his championship of Irish freedom. "I die full of love for Ireland," he wrote to his wife. He wrote also :

"I die loving England and passionately praying that she may change completely and finally towards Ireland."

The appeal came up for hearing a few days after the execution. Mr. Justice Ronan exclaimed: "Are we to understand that the prisoner has been executed pending an appeal to this court?"

Even in England this execution was held by jurists to be a judicial murder.

Those who had known Childers, whether in England or Ireland, knew him as a man of the rarest qualities, a fighter without bitterness, an idealist without rancour, his keen feelings governed by reason and intellect; magnanimous, gentle and of absolute integrity. His execution excited grief, anger and shame.

Even among those in Ireland who had supported the Provisional Government there was dismay. One Deputy, Donal O'Rourke, publicly resigned.<sup>1</sup>

In the Provisional Parliament on November 28th, Gavan Duffy took the opportunity of a vote on Army Estimates to impugn the execution of Erskine Childers, whom he described as "one of the noblest men I have known." "Erskine Childers," he said,

"was a great Irishman. . . . He was an Irishman in fact, because he was born of an Irish mother, and brought up in this country, and consecrated his life in later years to the Independence of Ireland. He was an Irishman in law under the free Constitution which this Dail has passed, because one of his parents was Irish and was born in Ireland, and because he was domiciled in this country."

He spoke with intense appreciation of Childers's prolonged services and sacrifices for Ireland and of the unscrupulous and vile propaganda of which he had been the victim; he impugned the whole manner of his trial, and, in general, the denial to military captives of the rights accorded to them by International Law. He did not believe that Erskine Childers was executed merely because, in the house that was virtually his home, he had a revolver. "This," he said,

"is the dilemma which I put to the Minister of Defence: I think Erskine Childers was executed upon a charge which

<sup>1</sup> In a letter to the Press, dated November 29th, he wrote: "As far as I knew the views of my constituents, they were wholly in favour of the Collins-De Valera Pact, and while I was elected as pro-Treaty representative for this constituency, it was distinctly on the understanding that a Coalition Government would follow the election that I was returned. The terms of this Pact whose ratification was the last solemn act of an All-Ireland Dail have not been carried out and consequently I have no option but to resign.

"The violation of this agreement I regard as being responsible for the present tragic and disgraceful condition of affairs in this country."

does not sustain in the public conscience the capital punishment, or else he was tried on that charge but other matters were allowed to influence those who confirmed his execution."

"If that were the case," he said, "the authorities have done something contrary to natural justice as understood in every part of the world."

Gavan Duffy, on the following day, took up the matter of the first four executions and reiterated his protest that it is neither law nor justice to "try a man for one thing, and execute him for another." In reply to all such protests, members of the Government spoke, not of the individual activities of the executed men, but of the critical nature of the general situation, the extent of the armed opposition to the Treaty and the necessity for a deterrent. Eoin MacNeill admitted with entire frankness: "No man has been executed simply for having a revolver, either in his own house or elsewhere."

The evening papers of the following day, November 30th, contained the news that three more prisoners had been executed. They were Joseph Spooner, Patrick Farrelly and John Murphy. The charges were of being in illegal possession of revolvers and bombs. The men had been captured, Mulcahy explained, near Oriel House, the Headquarters of the Criminal Investigation Department of the Provisional Government, immediately after an attempt had been made to blow up the building. Replying to questions regarding these executions in the Dail that evening Mulcahy said:

"These men who were executed this morning were perhaps uneducated illiterate men, never meaning, perhaps, to get into a situation like this, men of no political convictions, perhaps. . . . We provided for these men all the spiritual assistance that we could to help them in their passage to eternity.

"We are people who realise," he said, "that man is made in the image and likeness of God and we treat man as such; . . . when a man is going to his death he does get a priest."

A few days later an army order was issued extending the power of Military Courts to inflict the death penalty for possession of ammunition or any explosive substance.

In no case of execution had official notice been sent to the relatives; so Cosgrave informed Labour organisations in a letter published on November 29th. The Press report of the prisoner's execution was the first notification received by his friends and relatives, who were unaware even that he had been tried. Every Republican taken with arms after October 15th was now liable to be called from his prison cell, convicted by a court composed of his enemies and put to death within a few hours. This situation was one of strain for the prisoners and of incessant anxiety for their families and friends. The Provisional Government had devised a war-measure better calculated than any used by the British Government to break down the resistance of those opposed to them.

## CHAPTER 84

### *November and December 1922*

THE IRISH FREE STATE ESTABLISHED — THE OIREACHTAS  
— SIX COUNTIES EXCLUDED — CRAIG ON THE BOUNDARY  
CLAUSE — MURDERS IN MOUNTJOY PRISON — SUSPENDED  
DEATH SENTENCES — A QUESTION OF TIME

THE British Parliament reassembled on November 20th, sixteen days before the day by which, in accordance with the Treaty, the Irish Free State was to come formally into existence. Bonar Law, now Prime Minister, immediately introduced two Bills, the "Irish Free State Constitution Bill" and the "Irish Free State (Consequential Provisions) Bill." These came before the House of Commons for Second Reading on the 27th.

The first presented the Constitution as passed by the Provisional Parliament. It met with little opposition. The clauses preserving the authority of the Crown were intact; British law officers had declared it to be in accordance with the Treaty, and, should any doubt arise, the document bore on its face the proviso that if the Constitution proved in any part repugnant to the Treaty the Treaty remained supreme.

Saklatvala, member for Battersea, objected to the Bill on the grounds that it was derived from a Treaty which was "based upon coercion and was signed under duress." He declared that he adhered to the principle of self-determination which the Labour Party had laid down. The Labour Party did not, however, support him in his protest. Ramsay MacDonald's contribution to the debate was non-committal: he spoke of the difficulties which might occur if they attempted to define the relations between Ireland and Great Britain.

Objections were made to the description of the Irish Free State as "a co-equal member of the Community of Nations forming the British Commonwealth of Nations" and to the provision that

"all powers of government, and all authority, legislative, executive and judicial in Ireland, are derived from the people of Ireland."

The Attorney-General was able to reassure the doubtful Members by showing that such clauses of the Constitution, giving power to the Irish people, were carefully counteracted by other clauses or by Articles of the Treaty which secured the authority of the Crown.

Colonel Archer-Shee raised the question of Irish neutrality, pointing out that everyone who spoke on the subject in Dail Eireann had taken the view that Ireland, according to the Constitution, could, if she wished, remain neutral when England was at war.

The Attorney-General explained:

“ We regard the whole Treaty as absolutely binding and unaffected by anything in the Constitution.”

Having made that point clear, he remarked with unconscious irony:

“ We believe at this side of the House in Self-determination; we do not intend to impose upon the Irish people a Constitution which they do not like because we think it would be a better one for them.”

The question of neutrality also agitated the House of Lords, where, on November 30th, Lord Midleton, who claimed it as “ almost a hereditary duty ” on his part to propose the rejection of Home Rule Bills, moved the Second Reading. Lord Sydenham objected to Clause 49 of the Constitution as being contrary to Article 7 of the Treaty, and the Earl of Selborne asked:

“ . . . Is it not the case that there can be no neutrality within the Empire, that the whole Empire, including Ireland, is either at war or at peace, and that, although the Irish Free State Government might refuse to send a single regiment to the war, they are nevertheless in a state of war if the Empire is at war ? ”

The Lord Chancellor assured the House that,

“ if facilities are given, the country may be said to be no longer neutral. There is no question here of neutrality; it may be said that, by their giving facilities, neutrality goes, but it is quite

consistent with that that active participation by the forces of the Free State should not be given without the consent of the Parliament of that State."

On December 5th the Free State Constitution Bill and the Consequential Provisions Bill received the Royal Assent. On the same day, the King approved the appointment of Timothy Healy as Governor-General Designate of the Irish Free State.

Healy, besides winning reputation as a brilliant barrister, had made a place for himself in Irish history as a leading member of the Parliamentary Party and a remorseless opponent of Parnell. He had derided the Rising of 1916 but played a part in the securing of the signing of the Articles of Agreement by the Irish Delegates in 1921. He now proceeded to take up his residence, as Representative of the British Crown in Ireland, at the Viceregal Lodge in Dublin.

On December 6th, a year after the signing of the Articles of Agreement, the Irish Free State came into existence officially and the powers of the Provisional Government, as given by British law, expired. The Members of the Provisional Parliament met as the Lower House of the Oireachtas—the Parliament of the Irish Free State. This House continued to designate itself "the Dail."

No Republican Deputy recognised this Parliament or attended the Assembly. All the Deputies present took the Oath of Allegiance on December 6th. Before taking it, Thomas Johnson read a declaration signed by every Member of the Labour Party. It was to the effect that they regarded the taking of the oath as a formality implying no obligation of citizenship, and that the terms of the Treaty were accepted

"under protest, having been imposed upon Ireland by threat of superior force, and were not freely determined by the people or their representatives,"

and, further, that

"if at any time it shall be deemed wise and expedient by the people of Ireland, in the exercise of their sovereign right, to

denounce the Treaty, or alter or amend the Constitution in any respect whatsoever, nothing in our declaration of allegiance shall be a barrier to our freedom of action."

The Free State Executive consisted of seven members; the Ministry was the same as that which had composed the Provisional Government with the omission of Patrick Hogan and J. J. Walsh, who, with Finan Lynch, later became Ministers outside the Cabinet. Existing officers of the Provisional Government were automatically transferred to the Free State Government and the Provisional Government's laws and regulations remained in force.

The members of the Second House, the Seanad, or Senate, were to be elected in the first instance by the Dail, and this election now took place. The Senate was convened by the Governor-General and assembled on December 9th. The Free State Parliament was now considered to be complete.

On December 12th the Oireachtas met in Leinster House; the Governor-General read the address from the King and the House voted His Majesty thanks. The Labour members, as a protest against the presence of a Governor-General, absented themselves until Healy had left.

Lord Glenavy was selected to be Chairman of the Senate. James Campbell, now Lord Glenavy, when a judge in Ireland, appointed by the British Government, had shown himself sympathetic to the Dublin Castle régime. This appointment emphasised the fact that the Senate was designed primarily for the purpose of upholding the interests of the pro-British element in the Irish Free State.

Immediately on the establishment of the Irish Free State the Government of Northern Ireland exercised its option of "contracting out."

On December 7th both Houses of the Northern Parliament presented an Address to the King praying that the powers of the Parliament of the Irish Free State should no longer extend to Northern Ireland, thus implementing the stipulation by which the Treaty enabled the Six Counties to be detached from the Irish Free State. On the same day Sir James Craig repeated a



declaration which he had made in Derry to the effect that the Northern Government was not a party to the Treaty and would refuse to nominate a member to the Boundary Commission.

Since the Boundary Commission must consist of three members and two would be powerless to take action without a third, the Northern Government actually possessed this simple means to frustrate the whole intention of Article 12.

These were days of despondency for Republicans who saw the Treaty reinforced, the confirming of Partition imminent, their hopes of military success diminishing and the policy of executions being relentlessly pursued.

On December 8th the Free State Government carried out, in Mountjoy Prison, an execution which shocked the nation even more than the first executions had done.

Pro-Treaty Deputies had been threatened. The I.R.A. was determined to stop the policy of executions but unwilling to use reprisals against captured soldiers. They had decided that the persons who should be held responsible were members of the Provisional Parliament who had voted for the Resolution giving the army power to execute. On November 27th, after Childers and four others had been shot, a letter was sent to the Speaker of the Provisional Parliament signed "Chief of Staff (for Army Council)."<sup>1</sup> In it every member of the Provisional Parliament who had voted for the Resolution authorising executions was warned that drastic measures would be adopted unless the Free State Army adhered to the rules of war. The Republican Army, the letter pointed out, had observed those rules faithfully and consistently, releasing its prisoners rather than injure them, even those captured two or three times.

It was, presumably, in pursuance of this letter that, on December 7th, one of the Deputies who had voted for the Army Powers resolution, Sean Hales, himself an army officer, was shot dead in a street in Dublin. Padraic O'Malley who had also voted for the resolution, and who was standing near him, was wounded at the same time.

The Free State Ministers took hurried counsel. Their decision was one for which no cover of legality could, at that time or

<sup>1</sup> Appendix 29, p. 1012.

any other, be adduced. Four of the Republicans who had surrendered in the Four Courts were to be put to death. There was no trial. Since these men had been for five months in Mountjoy Prison it would have been impossible to convict them of complicity in the shooting of Sean Hales. On the night of the 7th Rory O'Connor, Liam Mellowes, Joseph McKelvey and Richard Barrett were aroused from sleep and told they were going to be executed. As soon as it was light they were shot in the prison yard.

The official report stated that they had been executed

“ as a reprisal for the assassination of Brig. Hales, T.D., as a solemn warning to those associated with them who are engaged in the conspiracy of assassination against the Representatives of the Irish people.”

“ Murder foul and despicable and nothing else,” was the comment on this reprisal of the *New York Nation* of December 20th. The only explanation that could be found for the Government's action was that the men who sanctioned the deed were, as Gavan Duffy expressed it, “ not in a normal frame of mind.” In the Dail on December 8th Mulcahy, defending the executions, recalled the threatening letter received by the Speaker, pointed out the vulnerability of the Government, and said that this action had been taken as a deterrent.

Cosgrave made a speech which concluded with a vow to “ show them that terror will be struck into them.”

A few days later another method of using the power to execute prisoners was devised. On December 19th the General commanding the Government's troops in Kerry announced that four officers of the I.R.A. had been sentenced to death, that the sentence had been suspended but would be carried out if any attack was made on the troops in the area after December 21st. The system of sentencing captured men and holding them as hostages became general. As a rule the Republican leader most popular in the district was, if captured, selected for sentence by the Army Authorities in his area. This method was used, even, for the purpose of inducing Republicans to hand in guns.

Seven Volunteers captured in a raid on a dug-out in Kildare were executed on December 29th.

The Republican Volunteers became fiercely determined that these Ministers should not govern. They resorted to the destruction of Government property as reprisal for execution and even private houses were burnt down. In one house, that of Deputy McGarry, a child was accidentally injured and afterwards died. In Dublin, troops were ambushed as they tore through the streets in armoured cars to carry out raids and arrests. Near Leixlip a fight took place which lasted for two hours and ended with the capture of some twenty Republican Volunteers. Over seventy were captured in Kerry when the troops carried out an extensive "round-up." A fight at Macroom lasted five hours and the I.R.A. captured ninety prisoners and an armoured car. Connemara, where small Republican columns were operating, short of arms and ammunition, was swept by troops who made many arrests.

There was fighting in Tipperary, on the slopes of Slievenamon. Carrick-on-Suir was taken by Republicans and lost again. Every part of the Twenty-six counties had its roll of wounded and killed. The Volunteers were living among the mountains in small groups, often sleeping in dug-outs, dependent for food and shelter on the loyalty of the people, going out to ambush a convoy sometimes with no more than ten rounds of ammunition to each man. Troops put cordons around the districts where the I.R.A. columns were quartered and running fights over the countryside lasted for days at a time.

To a detached observer it appeared impossible that the prolongation of this ruinous conflict could ultimately serve the Republican cause or bring any good result to the nation as a whole. Eventual success for the Treaty Party seemed inevitable. Enjoying the whole-hearted support of the British Cabinet, the pro-Treaty leaders were functioning as a Government, with the Courts, police, the prisons and all the machinery of administration under their control, and with a Parliament from which the only large opposition party was excluded by the oath and where they had a majority for every measure which it might suit them to introduce.

They were in a position to pay a large army for which inexhaustible supplies of war material were available from England on demand, while the Republican Army was being rapidly depleted by captures and was exhausting its ammunition. The individual Volunteers were suffering from hardship, exposure and deprivation and the long strain of an unequal fight. Moreover, the country over which they were fighting as well as all the tactics, devices and resources of the Volunteers were familiar to their opponents; the division among the people made secrecy much more difficult than it had been before the Truce. The civilian side of the Republican movement had dissolved in chaos; Sinn Fein had almost ceased to exist.

It was evident now that the Free State Ministers would be impeded by no old loyalties, deterred by no sentiment: they intended to persist.

With the defeat of the Republican Army imminent, the second Dail supplanted and the Republican organisation disintegrated, it seemed that the aspiration of Ireland's enemies was about to be finally accomplished—that the destruction of Republicanism in Ireland was only a question of time.



**PART XIV**

**THE REPUBLIC DEFEATED**

**JANUARY TO MAY 1923**



## CHAPTER 85

### *January and February 1923*

SINN FEIN REORGANISED — EXECUTIONS — LIAM DEASY —  
APPEALS FOR PEACE — A SECRET FINANCIAL AGREEMENT

ON January 1st, 1923, De Valéra announced the reorganising of Sinn Fein. He was still President of the organisation; the notice, signed by him and its Secretary, Austin Stack, read as follows:

“The object for which Sinn Fein was reconstituted five years ago has not been achieved. Its aims and constitution are as appropriate and as necessary for the national purpose to-day as they were in October 1917, when the first great national Ard-Fheis enthusiastically adopted them.

“Further, the policy of Sinn Fein and the organisation of Sinn Fein are the only visible means by which the national forces can be again re-united, brothers reconciled, and the programme of national regeneration and social justice undertaken with enthusiasm and in earnest.

“Who would not choose to face again the four glorious if terrible years, when the unity and the courage of her sons and daughters made Ireland’s name revered throughout the entire world, rather than face a continuance of the inglorious strife that England’s dictated ‘treaty’ makes inevitable, and that will cause more and more a brother’s hand to be steeped in the blood of brother, and the name of our country to pass into a byword.”

Sinn Fein had held no Convention since the Ard-Fheis of May 1922, at which it endorsed the Collins-De Valéra Pact. There was no doubt that the majority of its members were against the Treaty. Its Treasurers, however, supported the Treaty and, rather than hand over the funds of the organisation to De Valéra, the sole Trustee, lodged them in the courts.<sup>1</sup>

<sup>1</sup> In 1986, this money still remains unexpended. De Valéra has urged that it should be used for some national purpose approved by all parties, such as the improvement of conditions in the Irish-speaking districts and the revival of the language. The money is claimed by the existing Sinn Fein organisation which refuses to accede to any proposition of the kind.



De Valéra opened headquarters in Suffolk Street and a staff of Republicans worked there, hampered by frequent raids and searches. The work made rapid progress throughout the country, for Republicans rejoiced that a channel was open for non-violent activity and for the shaping of a policy which, even if the military resistance collapsed, might keep the Republican ideal a living factor in the national life.<sup>1</sup>

To De Valéra the continuance of the Civil War appeared disastrous, yet he realised that resistance in arms had been rendered inevitable by the course which the pro-Treaty leaders had followed.

He reviewed the general situation in a statement to the Irish-American organ, *The Irish World*. Referring to the signing of the Treaty he paid tribute to the high motives which, he was convinced, had led the Irish Delegates to give way; but he blamed those who had not foreseen that to attempt to enforce such a Treaty would mean civil war—who

“failed to realise that the young men who were fighting and daily risking their lives to uphold the Republic, and had seen their comrades die for it, would resist to the death any attempt to disestablish it at England’s bidding. The dictated partition of our country, its forced inclusion in the British Empire, the surrender of our sovereignty, the repudiation of our declared independence, and the acceptance of England’s King and the pledge of fealty to him, made civil war inevitable here sooner or later. . . .

“ . . . The ever rising tide of bitterness as the inevitable fight proceeded—a bitterness that might persist for generations—the mutual nullification of effort, the vanishing of the common dreams of national regeneration and reconstruction, the lowering of the national credit and prestige, the satisfaction and gloating of our enemies and then the final despair as each tried ruthlessly and recklessly by the policy of blood and iron to extricate themselves and the country from an impossible position: all this should have

<sup>1</sup> For a number of important statements issued about this time by the Republican Party see a weekly paper, *Éire*, which began publication on January 20th, 1923.

been clearly before the eyes of those who had taken upon themselves the leadership of the nation, and at all hazards they should have been careful to prevent it."

The "tide of bitterness" was indeed rising fast. In January the Irish Republican Army became increasingly active, encouraged, at the beginning of the month, by the capture of three posts with much war material in Cork city. Ambushing, sniping, attacks on Government patrols and barracks, were carried out in Dublin and in the Midlands, as well as in the South and West. Railway workers were forbidden by the I.R.A. to assist the Government forces and much railway property was wrecked.

The Volunteers were encouraged by desertions from the army opposed to them. The false arguments with which men had been induced to join the pro-Treaty Army had been exposed. No amount of propaganda could prevail, after the events of December 6th, to sustain the illusion that this army was fighting in defence of a "Republic in all but name," and now, secretly and openly, soldiers of the Government's army were giving aid to Republicans. Rumours of execution for mutiny had been prevalent since the beginning of the war. The Free State Ministry now found it necessary to publish the fact that men of its own army were being executed, charged with "treachery." Five men were executed on this charge on January 8th, and one of a large number who had gone over with arms to the I.R.A. was captured and was executed on February 26th.

The number of desertions was not sufficient, however, to embarrass the Treaty Party to any considerable extent.

The execution of Republican prisoners proceeded, during January, in every quarter of the Free State, North, South, East and West.

Three were executed in Dundalk on January 18th; four in Roscrea and one in Carlow on the 15th. There were eleven executions on the 20th—two in Limerick, four in Tralee, and five in Athlone. The charge in nearly every case was the regulation one of being in illegal possession of arms—a charge equally applicable to hundreds of prisoners in camps and jails in scores of Irish towns. Victims, had, in fact, been chosen from the centre

of each district where the I.R.A. was operating with success. It was concluded that the location of a prisoner's home had become a factor in the Court's decision as to whether he should suffer the penalty of death: the intention was, by this programme, to reduce each part of the country in turn.

A General Order made by the Free State Army Council on January 8th extended the powers of Military Courts; these Courts were now empowered to inflict the death penalty for activities of many kinds. A prisoner might now be executed for having in his or her possession any plan, document or note "for a purpose prejudicial to the safety of the State or of the National forces." The Army Council, in a Proclamation dated January 20th and published on February 1st set forth its extended powers in full and declared its intention to exercise them forthwith.

On the 22nd there were three more prisoners executed in Dundalk; on the 23rd two were executed at Waterford; three in Birr on the 26th, and two in Maryborough on the 27th.

The number of executions carried out by the Free State Army between November the 17th and the end of January amounted to fifty-five.<sup>1</sup>

On February 1st Liam Lynch issued a proclamation to the effect that the I.R.A. would resort to reprisals if this went on. He stated that "the Army of the Republic is determined that it will no longer suffer its members to be thus dealt with, and the international usages of war violated with impunity."

In that part of the country where the fighting had been most violent, there was a widespread desire for peace. The civil population no longer gave the Volunteers the help and sympathy which had sustained them throughout the earlier fight. The men were being continually approached by priests and laymen, moving on their own initiative or commissioned by the Free State Government, who engaged them in discussions on the advisability of ending the war.

While there were Commandants who would not yet think of surrender there were some who grew more and more reluctant to bear responsibility for continuing a resistance which seemed

<sup>1</sup> For the names of executed Republicans see Appendix 84, pp. 1021-8.

to them useless and who believed that the nation would lose more than it could gain by prolonging the civil war. Liam Deasy was one of these. He was aware that wholesale executions were contemplated by the Government, that the I.R.A. would resort to a policy of reprisals and that the country would be plunged into a state of misery and bitterness worse than the worst that it had known. He decided that the time had come when the Republican Army ought to take steps to end the war. This conviction, and a combination of unfortunate circumstances of which instant advantage was taken by his opponents, now led Deasy into a course of action which precipitated a general move for peace.

In the middle of January, while he was deliberating about communicating his views to his colleagues on the Army Executive, Deasy was captured with arms and sentenced to death. He asked for facilities to send out communications to his colleagues. His captors, aware of his views, immediately ordered a stay of execution and promised him the facilities he desired. Instead, however, of allowing Deasy simply to send out his own proposal, they took another course. They drafted, in their own language, an appeal to the Republican leaders for an immediate unconditional surrender. They insisted on their prisoner signing this document; he might send out any letter he liked with it, but on no other condition would they permit him to send out a communication of any kind. As the only way left to him to open up the whole question, Deasy signed this document on January 29th. It read as follows<sup>1</sup>:

“ To:

“ I have undertaken for the future of Ireland to accept and aid in an immediate and unconditional surrender of all arms and men and have signed the following statement:

“ I accept and I will aid an immediate and unconditional surrender of all arms and men as required by General Mulcahy.

“ (*Signed*) LIAM DEASY.

“ In pursuance of this undertaking I am asked to appeal for a similar undertaking and acceptance from the following:

<sup>1</sup> See General Mulcahy's report of the incident in the Dail, February 9th.

“ E. de Valéra, P. Rutledge, A. Stack, M. Colivet, Domhnal O’Callaghan, Liam Lynch, Con Moloney, T. Derrig, F. Aiken, F. Barrett, T. Barry, S. MacSwiney, Seamus Robinson, Humphrey Murphy, Seamus O’Donovan, Frank Carty,

“ and for immediate and unconditional surrender of themselves after the issue by them of an order on the part of all those associated with them, together with their arms and equipment.

“ (*Signed*) LIAM DEASY.”

This appeal was not published at once. The Free State authorities withheld publication until they had secured an opportunity to reinforce its effect with another appeal—until some Republican prisoners in Limerick, kept in ignorance of the situation and told by their guards that Liam Lynch had surrendered, applied for facilities to address the Republican leaders with a view to discussing peace.

The Press of February 9th displayed the request of the Limerick prisoners under sensational headlines and, with it, the dictated appeal which Deasy had signed. On the same page appeared an offer from the Free State Government of amnesty to any opponent who surrendered arms before February 18th.

The papers published, also, the letter which Deasy had been allowed to enclose with the document. In this he explained the reflections which had led him to believe that peace ought to be discussed; he declared that the Free State Government had, “ by originating and pursuing a policy of murder, forced the hand of those whose outlook was national and not sectional,” confessed to disappointment in his earlier hope that the position might be saved by the separatist element in the Free State Army and to his belief that “ both sides had ample strength to carry on for an indefinite period.”

The appeal for surrender signed by him was sent to each of the sixteen Republican leaders named in it. It elicited no response other than the official reply to General Deasy, signed by Liam Lynch on behalf of the Republican Government and Army Command, that his proposals could not be considered. The episode, however, brought to a head a number of peace efforts

which had already been set in motion by people not connected with either side.

An association had been formed of men who had taken no part in the civil war, though they had fought in the Anglo-Irish campaign; they called themselves "the Neutral I.R.A." This association communicated to De Valéra, Liam Lynch, William Cosgrave, and Richard Mulcahy, an appeal for a truce of one month. This appeared in the Press of February 17th. On the same day the Free State Government published a statement that it was taking part in no peace negotiations of any kind.

The peace efforts of "the Neutral I.R.A." were unsuccessful, their intervention being accepted by neither side.

Unsuccessful, also, were the proposals which, early in March, the Archbishop of Cashel, the Most Reverend Dr. Harty, addressed to Commandant Thomas Barry. His suggestion was that Republicans should conceal their arms until after a general election, when the arms should be delivered to whatever government might be returned.

The Free State Government were determined to consider no proposal that did not include the surrender to them of the Republican arms. So much Cosgrave intimated in February to a representative of the *Daily Mail*.<sup>1</sup>

"De Valéra hopes to bring about negotiations which will enable him to make a dignified withdrawal from his present position, but we are not going to help anybody in that way,"

he said.

Cosgrave was doing everything in his power to stabilise the Treaty position in Ireland.

In February, its financial clauses were the subject of discussion between the Free State Ministers and the British Treasury and an agreement was signed which was kept secret. The first clause concerned the Land Purchase Annuities.

In Northern Ireland the Annuities were still retained by the Irish Government, in accordance with the provision of the Act of 1920, operative at the time of the signing of the Treaty, by which the liability for the payment of interest to the holders

<sup>1</sup> Quoted *Irish Independent*, February 9th, 1923.

of the Loan Stock and for the use of the sinking fund in the extinction of stock rested upon the British Government.

Since the signing of the Treaty, however, British Ministers had made more than one attempt to treat the new arrangement as cancelling in the Twenty-six counties the "gift" of the Annuities and transferring the liability which Great Britain had undertaken to the Government of the Free State. In January 1922, when "Heads of Working Arrangements for Implementing the Treaty" were signed by British Ministers and members of the Provisional Government, the matter of the Annuities had been discussed. Collins had undertaken that,

"pending a definite arrangement for capitalisation, the Irish Government be responsible for the recovery of payments due in respect of local loans and the collection of Land Purchase Annuities and for paying over the proceeds to the British Exchequer."<sup>1</sup>

Now, on February 12th, 1923, Cosgrave signed with Major John W. Hills of the British Treasury an agreement of which the first clause bound the Free State Government

"To pay at agreed intervals to the appropriate [British] fund the full amount of the Annuities accruing due from time to time, making themselves responsible for its actual collection from the tenant-purchaser."

This was a direct reversal of the relevant provision of the Act of 1920.<sup>2</sup>

The Agreement, marked "secret," was not communicated to either the British or the Free State Parliament.<sup>3</sup>

<sup>1</sup> This document was kept secret until the *Irish Times* published it on July 10th, 1922.

<sup>2</sup> See *supra*, p. 351. The British White Paper which explained the Act of 1920 stated that under Clause 26 "The Annuities will be collected by the Irish Governments, but will not be handed over to the Imperial Exchequer. They will be retained and paid into the Irish Exchequers, while the Imperial Exchequer will assume the liability of making equivalent payments into the funds out of which the interest and sinking fund on the stock are paid. This free gift includes not only existing annuities but those in respect of all sales already agreed upon, although not actually concluded."

<sup>3</sup> The terms of the agreement were first published in April 1932: *Irish Free State Official Publication* : P. No. 646. Cosgrave afterwards claimed that the Free State Parliament in effect authorised his agreement in passing the Appropriation Bill of 1928 (p. 25, item 62). See *Irish Press* of June 12th, 1935.

The validity of the Agreement remained open to question, but its effect was clear: the Irish Free State was to pay to the British Government sums amounting to about five million pounds a year; of this, about three million was to be paid as accruing from the Land Purchase Annuities whether, in fact, this total was collected from the Irish farmers by the Free State Government or not.<sup>1</sup>



## CHAPTER 86

*February and March 1923*

### I.R.A. LOSSES — PRISONERS AND DEPORTEES — MURDERS IN KERRY — AN ENVOY FROM THE POPE

THE Republican Army was rapidly exhausting its resources; the number of its members who were in prisons and internment camps was larger than the number in action. It was short of arms and ammunition and almost without funds. Its opponents, on the other hand, were able to draw all they needed from the British Government.

Already, as the Lord of the Treasury stated in the House of Commons on February 20th, the Free State had made payments on account during the financial year amounting to approximately £1,100,000 for guns, arms, ammunition, aeroplanes, motor vehicles and other munitions of war handed over to it by the British Government. The final settlement in respect of such munitions was to form part of the ultimate financial settlement between the Free State and the Imperial Government. "It is not possible," the Lord of the Treasury said, "and I do not think that it would be desirable, at the present moment to state the estimated amount under this head."

"No citizen of Britain," Austen Chamberlain said, at a banquet on St. Patrick's Night, "would grudge the use of British credit to assist the Irish Government to discharge its obligations."

During the early spring, the I.R.A. sustained severe losses. Denis Lacey, one of the most trusted of the I.R.A. leaders, fell in action on February 18th in the Glen of Aherlow. Con Maloney, who had become Deputy Chief of Staff when Liam Deasy was arrested, was wounded and captured in March. During the first week of that month a large number of Volunteers were captured in Connemara and a fight took place in the Garrane in Kerry which lasted several days; there, many Volunteers were wounded; many were taken prisoners; one was killed in action, and one, Frank Brady, was murdered after capture.

The number of military prisoners in jails and internment camps in the Free State was estimated now as about twelve thousand. As a result of prolonged hardship and confinement the majority were in a low state of health. The practice of interrogating prisoners to the accompaniment of severe beating, kicking, and other forms of punishment was generally practised. Guards frequently fired into the prisoners' cells and compounds. Mary Comerford was fired at and wounded in Mountjoy Prison; Patrick Mulrennan was mortally wounded by an officer in Costume Barrack in Athlone,<sup>1</sup> and eight men were killed in this way. The sufferings of men and women from cold, malnutrition, insanitary conditions and the lack of medical appliances increased with the overcrowding of the prisons and camps.<sup>2</sup>

On many of the imprisoned Republican soldiers lay the additional strain of being tried by a secret Court and held under a suspended sentence of death, seeing comrades led out to execution, and never knowing, from hour to hour, when their own call might come. A whole wing of Mountjoy Jail in Dublin was filled with men so sentenced.

In one prison in Limerick there were five hundred and forty men and officers of the I.R.A. On the day on which General Deasy's appeal for surrender was published the Free State authorities brought the newspaper into the prison and ordered the prisoners to subscribe to the unconditional surrender proposed. Otherwise, they declared, every man in the prison would be tried and wholesale executions would follow. The Republican officers put the question fairly before their men. Many had been willing to consider terms of peace, but the suggestion of unconditional surrender they rejected as utterly unacceptable.<sup>3</sup>

There were about three hundred girls and women in prisons in Dublin at the end of March and more were being sent up from the country at the rate of four or five every day. Early in the month

<sup>1</sup> October 6th, 1922.

<sup>2</sup> On February 10th General Liam Lynch addressed to General Mulcahy a formal protest against systematic breaches by his troops of the laws of war. He appended a classified list of the names of prisoners who had died, or been executed, or murdered by their guards, and a reference list of signed and published statements showing that prisoners had been interrogated under torture. This protest, with the lists, appeared in *Éire* of March 10th, 1923.

<sup>3</sup> See *Éire* of March 8rd.

new regulations were made forbidding those in Kilmainham to receive or send letters or have any communication with their families. These rights, which were essentials of political treatment, were restored only after ninety-one girls and women had been on hunger-strike for seven days.

The prisons of the Free State, already overcrowded, received on March 12th over one hundred Irish men and women deported from England under Clause 14B of the Restoration of Order in Ireland Regulations. Most of these were members of the Irish Self-Determination League. They were not charged with any illegal action; they had been deported on suspicion of being about to act in a manner prejudicial to the restoration and maintenance of order in Ireland. Their deportation afterwards proved to have been an infringement by the British Home Secretary of British law. At the request of the Free State Government he had taken emergency powers.<sup>1</sup>

These prisoners were eventually returned to England and received an indemnity.<sup>2</sup>

In Kerry the conflict had become more bitter than in any other part of Ireland; the ardour for national freedom was traditionally intense in this mountainous country and, undoubtedly, the less disciplined elements of the Free State Army were in control here. Great brutality to prisoners was practised in the jails in Tralee.<sup>3</sup>

There were terrible occurrences in Kerry during the month of March. In Knocknagoshal members of the I.R.A. laid a mine intended as a trap for a certain Free State officer notorious for torturing prisoners. It caused the deaths of this officer with two other officers and two men. Reprisals were taken against Republicans who were prisoners in Tralee jail. The newspapers of March 8th announced that "prisoners engaged in removing barricades" had been killed by a concealed mine at Ballyseedy, near Tralee. The truth was not known at first, but the facts were later stated publicly by Stephen Fuller, a prisoner who escaped.

In the early morning of March 7th nine prisoners, one with a broken arm, another with a broken wrist, were taken in a lorry

<sup>1</sup> Statement in House of Commons, May, 28th 1923.

<sup>2</sup> Statement in House of Commons, May 10th, 1923.

<sup>3</sup> See *Tragedies of Kerry*, by Dorothy Macardle.

from Tralee prison to Ballyseedy Cross, where a log with a mine beside it lay on the road. There the hands of each prisoner were tied behind him and each was tied by the arms and legs to the man on either side. A rope was passed around the nine men, holding them in a ring, their backs to the mine which was in the centre. The soldiers then moved away and exploded the mine. Eight men were blown to pieces and the soldiers, thinking that all had been killed, filled nine coffins with the remains. The survivor, thrown into a ditch only slightly injured, escaped.

On the same day five prisoners were taken from Killarney prison to Countess Bridge where a mine had been placed against a barricade of stones. There the soldiers exploded the mine and then threw bombs. Four of the prisoners were killed, but one, Tadhg Coffey, survived, and had the courage to make known the truth. At Cahirciveen on March 12th five prisoners were killed in the same way, but this time the murderers took precautions that none should survive. It was a Free State officer, Lieutenant McCarthy, who told the truth. He resigned and published an account of what he had seen.

“There was no attempt at escape,” he said; “as the prisoners were shot first and then put over a mine and blown up. It was a Free State mine, made by themselves.”

The funerals of the victims of these massacres created such violent feeling in Kerry that the Government found it necessary to take precautionary measures. A special order appeared in the Press of March 21st which read:

“Prisoners who die while in military custody in the Kerry Command shall be interred by the troops in the area in which the death has taken place.”

Three Volunteers were executed in Cork and one in Dublin on the 13th March, and four were executed in Drumboe Castle on the 14th.

Timothy Lyons, one of the most daring Republican soldiers in Kerry, was murdered after surrender at Clashmealcon Caves and three of the men who surrendered with him were executed on April 25th in Tralee.

The month of March, filled as it was with loss and suffering, brought Republicans one ray of hope, in the visit to Ireland of the Italian Prelate, Monsignor Luzio, sent on a mission of peace by the Holy See.

Monsignor Luzio, on March 21st, called upon Cardinal Logue and presented him with a letter from the Cardinal Secretary of State, who, introducing the Italian Prelate, wrote:

“ He goes to Ireland by charge of the Holy Father for the object of learning directly *viva voce* from Your Eminence and from the other Bishops, with a view to avoiding the inevitable inconveniences of using the mails, all news and information that may be useful for the knowledge of the Holy See on the actual condition of affairs in your nation, and to co-operate as far as he possibly can in the pacification of minds in the interests of a much-desired and definite settlement in your country.

“ I, therefore, beg Your Eminence to kindly assist this Prelate with all your high authority and with all benevolence by facilitating his approach to, and acquaintanceship with, the most prominent and eminent personages and with all persons of goodwill with whom an exchange of ideas and impressions along with the above-mentioned Prelate may be useful and advantageous to the cause of peace and tranquillity in your thrice beloved nation.”

Monsignor Luzio received on April 10th a deputation from the Dublin Peace Committee of Sinn Fein, and expressed his willingness to intervene in the interests of peace if it was apparent that such action on his part was desired by the people.

Immediately, appeals for his intervention were sent to him by innumerable public bodies.<sup>1</sup>

Monsignor Luzio replied by a message through the *Irish Independent*, declaring, “ I will give my heart and soul to the movement, and hope to be of service to the Irish people of all sorts in the interest of peace.”

He had private interviews with De Valéra and other representative Republicans, who deeply appreciated his evident sincerity and goodwill. The Free State Ministers, however,

<sup>1</sup> See *Catholic Bulletin*, June 1923, p. 849.

showed no disposition to avail themselves of his visit, which they insisted upon regarding as merely the private visit to Ireland of a distinguished ecclesiastic. Cosgrave, when Monsignor Luzio called upon him on April 11th, refrained from discussing the national situation with him. The Free State Publicity Department issued the statement that

“The Monsignor presented no credentials. The visit was purely a courtesy visit.”

Cosgrave stated in an interview to the *Freeman's Journal*:

“I took the call merely as a courteous friendly act and saw nothing else in it.”

Monsignor Luzio published a request to those bodies which might intend to send him resolutions appealing for his intervention to refrain from doing so, as the desire of the people for peace was already abundantly manifested.

The general attitude of the pro-Treaty party towards these efforts to attain peace found expression in a leading article in the *Freeman's Journal* on April 18th, in which the following passages occurred:

“Apparently it is thought in some quarters that under shelter of the Monsignor's robe the rebels who have been making war upon the Irish people and their Government can be set up as a political party to be placated by agreements and compromises made over the people's heads and behind the people's backs. . . .

“Monsignor Luzio would make a disastrous mistake if he gave countenance to any such intrigue. . . . Certainly any attempt at this stage to convert the visit of this worthy Roman ecclesiastic into a political mission is bound to fail. There is nothing to arbitrate about between the Irish people and their assailants. The Ministers of the Free State are the lawful Government of the Irish people and their authority as such cannot be impugned from any quarter.”

Such was the response of the Free State Government and its supporters to the peace efforts of the Holy See.

## CHAPTER 87

### *March and April 1928*

PEACE MOVES IN MUNSTER — THE I.R.A. EXECUTIVE MEETS  
— DEATH OF LIAM LYNCH — REPUBLICAN OFFICERS CAPTURED —  
DECISION OF THE EXECUTIVE — THE END OF THE  
CIVIL WAR

It was during March that Liam Lynch at last became convinced that it was necessary to consider whether any way, short of surrender, could be found to bring the Civil War to an end. In Munster, Commandant Barry had circulated among officers in the various commands inquiries as to their resources and their views on the possibility of continuing to resist. While a few declared that their units would be able to carry on, a number replied that, in their opinion, it would be inadvisable to attempt a summer campaign.<sup>1</sup>

These suggestions, emanating from some of the most active and resolute sections of the army, greatly disturbed Liam Lynch and he left Dublin to visit the South. He found that a number of the senior officers felt that, in spite of the risks, a meeting of the Army Executive ought to be held.

The decision was taken to call the Executive together and review the military situation as a whole. To bring together sixteen senior Commandants of the Republican Army—every one of them a man whose arrest was keenly desired by their opponents—was not easy; nevertheless, on March 24th, ten members of the Executive met in a remote glen, the Nyer Valley, in County Waterford. Many of these were officers who had replaced members who had become casualties. Austin Stack, Liam Lynch and Frank Aiken were among them. De Valéra joined them and, at meetings held on four consecutive days in a cottage hidden among the mountains, a close examination of the military position was made.<sup>2</sup>

De Valéra brought definite proposals to this meeting. He

<sup>1</sup> Some of this correspondence was captured, and a summary appeared in the Press on March 28rd, 1928.

<sup>2</sup> Those present were: Eamon de Valéra, Liam Lynch, Bill Quirke, Tom Derrig, Austin Stack, Sean Dowling, Frank Aiken, Tom Barry, Humphrey Murphy, Sean MacSwiney, Tom Crofts.

believed that peace between the Treaty Party and Republicans could be achieved by mutual acceptance of three principles: That the right of the Irish people to sovereign independence is inalienable; that the ultimate court of appeal in questions of national expediency and policy is the people of Ireland, and that no person subscribing to these principles ought to be debarred by any test or oath from taking a full share in the Nation's political life.

It was a proposal which, while asking Republicans to submit for a time to the position created by the Treaty, asked their opponents not to obstruct Republicans in working forward from that position towards Independence by every peaceful means.

There were divergent opinions among the members of the Executive.

Liam Lynch was not yet convinced that the time had come to accept military defeat; there were others who believed that further resistance was futile and advocated the surrender of arms. Austin Stack held that if a cessation of hostilities was necessary, a "simple quit" without the publication or offer of terms was the best policy. The Deputy Chief of Staff, Frank Aiken, supported De Valéra's proposals; but his advice was that these should be published as a declaration to the people of the objects for which the I.R.A. was fighting but that there should be no cessation of hostilities until their opponents showed willingness to discuss terms. He hoped that the sympathies of the people would thus be won again to the side of the Republican Army and that the Free State Government would be forced by public opinion to agree to peace.

Liam Lynch contended that the Western Divisions of the I.R.A. were less hard pressed than the Southern and that through these the situation might yet be retrieved; but Sean Hyde, who was in command in the West, was not present, nor was P. J. Rutledge; moreover, plans were in progress for the purchase of mountain cannon from Germany.

The peace Resolution was defeated by six votes to five.

It was agreed to adjourn the meeting of the Executive until April 10th, when the absent members might be able to attend, and De Valéra was authorised, meanwhile, to take the steps necessary as a preparation for a discussion of terms of peace.



The following weeks were full of calamity for the Republican forces. The Adjutant-General, Tom Derrig, was captured in Dublin and wounded in trying to escape. It had become known to the Free State Government that nearly all the leaders of the Republican Army were somewhere among the mountains of Tipperary and Waterford, and thousands of troops were concentrated on an encircling movement there.

On April 10th, in a fight near Clonmel, Liam Lynch fell, mortally wounded, among "his loyal allies the hills."<sup>1</sup> He was taken prisoner and died during the night.<sup>2</sup>

On the following day came news of six more executions; six Volunteers had been executed in Tuam at dawn.

Austin Stack was captured on the 14th when on his way to the adjourned meeting to discuss peace. A memorandum prepared for the signature of army officers, authorising and calling upon the President to order an immediate cessation of hostilities, was captured on his person and was published in the hostile Press of April 16th.

A few days later four more Republican Commandants were captured.

The adjourned meeting of the Republican Army Executive was held in Poulnacappa near Mullinahone in Tipperary on April 20th. Twelve members of the Executive were present, including P. J. Rutledge and Sean Hyde. De Valéra had remained in Dublin, leaving the army to take its decision and send delegates to meet the Republican Cabinet there.

The army leaders who met learned little to encourage them. There was no good news from the men who had been endeavouring to purchase cannon; there was no good news of any kind; yet there were members of the Executive who could scarcely be persuaded to consider giving up the fight.

General Aiken was, at this meeting, appointed Chief of Staff. He urged his view strongly: that the Army Council with the Republican Cabinet should be empowered to make the proposals publicly which De Valéra had drawn up, to suspend hostilities,

<sup>1</sup> De Valéra's address to the army on the death of Liam Lynch, *Éire*, April 28th. Appendix 30, p. 1013.

<sup>2</sup> See article in *Sinn Féin*, April 12th, 1924, reproduced in *The Irish Press*, April 16th, 1935.

if they thought it necessary, and to take the final decision for peace or war. They set out the principles upon which they were prepared to negotiate in the following form:

1. The sovereignty of the Irish nation and the integrity of its territory are inalienable.
2. Any instrument purporting to the contrary is, to the extent of its violation of the above principle, null and void.

All present with one exception agreed that if the Free State Party accepted these principles they would themselves, as a principle of order, accept majority rule.

Four Commandants, Liam Pilkington, Tom Barry, Sean Hyde and Frank Aiken, were appointed to form a special Army Council and went to Dublin; there, on the night of April 26th, they met in council with De Valéra and those members of his Cabinet who were not in prison—P. J. Rutledge, M. P. Colivet and Donal O'Callaghan.

The decision was unanimous: President de Valéra was authorised to make a public proclamation of the terms which he proposed and a temporary suspension of hostilities by the Republican Army was to be ordered at the same time.

On April 27th Eamon de Valéra, for the Republican Government, and Frank Aiken, for the Army, signed a proclamation ordering a suspension of all aggressive action by the I.R.A. from noon of April 30th.

De Valéra stated the principles upon which, as a basis, his Government was ready to negotiate peace.

The Proclamation was as follows:

“ DAIL EIREANN

· “ (Government of the Republic of Ireland)

“ PROCLAMATION

“ The Government of the Republic, anxious to contribute its share to the movement for peace, and to found it on principles that will give governmental stability and otherwise prove of value to the nation, hereby proclaims its readiness to negotiate an immediate cessation of hostilities on the basis of the following:

“ (1) That the sovereign rights of this nation are infeasible and inalienable.

“ (2) That all legitimate governmental authority in Ireland, legislative, executive, and judicial, is derived exclusively from the people of Ireland.

“ (3) That the ultimate Court of Appeal for deciding disputed questions of national expediency and policy is the people of Ireland, the judgment being by majority vote of the adult citizenry, and the decision to be submitted to, and resistance by violence excluded, not because the decision is necessary, right or just or permanent, but because acceptance of this rule makes for peace, order, and unity in national action, and is the democratic alternative to arbitrament by force. Adequate opportunities and facilities must, of course, be afforded for a full and proper presentation to the court of all facts and issues involved, and it must be understood that 1 and 2 are fundamental and non-judicable.

“ (4) That no individual or class of individuals who subscribe to these principles of national right, order, and good citizenship can be justly excluded by any political oath, test, or other device from their proper share and influence in determining national policy, or from the Councils and Parliament of the nation.

“ (5) That freedom to express political or economic opinions or to advocate political or economic programmes, freedom to assemble in public meeting and freedom of the Press are rights of citizenship and of the community which must not be abrogated.

“ (6) That the military forces of the nation are the servants of the nation, and, subject to the foregoing, amenable to the National Assembly, when freely elected by the people.

“ We are informed that many in the ranks of our opponents will accept these principles as we accept them. If that be so, peace can be arranged forthwith. We hope that this advance will be met in the spirit in which we make it, and that it will be supported by all who love our country and who desire a speedy and just ending to the present national troubles.

“ As evidence of our own goodwill, the Army Command is issuing herewith an Order to all units to suspend aggressive

action, the Order to take effect as soon as may be, but not later than noon Monday, April 30th.

“EAMON DE VALÉRA (President).  
“Dublin, April 27th, 1923.”

The Army Proclamation read:

“OGHLAIGH NA H-EIREANN

“ (Irish Republican Army)

“General Headquarters, Dublin,

“April 27th, 1923.

“Dept. C.S. Ref. No. Special Army Order.

“To O.C.’s Commands and Independent Brigades.

“SUSPENSION OF OFFENSIVE

“1. In order to give effect to decision of the Government and Army Council embodied in attached Proclamation of this date, you will arrange the suspension of all offensive operations in your area as from noon Monday, April 30th.

“2. You will ensure that—whilst remaining on the defensive—all units take adequate measures to protect themselves and their munitions.

“FRANK AIKEN, Chief of Staff.”

At noon of April 30th the fight for the Irish Republic came to an end.

It was the seventh anniversary of the last surrender of the Insurgents of 1916 and in that omen Republicans saw a presage of hope. As a military defeat had then proved a prelude to the resurgence of the spirit of freedom, so it might prove again.

## CHAPTER 88

*May 1923*

DE VALÉRA'S PROPOSALS FOR PEACE – REJECTION – VIEWS OF THE LABOUR PARTY – AGGRESSION CONTINUES – THE REPUBLICAN ARMY COUNCIL AND CABINET MEET – DECISION TO BURY ARMS – DE VALÉRA TO THE REPUBLICAN ARMY

THE fact that the Republicans had ceased from military action was so minimised by the Free State Government as scarcely to be realised by the nation as a whole. It was given no prominence in the Press and it did not deter the Government and Army from continuing to make arrests. On May 2nd, three days after the order for the suspension of hostilities on the Republican side had been given, two military prisoners were executed at Ennis.

In less than six months, between November and May the Free State Government had executed seventy-seven Republican Volunteers.<sup>1</sup>

The Republican Army was not ready to surrender its arms. De Valéra's proposals for peace did not include such surrender; they constituted an effort to divert the unsolved conflict between pro-Treaty and anti-Treaty parties into the non-violent and democratic channel of parliamentary procedure, leaving the central problem to be settled, eventually, by the people's votes.

On April 30th he sent confidential letters to two Senators, Andrew Jameson and James Douglas, asking them to meet him for the purpose of discussing practical steps for the conclusion of immediate peace. The Senators, having obtained permission of the Free State Executive to act as intermediaries, met De Valéra on May 1st.<sup>2</sup>

Cosgrave refused De Valéra's request for personal negotiations. His executive gave Jameson a document embodying the essentials upon which they would insist: one essential was the surrender of arms.

<sup>1</sup> Appendix 34, p. 1022.

<sup>2</sup> See their Report to the Dail. Official Reports, May 9th, 1923, col. 676.

The proposals read:

“ All political action within the country should be based on a recognition by every party in the State of the following principles of order:

“(a) That all political issues, whether now existing or in the future arising, shall be decided by the majority vote of the elected representatives of the people.

“(b) As a corollary to (a) that the people are entitled to have all lethal weapons within the country in the effective custody or control of the Executive Government responsible to the people through their representatives.

“ The acceptance of these principles and practical compliance with (b) by the surrender of arms to be the preliminary condition for the release of prisoners, who shall be required to subscribe individually to (a) and (b).

Jameson was further to inform De Valéra that: (1) Military action against him and his followers would cease when the arms held by them were delivered into the effectual custody of the Irish Free State Executive authorities. The arrangement for the delivery of the arms and the place of their deposit would be made with as much consideration as possible for the feelings of those concerned. (2) The prisoners to be released on the satisfactory fulfilment of (1) and the signature of each prisoner before release to the conditions of the document above mentioned. (3) The Free State Government would keep a clear field for De Valéra and his followers to enable them to canvass for the votes of the people at the next election, provided they undertook to adhere strictly to constitutional action.

They were also to state that the Free State Government would not negotiate with the British Government with regard to the oath.

Senators Jameson and Douglas saw De Valéra on May 1st, and again on May 3rd and 5th. He was engaged in drafting terms which he hoped Cosgrave would agree to sign with him.

De Valéra hoped that the Treaty Party would not wish to see Ireland's claim to independence finally abrogated, and that they would be willing as far as possible to open to Republicans the

ordinary peaceful methods of propaganda and constitutional action. The most serious bar to constitutional activity was the oath. He explained to Senators Jameson and Douglas that he was including a proposal for the removal of the oath because he believed that even if the Free State Government could not remove it they should be asked to admit as a general principle that there should be no barrier to elected representatives taking their seats, and because full and satisfactory co-operation of all citizens for the good of Ireland could not be assured if any elected representatives were to be prevented from taking part in any future Parliament by an oath to which they could not honourably subscribe.

De Valera told the two Senators that he objected to the proposal that the prisoners should be asked individually to sign acceptance of conditions; he himself spoke for the combined Republican Government and Army Command; he would assure himself before signing that prisoners when released would act in the spirit of the agreement.

De Valera's draft was completed on May 7th, and forwarded to the Free State Government. The following were its terms:

- “ We are agreed :
- “ 1. That the sovereign rights of this nation are inalienable and indefeasible.
  - “ 2. That all legitimate governmental authority in Ireland, legislative, executive, and judicial, is derived exclusively from the people of Ireland.
  - “ 3. (a) That as a practical rule of order and democratic government, political issues shall be decided by the majority vote of the duly elected representatives of the people, subject always to the right of referendum and appeal directly to the people, and to an understanding that 1 and 2 are fundamental.
  - “ (b) That, as a corollary, the people are entitled to have all lethal weapons within the country in the effective custody or control of the Executive Government responsible to the people through their representatives.
  - “ 4. That no citizen who subscribes to the foregoing can be justly excluded by any political oath, test, or other device

from his or her share in determining national policy, or from the Councils and Parliament of the nation.

“ 5. That freedom to express political or economic opinions, or to advocate political or economic programmes, freedom to assemble in public meeting, and freedom for the Press are rights that must be guaranteed.

“ In order to give practical effect to foregoing—in the present circumstances and as a condition of the immediate restoration of peace—we are agreed further:

“ (a) That a General Election shall be held not later than September 15th of this year.

“ (b) That a further opportunity shall be afforded, as soon as possible, for the hearing of any claims and objections to the register now being revised, and that a Commission representative of all parties shall be appointed to guarantee fair play in all election arrangements.

“ (c) That all censorship of the mails and of the Press shall be abolished; that the Press shall be requested by the undersigned, jointly, to guarantee a fair proportion of space for the advocacy of the Republican programme; and that adequate protection shall be guaranteed to Republican printers and newspapers.

“ (d) That, pending the election, effective control of lethal weapons shall be secured by

i. The strict supervision and control of all arms in the F.S. Forces and their auxiliaries.

ii. Assigning to the Republican forces at least one suitable building in each province, to be used by them as barracks and arsenals, where Republican arms shall be stored, sealed up, and defended by a specially pledged Republican guard—these arms to be disposed of after the elections by re-issue to their present holders, or in such other manner as may secure the consent of the Government then elected.

“ (e) That within twenty-one days from the date on which the General Election is held, the newly elected representatives shall assemble, and all powers and machinery of Government shall then be handed over without



question to the Executive chosen by the majority of the assembly.

- “(f) That the funds of the Republic, subscribed in the U.S. and elsewhere, and at present sealed up by Injunction,<sup>1</sup> shall be made available immediately for peaceful efforts in support of the Republican cause, and that all property of the Republican Party seized by the F.S. Forces shall be restored.
- “(g) That in awarding compensation for losses sustained by individuals during the direct conflict with England there shall be no discrimination against those who in the present conflict have been supporters of the Republic.
- “(h) That immediately on the signing of this agreement peace and a general amnesty shall be proclaimed, and when it is announced on behalf of the Republican authorities that (ii), paragraph (d), has been complied with, all political prisoners of war shall be released, and further military or civil action shall not be taken or lie against any person who has supported the Republican cause in this conflict.”

These proposals were rejected by the Free State Government in a brief letter to Senators Douglas and Jameson dated May 8th. Cosgrave objected:

“. . . Paragraphs (1), (2) and (3) of this document are guaranteed by the Constitution, and, therefore, should have no place in peace conditions.

“We have already informed you we could not consider paragraph (4).”

They would not abrogate the oath.

De Valéra on being informed of this rejection wrote to the two Senators as follows:

“I have received your letter and Mr. Cosgrave’s reply, which has disappointed me not a little.

“My offer generously embraced every principle of national

<sup>1</sup> Appendix 35, p. 1024.

value that I could conceive our opponents to be honestly fighting for. I have been met by rigid insistence on a condition in a form which is well known by everyone conversant with the situation to be impracticable.

“ May I thank you both for your good offices and express my appreciation of the impartial manner in which you reported our discussions.”

De Valéra's efforts in these proposals were, in effect, to secure an agreement which would be regarded by both parties as an agreed code under which they would co-operate in an advance from the Treaty position towards Independence—a political agreement which would be regarded by both the parties as superior to the imposed Constitution. In urging these proposals he was counting upon whatever might remain of the sense of nationality and the spirit of freedom in those Free State leaders who had once been Republicans.

The terms proposed were communicated by the Republican Army Council to Volunteers in the prisons and detention camps, and met with no opposition from them.

De Valéra's proposals proved acceptable to the Labour Party. Thomas Johnson, speaking at the opening of the Trades Hall, Kilkenny, on April 29th, referring to the six leading points of the proposal, said:

“ I consider that as a point in the programme of a political party they are all acceptable to me. They stand in a certain degree for what we of the Labour Party have stood for inside and outside the Dail. . . .”

The *Irish Times* of May 10th, commenting on the proposals, said:

“ The only real obstacle which remains is Mr. de Valéra's attitude on the Oath of Allegiance. . . . In all the other matters of negotiation Mr. de Valéra is knocking at an open door.”

The writer argued that, as repudiation of the Oath would be repudiation of the Treaty, the Government could not make any compromise on this point.

In the Dail on the same day, Thomas Johnson supported the

proposals. He repeated his contention that "these six principles which were enunciated could be accepted, and are, as a matter of fact, accepted by the people generally who have supported the movement for freedom in Ireland." He thought that when minor items were eliminated they were left with two: "The question of disposal of arms and the question of the Oath. . . . I am not sure," he said, "that a political movement having as an object the elimination of this unjust provision from the Constitution, and exercising its influence outside Parliament would not more quickly remove that unjust provision than the formal acceptance of it even under protest. More likely still, a combination of those outside who refuse to come in, because of an Oath, with those who are willing to come in and still count it unjust, would most certainly, in my view, bring about the removal of this injustice."

Gavan Duffy, referring to the Oath, said:

"If one thing is more certain, politically, than any other it is that the Oath clause has got to go. There is no enthusiasm for it in this Dail. There is a very general feeling against it, and there is a very general feeling against it outside. It has to go for two reasons, the first of which is that this country cannot afford to have driven into the wilderness of unconstitutional opposition those who are entitled, and ought to be encouraged, to constitutional opposition. It has to go, secondly, because the clause as it stands, goes a good deal beyond what we pledged ourselves to in the Treaty."

He thought, however, that De Valéra would see "how peculiarly difficult it would be for the Ministry to accept as a condition of peace that this Oath should be changed." He suggested that if De Valéra would concede a point on this matter the Government on their side "should show themselves conciliatory in the matter of arms."

Cosgrave was not prepared to open to his opponents a peaceful field of political activity.

"You will find," he said, "that as far as the party that has promoted disorder is concerned they are prepared to accept peace only if they are guaranteed a lease of political life.

"We are not going to guarantee them a lease of political life."

Thus, without a division being taken, the question of peace was dismissed.

The order to Republican Volunteers to cease all except defensive operations remained in force, although it permitted the Free State troops to move freely about the country and was the signal for a sweeping campaign by them of raids and arrests. Over one hundred Republicans were arrested outside Dublin as well as a large number in the city during the first five days of May.

The following headlines which appeared in the *Freeman's Journal* on May 3rd, 4th and 7th, indicated the conditions that prevailed:

*" Rounding up operations proceed throughout the country. . . . "*

*" Another haul of prisoners. . . . "*

*" It is officially reported that upwards of 60 irregulars have been captured by the troops throughout the country. . . . "*

*" Big captures. Army offensive continues. "*

In County Dublin noisy but innocuous attacks on Free State barracks took place, and these were represented to be acts of indiscipline by the Republican Volunteers. Inquiry, however, showed that the Republicans had taken no part in them. After two such attacks had taken place in Dundrum the Republican officer commanding in that area published a statement that " the attackers were provided with an armoured car and were Free State troops." A report from the Western Command on the same day stated that similar rumours concerning that area had arisen through the practice of Free State soldiers, under the influence of drink, indulging in indiscriminate firing in the streets and alarming their own sentries.<sup>1</sup>

The position in which Republican Volunteers were placed was illustrated by the capture of the unit known as the Plunkett Column, on May 15th.

The following is a report of the fight sent to Republican headquarters by the O.C. Dublin No. 2 Brigade:

*" Since the cease fire order was issued the column had been continuously on the run in order to avoid the aggressive tactics*

<sup>1</sup> See *Éire*, May 26th.

of the F.S. troops from Tallaght, Blessington, and Naas. On Monday night the whole column was billeted at Knocknadrucce, Vallemount, all the men being exhausted from continually moving about. There were in all 12 men, including the O.C., Comdt. Neil Boyle (Plunkett). At 4 a.m. the house was surrounded by Free State troops numbering at least 40, and fire was opened immediately at fairly close range. In the house were a woman and a girl, and wishing to get these safely away the O.C. rushed out, and jumping on a fence outside the door, shouted: 'Let the woman and girl out and then we will fight you.' The reply was two bullets, one through the eye and the other through the side of his head. Neither spiritual nor medical aid was summoned for the dying soldier, although a priest could have been got inside 15 minutes."

De Valéra, in an interview given to the Associated Press of America on May 19th, said:

"However anxious we may be to give the people the peace they desire, we cannot stand passive indefinitely in face of the continued aggression and harrying by the Free State forces. The truth is that our opponents do not desire peace—they are anxious that the war should continue, and intend drawing us into active hostilities again. . . . Their purpose is to bring off an election with, if possible, war conditions prevailing, so that Republicans may be denied that very freedom of speech and public meeting which the Free State pretend to uphold.

"My proposals were an honest effort to find a way by which the nation might even now be rescued from the dilemma in which it was placed by the signing of the Downing Street agreement—a real objective dilemma, and not one due merely to the perversity of any of the human actors."

On the 13th and 14th of May the Republican Cabinet and Army Council met again. The decision was taken to attempt no renewal of the civil war but not to surrender arms. The Volunteers were to be ordered to conceal their arms and ammunition in places as safe as possible from discovery.

The order to "cease fire" and "dump arms" was issued by

the Chief of Staff on May 24th. Accompanying the order was this message from Eamon de Valéra:

"Soldiers of the Republic, Legion of the Rearguard:

"The Republic can no longer be defended successfully by your arms. Further sacrifice of life would now be vain and continuance of the struggle in arms unwise in the national interest and prejudicial to the future of our cause. Military victory must be allowed to rest for the moment with those who have destroyed the Republic. Other means must be sought to safeguard the nation's right.

"Do not let sorrow overwhelm you. Your efforts and the sacrifices of your dead comrades in this forlorn hope will surely bear fruit. They have even already borne fruit. Much that you set out to accomplish is achieved. You have saved the nation's honour, preserved the sacred national tradition, and kept open the road of independence. You have demonstrated in a way there is no mistaking that we are not a nation of willing bondslaves.

"Seven years of intense effort have exhausted our people. Their sacrifices and their sorrows have been many. If they have turned aside and have not given you the active support which alone could bring you victory in this last year, it is because they saw overwhelming forces against them, and they are weary and need a rest. A little time and you will see them recover and rally again to the standard. They will then quickly discover who have been selfless and who selfish—who have spoken truth and who falsehood. When they are ready, you will be, and your place will be again as of old with the vanguard.

"The sufferings which you must now face unarmed you will bear in a manner worthy of men who were ready to give their lives for their cause. The thought that you have still to suffer for your devotion will lighten your present sorrow and what you endure will keep you in communion with your dead comrades who gave their lives, and all these lives promised, for Ireland.

"May God guard every one of you and give to our country in all times of need sons who will love her as dearly and devotedly as you."



**PART XV**

**IRELAND PARTITIONED**

**MAY 1923 AND AFTER**





## CHAPTER 89

*May to December 1923*

THE BRITISH TRIUMPHANT — THE TREATY: THREE MATTERS  
OUTSTANDING — THE PUBLIC SAFETY ACT — GENERAL  
ELECTIONS IN THE FREE STATE — DE VALÉRA AT ENNIS —  
SHOOTINGS AND ARRESTS — THE LEAGUE OF NATIONS —  
PRISONERS — A HUNGER-STRIKE

THE Republican resistance had been crushed, as General Macready observed, “by means far more drastic than any which the British Government dared to impose during the worst period of the Rebellion.”<sup>1</sup>

The campaign to enforce the Treaty had, according to Kevin O’Higgins, cost seven million pounds in the first year and ten million in the second, and required an army of sixty thousand men.<sup>2</sup>

If Michael Collins had lived would he have consented to the use of means so drastic, have carried support of the Treaty to such an extreme? This, Irish people of both sides were asking, in these unhappy days. For the defeat of the Republicans was a victory for England, not for Ireland; the leaders who had achieved it had defeated their own cherished ends. They, too, had desired the Republic; they had agreed to the Treaty only for fear that refusal would bring another war on Ireland, and, in consenting, had brought war on Ireland themselves. In this lay the tragic irony of their victory: they had accomplished for the English what the English might have failed to accomplish for themselves. Lord Birkenhead suggested this, in the House of Lords on July 23rd. He declared that the policy of the British Ministry which made the Treaty was vindicated by what had happened. The British Government, he declared, would not have been able to crush a united Irish Volunteer Force with less than two hundred thousand men; it would not have been possible for them to put into Ireland enough troops to overcome an undivided Sinn Féin. “Parliament,” he said,

<sup>1</sup> Macready, II., p. 664.

<sup>2</sup> Figures given by O’Higgins, November 14th, 1924.

“ would not have granted you the money, and the country would not have given the Volunteers.”

The triumph of British policy was not, however, yet complete, for the Treaty was not fully endorsed or implemented. Three matters remained outstanding. The election of June 1922 had not produced the repudiation of the Republic by the Irish people which British Ministers so much desired; from the British point of view and that of the Free State Government it was desirable that a more decisive verdict should be obtained. Article 5 of the Treaty, which concerned the financial relations between Great Britain and the Irish Free State, remained to be implemented by an Agreement, while the Boundary Commission promised by Article 12 of the Treaty had not yet been set up.

The final suppression of the Republican resistance was the task to which the Free State Government addressed itself now.

Although Cosgrave accepted May 12th, 1923, as the date as “ on which it could be reasonably said that disturbances came to an end,”<sup>1</sup> arrests and detention without trial did not cease. Many of the Republican leaders were prisoners; the rest, De Valera among them, were working in concealment.

The right of the Government to hold prisoners without trial was, however, dependent on the existence of a state of war. On July 1st, 1923, the number of military prisoners was estimated as 11,316,<sup>2</sup> of whom about 250 were women.

In order to legalise their further detention and the detention of Republicans now being arrested in large numbers, a Public Safety Act was hurriedly passed through the Dail.<sup>3</sup>

The Labour Party opposed the Bill, but, the 34 Republican seats being empty, the Government was in a position to enact any legislation it chose. At the second reading on July 2nd, the Bill was passed by 37 votes against 13.

On August 3rd an Indemnity Bill was passed to protect the Forces of the Government from the consequence of actions taken by them against Republicans.

<sup>1</sup> November 7th, 1924.

<sup>2</sup> Official figures: *Freeman's Journal*, November 21st, 1923.

<sup>3</sup> See *Press* of June 23rd, 1923.

In the hope of improving its doubtful title and securing a definite mandate, the Free State Government decreed a General Election to take place on August 27th. Sinn Fein put forward eighty-seven candidates who, debarred by the oath to the Free State Constitution and the English King, would be unable to take their seats. Most of these, including men and women returned in previous elections, were still sought for by the Government's forces and were aware that to appear in their Constituencies would be to invite arrest.

Eamon Donnelly was appointed Republican Director of Elections. The difficulties under which the work was carried out were greater even than in 1918. Now in almost every town and village, Sinn Fein found itself deprived, by death or imprisonment, of its experienced organisers, speakers and writers. Boys and girls took up the work. Until a few days before the polling they were unable to obtain copies of the registers and these were found to be grossly inaccurate. Police, Military and Intelligence agents were used to dislocate the election work of Sinn Fein. Election offices were raided; literature was seized at the printing works or removed from speakers' cars; boys engaged in bill-posting were beaten; a parcel of Sinn Fein seals for ballot boxes was stolen from the messenger; many chairmen and speakers were arrested. At Tubbercurry a man who presided at a Sinn Fein meeting was afterwards dragged from his house, beaten and left on the roadside with broken ribs. At Leixnaw a Republican meeting was fired on and one man was shot dead. Every effort was made by the Government to convince the people that a vote for Sinn Fein would be a vote for war.

On that question—the renewal of hostilities, De Valéra had made a definite statement. In an interview which appeared in the Press of July 23rd he said:

“ It is not the intention of the Republican Government or Army Executive to renew the war in the autumn or after the elections. The war, so far as we are concerned, is finished.

“ Our present purpose is to work through the Sinn Fein organisation. We intend to devote ourselves to social reform and to education, and to developing the economic and material strength of the nation.

**EEB**

“ Politically, we shall continue to deny the right, and to combat the exercise, of any foreign authority in Ireland. In particular we shall refuse to admit that our country may be carved up and partitioned by such an authority.

“ If there were a free election, so that the Republicans could adequately present their programme to the electorate, and if we were elected in a majority, our policy would be to govern the country on Sinn Fein lines as in 1919, refusing to co-operate with England in any way until England was ready to make with us such an arrangement as would make a stable peace possible; that is, an arrangement consistent with the independence and the unity of our country and people as a single State.

“ If the present conditions of suppression continue, so that Republicans are precluded from appearing before the electorate, and that we are elected in a minority, the elected Republican members will all refuse to take any oath of allegiance to the King of England, will meet apart, and act together as a separate body, working along Sinn Fein lines for the honour and welfare of our country and for her advancement among the nations.”

The Government appointed Eoin MacNeill to be their representative on the Boundary Commission and, having thus constituted him the protagonist of Irish unity, sent him to contest the elections against De Valéra in Clare. The British Government was informed of this nomination and was requested to take the necessary steps on their part to constitute the Commission. Promises to insist upon the fulfilment of Article 12 of the Treaty and to see the Boundary issue through to a conclusion featured largely in the speeches of Government candidates.<sup>1</sup>

There was much speculation as to whether De Valéra would appear during the election campaign.

“ If the people of Clare elect me as their candidate again,” he said, in a statement published on July 24th, “ I will be with them and nothing but a bullet will stop me.” He was nominated for Clare and it was announced that he intended to address a meeting at Ennis on August 15th. Free State troops and Intelligence

<sup>1</sup> See, especially, speeches of August 5th and 15th.

officers in large numbers were concentrated in Ennis and the roads approaching it. Unprecedented crowds filled the market-place and all the adjoining streets; there was acute apprehension among the people, who had little hope that De Valéra would succeed in reaching them. When, punctual to his promise, he appeared on the platform, he was welcomed with a storm of cheers. He had not been speaking for more than a minute when two files of soldiers with fixed bayonets approached the platform followed by an armoured car with a machine gun. Volley after volley was fired over the crowd. It was blank shot that was fired, according to the Government's statements; two men were wounded, however, and a woman, Miss Polly Barrett, received pellet wounds.

There was a surge of people away from the platform and simultaneously a rush towards it.

De Valéra, who stood shouting at the soldiers to stop firing, was thrown down on the platform. When he was seen to struggle to his feet uninjured, there were renewed outbursts of cheering. The soldiers appeared to be preparing to fire again, but he made his way down to them and was led to the local barracks under arrest.<sup>1</sup>

He was confined, a solitary prisoner, in Arbour Hill Barracks and afterwards in Kilmainham Jail. He was not charged or tried but remained a prisoner for nearly a year.

Three days later, the Dublin Election Headquarters of Sinn Fein were raided and the Director of Elections was removed to jail.

On Polling Day the streets were patrolled by military in armoured cars while well-known Intelligence officers and soldiers armed with rifles were posted in the doorways of booths, observing those who came to vote. Only about sixty-four per cent of the electorate recorded their votes.

The re-arrangement of the constituencies had increased the number of seats in the Free State Parliament from 128 to 153 and the Government Party expected to gain a large proportion of the extra 25 seats. Their gains were not what they had hoped for<sup>2</sup>—they were returned with the total of 63 members, 5 more

<sup>1</sup> A full account of the incident in Ennis appeared in the *Clare Champion* of August 18th, 1923.

<sup>2</sup> See Appendix 33, p. 1020.

than in June 1922, while the Republican Party won 44 seats—an increase of 8. Relatively, the Republican Party was considerably stronger than before the Civil War.

De Valéra received over 17,000 votes, more than twice the number given to his opponent. In County Louth, Frank Aiken, now Chief of Staff of the Republican Army, and in County Mayo, P. J. Rutledge, Acting President, since De Valéra's arrest, of the Republican Government and of Sinn Fein, headed the Poll. Mrs. Brugha, the widow of Cathal Brugha, was returned at the head of the Poll in County Waterford. Mary MacSwiney, Austin Stack and Constance Markievicz were among Republicans returned. The Republican vote exceeded the Government's vote in Donegal, Leix-Offaly, and Longford-Westmeath, as well as in Clare, in Kerry and in Wexford. In the three latter counties Republicans received respectively 80 per cent, 76 per cent and 60 per cent of the votes. The total Poll for the Twenty-six Counties showed that about 415,000 first preference votes had been recorded for the Government Party and about 286,000 for Republicans.

The result was acclaimed as a great victory by the whole pro-Treaty Press. The *Morning Post*, however, had not yet forgiven the "surrender to rebels" and remorselessly exposed the truth. The Free State Government, it said, had "elected itself at the point of the bayonet." Analysing the position, a writer in that paper said:

"... Candour and common honesty might restrain our newspapers from talking nonsense about a 'victory for law and order,' a 'vindication of the Treaty,' a 'critical election without bloodshed,' and a 'visible proof' of the success of the Free State Government. . . . No one—or next to no one—is for the Treaty. The Government Party are so far from being for the Treaty that they profess in their speeches to be more Republican than the Republicans. . . . The Treaty rests on the most insecure of all possible foundations."

The Free State Ministers had all been returned. William Cosgrave again became President of the Executive Council and Richard Mulcahy Minister for Defence. Kevin O'Higgins was

made Vice-President and Minister for Home Affairs; Ernest Blythe, Minister for Finance.

The Parliament, still called the Dail, continued to function in the absence of the Republican Deputies; no effective opposition existed. Republicans, although they had won 44 seats to the Government Party's 63, remained disfranchised by the Oath.

On September 10th, 1923, the Irish Free State was admitted to membership of the League of Nations, her status remaining undefined.

The Republican prisoners were still detained, untried. A tireless campaign of publicity was being waged by Irish women on their behalf, led by Madame Gonne MacBride, and, probably as a result of this, there was less reckless shooting and wounding of prisoners by their guards. The prisoners knew, however, that they must rely on their own efforts to obtain release or else face the winter in conditions which were becoming unendurable. Attempts were being made to reduce their status to that of common delinquents and resistance met with punishments which resulted in severe injury to health. The ultimate weapon of prisoners was resorted to in October, when four hundred and twenty-four men entered on hunger-strike in Mountjoy. Ten of these were members of the Dail. Hunger-strikes in Kilmainham and other prisons and camps followed immediately; they continued week after week. On November 20th Commandant Denis Barry died in Newbridge Camp and on the 22nd Captain Andrew Sullivan died in Mountjoy after fasting for forty days. Cardinal Logue, on the 18th, issued a pronouncement expressing the hope that the Government would release, before Christmas, all those not guilty of crime and that the prisoners would abandon the hunger-strike.

The leaders of the prisoners' organisation in Kilmainham now decided that a further sacrifice of lives would not be justified. On November 28rd a number of men had been fasting for forty-one days and their recovery, even if they took food now, was in doubt; there were one hundred and seventy-six men who had been fasting for over thirty-four days. Tom Derrig and D. L. Robinson, the leaders, asked permission to visit the



prisoners for the purpose of calling off the strike. This was immediately arranged and they were escorted, still fasting, although they had been forty-one days without food, on a tour of the camps and jails. Only when they had made the round and called off the hunger-strike everywhere did they take food.

Soon afterwards all the women prisoners were released; many had taken part in the long hunger-strike and were in a precarious state of health. Some of the men were released, but hundreds remained in prison at the end of the year. Among those whose health never recovered from a fast of over forty days was the fearless and upright leader, Austin Stack.

## CHAPTER 90

### *The Year 1924*

THE FREE STATE ARMY – KEVIN O'HIGGINS – DE VALÉRA  
RELEASED – ULSTER NATIONALISTS – THE QUESTION OF  
THE BOUNDARY COMMISSION – THE TREATY BROKEN – THE  
KING'S PRIVY COUNCIL – THE CHAIRMAN APPOINTED –  
INTERPRETATIONS OF ARTICLE 12 – SIR JAMES CRAIG'S  
THREATS – THE WISHES OF THE INHABITANTS – DE VALÉRA  
IN BELFAST JAIL – BY-ELECTIONS

ON January 16th, 1924, the Free State Government, by means of another Public Safety Act, renewed its power to imprison persons without trial. At the same time, the practice was instituted of charging Republican Volunteers who had taken part in military operations as though they had been guilty of offences against the common law. John McPeake was sentenced to four years' imprisonment for larceny. He had handed over to the Republican Army a Government armoured car. By such means Republicans were prevented from returning to normal life and from working at the reorganisation of Sinn Féin.

The trend of the Government's policy was alienating many who had supported the Treaty and especially those who, adherents of Michael Collins, had trusted in his promise that the Treaty would be used as a stepping-stone to Independence. Certain disaffected army officers, members of the Irish Republican Brotherhood, formed an organisation within the Free State Army to which they gave the name of "The Old I.R.A." This was countered by the group of I.R.B. members led by General Mulcahy and, in March 1924, a crisis developed which involved the resignation of Mulcahy from the Ministry of Defence and of other members of the Army Council. In the Dail, Kevin O'Higgins, Vice-President of the Executive, denounced Mulcahy's attitude towards the Cabinet as wanting in straightforwardness. It was henceforward understood that the inclusion of Mulcahy and of certain other army officers in the Cabinet at

any time would involve the immediate resignation of Kevin O'Higgins.<sup>1</sup>

During the spring untried Republican prisoners were released in detachments, but at the beginning of July De Valéra was a prisoner still.

With the approval of the Government a committee was preparing, for the month of August, a revival of the ancient Irish Tailteann Games. A concourse of visitors was expected from many countries. Sinn Fein announced that unless the prisoners were released before the opening ceremony it would boycott the Games, and it prepared a campaign of propaganda on the subject of the political prisoners.

On July 16th, after eleven months in prison, De Valéra was released. The immense crowds and the enthusiasm which everywhere greeted his reappearance was a surprise even to the more optimistic Republicans, who had believed that a long period of depression and defeatism had set in. A general release of the remaining unconvicted Republican prisoners followed, and on November 7th the Free State Government passed a resolution bringing their system of civil prosecution for military activities to an end.

A large number of convicted Republicans, some with sentences of many years of penal servitude, still remained, however, in the British and Free State jails.

In the Six Counties, in the spring of this year, about three hundred Nationalists were still untried prisoners. They had refused to give the undertakings required by the Government, such as to report three times a week to the police, or not to return to their employments or their home districts. Unconditional releases were at length made, but those who returned to their homes in the Six Counties led lives full of harassing difficulty and humiliation.

The Nationalist population of the Six-county area was now a defeated minority, feared, detested and suspected by those in power. They were subject to ceaseless, hostile interference

<sup>1</sup> See statement by Kevin O'Higgins in the *Dail*, June 26th, 1924. See also *Irish Independent*, September 20th, 1924.

and vigilance by the Government's forces. Those, in particular, who lived near the Border and in the Counties of Tyrone and Fermanagh were continually visited, interrogated, held up at the point of the revolver and searched. Orders to leave the district at a day's notice were frequently served on members of a family suspected of political activity. These unhappy people clung only to one hope—that a Boundary Commission set up in accordance with Article 12 of the Treaty would re-unite their counties politically with the Free State. "Our claim was clear," Collins had said, "majorities must rule, and on any map marked on that principle . . . we secure immense anti-Partition areas."<sup>1</sup> That promise they never forgot, and, relying on it, did not despair.

To "determine in accordance with the wishes of the inhabitants as far as they may be compatible with economic and geographic conditions, the boundaries between Northern Ireland and the rest of Ireland"—such was the function of the Boundary Commission provided for by Article 12. No appeal against its decision was contemplated. The Boundary "shall be such as may be determined by such Commission," the Treaty decreed.

More than a year had elapsed since the Northern Government had exercised its option to exclude the Six-county area from the Irish Free State and as yet the British Government had taken no steps to put this Article into effect. The return of the Labour Party to power in England gave some cause for hope that the British obligations in this respect would be fulfilled.

From one cause after another, however, the establishing of the Commission was postponed, while the Northern Government consolidated its authority over the whole Six-county area and every month that passed strengthened its pretext for retention of the whole territory over which it had enjoyed jurisdiction since 1921.

Conferences held in February and again in April 1924 between Cosgrave and Sir James Craig were without result and conferences in London between British Ministers, Free State Ministers and Craig proved a further profitless cause of delay.

At length, on April 26th, 1924, the Free State Government informed the British Government that no hope remained of an

<sup>1</sup> February 3rd, 1922.

amicable agreement with the Government of Northern Ireland and requested that, in conformity with Article 12 of the Treaty, the Boundary Commission be set up. The British Government then requested the Northern Government to appoint a representative to the Commission and the Northern Government, acting in accordance with the reiterated statements of Sir James Craig, "respectfully declined."<sup>1</sup>

The British Government was now in the position of being unable to fulfil the terms of its Agreement; the Free State Government had a strong case for demanding a revision of the Treaty or insisting on the British Government's passing an Act to provide for an All-Ireland Parliament; it was an opportunity which they failed to use.

It was now proposed by the British Government that the questions raised by the Northern Government's refusal to appoint a representative should be referred to the Judicial Committee of the Privy Council. The Free State Ministry acquiesced, while formally dissociating itself from the decision.

Timothy Healy, as Governor-General of the Irish Free State, in a despatch to the British Secretary for the Colonies dated June 3rd, 1924, wrote:

"My Ministers deem it essential to make it clear that, while they realise that His Majesty's Government are, no doubt, entitled to take advantage of the very high legal opinion available to them, my Ministers cannot be regarded as being parties to the reference to the Judicial Committee or as being in any way committed to the acceptance of the opinions which may be obtained. . . .

"The requirement of the Treaty that the Boundary should be determined in accordance with the wishes of the inhabitants subject to the other conditions therein mentioned, renders it necessary that the wishes of the inhabitants should first be ascertained."

The Judicial Committee of the Privy Council issued its ruling in reply to these questions on July 31st. It ruled that,

<sup>1</sup> See *Correspondence between the Government of the Irish Free State and His Majesty's Government Relating to Article XII of the Treaty between Great Britain and Ireland, from 19th July, 1923, to 17th June, 1924.*

“ if no appointment is made, the Commission cannot go on, yet if once the three appointments had been made, a majority would rule.”

The British Government decided to bring in fresh legislation in the form of a Bill to amend the Treaty, enabling itself to appoint the representative of Northern Ireland on the Commission as well as the chairman. The British Government, in short, was to appoint the majority of two which would report and whose report was to be binding upon the Free State regardless of any objection which the Free State's single representative might make. The British Prime Minister, Ramsay MacDonald, secured, to act as Chairman of the Commission, Mr. Justice Feetham, a judge of the South African Supreme Court.

On Judge Feetham the ultimate responsibility for the Boundary Commission's decision would lie. To guide him in his decision he had a large number of references to Article 12, made by political leaders during the year and a half which had elapsed since the Treaty was signed. If contrary interpretations of it had been made by English and Irish speakers, it remained for him to select the interpretation which he preferred.

There was Lloyd George's speech in the House of Commons on December 16th, 1921,<sup>1</sup> in which he admitted that the wishes of the majority of the inhabitants of Tyrone and Fermanagh were to be with their Southern neighbours, and declared that he did not believe “ in Ulster coercing other units.” There was Churchill's admission of February 16th, 1922, that the British Signatories had found themselves obliged to agree to a Boundary Commission,

“ with, no doubt, a feeling that the argumentative condition of this country in regard to some of those districts in Fermanagh and Tyrone was not as strong as in regard to what is characteristically the Protestant part.”<sup>2</sup>

And, on the following day, Chamberlain had reassured those who feared that the Commission might transfer large areas to the

<sup>1</sup> *Supra*, p. 628.

<sup>2</sup> *Supra*, p. 680. Cf. Ulster map.

Free State, who, as he said, thought "there is peril of this impartial chairman doing something we should regard as an act of folly and madness"; he declined to believe, he said, "that the person chosen for the Commission would be a fool or a knave."

At a meeting in Cork on September 15th De Valéra read the letter which Arthur Griffith had written to him during the negotiations, conveying the promise given to him by Lloyd George that if the Ulstermen refused to enable a Boundary Commission to delimit the area of the Northern Government

"he would fight, summon parliament, appeal to it against Ulster, dissolve, or pass an Act establishing an All-Ireland Parliament."<sup>1</sup>

Lord Balfour took action shortly after the appointment of Feetham had been made. He published in the Press of September 8th the letter in which Lord Birkenhead, on March 3rd, 1922, had replied to his inquiries as to the interpretation of Article 12. The letter had been marked *secret* and had so far been kept secret, no doubt for the purpose of allowing Michael Collins's interpretation of Article 12 to prevail in Ireland until its work was done. Lord Birkenhead's interpretation, expressed in his letter, was that the purpose of Article 12 was to preserve to the Northern Government jurisdiction over the whole of the Six Counties.<sup>2</sup>

If Collins and Craig did not come to terms, he concluded,

"I have no doubt that the Tribunal, not being presided over by a lunatic, will take a rational view of the limits of its own jurisdiction and will reach a rational conclusion."

The agile imagination of Lloyd George did not fail to leap to its opportunity. Forgotten were his impressive assurances to the Irish Delegates in 1921, his solemn demands for justice to Fermanagh and Tyrone.

"That letter," he said on September 10th, 1924, "seems to me to contain the only responsible interpretation of that important Clause"; his agreement with Arthur Griffith had

<sup>1</sup> Letter dated November 12th, 1921; see *supra*, p. 582.    <sup>2</sup> See *supra*, p. 718.

concerned merely an exchange of parishes; the whole matter was "a sectarian quarrel in a corner of Ireland."

Such statements in respect of a question that was *sub judice* repelled the more fair-minded among English leaders of opinion.

"In view of the atmosphere that has been created," the *Nation and Athenæum* wrote on September 13th,

"it will be difficult for the Commission, which is, in effect, Mr. Justice Feetham, to maintain a strictly judicial impartiality."

The political campaign continued, however, without scruple. Another signatory of the Treaty, Sir Laming Worthington Evans, speaking on the 26th at Colchester, said:

"It was not intended that there should be large transfers of territory. . . . If by any chance the Commissioners felt themselves at liberty to order the transfer of one of these counties nothing would induce the Ulster people to accept such a decision and no British Government would be guilty of the supreme folly of trying to enforce such a decision."

On the 29th Lord Selborne published a pledge which Lord Long had given in the name of the British Government to the Unionist leaders in Ireland at the time of the Partition Act of 1920—a pledge that the Border then fixed would remain "for good and all." Lloyd George, however, on October 1st, denied that any such pledge had been given to Ulster.

Earl Grey summarised the very equivocal position when, in the House of Lords on October 8th, he said that Britain had entered into an honourable understanding with Ulster in 1920 and into a definite engagement with the Free State in 1922, and the two engagements were inconsistent. He took the view that the later contract should be the one to be abandoned. He advocated informing the Free State Government that the Treaty could not be fulfilled, and facing a revision of it; even, if necessary, a Republic in the Twenty-six Counties.

Such individual expressions of opinion were calculated to produce their effect on the mind of the Chairman of the Commission, but the House of Lords went so far as to issue an



explicit instruction. On October 8th, on passing the Second Reading of the Boundary Bill, the Lords passed also a Resolution declaring that Article 12 "contemplated nothing more than re-adjustment of boundaries" and that "no other interpretation is acceptable or could be enforced."

The chairman would indeed have needed superhuman independence of character to remain impartial in the face of the accumulation of instruction issuing individually and collectively from the men of highest rank and weightiest authority in the State.

"Every device that cunning and chicanery could suggest," said a writer in *The Irish Independent* of October 10th, "has been employed, openly and furtively, to prejudice the Commission, especially the chairman, against the Free State."

The same paper, which had been one of the most powerful influences in securing support for the Treaty in Ireland, declared, on September 8th, that, had this Article been capable of bearing any interpretation but that placed upon it by Michael Collins and Arthur Griffith, the Treaty "would never have received five minutes' consideration in this country."

The Free State Ministers were in a dilemma. They dared not invoke the anger of the British Government, even to defeat Partition; for to risk a break with England would be to lose the support of that section of the Irish people who had accepted their policy only as the price of peace with England. If the people were called on now to re-unite in resistance to England it was not behind this Ministry that they would unite. The Ministers' statements in the crisis wavered between protest and compliance. Kevin O'Higgins wrote a strong protest,<sup>1</sup> declaring that Ulster's claim to keep out of the Free State areas which passionately resented exclusion was an "utterly unreasonable and indefensible attitude." He added:

"We regard our position as one of trusteeship for those inhabitants of the present area of jurisdiction of the Northern Government to whom definite rights were secured by the Treaty."

<sup>1</sup> See *Daily Express* of September 9th, 1924.

Members of the British Parliament who visited Ireland and spoke to Cosgrave found him more amenable. Loverseed, reporting the interview, said:

“ President Cosgrave, when asked whether he and his government would agree to the findings of the Boundary Commission, whatever they might be, replied that they were willing to abide by the decision of the Commission.”

On September 26th James MacNeill, High Commissioner for the Irish Free State in London, told a group of British journalists that “ so far as he knew, if the decision of the arbitrators was disappointing, both the government and the people of Southern Ireland, as it was called, would accept it.”<sup>1</sup>

When, on October 22nd, Darrell Figgis asked in the Dail for the publication of documents relative to Article 12 exchanged between the Republican Government, the British Government and the Irish Delegates in London during the negotiations in 1921, Kevin O’Higgins replied that the documents were confidential, and contained nothing relevant to the present issue.

Meanwhile, on October 7th, at the opening of the Parliament of Northern Ireland, Sir James Craig expressed himself in threatening terms. He said that if the decision of the Boundary Commission proved unacceptable to the Parliament of Northern Ireland and if no other honourable way out was open he would resign and offer himself to the people to lead them in defending any territory which they considered unfairly transferred.

The chairman of the Commission, studying these expressions of opinion, would find no effective policy of resistance on the Free State side, while he would be forced to realise that the Northern Government was fiercely resolved to keep its grip on six counties, and that British Ministers would consider the transference of any considerable territory to the Free State the action of “ a fool or a knave.”

On October 9th the British Parliament passed the requisite Act for the appointment by the British Government of a

<sup>1</sup> *Irish Independent* report.

Representative of Northern Ireland to the Boundary Commission. On October 24th a well-known Belfast Unionist, J. R. Fisher, was appointed.<sup>1</sup>

Two out of the three members had now been appointed by the British Government and fully instructed in the British interpretation of their terms of reference. The influence of the Free State representative had been rendered practically nugatory even before the Commission met.

No one who had followed these political developments closely any longer believed that the Boundary Commission would do much to relieve the injustice under which the Nationalists of the Six Counties were suffering or to bring Partition to an end, nevertheless the majority of those Nationalists persevered in awaiting the visit of the Commission with some degree of hope.

Neither the British Government nor the Northern Government had taken steps to organise a plebiscite which would ascertain the wishes of the inhabitants of the disputed areas. It was supposed that a plebiscite would now be arranged, but, even if no plebiscite were taken, ample and indisputable evidence was available for the Commission's purpose. It was an accepted fact that in the North-East religious division coincided with the political division to an extent which would make it serve fairly as a basis for a political estimate. The Census taken in 1911, which showed the number of Catholics and non-Catholics in the several counties, would thus provide a fairly satisfactory guide.<sup>2</sup>

A further indication was available in the results of the General Election of 1918, in which the system of proportional representation had been used throughout Ireland.<sup>3</sup>

Again, there were available the results of the Local Government Elections of 1920 in which each Nationalist vote recorded was recorded as a protest against Partition.<sup>4</sup>

The consideration of geographic conditions would give obvious results in certain districts. North Antrim, although predominantly Nationalist, was isolated from other Nationalist areas and would

<sup>1</sup> Contributor to a volume called *Against Home Rule*, published in 1912. Formerly editor of the *Northern Whig*.

<sup>2</sup> *Supra*, p. 78 footnote.

<sup>3</sup> *Supra*, p. 279.

<sup>4</sup> See *supra*, pp. 341 and 360, and Ulster map.

therefore, in all probability, remain under the Belfast Government. On the other hand, the city of Derry, with a Nationalist majority, and separated by only a small strip of predominantly Unionist territory from the Nationalist county of Donegal, would, it was supposed, be united with the Free State. The unity of the city with its agricultural hinterland was required by "economic and geographic conditions" as well as by the "wishes of the inhabitants."

It seemed patent, in short, that on whatever record the Boundary Commission might base its award, it could not possibly avoid re-uniting with the Free State large areas, including the larger part of County Fermanagh with the town of Enniskillen, the larger part of County Tyrone, the city of Derry, the southern third of County Armagh, and the southern third of County Down, with the town of Newry.

The three Commissioners had their first meeting in London on November 6th. A few weeks later they visited Ulster, where they were conducted on a tour by prominent Unionists. Deputations who interviewed them to demand a plebiscite were informed by the chairman that no machinery for taking the plebiscite had been created and that the Commission had no power to take one.

Nothing further was heard of the deliberations of the Commission until the following March.

On October 29th General Elections took place in Great Britain and Northern Ireland. The Labour Government was succeeded by a Conservative Government with Stanley Baldwin as Prime Minister.

Elections in Northern Ireland no longer served to indicate the wishes of the inhabitants with regard to Partition, for, now, the issue of the Treaty was dividing the Nationalist vote and many Nationalists, refusing to recognise elections which were decreed only by the British Government, refrained from recording their votes. In consequence, Unionists, for the first time, headed the Poll in the Fermanagh-Tyrone constituency, where in the last election held before the signing of the Treaty, that of May 1921, they had received a minority of the votes.

De Valéra was nominated once again for his constituency of

South Down, and proposed to address his constituents in Newry, its principal town. The Northern Government had issued an order prohibiting him from entering specified parts of the Six-county area and Newry was one of them. The Six-county newspapers warned him against crossing the Border.<sup>1</sup>

Ulster specials kept watch on the roads and railways. De Valéra crossed the Border, nevertheless, and reached the hall in Newry where he was to speak. There he was arrested. He was detained until the following day, when he was escorted back over the Border into the Free State by armed guards. He then made his way by unsuspected routes to the city of Derry, wishing to speak in favour of the Republican candidate there. He appeared there in the hall where he was expected. He was arrested, and was tried in Belfast on November 1st. He refused to plead before the court, "seeing," he said, "that it is the creature of a foreign power and therefore has not the sanction of the Irish people." He was imprisoned in Belfast Jail for two months. South Down elected him and South Armagh returned Eamon Donnelly. Neither claimed his seat in the Northern Parliament.

Those who had supposed that, with the defeat of the Republican Army, the tide of Republicanism in Ireland would ebb, never to flow again, realised, in November, that Sinn Fein was a living and growing force. The Ard-Fheis that assembled in Dublin on the 4th was attended by thirteen hundred delegates from Sinn Fein Clubs throughout the country. De Valéra was re-elected President.

Whether as a result of disillusionment with the Treaty or reaction against the executions or simply a return to their natural allegiance of people recovering from the effects of shock and strain, a change in political feeling was undoubtedly taking place. Early indications of the change had been given in the result of the by-election in Limerick, in May, where although the Government Party retained its seat, the Republican returns showed an increase since the previous August of over ten thousand first preference votes.<sup>2</sup>

Now there were more definite signs. In November there were

<sup>1</sup> October 20th and 21st, 1924.

<sup>2</sup> 18,404 increased to 28,788.

no less than fourteen vacancies in the Dail, of which nine had been created by the resignation from the Dail of Joseph McGrath and eight of the nine members of his "National group," as a protest against "government by a clique and officialdom of the old régime."<sup>1</sup>

On November 18th by-elections were held in five Constituencies: South Dublin, Cork City, East Cork, Donegal, and North Mayo.

The Government Party retained three seats—Cork City, East Cork, and Donegal (Tirconail)—and Sinn Fein won two: Sean Lemass, a brother of the murdered Noel Lemass, was returned in South Dublin and Dr. Madden in North Mayo.

In each of the Constituencies the Republican vote showed an increase; there was a total Republican gain, as compared with the General Election of 1923, of over 29,000 votes.<sup>2</sup>

Still, all the Republican Deputies held themselves debarred by the oath from taking their seats in the Free State Dail. Individuals differed in their views of the conditions in which they would be justified in entering that Assembly, some holding that even if the oath were remitted, it was, as a Partition Parliament, no place for Republicans, others feeling that, if the oath were gone and no test or pledge was required in return for attendance, they could, with free conscience, take their seats. There appeared, however, to be no hope of the oath being removed or remitted, and all ways towards Republican progress seemed closed.

Those few Republican members of the Second Dail who were free to meet called into consultation the Republicans elected in 1923 and 1924 and, with them, formed *Comhairle na d'Teachtai*, a Council of Deputies to direct Republican policy in co-operation with Sinn Fein. When important formal decisions were to be taken, meetings were confined to Republican members of the Second Dail.

<sup>1</sup> The *Nation*, organ of the National Group, November 6th, 1924.

<sup>2</sup> The results were announced on November 19th. The following table shows the Republican gains in First Preference votes since the previous year:

North Mayo	(1923)	10,444	increased to (1924)	14,628
Cork City	"	8,440	" "	14,703
East Cork	"	7,181	" "	12,399
Donegal	"	18,067	" "	18,371
South Dublin	"	9,749	" "	17,297

## CHAPTER 91

*January to November 1925*

EBBING TIDE — BY-ELECTIONS — RISING TIDE — THE  
TREASON BILL — EMIGRATION OF REPUBLICANS — THE  
BOUNDARY COMMISSION IN LONDON — THE “MORNING  
POST” FORECAST — COSGRAVE AND O’HIGGINS GO TO  
LONDON — DE VALÉRA’S WARNING

WHEN the year 1925 opened, Irish Republicans could see only a faint gleam of hope on the far horizon. The spirit of freedom was not dead; that they knew; but it seemed doubtful indeed whether it would show itself again in the political life of the nation while this generation lived. Not only was Ireland Partitioned, but a Ministry which had acquiesced in the sacrifice of Tyrone and Fermanagh was in power; not only was the Treaty operative, but, to a large extent, the British interpretation of the Treaty prevailed. Not only did a Governor-General and a body of Senators possess the right to suspend Free State legislation, but the persons occupying these positions were hostile to Republicanism, and the Dail had been made the preserve of those who were willing to sign the oath. Worst of all, the people had voted in a majority for the Party by which the Republic had been destroyed.

Had that vote been a true indication of the feeling among the people? Were their desire for Independence, their faith and their courage dead? Those who remembered the sad, barren years after the death of Parnell asked whether this reaction would not last even longer, the effort that went before it having been so intense. Those who dreamed that they would see a revival of Republicanism in the Irish majority in their own lifetime were few. The results of the November by-elections had been surprising; they did not dare to build hopes on them; but in March 1925 came indications more remarkable still.

On March 11th, nine by-elections took place. In every contest the result showed a rising Republican vote. Two Sinn Fein candidates won seats from the Government Party. North Dublin elected Oscar Traynor, and Sligo-Leitrim elected an uncompromising Republican, Samuel Holt.

In every one of the twelve by-elections held since August 1923 the Republican vote had shown an increase over the General Election result. For this, there were more reasons than one; there was less interference with Sinn Fein's organisation; many supporters of the Treaty disliked the repressive measures which the Government employed; but the outstanding factor was, undoubtedly, that the people were recovering their courage and equipoise.

Whatever the causes, the truth was manifest; the tide had already turned in Ireland; the ebb that had begun with the signing of the Treaty was already over, and the flow, however slow and gradual, had begun.

The Republican Representatives prevented by the oath and Constitution from taking their seats in the Free State Parliament now numbered forty-eight; their absence permitted the Government to continue a policy of repression which only a minority in the country condoned.

The character of that policy and its unpopularity were demonstrated equally by the Treasonable Offences Act which became law in the following month.

The Bill was designed to establish the Treaty Constitution and eradicate the Republican movement from Ireland. Its provisions, when it was first introduced by Kevin O'Higgins, were so drastic as to arouse widespread opposition, and were modified. It remained, however, a comprehensive measure of suppression which provided for a great variety of activities the punishments of deportation or death.

The Bill passed its Third Reading on April 3rd. The Labour Party opposed it and a great number of Deputies refused to vote. In a House of 153 seats the Bill received 30 votes. Those votes, less than one-fifth of the total number of seats, were sufficient to pass the Bill into law. The importance of the oath was manifest; by means of it an Act designed to crush the Republican movement had been passed into law by a group much smaller than the group of Republican Representatives excluded by it from the House.

Republicans were, in effect, disfranchised, and it was possible, in consequence, for the Government to discriminate against



them to a degree that made it extremely difficult for them to make a living in Ireland.

The discrimination was carried out by a variety of methods, direct and indirect. The allocation of grants to public bodies for such works as road repair were made conditional on preference in employment being given to ex-soldiers of the Free State Army. Another Act passed in March served to exclude Republicans from clerical and professional employment under the Local Government authority. Every person appointed under that authority or receiving from it an increase of salary was now required to make a declaration of allegiance to the Free State Constitution. Clerks, inspectors, doctors, nurses, midwives, veterinary inspectors, teachers of Irish, technical and agricultural instructors, and members of many other professions were affected. A similar test was applied in all branches of the Civil Service. Young men and women leaving the Universities, who were Republicans, found the posts at home for which they were best fitted closed to them by this political test. All patronage was in the gift of the Party in power and that Party was now supported by those firms and contractors who had always upheld the British connection. Many of these declined to reinstate released prisoners or to employ Republicans. "There will be no wild geese this time," De Valéra had written, and penury had been endured by the men of the I.R.A. in their determination not to be driven into exile. It was not until the spring of 1925 that, abandoning hope, they began to emigrate in thousands.

The number of emigrants from Ireland to countries outside Europe had been under twenty thousand in the year 1924; it was over thirty thousand in the year 1925.<sup>1</sup>

The economic condition of the whole country was deplorable. Partition, separating industrial centres from their agricultural hinterlands, breaking up transport systems, depressing trade by means of a Customs barrier and duplicating the costs of governmental departments and salaries, was proving economically disastrous to both the Free State and the North-East, and as

<sup>1</sup> The Irish Government issued no complete record of emigration, except official returns to countries outside Europe only. These figures were, for 1924, 19,077 emigrants; for 1925, 30,180. A useful analysis of emigration statistics appeared in the *Nation* (Dublin) of November 8th 1925.

time went by there seemed less and less prospect of Partition being brought to an end.

The Boundary Commission resumed its sittings in London in March. Little news came through of the conclusions at which it was arriving. The three members had pledged one another to the strictest secrecy and Eoin MacNeill never allowed the smallest intimation to reach his colleagues in the Free State Ministry as to the lines on which the Report was being prepared.

As soon as the sittings of the Boundary Commission began Sir James Craig dissolved the Parliament of Northern Ireland and forced elections in the Six Counties. Polling took place on April 3rd. The official Unionist Party lost six seats out of sixteen in Belfast. It returned, altogether, thirty-two candidates while other parties combined returned twenty; of these, ten belonged to National Party candidates and two to Sinn Fein. Joseph Devlin was returned with a large majority for West Belfast; he took his seat for the first time in the Northern Parliament, where he continued to lead the Nationalist opposition.

On the two occasions on which the Commissioners visited Ulster, deputations continued to approach them, insisting that a plebiscite should be held, but no attempt was made to comply with this demand. During the summer they examined some thousand individuals as "witnesses"—scarcely a thorough method, it seemed to the populace concerned, of ascertaining the views of various sections of a population numbering a million and a quarter.

It became known in the autumn that the Report was being prepared for issue, but still no intimation had been given to the public of the character of the findings. Profound disquiet was created in Ireland when, on November 7th, a forecast of the findings appeared in a London morning paper—*The Morning Post*.<sup>1</sup>

According to this forecast, no territory was to be transferred to the Free State except strips of land in Fermanagh and Armagh.

The Northern Government was to retain the Nationalist City

<sup>1</sup> This forecast, which proved to be substantially correct, had, Lord Birkenhead stated, been communicated to the paper by some person whom he did not name.

of Derry and towns of Newry and Enniskillen, the greater part of Fermanagh, the whole of Down, and the whole of Tyrone; and was to receive, in addition, a tract of the richest land in the overwhelmingly Nationalist county of Donegal. The forecast read:

“ We understand that the findings of the Boundary Commission do not give important or large sections of land to the Free State, such as they claimed, but will rather recommend detailed adjustments. It is now believed that Ulster will receive an important, though small, section of North-East Donegal, round Derry, while she will not lose either Enniskillen or Newry.

“ Against this, however, it is likely that Ulster will be asked to give up a fairly large area in Fermanagh and Armagh. Pettigo may go to Ulster, with enough territory round Belleek to make it completely accessible from the Ulster side.

“ It is also suggested that Moville and part of Innishowen peninsula might be transferred to Ulster.

“ In Fermanagh there is a suggested straightening of the boundary for about 20 miles in favour of the Free State. In Armagh a strip of boundary ending on the east coast of Carlingford Lough, about 20 miles long, may be lifted northwards five miles.”<sup>1</sup>

This forecast precipitated a crisis in Ireland. Inexpressible amazement and indignation were felt in the threatened areas and throughout the Free State. The people of North Donegal, determined to resist being handed over to the hostile Government in Belfast, demanded protection from the Free State Government. Cosgrave was called upon to “burst up the Commission without a moment’s delay.”

The Free State Ministers refused to believe that any such outrage could be in contemplation by the Commission, but the forecast remained uncontroverted and was repeated by another journal, *Truth*.

The Labour Party in the Dail demanded a definite statement of the Government’s attitude and Cosgrave said, on November 11th, that the view of the Executive Council was that under

<sup>1</sup> See Ulster map.

Article 12 of the Treaty no territory could be transferred to Northern Ireland by the Commission.

In the Dail, on November 19th, Cosgrave expressed his feeling that the attempt made to intimidate the Commission by the British and Northern Governments was scandalous and that it was inconceivable that the Boundary suggested in the *Morning Post* forecast could be contemplated. He referred to "the overwhelmingly Nationalist town and district of Newry" and asked what consideration could justify their exclusion from the Free State.

On November 21st Eoin MacNeill resigned from the Commission. It was then, at last, realised that the proposals outlined in the Press forecast did indeed represent the intentions of the British nominees on the Boundary Commission; that the "wishes of the inhabitants" were being largely disregarded and other interests were controlling the award.

On the same day, November 21st, no doubt as a precaution in view of the indignation prevailing in the Six Counties, fifty men were arrested in the Catholic quarter of Belfast. Many of them had only recently been released from the internment ship or the camp at Larne.

The two remaining members of the Commission issued a statement that their Report had been drafted in outline as early as October 17th, that Dr. MacNeill had assented to it on the condition that, with the Report, a note was to be published saying that the Commissioners had agreed to sink individual differences of opinion for the sake of unity. They declared that his resignation came to them as a complete surprise. They announced, further, on November 24th, that they did not consider his resignation valid or effectual. They proceeded with the preparation of their Report.

On November 24th Eoin MacNeill resigned the Ministry of Education which he had held in Cosgrave's Executive. His statement to the Dail showed what influences and considerations had determined the decision of the majority of the Commission. The delays which had been caused in the setting up of the Commission had served as a pretext for refusing to deprive the Northern Government of territory which it had held for such a length of time.

“The chairman held a quite distinct view,” Eoin MacNeill explained.

“He held that the Act of 1920 and the time which had elapsed had created a *status quo* which should only be departed from when every element and every factor would compel us to depart from it.”

He had construed the consideration of “economic and geographic conditions” to the advantage of the Belfast Government and allowed that consideration to prevail over all others. His view was, MacNeill said,

“that if the wishes of the inhabitants were found to indicate a desire on the part of certain districts to be included in the Free State jurisdiction, and if that inclusion would have the effect of seriously reducing the extent of territory under the jurisdiction of Northern Ireland so as to create a political effect on the Government of Northern Ireland, so as to place the Government of Northern Ireland in a distinctly less advantageous position than it occupied under the Act of 1920, then in that case the political consideration was to override the wishes of the inhabitants.”

To that position MacNeill had “never assented,” he declared.

“It was not in the article. I say it was not in the Treaty.

“To me at all times, as I have explained, it was a case of restoring a denied franchise, of the wishes of the inhabitants being the predominant consideration, but the chairman’s view was that in one part of our award it was competent for us to make economic considerations dominant and in another part to make the wishes of the inhabitants dominant.”

This confession of failure to safeguard national interests, with the realisation of the fact that the Commissioners’ Report might at any moment be presented and made law, created such a reaction that the Free State Government’s term of office seemed likely to come to an abrupt end.

Cosgrave, on the 25th, and, a few days later, Kevin O’Higgins, crossed to London and held conferences with British Ministers

and with Sir James Craig. For a week no hint transpired as to the negotiations which were taking place, but it was announced that the Boundary Commissioners were postponing the presentation of their Report.

Large bodies of Ulster Specials, fully armed, were drafted into Derry city during the week.

De Valéra, on the 25th, issued a warning as to the kind of settlement which would probably be attempted in London. He wrote:

“ Stripped of its stage setting, what the present position clearly reveals is the intention to leave the ‘ Boundary ’ as it is. In other words, the people of South Down, South Armagh, Derry city, as well as of Tyrone and Fermanagh, are to be sacrificed, although it was on the plea of saving them that the ‘ Treaty ’ was carried.”

Referring to the other matters which the Treaty had left outstanding to be settled by arbitration, he said:

“ If there are any people left who still believe in the ‘ Treaty ’ policy, and the professions of those who carried it, they will be finally disillusioned when that other Commission provided for in the ‘ Treaty ’—the Financial Commission—is set up and comes to deliver its award.”

## CHAPTER 92

*November 1925 and After*

THE TREATY: ARTICLE 5 — IRELAND'S COUNTER-CLAIM —  
THE LONDON AGREEMENT — ARTICLE 12 — DE VALÉRA AND  
LABOUR — ACTS OF PARLIAMENT — PARTITION ACCOM-  
PLISHED — THE LAND ANNUITIES — CONCLUSION

“ THAT other Commission provided for in the Treaty,” concern-  
ing which De Valéra foresaw further disappointment for the  
Irish people, was the Commission proposed in the Article which  
dealt with the financial relations between Great Britain and the  
Free State. Article 5 of the Treaty read:

“ The Irish Free State shall assume liability for the service  
of the Public Debt of the United Kingdom as existing at the  
date hereof and towards payment of war pensions as existing  
at that date in such proportion as may be fair and equitable,  
having regard to any just claims on the part of Ireland by way  
of set-off or counter-claim, the amount of such sums being  
determined in default of agreement by the arbitration of one  
or more independent persons being citizens of the British  
Empire.”

Sums of money enormous in proportion to the resources of  
a State of three million inhabitants were involved, but, like  
Article 12, Article 5 was capable of bearing more than one  
interpretation; whether it brought advantage to the Free State  
or an intolerable burden depended on which interpretation  
prevailed.

Now, in London, Article 5 was being discussed and the English  
were claiming under it an enormous tribute from Ireland. The  
sum which they claimed amounted, according to the Free State  
Minister for Finance, to £157,750,000 in addition to about  
£12½ million previously claimed.<sup>1</sup>

This sum, enormous as it seemed, amounted, however, to  
little more than half the sum which, Republicans maintained,

<sup>1</sup> Ernest Blythe in a written statement to Thomas Johnson, December 8th,  
1925.

might have been put forward for Ireland on the grounds of over-taxation alone, "by way of set-off or counter-claim."

Leaving aside the incalculable wrong done to an invaded, occupied and misgoverned country, there was the fact of the over-taxation to which Ireland had been subjected during the nineteenth century. Sir Anthony MacDonnell, reporting to the Primrose Commission in 1912, had assessed the accumulated sum due to Ireland on this account as amounting by that date to over three hundred million pounds. By this time, De Valéra maintained, it amounted to a much greater sum.<sup>1</sup>

Article 5 might have been interpreted to leave an immense credit balance on the Irish Free State side.

This was not the interpretation that was being accepted, however. An extraordinary process of suggestion was being carried out. Article 5 was being represented as an Irish commitment which threatened the new State with economic ruin: "a terrible sword that hung over the country, menacing its industrial and economic future," was one Deputy's description of it in the Dail.<sup>2</sup>

At the same time, Article 12, which had recently been regarded as securing the union of Tyrone, Fermanagh and large tracts of other counties to the Free State, was being represented as another terrible menace—as a provision which would hand over to the Northern Government the whole of the Six Counties and a portion of Donegal.

In the ambiguity of the phrasing of these two Articles lay the possibility, for England, of taking back much that the Treaty had apparently given away: of taking, from the Free State, an annual tribute which would cripple its development and detaching from it without redress large areas of the North-East.

Had Griffith and Collins been alive they might have contended for the observance of the promises made to them before they signed the Treaty—the promises by which, alone, they had been persuaded to sign, or they might have yielded to British pressure again; but it is scarcely conceivable that they would have yielded

<sup>1</sup> Speech made in Dublin on December 6th, 1925.

<sup>2</sup> William Sears, December 5th, 1925.



as blindly and as lightly as the men who were representing the Free State in London now.

William Cosgrave, Kevin O'Higgins and Ernest Blythe were in London. It was rumoured in Ireland, in the first days of December, that an almost incredible settlement was being made by them.

On the 3rd Cosgrave and O'Higgins, on their way back to Dublin, sent the following telegram to the Irish Press:

“ To-day we have sown the seeds of peace.

“ The problem with which we were confronted is not new. It has baffled the representatives of three Governments. An instrument which provides a sane and constructive solution born of a genuine desire for peace between the two Nations has been signed.

“ We faced the problem in circumstances fraught with the gravest possibilities. We bring back an instrument solemnly executed by friendship. This Agreement, accepted in the spirit in which it was negotiated and signed, provides a basis of a sure and lasting peace. We confidently recommend it to the Irish people.”

They had signed in the Colonial Office with Stanley Baldwin, James Craig and others, an Agreement amending and supplementing the Articles of Agreement signed in Downing Street four calamitous years ago.

By the first clause of the new Agreement<sup>1</sup> the powers of the Boundary Commission were revoked and the whole of the Six Counties was signed over to the Northern Government, while, by another clause, the provision for a possible Council of Ireland, included in the Act of 1920 and in Article 12 of the Treaty, as the last safeguard of Ireland's unity, was abolished.

The second clause cancelled the Free State's liability under Article 5 of the Treaty. It made no mention of Ireland's counterclaim, seeming to assume that Ireland's liability under the Article would have been proved to exceed her claim.

By the third clause of the Agreement the Free State undertook to recoup the British Government for such compensation as the British Government had paid on account of the depredations of

<sup>1</sup> Appendix 31, p. 1014.

its Forces in Ireland before the Truce, and by the fourth clause the Free State engaged to increase by 10 per cent the compensation given to Unionists and supporters of the Treaty for damage done to their property during the Civil War.<sup>1</sup>

It transpired later that the Free State had been committed to meet the funded debt thus incurred by a single payment of £150,000 and an Annuity of £250,000 for sixty years, the first payment to be made in 1926.<sup>2</sup>

The Irish Ministers had been induced to undertake this payment to England rather than face " the risks of arbitration," Ernest Blythe declared.<sup>3</sup>

Sir James Craig returned to Belfast " with feelings of rejoicing and relief." But the unhappy Nationalist minority in the North-East, who felt that for a money consideration they had been sold to a Government which had made their lives almost insupportable during its four and a half years of power, declared that they had been " thrown to the wolves."

The people of the Irish Free State were led to believe that if this Agreement were accepted the British Government would make no further financial claims upon the Free State at any time.

" It closes all financial questions which were left open by the Treaty of 1921 between us and the British Government,"

Cosgrave stated on December 5th. When the Agreement was under discussion in the Dail on December 7th he used the same argument: the British, he stated, had agreed " to close all outstanding questions of controversy." He had got from them, he declared, the figure he wanted: " a huge *O*." He said, later, that the transaction was " a damn good bargain " for the Free State.

British sentiments on the transaction varied.

" By waiving its claim upon Ireland's share in the National Debt, the British Exchequer had abandoned nothing of any genuine value,"

<sup>1</sup> According to Ernest Blythe's estimate reimbursement to the British Government in respect of pre-Truce damage would cost the Free State £3,560,000 and the 10 per cent increase would amount to £546,800—a total of £4,106,800. Later estimates bring the combined total to about five and a half million.

<sup>2</sup> In 1937 this Annuity is still being paid.

<sup>3</sup> December 9th.

the *Sunday Times* declared, and this view appeared to prevail.

The Bill embodying the London Agreement was submitted without delay to the Parliaments of Great Britain, Northern Ireland and the Free State. It passed the House of Commons without one dissentient vote on December 8th. In the House of Lords the following day Lord Birkenhead admitted that the British Government would not have been able to extract from Ireland the money claimed under Article 5. On the same day he acknowledged that without Article 12, which they had just cancelled, the Irish delegates would never have signed the Treaty in 1921.

“When the negotiations began,” he said,

“the British delegates had the advantage of finding opposite them two men of great courage and great honour. He still recalled that Mr. Griffith, who died worn out by the burden of exceptional responsibility, on the last night of all, and within two hours of the final signature of the Treaty, and at the moment when it seemed that the Treaty would not be signed, said: ‘I think these terms are fair, and if I sign alone I will sign them and I will go back and defend my signature before the Dail.’

“This at least was plain. The Bill which had passed the House of Commons the previous night, without one hostile vote, would not have been possible if the Treaty had not been signed. Let no one suppose that they who signed the Treaty were not aware of the uncertainties which beset their path.

“All those concerned in the signing of the Treaty knew that in Article 12 relating to the Boundary question there lurked the elements of dynamite. The clause was forced upon them in the sense that the Treaty never could have been signed and never would have been signed without it.”

The Bill passed the English House of Lords and both Houses of the Northern Parliament on the 9th.

It was to come before the Free State Dail on December 10th.

The confirming of Partition was the aspect of this matter most grievous to Republicans. De Valéra, in a statement published on December 6th, appealed to the Irish people to use

whatever influence they could to prevent the ratification of Partition by an Irish assembly.

“When Eoin MacNeill resigned,” De Valéra wrote,

“I had hoped that no Irishman, North or South, would be found prepared to put his hand to an instrument dismembering his country; but now that such Irishmen have been found my only hope is that the people will not consent to it. I do not think they can be as easily misled this time as in December 1921. . . .

“To-day forty-eight elected members, representing over a third of the people, are carefully excluded from voice or vote. Were they not excluded—were these Articles to be submitted to an assembly of all representatives of the people, they would be rejected as surely to-day as the Lloyd George proposals were rejected in the Mansion House on August 16th, 1921.”

The Irish Labour Party published, on December 5th, a manifesto denouncing the Agreement as an “unmitigated betrayal.” They objected in particular to “the assumption by the Free State of the whole cost of the Anglo-Irish war” as being

“a tacit admission that Ireland had no right to wage that war, had no rights as a belligerent, and had not the status of Treaty-making powers.”

Thomas Johnson invited all elected Deputies to meet on December 7th at the Shelbourne Hotel to discuss means to prevent the ratification of the Agreement. The Republican Deputies met the Labour members, but no way out was found.

The debates in the Free State Dail revealed that the whole settlement had been made hurriedly and without close examination of the issues involved. The Irish Ministers had not even seen the recommendation of the Boundary Commission.

“I was informed by the Prime Minister of Great Britain,” Cosgrave said on the 10th,

“that the award was better—somewhat better—much better, I believe he said—than the published forecast. On balance, I should say, speaking now from recollection of what he told me, we should get something like a couple of hundred square  
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miles, some twenty odd thousands of people; we would have lost a considerable portion of the county of Donegal.”<sup>1</sup>

The Financial Agreement was carried by 71 votes to 20 on December 10th.

On the same day the Republican Deputies assembled in the Dublin Rotunda to put on record the protest which they were prevented by the oath of allegiance from registering in the Dail.

De Valera said:

“ In another place other representatives of the people are meeting to decide whether or not they will give their consent to the partition of their country. For Republicans there can be no two opinions on that question. We may have to bow our heads for a time to the enforced partition of our country by a foreign Power, but the sanction of our consent that partition can never have.

“ We deny that any section of our people can give away the sovereignty or alienate any part of this nation’s territory. If this generation should be base enough to consent to give them away, the right to win them back remains unimpaired for those to whom the future will bring the opportunity.

“ My proposition is that the Teachtaí here present should come forward and register their abhorrence of the proposed dismemberment of the country.”

He read a declaration which he and the other Republican Deputies present then signed.<sup>2</sup>

It read:

“ In the name of the Irish nation and the Irish race, in the name of all who have stood and will yet stand unflinchingly for the sovereign independence of Ireland, we, the duly elected representatives of the Irish people, by our names

<sup>1</sup> *Irish Independent* report.

<sup>2</sup> Those who signed were: Mrs. Cathal Brugha, Miss Mary MacSwiney, Countess Markievicz, Count Plunkett, Dr. Crowley, Austin Stack, Sean Lemass, David Kent, Dan Breen, Dr. Madden, J. Maguire, J. Doherty, J. Buckley, M. Kilroy, T. O’Donoghue, C. Murphy, Dr. J. Ryan, R. Lambert, P. Ryan, J. O’Farrell, T. Broderick, B. Mellows, T. MacElistrum, T. Colbert, J. Carroll, P. O’Donnell, J. McGowan, P. McGowan, J. Killeen, S. Holt, D. Corcoran, E. Moran, L. E. O’Dea, P. Rutledge, P. Cahill, Oscar Traynor, Dr. McCarville, Conor O’Brien, F. Fahy, Brian O’Higgins, Eamon Donnelly, M.P. for South Armagh.

appended hereto, proclaim and record our unalterable opposition to the partitioning of our country.”

The Republican Representatives had recorded their protest: it was all that was in their power to do.

Republicans were equally helpless when, in less than a year, it transpired that this financial settlement had not been the last. The publication of a British White paper in November 1926 showed that on March 19th of that year, three months after Cosgrave had acclaimed his closing of all financial questions left open by the Treaty, another Agreement, hitherto kept secret, had been signed between Winston Churchill and Ernest Blythe. It was entitled “Heads of the Ultimate Financial Settlement between the British Government and the Irish Free State.”<sup>1</sup> By its first clause the Government of the Irish Free State undertook to pay to the British Government the full amount of the Land Purchase Annuities.<sup>2</sup>

This Agreement left a heritage of dissension between England and the Irish Free State. It raised questions on which high legal opinion differed sharply. On what did the British Government base its claim? If on the provisions of Article 5 of the Treaty, had not Ireland’s liabilities under that Article been reduced by the Agreement signed in London in December 1925 to “a huge O”? Had not the cancelling of all such financial liabilities been the compensation offered to the Free State for the loss of Fermanagh and Tyrone?<sup>3</sup>

“We have sold our Nationals in Ulster,” Professor Magennis said when the transaction between Blythe and Churchill was at last comprehended, “and we have not got the price.” “We have been burgled and we have bribed the burglar,” was the comment of Colonel Moore.<sup>4</sup>

<sup>1</sup> Appendix, p. 32, 1016.

<sup>2</sup> See Appendix 36, p. 1026.

<sup>3</sup> Cosgrave maintained that the Land Annuities were not a part of the liability referred to in Article 5, but formed a separate liability.

<sup>4</sup> The case of the Cosgrave Ministry for the payment of the Land Annuities to Great Britain is stated in a document officially published in 1931: *Land Purchase Annuities*. It contains opinions of the then Attorney-General of the Irish Free State and a number of other lawyers. (P. No. 579.) A reply to this document was published by the National Executive of the Fianna Fáil organisation in 1932: *The Land Annuities*. This contains legal opinions of Messrs. Michael Comyn, George Gavan Duffy and others.

Ten years after the Easter Rising, Ireland lay partitioned, impoverished, her people embittered by disappointment, divided and distraught by a half-measure of freedom and exhausted by war. Had the high hopes inspired by the Rising, all the ardour and sacrifice that during "four glorious years" upheld the Republic, led to no better end than this? The Irish people had created their Republic and sustained it with as much courage and devotion as any people have brought to the defending of their national inheritance. Those who surrendered it, surrendered it because they were deceived and bewildered, and under a threat of renewed aggression which they believed they had not the strength left to endure. Those who refused to surrender had suffered a second defeat at the hands of their countrymen. These, now, were disfranchised and powerless. De Valéra was a leader without an army, without a voice in Parliament, without funds.

Only those who knew the depth, strength and persistence of the Irish passion for freedom, and had measured the quiet tenacity of De Valéra's leadership, could conceive that before another ten years had passed, the great majority of the Irish people would find themselves re-united in a steady effort to loosen, without war, the shackles of the Treaty, in a movement with nothing less than Independence as its goal.

Through four-fifths of Ireland the process goes forward. The stranglehold of the Treaty is being loosened and the imposed clauses of the Constitution removed: every internal function of the King has been eliminated; the Oath, the appeal to the English Privy Council, the Senate and the Governor-General have disappeared. The economic life of Ireland and the native culture are being, in a large measure, restored. And, while the people are regaining the strength that would enable them, if the need came, to resist coercion, political thought is advancing in Britain: the exploitation of the weak by the strong has been named by its just name, aggression; the law of the jungle falls into disrepute; a generation of Englishmen with new ideals of statecraft is taking the reins of power. Perhaps this generation may make anew the opportunity that, in 1921, was so tragically wasted, and may see an Irish Republic make, with the British Commonwealth of Nations, a compact of amity and peace.

## BIOGRAPHICAL NOTES





## BIOGRAPHICAL NOTES

(Facts of importance omitted here will be found in the text)

*Cathal Brugha* was born in Dublin in 1874 and educated at Belvedere College. He became a keen member of the Gaelic League, the Gaelic Athletic Association and the Irish Volunteers. Second in Command at the South Dublin Union, under Eamon Kent, in 1916, he was severely wounded and remained lame. He was founder and director of a firm of ecclesiastical candle-makers. He married in 1912. Represented Waterford in Dail Eireann from 1918 until his death, from wounds received in action, in 1922.

*Roger Casement* was born, the son of Ulster Protestants, in County Antrim in 1864. Entering the British Consular Service he did distinguished work in exposing the ill-treatment of native labourers in the Belgian Congo and Putumayo, and, in recognition of it, received a Knighthood. He wrote poems, articles and diaries. Profoundly interested in the cause of Irish freedom, he helped to purchase arms for the Volunteers in 1914 and did not cease to work for the Republic until his execution on August 3rd, 1916. See *Some Poems of Roger Casement* with an introduction by Gertrude Parry (Dublin, Talbot Press, 1916). *The Trial of Roger Casement*, edited by G. H. Knott (W. T. Lodge, 1917). Articles by Casement. Books by Parmiter, Spindler, Monteith, Maloney and D. Gwynn, listed in Bibliography.

*Thomas James Clarke* was born in England of Irish parents in 1858, spent his childhood in South Africa until the age of ten, then lived in Dungannon, in Ulster, until he went to America at the age of twenty-one. Joining the *Clan na Gael*, he returned to Ireland under orders on a revolutionary mission, was arrested and imprisoned, under severe conditions, for fifteen years. Released in 1898 he married in 1901 Kathleen Daly, daughter of a Fenian leader; devoted himself to the revival of the Irish Republican Brotherhood and the preparations for a Rising. He fought in the Post Office and was executed on May 3rd, 1916. See *Tom Clarke and the Irish Freedom Movement* by Le Roux.

*Erskine Childers* wrote of himself "I am by birth, domicile and deliberate choice, an Irishman." He was born in 1870, son of an English father and an Irish mother, Anna Barton, of Glendalough House, County Wicklow, the house which was his home from the age of thirteen. Experiences in the South African War made him a Liberal and he later gave up his work as a Committee Clerk in the House of Commons to devote himself to the cause of Ireland. He

married Mary Osgood, of Boston, and made his home in Ireland from 1919 until his execution on November 24th, 1922. Works: *War and the Arme Blanche*; *The Riddle of the Sands*, a novel; *The Framework of Home Rule*. Other books. *Military Rule in Ireland*, and a great number of anonymous articles. See his statement made during his trial, in *The Irish Times* of November 27th, 1922.

*Michael Collins* was born in 1890 at Woodfield, Clonakilty, County Cork, and was educated at National School, Clonakilty. He went to London at the age of sixteen and worked in the General Post Office until, a few years later, he secured an appointment in the Guaranty Trust Company. He studied the Irish language, and, in the spring of 1916, he returned to Ireland, taking up work in Dublin as an accountant, and, later, as private secretary to Count Plunkett. He fought in the Post Office during the Easter Rising and was deported. Killed in action in 1922. See books by Beaslai and B. O'Connor.

*James Connolly* was born in County Monaghan in 1870. His parents moved to Edinburgh and there he became a wage-earner at the age of eleven. He educated himself by reading, married and returned to Ireland as a Socialist organiser. He printed and edited the first Irish Socialist paper, *The Workers' Republic*. In America from 1908 to 1910 as organiser for the Independent Workers of the World, he founded there an Irish Socialist Federation and edited *The Harp*. He returned to Ireland and was an active leader in the revolutionary movement until his execution on May 12th, 1916. See books by Nora Connolly and Desmond Ryan.

*Eamon de Valéra*, son of a Spanish father and an Irish mother, Katherine Coll, was born in New York on October 14th, 1882. From the age of two and a half years he was brought up by the Coll family at Bruree, County Limerick. He was educated at the local National School, the Christian Brothers' School at Charleville and Blackrock College, Dublin, graduated at the Royal (afterwards the National) University, and became a teacher of mathematics. Was a keen member of the Gaelic League. He joined the Irish National Volunteers when they were formed in November 1913. (Became President of the Executive Council of the Irish Free State in March 1932.) See books by Dwane, D. Gwynn and D. Ryan.

*Arthur Griffith* was born in Dublin in 1872 and was educated at the Christian Brothers' School, Great Strand Street. He left school early and worked in a Dublin newspaper office. He supported Parnell and when his leadership ended emigrated to South Africa where he worked in the mines. At the outbreak of the Boer War, he returned to Dublin and began work as a journalist. He founded Sinn Fein

in 1905. He was President of the Dail at the time of his death in 1922. Works : *Thomas Davis : Thinker and Teacher ; The Resurrection of Hungary—a Parallel for Ireland.*

*Maud Gonne* (Madame Gonne MacBride), daughter of an English Army officer and an Irish mother, was born near Aldershot in 1866 and brought to Ireland as an infant. Her childhood was spent in Dublin. Educated in France, she returned to Dublin at the age of sixteen, travelled much with her father, who held various diplomatic appointments, until his death, after which she devoted herself to work for Ireland. A woman of remarkable beauty, popular in many European capitals, she used her influence on behalf of the Irish Treason-Felony prisoners and was instrumental in procuring their release. Making her home in Ireland she threw herself into the work of the Land League, founded women's organisations and was active in all phases of the national struggle. She married John MacBride, and their son, Sean, was born in 1904.

*Eamon Kent* (Irish form, Ceannt) was born in County Galway in 1881. He joined the Gaelic League and was elected a member of its governing body. He was interested in traditional music and played the Irish pipes. He became a member of the National Council and of the Military Council which planned the Insurrection of 1916. His house in Dublin was a meeting-place for that group. In 1916 he commanded the Fourth Battalion of the Irish Volunteers which garrisoned the South Dublin Union and the Post in Marrowbone Lane. He was executed on May 8th, 1916.

*Liam Lynch* was born at Angleshore, County Limerick, in 1890, was educated at the National School and served his apprenticeship to the hardware business in Mitchelstown and Fermoy. Great-grandson of a patriot of 1798, he had strong national feelings from boyhood. In 1917 he was active in reorganising the Volunteer force in County Cork and in 1918 won distinction by his energy in preparations to resist conscription. In 1919 he became Commandant of Cork No. 2 Brigade, took part in the capture of Araglin Police Barracks and, in September, led an attack on British troops in Fermoy, when he was slightly wounded. He was responsible for the capture of bank robbers and recovery of stolen money in March 1920. Other successes were the capture of General Lucas, a daylight attack on Mallow Barracks and an ambush at Clonbannin. When the First Southern Division of the I.R.A. was formed, in May 1921, he was appointed Divisional Commandant. During the Civil War he was Chief of Staff of the Republican Army and he died of wounds received in action in 1923. See article in *Sinn Féin*, April 12th, 1924.

*Sean MacDermott (Mac Diarmuida)* was born in County Leitrim, spent early years in Scotland and in America, returned to Ireland and threw himself with enthusiasm into every branch of the advanced national movement, undeterred by lameness and ill health. He joined the Gaelic League, the Gaelic Athletic Association, the Irish Republican Brotherhood and Sinn Fein; edited and managed the I.R.B. organ, *Irish Freedom*, and, when the Volunteer force was formed, organised companies all over Ireland, exerting a strong influence on the young men. He fought in the Post Office in the Rising and was executed on May 12th, 1916.

*Thomas MacDonagh* was born at Cloughjordan in County Tipperary in 1878 and educated at Rockwell College, Cashel. A poet and critic, keenly interested in Anglo-Irish literature, he became professor of English at University College, Dublin, and taught under Pearse at St. Enda's School. His cottage at the foot of the Dublin mountains was a centre of literary and revolutionary thought. With Joseph Plunkett he edited the *Irish Review* and helped to found Edward Martyn's Irish Theatre in 1914. He joined the Volunteers, became Director of Training, was Commandant of the Dublin Brigade in the Rising of 1916 and was executed on May 3rd, 1916. Works: *When the Dawn is Come*, a play; *Songs of Myself*, poems; *Through the Ivory Gate*, poems.

*Terence MacSwiney* was born in Cork in 1879, was educated at the Christian Brothers' School, took his degree at the Royal (afterwards the National) University and became a technical instructor in Cork. A student and a poet, he took part in the founding of the Celtic Literary and Dramatic Society in Cork, wrote plays, poems and articles, studied the Irish language and edited a paper, *Fianna Fail*. He was a leader in all national activities and represented Cork in Dail Eireann until his death on hunger-strike in 1920. Works: *The Principles of Freedom* (a volume of essays, articles and poems), published after his death, *The Music of Freedom* (published under the signature *Cuireodor* in 1907) and *The Revolutionist*, a play.

*Constance Markievicz (Constance Gore Booth)* was born, daughter of a Protestant landowner, at Lissadell in County Sligo in 1868. Her sister was the poet, *Eva Gore Booth*. A beautiful and talented girl, Constance led an active social life, studied painting and produced plays. She married a Polish Count, *Casimir Dunin Markievicz*. The welfare of the Irish people became her most absorbing interest; she founded the *Fianna na h-Eireann*, helped *James Connolly* during the Lockout in 1913, and fought in uniform in 1916. She wrote patriotic verse, articles and plays. Elected to represent a Dublin

constituency in 1918, she was the first woman returned to Parliament under the British franchise and became Minister of Labour in the First Dail Eireann. She remained an uncompromising Republican until her death in 1927. See *Prison Letters of Constance Markievicz* with a biographical introduction by Esther Roper.

*Liam Mellows*, when still a boy, volunteered to help in the organising of the Fianna and the Volunteers and toured Ireland on a bicycle doing this work. He was forced to leave Ireland by an Expulsion Order but returned secretly and commanded the Volunteers in the West in 1916. He helped to organise President de Valéra's tour in America in 1919-20, returned, and worked as Representative of Meath in Dail Eireann and Director of Purchases in the Republican Army until the surrender of the Four Courts. He was shot in Mountjoy Prison, Dublin, on December 8th, 1922.

*Rory (Roderic) O'Connor* was born in Dublin in 1888 and educated at St. Mary's College, Dublin, and at Clongowes; took degrees in Arts and Engineering at the National (then the Royal) University of Ireland and diplomas of the College of Science. In 1911 he went to Canada where he held appointments as a railway engineer and in 1915 returned to Ireland at the request of one of the Republican leaders. He obtained a post under the Dublin Corporation as engineer. He fought in the Rising of 1916 and was wounded. Shortly after, he resigned from the I.R.B., believing that the movement should henceforward be an open one. He was a close personal friend of Michael Collins. His activities included work for the Dail Ministry of Local Government and the conservation of food supplies. He became Director of Engineering in the Republican Army and a member of the General Headquarters Staff and was in charge of the I.R.A. operations in Great Britain. Shot in Mountjoy Prison, Dublin, on December 8th, 1922.

*Sean T. O'Kelly* (Irish form, O'Ceallaigh) was born in Dublin in 1888 and educated at the O'Connell Schools and privately. He was for some years assistant at the National Library of Ireland. He took a leading part in the work of the Gaelic League, of which he became General Secretary in 1915. He was one of the founders of Sinn Fein in 1905 and was associated with Griffith in editing a series of journals and acted as Honorary Secretary of Sinn Fein from 1908 to 1910. He was a member of the Executive Committee of the National Council for many years: One of the founders of the Irish Volunteers in 1913, he fought as Staff Captain in the Post Office at Easter 1916, and was in prison until the following year. In the election of 1918 he was returned for Mid-Dublin and was elected Speaker

of Dail Eireann. (In March 1932, became Vice-President of the Executive Council of the Irish Free State and Minister for Local Government and Public Health.)

*Patrick Henry Pearse*, the son of an Irish mother and an English father, was born in Dublin in 1879 and educated at the Christian Brothers' School, Westland Row. He graduated at the Royal (later the National) University and became a Barrister. He was a keen student of the Irish language and a writer, in both Irish and English, of fine verse and prose; he had talents, also, as a teacher and an orator. He edited the official organ of the Gaelic League. His ideal was a free and Gaelic Ireland, and to serve that end he founded and conducted St. Enda's, a school for boys at Rathfarnham. Visiting America, he was enrolled in the I.R.B. He became a leading member of the Revolutionary Council in Dublin and was made first President of the Irish Republic. He and his brother Willie were executed on May 3rd, 1916. Pearse's pamphlets were published by Whelan in Dublin in 1916. *The Collected Works of Patrick H. Pearse* are published by the Talbot Press, Dublin. See Desmond Ryan's *The Story of a Success*, being a record of St. Enda's College, September 1908 to Easter 1916 (Maunsel, 1917). *The Man called Pearse* (Maunsel, 1919). Mary B. Pearse's *The Home Life of Pádraig Pearse* (Dublin, Browne & Nolan, 1935). Other books mentioned in the Bibliography, p. 1031.

*Joseph Mary Plunkett*, son of Count Plunkett, was born in Dublin in 1887. In spite of continuous ill health, he was a keen student and nationalist. He studied science and philosophy, wrote poetry, worked with Thomas MacDonagh and others in founding The Irish Theatre and editing the *Irish Review*. He was one of the founders of the Volunteers and was a member of their first Executive in 1913. Becoming a member of the I.R.B., he was sent on secret missions to the Continent and America in 1915. He was Director of Military Operations in 1916 and made the military plans for the Rising. On Good Friday he was in a nursing-home, recovering from an operation; he took part in the Rising, nevertheless, fighting in the Post Office. He was married to Grace Gifford in prison while awaiting execution. He was executed on May 4th, 1916. Works: *The Circle and the Sword* and *Poems*. See article by Geraldine Plunkett in the *Irish Press*, May 5th, 1936.

*Austin Stack* was born in Tralee, County Kerry, in 1880. His father, William Moore Stack, was for some time a prisoner in Dartmoor in consequence of patriotic activities. In 1916, as Commandant of the Kerry Brigade of the Irish Volunteers, Austin Stack prepared for the landing of the German arms, was arrested and received a

sentence of death which was commuted to twenty years' penal servitude. Released in June 1917, he became Honorary Secretary to Sinn Fein. Frequently imprisoned, he became renowned for leadership in resistance to criminal status. He was Deputy for Kerry in Dail Eireann and Minister, at different times, for Home Affairs, Finance and Defence. He fought in the Civil War, was captured in 1928, and was for forty-one days on hunger-strike. He married Una Gordon in 1925 and died in 1929.

*Note.*—Poems by several of the leaders of the Rising of 1916 will be found in *Nineteen-Sixteen*, an Anthology of Verse, compiled by Edna C. FitzHenry (Dublin, Browne & Nolan).





**APPENDICES**

**I: STATEMENTS AND DOCUMENTS**

**II: GENERAL**



## I: STATEMENTS AND DOCUMENTS

## 1

THE MANIFESTO OF THE IRISH NATIONAL  
VOLUNTEERS

Read at their Inaugural Meeting in Dublin,  
November 25th, 1913

At a time when legislative proposals, universally confessed to be of vital concern for the future of Ireland, have been put forward, and are awaiting decision, a plan has been deliberately adopted by one of the great English political parties, advocated by the leaders of that party and by its numerous organs in the Press, and brought systematically to bear on English public opinion, to make a display of military force and the menace of armed violence the determining factor in the future relations between this country and Great Britain.

The party which has thus substituted open force for the semblance of civil government is seeking by this means not merely to decide an immediate political issue of grave concern to this Nation, but also to obtain for itself the future control of all our national affairs. It is plain to every man that the people of Ireland, if they acquiesce in this new policy by their inaction, will consent to the surrender, not only of their rights as a nation, but of their civic rights as men.

The Act of Union deprived the Irish nation of the power to direct its own course and to develop and use its own resources for its own benefit. It gave us instead the meagre and seldom effective right of throwing our votes into the vast and complicated movement of British politics. Since the Act of Union, a long series of representative statutes has endeavoured to deal with the incessant discontent of the Irish people by depriving them of various rights common to all who live under the British Constitution.

The new policy goes further than the Act of Union, and further than all subsequent Coercion Acts taken together. It proposes to leave us the political franchise in name and to annihilate it in fact. If we fail to take such measures as will effectually defeat this policy, we become politically the worst degraded population in Europe, and no longer worthy of the name of nation.

Are we to rest inactive in the hope that the course of politics in Great Britain may save us from the degradation openly threatened against us? British politics are controlled by British interests, and are complicated by problems of great importance to the people of Great Britain. In a crisis of this kind the duty of safeguarding our rights is our duty first and foremost. If we remain quiescent by what

title can we expect the people of Great Britain to turn aside from their own pressing concerns to defend us? Will not such an attitude of itself mark us out as a people unworthy of defence?

Such is the occasion, not altogether unfortunate, which has brought about the inception of the Irish Volunteer movement. But the Volunteers, once they have been enrolled, will form a prominent element in the National life under a National Government. The nation will maintain its Volunteer organisation as a guarantee of the liberties which the Irish people shall have secured.

If ever in history a people could say that an opportunity was given them by God's will to make an honest and manly stand for their rights, that opportunity is given us to-day. The stress of industrial effort, the relative peace and prosperity of recent years, may have dulled the sense of the full demand of civic duty. We may forget that the powers of the platform, the Press and the polling booth are derived from the conscious resolve of the people to maintain their rights and liberties. From time immemorial it has been held by every race of mankind to be the right and duty of a freeman to defend his freedom with all his resources and with his life itself. The exercise of that right distinguishes the freeman from the serf, the discharge of that duty distinguishes him from the coward.

To drill, to learn the use of arms, to acquire the habit of concerted and disciplined action, to form a citizen army from a population now at the mercy of almost any organised aggression—this, beyond all doubt, is a programme that appeals to all Ireland, but especially to young Ireland. We begin at once in Dublin, and we are confident that the movement will be taken up without delay all over the country. Public opinion has already and quite spontaneously formed itself into an eager desire for the establishment of the Irish Volunteers.

The object proposed for the Irish Volunteers is to secure and maintain the rights and liberties common to all the people of Ireland. Their duties will be defensive and protective, and they will not contemplate either aggression or domination. Their ranks are open to all able-bodied Irishmen without distinction of creed, politics, or social grade. Means will be found whereby Irishmen unable to serve as ordinary Volunteers will be enabled to aid the Volunteer forces in various capacities. There will also be work for women to do, and there are signs that the women of Ireland, true to their record, are especially enthusiastic for the success of the Irish Volunteers.

We propose for the Volunteers' organisation the widest possible basis. Without any other association or classification the Volunteers will be enrolled according to the district in which they live. As soon as it is found feasible, the district sections will be called upon to join in making provision for the general administration and discipline and

for united co-operation. The Provisional Committee which has acted up to the present will continue to offer its services until an elective body is formed to replace it.

A proportion of time spared, not from work, but from pleasure and recreation, a voluntary adoption of discipline, a purpose firmly and steadily carried through, will renew the vitality of the nation. Even that degree of self-discipline will bring back to every town, village and countryside a consciousness that has long been forbidden them—the sense of freemen who have fitted themselves to defend the cause of freedom.

In the name of National Unity, of National dignity, of National and individual Liberty, of manly citizenship, we appeal to our countrymen to recognise and accept without hesitation the opportunity that has been granted them to join the ranks of the Irish Volunteers, and to make the movement now begun not unworthy of the historic title which it has adopted.

## DUBLIN CASTLE ORDER, 1916

The Order stated by members of the Revolutionary Council to have been copied from the files of Dublin Castle, as read to a meeting of the Corporation on April 19th, 1916.

(NOTE.—A slight change had been made, Rory O'Connor explained, by the copyist, in order to correct an error in the original, which had given *Ara Coeli*, the name of the house of Cardinal Logue in Armagh, as the name of the house of the Archbishop of Dublin.)

The following precautionary measures have been sanctioned by the Irish Office on the recommendation of the General Officer Commanding the Forces in Ireland. All preparations will be made to put these measures in force immediately on receipt of an Order issued from the Chief Secretary's Office, Dublin Castle, and signed by the Under-Secretary and the General Officer Commanding the Forces in Ireland. First, the following persons to be placed under arrest: All members of the Sinn Fein National Council, the Central Executive Irish Sinn Fein Volunteers, General Council Irish Sinn Fein Volunteers, County Board Irish Sinn Fein Volunteers, Executive Committee National Volunteers, Coisde Gnota Committee Gaelic League. See list A 3 and 4 and supplementary list A 2. . . . Metropolitan Police and Royal Irish Constabulary forces in Dublin City will be confined to barracks under the direction of the Competent Military Authority. An order will be issued to inhabitants of city to remain in their houses until such time as the Competent Military Authority may otherwise direct or permit. Pickets chosen from units of Territorial Forces will be placed at all points marked on Maps 3 and 4. Accompanying mounted patrols will continuously visit all points and report every hour. The following premises will be occupied by adequate forces, and all necessary measures used without need of reference to Headquarters. First, premises known as Liberty Hall, Beresford place; No. 6 Harcourt street, Sinn Fein Building; No. 2 Dawson street, Headquarters Volunteers; No. 12 D'Olier street, "Nationality" office; No. 25 Rutland square, Gaelic League Office; No. 41 Rutland square, Foresters' Hall; Sinn Fein Volunteer premises in city; all National Volunteer premises in the city; Trades Council premises, Capel street; Surrey House, Leinster road, Rathmines. The following premises will be isolated, and all communication to or from prevented: Premises known as Archbishop's House, Drumcondra; Mansion House, Dawson street; No. 40 Herbert Park; Larkfield, Kimmage road, Woodtown Park, Ballyboden; St. Enda's College, Hermitage, Rathfarnham; and in addition premises in list 5 D, see Maps 3 and 4.

## ADDRESS OF IRISH COMMANDANTS TO THE PRESIDENT AND CONGRESS OF THE UNITED STATES

The following address was drafted on June 18th, 1917, by Republican Commandants who arrived on that day from England, where they had been prisoners since 1916. It was brought to the United States by Dr. Patrick McCartan and publicly received at the Capitol by Secretary Tumulty.

*Dublin, Ireland, June 18, 1917.*

GENTLEMEN:

We, the undersigned, who have been held in English prisons and have been dragged from dungeon to dungeon, in heavy chains, cut off, since Easter Week, 1916, from all intercourse with the outside world, have just had an opportunity of seeing the printed text of the message of the United States of America to the Provisional Government of Russia.

We see that the President accepts as the aim of both countries "the carrying of the present struggle for the freedom of all peoples to a successful consummation." We, also, see that the object of President Wilson's own government is "the liberation of peoples everywhere from the aggressions of autocratic force." "We are fighting," writes the President to the Government of Russia, "for the liberty, self-government, and undictated development of all peoples, and every feature of the settlement that concludes this war must be conceived and executed for that purpose. Wrongs must first be righted, and then adequate safeguards must be created to prevent their being committed again. Remedies must be found as well as statements of principle that will have a pleasing and sonorous sound. . . . No people must be forced under a sovereignty under which it does not wish to live."

We trust that such remedies—in preference to any governmental professions whatsoever—will be held to include the right of each people, not merely to rely on other peoples to support their claim to national liberty, but what the Governments and peoples of other nations will, we trust, regard as even more sacred the right of each people to defend itself against external aggression, external interference and external control. It is this particular right that we claim for the Irish people, and not content with statements of principle, though these themselves may be made a pretext for our oppression, we are engaged and mean to engage ourselves in practical means for establishing this right.



Without awaiting the issue of the war or the settlement that may conclude the war, we ask of the Government of the United States of America, and the Governments of the free peoples of the world, to take immediate measures to inform themselves accurately and on the spot about the extent of liberty or attempted repression which we may encounter.

We, the undersigned, are officers (just released from English prisons) of forces formed independently in Ireland to secure the complete liberation of the Irish Nation.

*(Signed)* Eamon de Valéra; Eoin MacNeill; Denis O'Callaghan; James Lawless; Robert Brennan; M. D. DeLacey; Finian Lynch; Francis Fahy; Thomas Hunter; John R. Etchingham; Richard F. King; John McEntee; Richard Hayes; James Doyle; Peter Galligan; Thomas Ashe; Jeremiah C. Lynch; Richard Coleman; George Irvine; Con. Collins; Austin Stack; John McGarry; T. Desmond Fitzgerald; Francis Thornton; Frank Lawless; James J. Walsh.

## THE CONSTITUTION OF SINN FEIN

As adopted by the Ard-Fheis which met in Dublin on October 25th, 1917.

*The Preamble was as quoted on page 243.*

### I

1. The name of this organisation shall be Sinn Fein.
2. Sinn Fein aims at securing the International recognition of Ireland as an independent Irish Republic.

Having achieved that status the Irish people may by referendum freely choose their own form of Government.

3. This object shall be attained through the Sinn Fein Organisation.
4. WHEREAS no law made without the authority and consent of the Irish people is or ever can be binding on their conscience

Therefore in accordance with the Resolution of Sinn Fein adopted in Convention, 1905, a Constituent Assembly shall be convoked, comprising persons chosen by the Irish Constituencies as the supreme national authority to speak and act in the name of the Irish people and to devise and formulate measures for the welfare of the whole people of Ireland.

Such as:

(a) The introduction of a Protective System for Irish industries and Commerce by combined action of the Irish County Councils, Urban Councils, Rural Councils, Poor Law Boards, Harbour Boards, and other bodies directly responsible to the Irish people.

(b) The establishment and maintenance under the direction of a National Assembly or other authority approved by the people of Ireland of an Irish Consular Service for the advancement of Irish Commerce and Irish interests generally.

(c) The re-establishment of an Irish Mercantile Marine to facilitate direct trading between Ireland and the countries of Continental Europe, America, Africa, and the Far East.

(d) The industrial survey of Ireland and the development of its mineral resources under the auspices of a National Assembly or other national authority approved by the people of Ireland.

(e) The establishment of a National Stock Exchange.

(f) The creation of a National Civil Service, embracing all the employés of the County Councils, Rural Councils, Poor Law Boards, Harbour Boards, and other bodies responsible to the Irish people, by the institution of a common national qualifying examination and a

local competitive examination (the latter at the discretion of the local bodies).

(g) The establishment of Sinn Fein Courts of Arbitration for the speedy and satisfactory adjustment of disputes.

(h) The development of transit by rail, road and water, of waste lands for the national benefit by a national authority approved by the people of Ireland.

(i) The development of the Irish sea fisheries by National Assembly or other national authority approved by the people of Ireland.

(j) The reform of education, to render its basis national and industrial by the compulsory teaching of the Irish language, Irish history and Irish agricultural and manufacturing potentialities in the primary system, and, in addition, to elevate to a position of dominance in the University system Irish agriculture and economics.

(k) The abolition of the Poor Law System and substitution in its stead of adequate outdoor relief to the aged and infirm, and the employment of the able-bodied in the reclamation of waste lands, afforestation and other national and reproductive works.

## II

A special meeting of the Executive may be summoned on three days' notice by the President on requisition presented to him signed by six members of the Executive specifying the object for which the meeting is called.

In case of an urgent emergency the President shall call all members of the Executive to an urgency meeting, and may take action in the name of the Executive in case he secures the approval of an absolute majority of the entire Executive. The action taken is to be reported for confirmation at next ordinary meeting of the Executive.

## III

That where Irish resources are being developed, or where industries exist, Sinn Feiners should make it their business to secure that workers are paid a living wage.

That the equality of men and women in this Organisation be emphasised in all speeches and leaflets.

## SPEECH OF DE VALÉRA

Speech of Eamon de Valéra on his election as President of Sinn Fein, October 25th, 1917.

It is a pleasure to me that my first duty should be to convey your thanks and the thanks, in your name, of the people of Ireland to those leaders who have brought this movement to its present condition, when, rather than have voting between them, they retired in order that we might strengthen the new position which we occupy—a position in which we tell the world that we want no connection with England. The only particular value in having me here is this. In the contested election of Clare the people of Clare did me the honour of choosing me as their representative. I stood then for the policy which is the aim of the new organisation. That policy was endorsed by the free votes of the electors of East Clare, and by electing me unanimously here, you, the people of Ireland, have endorsed the voice of the people of East Clare, and declared to the world that the policy which we put before the people of East Clare is the policy of the people of all Ireland.

The Constitution of this new movement which you have adopted is one which it may be well to lay stress on. It says that this organisation of Sinn Fein aims at securing international recognition of Ireland as an independent Irish Republic. That is what I stand for, what I stood for in East Clare; and it is because I stand for that that I was elected here. I said in East Clare when I was elected that I regarded that election as a monument to the dead. I regard my election here as a monument to the brave dead, and I believe that this is proof that they were right, that what they fought for—the complete and absolute freedom and separation from England—was the pious wish of every Irish heart.

They said: “We know that is the opinion of the people of Ireland. We know that in going out to fight the British Empire, small in numbers though we are, we are asserting to the world that Ireland is a nation, and that Ireland has never agreed to become a subject nation or a part of the British Empire.” They said: “We know, and the people of Ireland, that the people of Ireland are kept from expressing their views simply by the naked sword of England. England pretends it is not by the naked sword, but by the good will of the people of this country, that she is here. We will draw the naked sword to make her bare her own naked sword, to drag the hypocritical mask off her face, and to show her to the world for what she is, the accursed

oppressor of nations." These glorious men did what they felt they were quite justified in doing. They said: "What we aim at is the freedom of the people of Ireland. We are not a mere party here or a small section. We represent in our hearts the solid, sensible opinion of Irishmen and if we are to win that freedom the first step in that battle must be to get the people of Ireland themselves determined to win it; and even though the first battle in that political fight might be a military defeat it will lead to final success." That has ever been in my mind their moral justification.

. . . This Constitution that we are setting up says we are striving to get international recognition for our Irish Republic, and there is an added clause to it which I would like to explain, that, having achieved that status, the Irish people may by referendum freely choose their own forms of government. This is not the time for this, for this reason, that the only banner under which our freedom can be won at the present time is the Republican banner. It is as an Irish Republic that we have a chance of getting international recognition. Some of us would wish, having got that recognition, to have a Republican form of government. Some might have fault to find with that and prefer other forms of government. This is not the time for discussion on the best forms of government. But we are all united on this—that we want complete and absolute independence. Get that and we will agree to differ afterwards. We do not wish to bind the people to any form of government. Some of my friends may have different opinions from mine on forms of government.

This is not the time for that; this is the time to get freedom. Then we can settle by the most democratic means what particular form of government we may have. I only wish to say in reference to the last clause that there is no contemplation in it of having a Monarchy in which the Monarch would be of the House of Windsor.

We say it is necessary to be united under the flag under which we are going to fight for our freedom: the flag of the Irish Republic. We have nailed that flag to the mast; we shall never lower it. I ask you all to salute that flag, nailed to the mast, which we shall never lower—to salute the flag and in Grattan's words to say "Esto perpetua."

## THE MANIFESTO OF SINN FEIN

as prepared for circulation for the General Election of December 1918.

### GENERAL ELECTION

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### Manifesto to the Irish People

**T**HE coming General Election is fraught with vital possibilities for the future of our nation. Ireland is faced with the question whether this generation wills it that she is to march out into the full sunlight of freedom, or is to remain in the shadow of a base imperialism that has brought and ever will bring in its train naught but evil to our race.

Sinn Fein gives Ireland the opportunity of vindicating her honour and pursuing with renewed confidence the path of national salvation by rallying to the flag of the Irish Republic.

Sinn Fein aims at securing the establishment of that Republic.

1. By withdrawing the Irish Representation from the British Parliament and by denying the right and opposing the will of the British Government or any other foreign Government to legislate for Ireland.
2. By making use of any and every means available to render impotent the power of England to hold Ireland in subjection by military force or otherwise.
3. By the establishment of a constituent assembly comprising persons chosen by Irish constituencies as the supreme national authority to speak and act in the name of the Irish people, and to develop Ireland's social, political and industrial life, for the welfare of the whole people of Ireland.
4. By appealing to the Peace Conference for the establishment of Ireland as an Independent Nation. At that conference the future of the Nations of the world will be settled on the principle of government by consent of the governed. Ireland's claim to the application of that principle in her favour is not based on any accidental situation arising from the war. It is older than many if not all of the present belligerents. It is based on our unbroken tradition of nationhood, on a unity in a national name which has never been challenged, on our possession of a distinctive national culture and social order, on the moral courage and dignity of our people in the face of alien aggression, on the fact that in nearly every generation, and five times within the past 120 years our people have challenged in arms the right of England to rule this country. On these incontrovertible facts is based the claim that our people have beyond question established the right to be accorded all the power of a free nation.

Sinn Fein stands less for a political party than for the Nation; it represents the old tradition of nationhood handed on from dead generations; it stands by the Proclamation of the Provisional Government of Easter, 1916, reasserting the inalienable right of the Irish Nation to sovereign independence, reaffirming the determination of the Irish people to achieve it, and guaranteeing within the independent Nation equal rights and equal opportunities to all its citizens.

Believing that the time has arrived when Ireland's voice for the principle of untrammelled National self-determination should be heard above every interest

of party or class, Sinn Fein will oppose at the Polls every individual candidate who does not accept this principle.

The policy of our opponents stands condemned on any test, whether of principle or expediency. The right of a nation to sovereign independence rests upon immutable natural law and cannot be made the subject of a compromise. Any attempt to barter away the sacred and inviolate rights of a nationhood begins in dishonour and is bound to end in disaster. The enforced exodus of millions of our people, the decay of our industrial life, the ever-increasing financial plunder of our country, the whittling down of the demand for the "Repeal of the Union," voiced by the first Irish Leader to plead in the Hall of the Conqueror to that of Home Rule on the Statute Book, and finally the contemplated mutilation of our country by partition, are some of the ghastly results of a policy that leads to national ruin.

Those who have endeavoured to harness the people of Ireland to England's war-chariot, ignoring the fact that only a freely-elected Government in a free Ireland has power to decide for Ireland the question of peace and war, have forfeited the right to speak for the Irish people. The Green Flag turned red in the hands of the Leaders, but that shame is not to be laid at the doors of the Irish people unless they continue a policy of sending their representatives to an alien and hostile assembly, whose powerful influence has been sufficient to destroy the integrity and sap the independence of their representatives. Ireland must repudiate the men who, in a supreme crisis for the nation, attempted to sell her birth-right for the vague promises of English Ministers, and who showed their incompetence by failing to have even these promises fulfilled.

The present Irish members of the English Parliament constitute an obstacle to be removed from the path that leads to the Peace Conference. By declaring their will to accept the status of a province instead of boldly taking their stand upon the right of the nation they supply England with the only subterfuge at her disposal for obscuring the issue in the eyes of the world. By their persistent endeavours to induce the young manhood of Ireland to don the uniform of our seven-century-old oppressor, and place their lives at the disposal of the military machine that holds our Nation in bondage, they endeavour to barter away and even to use against itself the one great asset still left to our Nation after the havoc of centuries.

Sinn Fein goes to the polls handicapped by all the arts and contrivances that a powerful and unscrupulous enemy can use against us. Conscious of the power of Sinn Fein to secure the freedom of Ireland the British Government would destroy it. Sinn Fein, however, goes to the polls confident that the people of this ancient nation will be true to the old cause and will vote for the men who stand by the principles of Tone, Emmet, Mitchell, Pearse and Connolly, the men who disdain to whine to the enemy for favours, the men who hold that Ireland must be as free as England or Holland, or Switzerland or France, and whose demand is that the only status befitting this ancient realm is the status of a free nation.

ISSUED BY THE STANDING COMMITTEE OF SINN FEIN.

TEXT OF THE SAME MANIFESTO AS PASSED BY THE DUBLIN CASTLE CENSOR

THE coming General Election is fraught with vital possibilities for the future of our nation. Ireland is faced with the question whether this generation wills it that she is to march out into the full sunlight of freedom, or is to remain in the shadow of [redacted] imperialism [redacted]

[redacted]

Sinn Fein aims at securing the establishment of that Republic.

- 1. By withdrawing the Irish Representation from the British Parliament and by denying the right [redacted] of the British Government [redacted] to legislate for Ireland.

[redacted]

- 3. By the establishment of a constituent assembly comprising persons chosen by Irish constituencies as the supreme national authority to speak and act in the name of the Irish people, and to develop Ireland's social, political and industrial life, for the welfare of the whole people of Ireland.

- 4. By appealing to the Peace Conference for the establishment of Ireland as an Independent Nation. At that conference the future of the Nations of the world will be settled on the principle of government by consent of the governed. Ireland's claim to the application of that principle in her favour is not based on any accidental situation arising from the war. It is older than many if not all of the present belligerents.

[redacted]

Sinn Fein stands [redacted] for the Nation; it represents the old tradition of nationhood [redacted] reasserting the inalienable right of the Irish Nation to sovereign independence: reaffirming the determination of the Irish people to achieve it, and guaranteeing within the Independent Nation equal rights and equal opportunities to all its citizens.

Believing that the time has arrived when Ireland's voice for the principle of untrammelled [redacted] self-determination should be heard above every interest of party or class, Sinn Fein will oppose at the Polls every individual candidate who does not accept this principle.

The policy of our opponents stands condemned on any test, whether of principle or expediency. [redacted] Any attempt to barter away the sacred and inviolate rights of nationhood begins in dishonour and is bound to end in disaster. The enforced exodus of millions of our people, the decay of our industrial life, the ever-increasing financial plunder of our country, the whittling down of the demand for the "Repeal of the Union," voiced by the first Irish Leader to plead in the Hall of the Conqueror to that of Home Rule on the Statute Book, and finally the contemplated mutilation of our country by partition, are some of the ghastly results of a policy that leads to national ruin.

[redacted]



By declaring their will to accept the status of a province instead of boldly taking their stand upon the right of the nation, they supply England with the only subterfuge at her disposal for obscuring the issue in the eyes of the world.

Sinn Fein goes to the polls handicapped by all the arts and contrivances that a powerful and unscrupulous enemy can use against us. of Sinn Fein to secure the freedom of Ireland the British Government would destroy it. Sinn Fein, however, goes to the polls confident that the people of this ancient nation will be true to the old cause and whose demand is that the only status befitting this ancient realm is the status of a free nation.

ISSUED BY THE STANDING COMMITTEE OF SINN FEIN.

8

## INVITATION TO THE ELECTED REPRESENTATIVES OF THE IRISH PEOPLE, JANUARY 7TH, 1919

6 Sraid Feiarchair  
Ath Cliath  
8.1.19

### A CHARA

At a meeting held in the Mansion House on the 7th inst. of the Republican representatives of Ireland, elected at the General Election of 1918, the following resolutions were adopted:

(1) "That we, the Republican members of the Irish constituencies, in accordance with the National Will, are empowered to call together the Dail Eireann, and proceed to act accordingly."

(2) "That all persons elected by the existing Irish constituencies as members of Parliament at the General Election of December 1918, be invited to attend as members of the Dail Eireann as an independent Constituent Assembly of the Irish Nation."

In accordance with the following resolutions, I have the honour of inviting you to attend the opening of An Dail Eireann, which will be held in Dublin at an early date.

I shall be glad to have a reply from you at your earliest convenience.  
Mise

G. N. COUNT PLUNKETT,  
Chairman of meeting of Republican Representatives.

## CONSTITUTION OF DAIL EIREANN

As approved provisionally January 21st, 1919.

### FIRST SECTION:

Dail Eireann shall possess full powers to legislate and shall be composed of Delegates (Teachtai) chosen by the people of Ireland from the present constituencies of the country.

### SECOND SECTION:

(1) Full executive powers shall be held at any time by the Ministry (Aireacht) in office at the time.

(2) The Ministry shall be composed of the following: A Prime Minister (Príomh-Aireach) chosen by Dail Eireann, and four other Ministers, viz.:

Minister of Finance (Aireach Airgid)

Minister of Home Affairs (A. Gnothai Duthchais)

Minister of Foreign Affairs (A. Gnothai Coigrioch) and

Minister of Defence (A. Cosanta).

The Prime Minister shall nominate the four others, and shall have power to dismiss them from office.

(3) Every Minister must be a member of the Dail, and shall at all times be answerable to the Dail.

(4) The names of Ministers must be put before the Dail for ratification at the first assembly after their nomination by the Prime Minister.

#### *Prime Minister*

(5) The Prime Minister shall hold office as soon as elected and the other Ministers as soon as their appointment is ratified by the Dail.

(6) The Dail shall have power by vote to dismiss the Ministry or any of the Ministers from office if a written order in the form of a unanimous resolution be presented for that object seven days previously.

### SECTION THREE:

Every meeting of the Dail shall be presided over by a Chairman (Ceann Comhairle) or Vice Chairman (Ceann Ionaid) chosen by the Dail for the year. Should the Chairman and Vice-Chairman be absent, the Dail shall select substitutes or elect a Provisional Chairman (Ceann Comhairle Sealadach).

**SECTION FOUR:**

The Ministry shall receive whatever money it needs, by vote of the Dail. The Ministry shall be answerable to the Dail for such moneys, and the accounts shall be audited with regard to the spending of money for the Dail twice yearly, viz. at Samhain and Bealtaine (November and May). The auditing shall be carried out by an auditor or auditors chosen by the Dail. No member of the Dail shall be chosen as auditor.

**SECTION FIVE:**

The present is a provisional constitution, and may be altered on a written unanimous order being given to that effect seven days previously.

## MESSAGE TO THE FREE NATIONS OF THE WORLD

Issued in Irish, English, and French by Dail Eireann at its first meeting, January 21st, 1919.

### *To the Nations of the World—Greeting.*

The Nation of Ireland having proclaimed her national independence, calls, through her elected representatives in Parliament assembled in the Irish Capital on January 21st, 1919, upon every free nation to support the Irish Republic by recognising Ireland's national status and her right to its vindication at the Peace Congress.

Naturally, the race, the language, the customs and traditions of Ireland are radically distinct from the English. Ireland is one of the most ancient nations in Europe, and she has preserved her national integrity, vigorous and intact, through seven centuries of foreign oppression; she has never relinquished her national rights, and throughout the long era of English usurpation she has in every generation defiantly proclaimed her inalienable right of nationhood down to her last glorious resort to arms in 1916.

Internationally, Ireland is the gateway to the Atlantic; Ireland is the last outpost of Europe towards the West; Ireland is the point upon which great trade routes between East and West converge; her independence is demanded by the Freedom of the Seas; her great harbours must be open to all nations, instead of being the monopoly of England. To-day these harbours are empty and idle solely because English policy is determined to retain Ireland as a barren bulwark for English aggrandisement, and the unique geographical position of this island, far from being a benefit and safeguard to Europe and America, is subjected to the purposes of England's policy of world domination.

Ireland to-day reasserts her historic nationhood the more confidently before the new world emerging from the war, because she believes in freedom and justice as the fundamental principles of international law; because she believes in a frank co-operation between the peoples for equal rights against the vested privileges of ancient tyrannies; because the permanent peace of Europe can never be secured by perpetuating military dominion for the profit of empire but only by establishing the control of government in every land upon the basis of the free will of a free people, and the existing state of war, between Ireland and England, can never be ended until Ireland is definitely evacuated by the armed forces of England.

For these among other reasons, Ireland—resolutely and irrevocably

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determined at the dawn of the promised era of self-determination and liberty that she will suffer foreign dominion no longer—calls upon every free nation to uphold her national claim to complete independence as an Irish Republic against the arrogant pretensions of England founded in fraud and sustained only by an overwhelming military occupation, and demands to be confronted publicly with England at the Congress of the Nations, that the civilised world having judged between English wrong and Irish right may guarantee to Ireland its permanent support for the maintenance of her national independence.

## LETTER TO M. CLEMENCEAU, 1919

Letter from the Irish Republican Delegate at Paris to Premier Clemenceau and all the Peace Conference Delegates, claiming for Ireland admission to the League of Nations as a Constituent member.

PARIS, *February 22, 1919.*

SIR: As the accredited envoy of the Government of the Irish Republic, I have the honour to bring to your notice the claim of my Government, in the name of the Irish nation, for the international recognition of the independence of Ireland, and for the admission of Ireland as a constituent member of the League of Nations.

The Irish people seized the opportunity of the general election of December, 1918, to declare unmistakably its national will; only in 26 (out of 105) constituencies of the country was England able to find enough "loyalists" to return members favourable to the union between Ireland and Great Britain; for the remaining 79 seats the electors chose as members men who believed in self-determination; of these, 73, who now represent an immense majority of the people, went forward as republican candidates, and each of these republican members has pledged to assert by every means in his power the right of Ireland to the complete independence which she demands, under a national republican government, free from all English interference.

On the 21st of January, 1919, those of the Republican members whom England had not yet cast into her prisons met in the Irish capital in a national assembly, to which, as the only Irish Parliament *de jure*, they had summoned all Irish members of Parliament; on the same day the national assembly unanimously voted the declaration of independence appended hereto and unanimously issued the message to the free nations likewise appended.

The national assembly has also caused detailed statement of the case of Ireland to be drawn up. That statement will demonstrate that the right of Ireland to be considered a nation admits of no denial, and, moreover, that that right is inferior in no respect to that of the new states constituted in Europe and recognised since the war; three members, Eamon de Valéra, Mr. Arthur Griffith and Count Plunkett, have been delegated by the national assembly to present the statement to the Peace Conference and to the League of Nations Commission in the name of the Irish people.

Accordingly, I have the honour, sir, to beg you to be good enough to fix a date to receive the delegates above named, who are anxious

for the earliest possible opportunity to establish formally and definitely before the Peace Conference and the League of Nations Commission, now assembled in Paris, Ireland's indisputable right to international recognition for her independence and the propriety of her claim to enter the League of Nations as one of its constituent members.

I have the honour to be, sir,

Your obedient servant,

SEAN T. O'KELLY,

*Delegate of the Government of the Irish Republic.*

## PRESIDENT DE VALÉRA'S INTERVIEW

given on May 2nd and published on May 3rd, 1921. Questions asked by Dr. Zehnder of the *Neue Zeitung* of Zurich, and the President's replies.

Q. "Do you claim that a condition *sine qua non* of peace is that the British Government must recognise the Irish Republic? And in that case does the term 'Irish Republic' simply mean complete independence, or does it mean that the constitution of Ireland must be republican in form?"

A. "The principle for which we are fighting is the principle of Ireland's right to complete self-determination. The Irish people in the last elections declared unequivocally for the Irish Republic. If the Irish people at any time wish to change their constitution or form of government, it is, of course, their right to do so. We are fighting that there should be no limitation to their choice."

Q. "If an offer of Dominion Home Rule as for Canada or New Zealand were to be put forward, would the offer be absolutely rejected?"

A. "The fact that this question is asked so often shows how skillfully England has covered up the real issue by raising a false one. The essence of Dominion Home Rule as it exists in Canada and New Zealand is the fact that the Dominions are part of the British Empire of *their own free will*. The most conservative British statesmen, such as Mr. Bonar Law, have acknowledged the right of the British Dominions to secede should they choose to exercise it. It is obvious that when England is ready to make to us an offer with this implication she will in fact be admitting our right to have the Republic. Without the right to secede the British Dominions would not be what they are—free partners in the British Empire. The test of their status is their right to secede. By denying us that right the British deny us that status.

"Ireland, of course, has never been a free partner in the British system. She has been brought into it and kept in it entirely by force. We deny that there has been any real union with England, and my use of the word 'secede' is not to be regarded as an admission of anything of the kind."

Q. "What guarantees could or would a free Ireland give to England concerning the so-called strategical and military security of the United Kingdom?"

A. "Whilst Ireland does not admit that England has any *right* to



guarantees of this kind, Ireland is quite willing to consider the question in the broadest spirit. If British statesmen looked at this matter in its proper light they would readily recognise that with an independent Ireland beside her, England's own national security would be safer than it is at present. No formal guarantees are as binding or would lead to such real unity or such common effort in defence as the compelling forces of mutual interest. A threat to the independence of Britain from a foreign Power might very well be regarded by Ireland as a threat to her own independence, assuming she were free. The man-power and resources of Ireland would then be available against what would be regarded as a common foe. A dependent Ireland, on the other hand, can know of no foe but the one. She can have no interest in fighting any foe but the one—the present master that keeps her in slavery. A contingent master she is ready to risk. It would, at worst, mean but a change of masters. It is unlikely that the change would not be for the better. An independent Ireland would view the matter very differently, for then what would be risked would be a change from independence to slavery.

“If what England is afraid of is the use of the territory of Ireland as a basis or jumping-off ground for an attack upon her by another Power, we are ready to give guarantees of our neutrality— a neutrality which we would pledge ourselves to defend. If England is ready to consider peace along these lines, it will not be impossible to come to terms. I feel certain that the United States and the other great Powers would be ready to subscribe to such a neutrality guarantee.”

**Q.** “Will the fighting and the present troubles go on if the British Government does not recognise the right of Ireland to self-determination, and does the Republican Government feel strong enough to fight till a final success? For instance, supposing the British Government say: ‘If the present troubles do not stop we shall take further measures, severer reprisals,’ what would be the position of the Republican Government?”

**A.** “The right of Ireland to self-determination can never be surrendered. We shall resist those who seek to deprive us of it and continue to resist as long as any power of resistance remains.”

**Q.** “How would independent Ireland settle the Ulster question?”

**A.** “We have shown that we stand for civil and religious equality, for equal security and equal opportunity for all citizens, for giving to minorities full proportional representation. Provided the unity and independence of Ireland is preserved, we are ready to give such local autonomy to Ulster, or to any other part of Ireland, as would be practicable, if it would make for the contentment and satisfaction of the citizens resident there.

“I feel certain that the Republic would be ready to give to the

Six Counties, for instance, far more substantial powers than those they are to possess under the British Partition Act, which was designed less to give local autonomy to Ulster than to foster political and religious rancour amongst us, and by dividing Ireland into two antagonistic parts to make both subservient to British interests and purposes."

*Q.* "What is the position of the Republican Government towards the Army?"

*A.* "The Republican Army is the constitutional military arm of the Government of the Republic. It can be employed only where and in what manner this civil government prescribes. Its officers are under the control of and removable by the civil government. The Army is, therefore, a regular national defence force."

## PRESIDENT DE VALÉRA'S ADDRESS TO THE ELECTORATE

(published on May 4th, 1921)

Dail Eireann, the elected Government of Ireland, has given its sanction to the Parliamentary elections now pending in order that you may have an opportunity of proving once more your loyalty to the principle of Irish Independence.

By your overwhelming choice of Republican candidates in the general election of 1918 you made known your will in a manner there was no mistaking. On your suffrages the Republic of Ireland was constitutionally founded, with your sanction the elected government proceeded to function, organising the forces of the state to defend it and demanding from all its citizens the obedience due to legitimately constituted authority. The necessity of having to wage a war of defence against the forces of the foreigner complicated the task, but did not impair the right or authority of the Republican Government.

Sinn Fein, in this election, appeals to the electors to confirm this authority and to strengthen the hands of the government against the enemy from without, who would deprive this nation of the right to rule itself, and against the traitorous or pusillanimous within who would take advantage of the presence here of a foreign army of occupation to surrender the rights for which this nation has suffered so much, or to deny or evade an obedience which in conscience it is their duty to render.

The policy of Sinn Fein remains unchanged. It stands for the right of the people of this nation to determine freely for themselves how they shall be governed, and for the right of every citizen to an equal voice in the determination; it stands for civil and religious equality, and for the full proportional representation and all possible safeguarding of minorities. In world politics it stands for an association of nations based upon self-determination and equality of right amongst the constituent members, favouring mutual guarantees against aggression, and the settlement of international disputes on the basis of right and justice instead of force. It stands for Ireland undivided and a unit with regard to other nations and states, but in home affairs for such devolution of administration and authority as would make for the satisfaction and contentment of all sections of the people and would not be inconsistent with efficiency and economy.

The issue on which the electors are to pronounce then is clear.

You who vote for Sinn Fein candidates will cast your votes for nothing less than the legitimacy of the Republic, for Ireland against England, for freedom against slavery, for right and justice against force and wrong, here and everywhere.

Your answer will be heard round the world. It will confirm the elected representatives of the people in their rightful place as the only authoritative spokesmen and negotiators for the nation. It will give the lie to our nation's traducers, and tell mankind that Irish men and Irish women with red blood in their veins do not yet regard as criminals the brave men who fight against tyranny, and who offer up their lives that the suffering of 750 years may not have been endured in vain.

Let no manœuvring or intriguing of the enemy divide you. Wisdom and honour go hand in hand. The issue between Ireland and England will never be settled till it is settled on the basis of right. We are advancing steadily to that final settlement. The blossoms are not the fruit but the precursor of the fruit—beware how you pluck them.

## THE SWORN STATEMENT OF MARY MAGEE OF CORROGS, NEWRY, CO. DOWN

I, Mary Ellen Magee, of Corrogs, Newry, Co. Down, do hereby solemnly declare that the statements made herein are the truth, so help me God.

On Wednesday, June the 8th, at or about the hour of 8 o'clock in the evening I heard voices (which I afterwards found to be those of Special Constabulary) speaking to my brother Stephen Magill, at the door of our house. They were asking him was his brother in the house. Before he could reply my brother, Owen Magill, walked out to the side of Stephen. They were only a few feet from the door when I heard the order "Hands up," and the next thing I heard was a volley of shots. I ran to the door and saw my brother Stephen falling, and my brother Owen ran to me and said to me, "I'm done." I took my brother Owen round to the back of the house and helped to bandage his wound, which was in his right side. He was quite conscious and did not appear to be seriously wounded. My brother Stephen was shot through the heart and died in a few minutes. His wound appeared to be caused by an explosive bullet as the gash in his breast was almost two inches in diameter.

When the Specials left we took my brother, Owen, into the house and he undressed himself and went to bed. At about 10 p.m. the Specials returned and inquired for my brother, Owen, who was wounded. They told him they were going to take him to hospital and they told me the same. My father was in the room with my brother at the time; the Specials kicked him from the room and abused him badly. My father is aged 78. Then my brother Owen walked out of the house with the Specials, and as far as I know, walked over 200 yards to the military lorry which was in waiting. They did not allow my brother to put on his coat but took him away in his shirt and trousers. As far as can be ascertained my brother was dead when he arrived at the hospital.

The Specials returned on June 10th, and raided our house. They knocked down a stack of hay, and threw clothes and other things on the yard. On Sunday, June 12th, they again returned. Neither my father nor myself were in the house at the time. They broke open the door and tossed everything over the house, pitching beds, clothes and everything here, there and everywhere. They again returned on June 18th.

On the occasion of their visit on June 8th, they followed me through

the fields, and threatened to shoot me if I did not tell them where my wounded brother was, he having hid himself under the bed when he heard they were coming the second time. This is a true statement of all the main facts of the case.

*(Signed)* MARY ELLEN MAGEE.

*June 20th, '21.*

## REPUBLICAN ARMY ORDER, 1921

Irish Republican Army,  
General Headquarters,  
Dublin.

*22nd June, 1921.*

### GENERAL ORDER

#### REPRISALS

1. Brigade Commandants are authorised to answer reprisals against property on the part of the Enemy in the following way: (Where a Division has been formed Brigade Commandants will require to receive formal delegation of authority from their Divisional Commandants.)

2. On every occasion on which the Enemy destroys house property, or house contents, whether alleging military necessity or not, the following counter-reprisals may be taken:

(A) A similar number of houses belonging to the most active enemies of Ireland may be destroyed in the Battalion area in which the original destruction takes place.

(B) An equal number of houses belonging to the most active enemies of Ireland, may, in addition, be destroyed at that point in the Brigade area concerned which may be considered as the centre most strongly occupied by such enemies.

(C) The case should be reported to G.H.Q. with a covering statement of what has been done; and with a view to possible further action.

(D) Where the Enemy persists in taking counter-reprisals, they may be answered in the same way; stopping only when the district concerned has been entirely cleared of active enemies of Ireland.

3. Formal notice shall be served on any person whose house is so destroyed, stating clearly that it is a reprisal because of similar destruction carried out by their military forces; and specifying the particular property for whose destruction it is a reprisal.

4. In any particular case, or in any particular district in which, in addition to such reprisals, it would seem desirable that:

(a) The members of any particular family concerned should be ordered out of the country; or

(b) Have their lands confiscated;  
a special report should be submitted.

5. For the purposes of such reprisals no persons shall be regarded as enemies of Ireland, whether they may be described locally as Unionist, Orangemen, etc., unless they are actively anti-Irish in their actions.

6. No house shall be selected for destruction or destroyed without the personal approval and permission of the Brigade Commandant.

*By Order,*  
ADJUTANT-GENERAL.



## DRAFT TREATY A

This is the rough draft of the External Association Proposal, embodying ideas and principles agreed upon by the Republican Cabinet, which formed the basis of the Irish offer during the London Conference in 1921.

(Outlines for *ideas* and *principles* only. Wording tentative and rough. Expert draftsmen will be engaged for the wording and form when the principles are agreed upon.)

RECITAL. Great Britain having, in the name of the British Commonwealth, invited Ireland to enter into association with her and the other states of that Commonwealth, and Great Britain and Ireland being equally desirous to end the ruinous secular conflict between them and to secure the mutual benefits of concord and amity, have resolved to conclude a Treaty of Settlement, Accommodation, and Association, and for that purpose have appointed,

the Government of Great Britain . . .

the Elected Government of Ireland . . .

who, after communicating to each other their respective full powers, found in good and due form, agree upon the following:

ARTICLE I. Great Britain and the partner states of the British Commonwealth recognise Ireland as a sovereign independent state, and Great Britain renounces all claims to govern or to legislate for Ireland.

ARTICLE II. Ireland agrees to become an external associate of the states of the British Commonwealth. As an associate Ireland's status shall be that of equality with the sovereign partner states of the Commonwealth and Ireland shall be separately represented in the British Imperial Council—Great Britain, Canada, Australia, etc.—and shall be so recognised by those several states.

ARTICLE III. In virtue of Ireland's association with the states of the British Commonwealth, citizens of Ireland shall enjoy in each of these states the same rights and privileges as if they were natural born citizens of these states, and reciprocally the citizens of each of these states shall enjoy in Ireland the rights of natural born Irish citizens.

**ARTICLE IV.** Irish citizens resident in the states of the British Commonwealth, and reciprocally citizens of these states resident in Ireland, shall be excepted from all compulsory service in the military, naval or police forces of the states in which they are resident and from all contributions which may be imposed in lieu of personal service.

**ARTICLE V.** Ireland accepts and the British Commonwealth guarantees the perpetual neutrality of Ireland and the integrity and inviolability of Irish territory; and both in its own interest and in friendly regard to the strategic interests of the British Commonwealth binds itself to enter into no compact, and to take no action, nor permit any action to be taken, inconsistent with the obligation of preserving its own neutrality and inviolability and to repel with force any attempt to violate its territory or to use its territorial waters for warlike purposes.

**ARTICLE VI.** Financial article to be drafted by MINISTER OF FINANCE.

**ARTICLE VII.** Trade article, to be drafted by MINISTER OF ECONOMIC AFFAIRS.

**ARTICLE VIII.** Constitution and Ulster Question—to be drafted by Mr. Griffith.

**ARTICLE IX.** Within fourteen days of the signing of this Treaty, the British Government shall evacuate from Ireland and all Military forces and all “auxiliary police” and all members of their police forces in Ireland recruited since the 1st day of January 1919.

**ARTICLE X.** This treaty shall be ratified. It shall be submitted on the side of Ireland to DAIL EIREANN, and on the side of Great Britain to the Parliament of Westminster. Should ratification not ensue, or should either parliament so determine, it shall be submitted to the peoples of the respective countries, and if the Treaty shall be approved by a majority of the electors, it shall be deemed to have been ratified by the peoples of these respective countries.

For ratification by the states of the British Commonwealth other than Great Britain, this Treaty shall be communicated by the Government of Great Britain to the Governors of the Dominion of Canada, Commonwealth of Australia, and the Dominion of New Zealand, the Union of South Africa, and the Colony of Newfoundland, for transmission to the Parliaments of these respective states. Refusal

or failure, however, of any of these states to ratify shall not affect the general validity of the Treaty.

**ARTICLE XI.** As soon as ratification of this Treaty shall have been exchanged, the British Government shall communicate the text of Articles            to all states with which it entertains diplomatic relations, and the text of the Treaty as a whole to the President and Council of the League of Nations.

The British Government engages to support the securing of the formal recognition of Ireland's perpetual neutrality by the United States of America, by Germany, and by Russia, and by other States with which Great Britain entertains diplomatic relations and which are not members of the League of Nations.

The representatives of the British Commonwealth in the League of Nations engage to support the formal recognition of Ireland's neutrality, integrity, and inviolability by the League of Nations in conformity with the similar guarantee in favour of Switzerland recognised by Article 455 of the Treaty of Versailles of June 28th, 1919, and to support an application that may hereafter be made by Ireland for inclusion in the League of Nations.

IRISH MEMORANDUM OF OCTOBER 24<sup>TH</sup>, 1921MEMORANDUM OF THE PROPOSALS OF THE IRISH DELEGATES  
TO THE BRITISH REPRESENTATIVES

The conferences to which you invited us "with a view to ascertaining how the association of Ireland with the community of nations known as the British Empire may best be reconciled with Irish National Aspirations" have not up to the present produced a solution. You approach the problem without genuine realisation of these National Aspirations and in dealing with practical matters use descriptions which do not fit the objects. It is clear that if such an association is to be made possible the character and strength of Irish National aspirations must be realised, and that words and phrases must not obscure realities.

The nation is sacred and eternal to the mind and heart of the people of Ireland. Any attempt to dishonour or disrupt it is resented by the individual in Ireland with a more passionate intensity than he would resist attack upon himself. This fact, whatever view people of another nationality may hold of it, is the dominating fact of Ireland, and no statesmanship can therefore leave it out of account. If Irish national aspirations are to be reconciled with the British community of nations, British statesmanship must keep the fact constantly before its mind that Ireland is no colony or dependency but an ancient and spirited nation.

Misdescription may often be honest in intention, but in the grave circumstances in which both bodies of representatives meet it is essential that every effort should be made to use no phrase which covers an unreality. The proposals made by the British Government on July 20<sup>th</sup> were officially described as "Dominion Status"—"Full Dominion Status"—"Free and equal partnership with the Nations of the British Commonwealth," and so forth. In reply to our questions at the Conference we find your proposals to mean that Ireland shall not possess the essential rights and powers which all the Dominions possess. We are not to have the control and defence of our coasts as all the Dominions have, nor to be sole judges of our own fiscal policy as they are; we are to bear a financial responsibility for our Imperial debt which they do not bear. The claim of Ireland is not Dominion Status but, if it were, your proposals would not confer that status.

Let us come to the realities. We sincerely desire to live in peace and amity with your country. We are convinced that if the warfare

that has subsisted for seven centuries between two neighbouring nations can be ended, we shall have conferred a blessing on our respective peoples and have advanced the concord of mankind.

This can only be effected by a peace settlement which preserves the honour and interests of both countries. Your proposals, as they stand, give no basis for such a settlement. You desire to safeguard the security of your Empire. Ireland is resolved to achieve her freedom. With goodwill and good faith on both sides these purposes can undoubtedly be attained. We therefore offer you proposals for a Treaty which will ensure their realisation.

On the one hand Ireland will consent to adhere for all purposes of agreed common concern, to the League of Sovereign States associated and known as the British Commonwealth of Nations. On the other hand, Ireland calls upon Great Britain to renounce all claims to authority over Ireland and Irish affairs.

We propose that Ireland shall be recognised as a free State, that the British Commonwealth shall guarantee Ireland's freedom and integrity, and that the League of Nations and the United States of America shall be invited to join in that guarantee. Ireland, on her part, will bind herself to enter into no compact and to take no action nor permit any action to be taken inconsistent with the obligation of preserving her freedom and integrity. That position, far from imperilling any British interests would, on the contrary, be the best security for Great Britain as well as for Ireland. The Irish people attach supreme importance to the maintenance of their territory free from any right of occupation, which would lower their political status and jeopardise their national rights.

In the event of either the United States or the League of Nations declining to join in the intended guarantee, we propose that the question of our naval defence should be discussed and adjusted between the Imperial Conference and representatives of Ireland.

In order to strengthen the ties of friendship and mutual intercourse between Ireland and the Commonwealth, we propose that, without derogating from Ireland's complete autonomy in taxation or finance, but in order to obviate any danger to amity or goodwill between the two nations while at the same time providing for the free economic development of both and the protection of their industries, a Trade Convention with Great Britain based upon reciprocal obligations shall be signed coincidentally with the main Treaty, and we are also willing—

- (1) To conclude suitable Trade Conventions with the other States of the British Commonwealth.
- (2) To arrange all necessary facilities for commercial air communications; and

- (8) To make mutual agreements in regard to reciprocity of civic rights and all other matters of common interest such as domicile, income tax, death duties and stamp duties, posts, cables and wireless telegraphy, currency and coinage, trademarks, copyright and patents, immigration and emigration, merchant shipping, sea fisheries and quarantine.

One other matter remains, a matter domestic to ourselves but which British policy in Ireland has rendered an obstacle to peace and amity between the nations. Six counties of our country have been, so far as British legislation could achieve it, cut away from the remainder. No Irish representative in your legislature desired this partition; no Irish vote was cast for it. The responsibility for that unnatural and indefensible dismemberment rests with the British Government, but as the fact exists we propose to deal with it in the first instance by meeting the elected representatives of our countrymen in the area and forming an agreement with them safeguarding any lawful interests peculiar to the area. Should we fail to come to an agreement, and we are confident we shall not fail, then freedom of choice must be given to electorates within the area.

If these proposals of ours are accepted, we are prepared to have a Treaty based upon them executed immediately, and to sign it on behalf of the country we represent, which then can in the future become what your policy never permitted it to be in the past, your friend.

*24th October, 1921.*

## IRISH MEMORANDUM OF NOVEMBER 22ND, 1921

## NOTE

The following proposals are put forward upon the assumption that the essential unity of Ireland is maintained.

1. Legislative and Executive authority in Ireland shall be derived exclusively from the Elected Representatives of the Irish people.

2. Ireland agrees to be associated with the British Commonwealth for purposes of common concern and, in respect of those purposes, to recognise the Crown as the symbol and accepted head of the Association.

3. In matters of common concern, which are declared to include Peace and War and Defence, the rights and status of Ireland shall be in no respect less than those enjoyed by any of the component States of the British Commonwealth represented in the League of Nations. There shall be between Ireland and these States such concerted action, founded on consultation, as the several Governments may determine.

4. As an associated State, Ireland recognises the obligation of providing, as far as her resources permit, for her own defence by sea, land, and air, and of repelling by force any attempt to violate the integrity of her shores and territorial waters, and in the common interest of Ireland and the British Commonwealth undertakes that she will not by treaty or compact with any foreign nation impair her independence nor authorise nor permit any foreign nation to obtain any naval or military powers over her territory which may be inimical to the security of Great Britain.

5. Varying proposals have been put forward by the British Government on the subject of Naval Defence. The Irish Delegation now ask that the facilities required by the British Government should be precisely defined.

Any such proposals should provide for the assumption by Ireland of responsibility for her own coastal defence at the end of a period not exceeding five years.

6. We are agreed, in order to facilitate the general world movement towards the limitation of armaments, that the Defence Force to be maintained by the Irish Government shall bear the same proportion

to the military establishments maintained in Great Britain as the population of Ireland bears to the population of Great Britain.

7. An Arbitration Tribunal consisting of one or more persons shall be set up to effect a final financial adjustment between Great Britain and Ireland. It shall be the duty of the Tribunal to determine Ireland's liability, if any, for a proportion of the Public Debt and War Pensions of these islands as at the date of the signing of this Treaty, and to determine the total sum of this liability, if any, and to determine what total sum, if any, is due by Great Britain to Ireland in respect of all such pecuniary claims, whether liquidated or unliquidated, as shall be submitted to the Tribunal on behalf of Ireland. The Tribunal shall set off the respective total sums so determined one against the other, strike a final balance between them and issue their award accordingly. That award shall be final and binding upon both nations.

8. It is pointed out that the Memorandum submitted by the Irish Delegation on the 29th of October contained the following:

“ We are prepared to execute a Trade Convention which, while recognising the advantage to both countries of the fullest freedom of trade, transport and commerce, will not derogate from Ireland's complete fiscal autonomy.”

Paragraphs 8 and 9 of the Memorandum handed to us on the 16th November do not, in our opinion, constitute a reply to this proposition, but, on the contrary, do imply a derogation from Ireland's complete fiscal autonomy, and do in their implication mean that Ireland must inevitably fall into a position of economic subservience which cannot be accepted by Ireland. It is therefore requested that our previous statement should be met and it is suggested that:

- (a) An Agreement be reached as to the commodities that shall be dealt with on the basis of free trade, and
- (b) An understanding be reached that each Government is free to deal with all other commodities as seems suitable to its own requirements.

9. We are prepared to recommend that the Irish Government shall:

- (1) Conclude suitable trade conventions with the other States of the British Commonwealth.
- (2) Arrange all necessary facilities for Commercial air communications.



- (8) Make mutual agreements in regard to all such matters of common concern as domicile, income tax, death duties and stamp duties, posts, cables and wireless telegraphy, currency and coinage, trademarks, copyright and patents, immigration and emigration, merchant shipping, sea fisheries and quarantine.

10. In the event of the existing legislature of the North-East of Ireland accepting its position under the National Parliament, Ireland will confirm the legislature in its existing powers and will undertake to provide the safeguards designed to secure any special interests of the area over which it functions.

Having stated our willingness to provide such safeguards as will allay the fears of any section of the population of North-East Ulster, we now suggest that it is necessary at this stage to indicate precisely to us what safeguards are required so that every eventuality may be met and any conceivable misunderstanding avoided.

## BRITISH DRAFT OF DECEMBER 1ST, 1921

The following document is the Draft of the Treaty delivered by the British to the Irish Delegates on December 1st, brought to Ireland by them on Friday night, December 2nd, and discussed at Cabinet meetings in Dublin, on December 3rd:

*Secret.*

### CONFERENCE ON IRELAND

#### PROPOSED ARTICLES OF AGREEMENT

1. Ireland shall have the same national status in the Community of Nations known as the British Empire as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, with a Parliament having powers to make laws for the peace, order and good government of Ireland and an Executive responsible to that Parliament, and shall be styled and known as the Irish Free State.

2. Subject to the provisions hereinafter set out, the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be assimilated to that of the Dominion of Canada, and the law and practice governing the exercise in relation to the Dominion of Canada of the powers of the Crown or the representative of the Crown and of the Imperial Parliament shall govern the exercise of those powers in relation to the Irish Free State.

3. The representative of the Crown in Ireland shall be a Governor-General appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments.

4. The oath to be taken by members of the Parliament of the Irish Free State shall be in the following form:

I . . . . . solemnly swear to bear true faith and allegiance to the Constitution of the Irish Free State; to the Community of Nations known as the British Empire; and to the King as the Head of the State and of the Empire.

5. The Irish Free State shall contribute towards the service of the Public Debt of the United Kingdom as existing at the date hereof and towards the payment of war pensions as existing at that date such sums as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off, the amount of such sums being determined in default of agreement by the arbitration

of one or more independent persons being citizens of the British Empire.

6. Until an arrangement has been made between the British and Irish Governments whereby the Irish Free State undertakes her own coastal defence, the defence by sea of the British Islands, including Ireland, shall be undertaken exclusively by His Majesty's Imperial Forces.

7. The Government of the Irish Free State shall afford to His Majesty's Imperial Forces:

- (a) In times of peace such harbour and other facilities as are indicated in the Annex hereto, or such other facilities as may from time to time be agreed between the British Government and the Government of the Irish Free State, and
- (b) In times of war or of strained relations with a foreign Power such harbour and other facilities as the British Government may require for the purpose of such defence as aforesaid.

8. If the Government of the Irish Free State establishes and maintains a local military defence force, the establishments thereof shall not exceed in size such proportion of the military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

9. The Government of the Irish Free State agrees to afford such facilities as the British Government may require for maintaining and developing the means of defence and communication by air.

10. No protective customs duties shall be imposed in Great Britain on Irish goods nor in Ireland on British goods, but this provision shall not be construed as preventing the imposition of customs duties designed to prevent dumping or other unfair competition.

11. Neither Great Britain nor the Irish Free State shall impose restrictions for protective purposes upon the flow of transport, trade and commerce between Great Britain and Ireland.

12. The Government of the Irish Free State agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920 to judges, officials, members of Police forces and other public servants who are discharged by it or who retire in consequence of the change of Government effected in pursuance hereof.

13. During the period of transition, that is to say a period of 12 months after the date hereof, or such shorter period as His Majesty in Council in pursuance of a resolution passed by both Houses of Parliament of Northern Ireland may by Order fix, the powers of the Parliament and Government of the Irish Free State shall not be exercisable as respects Northern Ireland, and the provisions of the Government of Ireland Act, 1920 (including those relating to the

Council of Ireland) shall, so far as they relate to Northern Ireland, remain in full force and effect, and no elections shall be held for the return of members to serve in the Parliament of the Irish Free State for constituencies in Northern Ireland, unless a resolution is passed by both Houses of the Parliament of Northern Ireland in favour of the holding of such elections before the end of the period of transition.

14. If after the expiration of six months and before the expiration of twelve months from the date hereof an address is presented to His Majesty by both Houses of the Parliament of Northern Ireland to that effect, the powers of the Parliament and Government of the Irish Free State shall no longer extend to Northern Ireland and the provisions of the Government of Ireland Act, 1920 (including those relating to the Council of Ireland) shall, so far as they relate to Northern Ireland, continue to be of full force and effect, and this instrument shall have effect subject to the necessary modifications.

Provided that if such an address is so presented a Commission shall be appointed by the British Government to determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions, the boundaries between Northern Ireland and the rest of Ireland, and for the purposes of the Government of Ireland Act, 1920, and of this instrument, the boundary of Northern Ireland shall be such as may be determined by such Commission.

15. For the purposes of the last two foregoing articles the powers of the Parliament of Southern Ireland under the Government of Ireland Act, 1920, to elect members of the Council of Ireland shall after the Parliament of the Irish Free State is constituted be exercised by that Parliament.

16. After the expiration of the period of transition, if no such address as is mentioned in Article 14 hereof is presented, the Parliament and Government of Northern Ireland shall continue to exercise as respects Northern Ireland the powers conferred on them by the Government of Ireland Act, 1920, but the Parliament and Government of the Irish Free State shall in Northern Ireland have in relation to matters in respect of which the Parliament of Northern Ireland has not power to make laws under that Act (including matters which under the said Act are within the jurisdiction of the Council of Ireland) the same powers as in the rest of Ireland, subject however to the following provisions:

- (a) The Government of Northern Ireland shall exercise the powers of patronage with respect to offices in the public services administered by the Government of the Irish Free State (including judicial offices) the functions of which are discharged either wholly or mainly in Northern Ireland.

- (b) The Government of Northern Ireland shall be charged with the duty of collecting all taxes leviable in Northern Ireland.
- (c) No export duties shall without the consent of the Parliament of Northern Ireland be imposed on any manufactures of Northern Ireland.
- (d) No import duties shall without the consent of the Parliament of Northern Ireland be imposed on goods used as raw material for manufactures in Northern Ireland.
- (e) The organisation and control of any part of the local military defence force which is raised or stationed in Northern Ireland shall be in the hands of the Government of Northern Ireland, but such force shall not exceed a number fairly proportioned to the population of Northern Ireland in comparison with the population of the rest of Ireland.

17. By way of provisional arrangement for the administration of Southern Ireland during the interval which must elapse between the date hereof and the constitution of a Parliament and Government of the Irish Free State in accordance therewith, steps shall be taken forthwith for summoning a meeting of members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a provisional Government, and the British Government shall take the steps necessary to transfer to such provisional Government the powers and machinery requisite for the discharge of its duties, provided that every member of such provisional Government shall have signified in writing the acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the date hereof.

18. This instrument shall be submitted forthwith by His Majesty's Government for the approval of Parliament and by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland, and if approved shall be embodied in the necessary legislation.

#### ANNEX

1. The following are the specific facilities required:

##### *Dockyard Port at Berehaven*

- (a) Admiralty property and rights to be retained as at the date hereof. Harbour defences to remain under British control.

##### *Queenstown*

- (b) Harbour defences to remain under British control. Certain mooring buoys to be retained for use of H.M. Ships.

*Belfast Lough*

- (c) Harbour defences to remain under British control.

*Lough Swilly*

- (d) Harbour defences to remain under British control.

*Oil Fuel Storage*

- |                               |   |   |
|-------------------------------|---|---|
| (e) Haulbowline<br>Rathmullen | } | To be offered for sale to commercial companies under guarantee that purchasers shall maintain certain minimum stock for Admiralty purposes. |
|-------------------------------|---|---|

2. A Convention shall be made between the British Government and the Government of the Irish Free State to give effect to the following conditions:

- (a) That submarine cables shall not be landed or wireless stations for communication with places outside Ireland be established except by agreement with the British Government; that the existing cable landing rights and wireless concessions shall not be withdrawn except by agreement with the British Government; and that the British Government shall be entitled to land additional submarine cables or establish additional wireless stations for communication with places outside Ireland.
- (b) That lighthouses, buoys, beacons, and any navigational marks or navigational aids shall be maintained by the Government of the Irish Free State as at the date hereof and shall not be removed or added to except by agreement with the British Government.
- (c) That war signal stations shall be closed down and left in charge of care and maintenance parties, the Government of the Irish Free State being offered the option of taking them over and working them for commercial purposes subject to Admiralty inspection, and guaranteeing the upkeep of existing telegraphic communication therewith.

**AMENDMENTS PROPOSED BY IRISH DELEGATES,  
DECEMBER 4TH, 1921**

These are the Counter-proposals drafted by Barton, Gavan Duffy and Childers, as altered at the instance of Griffith and Collins, and presented at Downing Street on December 4th, 1921.

1. The Legislative, executive, and judicial authority of Ireland shall be derived exclusively from the Elected Representatives of the Irish people.

2. Ireland will agree to be associated with the British Commonwealth for all purposes of common concern, including defence, peace and war, and political treaties, and to recognise the British Crown as Head of the Association.

3. As a token of that recognition, the Irish legislature will vote an annual contribution to the King's personal revenue.

4. In matters of common concern, the rights and status of Ireland shall be in no respect less than those enjoyed by any of the component States of the British Commonwealth represented in the League of Nations. There shall be between Ireland and these States such concerted action, founded on consultation, as the several Governments may determine.

5. The Oath to be taken by members of the Irish Parliament shall be in the following form :

I do swear to bear true faith and allegiance to the Constitution of Ireland and to the Treaty of Association of Ireland with the British Commonwealth of Nations, and to recognise the King of Great Britain as Head of the Associated States.

6. Ireland shall assume liability for such a portion, if any, of the Public Debt of Great Britain and Ireland existing at the date hereof and of the war pensions existing at that date as may be fair and equitable, having regard to any just claims, if any, on the part of Ireland by way of set-off or counter-claim, the amount of such sums being determined in default of agreement by the arbitration of one or more independent persons being citizens of the British Empire.

7. (1) As an Associated State, Ireland recognises the obligation of providing for her own defence by sea, land, and air, and of repelling by force any attempt to violate the integrity of her shores and territorial waters.

(2) For five years, pending the establishment of Irish Coastal Defence forces, facilities for the coastal defence of Ireland shall be afforded to the British Government as follows :

- (a) In time of peace such Harbour and other facilities as are indicated in the Annex A hereto, or such other facilities as may from time to time be agreed between the British Government and the Government of the Irish Free State.
- (b) In time of war such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.

8. With a view to securing the observance of the principle of international limitation of armaments, if the Government of the Irish Free State establishes and maintains a local military defence force, the establishment thereof shall not exceed in size such proportion of the military establishment maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

9. No protective customs duties shall be imposed in Great Britain on Irish goods nor in Ireland on British goods, but this provision shall not be construed as preventing the imposition of customs duties designed against dumping or other unfair competition nor as preventing the Irish Government from taking measures for the encouragement of infant industries and for the economic development of Ireland.

10. A Convention shall be made between the British and Irish Governments for the regulation of civil communication by air.

11. The Government of Ireland agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920 to Judges, officials, members of Police Forces, and other public servants who are discharged by it or who retire in consequence of the change of Government effected in pursuance hereof.

Provided that this agreement shall not apply to members of the Auxiliary Police Force or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof.

The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.



**ARTICLES OF AGREEMENT AS SIGNED**

on December 6th, 1921

1. Ireland shall have the same constitutional status in the Community of Nations known as the British Empire as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, with a Parliament having powers to make laws for the peace, order and good government of Ireland and an Executive responsible to that Parliament, and shall be styled and known as the Irish Free State.

2. Subject to the provisions hereinafter set out the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada, and the law, practice and constitutional usage governing the relationship of the Crown or the representative of the Crown and of the Imperial Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State.

3. The representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments.

4. The oath to be taken by Members of the Parliament of the Irish Free State shall be in the following form:

I. . . . .do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V, his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.

5. The Irish Free State shall assume liability for the service of the Public Debt of the United Kingdom as existing at the date hereof and towards the payment of war pensions as existing at that date in such proportion as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off or counter-claim, the amount of such sums being determined in default of agreement by the arbitration of one or more independent persons being citizens of the British Empire.

6. Until an arrangement has been made between the British and Irish Governments whereby the Irish Free State undertakes her own coastal defence, the defence by sea of Great Britain and Ireland shall be undertaken by His Majesty's Imperial Forces. But this shall not prevent the construction or maintenance by the Government of the

Irish Free State of such vessels as are necessary for the protection of the Revenue or the Fisheries.

The foregoing provisions of this Article shall be reviewed at a Conference of Representatives of the British and Irish Governments to be held at the expiration of five years from the date hereof with a view to the undertaking by Ireland of a share in her own coastal defence.

7. The Government of the Irish Free State shall afford to His Majesty's Imperial Forces:

- (a) In time of peace such harbour and other facilities as are indicated in the Annex hereto, or such other facilities as may from time to time be agreed between the British Government and the Government of the Irish Free State; and
- (b) In time of war or of strained relations with a Foreign Power such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.

8. With a view to securing the observance of the principle of international limitation of armaments, if the Government of the Irish Free State establishes and maintains a military defence force, the establishments thereof shall not exceed in size such proportion of the military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

9. The ports of Great Britain and the Irish Free State shall be freely open to the ships of the other country on payment of the customary port and other dues.

10. The Government of the Irish Free State agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920 to judges, officials, members of Police Forces and other Public Servants who are discharged by it or who retire in consequence of the change of Government effected in pursuance hereof.

Provided that this agreement shall not apply to members of the Auxiliary Police Force or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof. The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.

11. Until the expiration of one month from the passing of the Act of Parliament for the ratification of this instrument, the powers of the Parliament and the Government of the Irish Free State shall not be exercisable as respects Northern Ireland and the provisions of the Government of Ireland Act, 1920, shall so far as they relate to Northern Ireland remain of full force and effect, and no election shall

be held for the return of members to serve in the Parliament of the Irish Free State for constituencies in Northern Ireland, unless a resolution is passed by both Houses of the Parliament of Northern Ireland in favour of the holding of such election before the end of the said month.

12. If before the expiration of the said month, an address is presented to His Majesty by both Houses of the Parliament of Northern Ireland to that effect, the powers of the Parliament and Government of the Irish Free State shall no longer extend to Northern Ireland, and the provisions of the Government of Ireland Act, 1920 (including those relating to the Council of Ireland) shall, so far as they relate to Northern Ireland, continue to be of full force and effect, and this instrument shall have effect subject to the necessary modifications.

Provided that if such an address is so presented a Commission consisting of three persons, one to be appointed by the Government of the Irish Free State, one to be appointed by the Government of Northern Ireland and one who shall be Chairman to be appointed by the British Government shall determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions, the boundaries between Northern Ireland and the rest of Ireland, and for the purposes of the Government of Ireland Act, 1920, and of this instrument, the boundary of Northern Ireland shall be such as may be determined by such Commission.

13. For the purpose of the last foregoing article, the powers of the Parliament of Southern Ireland under the Government of Ireland Act, 1920, to elect members of the Council of Ireland shall after the Parliament of the Irish Free State is constituted be exercised by that Parliament.

14. After the expiration of the said month, if no such address as is mentioned in Article 12 hereof is presented, the Parliament and Government of Northern Ireland shall continue to exercise as respects Northern Ireland the powers conferred on them by the Government of Ireland Act, 1920, but the Parliament and Government of the Irish Free State shall in Northern Ireland have in relation to matters in respect of which the Parliament of Northern Ireland has not power to make laws under that Act (including matters which under the said Act are within the jurisdiction of the Council of Ireland) the same powers as in the rest of Ireland, subject to such other provisions as may be agreed in manner hereinafter appearing.

15. At any time after the date hereof the Government of Northern Ireland and the provisional Government of Southern Ireland hereinafter constituted may meet for the purpose of discussing the provisions subject to which the last foregoing article is to operate in the event of

no such address as is therein mentioned being presented and those provisions may include:

- (a) Safeguards with regard to patronage in Northern Ireland:
- (b) Safeguards with regard to the collection of revenue in Northern Ireland:
- (c) Safeguards with regard to import and export duties affecting the trade or industry of Northern Ireland:
- (d) Safeguards for minorities in Northern Ireland:
- (e) The settlement of the financial relations between Northern Ireland and the Irish Free State:
- (f) The establishment and powers of a local militia in Northern Ireland and the relation of the Defence Forces of the Irish Free State and of Northern Ireland respectively:

and if at any such meeting provisions are agreed to, the same shall have effect as if they were included amongst the provisions subject to which the Powers of the Parliament and Government of the Irish Free State are to be exercisable in Northern Ireland under Article 14 hereof.

16. Neither the Parliament of the Irish Free State nor the Parliament of Northern Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof or give any preference or impose any disability on account of religious belief or religious status or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school or make any discrimination as respects state aid between schools under the management of different religious denominations or divert from any religious denomination or any educational institution any of its property except for public utility purposes and on payment of compensation.

17. By way of provisional arrangement for the administration of Southern Ireland during the interval which must elapse between the date hereof and the constitution of a Parliament and Government of the Irish Free State in accordance therewith, steps shall be taken forthwith for summoning a meeting of members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a provisional Government, and the British Government shall take the steps necessary to transfer to such provisional Government the powers and machinery requisite for the discharge of its duties, provided that every member of such provisional Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not

continue in force beyond the expiration of twelve months from the date hereof.

18. This instrument shall be submitted forthwith by His Majesty's Government for the approval of Parliament and by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland, and if approved shall be ratified by the necessary legislation.

On behalf of the British  
Delegation.

*Signed*

D. LLOYD GEORGE.  
AUSTEN CHAMBERLAIN.  
BIRKENHEAD.  
WINSTON S. CHURCHILL.  
L. WORTHINGTON-EVANS.  
HAMAR GREENWOOD.  
GORDON HEWART.

On behalf of the Irish  
Delegation.

*Signed*

ART O GRIOBHITHA (ARTHUR GRIFFITH).  
MICHAEL O COILEAIN.  
RIOBARD BARTUN.  
EUDHMANN S. O DUGAIN.  
SEORSA GABHAIN UÍ DHIUBHITHAIGH.

*December 6th, 1921.*

#### ANNEX

1. The following are the specific facilities required.

##### *Dockyard Port at Berehaven*

(a) Admiralty property and rights to be retained as at the date hereof. Harbour defences to remain in charge of British care and maintenance parties.

##### *Queenstown*

(b) Harbour defences to remain in charge of British care and maintenance parties. Certain mooring buoys to be retained for use of His Majesty's ships.

##### *Belfast Lough*

(c) Harbour defences to remain in charge of British care and maintenance parties.

##### *Lough Swilly*

(d) Harbour defences to remain in charge of British care and maintenance parties.

##### *Aviation*

(e) Facilities in the neighbourhood of the above Ports for coastal defence by air.

*Oil Fuel Storage*

- (f) Haulbowline Rathmullen { To be offered for sale to commercial companies under guarantee that purchasers shall maintain a certain minimum stock for Admiralty purposes.

2. A Convention shall be made between the British Government and the Government of the Irish Free State to give effect to the following conditions:

- (a) That submarine cables shall not be landed or wireless stations for communication with places outside Ireland be established except by agreement with the British Government; that the existing cable landing rights and wireless concessions shall not be withdrawn except by agreement with the British Government; and that the British Government shall be entitled to land additional submarine cables or establish additional wireless stations for communication with places outside Ireland.
- (b) That lighthouses, buoys, beacons, and any navigational marks or navigational aids shall be maintained by the Government of the Irish Free State as at the date hereof and shall not be removed or added to except by agreement with the British Government.
- (c) That war signal stations shall be closed down and left in charge of care and maintainance parties, the Government of the Irish Free State being offered the option of taking them over and working them for commercial purposes subject to Admiralty inspection, and guaranteeing the upkeep of existing telegraphic communication therewith.

3. A Convention shall be made between the same Governments for the regulation of Civil Communication by Air.

D. L. G. B.

A. C. W. S. C.

E. S. O'D.

S. G. D.

A. G.

M. C.

R. B.

“ DOCUMENT NUMBER TWO ”

The following is the Counter-proposal drafted by President de Valéra as an Amendment to the motion for Approval of the Articles of Agreement. He intended to move the Amendment on January 4th, 1922.

“ That inasmuch as the ‘ Articles of Agreement for a treaty between Great Britain and Ireland,’ signed in London on December 6th, 1921, do not reconcile Irish National aspirations and the Association of Ireland with the Community of Nations known as the British Commonwealth, and cannot be the basis of an enduring peace between the Irish and the British peoples, DAIL EIREANN, in the name of the Sovereign Irish Nation, makes to the Government of Great Britain, to the Government of the other States of the British Commonwealth, and to the peoples of Great Britain and of these several States, the following Proposal for a Treaty of Amity and Association which, DAIL EIREANN is convinced, could be entered into by the Irish people with the sincerity of goodwill ” :

*Proposed Treaty of Association Between  
Ireland and the British Commonwealth*

In order to bring to an end the long and ruinous conflict between Great Britain and Ireland by a sure and lasting peace honourable to both nations, it is agreed

*Status of Ireland*

1. *That the legislative, executive, and judicial authority of Ireland shall be derived solely from the people of Ireland.*

*Terms of Association*

2. That, for purposes of common concern, Ireland shall be associated with the States of the British Commonwealth, viz:—The Kingdom of Great Britain, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa.

3. That when acting as an associate the rights, status, and privileges of Ireland shall be in no respect less than those enjoyed by any of the component States of the British Commonwealth.

4. That the matters of “ common concern ” shall include Defence, Peace and War, Political Treaties, and all matters now treated as of common concern amongst the States of the British Commonwealth, and that in these matters there shall be between Ireland and the

States of the British Commonwealth "such concerted action founded on consultation as the several Governments may determine."

5. That in virtue of this association of Ireland with the States of the British Commonwealth, citizens of Ireland in any of these States shall not be subject to any disabilities which a citizen of one of the component States of the British Commonwealth would not be subject to, and reciprocally for citizens of these States in Ireland.

6. That, for purposes of the Association, Ireland shall recognise His Britannic Majesty as head of the Association.

### *Defence*

7. That, so far as her resources permit, Ireland shall provide for her own defence by sea, land and air, and shall repel by force any attempt by a foreign Power to violate the integrity of her soil and territorial waters, or to use them for any purpose hostile to Great Britain and the other associated States.

8. That for five years, pending the establishment of Irish coastal defence forces, or for such other period as the Governments of the two countries may later agree upon, facilities for the coastal defence of Ireland shall be given to the British Government as follows:—

- (a) In time of peace such harbour and other facilities as are indicated in the Annex hereto, or such other facilities as may from time to time be agreed upon between the British Government and the Government of Ireland;
- (b) In time of war such harbour and other naval facilities as the British Government may reasonably require for the purposes of such defence as aforesaid.

9. That within five years from the date of exchange of ratifications of this Treaty a Conference between the British and Irish Governments shall be held in order to hand over the coastal defence of Ireland to the Irish Government, unless some other arrangement for naval defence be agreed by both Governments to be desirable in the common interest of Ireland, Great Britain, and the other Associated States.

10. That, in order to co-operate in furthering the principle of international limitation of armaments, the Government of Ireland shall not

- (a) Build submarines unless by agreement with Great Britain and the other States of the Commonwealth;
- (b) Maintain a military defence force, the establishments whereof exceed in size such proportion of the military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.



*Miscellaneous*

11. That the Governments of Great Britain and of Ireland shall make a convention for the regulation of civil communication by air.

12. That the ports of Great Britain and of Ireland shall be freely open to the ships of each country on payment of the customary port and other dues.

13. That Ireland shall assume liability for such share of the present public debt of Great Britain and Ireland, and of payment of war pensions as existing at this date as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off or counter-claim, the amount of such sums being determined in default of agreement, by the arbitration of one or more independent persons, being citizens of Ireland or of the British Commonwealth.

14. That the Government of Ireland agrees to pay compensation on terms not less favourable than those proposed by the British Government of Ireland Act of 1920 to that Government's judges, officials, members of Police Forces and other Public Servants who are discharged by the Government of Ireland, or who retire in consequence of the change of government elected in pursuance hereof:

Provided that this agreement shall not apply to members of the Auxiliary Police Force, or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof. The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.

15. That neither the Parliament of Ireland nor any subordinate Legislature in Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof, or give any preference or impose any disability on account of religious belief or religious status, or affect prejudicially the right of any child to attend a school receiving public money without attending a religious instruction at the school, or make any discrimination as respects State aid between schools under the management of different religious denominations, or divert from any religious denomination or any educational institution any of its property except for public utility purposes and on payment of compensation.

*Transitional*

16. That by way of transitional arrangement for the Administration of Ireland during the interval which must elapse between the date hereof and the setting up of a Parliament and Government of Ireland in accordance herewith, the members elected for constituencies in Ireland since the passing of the British Government of Ireland Act in 1920 shall, at a meeting summoned for the purpose,

elect a transitional Government to which the British Government and Dail Eireann shall transfer the authority, powers, and machinery requisite for the discharge of its duties, provided that every member of such transition Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the date hereof.

*Ratification*

17. That this instrument shall be submitted for ratification forthwith by His Britannic Majesty's Government to the Parliament at Westminster, and by the Cabinet of Dail Eireann to a meeting of the members elected for the constituencies in Ireland set forth in the British Government of Ireland Act, 1920, and when ratifications have been exchanged shall take immediate effect.

ANNEX

1. The following are the specific facilities referred to in Article 8 (a):

*Dockyard Port at Berehaven*

(a) British Admiralty property and rights to be retained as at the date hereof. Harbour defences to remain in charge of British care and maintenance parties.

*Queenstown*

(b) Harbour defences to remain in charge of British care and maintenance parties. Certain mooring buoys to be retained for use of His Britannic Majesty's ships.

*Belfast Lough*

(c) Harbour defences to remain in charge of British care and maintenance parties.

*Lough Swilly*

(d) Harbour defences to remain in charge of British care and maintenance parties.

*Aviation*

(e) Facilities in the neighbourhood of the above Ports for coastal defence by air.

*Oil Fuel Storage*

(f) Haulbowline and Rathmullen { To be offered for sale to commercial companies under guarantee that purchasers shall maintain a certain minimum stock for British Admiralty purposes.

2. A Convention covering a period of five years shall be made between the British and Irish Governments to give effect to the following conditions:

- (a) That submarine cables shall not be landed or wireless stations for communications with places outside Ireland be established except by agreement with the British Government; that the existing cable landing rights and wireless concessions shall not be withdrawn except by agreement with the British Government; and that the British Government shall be entitled to land additional submarine cables or establish additional wireless stations for communication with places outside Ireland.
- (b) That lighthouses, buoys, beacons, and any navigational marks or navigational aids shall be maintained by the Government of Ireland as at the date hereof and shall not be removed or added to except by agreement with the British Government.
- (c) That war signal stations shall be closed down and left in charge of care and maintenance parties, the Government of Ireland being offered the option of taking them over and working them for commercial purposes subject to British Admiralty inspection and guaranteeing the upkeep of existing telegraphic communication therewith.

(The following addendum concerning N.E. Ulster was to be proposed as a separate resolution by the President.)

#### ADDENDUM NORTH-EAST ULSTER

*Resolved:*

That, whilst refusing to admit the right of any part of Ireland to be excluded from the supreme authority of the Parliament of Ireland, or that the relations between the Parliament of Ireland and any subordinate Legislature in Ireland can be a matter for treaty with a government outside Ireland, nevertheless, in sincere regard for internal peace, and in order to make manifest our desire not to bring force or coercion to bear upon any substantial part of the Province of Ulster, whose inhabitants may now be unwilling to accept the national authority, we are prepared to grant to that portion of Ulster which is defined as Northern Ireland in the British Government of Ireland Act of 1920, privileges and safeguards not less substantial than those provided for in the Articles of Agreement for a Treaty between Great Britain and Ireland signed in London on December 6th, 1921.

## THE IRISH ARMY COMMANDS IN MARCH 1922

<i>1st Northern Division</i>	Donegal—Four Brigades. Commandant Joseph Sweeney	pro-Treaty
<i>2nd Northern Division</i>	Tyrone and Derry—Four Brigades. Commandant Charles Daly	anti-Treaty
<i>3rd Northern Division</i>	Belfast, Antrim and Nth. Down— Three Brigades. Commandant Joseph McKelvey	anti-Treaty
<i>4th Northern Division</i>	Armagh, West and South Down and North Lough—Three Brigades. Commandant Frank Aiken	non-partisan, afterwards anti-Treaty
<i>5th Northern Division</i>	Monaghan, East Cavan and South Fermanagh. Commandant Dan Hogan	pro-Treaty
<i>1st Eastern Division</i>	Meath, Westmeath and Kildare— Nine Brigades. Commandant Sean Boylan	pro-Treaty
<i>Dublin No. 1 Brigade</i> (Independent)	Commandant Oscar Traynor	anti-Treaty
<i>South Dublin Brigade</i> (Independent)	Commandant Andrew MacDonnell	anti-Treaty
<i>North Wexford Brigade</i>	North Wexford and South Wicklow. Commandant Joseph Cummin	pro-Treaty
<i>South Wexford Brigade</i>	Commandant Thomas O'Sullivan	anti-Treaty
<i>Carlow Brigade</i>	Commandant Liam Stack	pro-Treaty
<i>Midland Division</i>	Longford, Leitrim and Fermanagh. Commandant Sean McKeon	pro-Treaty
<i>First Western Division</i>	Clare and South Galway. Commandant Michael Brennan	pro-Treaty

## THE IRISH REPUBLIC

<i>Second Western Division</i>	South Roscommon, South and East Mayo, North Galway. Commandant Thomas Maguire	anti-Treaty
<i>Third Western Division</i>	North Roscommon, Sligo, part of Mayo. Commandant Liam Pilkington	anti-Treaty
<i>Fourth Western Division</i>	North and West Mayo, parts of Sligo and Galway. Commandant Michael Kilroy	anti-Treaty
<i>First Southern Division</i>	Cork, Kerry and Waterford and West Limerick—Ten Brigades. Commandant Liam Lynch	anti-Treaty
<i>Second Southern Division</i>	Kilkenny, Limerick and part of Tipperary—Five Brigades. Commandant Earnan O'Malley	anti-Treaty
<i>Third Southern Division</i>	Leix, Offaly and part of Tipperary—Five Brigades. Commandant Michael McCormick	pro-Treaty

## CRAIG-COLLINS AGREEMENT

Agreement signed by Collins, Kevin O'Higgins, Craig, Churchill and others on March 30th, 1922.

### IRELAND

Heads of agreement between the Provisional Government and Government of Northern Ireland:

- (1) Peace is to-day declared.
- (2) From to-day the two Governments undertake to co-operate in every way in their power with a view to the restoration of peaceful conditions in the unsettled areas.
- (3) The police in Belfast to be organised in general in accordance with the following conditions:

- (1) Special police in mixed districts to be composed half of Catholics and half of Protestants, special arrangements to be made where Catholics or Protestants are living in other districts. All specials not required for this force to be withdrawn to their homes and their arms handed in.
- (2) An Advisory Committee, composed of Catholics, to be set up to assist in the selection of Catholic recruits for the Special police.
- (3) All police on duty, except the usual secret service, to be in uniform and officially numbered.
- (4) All arms and ammunition issued to police to be deposited in barracks in charge of a military or other competent officer when the policeman is not on duty, and an official record to be kept of all arms issued, and of all ammunition issued and used.
- (5) Any search for arms to be carried out by police forces composed half of Catholics and half of Protestants, the military rendering any necessary assistance.

(4) A Court to be constituted for the trial without jury of persons charged with serious crime, the Court to consist of the Lord Chief Justice and one of the Lords Justices of Appeal of Northern Ireland. Any person committed for trial for a serious crime to be tried by that court:

- (a) if he so requests, or
- (b) if the Attorney-General for Northern Ireland so directs.

Serious crime should be taken to mean any offence punishable with death, penal servitude, or imprisonment for a term exceeding six months. The Government of Northern Ireland will take steps for passing the legislation necessary to give effect to this Article.

(5) A Committee to be set up in Belfast of equal numbers Catholic and Protestant with an independent Chairman, preferably Catholic and Protestant alternately in successive weeks, to hear and investigate complaints as to intimidation, outrages, etc., such Committee to have direct access to the heads of the Government. The local Press to be approached with a view to inserting only such reports of disturbances, etc., as shall have been considered and communicated by this committee.

(6) I.R.A. activity to cease in the Six Counties, and thereupon the method of organising the special police in the Six Counties outside Belfast shall proceed as speedily as possible upon lines similar to those agreed to for Belfast.

(7) During the month immediately following the passing into law of the Bill confirming the constitution of the Free State (being the month within which the Northern Parliament is to exercise its option) and before any address in accordance with Article 12 of the Treaty is presented, there shall be a further meeting between the signatories to this agreement with a view to ascertaining:

- (a) Whether means can be devised to secure the unity of Ireland.
- (b) Failing this, whether agreement can be arrived at on the boundary question otherwise than by recourse to the Boundary Commission outlined in Article 12 of the Treaty.

(8) The return to their homes of persons who have been expelled to be secured by the respective Governments, the advice of the Committee mentioned in Article 5 to be sought in cases of difficulty.

(9) In view of the special conditions consequent on the political situation in Belfast and neighbourhood, the British Government will submit to Parliament a vote not exceeding £500,000 for the Ministry of Labour of Northern Ireland to be expended exclusively on relief work, one-third for the benefit of Roman Catholics and two-thirds for the benefit of Protestants. The Northern signatories agree to use every effort to secure the restoration of the expelled workers, and wherever this proves impracticable at the moment, owing to trade depression, they will be afforded employment on the relief works referred to in this Article so far as the one-third limit will allow. Protestant ex-service men to be given first preference in respect to the two-thirds of the said fund.

(10) The two Governments shall in cases agreed upon between the signatories arrange for the release of political prisoners in prison

for offences before the date hereof. No offences committed after March 31st, 1922, shall be open to consideration.

(11) the two Governments unite in appealing to all concerned to refrain from inflammatory speeches and to exercise restraint in the interests of peace.

*Signed on behalf of the* PROVISIONAL GOVERNMENT:

MICHAEL O COILEAIN, E. S. O DUGAIN, CAOIMHGIN O HUIGIN,  
ART O GRIOBHTHA.

*Signed on behalf of the* GOVERNMENT OF NORTHERN IRELAND:

JAMES CRAIG, LONDONDERRY, E. M. ARCHDALE.

*Countersigned on behalf of the* BRITISH GOVERNMENT:

WINSTON S. CHURCHILL, L. WORTINGTON-EVANS.



## IRISH LABOUR PARTY'S PEACE PROPOSALS

The suggested agreement between the Pro-Treaty and Anti-Treaty Parties put forward by the Irish Labour Party at the Mansion House Conference, April 1922.

It is agreed:

1. That all the legislative, executive, and judicial authority is and shall be derived solely from the Irish people.
2. That Dail Eircann is the supreme governing authority in Ireland.
3. That the Dail should call into Council representatives of local authorities and economic organisations from all parts of the country.
4. That the joint body should act as a Constituent Assembly to prepare a Constitution for submission to the electorate.
5. The Dail to appoint a Council of State or Ministry, not all of whom need be Ministers of Departments or members of the Dail.
6. The Council of State or Ministry to act as the Government, and be responsible to the Dail.
7. Authority to be delegated by the Dail to the Provisional Government as a Committee for the purpose of facilitating the transfer of the administrative machinery.
8. The activities of the I.R.A. to be confined to preparation for National defence. No armed parades except by authority from the Council of State.
9. The I.R.A. to be united under common command, and to be responsible to the Civil Authority or the Council of State.
10. A Civil Police Force to be established, and to be under the control of the local Civil Authorities.

## ELECTION POSTER, 1922

The following is a copy of one of the election posters issued by the pro-Treaty Party before the Pact Election of 1922.

You can get the Republic for all Ireland through the safe and sure method of the Treaty or you can try another round through the alphabet of miseries.

A	.....	Auxiliaries.
B	.....	Black and Tans.
C	.....	Commandering.
D	.....	Deaths.
E	.....	Executions.
F	.....	Fatalities.
G	.....	Gallows.
H	.....	Hangings.
I	.....	Internments.
J	.....	Jails.
K	.....	Knoutings.
L	.....	Licence.
M	.....	Murders.
N	.....	Nerve Strain.
O	.....	Oppression.
P	.....	Persecution.
Q	.....	Questionings.
R	.....	Raids.
S	.....	Spies.
T	.....	Threats.
U	.....	Usurpation.
V	.....	Vandalism.
W	.....	Wails.
X.Y.Z.	.....	The final horrors which words cannot describe.

To get (perhaps) Document No. 2.

## LETTER FROM RORY O'CONNOR

Sent out from Mountjoy Prison, Dublin, August 1922.

The lies and hypocrisy of the Free State leaders are astounding, especially to those of us who took part in the Army negotiations for unity and who know the whole inner history of those negotiations.

We were never requested to evacuate the Four Courts. On the contrary, at one meeting of the Coalition Army Council, at which Mulcahy, O'Duffy, Mellowes, Lynch and myself were present, we were only asked to evacuate the Ballast Office, the Kildare St. Club, the Masonic Hall, and Lever Bros.

At that stage we actually discussed co-ordinated military action against N.E. Ulster and had agreed on an officer who would command both Republican and Free State troops in that area. We were also to send from the South some hundreds of our rifles for use in that area. The reason given was that it would never do if rifles which had been handed to the "Government" for use against the Republic, and which of course, could be identified, were found in use against Craig. An exchange of rifles was effected. It should be remembered that at this time the "Government" was publicly declaring that it was the mutineer section of the Army that was fighting the Ulster people.

At this meeting I have referred to, someone suggested the evacuation of the Four Courts, and Mulcahy laughingly said that as long as we held the place the war against N.E. Ulster would be attributed to us. We, of course, had no objection. From this you will see the real reason why we were not asked to evacuate the Four Courts.

**PRO-TREATY ARMY PROCLAMATION, 1922**

The following Proclamation was issued on October 10th, 1922, after the granting of Special Emergency Powers to the Provisional Government's Army.

**TO ALL WHOM IT MAY CONCERN:**

1. With a view to the speedy termination of the present state of armed rebellion and insurrection, and the restoration of peace, order, and security, the Government with the sanction of Dail Eireann, has sanctioned the doing by, or under the authority of, the Army Council of all of the following matters or things:

- (a) The setting up of Military Courts or Committees for the inquiring into charges against persons in respect of any of the offences hereinafter mentioned, provided, however, that every such Military Court or Committee shall include as a member thereof at least one person nominated by the Minister of Defence and certified by the Law Officer to be a person of legal knowledge and experience.
- (b) The inquiry by such Military Courts or Committees into the cases of persons charged with any of the offences following, that is to say:
  - (1) Taking part in, or aiding or abetting any attacks upon or using force against the National Forces.
  - (2) Looting, arson, destruction, seizure, unlawful possession, or removal of, or damage to, any public or private property.
  - (3) Having possession without proper authority of any bomb, or article in the nature of a bomb, or any dynamite, gelignite, or other explosive substance, or any revolver, rifle, gun or other firearm or lethal weapon, or any ammunition for such firearm.
  - (4) The breach of any general order or regulation made by the Army Counciland the infliction by such Military Courts or Committees of the punishment of death or of penal servitude for any period or of imprisonment for any period or of a fine of any amount either with or without imprisonment on any person found guilty by such Court or Committee of any of the offences aforesaid provided that no such sentence of death

be executed except under the counter signature of two members of the Army Council.

- (c) The removal under authority of the Army Council of any person taken prisoner, arrested, or detained by the National Forces to any place or places within or without the area of jurisdiction of the Government, and the detention or imprisonment of any such persons in any place or places within or without the area aforesaid.
- (d) The regulation and control of the sale, possession, transfer of, and dealing in, revolvers, rifles, guns, and other firearms.

2. By regulations made the 2nd day of October, 1922, the Army Council have provided for the trial by Military Courts of civilians charged with the offences specified in the preceding paragraph and for the infliction upon any civilian convicted by a Military Court of any such offence, of any of the following punishments according to the nature and gravity of the offence:

DEATH,  
PENAL SERVITUDE,  
IMPRISONMENT,  
DEPORTATION,  
INTERNMENT,  
FINE.

3. It is provided by the said regulations that they shall come into force upon and shall apply as from such date as the Army Council shall determine and announce by proclamation.

4. By proclamation published the 3rd day of October, 1922, the Government announced and proclaimed as follows:

- (1) Every person who is engaged in such insurrection and rebellion against the State as aforesaid, or in such armed opposition to the National Forces as aforesaid, or who has been guilty of any offence against the State, directly arising out of such aforesaid, and who, on or before the 15th day of October, 1922, voluntarily delivers into the possession of the National Forces all firearms, arms, weapons, bombs, ammunition and explosives, and all public and private property, now unlawfully in his possession, and quits all lands or buildings unlawfully occupied by him, and who, on or before the 15th day of October, 1922, voluntarily ceases to take part in, or aid or abet, such insurrection, rebellion, or armed opposition, shall be permitted to return

unmolested to his house; and to every such person we hereby offer, assure and proclaim a full amnesty and pardon for all such insurrection, riot, rebellion, and opposition and offence as aforesaid.

(2) Every such person may deliver any such firearms, arms, weapons, ammunition, explosives and bombs, and any such public property as aforesaid, to the Officer Commanding the nearest Military position or Station, or to any such person as shall be nominated by him.

KNOW THEN, AND IT IS HEREBY ANNOUNCED AND PROCLAIMED AS FOLLOWS:

- (1) After the 15th day of October, 1922, we, the Army Council, will exercise all the powers and do all the matters and things in the first paragraph of this proclamation mentioned, or any of them, according as the same shall to us seem necessary or expedient.
- (2) The said Regulations as to the Trial of Civilians by Military Courts made by us, the Army Council, on the 2nd day of October, 1922, shall come into force and apply as from the 15th day of October, 1922.

Given at General Headquarters, Portobello Barracks, Dublin, and published this 10th day of October, 1922.

*Signed on behalf of the ARMY COUNCIL,*  
RISTEARD Ua MAOLCATHA, General,  
Commander-in-Chief.

## I.R.A. LETTER OF WARNING, 1922

The following letter signed Chief of Staff (for Army Council), was addressed to "the Speaker of the Provisional Parliament of Southern Ireland," November 27th, 1922.

SIR,

The illegal body over which you preside has declared war on the soldiers of the Republic and suppressed the legitimate Parliament of the Irish Nation.

As your "Parliament" and Army Headquarters well know, we on our side have at all times adhered to the recognised rules of warfare. In the early days of this war we took hundreds of your forces prisoners, but accorded to them all the rights of Prisoners-of-War and, over and above, treated them as fellow-countrymen and former comrades. Many of your soldiers have been released by us three times although captured with arms on each occasion. But the prisoners you have taken you have treated barbarously, and when helpless have tortured, wounded and murdered them.

We have definite proof that many of your Senior Officers including members of your "Parliament" have been guilty of most brutal crimes towards the I.R.A. prisoners and have reduced your soldiers to a state of savagery in some areas.

Finally you are now pretending to try I.R.A. prisoners before your make-believe courts. You have already done to death five after such mock ceremonies. You now presume to murder and transport the soldiers who had brought Ireland victory when you, traitors, surrendered the Republic twelve months ago.

Next to the members of your "Provisional Government" every member of your body who voted for this resolution by which you pretend to make legal the murder of soldiers is equally guilty. We therefore give you and each member of your body due notice that unless your army recognises the rules of warfare in the future we shall adopt very drastic measures to protect our forces.

## EAMON DE VALÉRA ON LIAM LYNCH

Eamon de Valéra's Address to the Army on the death of Liam Lynch, April 12th, 1923.

Soldiers of the Republic, bulwark of our nation's honour and Independence, as you mourn in spirit to-day at the bier of your comrade and your chief—the lion heart, who, with exalted soul and tenacious will, backed by his loyal allies, the hills, more than any other baffled the forces of an Empire and brought them to terms—you will renew your pledges of devotion to the cause for which he gave his young life and beg that the God of Liberty and Truth may strengthen you to be faithful every one similarly unto death.

Faced in arms by former comrades who have deserted from your side, your task is a hard one and a sad. It is a task which only heroes would venture.—You have to fling yourselves across the path of the stampede of a nation.

But it is better to die nobly, as your Chief has died, than live a slave.

Your cause is immortal. Weariness from the exacting struggle, false teachers, temporary losses and defeats may defer, but cannot prevail against its ultimate triumph. The sacrifices you are making will ensure it, and they, who in ignorance calumniate you to-day, will to-morrow be forced to do you honour.

When Emmet's epitaph can be written, coupled with his loved name will be the names of all who gave their lives now that Ireland may not be false to herself.

(Signed) EAMON DE VALÉRA.



**FINANCIAL AGREEMENT, 1925**

The following is the text of the Agreement (amending and supplementing the Articles of Agreement for a Treaty between Great Britain and Ireland) signed in London, December 3rd, 1925.

Whereas, on the 6th day of December, 1921, Articles of Agreement for a Treaty between Great Britain and Ireland were entered into; and

Whereas the said Articles of Agreement were duly ratified and given the force of law by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922, and

Whereas, the progress of events and the improved relations now subsisting between the British Government, the Government of the Irish Free State and the Government of Northern Ireland and their respective peoples make it desirable to amend and supplement the said Articles of Agreement so as to avoid any causes of friction which might mar or retard the further growth of friendly relations between the said Governments and people; and

Whereas, the British Government and the Government of the Irish Free State, being united in amity in this undertaking with the Government of Northern Ireland, and being resolved mutually to aid one another in a spirit of neighbourly comradeship, hereby agree as follows:

1. The powers conferred by the proviso to Article XII of the said Articles of Agreement on the Commission therein mentioned are hereby revoked, and the extent of Northern Ireland for the purposes of the Government of Ireland Act, 1920, and of the said Articles of Agreement should be such as was fixed by Sub-section (2) of Section I of that Act.

2. The Irish Free State is hereby released from the obligation under Article V of the said Articles of Agreement to assume the liability therein mentioned.

3. The Irish Free State hereby assumes all liability undertaken by the British Government in respect of malicious damage done since the 21st day of January, 1919, to property in the area now under the jurisdiction of the Parliament and Government of the Irish Free State, and the Government of the Irish Free State shall repay to the British Government, at such time or times and in such manner as may be agreed upon, moneys already paid by the British Government in

respect of such damage, or liable to be so paid under obligations already incurred.

4. The Government of the Irish Free State hereby agrees to promote legislation increasing by Ten per cent the measure of compensation under the Damage to Property (Compensation) Act, 1923, in respect of malicious damage to property done in the area now under the jurisdiction of the Parliament and Government of the Irish Free State between the 11th day of July, 1921, and the 12th day of May, 1923, and providing for the payment of such additional compensation by the issue of Five per cent Compensation Stock or Bonds.

5. The powers in relation to Northern Ireland which by the Government of Ireland Act, 1920, are made powers of the Council of Ireland shall be, and are hereby, transferred to, and shall become, powers of the Parliament and the Government of Northern Ireland; and the Governments of the Irish Free State and of Northern Ireland shall meet together as and when necessary for the purpose of considering matters of common interest arising out of or connected with the exercise and administration of the said powers.

This Agreement is subject to confirmation by the British Parliament and by the Oireachtas of the Irish Free State, and the Act of the British Parliament confirming this Agreement shall fix the date as from which the transfer of the powers of the Council of Ireland under this Agreement is to take effect.

Dated this 3rd day of December, 1925.

Signed on behalf of the British Government:

STANLEY BALDWIN  
WINSTON S. CHURCHILL  
W. JOYNSON-HICKS  
BIRKENHEAD  
L. S. AMERY

Signed on behalf of the Government of the Irish Free State:

LIAM T. MAC COSGAIK  
KEVIN O'HIGGINS  
EARNÁN DE BLAGHD

Signed on behalf of the Government of Northern Ireland:

JAMES CRAIG  
CHARLES H. BLACKMORE,  
Secretary to the Cabinet of Northern Ireland.

## HEADS OF ULTIMATE FINANCIAL SETTLEMENT

Signed on March 19th, 1926, by Winston Churchill and Eamán de Blaghd (Ernest Blythe). Issued as British White Paper, 1926.

1. The Government of the Irish Free State undertake to pay to the British Government at agreed intervals the full amount of the annuities accruing due from time to time under the Irish Land Acts, 1891–1909, without any deduction whatsoever whether on account of Income Tax or otherwise.

2. The Government of the Irish Free State agree to pay to the British Government prior to March 31st, 1926, the sum of approximately £550,000, being the amount hitherto withheld by them in respect of income tax on annuities payable under the above-mentioned Acts.

3. The British Government accept liability for the provision out of moneys provided by Parliament of the cost of the interest and sinking fund on bonus and excess stock under the above-mentioned Acts subject to a contribution by the Irish Free State Government of the sum of £160,000 in the year 1926–27, and at the rate of £184,500 per annum thereafter.

4. It is agreed between the two Governments that the question of double income tax shall be settled generally on the residence basis as elaborated in the scheme which has already been provisionally agreed between the Revenue Departments of the two Governments. The two Governments agree to promote any legislation necessary for this purpose to take effect from the beginning of the financial year 1926–27.

5. The Irish Free State Government agree to discharge their liability outstanding on 1st April, 1926, in respect of the Local Loans Fund by the payment of an annuity payable half-yearly of £600,000 to the Fund for a period of 20 years payable on the 1st January and the 1st July in each year, the first half-yearly payment being payable on the 1st July, 1926.

6. Subject to the provisions of this Agreement the British Government undertake to make no further claim in respect of any portion of the value of property taken over by the Irish Free State belonging to British Government Departments whose administration and powers were under Article 9 of the Provisional Government (Transfer of Functions) Order in Council of 1st April, 1922, excluded from transfer to the Irish Free State Government.

Provided that :

- (a) This paragraph shall not be held to affect the position in regard to the Kilmainham Hospital, the Royal Hibernian School and the Tully Stud Farm.
- (b) Nothing in this paragraph shall prejudice the right of the British Government to be indemnified under paragraph 8 of dispatch from the Colonial Office of the 18th October, 1924.<sup>1</sup>

7. The Irish Free State Government agree to pay to the British Government the sum of £275,000 in full and final discharge of all claims made to the Compensation (Ireland) Commission in respect of damage done prior to July 11th. 1921, to property belonging to any of the British Government Departments mentioned in the last preceding paragraph:

Provided that this paragraph shall not be held to affect the liability of the Irish Free State Government to satisfy awards of the Compensation (Ireland) Commission made in respect of claims preferred by British Government Departments on behalf of private individuals or the Government of Northern Ireland.

8. The British Government waive all claims against the Government of the Irish Free State for the refund of any portion of the sums paid by them under Section 1 of the Irish Railways (Settlement of Claims) Act, 1921.

9. The Government of the Irish Free State agree to pay to the British Government so much of the deficit of the Unemployment Fund of the United Kingdom as may be attributable to the Irish Free State on the basis of the relative proportions of the insured populations of the two countries as at 31st March, 1922, with interest thereon from that date.

10. The Irish Free State Government agree to make no claim in respect of any of the assets of the Consolidated Fund of the United Kingdom including *inter alia* the Civil Contingency Fund and receipts on account of Reparations and Inter-Allied Debts.

11. The Irish Free State Government agree to repay to the British Government 75 per cent of the pensions and compensation allowances

<sup>1</sup> This dispatch deals generally with an agreement (the effect of which is set forth in the report of the Comptroller and Auditor-General on the Appropriation Accounts for 1924-25 in connection with the Property Losses Compensation Vote) between the Government of Saorstát Éireann and the British Government concerning the allocation of compensation charges between the Governments; and in paragraph 8 of the dispatch is set out an undertaking by the Government of Saorstát Éireann to indemnify the British Government, its servants or agents, against all claims, actions, suits, damages, costs and expenses which might be brought against or incurred by the British Government, its servants or agents, arising out of or in connection with any claim or demand for the settlement of which the Government of Saorstát Éireann, as part of the agreement, assumed responsibility.

payable to ex-members of the Royal Irish Constabulary under the Constabulary Acts, subject to the exception mentioned in Article 10 of the Articles of Agreement for a Treaty between Great Britain and Ireland.

12. For the purposes of any previous agreements between the two Governments, this Agreement shall be deemed to be the ultimate financial settlement mentioned therein.

*(Signed)* WINSTON S. CHURCHILL.

*(Signed)* EARNAN DE BLAGHD.

19th March, 1926.

## II : GENERAL

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## RESULTS OF ELECTIONS

1. *General Elections, December 1918.*

Number of seats in the whole of Ireland .. ..	105
Returned: <i>Sinn Fein</i> .. .. .	73
<i>Nationalists</i> (Supporters of the Parli- mentary Party) .. .. .	6
Of these, 4 were returned by agreement with <i>Sinn Fein</i> .	
<i>Unionists</i> .. .. .	26
Of these, 23 were returned in North- East Ulster.	

2. *Municipal Elections, January 1920.*

Number of Corporations and Councils in Ireland ..	127
Number to which a Republican majority was elected	72
Number to which a majority of Republicans and Nationalists were returned by agreed voting ..	26
Number to which a majority of Unionists was elected	29

3. *Elections for County and Rural District Councils and  
Boards of Poor Law Guardians, June 1920.*

Number of County Councils in Ireland .. .. .	33
Number to which a Republican majority was elected ..	28
Number of Rural Councils in Ireland .. .. .	206
Number to which a Republican majority was elected ..	182
Number of Poor Law Boards in Ireland .. .. .	154
Number to which a Republican majority was elected	138

4. *General Elections, May 1921 ("The Partition Elections").*

Number of seats in "Southern Ireland" (Twenty- Six Counties) .. .. .	128
Returned: <i>Sinn Fein</i> .. .. .	124
<i>Unionists</i> .. .. .	4
Number of seats in "Northern Ireland" (Six Counties)	52
Returned: <i>Sinn Fein</i> .. .. .	6
<i>Nationalists</i> .. .. .	6
<i>Unionists</i> .. .. .	40

5. *General Election, Twenty-six Counties area only, June 1922 ("The Pact Election")*.

Number of seats in the Twenty-six Counties . . . . .	128
Returned: <i>Pro-Treaty candidates</i> . . . . .	58
<i>Republicans</i> . . . . .	36
<i>Labour</i> . . . . .	17
<i>Farmers</i> . . . . .	7
<i>Independent</i> . . . . .	10

6. *General Election, Irish Free State, August 1923.*

Number of seats . . . . .	158
Returned: <i>Cumann na nGaedheal (Pro-Treaty)</i> . . . . .	63
<i>Republicans</i> . . . . .	44
<i>Farmers</i> . . . . .	15
<i>Labour</i> . . . . .	14
<i>Independent</i> . . . . .	17

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## EXECUTED REPUBLICANS

1916

*(Sixteen Men)*

P. H. Pearse	shot in Dublin	May 3rd.
Tom Clarke	” ” ”	May 3rd.
Thomas MacDonagh	” ” ”	May 3rd.
Joseph Plunkett	” ” ”	May 4th.
Edward Daly	” ” ”	May 4th.
William Pearse	” ” ”	May 4th.
Michael O’Hanrahan	” ” ”	May 4th.
John MacBride	” ” ”	May 5th.
Eamon Kent	” ” ”	May 8th.
Michael Mallin	” ” ”	May 8th.
Con. Colbert	” ” ”	May 8th.
Sean Heuston	” ” ”	May 8th.
Sean MacDermott	” ” ”	May 12th.
James Connolly	” ” ”	May 12th.
Thomas Kent	shot in Cork	May 9th.
Roger Casement	Hanged at Pentonville Prison (London)	August 3rd.

1920–1921

*(Twenty-four Men)*

Kevin Barry, hanged in Dublin, November 1st, 1920.  
 Cornelius Murphy, shot in Cork, February 1st, 1921.  
 Thomas O’Brien, shot in Cork, February 28th, 1921.  
 Daniel O’Callaghan, shot in Cork, February 28th, 1921.  
 John Lyons, shot in Cork, February 28th, 1921.  
 Timothy M’Carthy, shot in Cork, February 28th, 1921.  
 Patrick O’Mahony, shot in Cork, February 28th, 1921.  
 John Allen, shot in Cork, February 28th, 1921.  
 Thomas Whelan, hanged in Dublin, March 14th, 1921.  
 Patrick Moran, hanged in Dublin, March 14th, 1921.  
 Thomas Bryan, hanged in Dublin, March 14th, 1921.  
 Patrick Doyle, hanged in Dublin, March 14th, 1921.  
 Frank Flood, hanged in Dublin, March 14th, 1921.  
 Bernard Ryan, hanged in Dublin, March 14th, 1921.  
 Thomas Traynor, hanged in Dublin, April 26th, 1921.  
 Patrick Sullivan, shot in Cork, April 28th, 1921.  
 Maurice Moore, shot in Cork, April 28th, 1921.  
 Patrick Ronayne, shot in Cork, April 28th, 1921.



Thomas Mulcahy, shot in Cork, April 28th, 1921.  
 Patrick Casey, shot in Cork, May 2nd, 1921.  
 Daniel O'Brien, shot in Cork, May 17th, 1921.  
 Thomas Keane, shot in Limerick, June 4th, 1921.  
 Edward Foley, hanged in Dublin, June 7th, 1921.  
 Patrick Maher, hanged in Dublin, June 7th, 1921.

## 1922-1923

(*Seventy-seven Men*)

The following were executed by shooting:

James Fisher	in Dublin	November 17th, 1922
Peter Cassidy	"	"
Richard Twohig	"	"
J. Gaffney	"	"
E. Childers	"	November 24th, 1922
Jos. Spooner	"	November 30th, 1922
Patrick Farrelly	"	"
John Murphy	"	"
Rory O'Connor	"	December 8th, 1922
Liam Mellows	"	"
Joseph McKelvey	"	"
Richard Barrett	"	"
Stephen White	"	December 19th, 1922
Joseph Johnston	"	"
Patrick Mangan	"	"
Patrick Nolan	"	"
Brian Moore	"	"
James O'Connor	"	"
Patrick Bagnel	"	"
John Phelan	in Kilkenny	December 29th, 1922
John Murphy	"	"
Leo Dowling	in Dublin	January 8th, 1923
Sylvester Heaney	"	"
Laurence Sheehy	"	"
Anthony O'Reilly	"	"
Terence Brady	"	"
Thomas McKeown	in Dundalk	January 13th, 1923
John McNulty	"	"
Thomas Murray	"	"
F. Burke	in Roscrea	January 15th, 1923
Patrick Russell	"	"
Martin O'Shea	"	"
Patrick McNamara	"	"

James Lillis	in Carlow	January 15th, 1923
James Daly	in Tralee	January 20th, 1923
John Clifford	"	"
Michael Brosnan	"	"
James Hanlon	"	"
Cornelius McMahon	in Limerick	"
Patrick Hennessy	"	"
Thomas Hughes	in Athlone	"
Michael Walsh	"	"
Herbert Collins	"	"
Stephen Joyce	"	"
Martin Burke	"	"
James Melia	in Dundalk	January 22nd, 1923
Thomas Lennon	"	"
Joseph Ferguson	"	"
Michael Fitzgerald	in Waterford	January 25th, 1923
Patrick O'Reilly	"	"
Patrick Cunningham	in Birr	January 26th, 1923
William Conroy	"	"
Colum Kelly	"	"
Patrick Geraghty	in Portlaoighse	January 27th, 1923
Joseph Byrne	"	"
Thomas Gibson	in Maryborough	February 23rd, 1923
James O'Rourke	in Dublin	March 13th, 1923
William Healy	in Cork	"
James Pearle	in Wexford	"
Patrick Hogan	"	"
John Creane	"	"
Tim O'Sullivan	in Drumboe	March 14th, 1923
Charles Daly	"	"
John Larkin	"	"
Dan Enright	"	"
James O'Malley	in Tuam	April 11th, 1923
Frank Cunnane	"	"
M. Monaghan	"	"
John Newell	"	"
John Maguire	"	"
M. Nolan	"	"
Edward Greaney	in Tralee	April 25th, 1923
Reginald Hathaway	"	"
James McInerney	"	"
Patrick Mahoney	in Ennis	April 26th, 1923
Chris Quinn	"	May 2nd, 1923
William Shaughnessy	"	"

## NOTE ON THE DAIL EIREANN LOANS

The Dail Eireann Internal Loan of £250,000 was decreed on April 4th, 1919, and was organised by Michael Collins, then Minister for Finance.

On August 26th, 1921, a further loan of £500,000 was sanctioned by the Dail, but the Treaty prevented its flotation.

The Loans were subscribed to by over 135,000 persons and the amount subscribed was £378,858.

In 1922 the Provisional Government claimed the balance of this Internal Loan, and one of the three trustees, the Most Reverend Dr. Fogarty, consented to their claim and joined with them in suing the other two trustees, De Valéra and Stephen O'Mara, who maintained that the money had been subscribed for the maintenance of the Republic and should not be transferred.

A decision was given in favour of the Provisional Government by Judge Murnaghan in the High Court on July 31st, 1924, and again in the Supreme Court on December 17th, 1925.

The First Dail Eireann External Loan was issued in January 1920, and Eamon de Valéra, the Most Reverend Dr. Fogarty, and James O'Mara were appointed trustees. The money was collected by Irish organisations in the United States of America. The number of subscribers was 275,988, and the amount subscribed was 5,123,640 dollars.

The Second Dail Eireann External Loan was issued on November 15th, 1921.

The total number of subscribers to the two External Loans was approximately 309,000, and the sum subscribed aggregated about 5,800,000 dollars.

More than half this sum was remitted to Ireland and used by Dail Eireann. There remained unexpended a balance of approximately 2,500,000 dollars. This sum was on deposit with the Guaranty Safe Deposit Company and others in New York. After the division in Ireland on the Treaty it was agreed between De Valéra and Collins that this money should not be used for party purposes.

In August 1922 Cosgrave's Government (the Provisional Government) applied for and secured from the American Courts an injunction restraining the banks from paying the money to either

De Valéra or O'Mara or to their agents; Dr. Fogarty, the third trustee, supported Cosgrave in this. The Provisional Government then applied to the Supreme Court of New York for a declaration that the Provisional Parliament was the legitimate successor of, and derived its authority from, the Republican Dail, and that, accordingly, the Provisional Parliament was entitled to the funds subscribed in America for the establishment of a Republic in Ireland.

De Valéra contested this claim on behalf of the Republican Party.

Judge Peters, of the Supreme Court of New York, on May 11th, 1927, gave it as his opinion that neither the Irish Free State Government nor the Republican Party in Ireland was entitled to the money and ordered that Receivers be appointed to return the balance of the money to the subscribers.

Free State Ministers repeatedly asserted that the intention of their Government was to repay the Loan in full, but no steps were taken by Cosgrave's Ministry to arrange payment.

A great number of the subscribers, meanwhile, had assigned and were assigning their Bonds to missions and other causes in which they were interested. In 1930, at De Valéra's suggestion, a large number of Bonds were assigned to the purpose of the promotion in Ireland of a daily newspaper which would advocate a progressive national policy (*The Irish Press*).

In May 1930 the Receivers in America commenced distribution of 58 cents to the dollar.

In July 1933 the Free State Parliament (De Valéra being in office) passed an Act for the repayment in full of the money lent to every subscriber who should apply. Later the same Parliament extended the period in which application for repayment might be made.

## THE LAND PURCHASE ANNUITIES

The following is a statement by President de Valéra on the disputed matter of the Land Purchase Annuities.

### NOTE ON THE LAND PURCHASE ANNUITIES

By Eamon de Valéra

In justice, Ireland is under no debt to Great Britain. On the contrary, the wealth of Great Britain, vast though it is, would not be sufficient to compensate Ireland for the manifold injuries and losses suffered by our country as a result of British rule. The wilful destruction of Irish industries, the confiscation of the land, the repeated laying waste of the countryside in military campaigns, have made Great Britain not the creditor but the debtor of Ireland. The Land Purchase Annuities themselves arise from the re-purchase of confiscated lands from the successors of the English soldiers and adventurers to whom they were given as rewards for their services to the English Crown in the 16th and 17th centuries, and their restoration to the successors of the rightful owners. There is no moral code which would fasten the cost of this belated act of restitution upon the Irish people.

In law, Great Britain gave up all claim to the Annuities in 1920. The Government of Ireland Act, passed in that year by the Parliament of the United Kingdom, divided Ireland into two areas, each with a local Parliament, and gave to each Parliament the right to collect and retain the Land Annuities payable within its own territory on the land for which advances were made by the State prior to the passing of the Act. It further provided that all charges in connection with the stock issued to finance land purchase should be borne exclusively by Great Britain. This transaction was described in an official White Paper explaining the provisions of the Act as a "free gift" to the people of Ireland. The "gift" is still enjoyed without question by the Six Counties of "Northern Ireland."

The Land Annuity provisions of the Act of 1920 were not in any way revoked by the Treaty of 1921. Article 5 of that instrument could conceivably be construed as imposing upon Ireland liability for a portion of the interest and sinking fund on the advances (as part of the "Public Debt of the United Kingdom"). Such a construction would, however, be a strained one, having regard to the terms of the

Act of 1920. Moreover, the amount due to Ireland "by way of set-off or counter-claim," if justly assessed, would have far exceeded any demands that might have been made on her under Article 5. This question has, however, ceased to have any practical interest, as the British claim under Article 5 was waived in Article 3 of the Treaty (Supplemental Agreement) of December 1925.

It was contended by opponents of the Saorstát claim that because the "appointed day" was not fixed for bringing the financial provisions of the Act of 1920 into operation in "Southern Ireland" those provisions, including the "gift" of the Annuities, were at the date of the Treaty of 1921 without legal effect and were superseded entirely by the financial provisions of the Treaty. This argument is untenable.

Section 73 of the Act of 1920 provided that the appointed day for any provisions of the Act for which the Act itself did not expressly fix any other appointed day should be

"the first Tuesday in the eighth month after the month in which this Act is passed, or such other day not more than seven months earlier or later as may be fixed by Order of His Majesty in Council either generally or with reference to any particular provisions of the Act."

No Order in Council was made fixing an appointed day for the coming into operation of the financial provisions of the Act. An Order in Council was made on the 25th day of July, 1921, by which it was ordered that the "appointed day for the purpose of any of the excepted provisions which have not come into operation prior to the 2nd day of August, 1921, should be such later day or days as may hereafter be fixed by order in Council." Whether that Order in Council had any legal effect is questionable, but in any event it could not have had the effect of overriding the express provisions of the Act which, in the absence of an Order definitely fixing an alternative date, made the first Tuesday in the eighth month the appointed day. The Act was passed on the 23rd December, 1920, and the first Tuesday in the eighth month was the 2nd August, 1921. Even if the Order was valid there was no power to postpone the appointed day beyond the 2nd March, 1922.

In December 1922, the British Parliament passed an Act—the Irish Free State (Consequential Provisions) Act, 1922—which purported to enact that the Government of Ireland Act, 1920, should cease to apply to any part of Ireland save "Northern Ireland." Leaving aside all questions as to the validity or otherwise of a measure purporting to apply to "Southern Ireland" passed at a time when the British

Government had agreed to hand over the regulation of its affairs to the part of Ireland so described, it seems clear that the British Government regarded the 1920 Act as still being in force in the area known as "Southern Ireland" as late as December 1922. The assignment of the Annuities was, therefore, effectively British law at the date of the Treaty or unquestionably by the 2nd March, 1922, which was the date beyond which it was incompetent for the King by Order in Council to postpone its operation.

The legal case for the retention of the Land Purchase Annuities does not, however, rest solely on the Act of 1920. If there were no such Act, or if it contained no reference to the Annuities, the Saorstát Government could still establish a claim to the Annuities on the Treaty alone, on the ground that, as part of the revenue of the United Kingdom derived from the territory which became Saorstát Eireann, they remained with the Saorstát when the Treaty dissolved the enforced partnership. The Saorstát would, of course, then have become liable for a portion of the outstanding stock issued to finance land purchase, which would have been included in the "Public Debt of the United Kingdom," but would have been entitled to a share of the assets of the partnership. This liability, moreover, would have ceased on the completion of the Treaty (Supplemental Agreement) of 1925, which has been referred to in a previous paragraph.

It only remains to add that the documents on which the British Government now bases its claim to the Annuities—signed, respectively, by Mr. Cosgrave on 12th February, 1923, and by Mr. Blythe on 19th March, 1926—were signed without parliamentary authority, were kept secret (one for nine years and the other for eight months) and have never been approved either by Dail Eireann or by the British Parliament. The documents on which the Saorstát relies are Acts of Parliament and agreements publicly made and duly ratified.

ÉAMON DE VALÉRA,  
27-xii-36.

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**AND**  
**INDEX**





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DOROTHY MACARDLE: *Tragedies of Kerry.*

*Correspondence between the Government of the Irish Free State and H.M. Government Relating to Article XII of the Treaty between Great Britain and Ireland, from 19th July, 1923, to 17th June, 1924.* (Stationery Office, Dublin.)

*The Land Purchase Annuities.* Irish Free State Government Official Paper. No. 579. 1931. (The case of Mr. Cosgrave's Party.)

*The Land Annuities.* Published by the Fianna Fail Party. (Dublin, 1932.)

*British White Paper on Financial Agreement of March 1926, published on February 8th, 1927.*

*The Agreement signed by British and Irish officials on February 12th, 1923, is contained in Irish Free State Paper Number 646. (1932.)*

*The Free State Parliamentary Companion*, by W. J. Flynn, contains historical notes, notes on personnel of Ministries and Oireachtas, list of Constituencies, notes on Elections, Committees and Departments of State; includes the terms of the Treaty, Agreements amending the Treaty, financial Agreements, the Constitution, Amendments to the Constitution and other information. (Published at intervals by the Talbot Press, Dublin.)

NOTE.—The National Library of Ireland has an excellent collection of matter connected with the Irish situation during the period reviewed in this book. It includes a great number of leaflets and pamphlets issued by Sinn Féin, the English Peace with Ireland Council and other bodies, and a complete file of *The Irish Bulletin*, which is a unique and valuable record of the period 1919–1921.

The Library also has a good collection of nationalist periodicals indexed in a useful “newspaper chart.” In consequence of the repeated suppressions of many of these papers and their reappearance under other names, the career of any one paper is difficult to trace. The period noted below in connection with each is that for which files can be seen in the Library. This list is by no means exhaustive.

(The author is indebted, for much valuable assistance, to the Staff of the National Library of Ireland and to the Director of the County Dublin Municipal Libraries, Miss Roisin Walsh.)

## PERIODICALS

<i>United Ireland</i>	1881–1898	<i>Nation</i>	1916
<i>Notes From Ireland</i>	1886–1919	<i>Nationality</i>	1916–1919
<i>Nation</i> (Weekly)	1897–1900	<i>Old Ireland</i>	1918–1920
<i>Workers' Republic</i>	1898, also 1915	<i>An t-Óglach</i> (Printed in English)	1918–1921
<i>United Irishman</i>	1898–1906	<i>The Irish Bulletin</i> (Official Organ of Dail Eireann)	1919–1921
<i>Sinn Féin</i> (Weekly)	1905–1914	<i>The Workers Republic</i>	1921
<i>Sinn Féin</i> (Daily)	1909–1910	<i>The Republic of Ire- land.</i> ( <i>An Phoblacht</i> <i>na h-Eireann</i> )	1922
<i>Irish Nation</i>	1909–1910	<i>The Plain People</i>	1922
<i>Irish Freedom</i>	1909–1914	<i>Éire</i>	1923–1924
<i>Irish Worker</i>	1911–1914	<i>Sinn Féin</i>	1923–1925
<i>Irish Citizen</i>	1912–1920		
<i>Irish Volunteer</i>	1914–1916		
<i>Scissors and Paste</i>	1914–1915		
<i>Young Ireland</i>	1915–1919		
<i>New Ireland</i>	1915–1919		



- The Catholic Bulletin* A monthly magazine published by Gill, Dublin, contains articles comprising a valuable record from 1917 onward.
- Banba* A monthly magazine, contained, in 1922, a series of useful articles by Michael Lennon entitled *Retrospect*, being reminiscences of the years from 1914–1919.
- An Phoblacht (The Republic)* A weekly paper published in Dublin, began in July 1931 a series of articles by Joseph Sexton on the Irish movement in America, and began, on June 14th, 1932, a series of articles signed *MacDara* on the Secret History of Easter Week.
- An t-Eireannac* Began, on September 7th, 1935, a series of articles in Irish by *Cu Uladh* describing in detail the events of the Easter Rising, 1916.

The files of many of the Irish Provincial Weeklies, including *The Cork Examiner* and *The Clare Champion*, are useful sources of information, as are, also, the files of Irish-American papers, notably *The Gaelic American*, *The Irish Press* (Philadelphia), and *The Irish World*. The *Irish Press* (Dublin) frequently prints personal reminiscences of incidents referred to in this book.

(To the editor of journals mentioned in footnotes the author is indebted for permission to quote).

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