

Documents on IRISH
FOREIGN POLICY

The Anglo-Irish Treaty
December 1920~December 1921

Acadamh Ríoga na hÉireann An Chartlann Náisiúnta

An Roinn Gnóthaí Eachtracha

Cáipéisí ar Pholasáí Eachtrach na hÉireann

**An Conradh Angla-Éireannach
Mí na Nollaig 1920 ~ Mí na Nollaig 1921**

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Royal Irish Academy National Archives

Department of Foreign Affairs

Documents on Irish Foreign Policy

**The Anglo-Irish Treaty
December 1920 ~ December 1921**

EDITORS

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Editors

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Abbreviations

The following is a list of the most commonly used abbreviated terms and phrases in the volume, covering both documents and editorial matter. Other abbreviations have been spelt out in the text.

A.G.	Arthur Griffith
A.A.R.I.R.	American Association for the Recognition of the Irish Republic
A.C.R.I.	American Committee for Relief in Ireland
B.L.	Andrew Bonar Law
DE	Dáil Éireann series files, National Archives, Dublin
D.Eir	Dáil Éireann
DFA	Department of Foreign Affairs collection, National Archives, Dublin
Dev, EDV	Éamon de Valera
DT S	Department of the Taoiseach, S series files, National Archives, Dublin
ES	Early Series files, Department of Foreign Affairs collection, National Archives, Dublin
E.S.	Edward Seaton (John Chartres)
E.C.	Erskine Childers
G.D.	George Gavan Duffy
I.R.A.	Irish Republican Army
J.C.	John Chartres
LI. G., L.G.	David Lloyd George
M.C.	Michael Collins
M.F.	Minister for Finance (Michael Collins)
N.P.	Nancy Wyse Power
S.F.	Sinn Féin
T.D.	Teachta Dála (Member of Dáil Éireann)
UCDA	University College Dublin, Archives Department
USFA	Under Secretary for Foreign Affairs

PREFACE

The National Archives Act, 1986, provides for the transfer of departmental records more than thirty years old to the National Archives of Ireland for inspection by the public, unless they are certified to be in regular use by a Department for administrative purposes, or unless they are certified as withheld from public inspection on one of the grounds specified in the Act. The bulk of the material consulted for this volume comes from the records of the Department of Foreign Affairs (previously the Department of External Affairs) and the Department of the Taoiseach, all of which are available for inspection at the National Archives of Ireland at Bishop Street in Dublin. Other material comes from the holdings of the University College Dublin Archives Department and The National Archives, Kew, London. The Department of Foreign Affairs documents in the National Archives of Ireland have been made available to researchers since January 1991.⁴

The concept of a multi-volume series of documents on Irish foreign policy was put forward in 1994 by the Department of Foreign Affairs. Mr Ted Barrington, then the Political Director of the Department of Foreign Affairs, brought the proposal to a meeting of the Royal Irish Academy's National Committee for the Study of International Affairs of which he was then a member. The then Tánaiste and Minister for Foreign Affairs, Mr Dick Spring, sanctioned the proposal, which was also welcomed by the Director of the National Archives of Ireland, Dr David Craig, whose permission was necessary for the publication of material in his care. The Royal Irish Academy agreed to become a partner in the project when Council approved its foundation document on 3 April 1995.

The main provisions of that document are:

- that the project's 'basic aim is to make available, in an organised and accessible way, to people who may not be in a position easily to consult the National Archives, documents from the files of the Department which are considered important or useful for an understanding of Irish foreign policy';
- that an Editorial Advisory Board, comprising representatives of the Department, of the Academy and of the National Archives, in addition to senior Irish academics working in the fields of modern history and international relations, would oversee decisions on publication;
- that the series would 'begin at the foundation of the State and publish volumes in chronological order' and that the basic criterion for the selection of documents would be their 'use or importance in understanding the evolution of policies and decisions'.

These arrangements found public expression in the 1996 White Paper on foreign policy, *Challenges and Opportunities Abroad* (16.48), which provided that—

As part of the Government's desire to encourage a greater interest in Irish foreign policy, it has been agreed that the Department of Foreign Affairs, in association with the Royal Irish Academy, will publish a series of foreign policy documents of historic interest. It is hoped that this initiative will encourage and assist greater academic interest in the study of Irish foreign policy.

Provision for the project was first included in the Department's Estimates for 1997 and a preliminary meeting of what became the Editorial Advisory Board, in Iveagh House on 10 April 1997, agreed that an assistant editor should be appointed in addition to the editors nominated by the National Committee for the Study of International Affairs: Professors Ronan Fanning, MRIA, Dermot Keogh MRIA and Eunan O'Halpin MRIA. Dr Michael Kennedy was appointed in June 1997 when work began on the selection of documents. Dr Kennedy was in January 1998 designated as executive editor, and is responsible for the direction and day-to-day running of the Documents on Irish Foreign Policy Project. At the meeting of December 2003 of the DIFP Editorial Advisory Board the important contribution of the National Archives to Documents on Irish Foreign Policy (DIFP) project was officially recognised and the National Archives formally became a full partner to the DIFP project. Accordingly, Ms Catriona Crowe, Senior Archivist at the National Archives, who had attended meetings of the editors since June 1997 and who was de facto a fifth editor of DIFP, was formally appointed an editor of the DIFP series.

In 2005 Dr Kate O'Malley was appointed Assistant Editor to the series.

The first volume, Documents on Irish Foreign Policy I, covering the period 1919 to 1922, was published in November 1998 in the run-up to the eightieth anniversary of the founding of the Department of Foreign Affairs in January 1919. Subsequent volumes have been published at two-yearly intervals with volume VII being published in November 2010.

1. The Department of Foreign Affairs was known as the Department of External Affairs from December 1922 to 1971. From January 1919 to December 1922 the Department was known as the Department of Foreign Affairs or the Ministry of Foreign Affairs (see DIFP Volume I for further details).

Introduction to Treaty e-book volume

One of the prescribed topics for the documents-based study in the Leaving Certificate 2014 and 2015 is 'The Pursuit of Sovereignty and the Impact of Partition, 1919-1949.' Included in the three case studies for this topic is 'The Treaty negotiations, October – December 1921' and as such, the chapter on the Treaty negotiations in Volume I of the Documents of Irish Foreign Policy (DIFP) series (www.difp.ie) will be immensely beneficial to history teachers. With this in mind, DIFP decided to embark on a new venture and put the material from this chapter into an eBook for teachers and students. The Anglo-Irish Treaty eBook makes accessing documents relating to the Treaty as straightforward as possible. This selection of documents contains crucial correspondence between the main political figures involved in the negotiations and shows the problems and stresses of negotiating an international agreement. The documents are structured chronologically and provide a gripping and accessible account of a key moment in modern Irish history.

DIFP would like to give special thanks Niall O'Leary of the Digital Humanities Observatory (DHO) project for facilitating the production of the eBook.

We would like to thank our colleagues at the National Archives of Ireland, in particular Elizabeth McEvoy, for their assistance and for providing digital images of the original copy of the Treaty which are reproduced below. The National Archives' online exhibition on the Anglo-Irish Treaty, can be found at <http://treaty.nationalarchives.ie/>

INTRODUCTION

This volume is a new departure for the DIFP series. It publishes in electronic form the Anglo-Irish Treaty section of DIFP I, which was first published in hard copy in 1998. To provide appropriate historical context to the Anglo-Irish Treaty we have included below the original introduction to the first volume of the series. Though it covers greater ground than the documents below, we hope it will provide appropriate context and background to the electronic volume.

This volume of selected documents treats of the development of Irish foreign policy and the Irish diplomatic service from 21 January 1919 to 6 December 1922. With a few exceptions, none of the documents in this volume has ever appeared in print before.

The opening date of the volume, 21 January 1919, marks the first meeting of the First Dáil (parliament) in the Mansion House in Dublin, and the publication of the Declaration of Independence. The date on which the volume concludes, 6 December 1922, marks the official birth of the Irish Free State, one year after the signing of the Anglo-Irish Treaty in London on 6 December 1921.

The four years between 1919 and 1922 witnessed a political and military conflict within Ireland against British rule; the British partition of the island into Northern and Southern Ireland through the 1920 Government of Ireland Act; a negotiated settlement giving Southern Ireland dominion status through the December 1921 Treaty; the emergence of the Irish Free State; and a civil war which began in June 1922 and ended in May 1923. The Department of Foreign Affairs and the diplomatic service were established in these turbulent years.

THE IRISH DIPLOMATIC SERVICE

The primary object of Irish foreign policy was to gain international recognition for the Irish Republic. A second object was to seek the financial support of the Irish diaspora in Britain and the Dominions, the United States and Latin America through an external loan. Considerable attention has been given in this volume to the activities of the separate Publicity Department and its efforts to overcome the 'paper wall' which Britain had placed around Ireland. Though theoretically separate from the Ministry of Foreign Affairs, the two units operated in tandem and their activities were indistinguishable. The Publicity Department's propaganda publicised internationally the Dáil's separatist administration and the military conflict with Britain.

The first international step taken by the Dáil was to send a team to the Paris peace conference of 1919 to

lobby for recognition of the Irish Republic and separate Irish admission to the conference. Although this team, led by Sean T. O’Ceallaigh, did not achieve either goal, it deserves recognition as Ireland’s first diplomatic mission abroad.¹ Paris remained a key diplomatic and propaganda centre for Irish diplomats until 1922.

From June 1919 until December 1920, the President of Dáil Éireann, Éamon de Valera, supported by Harry Boland and Sean Nunan, headed an American mission to raise funds, to increase awareness within the powerful Irish-American community of events in Ireland, and to bring the pressure of public and Congressional opinion on Britain to make peace in Ireland. Significant funds for the Dáil were raised by de Valera on a coast to coast speaking tour. De Valera also had to cope with the splits and divisions among the Irish-American community, and he founded the American Association for the Recognition of the Irish Republic with the ending of these divisions in mind. Throughout 1921, following de Valera’s return to Ireland in December 1920, Harry Boland headed the mission to America.

The year 1922 was a period of vigorous Irish diplomatic activity in America. The Provisional Government established under the terms of the Treaty sought to take the initiative from the anti-Treaty groups and to gain control over Dáil funds held in America. Denis McCullough, former President of the Irish Republican Brotherhood and Timothy Smiddy, Professor of Economics at University College Cork, were both sent to the United States with this end in mind. Anglo-Irish talks had begun when the British Prime Minister David Lloyd George wrote to Éamon de Valera on 24 June 1921, and a truce was declared in the Anglo-Irish war on 11 July 1921. De Valera held meetings with Lloyd George at 10 Downing Street between 14 and 21 July. Between July and September 1921 both sides sought a formula to allow negotiations to begin. On 11 October 1921 the Irish and British delegations met at Downing Street to begin almost two months of talks which culminated in the Anglo-Irish Treaty of 6 December. This provided for the establishment of the Irish Free State as a self-governing dominion within the British Commonwealth.

The three major areas outlined above - Paris, the United States and the Treaty negotiations - provide most of the documents in this volume. The Irish diplomatic service grew out of the Paris and American missions. A fourth key element in the creation of an Irish foreign service was the establishment of an organised Department of Foreign Affairs. When Count George Plunkett was appointed as Minister for Foreign Affairs in January 1919 he was only a figurehead. Most of the correspondence dealing with foreign affairs was handled by Diarmuid O’Hegarty, Secretary to the Dáil Ministry, as part of his overall duties. It was not until January 1921, with the appointment of Robert Brennan as Under-Secretary for Foreign Affairs, that any attempt was made by the Dáil Ministry to impose a centralised structure on the diplomatic service. Brennan and Éamon de Valera bypassed Plunkett and drew up guidelines and rules for the organisation of the hitherto decentralised Irish diplomatic service. During the Treaty negotiations this proved vital as diplomats were briefed from Dublin on the progress of the talks in London and on how to react to press questioning.

But when the Dáil split over the terms of the Treaty, the infant diplomatic service was also divided. Brennan himself opposed the Treaty and resigned in January 1922. He teamed up with such prominent figures as Harry Boland in the United States and Sean T. O’Ceallaigh in Paris, later joined by Art O’Brien (London), Leopold Kerney (Paris), Máire O’Brien (Madrid) and Mary MacSwiney (United States), as part of an anti-Treaty diplomatic and propaganda service that sought every opportunity to counter internationally the legitimacy of the nascent Irish Free State. Brennan had as good as handpicked his successor as permanent head of the Irish diplomatic service before he resigned. Joseph Walshe returned from the Irish delegation in Paris, and took over from Brennan the pro-Treaty elements of the Department of Foreign Affairs to build anew an Irish diplomatic service. Walshe remained in charge of the department until he became Ireland’s first ambassador to the Vatican in 1946.

Walshe and the new Minister for Foreign Affairs, George Gavan Duffy, created a professional diplomatic service, but the civil war meant that Gavan Duffy’s plans for expansion instead became an exercise in consolidation. Walshe organised the remaining pro-Treaty diplomats such as Michael MacWhite, Charles Bewley, John Chartres and Sean Murphy and added a publicity staff - Rosita Austin, Sean Lester and Francis Cremins - to form the core of his small department. Where the need arose temporary diplomats were recruited for specific tasks such as the missions of Denis McCullough

to the United States and Osmond Grattan Esmonde to Madrid. Other longer-term appointments were made, such as the choice of Professor Smiddy for Washington in 1922; Smiddy was to become Ireland's first minister plenipotentiary abroad in October 1924 when he was officially accredited to the United States.

Ireland's first generation of diplomats were not career officials, but people who drifted into the service by accident or by virtue of their linguistic or legal skills. In the Dáil foreign service from 1919 to 1921 a number of women such as Máire O'Brien, Nancy Wyse Power, Mairéad Gavan Duffy and Cáit O'Ceallaigh became diplomats, and played a significant role in pressing Ireland's case internationally. But, after January 1922, the diplomatic grades in the foreign service became an almost exclusively male preserve, paralleling the experience of other government departments.

International recognition of the Irish Free State and the foundation of an independent foreign policy were Walshe's primary goals. From June 1922 he also had to deal with an international dimension to the Civil War, countering anti-Treaty propaganda in Europe and America and trying to regain control over the fractious Irish-American community. Gavan Duffy resigned over domestic policy issues in July 1922 and was succeeded in September by Desmond FitzGerald, who became the Irish Free State's first Minister for External Affairs in December 1922.² This handful of men was responsible for creating the diplomatic service of the Irish Free State and for securing the international recognition of the state. The Provisional Government, established on 14 January 1922 to prepare for the inauguration of the Irish Free State on 6 December 1922, had no international existence. Similarly, neither the Dáil nor its Ministry of Foreign Affairs was internationally recognised. The personnel of the Dáil and Provisional Government administrations overlapped considerably and in practice they operated together. Yet until 6 December 1922, Irish diplomats could not be accredited to foreign countries, sign treaties or join international organisations.

The foreign service was very widely spread for its numerical size. Aside from Anglo-Irish affairs and the missions in Paris and the United States, envoys were sent to Germany, Italy, the Vatican and Spain, with more than passing attention being paid to Soviet Russia.

Ireland had been partitioned by the Government of Ireland Act of 1920 and the Northern Irish government and parliament, with jurisdiction over domestic affairs of the six north-eastern counties of Ulster, came into existence in June 1921. Northern Ireland did not sign the Treaty or accept the Boundary Commission which, under Article 12 of the Treaty, would regulate the border between the Irish Free State and Northern Ireland.

Northern Ireland was not a major area of activity for the Department of Foreign Affairs during these years. The documents relating to Northern Ireland in this volume show how the Provisional Government's policy of non-recognition, particularly associated with Michael Collins, foundered amongst the more pressing military considerations of the Civil War. A policy of peaceful co-existence, first advocated by Ernest Blythe, Minister for Local Government and acting Minister for Home Affairs in the Provisional Government, was instead adopted in late 1922. Although the North-Eastern Boundary Bureau was set up in September 1922 to prepare the Irish Free State's case for the Boundary Commission provided for under Article 12 of the Treaty, material relating to it has been held over until Volume II of this series. Irish policy towards the League of Nations evolved considerably between 1919 and 1922. Initially the Dáil looked to the League as part of its appeal for recognition by the Paris peace conference. The cold-shouldering of Sean T. O'Ceallaigh at Paris, and the involvement of the Irish-American community in the Congressional dispute over Article 10 of the League of Nations Covenant (which was in part responsible for the United States not joining the League), meant that the Department of Foreign Affairs became more cautious about the League. Although Gavan Duffy hoped for admission to the League by September 1922, as the Irish Free State could not be officially constituted in international law until 6 December 1922, it did not become a member until 10 September 1923.

In January 1919 the Department of Foreign Affairs was one of only four departments established by the Constitution of the First Dáil. In December 1922, when the volume ends, the Department of External Affairs (as it had by then become known) had lost its position in the departmental hierarchy and rumours were afoot that it was in danger of being absorbed into the Department of the President of the Executive Council (Prime Minister). Joseph Walshe, Acting Secretary of one of the smallest departments of the nascent Irish Free State civil service, led the struggle to recover from the Treaty split and the

disintegration of the foreign service. The concern of the Department of Finance to cut public spending, coupled with public and political apathy towards the small department, created a climate of opinion in which the survival of the Department of External Affairs remained an open question as the Irish Free State came into existence.

RECORDS OF THE DEPARTMENT OF FOREIGN AFFAIRS, AND OTHER ARCHIVAL SOURCES

Until the passage of the National Archives Act, government departments in Ireland were under no compulsion to release their archival sources. The Department of the Taoiseach, however, has voluntarily released material since the mid-1970s. The Department of Foreign Affairs records have been released on an annual basis since 1991.

The Early Series files of the Department of Foreign Affairs, from which most of the documents in this volume have been selected, were initially thought to be quite disparate and fragmented. They were listed in 1992, making access to them considerably easier. The research and selection process engaged in for this volume has shown that they form a much more coherent collection than hitherto believed. It has been possible for the executive editor to track movements within the diplomatic service from archival sources on an almost day-to-day basis. This would appear to indicate that very little destruction of documents in this series took place.

An early form of departmental registry was established in the Department of External Affairs in 1923 using an alpha-numeric system. In the late 1920s a numerical system was developed with each subject category being assigned a number (e.g. 26 being allocated to the League of Nations) and a subsequent number for each file within that category (e.g. 26/95 which deals with the Irish Free State's candidature for the League of Nations Council in 1930).

The nature of the first Dáil Éireann administration meant that some material and information was destroyed, captured in raids or simply not written down. For this reason much of the current volume comes from typed carbon copies of original documents, the originals not having survived. In other cases dates, names and locations are not recorded on letters and memoranda. At times the editors have placed documents that are without an exact date to the nearest month in the volume.

The first generation of Irish diplomats had to learn their profession by trial and error. There was no uniform reporting method or a procedure for confidential reporting until the late 1920s. In the period from 1919 to 1922 there was a slow move from reporting on many subjects in a single communication, through reports in the form of personal letters to letters with a single subject, and on to a distinct style with a covering letter and a dedicated report in memo form attached. Many of the documents in the volume are therefore personal letters which contain extraneous information. Such documents have been reproduced as 'extracts' with an indication given where material has been omitted. The early documents are also somewhat opaque in their references to third parties. Their authors constantly feared despatches falling into the hands of the British. The editors have at all times tried to confirm the identity of the senders and recipients of unsigned letters, and in cases where identity is impossible to establish, a footnote has been inserted to that effect.

EDITORIAL POLICY AND THE SELECTION OF DOCUMENTS

The executive editor was responsible for the initial wide choice of documents which were then assessed by the editors, meeting once a month, to select the most significant documents. Documents were prioritised in terms of importance on a one to five scale and were considered by the editors in geographical and thematic tranches. At times the editors were hard pressed to reach decisions on what to omit, so wide-ranging and interesting was the material available.

Documents are presented in chronological order based on date of despatch. The text has been reproduced as accurately as possible. Marginal notes and annotations have been reproduced in footnotes. Where possible the authors of marginal notes have been identified. There have been no alterations to the text of documents or deletions without indication being given of where changes have

been made. Nothing was omitted that might conceal or gloss over defects in policymaking and policy execution. All material reproduced was already open to the public at the relevant repository.³

At some points in the text the footnotes refer to documents that have either been ‘not located’ or ‘not printed’. Either the document referred to could not be found, or the document was either routine or repeated information found elsewhere in the material selected and so was not printed.

Where it was impossible to decipher a word or series of words an ellipsis, or the assumed word, has been inserted with an explanatory footnote. Spelling mistakes have been silently corrected, but capitalisation, punctuation, signatures and contemporary spelling have been left as found in the originals and have been changed only where the sense is affected by the error. Editors' additions to the text appear in square brackets. Original abbreviations have been preserved and either spelt out between square brackets or explained in the list of abbreviations.

English was the working language of Irish diplomats. In many cases there was no consistent spelling of Gaelicised names and in the volume many different spellings of the same name and salutation in Irish occur. These have not been standardised and are reproduced as found. Documents reproduced in Irish and English were checked against each other for consistency.

The authors of the documents reproduced tended to refer to Great Britain as ‘England’, or made no distinction between the two geographical entities, and the editors have not thought it necessary to insert (sic) at all relevant points throughout the volume.

The editors decided on grounds of clarity and accessibility to place documents relating to the Treaty together in one chapter. In that chapter, the editors have indicated the number of words omitted where only an extract from a document has been reproduced.

The numbering system for documents reproduced from the de Valera papers may be subject to change as the papers are presently being recatalogued by the Archives Department at University College Dublin. The prefix ‘P150’ will remain in all cases, but the file number following may change. A list is being prepared by the UCD Archives Department which will collate the old and new numbers.

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1. Members of the team such as Joseph Walshe, Sean Murphy and Michael MacWhite went on to become senior members of the diplomatic service of independent Ireland.
 2. FitzGerald held office until 1927.
 3. The guidelines of the Department of Foreign Affairs state that

‘There may be no alteration of the text, no deletions without indicating the place in the text where the deletion is made, and no omission of the facts which were of major importance in reaching a decision. Nothing may be omitted for the purpose of concealing or glossing over what might be regarded by some as a defect of policy. However, certain omissions of documents are permissible to avoid publication of matters that would tend to impede current diplomatic negotiations or other business. In addition, the above guidelines are to be interpreted in conjunction with the obligations laid out in the National Archives Act (1986) and the Freedom of Information Act (1997), the provisions contained in which are to be regarded as taking precedence.’

None of the documents in this DIFP publication had matter omitted for such reasons. Nor were any documents so omitted.

List of archival sources

National Archives

Dáil Éireann

Dáil Éireann secretariat files

Department of Foreign Affairs

Early series files (ES)

Personal Collections

George Gavan Duffy papers (1125)

University College Dublin Archives

Éamon de Valera papers (P150)

Biographical Details

The following list gives details of some of those mentioned in the documents. Others who are less frequently mentioned are identified in footnotes.

- **Anderson, Sir John (later Viscount Waverley)** (1882-1958) Head of the British administration in Dublin Castle as Joint Under-Secretary for Ireland (1920-1922).
- **Barton, Robert** (1881-1975) TD; Minister for Agriculture (April-August 1919); member of Irish Treaty Delegation; voted in favour of the Treaty but did not co-operate with the Provisional Government.
- **Begley, Joseph** Dáil Éireann official, Washington (1921-1922).
- **Bewley, Charles** (1888-1969) Irish Trade Representative in Berlin (October 1921 but only arrived December 1921-October 1922); Irish representative Berlin (October 1922-February 1923); Irish Minister to the Vatican (1929-1933); Irish Minister to Germany (1933-1939).
- **Lord Birkenhead (Frederick E. Smith)** (1872-1930) Lord Chancellor (1919-1922); Conservative member of the British Treaty delegation (October-December 1921).
- **Blythe, Ernest** (1889-1975) TD; Dáil Minister for Trade and Commerce (1919-1922); Provisional Government Minister for Local Government (1922); Minister for Health and Local Government (1922-1923); Minister for Finance (1923-1932); Vice-President of the Executive Council (1927-1932).
- **Boland, Harry** (1887-1922) TD; Dáil Éireann representative to the United States of America (May 1920-January 1922); opposed the Treaty and was killed during the Civil War.
- **Bonar Law, Andrew** (1858-1923) Leader of the Conservative Party (1911-1921) and Lord Privy Seal (1919-1921); Plenipotentiary at the Paris Peace Conference (1919); Prime Minister (1922-1923).
- **Botha, Louis** (1863-1919) Prime Minister of the Union of South Africa (1910-1919).
- **Bourne, Cardinal Francis** (1861-1935) Archbishop of Westminster (1903-1935).
- **Boyd, Major-General Sir Gerald** (1877-1930) General Officer Commanding the British forces in Dublin (1920-1921).
- **Brennan, Robert** (1881-1948) Sinn Féin Director of Publicity (1918-1920); Under Secretary, Department of Foreign Affairs (7 February 1921-21 January 1922); organiser of the Irish Race Conference (Paris, January 1922); anti-Treaty propagandist during the Civil War. General Manager, The Irish Press (1931-1934); secretary, Irish Legation, Washington (February 1934-March 1938); Acting Chargé d'Affairs, Washington (March-September 1938); Minister Plenipotentiary, Washington (September 1938-1947). Director of Broadcasting, Radio Éireann (1947-1948).
- **Brugha, Cathal** (1874-1922) TD; President of Dáil Éireann (22 January-1 April 1919); Minister for Defence (April 1919-January 1922); opposed the Treaty and was killed during the Civil War.
- **Bulfin, Éamon** Irish representative in Argentina (May 1919-July 1922).
- **Carson, Sir Edward** (1854-1935) Leader of the Irish Unionist Party (1910-1921); Member of Cabinet (1915-1918); Lord Justice of Appeal (1921-1929).
- **Chamberlain, Sir Austen** (1863-1937) Chancellor of the Exchequer (1919-1921); Lord Privy Seal (1921-1922); leader of the British Conservative Party (May 1921-October 1922); member of the British Treaty delegation.
- **Chartres, John** (1862-1927) Sinn Féin representative in Berlin (June 1921-September 1921, January-September 1922); constitutional law expert on and Second Secretary to Irish Treaty Delegation, London (October 1921-December 1921); supported the Treaty; temporary representative in Paris (March 1922-June 1922); Department of Industry and Commerce (1923-1927).
- **Chatterton Hill, George** Sinn Féin supporter and propagandist in Germany.
- **Childers, (Robert) Erskine** (1870-1922) TD; Substitute Director of Publicity (February-August 1921); Chief Secretary to the Irish Treaty Delegation and defence expert (October-December 1921); opposed the Treaty; executed in November 1922.
- **Churchill, Winston** (1874-1965) Secretary of State for War (1919-1921); Colonial Secretary (1921-1922); Chairman of Cabinet Committee on Ireland; member of the British Treaty

delegation; responsible for the transfer of services to the Provisional Government (1922).

- **Clemenceau, Georges** (1841-1929) French premier (1906-1909 and 1917-1920).
- **Clune, Dr Patrick Joseph** (1864-1935) Archbishop of Perth, Western Australia (1913-1935).
- **Cohalan, Daniel F.** (1865-1946) Irish American politician; Judge of the Supreme Court of New York State; chairman of Irish Convention held in Philadelphia (February 1919); active in the Friends of Irish Freedom; broke with Éamon de Valera and Joe McGarrity in late 1919.
- **Collins, Michael** (1890-1922) TD; Minister for Home Affairs (January-April 1919); Minister for Finance (April 1919-August 1922); IRA Director of Intelligence (1919-1921); member of the Irish Treaty delegation; Chairman of the Provisional Government (January-August 1922); Commander in Chief of the National Army (July-August 1922); killed on 22 August 1922.
- **Connolly, Joseph** (1885-1960) Consul General in the United States of America (October 1921-November 1922); Minister for Posts and Telegraphs (1932-1933) and Lands and Fisheries (1933-1936).
- **Cope, Sir Alfred 'Andy'** (1880-1954) Assistant Under-Secretary for Ireland and Clerk of the Irish Privy Council (1920-1922).
- **Cosgrave, William Thomas** (1880-1965) TD; Minister for Local Government, Dáil Éireann (April 1919-September 1922); Minister for Local Government, Provisional Government (January-August 1922); Chairman of the Provisional Government (August-December 1922); President of the Executive Council of the Irish Free State (1922-1932); Acting Minister for External Affairs (July-October 1927).
- **Craig, Sir James (later Lord Craigavon)** (1871-1940) Parliamentary Secretary to the Admiralty (1919-1921); Prime Minister of Northern Ireland and Leader of the Ulster Unionist Party (1921-1940).
- **Crawford, Lindsay** (1865-1945) Former Grand Master of the Independent Orange Order, expelled after advocating Home Rule; Sinn Féin representative in Canada, later Irish Free State trade representative in New York.
- **Cremins, Francis T.** (1885-1975) Publicity Department, Department of External Affairs, (1922-1925); Department of Lands and Fisheries (1925-1929); Head of League of Nations Section, External Affairs (1929-1934); Permanent Representative at Geneva (1934-1940); Chargé d'Affaires at Berne (1940-1949).
- **Curran, Michael J.** Vice-Rector of the Irish College at Rome (1920-1930), also wrote under the code-name of 'Harry Cross'.
- **Curtis, Lionel (1872-1955)** Colonial Office Adviser on Irish Affairs (1921-1924); Second Secretary to the British Treaty Delegation.
- **Lord Derby (Edward Stanley)** (1865-1948) Secretary of State for War (1916-1918, 1922-1924); British Ambassador to France (1918-1920).
- **de Valera, Éamon** (1882-1975) TD; President of Dáil Éireann (1 April 1919 - 9 January 1922) (whilst in America from 11 June 1919 to 23 December 1920 de Valera referred to this post as 'President of the Irish Republic'); opposed the Treaty; President of the Executive Council and Minister for External Affairs (1932-1937); Taoiseach and Minister for External Affairs (1937-1948, 1951-1954), Taoiseach (1957-1959); President of Ireland (1959-1973).
- **Devoy, John** (1842-1928) Prominent Fenian and Irish American; broke with de Valera in 1920 over tactics in America; supported the 1921 Treaty as the first step to an Irish Republic.
- **Drummond, Sir James Eric (later Lord Perth)** (1876-1951) First Secretary General of the League of Nations (1919-1933); Ambassador to Italy (1933-1939).
- **Duane, Cornelius** Assistant to Charles Bewley in Berlin (May 1922-March 1923); Irish representative to Germany (1923-1924).
- **Duggan, Éamon** (1874-1936) TD; member of the Irish Treaty delegation.
- **Egan, Frank** Representative in Chile (1919-1922).
- **Fawsitt, Diarmuid** Consul at New York (July 1919-August 1921); adviser to economic sub-commission at Treaty negotiations; Assistant Secretary, Department of Industry and Commerce (1922-1923).
- **Farrington, Ben** Lecturer in Greek at Capetown University.
- **FitzGerald, Desmond** (1889-1947) TD; Dáil Éireann Substitute Director of Propaganda (17 June 1919-11 February 1921, 15 July 1921-8 September 1922) (subsequently styled Secretary for Publicity, August 1921, then Minister for Publicity, January 1922); Minister for External Affairs (1922-1927); Minister for Defence (1927-1932).
- **Gallagher, Frank** (1893-1962) Chief Assistant to the Director of Publicity (August 1919-21

January 1922).

- **Gavan Duffy, George** (1882- 1951) TD; Representative in Paris (1919-September 1920); roving envoy in Europe (September 1920-Spring 1921); representative in Rome (1921). Member of the Irish Treaty delegation (October-December 1921); supported the Treaty; Dáil Éireann Minister for Foreign Affairs (10 January-25 July 1922).
- **Ginnell, Laurence** (1854-1923) One-time Irish Nationalist MP, changed to support Sinn Féin after 1916 rising; TD; Dáil Éireann Director of Propaganda (2 April 1919-26 August 1921); Special Representative to Argentina (September 1920-March 1922).
- **Grattan Esmonde, Osmond** (1896-1936) Dáil Éireann representative in USA, Canada, Australia, France, Madrid and Rome (1921-1922).
- **Greenwood, Sir Hamar** (1870-1948) Chief Secretary for Ireland (1920-1922); member of the British Treaty delegation.
- **Griffith, Arthur** (1871-1922) TD; Acting President of Dáil Éireann (June-December 1920); Minister for Home Affairs (April-August 1921); Minister for Foreign Affairs (26 August 1921-9 January 1922); Chief Delegate of Irish Treaty delegation (October-December 1921); President of Dáil Éireann (10 January-12 August 1922); Minister for Foreign Affairs (July-August 1922). Died 12 August 1922.
- **Grigg, Sir Edward** (1879-1955) Private Secretary to Lloyd George (1921-1922).
- **Hagan, John** (1874-1930) Rector of the Irish College in Rome (1919-1930); Sinn Féin contact and strategist in Rome; opposed the Treaty.
- **Hales, Donal** Representative in Genoa (1919-1922); opposed the Treaty.
- **Hayes, Michael** (1889-1976) TD; supported the Treaty; Minister for Education (January-September 1922); Acting Minister for External Affairs (21 August-8 September 1922); Ceann Comhairle (Speaker) of Dáil Éireann (1922-1932).
- **Healy, Matthew Garth** Auditor in the Dáil Éireann offices at New York and Chicago (October 1920-September 1922).
- **Hewart, Sir Gordon** (1870-1943) British Attorney General (1919-1922); member of the British Treaty Delegation.
- **Horne, Sir Robert** (1871-1940) Chancellor of the Exchequer (1921-1922); member of the British Treaty delegation.
- **Jameson, Andrew** (1855-1941) Prominent Southern Irish Unionist businessman.
- **Jones, Thomas** (1870-1955) Assistant Secretary to the Cabinet and Secretary to the British Treaty delegation.
- **Kerney, Leopold Harding** (1881-1962) Consul at Paris (July 1919-December 1922); opposed the Treaty; Republican Envoy in Paris (1923-1925); Commercial Secretary, Paris Legation (1932-1932); Minister to Spain (1935-1946).
- **Kerr, Philip** (1882-1940) Private Secretary to Lloyd George (1917-1921).
- **Little, Patrick J.** TD; Representative in South Africa and Latin America (1921).
- **Lloyd George, David** (1863-1945) British Prime Minister (1916-1922); leader of the British Treaty delegation.
- **Logue, Michael** (1839-1924) Cardinal Archbishop of Armagh and Primate of All Ireland (1887-1924).
- **Long, Walter** (1854-1924) Leader of the Irish Unionist Party (1906-1910); First Lord of the Admiralty (1919-1921).
- **Macready, General Sir Nevil** (1862-1945) General Officer Commanding, British Forces in Ireland (1920-1922).
- **McCullough, Denis** (1883-1968) President of the Supreme Council of the IRB (1916); Special Commissioner to the United States of America (1922).
- **McCartan, Dr Patrick** (1878-1966) TD; Representative of Irish Republic in America (1917-March 1920); Representative to Russia (December 1920-1921).
- **MacDunphy, Michael** Assistant Secretary to the Provisional Government (January-December 1922) and the Executive Council (December 1922-December 1937).
- **McGarrity, Joseph** (1874-1940) Clann na Gael organiser; managed de Valera's tour of the United States of America (June 1919-December 1920); supported him in dispute with Cohalan which split the Friends of Irish Freedom in 1920; ran the American Association for the Recognition of the Irish Republic.
- **MacNeill, Eoin (John)** (1867-1945) TD; Minister for Finance (January-April 1919); Minister for Industries (April-August 1921); Ceann Comhairle (Speaker) of the Dáil during the Treaty

- debates; supported the Treaty; Minister without Portfolio in the Provisional Government (January-August 1922); Minister for Education (August-December 1922). Irish Free State representative on Boundary Commission (1923-1925).
- **MacNeill, James** (1869-1938) Irish Free State High Commissioner in London (1922-1928); Governor General of the Irish Free State (1928-1932).
 - **McGrath, Joseph** (1888-1966) TD; Minister for Labour (September-November 1920); Minister for Labour in the Provisional Government and the Second Dáil; Minister for Industry and Commerce (1922-1924).
 - **MacSwiney, Mary** (1872-1942) TD; visited the United States on behalf of Sinn Féin in 1920; opposed the Treaty.
 - **MacWhite, Michael** (1882-1958) French Foreign Legion (1914-1918); Secretary to Irish delegation to Paris peace conference (1920); Irish representative to Switzerland (1921-1923); Permanent Representative to League of Nations (1923-1929); Irish Minister at Washington (1929-1938); Irish Minister to Italy (1938-50).
 - **Mannix, Daniel** (1864-1963) Catholic Archbishop of Melbourne.
 - **Mellows, Liam** (1892-1922) participated in de Valera's tour of the United States (June 1919-December 1920); returned to Ireland in 1920; IRA Director of Purchases during the Anglo-Irish War; opposed the Treaty; executed 8 December 1922.
 - **Middleton, 1st Earl of (St John Broderick)** (1856-1942) Leader of the Southern Unionists after 1917.
 - **Moore, Colonel Maurice** (1854-1939) TD; Dáil Éireann representative to South Africa (1921); representative in Paris (1922).
 - **Mulcahy, Richard** (1886-1971) TD; acting Minister for Defence (January-April 1919); Chief of Staff of the IRA in the War of Independence; pro-Treaty; Minister for Defence in the Second Dáil (January-August 1922) and for National Defence (Provisional Government, August-December 1922); Minister for Defence (1922-1924); Chief of Staff of the National Army (1922-1923); Minister for Local Government (1927-1932); founder member of Fine Gael (1934); leader of Fine Gael (1943-1959); Minister for Education (1948-1951, 1954-1957); Minister for the Gaeltacht (1956).
 - **Murphy, Sean** (1896-1964) Secretary, Irish mission to Paris (1920); represented the Irish Free State in Paris (1923); Administrative Officer, Department of External Affairs (1925-1928); Assistant Secretary (1928-1938); Minister to France (1938-1950); Ambassador to Canada (1950-1955); Secretary of the Department of External Affairs (1955-1957).
 - **Nunan, Sean** (1890-1981) Clerk of Dáil Éireann (1919); Secretary to Éamon de Valera (1919); accompanied de Valera to USA June 1919; opposed the Treaty; Consul General, New York (1932-1938); First Secretary, London (1938-1941); Counsellor, Washington (1941-1946); Consul General, New York (1946-1947); Minister, Washington (1947-1950); Assistant Secretary, Department of External Affairs (1950); Secretary, Department of External Affairs (1950-1955).
 - **O'Brien, Art** (1872-1949) President of the Sinn Féin Council of Great Britain (1916-1923); co-founder of the Irish Self-Determination League of Great Britain and Vice-President (1919-1922), President (1922-1924); Sinn Féin Representative in London (October 1919-April 1922); opposed the Treaty.
 - **O'Brien, Máire** Representative in Madrid (May 1921-February 1922); opposed the Treaty.
 - **O'Byrne, Count Patrick J.** Representative in Rome (September 1921-January 1923).
 - **O'Ceallaigh, Sean T.** (1883-1966) TD; Ceann Comhairle (Speaker) of Dáil Éireann (1919); Irish representative to the Paris Peace Conference (1919) and representative in Paris (1919-1922); envoy to Italy; opposed the Treaty; Minister for Local Government and Public Health (1932-1939), Tánaiste (1937-1945), Minister for Finance (1939-1945), President of Ireland (1945-1959).
 - **O'Connell, Kathleen** (1888-1956) Secretary to Éamon de Valera.
 - **O'Connell, Sir John** Solicitor and businessman.
 - **O'Connor, James** (1872-1931) Lord Justice of Appeal (1918-1924).
 - **O'Flanagan, Father Michael** (1876-1942) TD; Vice-President of Sinn Féin.
 - **O'Hegarty, Diarmuid** (1892-1967) Secretary to the Dáil Ministry (1919-1922); Secretary to the Irish Treaty Delegation; Secretary to the Provisional Government (January-December 1922) and to the Executive Council (December 1922-March 1932).
 - **O'Hegarty, Patrick Sarsfield** (1879-1955) pro-Treaty journalist and author; later Secretary of the Department of Posts and Telegraphs.

- **O'Kelly de Gallagher, Count Gerald** (1890-1968) Envoy to Switzerland (July 1919-March 1921); Representative to Belgium (April 1921-September 1929); Minister Plenipotentiary to France (1929-1935); Special Counsellor at Paris and Brussels Legations (1935-1948); Chargé d'Affaires at Lisbon (1948-1968).
- **O'Loughlin, Gearoid** Representative in Denmark (1921); temporary Secretary to Arthur Griffith (1922); roving envoy to Berlin and Brussels (November-December 1922).
- **O'Mara, James** (1873-1948) TD; trustee for Dáil Éireann loan in USA (1919-1921).
- **O'Mara, Stephen** (1885-1926) Representative in USA (1921-1922); replaced his brother James O'Mara as a trustee of the Dáil Éireann loan in the USA.
- **O'Murchadha, Colm** Acting Dáil Cabinet Secretary (November-December 1921).
- **O'Shannon, Cathal** (1889-1969) Irish Labour delegate to Socialist International Conference (Berne 1919); editor of socialist newspapers; founder member of the Socialist Party of Ireland though expelled in 1921; TD and Deputy Chairman of the Labour parliamentary party (1922-1923).
- **O'Sheil, Kevin** (1891-1970) Adviser to Michael Collins on Northern Ireland (1922); Director of the North-Eastern Boundary Bureau (1922-1925).
- **Phelan, Edward J.** (1888-1967) Chief of Diplomatic Division, International Labour Office (ILO) (1920-1938); Deputy Director General, ILO (1938-1941); Director, ILO (1941-1946); Director General, ILO (1946-1948).
- **Plunkett, Count George Noble** (1851-1948) TD; Dáil Éireann Minister for Foreign Affairs (22 January 1919-June 1920); Associate Minister for Foreign Affairs (June 1920-26 August 1921); Minister for Fine Arts (26 August 1921-9 January 1922); opposed the Treaty.
- **Power, Nancy Wyse** (1889-1963) Representative in Germany (1921-1922).
- **Russell, George (A.E.)** (1867-1935) Poet, journalist and economist.
- **Smiddy, Professor Timothy A.** (1875-1962) Representative in Washington (March 1922-October 1924); Minister in Washington (October 1924-January 1929); High Commissioner in London (1929-1930).
- **Smuts, Jan Christian** (1870-1950) Prime Minister of South Africa (1919-1924); plenipotentiary for South Africa at the Paris Peace Conference.
- **Stack, Austin** (1880-1929) TD; Substitute Minister for Home Affairs (1920); Minister for Home Affairs (1921-1922); opposed the Treaty.
- **Vivanti, Anne** (1868-1942) Italian writer, wife of John Chartres [q.v.]; Sinn Féin propagandist in France, Switzerland, Italy and Germany (1920-1922).
- **Walsh, James J.** (1880-1948) TD; Postmaster General (December 1922-October 1923); Minister for Posts and Telegraphs (October 1923-October 1927).
- **Walshe, Joseph P.** (1886-1956) Irish delegation to Paris (1 November 1920-31 January 1922); Secretary to Dáil Ministry of Foreign Affairs (1 February 1922-31 August 1922); Acting Secretary, Department of External Affairs (1 September 1922-7 August 1927); Secretary, Department of External Affairs (8 August 1927-7 May 1946); Ambassador to Holy See (8 May 1946-2 September 1954).
- **Ward, Gilbert** Accountant, Irish Office, New York (1920-1922).
- **Wilson, Sir Henry** (1864-1922) Chief of the Imperial General Staff (1918-1922); Unionist MP (Belfast) (1921-1922); Security Adviser to the Government of Northern Ireland (1922); assassinated June 1922.
- **Wilson, Woodrow** (1856-1924) President of the United States of America (1913-1921).
- **Worthington Evans, Sir Laming** (1868-1931) Secretary for War (1921-1922); member of the British Treaty delegation.

Art O'Brien to Arthur Griffith (Dublin)
(Copy)

London, 2 December 1920

A Chara,

Dr. Clune who will present this letter to you came to see me the day before yesterday (Nov. 30) to get my advice on a position which had arisen. It appears that that same afternoon Archbishop Clune had met some important people (whose names he was not at liberty to disclose to me). I gathered these people were English and were directly connected with matters concerning their Government. They gave the Archbishop to understand that Lloyd-George was much perturbed at the effect of what is known here as the 'reprisal' campaign in Ireland, that he was very anxious to secure Peace, and for this purpose was willing to secure facilities for meeting Members of Dáil Eireann. The people referred to urged Archbishop Clune to see Lloyd George, and afterwards to take the matter up with our people in Ireland.

Archbishop Clune was leaving to-day for France en route for Australia, but expressed his complete willingness to put off his journey if his efforts would be likely to help. The chief point raised with His Grace apparently was:- If Lloyd George gave a guarantee to stop 'Reprisals' could a guarantee be secured (sic) from S.F Leaders that the killing of Members of the English Crown forces in Ireland would cease - the objective being, I understand from His Grace that a condition of Peace should be reached in which negotiations for the discussion of further terms could be initiated.

His Grace asked me if I thought you could give such a guarantee as that referred to, and whether it would be worth his while following the matter up. I told His Grace that the stand we had always taken was that we wanted Peace in our country and that any steps that would be likely to lead to securing a honourable Peace would, I was sure, be seriously considered by the Ministry of the Republic. I further told His Grace that inasmuch as he had been approached as a private individual to take up this matter, and as he had no official connection with the Republic, his action could not in any way compromise us. On the other hand if there were any sincerity in these suggestions his action in following the matter up might lead to a successful issue to our struggle. On these grounds (and for other considerations which I had in my mind, and which will appear in the succeeding paragraphs) I advised His Grace to follow the matter up. I only warned him to be cautious of Lloyd George and to get definite assurances on:

1. His (L.G's) ability to stop 'reprisals'
2. Facilities for His Grace to meet you
3. Facilities for you to meet your Colleagues in the Ministry¹

His Grace met Lloyd George yesterday afternoon. He had also seen Cardinal Bourne in the morning, and Lord H. Cavendish Bentwick, and Mr. Mosley M Pearlin in the afternoon. In each of these two cases also he was insistently urged to see Lloyd George. His Grace will himself give you an account of each of these interviews.

It seems to me pretty clear that Lloyd George and others here are desperately anxious to reach a condition of Peace again with Ireland (1) because of the serious effect which their present barbarism is having on the outside world, but more particularly in Canada, Africa and Australia (2) because they see that the vicious and demoralised forces which they are losing in Ireland will soon be uncontrollable and will be a great menace to themselves.

It is possible that you were arrested before receipt of my report of my conversation with Alfred T. Davies about 10 or 14 days ago.² Davies had been very anxious to see me. He and his brother had been ringing up my office and calling there for a week beforehand, whilst I was away ill. Finding him so insistent I made an appointment at the Hotel whilst I was still confined to my room there. As you are already aware Davies is a close friend of Lloyd George. His conversation in most respects was on the same lines as previous occasions. There was one point however, which he dwelt on at length and to

which he returned again and again. The new feature about it is its definite character, and it was to the effect that a Meeting should be arranged between Lloyd George and two Members of his Cabinet on the one side, and yourself, De Valera and myself on the other to negotiate terms of peace and settlement between the two countries. In reply to his query as to whether such a Meeting could be arranged, I said I felt sure you would consider it favourably, provided it were understood in advance that no limitations were placed on the discussions. To this Davies answered that the only limitation would be that the question of the Recognition of the Republic would be ruled out. I told him that was a condition which would make it impossible for you to consider the proposal. He could not suggest a way out of the difficulty and went away to think matters over, but I have not heard from him since.

James MacNeill who called to see me on Friday may have been able to convey to you some information about his visit over here with George Russell when they saw a number of important people. At the instigation and by the arrangement of some of these people George Russell also had an interview with Lloyd George. At that interview, which as I understand from James MacNeill, followed very much the same lines as the interview between Archbishop Clune and Lloyd George. The latter stated that he was anxious to meet representatives of Dáil Eireann, and that he would guarantee that the field should be left clear for Dáil Eireann to meet without interference or interruption.

The three interviews mentioned above, none of which have been sought by us, all seem to me to exhibit a greater anxiety for peace on the part of our enemies, than they have previously exhibited. I have thought it well to put them before you in sufficient detail to enable you to get a grasp of the general perspective before Archbishop Clune relates to you the details of his own particular interview.

If a Truce can be concluded under Conditions sufficiently secure, definite and satisfactory, the subsequent negotiations would, I think, even if they did not lead immediately to a settlement and recognition, open up possibilities of our making a big score in the game which would considerably hasten settlement and recognition. That would all depend upon the terms of the Truce, and the conditions of the negotiations.

I have placed all the facts as clearly as I can before you and I hold myself in readiness to carry out any instructions which the Ministry may have to give me.

Art O'Brien

PS. Just after I had closed this letter word was brought to me from a Mr. Proctor of Finchley, a personal friend of Hamar Greenwood, who expresses anxiety to get in touch with Leaders of movement here. He says majority of Cabinet are anxious for Peace, but Long and Churchill are obstructing. He also says that 60,000 more troops are being sent to Ireland next week.

¹ Griffith was then in prison in Mountjoy.

² Handwritten note in margin: Who is he. He's a private member - friend of Lloyd George. Big business man but a political fool. Trying a private hand probably.

Art O'Brien to Michael Collins (Dublin)
(No. L.752) (Copy)

London, 12 December 1920

PROPOSALS FOR PEACE: I attach a copy of Notes of Archbishop Clune's interview with L.G after his return from Ireland. This is a copy of Notes sent to me by [the] Archbishop immediately after the interview. It is an extension of the report given in my former memo. After that interview came L.G's 'War to the knife' pronouncement in House of Commons.¹ Archbishop Clune came to see me after that telling me L.G. had sent him a message that he had to go out of town for the week end, but wanted to see [the] Archbishop immediately on his return. L.G also sent message that the passages to Australia were cancelled. I advised Archbishop to see L.G or his Private Secretary at once, take strong attitude, and one of great indignation, say that he had been tricked and fooled, and that he intended to go to Australia at once. Archbishop after some discussion said he would follow that advice. Whether he did so or not I cannot say. He sent me two messages during the afternoon, but did not come to see me. From the second message (which reached me too late to return a reply) gave me to understand that he was returning to Dublin on the request of Lloyd George and he was conveying a suggestion for the surrender of all Arms. Had I seen him I would have suggested the futility of such an errand.

The Archbishop is not equal to carrying on negotiations of this sort with a man like L.G. He seems to be still impressed with L.G's desire for Peace, and more particularly his power to obtain it.

You may probably have seen the Archbishop before this reaches you. By the bye, I should be careful in telling him where you are staying etc. He is inclined to be rather indiscreet and too confiding. He has been talking to too many people here, and some who should not have been spoken to at all. He is I believe staying with Sir John O'Connell in Dublin.

I agree with the position as you put it in your memo. It is clear that in this seeking for negotiations England wishes to manoeuvre us into a false position. If it was not clear previously it is certainly clear from L.G.'s pronouncement on Friday. On the other hand, that their position in Ireland is one of considerable and increasing danger to them both abroad and at home is very clear to them (or rather to the politicians amongst them) I have little doubt that the[y] consequently wish to reach a settlement of affairs in Ireland, and at an early date seems to me clear also. To that extent and for those reasons they require a Peace.

Many of the Military people are getting afraid of the result of what I may call the Black & Tan theory.² They see visions of its disintegrating their own Army. I am told on what I would say is at all events fairly reliable authority, that even Sir Henry Wilson, who of course, with Churchill is chiefly responsible for the whole reign of terror, is getting nervous of these results. I am also told from another source that Churchill himself is peevish and annoyed and doubtful. That seems quite understandable from a Military point of view. Of course they promised that six weeks of Black and Tan terrorism would kill the demand for an independent Irish Republic. Six week's bloody spree might be curable with a few months strict discipline, but if continued very lon[g] the disease might be incurable.

Of course we have to come to the negotiation stage at some time, and we must certainly be prepared for England's trickery and treachery on every such occasion. If England tries to jockey us into a position of disadvantage we should be ready to return the compliment. I think it would be a good thing at the present moment if An Dáil made a pronouncement or an offer of terms of peace, give it to the press, and send it officially to the English Government. Terms (1) withdrawal of all English Armed forces (2) Recognition of the Irish Republic (3) repayment of the amount overpaid in Taxation by Ireland since 1800 on the basis of the findings of Financial Commission appointed by the English Government (4) indemnity for all acts of destruction and violence since 1914.

A pronounce[ment] or an offer on those lines would strike the imagination of the world because at first they would seem audacious. But the discussion (press) which would ensue would show them to be generous. Lastly their presentation is simple which would bear a healthy and patent contrast to the

involved wriggings of the English Government.

I rather feel that a clear cut pronouncement of that sort from us is long overdue. The chief immediate value of sending it as an offer to the English Government is that it would cause greater consternation, would secure greater publicity, could be dragged out publicly in their House of Commons and would make the position clear to the people of England, and all would be negotiators.

I think it would be a bold and effective move. Exceptional care must be taken, of course, to get into all the foreign press at the same time. Sending it by hand to the Foreign Press correspondents in London at the same time would be one way. It should also be sent to the Governments of all countries of the world.

Enclosure

REPORT (attached to Memo 752 12/12/20)³

L.I.G. was most reasonable, gracious and anxious for Peace. H.[is] G.[race] appealed to his vanity by saying that it would be the greatest he had accomplished. L.I.G. said he could have done far more a month ago than now; the Dublin murders on Sunday, November 21st. had excited such rage and passion over here that it will require great tact and patience to allay this feeling.⁴ L.I.G. said that if our people could lie low for a month or so then the position would be altogether different; the bitter feeling on this side would die down; the Christmas Season would have its effect, and the chance would be better of succeeding with any meeting for a final settlement and adjustment of affairs. L.I.G. indicated that D.Eir would be allowed to meet, but certain Members would not be allowed there viz: M. C.⁵ and D. M.⁶ L.I.G. suggested that M.C and D.M should leave the country for a while. H.[is] G.[race] said he did not think they would as everyone else would then feel that the leaders had saved themselves and left them in the lurch. L.G. would admit Hierarchy to meeting of the D.[áil] and representatives of the Irish Labour party. These three elements will constitute the national sentiment of Ireland outside Ulster. Regarding cessation of hostilities on their side L.I.G. wants Macroom to be exempted.² Military say that the perpetrators of Macroom Ambush are on the hills in Cork. They are insisting on being allowed to pursue and capture them. L.I.G. does not know if this is true.

ABOVE ARE PRINCIPAL POINTS OF INTERVIEW.

Remarks.

Whilst H.[is] G.[race] was there L.I.G. summoned a meeting for immediately after H.[is] G.[race] had left - to consist of B.[onar] L.[aw], H.[amar] Greenwood, Churchill, Sir. J.[ohn] Anderson., Gen. Macready and Gen. Boyd? to discuss the Irish situation. L.I.G. said 'Macready is all right: B. Law is very fair and reasonable'. There he stopped. L.I.G. sent for private Sec: and said arrangements should be made for cancellation of H.[is] G.[race]'s return to Australia, as H.[is] G.[race] must return to Ireland. H.[is] G.[race] consented to return to Ireland on condition that he brought back a message to D. Eir: that would be worth accepting. L.I.G. gave H.[is] G.[race] the impression that he is trying to appease the military desire for revenge on account of the killing of Officers. SURRENDER OF ARMS not mentioned by L.I.G. but H.[is] G.[race] referred to this and impressed on L.I.G. that it would be fatal, and that if the informal agreement were kept to it would render the point unnecessary. H.[is] G.[race] compared Military and Stateman's point of view. Military point of view would never subdue spirit of the people. Stateman's more peaceable attitude would lead to some agreement. Another Meeting with H.[is] G.[race] arranged for to-morrow. The whole matter hangs on L.I.G.'s capacity to make others agree to his more peaceful view at the meeting tonight.

IMPORTANT POINT which interfered with H.[is] G.[race]'s mission. Fr. O'F[lanagan]'s wire and resolution of Galway C.[ounty] C.[ouncil], which were quoted as evidence that S.[inn]F[éiner]'s were showing the white feather, and anxious for peace at any price. These appeals are injuring present negotiations.

¹ Handwritten note in margin: Get and attach Fri. Dec. 10th.

² Black and Tans: the name given to demobilised soldiers recruited as members of the Royal Irish Constabulary when Irish recruiting dried up during the 1919-21 War of Independence. The name came

from the force's khaki trousers and green tunics.

³ Handwritten note in margin: of interview with L.G. Dec (8?).

⁴ 'Bloody Sunday': Michael Collins's 'Squad' shot dead fourteen men believed to be British secret service agents, British forces later killed twelve civilians during a Gaelic football match at Croke Park in Dublin and three I.R.A. prisoners at Dublin Castle.

⁵ M.C.: Michael Collins.

⁶ D.M.: Dick Mulcahy.

⁷ Twenty-seven IRA volunteers ambushed a seventeen strong patrol of the Auxiliary Division of the Royal Irish Constabulary, killing sixteen.

Michael Collins to Arthur Griffith
(Copy)

Dublin, 14 December 1920

You will see from the attached letter¹ that I was groping somewhat forward in reference to another visit from His Grace. It seems to me that no additional good result can come from further continuing these discussions. You will understand that I am looking at it from an entirely utilitarian point of view. We have clearly demonstrated our willingness to have peace on honourable terms. Lloyd George insists upon capitulation. Between these there is no mean: and it is only waste of time continuing. It may make it appear that we are more anxious than they, while of course, Dr. Clune is Ll. George's envoy, not ours. Every effort should be made to emphasise this point, and Dr. Clune should now, in my opinion, adopt the attitude to Lloyd George that when he saw the people of our side he was met frankly and squarely, and got a fair answer, only to find on his return that Lloyd George had receded from his first position. It is entirely in their favour to continue in this position - *to allow a feeling of the continuance of negotiations to exist* - while they continue their attacks unabated. See their attitude to Cork as an example.

Yet in emphasising Ireland's wish for Peace, which is her age long wish - we need not fear to stand on the firm simplicity of our position. Hence, I agree with you that re-stating our willingness in the terms mentioned cannot do us any harm. The attitude of the past week has done much to restore the situation - to re-harden the spirit in many well-intentioned people who prematurely saw the final goal - to show again that England as ever remains the aggressor, and to demonstrate anew the righteousness of our struggle and our aims. Let Ll. George make no mistake, the I.R.A is not broken. The events of the week and these days are more eloquent on that question than all his Military advisers. Neither is the spirit of the people subdued. Although they won't give the prominence to the real position with regard to Galway as they did to the 'resolution'. Yet it will tell on the people who do the directing. Fr. O'Flanagan unfortunately has not done a bit better in his reply than he did originally.

¹Not located.

Arthur Griffith to Michael Collins
(Copy)

Dublin, 17 December 1920 (received 18 December 1920)

His Grace has been here. Reply of [Dublin] Castle agreeing to terms of truce, but insisting on surrender of Arms.¹

Told him there would or could be no surrender under any circumstances. He believes the reply has come through Greenwood & Co. rather than Lloyd George. He goes to London tonight to see L.I.G. and tell him that if surrender of Arms insisted on, all is off.

Secret report handed in at the Castle representing you and others as being unalterably opposed to Truce. This report is obviously concocted by the Die-hards to torpedo the Truce. He has your letter and saw your letter to me, and so can show L.I.G. the double game some of his Colleagues and officials are playing.

As to the 'peaceful activities' they will go on. All the L.I.G. section want is that they shouldn't go with a flourish of trumpets as I understand.

As to the 'Meeting of representatives of the Irish People'. I insisted that it should be '*the* representatives of the Irish people' - meaning ourselves without qualification or proscription.

We shall not agree to any Meeting of the Dáil except a full Meeting of *all* Members - no proscription, and no holding in Jail, but the arrangement of that Meeting will follow the Truce, and the phrase with the word *the* inserted covers it.

Arthur Griffith

¹ Dublin Castle: the headquarters of British government in Ireland.

Memorandum from Michael Collins to Art O'Brien (London)
(No. 509) (Copy)

Dublin, 21 December 1920

PEACE MOVES: You will probably have seen His Grace on his return from Dublin. He was closely in touch with Mr. Griffith all the week. It was not until Saturday that I saw him. Things seemingly went satisfactorily up to the last day practically, when everything broke down because of an impossible condition. The whole thing may be regarded as being definitely off in view of this Condition. The Condition I may say was the surrender of Arms. It is natural to suppose that this Condition was interposed for the double reason of making any arrangement impossible and of hoping to show weak spots in our personnel. Of course, nobody would dream of entertaining such a proposition.

Art O'Brien to Michael Collins (Dublin)
(No. L. 808) (Copy)

London, 25 December 1920

PEACE MOVES: A message came to me from His Grace yesterday evening and he has himself been to see me this morning. Developments since my previous memo up to the present are as follows: Not having heard anything further from L.I.G, His Grace, yesterday afternoon (between 2 and 3 p.m.) telephoned him - L.I.G's Secretary (E. R. Davies) spoke and conveyed a message to L.I.G. He returned to say that unless His Grace could obtain the Condition of the surrender of Arms there was no good purpose to be served by a further interview with L.I.G. His Grace repeated the Condition was impossible, and after further conversation Davies said in the circumstances the negotiations should be considered terminated. His Grace asked that accordingly arrangements should be made for his passage to Australia by next boat. His Grace said goodbye to them, considered the matter finished, and began to make his preparations for departure. He telephoned Cooks, found they had instructions, but he was unable to complete on account of some detail, and Cooks were to ring him up again later.

Between 4 and 4.30 p.m. Phillip Kerr (L.I.G's Private Secretary) called upon His Grace. He opened by a general conversation about the proposals for peace, expressing great regret they had come to nothing. He then came down to three specific points. He asked His Grace if he could not re-consider the question of the surrender of Arms. His Grace reiterated it was impossible, as nobody in Ireland would agree to it, he himself would not advise such a step, nor would any Bishop in Ireland. This point was dropped and Kerr said 'Could you not induce the Members of Dáil Eireann to accept the Prime Minister's invitation for them to meet.' His Grace replied 'How can they meet when you have so many of them in Prison, and when, if they did meet, the opportunity would probably be taken to arrest and even to shoot others.' The difficulties were discussed, and this point also was subsequently dropped without any definite conclusion. Then Kerr suddenly referred to the case of South Africa and said that directly Botha agreed to the recognition of both flags peace was brought about immediately - he suggested that the same thing could take place in Ireland, but that if we would not recognise the two flags their only alternative policy was to go on as they did in South Africa until they reduced us to a state of impotence.

Apparently he did not ask His Grace definitely to express an opinion on this latter point, and His Grace did not offer an opinion.

During the course of the conversation about Dáil Eireann, Kerr threw out the suggestion that the Irish Hierarchy should step in and effect a settlement.

His Grace replied to the effect that the Irish Hierarchy whilst they would be willing to meet Dáil Eireann, and discuss matters with them, could not think of usurping the functions of the National Assembly in making terms with another nation.

Finally Kerr left saying he had to see L.I.G prior to a special Meeting of Cabinet that was taking place at 5 p.m. Before going he urged His Grace very strongly not to continue preparations for his departure.

By this morning's post His Grace has received a letter from Kerr referring to their conversation and stating that 'the Prime Minister is calling a special Meeting of the Cabinet for early next week, when he is also meeting some people from Ireland. He would be very glad if Your Grace could conveniently arrange to be in London on Wednesday and Thursday next'. There the matter rests.

Memorandum by James O'Connor of an interview with Edward Carson

Undated

First interview:- Thursday 27th January 1921. This interview took place at Sir E. Carson's house, 5 Eaton Place, London, as did also the two other interviews. The date is Thursday 27th January 1921.

Lord Justice O'Connor saw Sir Edward Carson by appointment; O'Connor told Carson that he thought that there was a great desire in Ireland for peace, and that he could see no insuperable objection to peace so far as separate treatment for Ulster was concerned; that the Sinn Féin movement was a perfectly honest movement, without anything in it of self-seeking or sectarianism. Carson replied that he also was anxious for peace, and now that the right of Ulster to separate treatment was accorded by the Home Rule Act, he would do anything within reason to promote peace.

O'Connor said he thought Dominion Home Rule would bring peace, and the Act could be amended so as to bring it within what is called Dominion Home Rule; and that fiscal autonomy was essential.

Carson said that there was this difficulty about fiscal autonomy, that Ulster was genuinely apprehensive of its results on their industrial centre, and that they would not agree to it.

O'Connor said, would they not agree to it for the rest of Ireland.

Carson said that would lead to inconvenient customs barriers, and that he thought that way impracticable. He added 'Would it settle the Irish question if Ireland got off Imperial contribution altogether. The idea of a tribute is revolting to me as well as to those for whom I speak. It savours of subserviency - it would be much better to leave the question of contribution to come from Ireland itself as a voluntary thing'.

O'Connor said that the question of Imperial contribution was a very big thing: and of course that Ireland should escape it would be a big incentive, and the idea was well worthy of consideration; he thought Southern Ireland would not, for many a year at any rate, vote any Imperial contribution.

The general question of Irish unity was discussed. O'Connor understood Carson to be in favour of ultimate unity, th[r]ough the means of the Council of Ireland set up under the Home Rule Act.

The question of education in Northern Ireland was also mentioned, and Carson said that any provision safe-guarding and providing for the religious education of Catholics in the schools would have his approval, and that he had offered this when the Belfast Education Bill was on the tapis.

O'Connor said that Carson's desire for settlement, and his general outlook, led him to hope that a settlement might be arrived at; would Carson see Father O'Flanagan? Carson said he would.

O'Connor then asked if Carson would see de Valera. Carson said he would, and that he thought the quietest place (it had at the outset been agreed that the meeting should be confidential, and the fact of its taking place, or its import, should not be told to any person save those concerned - the Prime Minister, de Valera, Father O'Flanagan), would be his residence. An appointment was made for the following Sunday night to meet Father O'Flanagan.

During this interview, Carson also mentioned that an agreement could be come to to allot seats in Northern Ireland so as to avoid contests.

Second interview, Sunday, 30th January, 1921

Carson, Father O'Flanagan, O'Connor were present at 5 Eaton Place. Father O'Flanagan expressed the view that the best prospect of peace lay by an interchange of views between Irishmen themselves.

Carson agreed. Father O'Flanagan explained the Sinn Féin view as to a Republic. Carson said he understood the position; but that a Republic was obviously out of the question. Father O'Flanagan said that it would be impossible to get the Irish people to accept anything less. Carson said he understood that; and he thought that all that could be expected of Sinn Féin leaders would be to say:- 'Here is such and such a settlement. We do not accept it. It falls short of our demands. But we will work it. It is a step nearer to liberty. And we will work it in good faith'. In this connection Carson went on to outline a speech which, under these circumstances, he would deliver if he were in de Valera's place.

The consultation then drifted on to the question of a settlement. Carson said the difficulty the Prime Minister had was that there was no one to deliver the goods; no one to say on behalf of the Irish people that he would work any settlement, as Father O'Flanagan had admitted to the Prime Minister, and also to him (Carson) that he had no authority. Father O'Flanagan admitted the force of this, but said that on the other side there was the objection that if Sinn Fein receded from its position they would lose ground without any certainty of the settlement being seen through. O'Connor remarked that if neither party would express its mind, no progress could ever be made; he thought the difficulty could be got over by a confidential interchange of views to men like Father O'Flanagan and himself (O'Connor)?

The question of terms was here gone into, and Carson's attitude was a repetition of that outlined in respect of the Thursday interview. Carson said he did not know if Lloyd George would let Ireland off an Imperial contribution, but that he would try and see him to-morrow (Monday).

Father O'Flanagan expressed neither assent nor dissent to Carson's scheme.

Monday 31st January, 1921

Carson, O'Flanagan, O'Connor, 5 Eaton Place. Carson said he had seen the Prime Minister and Bonar Law together, and though he had no authority to say so, he thought there would be no difficulty in getting off all Imperial contribution if some reasonable assurance could be given that if the Act were amended accordingly it would be worked. Carson said that the Prime Minister had suggested either (1) a meeting between de Valera, O'Flanagan, O'Connor, Carson and Craig, to be followed by a meeting between the above five and the Prime Minister and Bonar Law; or, at de Valera's option, (2) a meeting between de Valera, O'Flanagan, O'Connor, the Prime Minister and Bonar Law in the first instance.

James O'Connor

*Éamon de Valera to Director of Publicity
(No. 11) (Urgent)*

Dublin, 24 April 1921

*DIRECTOR OF PUBLICITY:*¹

If you are approached by the press with reference to the new Peace rumours, answer in substance as follows:

'The public are now accustomed to this ruse of the British. If a special infamy has to be covered up, or a special difficulty has to be got out of, a pretence of initiating a new Peace move is set up.

Notwithstanding all rumours, Peace negotiations properly so-called, there are none. Of that you can be sure. On the other hand President de Valera would scarcely have refused to see Lord Derby if he sought an interview.

The President's attitude is very simple and plain - and whether in public or in private, the same. It expresses the attitude of the Nation. England is the aggressor. Once the aggression is removed there can be peace. If the aggression and interference is maintained it will be resisted.

England has no right whatever in Ireland. The presence of her Forces here is an invasion of the right of the Irish people. They must be removed. The Irish people must be recognised as an independent nation with a right to determine freely its own government. Interference or dictation from outside must be ended. That done England and Ireland might well be the most friendly of neighbours.'

For your own information, to be treated as confidential, Lord Derby requested an interview with me. He came over for it. I saw him as I would any influential public person or press man - just as Lloyd George is receiving the group of Irishmen, Messrs. Jameson, etc. I want you to be constantly on the alert and to be closely at hand so that through your department we can make sure that no other complexion is put upon the meeting. It is likely that we shall have to use you as our fighting arm in a special way for the next month or two. There will be the greatest need for skilful handling on our part.

I believe that a big drive will be made to divide the country. We must keep in the closest consultation and personal contact all the time, and everything that it is proposed to issue officially dealing with Peace must be submitted to me.

By the way, I sent you a copy of a wire forwarded to the Convention in Chicago for publication. If the press wouldn't take it it should have been put in the Bulletin. I send you herewith another copy. Like the previous communication it would have been far more appropriate some days ago than now. We mustn't lose the tide in these things.

Éamon de Valera²

Copy to Staff Attache (Enc.)

¹Laurence Ginnell, Director of Publicity from 2 April 1919 to 26 August 1921, was at this time on a special mission to Latin America, following the arrest of Desmond FitzGerald on 11 February 1921, Erskine Childers was appointed Second Substitute Director of Publicity until mid-July 1921. It is most likely the memorandum was received by Childers.

²Until the 11 July 1921 truce de Valera initialled his letters with an overtyped S E.

Michael Collins to George Gavan Duffy

Finance Department, Dublin, 18 June 1921

Seiorse a chara,
[222 words dealing with correspondence and spies omitted]

I fully appreciate what you mean by your reference to the Peace Talk. It would be a great pity if well-meaning people queered the position by too much of this - There are always those who want to insist on shaking hands before the combat is over, and, in my opinion, we are not so near the end yet that we can afford to start the hand-shaking.

You refer to the Armagh result - it was good beyond expectations.¹

Do chara go buan,
Miceál O'Coileain

¹ In the 24 May 1921 general election for the parliament of Northern Ireland Michael Collins was elected in the Armagh constituency.

David Lloyd George to Éamon de Valera

London, 24 June 1921

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 not 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,¹ 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,
David Lloyd George

¹ On 22 June 1921 whilst opening the Northern Irish parliament King George V called for reconciliation in Ireland.

Éamon de Valera to David Lloyd George (London)

Mansion House, Dublin, 28 June 1921

Sir,
I have received your letter.¹ 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.

Éamon de Valera.

¹[Document No. 10.](#)

Robert Brennan to George Gavan Duffy

Dublin, 1 July 1921

A Chara,

[345 words dealing with communications issues omitted]

The general situation at home here has undergone somewhat of a change during the past fortnight as you will have seen from the papers. The arrest of the President¹ was quite an accident though the military authorities were very keen on getting him. The moment was a very awkward one for the British Government as many factors were compelling them to put up at least an appearance of wanting to settle. Chief amongst these was the Imperial Conference, the leading spirit of which is very keen on an American alliance, which cannot be had without a settlement here. Consequently the President was released and the offer from Lloyd George forwarded to him. The object was twofold. First:- The chance that there might be a settlement on terms advantageous to England. Secondly:- The chance of throwing responsibility on us for the continuance of the war in the event of the President's refusal. The idea behind the President's counter invitation was firstly to put such responsibility on the right shoulders if the negotiations failed and secondly² the chance of reaching an agreement which would be satisfactory to all parties. This can be reached if the parties show sufficient statesmanship to recognise the value, both from the point of view of England and ourselves of an independent Ireland whose neutrality is guaranteed by England, the British Colonies, and America. In such a scheme the security of England from an attack from Ireland would be safe-guarded and possibly the autonomy of Ulster within the Irish State. There is a chance this may be brought off. The alternative is a ten years war which neither England nor her supporters here can contemplate with any degree of equanimity.

As I write things are taking a favourable turn. It is not unlikely that Craig may be forced to give into the Local conference. The release of Griffith etc.,³ is a distinct gain whatever the motive of those responsible. I would like to emphasize the advice already given that our Representatives abroad should be very slow to make any comment on such matters. It is always easy to put off interviewers by referring them to the Government here. When one is not actually on the scene it is very hard to know what statement best suits the intentions in the mind of those responsible for the movement here.

Is mise le meas,
Riobaird O'Brennáin

¹ De Valera was arrested in Blackrock, Co. Dublin on 22 June and subsequently released on the intervention of the Assistant Under-Secretary A.W. Cope.

² The word 'consequently' has been crossed out and replaced by 'secondly'.

³ Griffith was released on 1 July 1921.

Éamon de Valera to David Lloyd George (London)

Mansion House, Dublin, 8 July 1921

Sir,
The desire you express on the part of the British Government to end the centuries of conflict between the peoples of these two islands, and to establish relations of neighbourly harmony, is the genuine desire of the people of Ireland.

I have consulted with my colleagues and secured the views of the representatives of the minority of our Nation in regard to the invitation you have sent me.

In reply, I desire to say that I am ready to meet and discuss with you on what bases such a Conference as that proposed can reasonably hope to achieve the object desired.

I am, Sir,
Faithfully yours,
Éamon de Valera

Editorial Note: A Truce was subsequently declared, to date from noon on July 11th. An Irish delegation led by Éamon de Valera accompanied by Robert Barton, Erskine Childers, Arthur Griffith, Count George Plunkett, Austin Stack, Kathleen O'Connell and Laurence O'Neill went to London. Éamon de Valera and David Lloyd George met four times at 10 Downing Street between 14 and 21 July. While in London de Valera also met Sir James Craig on 15 and 18 July.

Éamon de Valera to Michael Collins (Dublin)
(Secret) (Copy)

Grosvenor Hotel, London, 15 July 1921

I am sure you are anxious to hear whether any important developments have taken place. The position is simply this - that L.G. is developing a proposal which he wishes me to bring in my pocket as a proposal to the Irish Nation for its consideration. The meetings have been between us two alone as principals. The idea on which we the Ministry started out remains unchanged.

You will be glad to know that I am not dissatisfied with the general situation.

The proposal will be theirs - we will be free to consider it without prejudice.

Hope to see you about the middle of the week.

(initialled) DeV

P.S. We must put back D.[áil] meeting. Am writing D.[iarmuid] O'H.[Eigearthaigh]

Éamon de Valera to Michael Collins (Dublin)
(Copy)

London, 19 July 1921

Things may burst up here suddenly, so all should be prepared.

I intend adhering to our original plan as closely as possible, but the changes in the situation have to be met as they arise.

I expect to be back by the end of the week.

(initialled) E d V

David Lloyd George to Éamon de Valera (London)
(Copy)

London, 20 July 1921

Sir,
I send you herewith the proposals of the British Government, which I promised you by this evening. I fear that they will reach you rather late, but I have only just been able to submit them on behalf of the Cabinet to the King.

I shall expect you here to-morrow at 11.30 a.m., as arranged at our last meeting.

I am,
Your obedient Servant,
David Lloyd George

Enclosure

Proposals of the British Government for an Irish Settlement.
20th July, 1921.

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,¹ 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 hereto; 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

¹See [Document No. 10.](#)

Memorandum by Erskine Childers on Irish defence as affected by the British proposals of 20 July 1921

Dublin, July 1921

DEFENCE.

The conditions affecting Defence laid down in the British Proposals of July 20th 1921 are as follows:-

1. Naval Defence.

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. Limitation of Irish Territorial Force.

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. Air Defence (including Civil Air control).

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.(a) Contribution to British Armaments.

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.

(b) Recruitment for British Forces in Ireland.

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.

NOTE :

Conditions 2 and 3 are 'Stipulations'; *Condition 1* says 'it is essential that'. *Condition 4a* is a 'hope'; *Condition 4b* is an 'assumption'. These expressions must be compared with those used in the economic and financial Conditions Nos.

5 & 6 where the phrase is 'shall agree to'.

Presumably the meaning intended is that there can be no concessions under Conditions 1, 2, 3 and 4b, but that 4a (as well as 5 & 6) are open to argument.

But if the principle of No 1 - 'Common concern' in defence, with exclusive British control of ports etc were assented to, the principle of 4a would logically have to be assented to also. Otherwise Ireland would be in the confessed position of sponging on a neighbour for a vital part of defence.

EFFECT OF THE CONDITIONS:

The effect of the five defence Conditions, taken as they stand, would be to retain Ireland in complete strategical, and consequently in complete political, subjection to Britain.

Condition No.1 governs all the rest. The words 'common concern' (line 1) might not necessarily imply strategical subjection - they might be read to cover an alliance for defence - but the stipulation for *exclusive* control of ports, waters etc clinches the matter.

An island can only be attacked from the sea. To prohibit an island from maintaining any kind of naval defence, and to place its naval defence exclusively under the control of another power is to deny its existence as a free nation, and to submerge it in the political and strategical system of that other power.

If this principle were assented to, it would be impossible to make any serious opposition to the Conditions relating to Air Force and Army. It follows logically from Condition No.1 that the whole defence of Ireland should be under British control.

The proposals endeavour to sweeten the pill by avoiding any direct allusion to the military occupation. But it is obvious that the defence of ports and coasts and Air Stations, and the stipulation for recruiting, imply and demand the presence of troops which would be British regular troops.

The expression 'Irish Territorial Force' in Condition 2 also implies not a regular Irish Army but a reserve at the back of a regular British Army, similar to the 'Territorial' Force in England and under ultimate British control, though paid for out of Irish funds.

In Condition 4a the British Army is included with the Air Force and Navy among the armaments to which Ireland is expected to contribute. No distinction is made here and none would be made in the matter of the occupation. If it were nominally made it would be worthless.

COMPARISON WITH THE REPORT OF THE IRISH CONVENTION, 1917.

The strategical Conditions should be compared with the recommendations in the Report of the Defence Committee of the Irish Convention of 1917 (Report, Appendix 12) as adopted by the Convention.

This Report conformed in its main features to the Conditions laid down in an unpublished Memorandum from the British Admiralty and the oral demands (also unpublished) of a War Office representative.

The same school of experts, if not the same individuals, evidently inspired the strategical Conditions in the present proposals.

The three main points are the same in both cases:-

1. *Exclusive* British control of naval defence.
2. Recruiting of British regiments in Ireland.
3. Irish 'local Territorial force'.

In dictating to the Convention, however, the Admiralty and War Office were perfectly frank in regarding the strategic unity of the two islands as complete for all purposes. The Admiralty added a number of conditions, including control of wireless, cables and telegraphs and, in time of war or imminence of war, control of customs, railways and other communications, and indeed of the whole framework of government. The Irish territorial force was frankly regarded as a mere local volunteer reserve under British control. All this was quite logical.

DEFENCE ARRANGEMENTS IN THE PROPOSED TREATY.

Setting aside the conditions demanded as wholly inadmissible, what counter-propositions can we make?

It is plain that the answer depends largely upon the fundamental character of the Peace and the relations which would exist under it between Ireland and the British Commonwealth. Defence cannot be isolated. It profoundly affects status and cannot be considered without reference to the wider question.

We are pledged to the discussion of an 'Association' and by the first letter of Aug.10th to the discussion of 'guarantees' to Britain, in connection with our primary claim for 'absolute separation'.

A 'guarantee', it must be remembered, implies an association, and a mutual guarantee - (it is we, it must

be insisted, who stand in greatest need of one) a still closer association.¹

OUR DEFENCE POLICY.

We must be clear first as to what our naval and military policy would be were we free to decide upon it as an independent nation.

It must, of course, be a purely defensive policy. As an Island, our war-strength is primarily determined by naval power and for offensive purposes wholly so determined. We cannot attack another country or move a soldier out of Ireland against any opposition we are likely to meet without a powerful navy: we have no naval forces as yet: powerful naval forces - relatively to those of our neighbours - are not within sight.

Nor can we put up any adequate *naval* defence against any enemy we are reasonably likely to meet. We have not to take into account a possible war with some approximately equal power (as Belgium has with Holland, for example, as Norway with Sweden, or the S. American Republics or Balkan States with one another). Thanks to our position and foreign relations such contingencies can be dismissed. Our only danger can come from England, at present the greatest naval power in the world, or, in the future, from some yet more powerful enemy of England - or group of enemies - attacking her through us. However great or small the danger may be - and I personally think it is small - we cannot hope to avert it - and should bankrupt ourselves if we tried - by heavy expenditure on naval defence. We should be in much the same position of strategic helplessness as all the small nations as against the great naval powers with the added weakness of being an island and open to complete blockade. Nor have we any certainty of being able to prevent invasion by England, or by the hypothetically stronger power than England, should invasion be resolutely attempted. Heavy expenditure on fixed Coast and port defences - forts and heavy batteries etc. - would be misplaced. Mobile fleets and armies can turn all such fixed defences, if they cannot demolish them.

On the other hand we can and should, with a well organised national army, put up a defence formidable enough to make invasion exceedingly costly to an enemy and the conquest of the island a task which he would be very slow to undertake.

NAVAL:

Our naval and military plans should conform to the facts and possibilities of the case. Details are not necessary for the present purpose and I enter into none, only sketching principles. We should aim at creating a gradually expanding, as finance allowed, modest naval force purely for coast defence and reconnaissance, fishery, revenue and Lights protection, and to show the flag occasionally in foreign ports. We should also arrange for a yacht and trawler reserve. It would be safer politically to dispense altogether with submarines and specialise in an anti-submarine force of surface and aircraft.

ARMY AND AIR:

It is no doubt agreed that we should maintain an army with a small standing force highly disciplined and well-equipped, and a wider reserve; with a strategic organisation based on the idea of rapid concentration for coast defence.

A small air establishment disposed on the same principle, specialising in coast reconnaissance and perhaps (see above) in anti-submarine and commerce protection work.

OUR POLICY IN THE NEGOTIATIONS:

In view of the conditions and our national defence policy what should be our standpoint and object in the present negotiations bearing in mind - at any rate this is my own personal opinion - that the defence question will be more important than any other in determining our status as a nation, together with all our political rights and privileges.

Weak as we are strategically, I take it that our free preference is to stand alone, like the vast majority of small nations, with complete independent control of our own territory, waters and forces, neutral in all wars, and devoted to peaceful development, as described in the President's letter of Aug.10th.² We do not want allies: none of any use are available save England and alliance with England tends to political absorption by England. What defence concessions to her may mean is shown by the defence Conditions of the Pact.

Our main effort should be to make the 'association' lie in friendly arrangements for trade and communications and numerous other civil matters that do not affect political status, and to keep defence out of the compact altogether, except in the indirect but, to England, the very important form of ensuring that we make no defence compacts or arrangements of any sort with any other power. This guarantee in effect is 'Association' of a practical sort.

If we must have more positive association in defence, then it should be no more than the British Dominions have with Great Britain, and in argument throughout we should be prepared to fall back upon the reiterated stress on absolutely 'full Dominion status' in the Smuts' letter, as adopted by Lloyd George. Broadly this means independent sovereignty (full information can be supplied if required) a seat on the League of Nations, equality of status with Gt. Britain, independent foreign relations and signing of Treaties, the right to engage in or abstain from British wars, absolute control of Dominion forces, naval and land, and Dominion waters and ports (no holding or leasing of ports by Britain): no obligatory contributions to British armaments, and, now, no free money contributions for that purpose (for New Zealand and S. Africa are both giving these up). In a word the whole association is one of absolute freedom even to the point of secession if desired. On the other hand there is a certain amount of voluntary communication in peace as to the facilitating of unified defence in a possible war. There is an Imperial General Staff, advisory in character, a certain amount of agreed uniformity in the training of troops etc. occasional discussions about the Dominion navies, and explicit agreements as to the disposal and command *if* the Dominions decide, in case of war, to place them at the disposition of Gt. Britain - (i.e. really, if the Dominions decide to engage in war - see Naval Agreement of 1911). War-vessels also have free access to Dominion ports and can obtain repairs etc at dockyards, e.g. at the small Canadian dockyards at Halifax and Esquimalt which are maintained and controlled by Canada.

Having said so much, it will be simplest I think to take in turn a number of defence alternatives all of which, as is inevitable, are closely connected with the political status we can achieve, under the Treaty.³

1. *GUARANTEED NEUTRALITY*: The attached draft clause (A) shows what is meant.⁴ The precedents are Switzerland, Belgium, and Luxembourg (attached also).⁵ I believe this is the best status we can aim at, though no doubt hard to obtain. To say that England will break her obligation if it suits her is beside the mark. Every term in the settlement depends on her good faith but the better and wider a guarantee we get the safer we are. In point of fact the danger of her finding an excuse for violation is infinitely less than in the case of Belgium, as of Switzerland, which has never been violated. The status is not inconsistent⁶ with 'association' nor is it inconsistent even with membership of the Commonwealth. We shall be bound to repel by force all attempts upon us and that is in England's interest.

She cannot contend that the conditions which justified the neutralisation of the European States do not exist. Her professed view is that Ireland may be used against her by a foreign power (our danger to her acting singly can be laughed out-of court). I believe the view to be an hallucination and it can be met strongly in argument (Reference to 'Is Ireland a danger to England ? enclosed) but if it exists it means that we are in the position of a 'buffer' State and deserve the neutralisation accorded to one.

2. *GUARANTEED INTEGRITY*: with a clause binding us to preserve our own integrity (See Norway precedent attached B).⁷ and if necessary to enter into no foreign compacts likely to endanger it (See Clause X1 of Draft Treaty - or the form used in the Neutrality Clause attached - first paragraph - omitting 'neutrality' where it occurs).⁸ The 'Integrity' could hardly be made the subject of an express and general international guarantee - because, if Ireland is to be made a member of the League of Nations, and it is assumed that she is - the League itself guarantees the integrity of all its members. But the Commonwealth could give the additional guarantee and - most important of all, the United States - the only power which in the foreseeable future can threaten England in the way she professes to fear.

The same obligation on us to protect our own territory of course holds good, and we should on our side accept the obligation formally.

3. *A SIMPLE AGREEMENT OF MUTUAL DEFENCE*: that is in case of attack on either island. This of course could be combined with no 2 but it is simplest to take it separately. It would not necessarily involve occupation of our ports in peace but would commit us to a much closer and more compromising relation likely to lead to further demands.
4. *DOMINION ANALOGY*: For the Dominion position, see above (-e-). Attached is a rough draft of a clause (6) to give approximate effect to it.⁹
5. *LEASING OF PORTS*: The precedents are not favourable. That of China (see attached D)¹⁰ was a piece of piracy on Britain's part, humiliating to China, implying an inferior status, and carried out as the Treaty expressly says, in order to safeguard British commerce, the same object, as that of Condition No 1, alleged in the 'British proposals' of July 20th.

Cuba is bound to lease and has leased to the United States, ports but the condition is combined with the right of American intervention in the island (See E)¹¹ on domestic grounds, as well as with the obligation on Cuba's part not to enter into any foreign treaty which might endanger her integrity. Cuba is, nevertheless, theoretically a sovereign independent State. Actually her status appears to be inferior and dependent.

A country which leases ports for naval purposes to another must certainly be held to be politically as well as strategically subordinate to the lessee country. A power at war with the United States would probably regard Cuba as ipso facto a belligerent, her ports being at the disposal of the enemy. Japan in 1914 attacked the Chinese territory leased to Germany and treated China as she pleased thereafter; Ireland, with ports leased to Britain, would be committed¹² by implications to all British war and foreign policy.

No Dominion would dream now of leasing its ports or permitting British naval possession or control of them.

The point must be fought not only on grounds of status but on strictly strategical grounds. The conditions in the case of Cuba and China are not present in that of Ireland. China is a vast distance from Britain and a port there can only be a local centre for protecting local commerce. Cuba, as the anonymous Memo circulated points out is strategically more important to the United States than Ireland is to Britain owing to the constriction of the passages to the Gulf of Mexico.

Irish ports have never been, even in the height of war, and are not now, used as naval dockyards proper. The small repair yard at Haulbowline, Cobh, has just been closed down. Irish ports were used in the great war as bases for small craft engaged in commerce escort, anti-submarine work, and local reconnaissance etc. (See the interesting account in the same anonymous Memo) (with maps)¹³. For a power with England's immense naval strength there is no necessity for the permanent occupation of ports in peace with a view to such purposes. In a war in which Ireland freely took part and offered port-facilities for, the organisation could rapidly be built up with no prior preparation, and in point of fact it might well be a feature of Irish defence policy to organise a small craft defensive service, as suggested above. In a war in which Ireland was neutral the inability of Britain to use Irish ports would no doubt be an inconvenience but not one that could justify the enforced inclusion of Ireland in the British strategical and political system. Scotch or English bases could be used for the Northern approaches. For modern destroyers, for example, the additional distance is trivial. The same applies to modern air-craft carriers. A Trawler service no doubt would be handicapped but the difficulty could be met. Moreover there is a back-door to England, North about, largely used during the war. Norway flanks it but England instead of claiming Norwegian ports, guarantees by treaty Norwegian integrity.

It is true that in the war Britain looked east and had no battle fleets to the west of her, but, with her only possible enemy in the west the United States, the conditions would be little affected, the distance between England and Scotland and the West of Ireland being for battle-fleets relatively small.¹⁴ But if the United States is really the prospective enemy the case should be boldly argued with its political as well as its strategical implications. Politically¹⁵ it is an awkward case for them for one obvious safeguard for their amity with the United States is our independence guaranteed

by them and the United States. Strategically the United States would have to fight Britain in Irish waters from a base 3,000 miles away - prohibitive for an invasion of Ireland or England, unless we pre-suppose the annihilation of the British navy, in which case the occupation of Ireland would be needless.

If the 'submarine peril' is raised: it must be refuted by close argument. While England has command of the sea, the surreptitious use of the Irish coast and ports by enemy submarines on any appreciable scale is impossible. There is no evidence to the contrary from the world war.

If we are *bound* to lease ports, no doubt Lough Swilly or Berehaven (not *Cobh*) would meet the case best.

6. Other and less favourable alternatives can be dealt with shortly.

NAVAL. I regard the leasing of specified ports as the extreme limit to which we could go, under compulsion in naval matters. We must have the power to raise our own naval forces and control our own waters and harbours.

ARMY. We should stand out against their right to have any military forces on Irish soil. The leased ports would, of course, give them a loop-hole as it undermines a big principle, but we should insist upon their defence by Irish troops.

ARMY: Full right of course to raise our own army in our own way.

The limitation on its numbers ([Condition 2](#)) should be contested as absurd, seeing that we cannot attack England with them and can use them only for defence - a strategic advantage for her, unless she meditates, which she could hardly admit, another attack upon us.

But to limit them in accordance with a disarmament programme is of course in principle sound and might if it is thought important by her, be conceded on that ground.

England should not be allowed recruiting stations on Irish soil ([Condition 4](#)). In the last resort some concession might be made as to sending over recruits to her but the principle is bad.

AIR: We should stand out against [Condition 3](#). Save for Atlantic reconnaissance and anti-submarine work which can be done by her by other means, there can be no object in her air stations but that of using air force against us.

A Commercial air agreement can be arranged going¹⁶, if need be, beyond the provisions of the International Air Convention.

There can of course be no question of a Contribution to British Armaments ([Condition 4a](#))

[3,000 words omitted. Appendices to memorandum]

¹Handwritten note on text: It is assumed that the Treaty is to be with the 'Commonwealth of free nations' and its King. The question of accepting the King is not discussed.

²Handwritten insertion at this point reads: We have no enemies but England. She would never permit us other allies and

³Crossed out at this point: (I do not discuss the question of the 'King'.)

⁴Not printed.

⁵Not printed.

⁶The word inconsistent replaces necessitated which has been crossed out.

⁷Not printed.

⁸Not printed.

⁹Neither document printed.

¹⁰Not printed.

¹¹Not printed.

¹²Replaces 'connected' which has been crossed out.

¹³Not located.

¹⁴Handwritten note in margin reads: While Scotland & England provide bases.

¹⁵Replaces 'probably' which has been crossed out.

¹⁶The word 'giving' has been crossed out.

*Handwritten notes by Éamon de Valera of a meeting of the 'Inner Cabinet'
held on 24 July 1921¹ (overleaf)*

Dublin, 24 July 1921

Mr. Keefe, Mr. Keefe, O'K. P. Griffith, O'Keefe, Mulcahy, 98
 Cabinet to report trials & submit to trial
 July 24 1921
 President's House
 James Cahill
 - Chairman
 Com. Status

W. Keill
 Ireland must not be in state - real Treaty
retain republic - in background

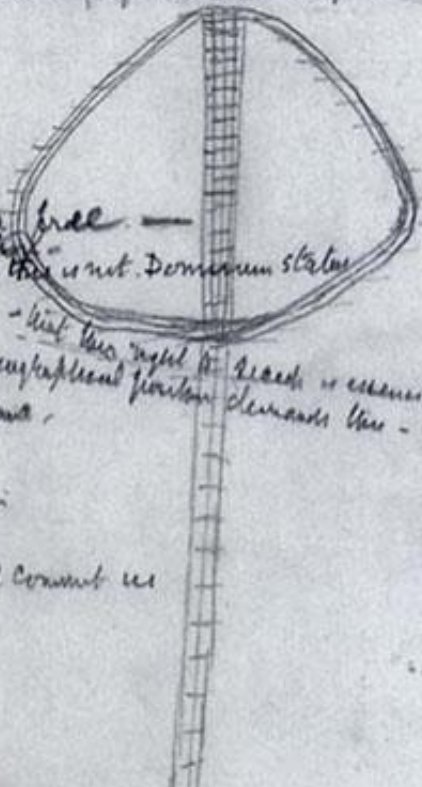
C.S.
 Carry on against death - material kept up
 Will we be able to keep up?
 We will ^{consider} join an association only as a free nation

- Present
- Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe
 - Mr. Keefe

P. our duty now - no better than - try to solve

Sequence Craig
 Republic in existence

Cahill not entitled to make agreement w/ Dominion Republic with the people in



Answer: I cannot enter association with free
 under international recognition
 We want freedom. Point that this is not Dominion status
 we want absolute freedom of Dominion - that is the right of the people in essence of state
 & ask for it - point out that we are geographically isolated
 they won freedom through distress - demands law - that
 Admit no right of defense -
 Association not wanted in America
 To enter association Dept of world cannot see
 Isolation safer
 Affected to world

~~We want recognition in the world~~
Final Opinions

A.G. bigger plot of refusal. Agree with President
must refer to people - but for. Can refer to people
Indicate willingness to accept cooperation - if people
physically better to resist later - from opportunity

D.M. same as Griffith

J.H. Too early for constructive proposals
Document will not ^{capture} ~~mislead~~ people - (A.G. said it would)

"Free & willing cooperation" We are willing to bring this
before people - ?

Sovereignty of republic is preserved whatever we do.
Self-determination cannot be exercised by giving it up.

Mid Step on road - not important - Free Dominion a step-
document would set country against us
fighting men would prevent return of troops
criticise document as document - we can paper away
from it -

A.S. I am bound by republic - only release by election -
+ withdrawal of troops - no constructive proposal now

P.P. - "imitation" - we, like any republic, can counter an imitation
will not lead into a cul-de-sac - some on else can -

A.G. Signed treaty must be submitted.
Cathal But it will be torn down. We shall resign & lose our leaders

¹ Present: Éamon de Valera, Michael Collins, Arthur Griffith, Cathal Brugha, Richard Mulcahy, Eoin MacNeill, Erskine Childers, Diarmuid O'Hegarty. Of those present only de Valera, Griffith, Collins, Brugha and MacNeill were part of the Dáil Ministry (Cabinet), Mulcahy was Chief of Staff of the IRA, Childers Substitute Director of Publicity and O'Hegarty Secretary to the Dáil Ministry (Cabinet). The meeting is not recorded in the official minutes of meetings of the First Dáil (NAI DE 1/3), though 'Special Meetings' of the Ministry took place on 1 and 27 July 1921.

*Robert Brennan to Patrick J. Little
(South Africa)
(Copy)*

Dublin, 28 July 1921

Dear Sir,

[Matter omitted: 212 words dealing with Little's financial position.]

The situation at home here has, as you know, undergone a change since you left. You can take it that the official bulletins of the London conference represent the situation. Our people entered the conference conscious that there was more than a chance that the enemy was merely using it as a political move but conscious also that they were anxious for a settlement because of the pressure of world circumstance. At the moment of writing it is impossible to say how things will go but most people regard a resumption of hostilities as almost inevitable. The event may have been decided before you get this. You may be certain that there will be no negotiations on any basis inconsistent with our present status as recognised by ourselves. The affair has strengthened our position very considerably. We have assured the position at least that if there is a resumption of hostilities they cannot well deny a state of war and they cannot use the old label 'murder gang' to such advantage. So thorough is the truce that things are absolutely quiet everywhere outside the N.[orth] E.[ast] corner. The P.[resident] made a very good impression in London and on the continent his name stands high as a statesman for his handling of the situation. The morale of the country continues excellent.

With regard to the permanent situation in South Africa, it is not intended to appoint an official Representative. The plan that is in mind and the one that will be followed in all British Dominions will be to act through the local organisation the chairman of which will communicate with this Department [of Foreign Affairs]. He will receive any official instructions also from this Department. This is in order to prevent cross currents which have been found mischievous elsewhere. The local organisation should be able to finance its own business and our propoganda and also to remit a proportion of its funds to the Home firm through No.15. These are the lines you are wisely working on.

P.[resident] desires me to say that the work you have done is excellent and more than justifies the despatch of the mission.

Your friend Fosythe and Mac Loughlin called and duly reported, and the latter brought the much needed focloir.¹

Kindly remember me to Ben [Farrington] and to James Donoghue and also any other friends you may happen on.

With very best respects.
Yours sincerely,
[Copy letter is unsigned]

¹ Irish for dictionary.

Éamon de Valera to Jan Christian Smuts
(Copy)

Mansion House, Dublin, 31 July 1921

My dear General Smuts:-

I received your letter of July 29th, and have had two conversations with Mr. Lane. He will tell you that the proposals of the British Government will not be accepted here.¹

Unless the North East comes in on some reasonable basis no further progress can be made. An Ireland in fragments 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 in their own regard. These then they will not readily abandon, but they are prepared to make great sacrifices in other directions.

The question of procedure and form as distinguished from substance are very important, as I pointed out to you. The British do not seem to realise this at all. Your understanding of the situation is particularly necessary at that end therefore. I am very glad you are able to remain on for a little time longer. I know how your people are clamouring for you, but the cause you are assisting is a truly great and worthy one.

Very sincerely yours,
Éamon de Valera

¹ Not printed.

Memorandum from Harry Boland to Éamon de Valera (Dublin)
(Copy)

New York, 4 August 1921

Dear Mr. President:

Having spent the last couple of weeks in Washington, I have had an opportunity to discuss the present international situation with men who are pretty close to official America. This, with a careful study of the editorial comments in the American Press, leads me to the belief that the coming disarmament conference summoned for November 11th in Washington is fraught with great possibilities to Ireland.¹

Senator Penrose of Pennsylvania has introduced into the Senate a bill giving power to Secretary of the Treasury, Mellon, to make such arrangements with foreign governments in regard to their outstanding debts to America as may think fit. The bill met with slight opposition before the Finance Committee but has been reported favorably to the Senate, and I am convinced that the Senate will adopt the recommendations of the Committee and grant the authority sought by the Secretary of the Treasury. The Hearst Press and a few progressive Senators, supported by the Irish-American organizations, are fighting vigorously against the proposed bill. There is no doubt in my mind that Senator Penrose's bill will become law and that Mr. Harding and his cabinet will thus have the power to make whatever disposition they may think fit of the various American war loans to the allies.

Taking this, in conjunction with the President's call for a disarmament conference, leads one to the belief that America is determined to considerably reduce armaments.

It is further believed that this coming conference will deal with the question of 'an Association of Nations' and will endeavor to settle the questions of policy in the Pacific Ocean.

It would be superfluous for me to point out to you the great strength of America's position in this conference. She will have 'the power of the purse' behind her in her negotiations. One can quite imagine America insisting on a 'quid pro quo' when the question of the Allied loans comes up for discussion. It is believed here that the Senate will have given power to Mr. Harding and his Cabinet to make whatever disposition of the loans they deem necessary in the interests of America, disarmament and world's peace.

Without exception, the American Press hailed the negotiations between the English Government and Ireland with great relief, and again without exception, so far as the great agencies are concerned, they look for and will support a compromise. I have endeavored to offset this campaign as best I could by writing confidentially to Mr. McFarland of the Hearst organization, and to Mr. Moore of the Pittsburgh Leader, asking them to wage a press campaign for Recognition.

It appears to me that behind the overtures of Lloyd George there is an ulterior purpose. It might well be that England is endeavoring to create a favourable atmosphere here in America, and particularly in Washington, for the forthcoming disarmament parleys. It is not too much to assert that the English delegates would find it impossible to come to this conference if She had continued her bloody work in Ireland. Now, however, with the truce, and with the hope that is held here that a satisfactory settlement will be arrived at, the atmosphere 'is already created'.

Our very best friends in the Senate have a perfect alibi and find it very difficult to secure action on Ireland's behalf just now. I am practically in the same position myself, as I have been very careful not to make any statements that might in any way embarrass the present negotiations.

I deem it my duty to warn you that if negotiations are still pending between England and Ireland next November, the English will find it very, very easy to sit in at Washington undisturbed by Irish-American agitation. If, on the other hand, the negotiations shall break down, we must be careful that England does not place us in a false position before the world. It seems to me that it is essential to final success that the show down come within a reasonable time before the disarmament conference meets in Washington.

I write in this strain to you with all deference, fearing that in the anxieties of the moment you may have lost sight of the importance of the forthcoming Washington conference. I have endeavored to show that the purpose underlying the Penrose bill is the forthcoming disarmament conference, and hope I have made it pretty clear to you.

Harry Boland

¹ Washington naval disarmament conference.

*Éamon de Valera to Lloyd George (London)*¹

Mansion House, Dublin, 10 August 1921

10 Lughnasa, 1921

A Chara,

An tráth ba dhiadnaighe bhíomair i gcomhairle a chéile thugas mar thuairim uaim ná féadfadh Dáil Eireann is ná déanfadh muinntear na hEireann glacadh le tairsgint bhur Riaghaltais fé mar leagadh amach é i sgríbhinn úd an 20adh lae d'Iúil a chuiris fé mo dhéin.² Tar éis comhairle a ghlacadh lem' chomhdhaltaibh agus dianmhachtnamh do dhéanamh ar an tairsgint deinim deimhin de'n tuairim sin anois.

An míniughadh tugtar 'san scríbhinn sáruigheann sé é féin, agus ní furas 'brígh an Chonnartha' do dhéanamh amach. Chomh fada is mar chialluigheann sé go ngabhann a náisiúntacht féin le hEirinn is go bhfuil de cheart aici a réir féin do cheapadh glacaimíd leis, gan amhras. Acht ins na ceanglaibh agus na coinghealla[h]aibh i dtaoibh nidhthe atá bunadhsach is greannmhar linn go gcuirtear an bhrígh sin ar leath-taoibh, agus leigeann bhur Riaghaltas-sa ortha go bhfuil de chead aca cur isteach ar ár ngnóthaibh agus smacht do chur orainn i slighe nach féadaimíd a admháil.

Tá de cheart ag Eirinn a rogha slighe do ghabháil fa'n saoghal atá i ndán di, agus ceart é nach ceadtha dhúinn a scaoileadh ar cheal. Ceart é tá dá bhuan-chosaint tre chiantaibh de chruadhtan, tre iodhbairt nár sáruigheadh riamh, is tre ghéirleanmhain nár áirmhigheadh riamh, agus ní thabharfar suas é choidhche. Ní dual dúinne a chur ar neamhbhrígh ná a lagughadh. Mar a chéile, ní dleaghthach do'n Bhreatain Mhóir ná d'aon stát eile ná cumann stát bacadh le héifeacht an chirt sin ar mhaithe le n-a gcúramaibh áirithe féin.

Is é tuairim muinntire na hEireann go dtiocfaidh buanrath na tíre dá ríribh tre bheith i n-a haonar i gcúrsaibh polaitíochta, saor ó shnadhmaibh impireamhla do cheangalfadh iad i n-eachtraibh nach réidhteochadh le tréithibh an náisiúin agus a mhilfeadh na nidhthe is annsa leo, agus ná tabharfadh mar thoradh chughtha acht cogtha creachta is cúramaidhe móra, míoshástacht an phobail, achrann fóirleathan is míshéan. Ar nós beag-státa na hEorpa, ní miste leo go seasochadh a neamhspleadhchas ar bhunadhas cirt; bheadh dóchas aca, ó budh rud é ná bagrochaidís féin ar thír ná ar mhuintir eile, go mbeidís féin saor ar an gcuma céadna ó ionnsuidhe eachtrannach. Sin é an tuairim a chuireadar i gcéill arís agus arís eile tre ghuth an phobail; agus is do réir mar druidtear uaidh sin, nó ó aon chúrsa eile ba mhian leis an bpobal, a thuigfear cad é an méid fóiréigin iasachta agus lámh láidir a bheidh le cur i bhfeidhm i gcoinnibh na nidhthe is mian le furmhór ár ndaoine.

Maidir liom féin is lem' chomhdhaltaibh, is é ár dtu[i]rim daingean gur tre dheighilt ghlan charthannach is túisce thiocfaidh an muinntearhas le Sacsuibh atá curtha ar athló le ciantaibh de bharr fóiréigin airm. An eagla so go ndéanfaidhe ionad de thalamh na hEireann chum fogha do thabhairt fé shaoirse Shacsan - eagla gan bhun do réir a dtuairime - is féidir deimhniughadh oireamhnach do thabhairt i n-a thaoibh san nach beidh bun os cionn le staid saorstáit.

Gach duine a thuigeann cúrsaidhe an scéil is léir do nach bhfuil acht samhail bréige 'san abairt úd 'Staid Tighearnachta d'Eirinn.' An saoirse atá ag na Tighearnachtaibh so fé chomairce Bhreatain is lughá tá sé aca de bharr reacht is connradh 'ná de dheascaibh na móraistear idir iad féin is an Bhreatain Mhór; ní leigid na haistir seo dhi cur isteach ortha. Gach deimhniughadh dearbhtha is féidir a cheapadh; fiú an cead deighilte atá, mar admhuigtear, ag na Tighearnachtaibh, níor mhór iad chun a shamhail de shaoirse do dheimhniughadh d'Eirinn. Ní léir dúinn aon deimhniughadh mar soin ná a rian féin i nbhur dtairsgint. I n-a ionad san, cuirtear an staid, mar atá, bun os cionn; an láthair mar a bhfuilimíd i gcomórtas leis an mBreatain Mhóir deintear leathscéal de chum ár gceart do dhiúltadh is do chumhangadh i slighe nach aithnid do Thighearnachtaibh: is éigin do'n oileán bheag dlúthchosaint is deimhniughadh eile do thabhairt do'n oileán mhór do réir deallraimh, agus glacadh le staid sealbhuidheachta fé dhearbh-smacht.

Is soiléir ná féadfaimís-na a thabhairt mar chomhairle dár muinntir glacadh le n-a leithéid de thairsgint. Badh thoil linn saor-cheangal áirithe le 'Cumann na Náisiún fé Chomairce Bhreatan,' amhail is dá mba Cumann de Náisiúnaibh áirithe é, do mholadh; agus níor mhiste linn mar Riaghaltas, Connradh dhéanamh i n-a thaoibh, agus a chur mar chúram orainn féin, dá n-eirgheadh linn deimhniughadh d'fhagháil go mbeadh an beagán dár ndaoinibh nach tagann linn anois dílis dúinn dá gcuirimís a shamhail de cheangal ar ár náisiún uile, rud do cheapamair d'aon ghnó mar chomhartha báidhe leo súd.

Is toil linn connartha i dtaoibh bhur dtairsgean mar gheall ar shaor-thráchtáil is laigheadughadh arm ar gach taoibh do shocrughadh aon tráth. Gan amhras d'fhéadfaidhe socrugadh do dhéanamh eadrainn a rachadh i dtairbhe do chomhshlightibh i gcomhair tráchtála 'san aer, tre bhóithribh iarainn, is mar soin de. Is deimhin ná cuirfimid-na aon bhac ar an gcaidreamh cneasta i gcúrsaibh ceannuidheachta is riachtanach do shaoghal an dá oileán, is gurabh iad féin araon an ceannuidhe is fearr agus an margadh is fearr ag a chéile. Is éigin a thuigsint, ámh, nár mhór gach coimhcheangal is connradh aca súd do leagadh os comhair riaghaltais an náisiúin i dtosach, chum go ndéanfaidhe a ndeimhniughadh, agus iar shoin os comhair muinntire na hEireann uile fé choingheallachaibh a léireochaidh gur breitheamhnas ar a dtoil féin an breitheamhnas agus ná raibh aon rian de smacht airm le tabhairt fé ndeara aca le n-a linn.

An bhaint atá ag Eirinn le 'cuid de fhiachaibh na Ríoghachta Aontuighthe fé láthair' ní miste linn a shocrughadh san d'fhagaint fé bhord breitheamhan:

Eire aimneochadh duine aca, an Bhreatain Mhór an dara duine, agus thogh- faidís eadartha an treas duine, no dá dteipeadh ortha dhéanadh Uachtarán Stát Aontuighthe Ameirice, abair, é ainmniughadh dá mbudh thoil leis san.

I dtaoibh an nidhe atá i gceist i gcúrsaibh polaitíochta idir bheagán de mhuinntir na hEireann agus a bhfurmhór mór, caithfear réidhteacht na ceiste sin d'fhágaint fé mhuinntir na hEireann féin. Ní dual dúinn a admháil go bhfuil de cheart ag Riaghaltas Breatain ár n-oileán do chreim-ghearradh ar mhaithe leo féin nó mar fhreagra ar chuireadh ó aon roinnt dár ndaoinibh. Níl ceaptha againne feidhm do bhaint as fóiréigean. Má dhruideann bhur Riaghaltas-sa ar leathtaoibh tiocfaidh linne cáirdeas do cheangal eadrainn uile. Táimid ar aon aigne libh 'nach tre smacht a thagann coimhcheangal is cáirdeas.' Is eadh is truagh linn nach toil le nbhur Riaghaltas fós an chomhairle chiallmhar so leagann sibh amach dúinne i gcomhair socruighthe ár gceiste teóranta annso do chur i bhfeidhm i gcomhair socruighthe na ceiste bunadhsaighe atá ag síor-chur isteach ar mhuinteardhas an dá oileán so. I n-ár dtaoibh-na, an leigheas go seasuighmíd air thall glacfaimíd leis i bhfus. Agus muna féidir socrughadh do cheapadh le comhthoil gan mhoill is toil linn, fós, socrughadh na ceiste seo d'fhágaint fé bhreitheamhnas iasachta.

Dá réir sin is toil linn teacht libh i ngach nidh dá bhfuil oireamhnach cóir. Ní ar ár Riaghaltas-na acht ar bhur Riaghaltas-sa atá sé mar phríomh chúram síothcháin do sholáthairt le onóir. Níl aon choingheallacha againne le déanamh, aon éileamh againn le cur, acht an t-aon cheann .i. go mbeimís saor ó ionnsuidhe eachtrann. Cúitighimid libh go dúthrachtach an dúil seo luaidhte agaibh i gcomhcháirdeas buan, agus is móide ár ndúthracht 'san dúil sin an ghéirleanmhain atá curtha dhíobh le ciantaibh ag ár muinntir. An sean-achrann so gur aithreachas libh é, ní raibh riamh mar bhun leis, mar is eol dúinn agus mar is léir ó sheanchus, acht an t-ionnsuidhe dhein lucht riaghaltas Sacsan ar shaoirse Eireann. Is féidir deireadh a chur leis an ionnsuidhe sin láithreach má's toil le nbhur Riaghaltas é. Tá slighe na síothchána ar leathadh romhainn.

Mise,
do chara gan cháim,
Éamon de Valera

Éamon de Valera to Lloyd George (London)¹
(Official Translation)

Mansion House, Dublin, 10 August 1921

Sir,

On the occasion of our last interview I gave it as my judgement 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.² Having consulted my colleagues, and with them given these proposals the most earnest consideration, I now confirm that judgement.

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,
Éamon de Valera

¹The letter was presented at 10 Downing Street, London, at noon on August 11th by Robert Barton, accompanied by Art O'Brien and Joseph McGrath.

²[See Document No. 16](#)

Maurice Moore to Jan Christian Smuts

Dublin, 20 August 1921¹

Dear General Smuts:

I crossed you on my voyage home and was not able to thank you for your intervention in favour of Ireland; it was a wonderful advantage to us, and indeed to England, that the truce was established. We owe you gratitude for this, which I hope will be the beginning of a permanent peace, with liberty for our Country.

I would not, however, be frank if I did not add, that the publication by Lloyd George of your letter² of advice to the Irish leaders, has caused embarrassment and bitterness, and made it most difficult to extricate ourselves from the six qualifying points of his letter. Courage and determination has got rid of them for the present, but I do not know if they will be brought forward again during the Conference. They will never be agreed to and may even cause the renewal of War. They were so wide and indefinite and might be made to include so much, even the military occupation of Ireland, that our liberties would always be at the mercy of the English Government. Nor can we accept the proposition, when it means the loss of our Nationality, that 'What is good enough for the Dominions ought to be good enough for Ireland'.

As to Ulster we feel quite confident that we can deal with that problem without a resort to arms; means are available, and Ulster is already feeling the weight of our pressure. In any case we can never permit those parts of what is called Northern Ireland, where Nationalist majorities reside, to be coerced and separated against their will from the rest of Ireland, nor can we permit the religious minorities in the other parts to be terrorised, ill-treated, driven from their employment and murdered.

You may remember that, both in speaking to you and in my notes, I urged that you should advocate a position for Ireland at least equal to the Higher Status you claimed for South Africa, and that we considered the 'Repeal of the Union' Act of 1800 would in the simplest and easiest way bring about this position. Moreover, this is the historic method, and there are no points about it to discuss; it is just 'Yes or No'.

I do not know if our Representatives will abate their claim to a Republic, but if they do, I feel confident they will not accept less than what we call Grattan's Parliament, otherwise Repeal of the Union, that is a Free State.

Possibly the Conference will break on this point, but I do not anticipate that the English Government will be able to begin another war on the Irish people if their representatives have accepted the King and therefore a place in the Empire. I doubt if the English people would agree in the present state of feeling, and the present difficulties surrounding England.

I cannot anticipate the course of events; but it may happen that you will be asked to arbitrate, or to give friendly advice in one capacity or another. If so, we shall look forward to obtaining a position not less than the Higher Status of South Africa without any 'points' or conditions. We have a strong Republican party here, young men fanatically opposed to a King or an Empire; for years they have been promised a Republic by their leaders and many have died for that cause. They bitterly resent any backing down, and are determined to fight. They were very successful in the last campaign, and are far stronger now, and better trained and equipped. Undoubtedly they will gain some successes at the outset, whatever may happen afterwards. We all sincerely hope that another outbreak may be prevented, but it can only be by the Leaders presenting these young men with a Constitution so complete that they will be persuaded to peace.

The independence of Ireland must be accepted whatever form of Government - Republicanism or Kingship - may be established.

It was a great pleasure to me to see South Africa again and to renew old friendships. I knew it first

during the Kaffir war in 1877-8-9, and spent some of the happiest days of my life at Cape Town, Wynberg, &c. hunting, racing &c. Later I suffered in mind and conscience for doing what I knew was wrong, and for which I owed and tried to make some small reparation. This year I have been comparing my new experience with my old memories, and noting the changes, some for good, some for what seemed to me the worse. Cape Town is more cosmopolitan than it was forty years ago and though many beautiful roads have been cut round the mountains, I missed the beauty of the old Wynberg road and the wildness of the flats, now to a great extent built over. Very few of my old friends remain; Sir John Graham and Mr. Lyster are almost the only two of that generation. I bear back however pleasant memories of what I suppose must be my last visit to Table Mountain.

Yours sincerely,
Maurice Moore

¹ Copy date is 'about 20 August, 1921 or later?', note by Moore.

²Not printed.

Éamon de Valera to David Lloyd George¹

Mansion House, Dublin, 24 August 1921

24 Lughnasa, 1921.

A Chara,

An tuairim do bhí agam roimh ré agus me ag tabhairt freagra ort an 10adh lá de Lughnasa tá deimhniughadh déanta air anois. Leagas tairsgint bhur Riaghaltas-sa os comhair Dála Eireann, agus dheineadar a dhiúltadh d'aon ghuth.

Ba léir ó nbhur litir an 13adh lá de Lughnasa gur mhian libh go n-admhuighmís nár mhór ceart na hEireann do bheith ar lár ar mhaithe le cúrsaibh cosanta Sacsan do réir mar shaoil sí féin, toisc a chomhgarraighe is bhí Eire do Shacsuibh; agus nár mhór d'Eirinn géilleadh do'n smacht iasachta anois toisc a fhaid agus a dhícheallaghe is do bhítheas a d'iarraidh Eire do chur fé'n smacht soin 'san am atá imighthe.

Ní féidir liom a chreideamhaint gur mheas bhur Riaghaltas feidhm do bhaint as neart airm gan scál a chuirfeadh ar neamhnidh macántacht na náisiún is a chuirfeadh críoch le síothcháin an domhain. Má théigheann ceart saoirse an náisiúin bhig ar cheal chomh luath is chuireann comhursa neartmhar dúil 'san tír i gcomhair airm no pé buntáiste eile bheadh le baint as, sin deireadh le saoirse. Ní fhéadfadh náisiún beag súil do beith aici le neamh-spleadhchas iomshlán feasta. D'fhéadfaidhe Tír fo Thuinn is Danmhar do chur fé smacht na Gearmáine, Flondras fé smacht na Gearmáine no na Fraince, an Portainéal fé smacht na Spáinne. Náisiúin dár ceangladh d'impireachtaibh le neart fóiréigin, má chaillid a neamhspleadhchas dá dheascaibh, níl aithbreith na saoirse i ndán dóibh feasta. Maidir le hEirinn má luadhtar go bhfuil sí ag scaradh le páirtidheacht nár ghlac sí riamh leis, no le dílse nár gheall sí riamh, níl ann acht bréag ó bhonn; mar a chéile, éagcóir ó bhonn bheith ag éileamh a neamhspleadhchas do chur fé chois ar mhaithe le cosaint Sacsan. Ní féidir linne .i. teachtaidhe an náisiúin, géilleadh do cheachtar aca.

Ní thréigfimid-na onóir ár dtíre ná an ceart a tugadh dúinn le cosaint; agus má dheineann Sacsá adhbhar cogaidh de sin, is truagh linn é. Is léir dúinn cad é ár gcúram ar son na mbeo, agus ní lugha ár dtuigsint 'san nidh is dual dúinn agus 'san chomaoin atá orainn ag ár marbh cródha. Ní rabhamair ar lorg troda, is nílmid ar lorg troda; acht má chuirtear an comhrac orainn caithfimid Sinn Féin do chosaint agus déanfaimid san. Agus ciaca eirgheochaidh linn no ná eirgheochaidh, beimid deimhnighthe ná molfaidh aon dream fear ná ban de theachtaibh Eireann do'n náisiún an ceart is dual di do scaoileadh uaithe.

Is mór is mian linn deireadh do chur leis an achraon so idir Eirinn agus Sacsuibh. Má tá ceaptha ag bhur Riaghaltas-sa a toil d'imirt orainn le neart fóiréigin agus coingheallacha do leagadh amach roimh ré a bhainfeadh dinn ár staid dúthchais is a dhéanfadh adhbhar magaidh de'n socrughadh so ar siubhal eadrainn, sibh-se bheidh ciontach le buaine an achraon.

Do réir na gnáth-chomhairle úd gur toil an phobuil is bun le Riaghaltas is féidir síothcháin do dhéanamh feasta, agus síothcháin go mbeidh ceart is onóir ann do chách is go mbeidh cneastacht is buanmhuinntearthas mar thoradh air. Is toil le Dáil Eireann teachtaidhe do thogadh chun a leithéid de shíothcháin do dhéanamh; agus lán-chomhacht do thabhairt dóibh chun a chur i bhfeidhm i nbhur dteannta-sa, má ghéilleann bhur Riaghaltas do'n ghnáth-chomhairle seo luaidhte.

Mise,
do chara gan cháim,
Éamon de Valera

(Official Translation).

Sir,
The anticipatory judgement I gave in my reply of August 10th has been confirmed.² I laid the proposals

of your Government before Dáil Eireann, and, by an unanimous vote, it has rejected them.³

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 subordination of Ireland's right to Britain's strategic interests as she conceives 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.

I cannot believe that your Government intend 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 more 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 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 of war by Great Britain, we regret 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 or 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 upon 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, Dáil 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.

I am, Sir,
Faithfully yours,
Éamon de Valera

¹ Presented at No. 10 Downing Street at 1 p.m. on 25 August by Robert Barton, accompanied by Art O'Brien and Joseph McGrath.

²[No. 22 above](#).

³ Also on 10 August.

Robert Brennan to John Chartres (Edward Seaton)¹ (Berlin)
(No.8) (Copy)

Dublin, 25 August, 1921

A Chara,

I have not received a letter from you since No. 6 dated 9th July 1921.²

I dare say you are disappointed that you have not been kept better informed on the situation here. Apart, however, from the difficulties, it was the policy here to preserve the greatest reticence. Before you get this you probably will have become aware through the newspapers of the contents of the latest communication to the B.[ritish] G.[overnment] and will be in a position to judge whether the negotiations are likely to continue. The people here are prepared for either eventuality peace or war and it is being made clear that the only basis of negotiation will be Government by the consent of the governed. We are prepared to defend that principle to the last and it will be your task to make it clear that that is the principle we are defending. We have shown we are willing to consider England's strategic claims even though we consider these claims unjust - that we are willing to yield much to the prejudices of N.[orth] E.[east] Ulster though we know that the situation there is an artificial one created in England's interests. But we are not prepared to yield without resistance to an aggression based on claims which, if allowed, would deprive any small nation in Europe of its independence at the hands of an Imperial neighbour.

As soon as Sean T. [O'Ceallaigh] returns to Paris I would like you to go there and see him. He will be able to tell you much that I cannot in this and he has also some things to communicate to you which you will find necessary in the matter of more satisfactory communications. You might also give him the key to the numerical code you are using as I am still in the dark as to it.

N.[ancy] [Wyse] P.[ower] will leave here about the 8th proximo.

With best respects,

¹ Edward Seaton, to whom the letter was addressed, was the pen name of John Chartres.

² Not printed.

Éamon de Valera to David Lloyd George¹

Mansion House, Dublin, 30 August 1921

30 Lughnasa, 1921

A Chara,

Táimíd-na, leis, deimhnighthe 'gur riachtanach nidh éigin do dhéanamh gan mhoill chun ionad d'fhagháil ó n-ar féidir réidhteacht ár scéil do chur chun cinn,' agus is léir dúinn gur beag toradh le baint as an argóint seo eadrainn tré nótaibh. Dá bhrígh sin ní bhacfad leis na nidhthibh neamhstaramhla do luadhais id' litir dheireannaigh.

An scéal mar atá sé eadrainn fé láthair an rud atá againn le socrughadh. Toradh an tsaoghail atá imthighthe atá i gcúrsaibh na haimsire seo; mínighid siad go cruinn beacht brígh agus fírinne an scéil. Agus seo é a bhrígh.

1. Ní admhuighid muintear na hEireann go bhfuil aon cheangal aca dá dtoil le Sacsuibh; deirid go bhfuil de cheart nádúrtha bunadhsach aca a slighe féin do cheapadh i gcomhair an tsaoghail atá rómpa; dheimhnigh a n-urmhór mór go dteastuigheann neamhspleadhchais uatha, chuireadar Saorstát ar bun, agus dheineadar deimhin dá rogha arís is arís eile.

2. Ar an dtaobh eile de'n scéal tá Sacsá ag cur di amhail is dá mbeadh Eire ceangailte dhi de bharr connartha nach ceadochadh dóibh deighilt. Tá eolas ag an saoghal ar chúrsaibh an chonnartha bréige sin acht leigid Sacsá agus Feis Sacsan ortha gur connradh dleaghtach é, agus dá bhrígh sin go bhfuil de chomhacht aca reachta do cheapadh is do chur i bhfeidhm i nEirinn; tír na hEireann do roinnt i n-aindeoin tola na nGaedhael; agus gach Gaedhael nach tugann dílse don eachtranach do mharbhadh no do chur i gcarcar.

An tairgsint a dhein bhur Riaghaltas-sa 'san litir úd an 20adh lá d'Iúil an dara coingeall so is bun léi. Dhiúltaigheamair-na do'n tairgsint sin, agus ní féidir dul siar air. Ní cuireadh bhí ann do mhuintir na hEireann chun dul isteach go saor toilteannach i bpáirtidheacht le saornáisiúnaibh Impreachta Breatan. Is eadh bhí ann cuireadh d'Eirinn chun dul isteach fé scáth agus fé choingeallachaibh d'fhágfadh í staid b'ísle 'ná staid na náisiún so. Canada, Astraoile, Deisceart Afráice is an Zealand Nuadh tá deimhniughadh aca uile ná beid fé smacht Stáit Mhóir, ní headh amháin go bhfuil san aca tré gach ceart riaghaltas dá n-admhuighitar is a chuireann iad ar chomhstaid le Sacsuibh agus i dtreo ná fuil aon smacht ag Feis ná ag Riaghaltas Shacsan ortha acht trí na míltibh míle slighe idir iad féin is Sacsain. Ní bheadh ceart ná mór-aistear mar chosaint ag Eirinn. Na coingeallacha bhí le déanamh, dhéanfaidís dá chuid di, agus gach ceann aca ag cur comhachta an chinn eile ar neamhnidh i n-aon Chomhairle mar a mbeidís araon, agus ceachtar aca fé smacht airm is loingis is tráchtála ag Riaghaltas Shacsan.

Na prímh-nidhthe bhaineann le n-ár stair is le n-ár suidhe ní gábhadh a bpléidhe; acht budh mhian le nbhur Riaghaltas-sa go nglacfaidhe le nbhur dtuairim féin i n-a dtaoibh. Caithfimíd-na ár dtuairim féin do bheith againn, leis. An stair a mholann aondacht do réir bhur mínighthe-sa, deighilt a chialluigheann sé dhúinne. Na tuairimidhe atá againn i dtaobh a 'chomhgaraidhe' is táimíd dá chéile táid súd féin go mór i gcoinnibh a chéile. Táimíd-na deimhnighthe gur againn féin atá an tuairim cheart chóir; agus mar shuidheamh air sin is toil linn moltóir gan leagadh aige le héinne mar bhreitheamh eadrainn. Tugann sibhse an t-eiteach do san agus bagrann sibh go gcuirfidh sibh bhur dtuairim féin i bhfeidhm le neart fóiréigin. Ar bhfreagra-na air sin, má dheineann sibh gníomh dá réir ní bheidh le déanamh againne acht cur i nbhur gcoinnibh mar is dual sínsear dúinn.

Ní réidhteochaidh fóiréigin an scéal. Ní bhuaidhfídh sé choídhche ar a bhfuil ciallmhar ceart. Má chromann sibh ar fhóiréigin arís, agus muna dtéigheann an buaidh de thaoibh an chirt, an cheist seo ag déanamh buaidheartha dhúinn beidh sé mar chúram fós ortha so thiochfaidh i n-ár ndiaidh. Is leór de fhiadhnaise is de fhuagradh dhúinn go bhfuil teipthe ar fhóiréigin mar leigheas ar an gceist le seacht gcéad go leith bliadhan. Dá bhrígh sin, ní tuairim bhréige acht fíorghliocas agus tuigsint riaghluighthe

atá dhom ghríosughadh féin is ag brostughadh mo chomhdhaltaidhe. Caithfear bagairt fhóiréigin do chur ar leath-taobh. Caithfear a chur ar leath-taobh ó thosach agus le linn réidhteachta. Caithfidh ár dteachtaidhe araon teacht le chéile gan aon bhac ortha acht na nidhthe bheidh le socrughadh; agus ní le bagairt fóiréigin; árd no íseal, acht fé riaghail treortha go mbeithfear ar aon aigne i n-a thaoibh, dhéanfaid siad pé easaontas a bheidh eadartha do leigheas feasta. Mholamair-na mar bhun-chomhairle riaghaltas le cead an phobail, agus ní mar abairt a mholamair é. Tá ceist simplidhe ann, agus pé socrughadh dhéanfar eadrainn caithfidh sé bheith ar aon leagan leis no ní bheidh buan, agus is féidir feidhm do bhaint as mar thomhas i gcomhair na mionrudaidhe is na réidhteachta uile. Toisc go n-abrann tusa gur le Sacsuibh ó dúthchas an bhun-chomhairle sin agus gurab é 'Beatha na náisiún fé chomairce Bhreatain anois é' ní fuláir nó gur furas duit glacadh leis. As an mbonn sin, agus as an mbonn san ar leithligh, tá dóchas againn gur féidir réidhteacht do dheunamh idir 'na nidhthibh a bheidh mar chomhacht treortha' ag teachtaibh Shacsan agus na nidhthibh a bheidh mar chomhacht treortha ag teachtaibh Eireann; agus ar na coingheallachaibh sin is toil linn feasta feadhmannaigh do cheapadh.

Mise,
do chara gan cháim,
Éamon de Valera

(Official Translation).

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.²

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.³ 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,
Éamon de Valera

¹ Handed to David Lloyd George at Gairloch at 6.30 p.m. on 1 September 1921, by Robert Barton and Joseph McGrath.

² David Lloyd George to Éamon de Valera, 26 August 1921.

³[No. 16 above.](#)

Robert Brennan to 'Harry Cross'¹
(Copy)

Dublin, 7 September 1921

A Chara,

[27 words covering routine communications deleted]

With reference to the point about being kept informed, it is very difficult, as outside the Ministry nothing is known but what appears in the press. At the moment of writing no one knows whether it is to be peace or war, but another day or two will tell whether there is to be a peace conference or not.

[81 words dealing with miscellaneous matters deleted]

Mise le meas,

¹ 'Harry Cross' was the code-name for an Irish contact in Rome. The true identity is not immediately clear from archive sources, but it may be Michael J. Curran, vice-rector of the Irish College in Rome.

Éamon de Valera to David Lloyd George

Mansion House, Dublin, 12 September 1921

12 Meadhon Foghmuir, 1921

A Chara,

Níl aon scáth orainn a rádh leat go bhfuilimid lántoilteanach 'dul i gcomhdháil chum a dhéanamh amach conus is fearr is féidir an bhaint a bheidh idir an Saor-Chumann Náisiún ar a nglaothar Impireacht Shasana agus cuspóir náisiúnta mhuintir na hEireann do réidhteach.' Do chuireamair i n-iúl duit i n-ár litir, 10 Lughnasa, chomh fonnmar is táimid a leithéid de chomh-bhaint a bhreithniughadh. Dá bhrígh sin tá glaoidhte againn ar DHAIL EIREANN teacht le chéile chum go gcuirimid fé n-a brághaid ainmneacha na dteachtaí atá ar aigne againn a cheapadh chum a ndeimhnighthe. Tá súil againn go mbeidh ar chumas na dteachtaí seo bheith i n-Inbhear Nois ar an lá adeirir, and 20adh lá de Mheadhon Foghmuir.

Ins an nóta deireannach so is dualgas linn a rádh arís go bhfuil an sgéal againn díreach mar a mhínigheamair sa chomhfhreagrachas so é, agus nách féidir gan é bheith amhlaidh. Tá a neamhspleadhchus féin fógraithe ag Eirinn do réir nós na náisiún agus dar léi féin gur Saorstát í. Is mar lucht labhartha ar son an tsaorstáit sin amháin agus mar lucht toghtha a cosanta atá ughdarás no cumas againn beart a dhéanamh ar son ár muintire.

Maidir le 'Riaghaltas do réir toil na ndaoine a riaghaluightear' tá sé do réir nádúra go gcaithfidh san bheith mar bhun fé aon tsocrughadh a thabharfaidh an rud is mian linn chum críche, is é sin, caradas seasmhach a shnaidhmeadh idir an dá náisiún. Níor bhaineamair-ne riamh aon bhrígh eile as an dteagasg san ach an ghnáth-bhrígh, an bhrígh, cuiream i gcás, do bhain muintir chomónta an tsaoghail as nuair adubhrais ar an 5adh Eanáir, 1918: ' Caithfear socrughadh na hEuróipe nua a dhéanamh ar bhun éigin réasúin agus cirt nach miste bheith i ndóchas a bhuanuighthe. Dá bhrígh sin is é ár mór-thuairim nach foláir riaghaltas do réir toil na ndaoine a riaghaluightear a bheith mar bhun fé aon tsocrughadh líomatáiste a déanfar de dhruim an chogaidh seo.'

Siad na focal seo an fíor-fhreagra atá ar an léirmheas do deineadh orainn id' litir dheireannach. 'Sé brígh a baineadh as an uair sin ná ceart a bheith ag náisiúin a tugadh fé smacht impreachtaí i gcoinnibh a dtola iad féin d'fhuasgailt ón gceangal a bhí ortha. B'in í an bhrígh do bhaineamair-ne as. Le fírinne is é do Riaghaltas-sa a thuigfeadh leis an dteagasg 'go mbainfí an bonn ós gach aon stát a sheasuígheann ar thoil na ndaoine agus go gcafaí an saoghal síbhialta thar n-ais chum finidheachais' nuair a iarann sé cúis chum ar náisiún ársa a stracadh as a chéile agus a líomatáiste do roinnt.

Mise,
do chara gan cháim,
Éamon de Valera

(Official Translation)

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.⁴ We have accordingly summoned Dáil 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 the principle save its every-day 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 arising out of 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,
Éamon de Valera

¹[No. 22 above.](#)

Report from Harry Boland and Joseph McGrath to Éamon de Valera

14 September 1921

President,

As directed by you, we proceeded to, and arrived at Gairloch on Tuesday, 13th inst. at 3 o'clock p.m. Mr. L. George was away. He returned at 5.20, when we presented your reply. While he appeared in very good humour, and remarked when taking the reply 'I hope you have brought something definite this time', he changed immediately he read it and said 'It won't do, I can't have it, why did he put in that second Paragraph? - he, De V., said that on each occasion I saw him; he said it in Public, why could he not leave it at that I am done, I am done.'

Up to this no opportunity had presented itself for my mentioning your difficulties, etc. to his Secty, Sir E. Grigg, as per your direction, so I, by way of reply to L.G., pointed out that his last reply was of such a nature that you were driven to reply as you had done, and even with that you expected grave opposition from An Dáil, perhaps a reverse note. He replied, 'I know, but since the opening up of negotiations I have given way each time against the wishes of my supporters, but he (De V.) has not moved an inch. In a case of a Big and a Small nation, the Big nation should not have to give all and get none. No, I have dealt with all nations, all men, Mr. Clemenceau, Mr. Briand, etc. we all have to give something, but De Valera will give nothing. I am done, done.'

He then left with his Secty. asking us to remain - after five minutes he returned, and said 'no, I can't accept that. I am indeed very sorry, you had better wire Mr. De Valera saying the Conference is off. You will get no British statesman to accept that - no British statesman dare. I have received a protest, signed by 60 of my supporters, protesting against my having gone so far. Sir E. Grigg received a letter from a very influential and respected personage protesting. Why all peoples, all papers, with the exception of the 'Bulletin' favour acceptance.

We again pointed to your great difficulties. He replied that he knew them well. 'I know', he said of the different elements he (De V.) has to deal with, and it was because I knew I worded my reply in such a way. I even used his own term 'association' to help him mind you that was not in the first draft.

He again glanced at your reply, and said 'why could he not see it. I can't say what I think, but it is Hell. Consent of the Governed is all right, I don't mind that, he has a good score off me there, but the other, I can't have - Sovereign State 'NO' - I can't go into conference and treat as I would with France, for instance, I could not even call a Cabinet on it.

I can do nothing except ask him to withhold publication, or if you like I will give you back the reply. I can only answer it by declaring off the Conference'. We asked time to consider. Having consulted, we decided not to take back your reply, but told him we would stop publication. Then the question of our visit arose, and we agreed on communiqué published by P.A. He said he would accept it without second Paragraph, and if you agreed you could hand reply to Cope. If he had received it by Friday the Conference could come off on Tuesday. If on Saturday, he suggested Wednesday. After some further discussion on details re conference, we parted. I wired Publicity not to publish announcement re handing of reply, and explained as best I could with safety on phone from Inverness what had happened.

J. McGrath
Harry Boland

Editorial Note: Dáil Éireann met in private session at 11 a.m. on September 14 at the Mansion House, Dublin. The Cabinet's reply to the British Prime Minister's letter was read and unanimously approved. In view of a possible conference with representatives of the British Government, the following delegation of plenipotentiaries was ratified:

- *Arthur Griffith, Minister for Foreign Affairs (Chairman).*
- *Michael Collins, Minister of Finance.*
- *Robert C. Barton, Minister for Economic Affairs.*
- *Éamon Duggan (Deputy for Meath and Louth).*
- *George Gavan Duffy, Envoy at Rome (Deputy for County Dublin).*

Éamon de Valera to David Lloyd George (Gairloch, Scotland)

Mansion House, Dublin, 19 September 1921

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 forever, 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,
Éamon de Valera

David Lloyd George to Éamon de Valera (Dublin)

Gairloch, Scotland, 29 September 1921

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,
David Lloyd George

Éamon de Valera to David Lloyd George (Gairloch, Scotland)

Mansion House, Dublin, 30 September 1921

30 Meadhon Foghmhair, 1921

A Chara,

Fuaireamair do litir ag tabhairt chuireadh dhúinn chum Comhdhála i Lundain ar an 11adh Deire Foghmhair 'chum a dhéanamh amach conus is fearr is féidir an bhaint a bheidh idir an Saor-Chumann Náisiún ar a nglaothar Impireacht Shasana agus cuspóir náisiúnta mhuintir na hEireann do réidhteach.'

Do mínigheadh conus mar atá an sgéal ag an dá thaobh agus tuigtear é, agus táimid ar aon aigne leat gur comhdháil agus ní comhfhreagrachas an tslighe is fearr agus is mó dóchas chum teacht ar chomh-thuisgint sa chúrsa. Glacaimid leis an gcuireadh agus teangmhóidh ár dTeachtaí leat i Lunndain ar an lá atá luaidhte 'd'fhonn gach is féidir a dhéanamh chum réidhtigh do thástáil le díospóireacht bhéil.'

Mise, do chara gan cháim,
Éamon de Valera

(Official Translation).

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,
Éamon de Valera

Draft Treaty proposals taken by the Irish delegation to London

Dublin, 7 October 1921

[Memorandum from early 1922 by Robert Barton on Draft Treaty A

DRAFT TREATY A.

This is the Skeleton Treaty 1 referred to in 'The Truth about the Treaty'.

It is principally the work of De Valera and was intended to be the basis of the Treaty of External Association.

Every Delegate had a copy.

This Draft was submitted to the Cabinet on October 7th, discussed and approved. The members of the Cabinet left in Dublin were supposed to be going to improve upon it and send over their drafts from time to time.²

At the same time that the Delegates were negotiating on the basis of this Treaty the Secretariat in conjunction with the Delegates and Cabinet in Dublin were to amplify and complete this treaty in the form to be known as Draft Treaty 'B' which was to serve as a propaganda document in the event of the negotiations breaking down.]

Friday, Oct. 7th, 1921, 11 p.m. Aa and Ba.

Combined alternative drafts for work on by Delegation. Passed by President. (G.[avan] D.[uffy], E. [rskine] C.[hilders] and J.[ohn] C.[hartres] present.)

RECITAL. (For DRAFT A. and B.)

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 his Britannic Majesty, George V ...

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. (For Draft A. and B.)

The British Commonwealth recognises Ireland as a sovereign and independent state, and Great Britain renounces all claims to any interference in Ireland or in Irish affairs, whether by way of government, legislation, control, or otherwise.

ARTICLE II. (For Draft A.)

The British Commonwealth agrees that Ireland shall be, and Ireland agrees to become, upon the date of the exchange and ratification of this Treaty an external associate of the British Commonwealth as set forth in this Treaty.

ARTICLE II. (For Draft B.)

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 now separately represented in the British Imperial Council - Great Britain, Canada, Australia, etc, and shall be so recognised by these several states.

ARTICLE III. of Draft 'A' and ARTICLE V. of 'B'.

(1) Ireland consents to be a neutral State, and the British Commonwealth guarantees the perpetual

neutrality of Ireland and the integrity and inviolability of Irish territory.

(2) Ireland undertakes, both in the interest of the Irish People and in friendly regard for the strategic interests of the British Commonwealth, to enter into no compact, and to take no action, nor permit any action to be taken, inconsistent with the obligation of preserving the neutrality, integrity and inviolability of Ireland, and to repel with force any attempt to violate Irish territory or to use Irish territorial waters for warlike purposes.

ARTICLE IV. of Draft A. and ARTICLE — of B.

Ireland will make, and his Britannic Majesty will support Ireland in making, a request to the respective Governments of the United States of America, and of all other States, not being members of the League of Nations, with whom his Britannic Majesty entertains diplomatic relations formally to recognise and guarantee the perpetual neutrality, integrity and inviolability of Ireland.

Ireland will request, and the several partner States of the British Commonwealth will support Ireland in requesting the Council and Assembly of the League of Nations formally to recognise and guarantee the perpetual neutrality as well as the integrity and inviolability of Ireland.

ARTICLE V. of Draft A. and ARTICLE — of B.

The partner states of the British Commonwealth will support any application that may be made by Ireland for admission to membership of the League of Nations.

ARTICLE VI. of Draft A. and ARTICLE — of B.

Within fourteen days of the signing of this Treaty, the British Government shall withdraw from Ireland all British military forces and all 'auxiliary police' and all members of their police forces recruited for service in Ireland since the 21st day of January, 1919.

*Instructions to plenipotentiaries from the Cabinet
(Copy)*

Dublin, 7 October 1921

- (1) The Plenipotentiaries have full powers as defined in their credentials.¹
- (2) It is understood however that before decisions are finally reached on the main questions that a despatch notifying the intention of making these decisions will be sent to the Members of the Cabinet in Dublin and that a reply will be awaited by the Plenipotentiaries before the 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 break the text of final proposals from our side will be similarly submitted.
- (5) It is understood that the Cabinet in Dublin will be kept regularly informed of the progress of the negotiations.

Éamon de Valera.

¹ The plenipotentiaries were vested with such power from Dáil Éireann to 'negotiate and conclude on behalf of Ireland with the representatives of his Britannic Majesty, George V, a Treaty or Treaties of settlement, association and accommodation between Ireland and the community of nations known as the British Commonwealth.' (NAI, DE 2/304/1, 7 October 1921).

Note by Éamon Duggan to Éamon de Valera
(Copy) Secret

Dublin, 11.30 p.m., 7 October 1921.

For future reference the Main Treaty will be referred to as the 'M' Treaty, and the ancillary treaties on Constitution, Finance, Trade and Joint Commissions as the 'C', 'F', 'T' and 'J' Treaties respectively.

The several drafts or revisions from day to day during the progress of the negotiations will be numbered, Aa, Ab, Ac, Ad, etc. consecutively and dated.

The 'Break Proposals' draft will be numbered; Ba, Bb, Bc, Bd. etc consecutively, and dated.

Thus, of the 'M' Treaty we shall have the Aa, Ab, Ac, etc. drafts, and the Ba, Bb, Bc, etc. drafts. Similarly, of the 'C' Treaty we shall have the Aa, Ab, Ac, drafts and the Ba, Bb etc. drafts.

'S' means 'Signed Treaty'.

(as arranged October 7th, p.m. by the President).

Draft clause on Ulster sent to delegation in London¹

Undated, but October 1921

North East Ulster Draft Clause

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 number² contiguous and forming a³ territorially continuous group do not so elect they shall be entitled to maintain a legislature possessed of local governing powers set out in the Act of the British Parliament known as 'Government of Ireland Act, 1920' (10 & 11 Geo. 5. Ch. 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 the⁴ 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.

Editorial Note: The first session of the negotiations opened at 10 Downing St. at 11 a.m. on 11 October 1921.

¹ This clause was not sent to London until 14 October. [See No. 42.](#)

² The word 'territorially' has been crossed out here.

³ The words 'continuous group' have been crossed out here.

⁴ The words 'all minorities' are crossed out here.

*Arthur Griffith to Éamon de Valera (Dublin)*¹
(No. 2) (Copy)

London, 11 October 1921 (received Dublin, 12 October 1921)

A E[amon], a Chara,

The meeting today has left on my mind the impression that the English Government is anxious for peace and also that this question of naval defence re the coasts of Ireland is a fixed idea of theirs - that they believe it vital to their lives.

The question of the Crown and Ulster did not arise. When they do the sailing will be rough. Today they were amiable and both sides were quite polite to each other. The report herewith states what occurred.² But, of course, the discussion had very many minor points of interest, amusement and instruction. L.I.G. is a remarkably suave and astute man, but on the whole we have scored today, although the most difficult part has yet to be discussed.

Do Chara (in haste)
Arthur Griffith

¹ Many of the copies of letters to and from London during the Treaty negotiations were subsequently annotated by de Valera in his own hand but, as these annotations are not contemporaneous, they are not reproduced here.

² Not printed.

Extract from a letter from Michael Collins to Éamon de Valera

London, 12 October 1921

Dear Dev,

E.[rskine] C.[hilders], will have notified you about things yesterday - I never felt so relieved at the end of any day, and I need hardly say I am not looking forward with any pleasure to resumptions - such a crowd I never met.

[138 words deleted covering relations with Irish-America]

M.[ichael Collins]

Separate letter goes with this re USA matters. Good luck. This place [the] bloody limit. I wish to God I were back home.¹

¹ Handwritten.

Arthur Griffith to Éamon de Valera (Dublin)
(No. 3) (Copy)

London, 13 October 1921

A Chara,

The enclosures will acquaint you with what has happened since my last note.¹

In the discussion today on the allegations of Truce breakage we were able to turn the tables on account of the Sligo incident. But the Courts, publicly summoned and opened, are a serious matter on the argument of breach of the Truce. Their real attitude to us is - 'we don't care a rap about your Courts functioning, but if they proceed to function ostentatiously as they are today, we are up against our die-hards in Parliament next Tuesday. They will go for us and force us to action'.

This is absolutely true. The whole die-hard element is at work publicly and privately to smash the Conference over the ostentatious publicity of the Courts.

The Secretariat is preparing good reports, or rather minutes.

We are coming to very close quarters. Our tactics have been successful up to the present, but unless we can get in our Treaty proposals by Monday, the initiative will pass to them. If we cannot have the Ulster clause and the other omitted clauses - or the substance of them by Sunday or Monday morning before 10 o'clock our present tactics must be abandoned, and to an extent, we must fight them on ground of their own choosing.

Arthur Griffith

P.S. L.I.G. is a humorous rascal. He talked today of the vast amount of produce England bought from us. I said 'You don't buy it for love of our beautiful eyes'. Whereupon, with a smile he yielded, saying 'No, on account of your beautiful butter'.

¹ Not printed.

Arthur Griffith to Éamon de Valera (Dublin)
(No. 4) (Copy)

London, 14 October 1921

A E[amon], A Chara,

The enclosures will explain the position.¹ The Ulster question came up today. We could not defer it further as only it and the question of the Crown remain for the moment outstanding. Owing to my uncertainty as to how the Ulster clause stands, I prevented the discussion getting too concrete, although they were anxious for me to suggest something. They are, I think, willing to go any distance short of using force against Ulster. They want to save their face.

We start Ulster again on Monday, when I expect to be able to come to close quarters with them. They are remarkably ignorant of the facts - this is not play-acting, although they try that also. Their knowledge, geographically and statistically of the province is very poor.

Do Chara,
(Initialled) A.G.

¹ Not printed.

Memorandum by John Chartres to Arthur Griffith

London, 14 October 1921

May I be allowed to make the following suggestions on the subject of the Crown?

1. We desire, technically as well as substantially, to preserve the Republic and the President. The English desire technically not to sacrifice the King. The problem is to reconcile these seeming opposites and to provide Lloyd George with the means of saving his face and carrying the country.
2. However nominal and technical the powers of the King of Ireland might be made in the impending treaty, the sacrifice of the Republic would make a deeply painful impression in Ireland. On the other hand, if the powers of Ireland over her national destiny are in substance complete, the English would probably be content with a very partial and shadowy recognition of the Crown.
3. There seems to be here the germs of a compromise which would satisfy both sides. Assume that Ireland is acknowledged to be a sovereign, independent State, and that she is in full control of her national existence. And assume that this sovereign and independent Ireland is prepared to associate herself for certain purposes with the British Commonwealth of nations.
4. It is clear that Ireland cannot associate herself with the British Commonwealth without associating herself with the monarch who stands at the head of the Commonwealth. To the extent, therefore, to which this association extends, the King could be recognised as the official head of the whole combination. So far as Irish affairs are concerned which lie outside the purposes of the association he would not exist, and the Irish Republic would be ruled by its elected President, unshadowed by any form of sovereignty or suzerainty in the British King.
5. There would be no veto. There would be no viceroy. The King would have no concern in Irish legislation. We should keep our trade, our finance, our neutrality, the whole sphere of domestic legislation free from the necessity of acknowledging any ruler, however technically, except the ruler elected periodically by ourselves. Our national independence would have been secured and our honour saved.
6. On the other hand, as a formal recognition of the fact that King George was the ruler of the community of States with which the Irish Republic was voluntarily associating herself, some outward act might be devised. For example, an annual payment of some moderate sum might be paid annually by the Republic of Ireland as a contribution to the King's civil list. From the point of view of the Republic this would be merely a payment for services rendered to Ireland in respect of the special and very limited interests which Ireland would have in common with the nations of the British Commonwealth. On the other hand it would be sufficient recognition of the Crown to enable Lloyd George to assert that the King had not been thrown over, and to carry the country against those who would have no case in substance for more extended technical powers and whose only alternative to such a settlement would be a renewal of war. It might be used also as an inducement to Ulster to come in. Lloyd George has so much to gain both in world-wide reputation and in material power by making peace permanently with Ireland, that if we provided him with a case of this kind, and let him know that the alternative was failure, he might be expected to strain every nerve to see it through.

John Chartres

Memorandum from Éamon de Valera to Arthur Griffith (London)
(No. 2) (Secret)

Dublin, 14 October 1921

Yours of the 13th received with memo of the proceedings of sessions of the 13th.¹

ULSTER : I am sending you the Ulster Draft Clause.² It hasn't been submitted to the Cabinet, but I do not anticipate any objection as to the principle - the phrasing is of course open to alteration. I have scarcely changed it at all as you notice.

In connection with the Ulster business, [Eoin] MacNeill suggested to me that if there is an attempt made by them to put us in a dilemma over it, we should say 'You have done your best to make it insoluble. You are determined now that it be insoluble. We must leave it over altogether, leaving the matter to work itself out later'. Father O'Flanagan pointed out to me to-day that the terms of reference of the 'Association of Ireland with the British Commonwealth' excluded (1) Ulster representation at the Conference, and (2) the question of Ireland and Great Britain relations. I do not think that this could be strictly upheld even as a technical point. I give it to you because of its suggestiveness.

TRUCE : I am not replying to Childers's memo because of a wire he sent me to-day asking me to postpone reply. I think we should avoid giving them any express undertaking as regards our civil functions. To their complaints I would simply reply 'Publicity of the Courts, etc. is not our policy. The publicity given in Dublin and some other places was not authorised by our Headquarters, and we shall continue to discourage publicity. We cannot go beyond that'. Court decrees must be executed, and the sanction of force must be there. Before the truce force would have been used, and was used where necessary. It seems to me we cannot give way an inch on this question of the civil functioning, but it is certainly too bad that the other side should have got the opportunity which the blaze of publicity gave them. I would advise if the discussion is continued, that you call over the Minister of Home Affairs.³

OTHER CLAUSES IN THE TREATY : Childers and Duffy may have told you their views with which I agree, that it is better to keep as far as possible in separate Treaties the questions relating to (1) Finance, (2) Trade, (3) Constitution agreements, and (4) Joint Commission arrangements, restricting the main Treaty to the broad question of 'Association', including neutrality as covering defence. They told you, also, I expect, of the preliminary counter proposals which I characterised as the 'A' series, the breaking proposals which I called the 'B' series, and the draft for a contemplated agreed signed Treaty which I called the 'S' series. These 'A', 'B', and 'S' of drafts would all be drawn up from their own peculiar angle - 'A' to form the tactical basis for discussion in conference, 'B' for propaganda value, and 'S' from the strictly legal point of view securing the maximum advantage in the most binding form. They are all of course closely related but in the different series the point of greatest stress is different. The Secretariat should spend all its spare time in preparing these. I will do my best to help from here, and will send on a revise of the 'A' and 'B' drafts which I gave to Childers, Duffy, and Chartres on the eve of their departure. We must depend on your side for the initiative after this. I hope to send my revises to-morrow. I am simply availing of the courier who will be travelling over to-night on other business.

(Initialled) E. de V.

¹[No. 39 above](#). Memo of proceeding of sessions not printed.

² Handwritten: 'attached'. [No. 36 above](#).

³ Austin Stack.

⁴ Not printed.

***Memorandum by the Irish Representatives for the sub-committee on naval
and air defence
(S.F.C. 11) (Secret)(Copy)***

London, 18 October 1921

Naval The formula read by Mr. Churchill at the beginning of the meeting on October 17th was as follows:

'The Irish Government confides the responsibility for the naval defence of Irish interests on the high seas to the Royal Navy and for this purpose as well as for those of general Imperial defence places its ports, harbours and inlets unreservedly at the disposal of the Imperial Government in peace or war'.

This formula appears to go much beyond the specific requirements given in document C.P. 3409 'Memorandum by the First Lord of the Admiralty' dated October 15th, 1921,¹ in regard to British Peace requirements on the Irish Coasts, besides beginning with a general statement as to the basis of these requirements, namely, that the Irish Government confides the responsibility for the naval defence of Irish interests on the high seas to the British Navy'.

Defence on the high seas in war does not necessitate placing all 'ports, harbours and inlets unreservedly at the disposal' of the defending power in peace, while the memorandum of the First Lord only specified certain ports and property for retention in peace, a provision which appears to be inconsistent with 'unreserved disposal' if we rightly understand the expression used as one going beyond the ordinary facilities given in peace by international usage to all ships.

The general principle of the formula is one that the Irish representatives could not accept. It is inconsistent with the neutralised status which they claim for Ireland. Even a Dominion Government would not subscribe to it. The Dominion Governments would not declare that they confide the responsibility for the naval defence of their interests on the high seas to the British Navy nor that they 'place their ports, harbours and inlets unreservedly at the disposal of the Imperial Government' in time of peace in any other sense than that in which they place them at the disposal of ships of all countries which seek shelter, repair and other facilities. In war, according to our view, they reserve their right to decide whether or not to place their ports, as well as their military and naval forces, at the disposal of the British Government.

In this connection we desire to renew our request to see a copy of the agreement relating to Simonstown, referred to both at the principal Conference and at the informal Committee on Naval Defence on October 13th.

The memorandum of the First Lord asks for the occupation in peace of three ports and the buildings and fortifications attached thereto together with the right in war or, 'during a period of strained relations' to take any sites or buildings in any part of the island and to have 'undivided control over Irish waters'.

As outlined in the discussion, the counter proposal of the Irish Representatives is that Ireland should receive the status of guaranteed neutrality implying that no part of her territory should be occupied by Britain in peace, and that in war her neutrality should be respected by all belligerents. This course, they contend, so far from injuriously affecting the interests of Great Britain, would on the contrary be the safest and most satisfactory course both for Ireland and Great Britain. The Irish people attach supreme importance to the need for keeping their territory from any occupation or right of occupation or control which would definitely lower their political status and place all their other political rights and immunities in jeopardy. They are also averse to incurring any obligation to engage in any war. On the other hand, like other neutralised states, and like other small nations without a guarantee of neutrality, they realise the importance of being prepared to defend their own shores to the best of their power against violation from any quarter and will willingly undertake to take the necessary measures.

It is in Britain's interest that Ireland should be completely satisfied and friendly and that on this basis

there should be willing and amicable association and mutual intercourse for all peaceful purposes. Neutralisation will be the surest means of effecting this end.

The strategical interests of Great Britain would, we urge, also be satisfied by this solution.

We have inferred that there is no serious apprehension on the British side of a regular invasion of Ireland by a foreign power, or even of a serious landing. Important Naval bases have not been maintained in Ireland and the establishment in peace is little more than nominal.

We, therefore, place aside this contingency, only remarking that the defensive forces, military and maritime, which will in the normal course be organised by the Irish Government would, altogether apart from 'high seas' operations add immensely to the difficulty of any such landing. In the improbable event of Irish territory being so violated, it would, of course, be the interest as well as the duty of Great Britain as a guaranteeing power, to come to Ireland's assistance.

We must point out that the unlikelihood of such violation places Ireland in a wholly different category from Belgium, wedged in between two great competitive land powers and with no natural defensive frontiers. Holland, though actually contiguous for four years to sustained military and air operations, maintained her neutrality throughout the recent war, as did all the other small nations bordering the North Sea and Baltic, including Denmark and Sweden which flank the narrow Baltic entrances. As an island on the western flank of Europe, Ireland is in a more secure position than any of these nations.

The main apprehension expressed on the British side is that in war, without naval and air bases on the Irish coast, the British Naval forces may be unable to protect commerce on the neighbouring trade-routes from submarine attack. Connected with this fear has been the suggestion that enemy submarines attacking shipping may take shelter and even receive small supplies in Irish inlets.

As to the latter ports upon which, we gather, little emphasis is laid, Irish defensive coast patrols, submarine-chasers and minelaying craft could perfectly well deal with any such contingency, except perhaps for an occasional case of a submarine coming for shelter to a bay at night, a case which no precaution can wholly prevent on any coast, neutral or hostile.

As to the protection of Commerce in war, our contention is that no necessity exists for the use by British naval forces of Irish coasts and ports for the protection against submarines of Merchant ships travelling to Great Britain.

It must first be pointed out that there is no reasonable possibility in the future of any European power being able to undertake a Naval war with Great Britain and that the submarines of a power such as Russia, which was mentioned at the meeting, would have a great distance and successive narrow-waters to traverse before reaching the Irish coasts, while trans-atlantic submarines would have to sustain prolonged operations from bases thousands of miles away - a possibility hardly yet in sight.

But even if the assumption be accepted that submarine attacks on British commerce in the waters of Western Europe are a real danger, it must be pointed out in the second place that Ireland does not 'lie across the seaways' as stated in the British proposals of July 20th.² She lies on the flank of certain seaways. Holding Ireland in the recent world-war, Great Britain made Naval use of Ireland as the most westerly point in the Atlantic and organised trade-routes along the south and north coasts of Ireland accordingly. To take the South first, the distance between Fastnet and Ushant, between which lie the approaches to the English channel and the Irish sea is about 240 sea-miles, so that, in the absence of Ireland as a base, the more southerly trade-routes would naturally be employed, vessels upon which could be given escorts and protection from Cornish ports, and as regards St. George's channel and the Irish sea itself from Welsh and Scotch ports. But it may be added that in view of the great range and power of modern destroyers, it would be feasible to supply escorts based on Welsh and English ports even for a trade-route nearer to the South coast of Ireland were it desired to keep one open. A point mid-way between Land's end and Fastnet is about 85 miles from each. Pembroke is about 175 miles from Fastnet and 115 miles from the mid-way point mentioned.

The North Channel into the Irish Sea and the Clyde, if it were employed, and the seaward approaches to it could be protected adequately from Scotch bases. Lamlash, for instance, is only 80 miles from Lough

Swilly.

There remains the important north-about route round Scotland into the North Sea, and so to all the eastern and southern British ports, for the protection of which bases on the Irish coast are not necessary at all.

Ireland does not in any sense block the road to England. It is not denied that use of her coasts are an additional convenience to the British Admiralty, but this convenience is not vital and cannot be set against the grave disadvantage of curtailing the status of Ireland and thus making her people feel unsatisfied.

It is assumed throughout this memorandum that there is no desire to restrict the Irish Government in the creation of defensive naval forces of its own. It is England's direct interest that she should not be so restricted. An offensive fighting Navy is not, of course, feasible or dreamed of. Some apprehension, which we do not understand, has been expressed about Irish submarines, for no Irish naval forces could be a menace to England, which in a strategical sense dominates Ireland with an immense preponderance of power and could destroy Irish Submarine bases. But in point of fact Ireland would be very unlikely to plan the building of submarines which are eminently an offensive weapon out of harmony with her purely defensive policy.

Air The considerations set forth above apply to Air Defence also. We are not quite clear as to whether a claim is made for coastal air bases in Ireland in time of peace. No sites have been mentioned. But we contest the claim if it is made, both for peace and war, with the same arguments as those used in the naval question and point to the same alternative bases for aircraft used to protect shipping against submarines.

It was suggested that enemy Aircraft in war may operate against British Commerce from Carriers, but the access of these carriers to points within range of Irish waters is a naval question and in the face of the British Navy they are no more likely to obtain such access than other enemy fighting surface ships. On the other hand British carriers of modern design will be available for anti-submarine work and reconnaissance upon the trade routes in addition to Aircraft flown from shore bases.

In regard to commercial aviation, Ireland would naturally adhere to the international Aerial Convention and supply in Irish Aerodromes the necessary facilities for British Aircraft in passage across the Atlantic.

Recruiting. This question was raised incidentally at the Meeting of the 17th. The right to carry on recruiting in Ireland for the British naval, military and air forces would not, we believe, be consistent with the position of a neutralised State and that consideration would preclude us from agreeing to it.

But we do not, in any case, appreciate the importance of the right as demanded on the British side. Ireland will naturally be a recruiting ground for Irish forces and competitive recruiting would be undesirable.

¹ Austin Stack.

²[No. 16 above.](#)

Arthur Griffith to Éamon de Valera (Dublin)
(No. 5) (Copy)

London, 18 October 1921

A Chara,

The enclosures describe all that has happened.¹ Matters are now getting more lively.

Ulster will be a hard fight. Trade and Defence hard, though not quite so hard. Finance begins tomorrow.

The difficulties this British Cabinet has are real. They greatly exaggerate them to us for negotiating purposes, but it would be a mistake for the people at home to think there are none. The *Morning Post* party at home is not without power, and it is obvious that both L.I.G. and Chamberlain are a trifle afraid, not of its present power, but of its potentialities.

I received a resolution from the Mayo Co. Council to the effect that we should break off negotiations unless the prisoners were released. So the whole national fight of the past few years is sought now to be put on the basis of an amnesty movement. I suppose there is nothing more behind these resolutions but stupidity and mawkishness, but it is bad to see any section of our people getting back to resolution-mongering and seeking unwittingly to regard us as a political party, whose policy they control rather than an established Government whose policy they uphold.

Do chara,
(Initialled) A. G.

P.S. I'll do what I can about D.[iarmuid] O'H[egarty]'s return.

¹ Not printed.

Telegram from Éamon de Valera to Pope Benedict XV (Vatican City)

Mansion House, Dublin, 20 October 1921

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 owe 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 Great 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 proved the reality of their attachment to their natural freedom, and no consideration will ever induce them to abandon it.

Éamon de Valera

*Memorandum by Erskine Childers replying to the British proposals of 18
October 1921*

London, 20 October 1921

THE BRITISH MEMORANDUM ON DOMINION STATUS.
A CRITICISM.¹

The Irish representatives have received and read with interest the Memorandum on Dominion Status prepared by Mr. Lionel Curtis at the request of the British Prime Minister.

As a document expressly put forward by the British representatives to aid the deliberations of the Conference, it seems to us to be open to the criticism that it does not throw sufficient light on those aspects of Dominion independence which are relevant to the special issues raised in our discussions.

On the other hand it does indirectly show the fundamental difference between the modern position of a Dominion and the position which Ireland would occupy under the Conditions laid down in the British Proposals.

The Dominions have been cited at the Conference in connection with Trade and Defence.

TRADE: As regards Trade much stress has been laid by the British representatives upon the necessity of an agreement for mutual free trade between the two countries as indicated in Condition 5 of the Proposals of July 20th.² It has been argued by the Irish representatives that any such agreement was not only undesirable in itself but would in practical effect be a grave curtailment of the 'complete autonomy in taxation and finance' offered in the body of the Proposals, and reaffirmed at the beginning of Condition 5.

The Memorandum while stating on page 1 that 'control of the purse and fiscal autonomy' are complete in the Dominions and that they 'negotiate commercial treaties not only between themselves but with foreign states' remarks (apparently in indirect allusion to Condition 5) that they might make 'mutual arrangements' for free trade 'with each other or with Great Britain if it suited their interests', and that there is nothing 'to prevent their agreeing to put such arrangements upon a permanent basis.'

It would be more pertinent, we think, to point out that the Dominions have invariably refrained from making any such mutual arrangements even on a temporary basis, on the ground that it did not suit their interests so to fetter, even temporarily, their freedom of negotiation and their control over revenue. 'Arrangements upon a permanent basis' they would undoubtedly regard as a grave limitation of their political independence. Inter-Imperial Free Trade has been proposed to them by advocates of Imperial Federation and was aimed at by Mr. Joseph Chamberlain with that ultimate object; but Imperial Federation is a dead issue - dead because it implied the limitation of Dominion independence.

An earlier passage of the Memorandum that 'in no case have they (the Dominions) given a preference to foreign over British goods' is more relevant to the trade point discussed at the Conference. This has not been a matter of treaty. The Irish representatives would willingly make it the subject of a treaty. We may add that neither the Dominions nor Great Britain have ever been troubled by fear of 'ruinous trade wars', nor have any taken place.

DEFENCE: Dominion status has been referred to by the British representatives, both at the Conference and at the Naval and Air Defence Committee in connection with Condition No.1 of the British Proposals and with the specific demands put forward in the Admiralty Memorandum dated Oct. 15th³ and in the formula presented by Mr. Churchill on Oct. 17th.⁴

There seems to have been some misunderstanding on Mr. Churchill's part about the Simonstown agreement, but we take it that there can be no dispute on the following points :-

1. that the conditions laid down for the occupation of specific ports in Ireland in time of peace have no parallel in the British Dominions and are incompatible with modern Dominion rights.

All Dominion ports are now under exclusive Dominion control and there are no British forces in occupation of any part of Dominion territory.

2. that in war no Dominion port or ship, or any part of its territory or forces, would fall automatically under Imperial control, and that a fortiori the sweeping demands made in the last paragraph of the Admiralty Memorandum are not made and could never be made to a Dominion, namely that the British Admiralty should have power even 'during a period of strained relations', as well as in the event of war, to acquire buildings and sites anywhere in Ireland and to exercise undivided control in Irish waters.

3. That no Dominion would subscribe to Mr. Churchill's formula of Oct. 17th or submit to the restrictions laid down in Condition No.1 and the 'Explanatory Addition to it' supplied to us on Oct. 17th. These documents prohibit an Irish Navy altogether and ask us to repudiate all responsibility for the naval defence of Ireland, while the formula goes further than the Admiralty Memorandum in compelling us to place all our ports, coasts and inlets unreservedly at the disposal of the British Admiralty not only in war but in peace. Island nations, especially Australia and New Zealand, would vehemently resent any such conditions as reducing their status to that of subordinate provinces.

These points are not illuminated in the Memorandum submitted to us. Mr. Curtis says on page 11 that the Dominions 'have or are free to have naval and military forces of their own' and lays stress upon the efforts made by Britain in the past to induce the colonists to undertake their own defence, and dispense with Imperial help - an ironical parallel to the terrible history of Ireland. He makes no reference to the later efforts made to induce the Dominions to agree to a scheme for a single Imperial navy for common defence, to which they should contribute; their consistent refusal to entertain the idea on the ground that their independence would be impaired; and their unanimous and definite adoption now (for New Zealand and South Africa have come into line with Australia and Canada) of the principle of Dominion navies under Dominion control. He makes no allusion to the Naval Agreement of 1911 with Australia and Canada laying down in its preamble that 'the naval forces of the Dominions of Canada and Australia will be exclusively under the control of their respective Governments' and, in Section 16, that in time of war the naval Services of a Dominion should come under Admiralty control only when they had been 'placed at the disposal of the Imperial Government' - in other words that the Dominions might decline to participate in the war. It was presumably not considered necessary in this agreement to refer to naval ports. That the Imperial Government could occupy and utilise Dominion territory in war without the consent of the Dominion Governments is surely inconceivable.

There has been some incidental discussion at the Conference and Defence Committee as to the position of a Dominion if it did declare its non-participation or neutrality in a war in which Great Britain was engaged.

It was conceded by the British representatives at the Conference that it was impossible to 'hypothecate the resources' of an unwilling Dominion in war - a principle flagrantly departed from in the demands of the Admiralty Memorandum upon Ireland - but it was suggested that a declaration of neutrality would mean secession from the Commonwealth and that secession might be prevented by force.

Mr. Curtis ignores these specific points but the actual position is surely clear from the last pages of his Memorandum describing the equality of status of the Dominions and Great Britain, the internationally recognised position of the former, their right to vote as separate states and even to vote against one another at the League of Nations, their separate ratification of the Versailles peace treaty, and their right to have a voice not only in all foreign relations but in the declaration of wars (pp. 13-14).

The picture he draws is that of an alliance or partnership of free nations united by no bond of compulsion and subject to no compulsion if any of them should decide to leave the partnership. 'Each Government' writes Mr. Curtis 'is free to take any action it chooses but each is expected to consult the others before taking action which affects the unity of the Commonwealth as a whole. And if the Imperial Conference is of opinion that the action proposed would affect that unity, the Government opposing it would be expected to abstain.'

The right to secede without compulsion - contested by the British representatives at the Conference, appears to be here implicitly admitted, and it is strange that the explicit assertion of that right made in the most emphatic language, on behalf of the British Government in the House of Commons on March 30th, 1920, by Mr. Bonar Law is not alluded to by Mr. Curtis :- '... There is not a man in this House, and least of all my right Hon. Friend, who would not admit that the connection of the Dominions with the Empire depends upon themselves. If the self-governing Dominions, Australia, Canada, chose tomorrow to say "We will no longer make a part of the British Empire", we would not try to force them. Dominion Home Rule means the right to decide their own destinies ...'.

As to whether the neutrality of a Dominion would, in fact, involve secession and precisely how international law would regard such a neutrality, it is impossible to say positively; but as regards the latter point it would seem that as an individual member of the League of Nations, a Dominion could assert the full rights of a neutral and claim protection from the League against any forcible measures.

Mr. Curtis says on page 18 that 'he cannot formulate the relations in which these equal nations (that is the Dominions and Great Britain) stand to each other,' and quotes from Mr. Lloyd George's words explaining that the Imperial Conference had decided not to define these relations and why. Mr. Curtis might have stressed the simple reason for this decision, namely that there are no constitutional relations to define, the position being one of absolute freedom for all Members of the Commonwealth coupled with the most intimate and friendly co-operation, the last whisper of any scheme of Imperial Federation having disappeared.

Expressions of opinion by Dominion Statesmen as strong in effect as that of Mr. Bonar Law might have been quoted by Mr. Curtis in support of this view; for example, Sir H. Borden's claim for Canada of 'sovereignty' as 'complete' as that of other independent nations in the war (Canadian House, Sep. 2nd 1919), General Smuts' words 'We have received a position of absolute equality and freedom not only among the other States of the Empire but among the other nations of the world.' (Union House, Sept. 10th 1919), and Mr. Lloyd George's statement that South Africa 'controls its own national destiny in the fullest sense.'

¹ A note by Childers covering this memorandum reads: Most of this Memo. was written with a view to its possibly having to be given to the other side - hence the form and language adopted. To save work it was continued in the same form after the decision not to give it to them.

²[No. 16 above.](#)

³ Not printed.

⁴ Not printed.

Erskine Childers to Éamon de Valera (Dublin)

22 Hans Place, London, 21 October 1921

THE PRESIDENT:

The following is a Memorandum of conclusions of the Irish Delegates at their meeting to-day:-

The Delegates discussed what had taken place at the 6th Session of the Conference held at Downing Street to-day, a report of which is attached, together with an agreed aide-memoire of the proceedings.¹

IMPORTATION OF MUNITIONS:

In view of the occurrences reported to-day and made a matter of grave protest by the British Representatives, the Delegates consider that either (a) the importation of munitions into Ireland should cease during the progress of the negotiations and a pledge be given to that effect, or (b) that the negotiations should be broken off; and they request instructions as to which course to pursue.²

Their view is that importation of Munitions in the future under such circumstances as have been reported cannot be defended by them at the Conference.

THE NEGOTIATIONS:

The Delegates considered the action to be taken by them at the highly critical stage of the negotiations which has now been reached.

The question of the Crown has now been directly raised by the British Representatives and will come up at the Conference on Monday.

Two courses are open to the Delegates:-

- (a) to refuse allegiance to the Crown,
- (b) neither to refuse it nor accept it at the present stage but to say that if they are satisfied on other points - Ulster, Defence, Trade etc - they would be prepared to consider the question of the Crown: in other words to obtain a field of manoeuvre and delay the crucial question.

They request instructions as to which course to adopt.

It must be added that the British Representatives showed a strong desire to press matters to an immediate issue.

SECRETARY TO DELEGATION.³

¹ Not printed.

² German police had intercepted a cargo of arms bound for Ireland.

³ Handwritten note by Childers: No answer received E.C.

Extract from a memorandum from Éamon de Valera to Arthur Griffith
(London)
(No. 6) (Copy)

Dublin, 22 October 1921

I received yours of the 18th.¹ There is no doubt whatever Lloyd George has the diehard crowd to fight, but it is well that he should realise there are people in this country who are just as determined on their side.

TELEGRAM TO THE POPE: I am sure this was somewhat disconcerting, but it could not be helped. They must be taught that propaganda stunts, such as this exchange of messages between themselves and the Vatican, will not be allowed to pass unchallenged by us. Though it might be explained as spontaneous on the Vatican's part, the balance of the probabilities to my mind is that the inspiration of the Vatican's message came from British sources. We cannot expect the Vatican to recognise us, but we have a right to expect that it will not go out of its way to proclaim its denial of recognition as it did by addressing King George alone as if he were the common father, so to speak, of both disputant nations.

By this message the Vatican recognised the struggle between Ireland and Britain as purely a domestic one for King George, and, by implication, pronounced judgement against us. The British reply took the misrepresentation a step further. By that reply the dispute was made 'domestic' not merely to the 'United Kingdom' as one affecting the two islands constituents of it, but domestic to Ireland alone, between the two warring factions of King George's 'people' there.

¹[No. 44 above.](#)

Memorandum of the proposals of the Irish delegates to the British representatives

London, 24 October 1921

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 20th 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 your 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
3. 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 country-men 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 those 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.

Editorial Note: From 24 October the conference did not meet in plenary sitting. Subsequent negotiations were carried on between sub-committees of the two parties.

Arthur Griffith to Éamon de Valera (Dublin)
(No. 7)

London, 24 October 1921

A Chara,

Miceal and I were asked to see Lloyd George and Chamberlain this evening at the conclusion of the Conference.

They talked freely - Chamberlain frankly. The burden of their story was that on the Crown they must fight. It was the only link of Empire they possessed.

They pressed me to say that I would accept the Crown provided we came to other agreements. It was evident they wanted something to reassure themselves against the Die-Hards. I told them that I had no authority. If we came to an agreement on all other points I could recommend some form of association with the Crown. Conversation ranged over the document.¹ They said it was impossible for them to accept our proposal re League of Nations and U.S.A. guaranteeing Ireland's freedom.

Question of elective Head arose. They shied at it. Wholly impossible to them.

Told them the only possibility of Ireland considering association of any kind with Crown was in exchange for essential unity - a concession to Ulster.

Miceal got Chamberlain to admit that the general feeling in England was for a settlement. He countered their arguments on defence etc. all the time. But they always fell back on the impossibility of peace except on acceptance of Crown.

We agreed to proceed on basis of settling all other points, leaving Crown to last.

Meet again at 4 to-morrow.

Art Ó Gríobhtha

¹ The Irish memorandum of 24 October. No. 49.

Memorandum from Éamon de Valera to Arthur Griffith (London)
(No. 7) (Copy)

Dublin, 25 October 1921

I received the minutes of the Seventh Session and your letter of the 24th.¹ 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. If war is the alternative, we can only face it, and I think that the sooner the other side is made to realise that the better.

As time is so pressing the Ulster question should be pushed ahead at once, and the moment they can be sounded upon that the big question should be put up to them at once. It ought to come, I think, before the end of this week.

MUNITIONS: We had a chat with the M.F.² on Saturday and Sunday - I suppose he told you the result. We agreed that an undertaking might be given that in order to meet them we would not import munitions during the continuance of the negotiations, altho' we did not consider ourselves bound to do this in accordance with the truce terms.

MY GOING TO LONDON: The M.F. told us that there was a general desire amongst the members of the Delegation that I should hold myself in readiness to go to London. You understand fully the considerations of tactical advantage which determined me in holding the view that I should remain here. If any new considerations arise it would be well that we should know them exactly so that we may weigh them all and if possible secure unanimity for whatever action is taken. My own position is that I am loathe to go unless the situation imperatively calls for it, and I am keeping an open mind. I have asked the others to do the same.

(signed) E. de V.

P.S. I hope to receive text of the counterproposals put forward by our side tomorrow.

¹[No. 50](#), minutes not printed. A note by Robert Barton on a copy of this memorandum in the UCDA (P150/1923) reads 'the first paragraph of this letter created a scene', with Arthur Griffith, Michael Collins, and Éamon Duggan being 'very angry'. The letter was received on the morning of 27 October but not shown to Gavan Duffy or Robert Barton until the evening.

² Minister for Finance, i.e. Michael Collins.

Arthur Griffith to Éamon de Valera (Dublin)
(No. 8)

22 Hans Place, London, 25 October 1921
(received 26 October 1921)

A E[amon], A Chara:

To-day M.C. and myself met Chamberlain and Hewart, the Attorney General in a sub-Conference on 'Ulster'.

They argued the ethics of Partition very little. The discussion on their side resolved itself practically into 'well, we are committed to the six-county area - what can we do?'. 'The people must have at least freedom of choice' we replied. They did not deny the justice, but did the practicability of this. They made two suggestions - the whole province of Ulster to vote in or out. I said 'Yes', if the vote went by constituencies and those who voted out were a subordinate legislature. We were willing to confirm the *existing* powers of the six-county area, as a legislature subordinate to the Parliament of Ireland, provided the 1918 constituencies in the six-county area could vote directly into the Parliament.

They demurred. They wanted the province of Ulster to vote as an entity. I said we could not accept that. The Province was not an economic entity but an historic name. Micheal easily knocked down their arguments. Eventually they suggested the six-county area remaining as at present, but coming into the All-Ireland Parliament. This was a new proposal and while we did not hold any hope out that it might be a basis we, between ourselves, thought it might be a possible basis.

They declared they had no authority. They were merely discussing with us to see some solution. In the end I told them that no Irishman could even discuss with his countrymen any Association with the British Crown unless the essential unity of Ireland was agreed to by the decidents. This should put them up against the Ulster Die-hards.

Mise, Do Chara,
(Initialled) E[rskine] C[hilders] for A[rthur] G[riffith]

Letter from the combined Irish Delegation to Éamon de Valera (Dublin)
(No. 9)

London, 26 October 1921

A. E.[amon] A Chara,

Your letters reached me this evening. It is impossible for me, with the engagements we have this evening and the time at my disposal to deal with all the matters.

I have got a meeting of the delegates and secretaries. The delegates regard the first paragraph of your letter No. 7 as tying their hands in discussion and as inconsistent with the powers given them on their appointment and Nos. 1 and 2 of 'Instructions to Plenipotentiaries from Cabinet' dated 7th October.¹

Obviously any form of association necessitates discussion of recognition in some form or other of the head of the association. Instruction 2 conferred this power of discussion but required before a decision was made reference to the members of the Cabinet in Dublin.

The powers were given by the Cabinet as a whole and can only be withdrawn or varied by the Cabinet as a whole. Having regard to the stage discussions have reached now, it is obvious that we could not continue any longer in the Conference and should return to Dublin immediately *if the powers were withdrawn.*²

We strongly resent, in the position in which we are placed, the interference with our powers. The responsibility, if this interference breaks the very slight possibility there is of settlement, will not and must not rest on the plenipotentiaries.

As to your coming to London, we think, if you can come without being known, it is most important you should do so immediately. *But if you cannot come privately do not come publicly unless we send you a message that in our opinion it is essential.*³

Art O'Griobha,
Riobárd Bartún
Seosamh Gabháin ui Dubhaigh
E. J. O'Dugáin
Míceál O'Coileann

¹ [No. 51](#) and [No. 34](#) above.

² The italicised section is a handwritten addition by Griffith.

³ This sentence is a handwritten addition initialled by Griffith.

Memorandum from Éamon de Valera to Arthur Griffith (London)
(No. 8) (Copy)

Dublin, 26 October 1921

Despatch No. 7 from the Secretary received with the accompanying memoranda; also your memo on the sub-Conference on Ulster.¹

The main thing now, it seems to us, is to clinch with them on the 'Ulster' question without delay, and get the basis for representation in the All-Ireland Parliament agreed upon definitely. — And after that, the 'make or break' question.

E. de V.

P.S. I think we should avoid any agreement which would compel Tyrone and Fermanagh, etc, etc. to remain in the Northern Parliament without a definite vote of the people.

¹[No. 50](#), memo not printed.

Memorandum from Éamon de Valera to Arthur Griffith (London)
(No. 9) (Copy)

Dublin, 27 October 1921

Yours of October 26th received.¹ There is obviously a misunderstanding. There can be no question of tying the hands of the Plenipotentiaries beyond the extent to which they are tied by their original instructions. Of course a Cabinet decision cannot be withdrawn or varied except by the Cabinet as a whole.

It is because this should go without saying that I am surprised any misunderstanding has arisen.

The Delegates must understand these memos of mine, except [when?] I explicitly state otherwise, are nothing more than an attempt to keep you in touch with the views of members of the Cabinet here on the various points as they arise. I think it most important that you should be kept aware of these views, for when the Delegation returns there will be a question of a Cabinet decision as to policy.

MY GOING TO LONDON I am glad that your view agrees with my own on the matter. You may take it that going privately is impossible.

(signed) E. de V.

¹[No. 53.](#)

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 27 October 1921

A E[amon], A Chara :

Enclosed document handed in to us to-day.¹

Miceal and myself were at the same time requested to see Lloyd George and Lord Birkenhead before we sent the written answer.

We did so, and were with them for 1 1/2 hours. The conversation was general. The gist of it was that if we would accept the Crown they would send for Craig, i.e. — force 'Ulster' in, as I understood.

We told them we had no power to do so. We might recommend some form of association if all other matters were satisfactory - above all Ireland unified.

We are to send them a reply to-morrow. I am writing in great haste. I deeply appreciate your letter.

Mise, Do Chara,
(Initialled) E.[rskine] C.[hilders] for A.[rthur] G.[riffith]

¹ Memo by British government, not printed.

*Memorandum entitled 'Notes on the British Memo' by Erskine Childers
(S.F.C. 21)*

London, 27 October 1921

'The Crown is the symbol'.

This is the true position. The expression lower down that the Crown is 'the keystone of the arch in law' (as well as in sentiment) is only technically true of the free nations of the Commonwealth. The Curtis Memo admits this. The Crown acts automatically, or symbolically, in response to the demands of free and separate governments. 'Allegiance' to a 'symbol', is only a picturesque phrase. Allegiance implies submission to authority. A symbol has no authority. Actually the crown symbolises two things (1) the partnership of Britain and the free Dominions like the seal of a Corporation and (2) by its method of working, the freedom of each individual nation in the partnership, i.e. the direct opposite of authority.

Otherwise the terms 'complete control of their own destinies' (Bonar Law) and 'controls its own destiny in the fullest sense' (Lloyd George on South Africa at Paris June 1919) have no meaning.

Ireland's status should be defined in actual technical terms. A formula expressing some form of 'external' association with the Commonwealth seems to be the only way of doing this.

The whole of this is abstract law inconsistent with the modern status of the Dominions, which have won the right to separate foreign relations and a separate international existence. That they can be neutral in a war appears to have been admitted by the British Government in Article 5 of the Treaty between France and Britain of June 28th 1919.

'The present Treaty shall impose no obligation upon any of the Dominions of the British Empire unless and until it is approved by the Parliament of the Dominion concerned.'

This is in accordance with the separate ratification of the Peace Treaty by the Dominions and with their separate representation on the League of Nations.

It may be answered that neutrality might imply secession from the British Empire. True or not, that is not an answer to the Irish claim. We do not ask for Dominion status but we do claim a status not lower than a Dominion which has 'control of its own destiny in the fullest sense'.

'No treaty shall bind Ireland which shall not have been ratified by the Irish Parliament' — would give in identical terms a parallel right.

*Minute of Conversation between Tom Jones Assistant Secretary to Cabinet
and Erskine Childers (Copy)*

2 Whitehall Gardens, London, 10.30 a.m. 28 October 1921

It was the day following the despatch to us of the British Government Memo. of Oct 27th.¹

Jones said the P.M. was nervous about its effect upon us, as a very extreme document. It was drafted to please his adversaries in the Cabinet.

Unionists were threatening to resign from the Cabinet, their tactics being [to] force a break on the Crown, Navy etc. and so safeguard Ulster. P.M. anxious to get assurances on former points and defy them on Ulster. On the Crown Jones very vaguely suggested something about an Elected President or Governor.

He said neither side should be doctrinaire.

A.G.'s statements on Defence and Common citizenship were thought to be satisfactory in that he accepted the 'responsibility' of the Empire for Defence. I said 'Surely not "Security"'? I pointed out that there was a new condition in their Memo. — we to have no Air-force — this was not even in their July 20th proposals.² He admitted this was bad but said only Air Forces in connection with Navy were meant.

He suggested a term of years to be named for the Naval occupation and urged us to press for the Simonstown agreement.

I raised the clause of their Memo. about common citizenship and said that the Dominions could be neutral in war. He said he thought Grigg, who drafted the clause, had pressed technicalities too far.

I said that G.B. must have no authority in Ireland. He said in practice she would have none.

¹ Not printed.

²[No. 16 above.](#)

*Memorandum by the Irish Delegation in reply to British memorandum of 27
October*

London, 29 October 1921

The memorandum, dated October 27th,¹ handed to the Irish delegates, does not constitute a reply to the proposals in their Memorandum of October 24th.²

It contains historical and constitutional assertions which we do not accept, but do not here desire to controvert. We shall restrict ourselves to answering simply the questions immediately put in that document.

The Irish Delegates are charged with the duty of settling, if possible, the terms of a Treaty of Association between Ireland and the Community of Nations known as the British Commonwealth.

Under the agreed terms of association, Ireland would undertake such obligations as are compatible with the status of a free partner.

We accept the principle that the naval and air defence of the Irish coasts would be a matter of common concern to Ireland and to the British Commonwealth. We realise that, peace and amity being established between Great Britain and Ireland, an aggressor against the security and liberty of the other. We are accordingly prepared to agree that, subject to the condition indicated in the British Memorandum that there shall be no armed occupation of Irish soil, the British Government should have, under licence from the Irish Government, such coastal facilities as may be agreed to be necessary, until Ireland shall be in a position to provide the defence and protection referred to in paragraph 4 of the British Memorandum.

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.

The subject of finance is now under discussion. It is, therefore, unnecessary for us to deal with it here.

The unimpaired unity of Ireland is a condition precedent to the conclusion of a Treaty of Association between Ireland and the Nations of the British Commonwealth. Subject to this, and subject to the conclusion of agreements on the other issues, the Irish Delegates are prepared to recommend that the Elected Government of a free and undivided Ireland, secured in 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.

¹ Not printed.

² [No. 49 above](#).

*Memorandum of a meeting at Winston Churchill's house
(Copy)*

London, 10.00 p.m., 30 October 1921

Present:-

Mr. Griffith Mr. Lloyd George Lord Birkenhead.
Mr. Collins Mr. Churchill

CONVERSATION BETWEEN MR. GRIFFITH AND MR. LLOYD GEORGE.

Mr. Lloyd George was anxious to know whether the Irish Memorandum of yesterday's date might be relied upon as a bona-fide statement made in the interest of peace, and asked for further explanations.¹ He said that three things were vital, namely, the Crown, the Empire, and the Navy, and conversation ensued on these and other points.

The Crown. Mr. Lloyd George asked for a personal assurance on this point. Mr. Griffith gave him the assurance that we should be prepared to recommend a recognition of the Crown provided that we were satisfied on the other points at issue, and it was agreed that the formula in which this recognition was to be couched should be arrived at in discussion at a later stage.

The Empire. The formula defining the association of Ireland with the Empire was left over.

Naval and Air Defence. Mr. Griffith pointed out that a new demand, namely that Ireland should have no Air Force, had been put forward in the last British document. Mr. Lloyd George was understood to indicate that the point would not be pressed, at any rate as regards the military Air force.

As regards the prohibition of an Irish Navy Mr. Lloyd George said that this did not exclude revenue craft and gunboats, but he hoped it would exclude mine-layers. Mr. Griffith suggested that there might be a time limit, say thirty years, and Mr. Lloyd George suggested that the prohibition should hold good until an agreement to the contrary was made.

Army. Mr. Lloyd George suggested that the Irish military force should be limited to a size proportionate to population as compared with the British forces. Taking 400,000 as the British figure this would give Ireland 40,000 of which 10,000 would be allotted to Ulster. Mr. Griffith said that in no circumstances could we agree to an Ulster army, whereupon Mr. Lloyd George suggested a militia for Ulster. This point was left open.

Trade. Mr. Lloyd George argued that a Convention as proposed in the Irish Memorandum was not possible as it could be broken off at any time. It was necessary to satisfy Ulster that its raw materials would not be taxed. Mr. Griffith said that he did not wish at that time to deal with technicalities, but some agreement might be come to which would safeguard Ulster's industries.

Ulster. Mr. Lloyd George said that he could carry a six-county Parliament subordinate to a national Parliament. Alternatively he said he would try to carry a plan for a new boundary or a vote on the inclusion or exclusion of the whole of Ulster as a unit, but he was not hopeful of doing so.

¹[No. 59 above.](#)

Arthur Griffith to David Lloyd George¹
(Copy)

22 Hans Place, London, 2 November 1921

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 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 27th² 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 the financial relations between the two nations, I am willing to let the adjustment of this matter rest in the hands of an agreed arbitrator.

Faithfully yours,
Arthur Griffith

¹ George Gavan Duffy and Robert Barton were very much opposed to the sending of this letter and there were numerous alterations to the text before it was despatched.

² Not printed.

Arthur Griffith to Éamon de Valera (Dublin)
(No. 12)

22 Hans Place, London, 3 November 1921
(Received 4 November)

A E[amon], a Chara :

Following my conversation with Lloyd George on Sunday night, which I have described to you, he asked me to write him a letter embodying the personal assurances I gave him in order that he might take his stand against Craig and the 'Ulstermen' if they proved obdurate.

Yesterday I drafted a letter and at Lord Birkenhead's request I, with Mr. Collins, met him. He suggested some alterations, and we arranged to meet him and Lloyd George later. We met last night - Chamberlain also was present - and discussed for two hours the terms of the letter. Six or seven alterations were suggested - two were accepted, one declined, and in the other cases we met the point eventually by a re-draft of the wording.

In this letter I have adhered to the basis of our Memo to them.¹ 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 tactical course I have followed has been to throw the question of Ulster against the questions of Association and the Crown. This is now the position. The British Government is up against Ulster and we, for the moment, are standing aside. If they secure 'Ulster's' consent we shall have gained essential unity and the difficulty we shall be up against will be the formula of association and recognition. You will observe my wording, which they accept, is consistent with external association and external recognition.

They are sending for Craig to-night or to-morrow and he will probably be here to see them on Saturday. Until after they have seen and argued with him, it is not likely we shall have another Conference with them.

You know that Lloyd George has postponed his Washington trip. We had no discussion with him about it, but a few days ago when he casually spoke of leaving next Saturday we intimated that in such an event the Conference would not continue.

They are anxious that their proposed way of dealing with an obdurate Ulster should be kept for the moment quite secret. I trust, therefore, that only members of the inner Cabinet shall be acquainted with it.

Do Chara,
Arthur Griffith

¹[No. 59 above.](#)

*Memorandum from Éamon de Valera to Harry Boland
(Copy)*

Dublin, 5 November 1921

[150 words covering routine affairs deleted]

You must be careful whilst exposing the fraud that the British have offered Dominion Home Rule to Ireland not to make it appear that Ireland would accept Dominion Home Rule as a satisfaction of her claims. If there should be a breakdown we must take good care that we have not compromised our position so that we could resume again on the old footing.

[46 words covering routine affairs deleted]

*Extracts from a memorandum by Erskine Childers on defence issues
(Copy)*

London, 7 November 1921

DEFENCE.

This Memo is an endeavour to focus the Defence questions and place them in perspective in relation to the general scheme.

I adhere to the opinion expressed in my original Memo circulated to the Delegates on arrival in London that the Defence provisions will in practice be the principal factor in determining our status and the general character of the settlement.

The other side seem to have acted on this view, their tactics being to force the Defence issue and if possible breach our whole position at that point. On the Crown (as regards 'allegiance') and on Trade and Ulster our position is still intact, but on Defence we have given ground in successive stages, while their demands, instead of diminishing, have increased.

[584 words deleted covering summaries of position papers on defence to date]

To sum up, the position is by no means clear, but the inference seems to be that at present they are claiming as a minimum :-

1. To prohibit Irish naval forces and naval aircraft.
2. To garrison Irish Ports and establish naval air bases on the Irish coast.
3. To limit the numbers of the Irish Army.
4. To retain recruiting facilities.

There is nothing verbally or in writing about Condition No.3 of the Proposals of July 20th so far as it includes facilities to them for *military* aircraft, nor about Condition 4a, a money contribution to Imperial Forces. Otherwise the Defence Conditions of their Proposals of July 20th appear to be maintained.

EFFECT OF THE BRITISH DEMANDS.

1. Ireland being an island, a denial or limitation of her right and duty to defend her coasts by maritime means, naval or aerial, to the best of her power, would be a grave detraction from her national status.

(No distinction, by the way, could be prescribed between naval and military types of aircraft. A naval limitation could only take the form of forbidding flying over the sea either from land or carriers.)

A limitation of the Irish Army to a size proportionate to the British Army would not in itself have the same kind of constitutional significance, though a prohibition of its aircraft arm would.

But it must be observed that responsibility for naval, military and air defence cannot be divided, especially in an island. In war there would have to be unity of authority and in peace there should be preparation for that unity in plans, staff-work and higher command. A complete strategic unity is requisite. Later in the negotiations we may be faced with awkward consequences on this point. A self-raised Irish Army will be a great practical asset to us, but while naval prohibitions lasted it could have little or no constitutional independence, even in theory.

The armed occupation of Irish coasts by the British Government would emphasise the inferiority of status, though the right so to occupy would be only consequential upon the prohibition against Irish defence forces.

2. Under the defence conditions proposed, it would be impossible to sustain the idea of external association with the Commonwealth, and difficult enough to sustain a mere 'recognition' of the king in any capacity. The Kingship in itself may be a mere symbol. But the King's Government is a concrete fact, and if the two islands are to be a self-contained strategic unit both in peace and war, - the object aimed at - with the British Navy solely responsible for its defence, then it is hard to see how the British Government, with the King at its head, can be kept out of Ireland. If British troops are occupying Irish Soil, as of right, it becomes still harder. There they are - with the implied consequential rights over the Army etc already alluded to.

Even regarded as the weaker member in a dual Monarchy Ireland's status could not be compared with that of Norway, for example, prior to 1905, where foreign relations were unified as between Sweden and Norway, but Armies and everything else were independent; nor with that of Hungary prior to 1918 where the two Kingdoms were jointly responsible for defence, though the defence forces were both under the command of the Hapsburg Monarch; least of all with that of Hanover (1714-1837) where the union with the English Crown was purely personal.

The point about the Anglo-Irish connection would be that Ireland would be definitely subordinate to England, still a 'domestic question', without an opening for international status.

3. The international status has already been won in practice by the British Dominions, but the defence conditions would, as long as they lasted, give Ireland a status lower than that of a Dominion. No Dominion would submit to a prohibition of naval forces or to an enforced occupation. The process there has been the opposite one, that of urging the Dominions to assume their own defence. Here it is a case of preventing us from having weapons which may (save the mark!) be a danger to England and of preserving intact the strategic unity of the two islands. The prospect held out in the alteration, suggested by them, to our letter No. 2 of November 2nd. of an 'agreement similar to that with the Dominions' has therefore little value.

In point of fact the agreement probably alluded to that with Canada - (they are now withholding the Simonstown agreement though they promised it three weeks ago) - does not concern 'coastal defence' proper, which has never been in question. It concerns the garrisons of two ports, Halifax and Esquimalt, where there were naval dockyards. In 1905 Canada spontaneously offered to relieve England of all responsibility for these ports and to substitute her own garrisons, and bear the whole expense. This was done. (The White Papers are available here.) The Sydney dockyard was handed over in 1914.

The other important agreement was with Canada and Australia in 1911. This put into writing the unwritten principle that Dominion naval forces are under exclusively Dominion control and can be withheld in the event of war - an implied right of neutrality which might or might not be recognized internationally.

4. The British claims on Ireland are in direct conflict with this principle. The vague suggestion has been made on the British side that all may come right when, after a few years, suspicion of Ireland has died away. At the best I don't think this would lead very far, but at the moment it seems more to the point to consider where the present strategic demands tend to in the immediate settlement, especially with a view to the demands of N.E. Ulster.

To judge by press indications there is to be a push to try and force us into a Home Rule settlement described as 'Dominion Status.' Even if we claimed such a status, which we do not, the naval defence conditions by themselves would nullify it, but they might also open the door to other limitations:

(a) Ireland could hardly claim the treaty rights the Dominions now have, that is (apart from commercial treaties of their own), the right to not be bound by British treaties they have not themselves ratified (for instance, the Anglo-French treaty of 1919), with the inference that they can be neutral in war, an inference fortified by the Naval Agreement of 1911.

(b) The implications as regards the Irish Army have already been suggested.

(c) Non-responsibility for naval defence would naturally imply a liability to contribute in money to the British Navy.

(d) It would also threaten our claim to control external trade (merchant shipping, etc.) and even Customs. No nation which is not de facto independent (reckoning the Dominions as that) controls

external trade and customs, and these controls are in fact hardly compatible with anything short of virtual independence.

(e) Any or all of these limitations would logically involve representation in the British Parliament. Attendance at the Imperial Conference would not cover the relationship. Strategic unity by itself strictly involves Irish members at Westminster; a fortiori, a legal contribution or loss of fiscal and trade rights.

I hope it will not be supposed that I am raising these points in a spirit of undue pessimism. (e) could never arise, even remotely, without a break. It is only in an endeavour to show the possible effect of a wrong principle in undermining our position in detail, with so strong a factor as Ulster in the field. There may have to be make-shift terms in the treaty but, if humanly possible, it should rest on some principle clearly defined and strictly adhered to.

The British Dominions are safeguarded at all points by unwritten constitutional conventions and by distance.

5. *OUR OWN PROPOSAL:*

We have certain written admissions of theirs to go on:-

(a) Par. 4 on Defence in their Memorandum of October 27 declaring that their proposals are 'purely defensive' and not intended 'to afford in the smallest degree either armed occupation or political control.'

(b) Par. 2 of the same Memorandum : 'not as a State subordinate to Great Britain, but as one of the nations of the Commonwealth.'

(c) Their Memo. on Dominion Status, which, though deliberately reticent on defence matters, at any rate says 'The Dominions either have or are free to have naval and military forces of their own.'

Though the question of allegiance makes the Dominion analogy perilous, we can stand out for a status at any rate not less than that of a Dominion. The questions involved are in any case not peculiar to the British Dominions. They are vital to all free States.

Having given up guaranteed neutrality or integrity, it seems necessary to get the principles underlying (a), (b) and (c) - above all (c), embodied as integral parts of the settlement. (a) should be converted from an intention into a fact - no occupation of Irish coasts.

As regards (b) and (c), the circumstances warrant some such declarations of principle as the following:-

'The principle is accepted that it is the duty of the Irish Government to provide to the best of its ability for the naval and military defence of Ireland.'

'The forces so provided to be exclusively under Irish control.'

'Their object is declared to be purely defensive.'

'In earnest of this intention the Irish Government undertakes, in respect of naval defence, subject to any future agreement with the British Government, to employ no submarines.'

The latter proviso, if it had to be inserted, would be useless, but it would meet the chief British nightmare. Submarines can be dispensed with for coast defence. They have the curious quality of not being able to fight one another and the fear of hostile submarines on Irish coasts is one of the two main points made by the other side.

Temporary 'facilities', to which in principle we are committed, should be a matter of free separate agreement as stipulated in our Memo. of October 29th.

Lastly: 'Ireland to be bound only by Treaties which the Irish Parliament has ratified.' (This is in strict accordance with modern Dominion precedent.)

6. This Memo. does not deal with their and our technical case on defence. This is outlined in our Defence Memo. of October 18. It should not be forgotten that we have a strong case, and they a weak one.

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 8 November 1921

A E[amon], a chara:

To-day M. C. and myself were asked, unofficially to see Jones, Lloyd George's secretary at Whitehall Gardens. We declined, but agreed to meet him at one of our Headquarters, the Grosvenor.

He told us that Craig is standing pat. Refuses to come under any all-Ireland Parliament. Refuses to change Six-County area. He said that L. G. is going to put up to the 'Ulster' Govt. on Thursday the proposal that they should accept the 6-County area under an Irish Parliament. If they refuse, he will go down to the House of Commons and announce his resignation.

Birkenhead and Chamberlain will probably resign along with him, but they will do nothing further (this is Jones' statement). Said they would not dissolve, giving various reasons, nor go into opposition. L. G. would retire altogether from public life. Bonar Law would probably form a Militarist Govt. against Ireland.

Said he had a scheme in his own mind - that L. G. should, as an alternative to the 'Ulster' refusal, offer to set up a Govt. for the 26 Counties with all the proposed powers, and appoint a boundary Commission to delimit 'Ulster', confining this Ulster to its Partition Act powers. This would give us most of Tyrone, Fermanagh, and part of Armagh, Down, etc.

We did not give any definite opinion on the matter. It is their look-out for the moment. He is to see us again tomorrow. It is partly bluff, but not wholly. It is possible the Conference may end with this week. If so, all policy dictates it should end on the note of 'Ulster' being impossibilist, in order to throw the Dominions against her.

Do chara,
Arthur Griffith

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 9 November 1921

A E[amon], a chara:-

Jones met Mr. Duggan and myself at the Grosvenor Hotel this evening.

He talked of two Parliaments with an over-ruling Parliament. We did not offer any opinion. He suggested that Curtis was an authority on this subject and would see us if we wished. We did not express any wish.

He said that Lloyd George was having a meeting of the whole Cabinet to-morrow. No such meeting had been held since the Conference started. If he got the support of the whole Cabinet he would be in a strong position to fight Craig and his backers.

He repeated that Craig's attitude was non-possimus. He had become more intractable as a result of the people he had met here in London.

He said that Lloyd George had put up to him a subordinate 'Ulster' Parliament.

I pointed out to him certain statements in the Daily Chronicle of this morning, i.e. Equality of Representation in Senate; continued representation of Ireland in British Parliament.

I said we would be responsible for neither and if there were to be representation in the British Parliament proposed we would not continue the Conference.

He denied that there was any inspiration of the Daily Chronicle article. He agreed that it is impossible to have representation in the British Parliament for an Irish Parliament.

Lloyd George proposes that a Parliament for the 26 Counties should be set up with such powers as were agreed upon between us, 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.

Further, he said that Lloyd George would give no further powers than what they possessed under the Partition Act to the area that remained obdurate after the Boundary Commission had completed its work, also that this area would have to bear itself its proportion of British taxation.

He asked us did we think the 'Ulstermen' would accept this proposal. We said we were quite sure they would not. He said that was his own opinion.

The move was a tactical one to deprive 'Ulster' of support in England by showing it was utterly unreasonable in insisting to coerce areas that wished to get out.

He asked us would we stand behind such a proposal. We said that it would be their proposal - not ours, and we would not, therefore, be bound by it but we realised the value as a tactical manoeuvre and if Lloyd George made it we would not queer his position. He was satisfied with this.

He said Bonar Law might come back and try Crown Colony Government on the South for a couple of months, but he (Jones) was anxious to keep Lloyd George from resigning - to keep him in power with the cry that 'Ulster' was impossibilist.

Mise do chara,
Arthur Griffith

Memorandum from Éamon de Valera to Arthur Griffith (London)
(No. 11)

Dublin, 9 November 1921

I received your letters dated October 27th, 31st, November 1, 3, 5, and 8th.¹

As you know, I have been of opinion from the very beginning of the negotiations that, if the Conference had to break, the best issue to break on would be 'Ulster' provided we could so manage it that 'Ulster' could not go out with the cry of 'attachment to the Empire and loyalty to the Throne'. The difficulty, of course, was to secure this without jeopardising our own fundamental position.

There can be no doubt whatever that the Delegation has managed to do this admirably, and if a break occurs at this stage, 'Ulster' will be crushed between the public opinion of both countries, as well as the public opinion of the world - if it counts for anything. This view is shared by every one here, so that we shall be quite unanimous on it.

The danger now is 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 where the negotiations have now led us.

(Initialled) E d V

P.S. Were it not that it might cut across our policy of placing the onus upon Ulster, I would have had a reply made to the statements of [Worthington-]Evans² appearing in this morning's press. You will, I suppose, haul them up on it in the Conference. They must not be allowed to get away with that sort of stuff. It is likely to do a great deal of harm.

(Initialled) E d V

¹ Letters for 31 October, 1, 5 November not printed.

² Handwritten: Copy attached.

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 12 November 1921

A E[amon], a chara:

Jones saw me since my last and I was asked to see Lloyd George this afternoon.

I have just seen him. He showed me the letter the British Cabinet sent to the 'Ulster' Ministers and their reply.

The British letter was to the effect that as they considered they could arrange with us on the points of difference (this is not the phrasing; I had only a hurried reading of it, but the effect) Ulster should come in under an All-Ireland Parliament, their present powers as a subordinate legislature being retained - (the area was left open for a possible reconsideration). In the alternative the Ulstermen were told that if they refused this and insisted on being represented in the British Parliament, their area would be delimited and the part that desired to remain in the British Parliament would have to bear the same taxation as England.

The 'Ulster' reply was a voluminous one - 4 pages about Loyalty, the Crown, the Empire and representation in the British Parliament - things they would never give up, and never under any consideration come under an All-Ireland Parliament. Then - the climax. They proposed 'Ulster' should be formed into a Dominion *and pay none except a voluntary contribution to England*.

This reply has simply astounded all the principal members of the Cabinet, except Lloyd George. Even Bonar Law, they say, is a bit knocked out by it. Lord Derby on the ground of this reply offers to go to Liverpool to the Unionist Conference to speak against the Ulster crowd if they don't retract.

This meeting on Thursday is a critical one for the Unionist leaders - as it will be a fight between the Die-hards and themselves, who are mustering all their forces for the occasion.

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 12 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 he 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. It was his own proposal. If the Ulstermen accepted it, we would have to discuss it with him in the privacy of the Conference. I could not guarantee its acceptance, as, of course, my colleagues knew nothing of it yet. But I would guarantee that while he was fighting the 'Ulster' crowd we would not help them by repudiating him.

This satisfied him. They are to send this letter on Monday. Birkenhead, Chamberlain, and Derby will go to the Liverpool Unionist Convention, and if the 'Ulstermen' refuse, start in on 'Ulster'. Until after that there is not likely to be much development.

Before I left I told him that as I was helping him over the 'Ulster' difficulty, he should help us over 'the Crown and Empire', when it came up.

He is most anxious it should not be known that we met, for the reason that the 'Ulster' crowd and the

Morning Post would, before the Thursday meeting, raise the cry that he was 'conspiring' with me against 'Ulster'. So please confine this strictly to the Inner Cabinet.

Do chara,
Art O'Griobhtha

Extract from meeting of the Cabinet¹

Dublin, 13 November 1921

General Policy: The Pres.[ident] of the opinion that whilst the utmost co-operation should exist between Dublin and London the plenipotentiaries should have a perfectly free hand but should follow original instructions re important decisions.

Peace Negotiations: Following a lengthy and general discussion of the situation the Pres. expressed it as his opinion that it would be advisable to come to concrete proposals as soon as possible and that if a break is inevitable Ulster would be the best question on which to break.

¹ Present: Éamon de Valera, Michael Collins, Cathal Brugha, W.T. Cosgrave, R.C. Barton, Éamon Duggan, Erskine Childers. These two latter not members of the Cabinet.

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 15 November 1921
(Received 16 November)

A E[amon], A Chara :
M[ichael] and myself met Lloyd George this evening.

The answer he sent Craig was not as he first arranged. It was that the British Government would not consent to setting up 'Ulster' as a Dominion, but that it was willing to meet the Ulstermen in Conference.

The second part of their reply they are keeping until after Thursday's meeting. To put it up then as an ultimatum to 'Ulster'.

Lloyd George proposes to hand us a draft Treaty to-morrow, and leave it to us for our consideration for a couple of days.¹ If agreement is reached on the Treaty it is to be signed by us and by them - Parliament to be called together and a ratifying Act adopted.

The Treaty draft will, of course, raise probably critical questions. But its consideration will have to be deferred until after Thursday.

I shall have the draft sent on to you to-morrow evening.

The Southern Unionists here have asked me to see them. I shall do so to-morrow. I said I would only meet them informally and for a conversation, not in Conference. To this they agreed.

Do, Chara,
Art O'Griobhtha

¹[No. 71.](#)

'Tentative suggestions'¹ for a Treaty presented by Thomas Jones to Arthur Griffith

London, 16 November 1921

It is hereby agreed that :-

1. Ireland shall[,] subject to the provisions hereinafter appearing[,] have the status of a self-governing Dominion with a Parliament having powers to make laws for the peace, order and good government of the whole of Ireland and an Executive responsible to that Parliament.
2. The position of Ireland in relation to the Imperial Parliament and Government and otherwise shall subject an (sic) aforesaid be assimilated as nearly as may be to that existing in the case of the Dominion of Canada.
3. Ireland shall make contributions towards the service of the Public Debt of the United Kingdom and towards the payment of war pensions, the amount of such contributions being determined in default of agreement by the arbitration of one or more independent persons appointed from within His Majesty's dominions.
4. Until an arrangement has been made between the British and Irish Governments providing for the establishment by Ireland of a Naval force for the coastal defence of Ireland, the defence by sea of the British Islands, including Ireland, shall be undertaken exclusively by His Majesty's Imperial Forces.
5. The Irish Government shall at all times afford to His Majesty's Imperial Forces such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.
6. If the Irish Government establish and maintain a local military defence force, the establishments thereof shall not exceed in size such proportion of the military establishments maintained in Great Britain as the population of Ireland bears to the population of Great Britain.
7. The Irish Government shall afford such facilities as the British Government may require for maintaining and developing the means of defence and communications by air.
8. No protective customs duties shall be imposed in Great Britain on Irish goods or 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.
9. Neither Great Britain nor Ireland shall impose restrictions for protective (sic) upon the flow of transport trade and commerce between Great Britain and Ireland.
10. For a period of 12 months after the date hereof .x. or for such shorter period as His Majesty in Council in pursuance of an address presented to His Majesty by both houses of the Parliament of Northern Ireland may by Order fix .x. the powers of the Parliament and Government of Ireland shall not be exercisable as respects Northern Ireland and the provisions of the Government of Ireland Act 1920 so far as they relate to Northern Ireland shall remain of full force and effect.
(.x. The words between the asterisks are to enable Ulster if she wishes to come in before the expiration of the 12 months.)
11. 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 Ireland shall no longer extend to Northern Ireland and the provisions of the Government of Ireland Act 1920 so far as they relate to Northern Ireland, shall continue to be of full force and effect and these presents shall have effect subject to the necessary modifications.
Provided that if such an address is so presented a Commission shall be appointed to determine in accordance with the wishes of the inhabitants the boundaries between Northern Ireland and the rest of Ireland, and for the purposes of the Government of Ireland Act, 1920 the boundary of Northern Ireland shall be such as may be determined by such Commission.
12. After the expiration of the said 12 months if no such address as is mentioned in Article 11 hereof is presented, or from such earlier date as is fixed under Article 10 if an address under that Article 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 Ireland shall in Northern Ireland have as respects matters in respect of which the Parliament of Northern Ireland has not power to make laws under that Act the same powers as in the rest of Ireland.

¹ The document was referred to by this title in a letter from Griffith to de Valera on 18 November 1921 (NAI DE 2/304/1) - [No. 72](#)

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 18 November 1921

A E[amon], a Chara :

Mr. Collins who is returning to-day will inform you of the details of our conversation with Lloyd George and Birkenhead this morning.

The document they have sent us is not the draft of a Treaty but tentative suggestions. We should reply to it, therefore, with a similar document, not with a Treaty draft - reserving that to the last. The crucial question - 'Crown and Empire' must be met next week. If 'Ulster' gets us to break on them, she will have re-won the game. The seriousness of the position will be realised by the Members of the Cabinet, and I trust they will give us their best-weighed suggestions.

Do Chara,
Art O'Griobhtha

Memorandum by the Irish Representatives¹

London, 22 November 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 October contained the following:²

'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.

(3) 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, trade-marks, 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.

¹ This document was drafted mainly by Childers, with help from Gavan Duffy and Barton.

²[No. 59 above.](#)

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 22 November 1921

A E[amon], a Chara:

The accompanying Memo.¹ in reply to theirs of Nov 16th² was handed in at Downing Street to-day at 12.30.

About half-an-hour later Jones rang me up and asked could he see me immediately. I told him to come on to Hans Place where he arrived about 1.15. He said Lloyd George was in despair about the document. Birkenhead and Chamberlain also considered it impossible. It did not accept the Crown or the Empire. It brought them back to where they were 6 weeks ago. He instanced further, naval facilities, trade, Ulster. He suggested the document should be withdrawn or substituted, as Lloyd George's only idea of a reply to it was a letter ending the negotiations.

I said it could not be withdrawn or substituted. It was in my judgement a great advance on our side towards peace. As to the Crown and Empire we had indicated a method of association which was honourable to both sides. As to Naval facilities it was their Admiralty's fault - not ours - if the matter was in a fog, for they had sent us contradictory or at least inconsistent memoranda. We asked them now to exactly define the facilities they needed and we would seek to find an agreement with them. As to trade I held our proposal was quite reasonable, although I admitted to him as my own opinion that it was not so great an issue as others. As to Ulster I said we had made a great offer.

He said that Lloyd George complained that he had asked us about specific guarantees on patronage, no taxation of their raw materials nor export tax, and that there was no reference to them in the draft. I said our draft offered them guarantees when they put up claims for them. It was for them to say what guarantees they required. Our offer in the draft went further than these specific offers. He agreed that Lloyd George had misunderstood this part; it was also possible there was some misunderstanding on other points. He suggested, as from himself, therefore, that myself and Mr. Collins might meet Lloyd George and Birkenhead and see whether anything could be done in the way of removing any misunderstandings.

I said I saw no objection, but I must discuss it with my colleagues. Mr. Collins, at this point, came into the house and I asked him to come in. Jones repeated the purport of his conversation with me, and Mr. Collins replied to him on the same lines as I had done. In the course of the conversation I suggested the British Government was trying to get a blank cheque from us - a thing that would play Craig's game. Jones was taken aback at this view which he denied. It is really not my view, however, that they are doing so. They hoped to meet Craig on Thursday under an agreement with us that would enable them to defy him and his backers. Owing to the crux over the Crown and Empire, they feel their position weakened if not gone. In view of your letter of October 25th I cannot discuss the alternative with them.

Mr. Collins, Mr. Barton, and myself have arranged to meet Lloyd George and Birkenhead and possibly Chamberlain at 10, Downing Street to-morrow. We shall argue the acceptability of the arrangement re Association we have proposed, but I have little hope of any good result.

If the conversation fails, I presume Lloyd George will send a letter terminating the negotiations, and to this we shall reply, and then leave London for home, unless you think the time has come for you to cross over here. On that point, until after our conversation with the British representatives to-morrow I could form no judgement.

Mise, Do Chara,
Art O'Griobhtha

¹[No. 73 above.](#)

²[No. 71 above.](#)

Memorandum by Erskine Childers¹

London, 23 November 1921

CONCESSIONS CONTAINED IN OUR PROPOSALS OF NOV. 22nd.

Ireland's full claim is for a Republic, unfettered by any obligations or restrictions whatsoever.

Out of the ten paragraphs of the Proposals Nos. 1 and 7 are the only ones which do not make concessions from this position.

(1) Ireland accepts the British Crown in a certain capacity. To accept it in any capacity is a tremendous step for her, in view of history, the existing facts, and the implications of acceptance.

The Crown is a technicality for free nations many thousands of miles away from Britain but Ireland can have no full security that the Crown in her case, even if it be not specifically an Irish Crown, will not be construed as implying authority over her.

(2) Ireland undertakes to become an associate of a group of States and to co-operate with them for concerted action, even in such vital matters as Peace and War and Defence. This is a grave step when the most powerful State of this group is her close neighbour and secular enemy and oppressor. In such cases human experience proves that the best security - not perfect but incomparably the best - is a detached independent status resting solely on international right. It is distance only which has led to the relationship known as Dominion Status, a de facto sovereignty qualified by theoretical ties.

Ireland would probably prefer, if left to herself, to proceed on her own path, friendly with all nations, without risk of implication in wars, oppressions of small nations and all the possible consequences of association with a militarist Empire covering a quarter of the globe. Purports to save her freedom of action, but again, she is the close and helpless neighbour of England.

The fact that it is necessary to insert the first part of paragraph 4 is the best proof of the risk to her status Ireland runs in agreeing to an association with Great Britain. The elementary duty of self-defence is incumbent on all States, but mere protectorates or subordinates, yet in these negotiations that duty and right have been repeatedly denied, though 'freedom' has been offered.

The second part of the paragraph obliges Ireland to abstain from action which she would never dream of taking because it would be suicidal. Nevertheless it is a distinct derogation from complete national status and in its present form might be construed as placing Ireland lower in this respect than Cuba because the obligation in the case of Cuba (and of Norway) is balanced by a reciprocal guarantee of integrity from the power or powers receiving the safeguard.

Ireland asks for no reciprocal guarantee under these proposals.

No nation receiving its independence would, willingly, accept defence from its late oppressor even for a period of years, however little defensive power of its own it had. The implications are too perilous and the defence demands made upon us in these negotiations demonstrate the peril of an armed occupation nullifying any nominal independence.

The Clause is not only a concession but the third successive concession since the negotiations began. Our first claim was for guaranteed neutrality which itself is a detraction from plenary independent status. The second was guaranteed integrity. A third series have all admitted Britain's right to temporary naval facilities.

No independent State, if it could help it, would for any reason agree permanently and as a constitutional obligation to limit its forces to a proportion of the forces of a powerful neighbour. The 'world movement' does not affect this principle. Camouflage apart, the Clause, as now drawn, meets the openly expressed fears of England that Ireland by raising large forces, will force conscription on her. It is a protective clause for England.

Sub-section (a) is a marked concession, especially if the free list is to be guaranteed as permanent by the Treaty.

Is, if not a concession of principle, a generous advance towards close association in matters of common concern.

Part I is a big concession - the recognition of the powers of a legislature set up without any Irish authority in an artificial area part of which objects to inclusion.

Part II outlines more concessions of great value.

¹ Gavan Duffy, Childers, and Barton had been complaining that all the concessions had been made by Ireland with the British conceding nothing since 20 July. Childers drew up this memorandum to show the Irish concessions. Griffith remonstrated with Childers about the memorandum but later apologised.

Arthur Griffith to Éamon de Valera (Dublin)

22 Hans Place, London, 23 November 1921

A E[amon], a Chara:

As arranged, Mr. Collins, Mr. Barton and myself met Mr. Lloyd George, Mr. Chamberlain, and Lord Birkenhead at Downing Street this morning.

Our Memorandum was the basis of discussion. On the Crown they declared they had no alternative. They must fight. We put up our counter-proposal briefly, but they declared it impossible. On the Navy they were very strong, claiming that all facilities needed must be granted. It appeared as if they were claiming the occupation of all or any of our ports for naval purposes. It transpired later they were thinking of a state of war - not of a state of peace. When this was cleared up, they moved towards us. On the whole, there was a slight advance in our favour here.

On trade Lloyd George maintained his Free Trade attitude, but it was fairly satisfactorily explained what No. 9 in the Memorandum meant. It means, they say, merely that neither country shall issue prohibition against the commodities of the other country, and nothing more. This, however, would not prevent either country, in case of disease etc, closing its ports against the importation of diseased commodity.

On Ulster, Lloyd George declared that I had assured him I would not let him down, if he put up the proposals subsequently embodied in their memorandum to Craig, and we had not embodied them in our memorandum. I said I had given him that assurance and I now repeated it, but I told him at the time it was his proposal - not ours. Therefore, it did not appear in our document. Our proposal was, in our opinion, better but it was different.

He was satisfied. He had misunderstood us in this instance and said as much. He would put his proposal to Craig from himself only. He would like to consult privately with his colleagues for a few minutes.

They then retired and consulted for a time. On their return Lloyd George said that before he met Craig, he must know where he stood on the fundamentals. If he had to fight on fundamentals, there was no help for it, but it would be a tragedy if we broke up on any verbal or technical misunderstandings. He suggested, therefore, that as myself and Mr. Collins had seen Lord Birkenhead before I wrote the letter on which they had been acting, we should do so again, and go over the document with him.

Lord Birkenhead suggested that we should bring a constitutional lawyer with us. We have arranged to meet him to-morrow at 10.30 and bring Mr. Chartres with us. Lloyd-George has postponed his interview with Craig until 5 in the evening to await the result, if any, of the meeting.

Do Chara,
Art O'Griobhtha

*Copy of secretary's notes of meeting of the cabinet held 25 November 1921
(Copy)*

Dublin, 25 November 1921

MEETING OF CABINET. 25th NOVEMBER, 1921.

(a) The following formula was unanimously approved:-

'That Ireland shall recognise the British Crown for the purposes of the Association as symbol and accepted head of the combination of Associated States'.

(b) Vote of annual voluntary sum to Civil List unanimously approved.

*Memorandum by the Irish delegates on their proposal for the association of
Ireland with the British Commonwealth*

London, 28 November 1921

- I. The legislative, executive and judicial authority of Ireland shall be derived exclusively from the Elected Representatives of the Irish people.
- II. 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.
- III. As a token of that recognition, the Irish legislature will vote an annual contribution to the King's personal revenue.

NOTE.

The proposal is that Ireland, while preserving her national independence, shall for all purposes of common concern associate herself with the British Commonwealth of Nations and recognise the British Crown as Head of the Association.

By a method such as this permanent peace can be established. It is fallacious to assert that Ireland is now offered the substantial freedom of Canada and the other British Dominions. Canada and the other Dominions lie thousands of miles away from the shores of Great Britain. Great Britain, therefore, has neither desire nor temptation to interfere in their home affairs. The Crown to them is a symbol of the external unity of equal states, not of the internal repression of subordinate states. Ireland, on the contrary lies beside the shores of Great Britain, which has been accustomed for generations to interfere, in the name of the Crown, in every detail of Ireland's life. The desire and temptation to continue interference will remain if the Crown remains, as it cannot be the symbolic Crown that the Dominions know, but will continue to possess the real power of repression and veto which Ireland knows. In moving the first reading of the Home Rule Bill in 1912¹ the Prime Minister of this country pointed out that the Crown meant the British Government and that the British Government would retain unimpaired its supremacy and power of veto over the proposed Irish Parliament. Such a supremacy and such a veto are incompatible with the independence and dignity of our country, incompatible with real peace between the two nations, incompatible with free association with the community of nations known as the British Commonwealth, and, therefore, cannot be accepted. We acknowledge a reasonableness in the desire of the British Government for certain Naval facilities in Ireland differing from those which they receive from Canada or the other Dominions. The propinquity of the two islands is a fact that must be recognised in arranging a just and permanent settlement and we have recognised it in this matter. Equally it must be recognised on the other side that the same propinquity imposes on us a necessity for safeguarding our independence which does not arise in the case of the Dominions. The Crown, thousands of miles away, will never menace the Dominions with its powers. The Crown, close at hand to Ireland, would form a constant menace of the kind, and the object for which both sides have striven - the satisfactory ending of the long conflict between the two nations - would not have been achieved.

We put forward a plan that is practicable and honourable, that will ensure Great Britain against every apprehension that her publicists have expressed, that will associate Ireland with her and the Dominions under the Crown, and that at the same time will secure the independence of Ireland from question or intrigue. It must be recognised that for Ireland freely to accept the Crown in any capacity is a momentous step on her part in view of history and the existing facts, but the desire of the people of Ireland for a friendly and lasting settlement is unquestionable and the Irish Delegation are ready to advise their countrymen to meet British sentiment in the manner here proposed.

Arthur Griffith

¹ In the text this reads 1913.

Éamon de Valera to Harry Boland (Washington)
(Copy)

Dublin, 29 November 1921

My dear Harry:-

As things stand to-day it means war. The British ultimatum is allegiance to their King. We will never recommend that such allegiance be rendered.

You know how fully I appreciate all that WAR means to our people, and what my misgivings are as to the outcome of war. Without explanation you will understand then that if I appear with those who choose war, it is only because the alternative is impossible without dishonour. For us to recommend that our people should subscribe with their lips to an allegiance which they could not render in their hearts would be to recommend to them subscription to a living lie and the abandonment of the supreme issue in the struggle through all the centuries.

As far as I am concerned, it is now - External Association, YES. - Internal Association involving Allegiance, NO.

I am writing before the final recommendation of our plenipotentiaries is made, and so am speaking solely for myself, but it is likely that my view will be that of the Cabinet as a whole.

You will have a heavy task 'keeping our end up' before American public opinion. When the proposals of our plenipotentiaries are published, point to them as showing the distances we have been ready to go to meet the demands of the British and allay their fears, however groundless - that further than this we could not go without betrayal of our principles - and of our dead.

I have been told that it was said in inner circles in English politics that if the English representatives at the Washington Conference could secure a certain object which they had in view without settling the Irish question then they would not bother trying to settle it. What the object is:- cancellation of Debt, English speaking alliance, or a scheme of Disarmament which would leave England top-dog on sea and land, I have not been able to find out, but it would appear that if they can get what they want in Washington, it means war to the knife against us. The danger is that they will succeed in America whilst we are talking here.

[133 words covering Christmas greetings omitted]

Arthur Griffith to Éamon de Valera (Dublin)
(Copy)

London, 29 November 1921

A E[amon], a chara:

Last night (Monday) Mr. Duggan and myself at Lloyd George's request went to Chequers to meet Lloyd George.

We met him there with Lord Birkenhead and Sir Robert Horne, Chancellor of the Exchequer.

They declared the document we had sent in earlier was impossible for them. No British Government could attempt to propose to the British people the abrogation of the Crown. It would be smashed to atoms.

We told them we had no authority to deal with them on any other basis than the exclusion of the Crown from purely Irish affairs. We then entered into a general discussion in which they knocked out my argument in the document we sent in that the Crown in the Dominions was merely a symbol but in Ireland a reality - by offering to put in any phrase in the Treaty we liked to ensure that the function of the Crown in Ireland should be no more in practice than it is in Canada or any Dominion.

On the Oath of Allegiance which we instanced in part of the conversation they said, though it was an immense difficulty for them, they would try to modify it, if that would help us. On the 'elective head' of the Irish State they pointed out that the 'elective head' of any State is the Premier. They guaranteed that any nominal head would be only appointed in consultation with the Irish Ministry. In reply to our questions, they guaranteed he would have no power - be merely a symbol, and that no one would ever be appointed to whom the Irish Ministry offered any objection.

To-day by appointment M.C., Duggan and myself met Lloyd George, Birkenhead, and Chamberlain at Downing Street. They confirmed the conversation of the previous evening and specifically offered to put a phrase in the Treaty ensuring that the Crown should have no more authority in Ireland than in Canada. They offered us a form of Oath of Allegiance different from their one, which we stated would not do. We raised the question of Defence and Trade.

They proposed to send their final proposals to Craig and ourselves on Tuesday. We objected. We should see them beforehand. They agreed to send us them on Thursday evening, but formally to hand them to us on Tuesday.

It is essential a Cabinet meeting should be held. I shall return to Dublin on Friday morning and hope to see you on that evening. Please have a Cabinet meeting arranged for Saturday morning, when we shall be all there. I intend to return to London on that evening.

Mise do chara,
Art O'Griobhtha

David Lloyd George to Arthur Griffith (London)
(Copy)

London, 30 November 1921

Sir,
I enclose a draft of the Treaty which we are prepared to submit for the approval of Parliament. Provisions for protecting the interests of Southern Unionists are not included in this draft, because we understand that you have agreed with their representatives to provide safeguards for the representation of Minorities, especially in the Second Chamber and in respect of education, religious freedom and Church property, etc., not less effective than those afforded by the Government of Ireland Act, 1920, as well as to make provision for the completion of Land Purchase.

D. Lloyd George

Facsimile reproduction of draft treaty
referred to in No. 81 (annotations believed to be Griffith's)

SECRET

Recd @ 10pm (orso) Wednesday 30th Nov 1921

CONFERENCE ON IRELAND

PROPOSED ARTICLES OF AGREEMENT

? Constitutional

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.

? advantage

relationships of the Crown

Make the sets as normal as in Canada Congress that will express that

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.

To go into the appendix

①

? Our formula
for
Finance

Suggest substitute
of our clause
No 7 No 75
page 2
sum 3 1/2

Why not
specify time?

after 15/12/22

This case
indicated

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

may be fair and equitable, having regard to ~~any~~ just claims on the part of Ireland by way of set off, ~~or~~ ^{with 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 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 purposes of such defence as aforesaid.

Suggest
limitation
armament

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.

Are Garrison
meant?

Are numerous
aerodromes meant?

~~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.~~

out

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.

To improve

on our
depth

Suggest to
substitute No 8
page 2. 75
(and use of 11)

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.

Renew after 10 years

Terminal

10 years

look up Act

Exclusions
Aux
Accounts in
England

Note
H
P
Tmo

Aux
Black + Tan
Men (Kilmichael) outside

Are the
Auxiliaries
meant? No
all other
temporarily
constituted

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.

18. 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 the 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 of 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.

13. 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

□

*Suggest
man from
N E
chairman*

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.

*7 bases of
Commission
? what
terms
working
out will
be*

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.

14 ~~to~~ 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/

the following provisions:-

(a) *Sufficed local members nominates*

all offices Education

(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.

Payment of these

(b) The Government of Northern Ireland shall be charged with the duty of collecting all taxes leviable in Northern Ireland. *(To be supplemented)*

(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.

*1000 a
5000 b*

No

(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 ~~embedded~~ ^{ratified by} in the necessary legislation.

Treaty ratification only.

What is the necessary legislation

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.

*Capital
Carte
Mantel*

Queenstown.

*in charge of
main anchor*

(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.

*Amul
e*

Oil Fuel Storage.

(f) Haulbowline } To be offered for sale to commercial
Rathmullen } 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 ~~whose concurrence shall also be obtained for the establishment of others.~~

*this section
remains in the original
(attached)*

(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.

13. *A convention shall be made between same for regulation of e-commerce.*

①

2

***Manuscript notes by Michael Collins on the second revise of the British
treaty proposals***

London, 1.00 a.m., 2 December 1921

Editorial Note: This draft was again revised on 2 December after further negotiations

N. E.

Review of 2nd Dec

S.F.C. 29^A

PROPOSED ARTICLES OF AGREEMENT.

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 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.

① W
② N.E. - U direct

Question of
building say
small island
charters

Redraft

on the basis of in case
agreement is reached
Don't taking over in whole of
in part to ~~the~~ ~~the~~ ~~the~~ own vessels

look a way
to ~~the~~ ~~the~~ ~~the~~ island charters in
fashion in
constal depart

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 ^{of any} 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. *Cweall Nations*

Stipulations that we should build up place at disposal of Admiralty in time

Revenue & Treasury

Jan 1922

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,~~ ^{Great Britain & Ireland} shall be undertaken ~~exclusively~~ by His Majesty's Imperial Forces. *But this shall not prevent the construction of a coast defence*
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 ten years from the date hereof.

7. The Government of the Irish Free State shall afford to His Majesty's Imperial Forces:-

Proposed to be made in time of peace

- (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; and

[There were no manuscript notes on the back of page 2 of the typed draft]

(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 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. 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.

10. 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.

11. 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.

? Helping
our infant
industries

See 27th Oct 1921
MM No 38*

Yes at once

Really suspension for 6 months

after 6 months they may say no

friendly
suspension
for 6 months

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.

12. 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 the 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 of 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.

13. 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

*Suggestion
Craig*

C

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.

14. For the purpose 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.

15. After the expiration of the period of transition, if no such address as is mentioned in Article 13 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, and the proceeds shall be dealt with as in Annex B.
- (c) No taxation shall be imposed by the Government of the Irish Free State which discriminates against Northern Ireland.

Safeguards with regard to
won from duties on + work

- 3 -
shall be subject to discussion
of the Parl. of N. I. are
disp

- (d) ~~No export duties shall without the consent of the Parliament of Northern Ireland be imposed on any manufactures of Northern Ireland.~~
- (e) ~~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.~~
- (f) It shall be lawful for the Government of Northern Ireland to raise and maintain in addition to and for the purpose of the support of any police forces raised by them a local militia, so however that the establishments thereof shall not exceed in size such proportion of the establishments of any local military defence force maintained by the Government of the Irish Free State as that which the population of Northern Ireland bears to the population of the rest of Ireland, and no part of any local military defence force raised by the Government of the Irish Free State shall be stationed in Northern Ireland without the consent of the Government of Northern Ireland.

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 a 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 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 ratified by the necessary legislation.

ANNEX A.

*usual cost
rights
of free use
There is no
question
payment of
compensation
is clause.*

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 } To be offered for sale to commercial
Rathmullen. } 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 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.

3. A Convention shall be made between the same Governments for
the regulation of Civil Communication by Air.
the regulation of Civil Communication by ...
the regulation of Civil Communication by ...



12. Auxiliaries & Black & Tans
not to be included (Note - all
persons recruited outside Ireland)

13. No

14. No R Commission =

15. —

16.

(a)

(b) Taxes

(c) ✓

(d) ✓

(e) Allowed to raise a local Territorial
Force to support police.

{ Auxiliaries and
Special Constables } bear the same relationship to the Nat Army
as the State militia bears to the Royal Army
police only

not to exceed } 18 shall be ratified by
10,000

provision of this article

The foregoing 15 years date hereof



② in neighborhoods of above
ports for coastal defense
by air =

80000
320000

⑬ Consider 3
1. 975
1. N. 8
1. Chairman (B. Gov.) =

⑭
57 112 44
95 58 56
9141

*Copy of secretary's notes of meeting of the cabinet and delegation held 3
December 1921¹*

Dublin, 3 December 1921

MEETING OF CABINET AND DELEGATION 3rd DECEMBER, 1921.

VIEWS OF DELEGATES.

- (a) Mr. Griffith in favour of Treaty. Refused to break on question of Crown and thereby hand to Ulster the position from which she had been driven.
- (b) Mr. Barton of opinion that England's last word had not been reached and that she could not declare war on question of Allegiance. The Treaty would not give Dominion Status nor any guarantee re Ulster. Would vote against acceptance.
- (c) Mr. Gavan Duffy agreed with Mr. Barton that England was bluffing and that the Irish proposals, with small reservations on Defence etc., could be obtained. Would like the Treaty to be rejected by An Dáil and sent back amended. Said 'No' definitely to Treaty.
- (d) Mr. Duggan agreed with Mr. Griffith. Believed Treaty to be England's last word and would not take responsibility of saying 'No'.
- (e) Mr. Collins was in substantial agreement with Messrs. Griffith and Duggan. The non-acceptance of a Treaty would be a gamble as England could arrange a war in Ireland within a week. Sacrifices to N.E. Ulster made for sake of essential unity and justified. With pressure further concessions could be obtained on Trade and Defence. Oath Allegiance would not come into force for 12 months - question was, therefore, would it be worth while taking that 12 months and seeing how it would work. Would recommend that Dáil go to country on Treaty, but would recommend non-acceptance of Oath.
- (f) Mr. Childers of opinion that Par. 6 of Treaty would give Ireland no national status. Sec. 7 (b) was important also as it meant that when England went to war she would bring Ireland with her.
- (g) In reply to a question by Minister of Defence as to who was responsible for the splitting of the Delegation so that two Members (Messrs. Griffith and Collins) did most of the work and that the other members were not in possession of full information it was stated that the British Government was responsible for the arrangement but it had the approval of the whole delegation. The Minister of Defence here remarked that the British Government selected its men. On the motion of Mr. Griffith this remark was withdrawn.

MEETING OF CABINET. 3rd DECEMBER, 1921..

- (a) In the course of a lengthy discussion of the Treaty the President gave it as his opinion that it could not be accepted in its then form. He personally could not subscribe to the Oath of Allegiance nor could he sign any document which would give N.E. Ulster power to vote itself out of the Irish State. With modifications, however, it might be accepted honourably, and he would like to see the plenipotentiaries go back and secure peace if possible. He believed the Delegates had done their utmost and that it now remained to them to show that if document not amended that they were prepared to face the consequences - war or no war. He would deal with the present document exactly as with that of 20th July - say it cannot be accepted and put up counter proposals.
- (b) Mr. Griffith did not like the document but did not think it dishonourable. It would practically recognise the Republic and the first allegiance would be to Ireland. If it were rejected the people would be entitled to know what the alternative is. The country would not fight on the question of allegiance and there would be a split. He would not recommend the Government to accept but would say that the Plenipotentiaries should sign and leave it to President and Dáil to reject.
- (c) The Minister for Defence was in perfect agreement with President, the only matter upon which he could disagree would be the question of recognising the King of England as Head of the Associated States.
- (d) Document does not guarantee essential unity of Ireland.

MEETING OF CABINET AND DELEGATION. 3rd DECEMBER, 1921. (resumed).

- (a) Mr. Griffith would not take the responsibility of breaking on the Crown. When as many concessions as possible conceded, and when accepted by Craig, he would go before the Dáil. The Dáil was the body

to decide for or against war.

(b) The President took his stand upon last Irish proposals which meant external connection with the Crown. He suggested the following amendment to the Oath of Allegiance:- 'I do solemnly swear true faith and allegiance to the constitution of the Irish Free state, to the Treaty of Association and to recognise the King of Great Britain as Head of the Associated States.'²

(c) Delegates to carry out their original instructions with same powers.

(d) Delegation to return and say the Cabinet won't accept Oath of Allegiance if not amended and to face the consequences, assuming that England will declare war.

(e) Decided unanimously that present Oath of Allegiance could not be subscribed to.

(f) Mr. Griffith to inform Mr. Lloyd George that the document could not be signed, to state that it is now a matter for the Dáil, and to try and put the blame on Ulster.

(g) On a majority vote it was decided that the Delegation be empowered to meet Sir James Craig if they should think necessary. The following voted for and against:-

FOR: President, Finance, Foreign Affairs, Economics and Local Government.

AGAINST: Defence and Home Affairs.

(h) It was decided that the President would not join the Delegation in London at this stage of the Negotiations.

Colm O Murchadha.
ar son Runaidhe na hAireachta.

¹ Colm O'Murchadha acted as Secretary in the absence in London of Diarmuid O'Hegarty. Present: Éamon de Valera, Arthur Griffith, Michael Collins, Robert Barton, W.T. Cosgrave, Kevin O'Higgins, Austin Stack, Éamon Duggan, George Gavan Duffy, Erskine Childers, Cathal Brugha.

² The form of words 'Irish Free state' may be supposed to read as 'Irish Free State'.

*Amendments by the Irish Representatives to the proposed Articles of
Agreement
(Copy)*

Dublin, 4 December 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 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. 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.

ANNEX A.

1. The following are the specific facilities required:-

DOCKYARD PORT AT BEREHAVEN.

(a) Admiralty jurisdiction to remain as at the date hereof. Harbour defences to remain in charge of British care and maintenance parties.

BELFAST LOUGH.

(b) Harbour defences to remain in charge of British care and maintenance parties.

LOUGH SWILLY.

(c) Harbour defences to remain in charge of British care and maintenance parties.

AVIATION.

(d) Facilities in the neighbourhood of the above Ports for coastal defence by air.

(e) OIL FUEL STORAGE. Haulbowline [and] 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 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.

Arthur Griffith to Éamon de Valera (Dublin)
(Copy)

22 Hans Place, London, 4 December 1921

A E[amon], a chara:

Tonight at 5 o'clock Messrs. Barton, Duffy and myself met Messrs Lloyd George, Chamberlain, Horne and Lord Birkenhead at Downing Street by their appointment.

I first raised the question of an alteration in a covering letter from Mr. Lloyd George to myself in which he suggested I had agreed with the Southern Unionists to base the constitution of a Second Chamber upon the plan of the 1920 Act. I pointed out I had not done so, nor had the Southern Unionists suggested it. I had told them I would secure them a fair representation in the Second Chamber by some scheme of proportional representation and that for the constitution of the Upper Chamber we would consult them and secure that their interests got representation. Lord Birkenhead confirmed what I said and Lloyd George admitted he was mistaken and asked me to write him a letter correcting his.

Turning to our proposal I said that we did not take any responsibility for the Ulster proposals. They were theirs, not ours. They agreed but said that if Ulster refused them they intended, nevertheless, to go on with them. I had said I would not let them down on them as against Craig. I confirmed this. I had given them my personal assurances but we were not responsible for putting them forward and could not be placed in such a position. They agreed.

I said I had written them a letter in which I conditionally accepted association with the British Empire and a recognition of the Crown in exchange for essential unity. Craig should now write them a letter accepting essential unity. I was seeking here if the break was to come making it come on Ulster rather than the Crown.

They said Craig would not write such a letter, for he was going to refuse the proposals but they would nevertheless go ahead with the Treaty.

I then read out the counter proposals as suggested by the President at the Cabinet meeting. I told them the Cabinet as a body was prepared to recommend the Dáil to ratify a Treaty thus amended. They asked questions on some of the proposals, particularly on Trade, in which Lloyd George and Chamberlain engaged with Mr. Barton for some time. They then said they would retire for a few minutes to discuss them.

They returned in about ten minutes. Lloyd George made a long statement. He said the amendments were such a complete going back upon the discussions of the last week. They had offered us that we should come willingly inside the British Empire, like other Nations which had fought equally gallantly, like the Boer Republics and they felt that the Cabinet must confirm their impression that although they might have considered some change in the form of the oath, this was a refusal of the fundamental conditions.

The amendments constituted a refusal to enter the Empire and accept the common bond of the Crown. They were but the same proposals which had already been discussed and rejected.

I pointed out there was a distinct effort to meet them in the proposals and instanced the oath which brought in the name of the King. A discussion followed. Mr. Barton argued that a permanent peace based on good-will was what was needed, and what was offered by us. Mr. Gavan Duffy argued that for all purposes essential to them the proposals provided the necessary connection. I tried to work back on Ulster. They were asking us to give up our best ground without even a guarantee that Craig would accept the unity of the Irish Nation. There was nothing tangible in our hand. How could Ireland trust the faith of the British Government, etc?

They replied that if we signed the Treaty they would immediately call Parliament together and pass the

ratifying Act before Christmas. They would hand us over Dublin Castle and withdraw their troops from the country.

In the ensuing discussion they declared that their own Dominions would denounce them if they even considered our proposals. No English Government could entertain them. I worked on Ulster again but could not get it into its proper place. They talked of their difficulties. We said we had just as many. We had tried to meet them. They asked what was the difficulty about going in like Canada in the Empire? Gavan Duffy said that we should be as closely associated with them as the Dominions in the large matters, and more so in the matter of defence but our difficulty is coming within the Empire.

They jumped up at this and the conversation came to a close, we undertaking to send them copies of our proposals tomorrow and they undertaking to send in a formal rejection tomorrow. They would, they said, inform Craig tomorrow that the negotiations were broken down. We then parted.

Mise do chara,
Arthur Griffith

*Memorandum of an interview between Michael Collins and David Lloyd
George (Copy)*

London, 9.30 a.m., 5 December 1921

Arising out of Mr. Jones' conversation with Mr. Griffith, the latter indicated to me last night that Mr. Lloyd George desired to see me. This conversation took place subsequent to the official conference held at 10, Downing Street on Sunday evening at 5 p.m. I did not attend this conference for the reason that I had in my own estimation argued fully all points. This morning Mr Griffith came to me again and suggested in his official capacity as Chairman of the Delegation that I should have the meeting with Mr. Lloyd George as so much depended on the Delegation at this vital time. Mr. Jones had suggested the interview for 9.15, but as I had not made up my mind until after speaking to Mr. Griffith this morning I did not see Mr. Lloyd George until 9.30 as stated above.

Acting on the general résumé of points of difference as sketched by me at the Cabinet Meeting on Saturday, 3rd. instant, I had my points set out as follows:-

(1) The essential unity of Ireland. Suggestion that we should press for a letter from Craig indicating either:

(a) Acceptance of Conditions and naming those Conditions.

(b) Rejection.

(2) Oath of Allegiance. Clause 4 of British Document.

(3) Defence. Clause 6 and Annex A. of British Document (29a) - date 1st December.

(4) Trade. Clauses 9 and 10 of ditto.

Mr. Lloyd George opened the conversation indicating that he was having a meeting of his Cabinet at 12 o'clock and was putting it to them that the Conference had broken as a result of the interview last night. I said I understood that. He went on to say that the break was therefore definitely on the question of 'within or without' the Empire (at this stage he did not refer to allegiance except to say that he would be willing to consider any form of Oath in order to meet or attempt to meet our wishes). I said I wished to express what my view was on the document. I said that I was perfectly dissatisfied with the position as regards the North East, and I put it to him definitely under headings (a) and (b) of paragraph 1 above. He remarked that I myself pointed out on a previous occasion that the North would be forced economically to come in. I assented but I said the position was so serious owing to certain recent actions that for my part 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 and Fermanagh, parts of Derry, Armagh and Down by a boundary Commission, and thus avoid such things as the raid on the Tyrone County Council and the ejection of the staff. Another such incident would, in my view, inevitably lead to a conflict, and this conflict in the nature of things (assuming for instance that some of the Anglo-Northern police were killed or wounded) would inevitably rapidly spread throughout Ireland. Mr. Lloyd George expressed a view that this might be put to Craig, and if so the safeguards would be a matter for working out between ourselves and Craig afterwards.

The question of the Oath was then referred to again, Mr. Lloyd George insisting that paragraphs 1 and 2 of their document were the substance, that a definite understanding had to be arrived at on those, then we could discuss the form of Oath.

I then passed on to Defence. I objected to Clause 6 on the ground that the word 'exclusively' implied that we were not to take measures for raising coastal defence forces. Mr. Lloyd George said that if I had the idea of building submarines they could not allow that. I said my objection was on the principle that we could build nothing. If I were met on this part of the clause I thought we could find agreement, and as for the second part of the Clause I thought we could find agreement on the basis of an understanding that the Review Conference at the end of ten years definitely meant the transfer to the Government of the Irish Free State of the responsibility for Coastal Defence.

I passed on to paragraphs 9 and 10 and pointed out that it was the fetters I objected to in these Clauses. Mr. Lloyd George suggested that if there were complete freedom on one side, there should also be

complete freedom on the other. This I said would meet my view, as also would paragraph 8 on page 2 of our document of the 22nd. November. (copy of paragraph 8 attached).

Mr. Lloyd George made notes of all objections as expressed above, and suggested that if we thought fit he would meet us at 2 o'clock to-day. I left the appointment stand tentatively.

Finally the conversation developed into a statement by Mr. Lloyd George to the fact that were Clauses 1 and 2 accepted he would be in a position to hold up any action until we had, if we desired to do so, submitted the matter to DÁIL EIREANN. I left it at that saying that unless I sent word to the contrary some members of the Delegation would meet him at 2 o'clock.

Note on Annex 'A'.

In dealing with this matter I asked for a definition of the term 'Admiralty property and rights' mentioned in paragraph 1, sub-heading (a); also that Mr. Churchill should define what he meant by 'care and maintenance parties.'

*Notes by Robert Barton of two sub-conferences held on December 5/6, 1921
at 10 Downing St.*

London, 5/6 December 1921

PRESENT:

BRITISH REPRESENTATIVES. IRISH REPRESENTATIVES.

MR. LLOYD GEORGE MR. GRIFFITH
MR. CHAMBERLAIN MR. COLLINS
LORD BIRKENHEAD MR. BARTON.
MR. CHURCHILL.

SUB-CONFERENCE NO. 1. 3 P.M.

The Conference opened by LLOYD GEORGE saying that he must know once and for all exactly where we stood as regards the Ulster proposals. He said that the Ulster proposals in the document now before us were exactly those to which Arthur Griffith had agreed and on which he had undertaken not to let him (Lloyd George) down.

ARTHUR GRIFFITH replied that he had not let him down and did not intend to do so, but that before he gave a decision on the earlier articles in the document he must have a reply from Craig either accepting or refusing the unity of Ireland.

CHAMBERLAIN and *LLOYD GEORGE* argued that such a proposition was inadmissible, unreasonable and contrary to the undertaking not to let Lloyd George down.

MR. CHAMBERLAIN stated that it was due to the confidence they had in our undertaking that they would not be let down by us that his colleagues and he had adopted the attitude they did at the Liverpool meeting and staked thereon their political future.

MICHAEL COLLINS said that for us to agree to any conditions defining the future relations of Great Britain and Ireland prior to Craig's giving his assent to the unity of Ireland was impossible, that to do so would be to surrender our whole fighting position. That every document we ever sent them stated that any proposals for the association of Ireland with the British Commonwealth of Nations was conditional upon the unity of Ireland. That, unless Craig accepted inclusion under the All-Ireland Parliament, the unity of Ireland was not assured and that if he refused inclusion we should be left in the position of having surrendered our position without having even secured the essential unity of Ireland.

LLOYD GEORGE got excited. He shook his papers in the air, declared that we were trying deliberately to bring about a break on Ulster because our people in Ireland had refused to come within the Empire and that Arthur Griffith was letting him down where he had promised not to do so. He produced a paper from an envelope, stated that he had shown it to Arthur Griffith at ----'s¹ house and that Arthur Griffith had agreed to its contents. Lloyd George referred to this document as a letter and thereby mystified me and appeared to mystify Michael Collins. I could not recollect the existence of any letter on this subject other than the one Arthur Griffith wrote to Lloyd George on November 2nd after consultation with the other members of the Delegation. The paper was then passed across the table. It proved to be a memorandum, not a letter, and 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 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 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.'

ARTHUR GRIFFITH declared his adhesion to his undertaking but argued that it was not unreasonable for us to require that Craig should reply before we refused or accepted the proposals now before us.

LLOYD GEORGE declared that to make receipt of such a reply conditional before accepting or refusing was letting him down on his proposals because the only alternative to Craig's acceptance of the unity of Ireland was the Boundary Commission and that his Government would carry the Boundary Commission proposal into effect with strict fidelity. He then said that they would have to withdraw to discuss the matter amongst themselves but first he would hear what objections or alterations we had to the proposal.

ARTHUR GRIFFITH replied that he understood from Michael Collins' interview with Lloyd George that certain alterations might possibly be made in the proposals.

LLOYD GEORGE asked what were the alterations we suggested but that we must understand that the first three Clauses were absolutely essential. There could be no discussion about these.

ARTHUR GRIFFITH replied that some alteration might be made in the Oath.

BIRKENHEAD said that Mr. Collins had handed in to him that morning a form of oath on which he (Mr. Collins) had been working and then produced it with his (Birkenhead's) alterations. We objected to the final words being 'British Empire' and suggested 'British Commonwealth of Nations.'

LLOYD GEORGE asked for any further objections.

WE objected to 'shall contribute' in Clause 5. and desired insertion of 'if any' after 'such sums' and elsewhere.

CHAMBERLAIN said that these alterations were matters of wording only. On Clause 6 we argued at great length that the word 'exclusively' precluded us from commencing to build vessels or make any preparations for taking over our own coastal defence at any time, and that the 'Conference for Review' referred to in the second paragraph might never be held if the British did not wish to reconsider the subject. There was a long argument over this in which Churchill, Michael Collins and myself went over all the arguments again.

CHURCHILL stated that if Ireland were permitted any navy it would be impossible to get the Treaty through Parliament. That the English people would believe that we were going to build ships which in war might be used against them. That the possibility of our building submarines or mine-laying vessels to attack their food ships would be argued from every angle. The discussion lasted a long time. We demanded the removal of the word 'exclusively'; this was grudgingly accorded. We then sought to get it explicitly stated that Ireland should be required to build one or more ships for her coastal protection; this was absolutely refused, except as regards revenue and fishery protection ships, and *CHURCHILL* stated that he would definitely oppose any provision that Ireland should have a navy of her own and would even oppose it five years hence if he had the opportunity.

MICHAEL COLLINS then took up the Trade Clause and said that Lloyd George had intimated that freedom on both sides might be accorded. He also dealt with the suggestion that the safeguards for Ulster should be a matter for discussion between ourselves and the Ulster representatives.

THE BRITISH then withdrew and we consulted amongst ourselves and decided that if they came back to break on our refusal to accept or refuse pending Craig's answer that Arthur Griffith's last card was to demand reference to the Colonial Premiers.

BIRKENHEAD then returned alone and took note again of the particular points we required changed.

On their return we again took up the points in dispute. First in Clause 6, to which *CHURCHILL* agreed to add 'with a view to the undertaking by Ireland of a share of her own coastal defence,' and to a date five years hence being fixed for the Conference to review the clause, but refused every proposition to make this apply to (b) facilities in time of war. He refused to take 'Queenstown' out of the Annex, and explained that care and maintenance parties meant gunners and trained men to take charge drawn from the R.G.A. and R.E., numbering 1,060 men and 69 officers or thereabouts. He also stated that 'Admiralty property and rights' at Berehaven did not mean that they would demand compensation if at any time the docks etc. passed to us. *BIRKENHEAD* said that if they were handed over to the Crown representative in Ireland the Crown could not demand payment from the Crown.

LLOYD GEORGE said that on Trade he was prepared to agree provisionally that there should be freedom on both sides to impose any tariffs either liked subject to the Articles of Agreement being accepted by us. That he himself had been the strongest on their side on the compulsory Free State Clauses, but that he would withdraw his opposition on the conditions stated.

WE then went back to Ulster.

ARTHUR GRIFFITH agreed that he personally would sign the Treaty whether Craig accepted or not, but that his colleagues were in a different position from himself in that they were not party to the promise not to let Lloyd George down, and that it was not fair to demand acceptance or refusal from them before Craig replied.

Considerable discussion took place here on the justice and injustice of our being asked to agree or disagree before Craig replied and *ARTHUR GRIFFITH* made repeated efforts to avoid the question being put to Michael Collins and myself.

LLOYD GEORGE stated that he had always taken it that Arthur Griffith spoke for the Delegation, that we were all plenipotentiaries and that it was now a matter of peace or war and we must each of us make up our minds. He required that every delegate should sign the document and recommend it, or there was no agreement. He said that they as a body had hazarded their political future and we must do likewise and take the same risks. At one time he particularly addressed himself to me and said very solemnly that those who were not for peace must take full responsibility for the war that would immediately follow refusal by any Delegate to sign the Articles of Agreement.

He then produced two letters one of which he said he must that night send to Craig. One was a covering letter to H.M. Government's proposals for the future relations of Ireland and Great Britain and stated that the Irish Delegation had agreed to recommend them for acceptance by Dáil Eireann. The other stated that the Irish Delegation had failed to come to an agreement with H.M. Government and therefore he had no proposals to send to Craig.

LLOYD GEORGE stated that he would have to have our agreement or refusal to the proposals by 10 p.m. that evening. That a special train and destroyer were ready to carry either one letter or the other to Belfast and that he would give us until ten o'clock to decide.

We then argued that the twelve months transition period was of the greatest danger to our people. Craig could say 'Yes' at any time; he could say 'No' finally before six months but he need not say 'No' for twelve months, so that for twelve months we might not know whether there was to be unity or not. Meantime life might be made intolerable for our people in Ulster.

LLOYD GEORGE argued that that contingency had been apparent from the first, but if it were a serious stumbling block we could shorten the transition period at any time we chose.

MICHAEL COLLINS said that the recent occurrences in Tyrone - the seizure of the County Council books, etc., and the support of the Ulster Government with English troops had shaken our confidence in their fidelity.

LLOYD GEORGE answered that they had no jurisdiction on this matter in Ulster. It was a matter over

which the Northern Government had complete control under the 1920 Act. He then suggested that they should withdraw in order that we might discuss the duration of the transition period amongst ourselves. They did so.

WE decided to reduce the period to one month. Rang for them to return and stated our decision.

LLOYD GEORGE said he considered the decision ill advised as a month did not give the Ulster people sufficient time to reflect. He affirmed that Craig was going to refuse the terms and that he (Lloyd George) knew this for certain. However, as we preferred one month, he was prepared to accept the alteration and redraft the Clauses. A month was the least possible that could be given Craig to make a final decision. He then proposed that we dismiss and reassemble again at 10 to give him our final decision.

There was a discussion amongst ourselves lasting from 9 to 11.15 at 22, Hans Place, at which a decision was eventually reached to recommend the Treaty to the Dáil.

SUB-CONFERENCE NO. II

11.15 p.m. - 2.20 a.m.

At 11.30 we returned to Downing Street and attacked the document again. We endeavoured to get Clause 3 removed, but failed. We, however, succeeded in getting the word 'Governor-General' out, it being left to us to decide upon a term. The title 'President' Chamberlain stated, was inadmissible.

MICHAEL COLLINS demanded and secured the removal of the word 'local' as a prefix to the Irish Free State's military defence force.

They agreed to the verbal changes in financial clause 5. *CHAMBERLAIN* took exception to the 'if anys' going in, as he said it was too late to quibble over such small points. We pointed out that Clause 9 was still left intact and that it should have been removed under the agreement on 8. *LLOYD GEORGE* said that it referred to transport only. It meant ships entering harbours and that there must be provision to prevent boycotting of English shipping.

BIRKENHEAD said that the wording of the clause was ambiguous now that the compulsory Free Trade clause was gone and suggested redrafting it. This was done immediately.

MICHAEL COLLINS required the removal of Clause 14 (e). (the Ulster Army) and that its substance be got into the safeguards for Ulster clause. This was agreed to.

MICHAEL COLLINS queried the reference to summoning of the Southern-Ireland Parliament in Clauses 15 and 17, and *BIRKENHEAD* immediately drafted an explanatory memorandum as follows:-

'It is intended by Clauses 15 and 17 to make it plain that the functions therein referred to shall be discharged by the Provisional Government of Southern Ireland and that for that purpose a transfer shall be made by them of the necessary powers under the Government of Ireland Act, 1920, as soon as the mutual ratifications have been exchanged.

The Provisional Government will it is contemplated upon such ratification undertake the Government. of S. Ireland immediately until the necessary Acts in both Parliaments confer upon it the statutory authority contemplated in this instrument.'

LLOYD GEORGE then asked whether we as a Delegation were prepared to accept these Articles of Agreement and to stand by them in our Parliament as they as a Delegation would stand by them in theirs.

ARTHUR GRIFFITH replied 'We do.'

WE then discussed the release of the prisoners and procedure for ratification and other matters whilst awaiting the final draft.

The final draft was read over, agreed to and signed; also the Annex.

THE BRITISH DELEGATION lined up to shake hands and say good-bye, and the Conference ended at 2.20 a.m. on December 6th.

¹ Griffith met Lloyd George for lunch on Saturday, 12 November, at Philip Sassoon's house in Park Lane. See above [No. 68](#); also A.J.P. Taylor (ed.), *Lloyd George. A Diary* by Frances Stevenson (London, 1971), p. 237.

Final text of the Articles of Agreement for a Treaty between Great Britain and Ireland as signed.

London, 6 December 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 claim 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 elections 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 the 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 the 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 the 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.

(Signed)

On behalf of the Irish Delegation, On behalf of the British Delegation.

Art Ó Griobhtha.	D. Lloyd George.
Micheál Ó Coileain.	Austen Chamberlain.
Riobárd Bartún	Birkenhead.
E. S. Ó Dugain.	Winston S. Churchill.
Seórsa Ghabháin Uí Dhubhthaigh	L. Worthington-Evans.
	Hamar Greenwood.
	Gordon Hewart.

6th December, 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 [and] 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 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.

3. A Convention shall be made between the same Governments for the regulation of Civil Communication by Air.

2002/5/1

T R E A T Y .

between

G R E A T B R I T A I N & I R E L A N D .

signed

6th December, 1921.

at L O N D O N .

~~PROPOSED~~ ARTICLES OF AGREEMENT.

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 Irish
Delegation*

*at p2 03 poble (Arthur Griffith) Delegation
Michael O'Connell
Ruobaidh O'Connell
Eudimons L. O'Connell
George Sabain in O'Connell*

On behalf of the British

*Delegation
Arthur Chamberlain
Birkenhead.*

December 6, 1921.

Winston Churchill

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 } To be offered for sale to commercial companies
 } under guarantee that purchasers shall maintain
Rathmullen } 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 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.

3. A Convention shall be made between the same Governments for the regulation of Civil Communication by Air.

o.c.g. B.
ac

8.

m. a. f.
t. s. d.
m. c. i.
R. B.

L. M. King to the

Hanna Greenwood

Garden Street.

Minutes of a Cabinet Meeting held on 8 December 1921

Dublin, 8 December 1921

Present: President, Foreign Affairs, Economics, Home Affairs, Defence, Local Government, Assistant Local Government, Messrs. Duggan, Gavan Duffy, Childers and Diarmuid O'Hegarty

Duration of Meeting: 12 noon to 9.30 p.m. with two adjournments.

1: Recommendation of Treaty

Following a discussion of the terms of the Treaty the following members declared in favour of recommending it to the Dáil: - A. Griffith, M. Collins, R. Barton, W. Cosgrave, K O'Higgins (no vote).

Mr Griffith would recommend document on basis of its merits - the remaining members on basis of signature.

The following declared against recommending Treaty to Dáil: President, Cathal Brugha and A. Stack.

2: President's Statement

The President to issue a statement to the press defining his position and that of the Min[ister]s of H[ome]A[ffairs] and Def[ence].

3: Summoning of Dáil

A public session of Dáil to be summoned for Wed. 14th Dec. at 11 am Mansion House. Ministers to remain in charge of their Depts in meantime.

Cabinet Meeting of December 8, 1921, copy of notes taken by Erskine Childers¹

Dublin, 8 December 1921

Dec. 8 Cabinet Meeting.

President:

No. 3 Instruction to Delegates

(1) Draft should have been sent to Dublin to await opinion.

(2) A. G. said he would not split country - would not break but would leave it to Dáil.

A.G. said we submitted docs (documents) here to Cabinet.

We had offered to stand out

Asked Dev to come over.

Dev. said M.C. advised him not to go.

Did not matter. Undertaking not to break - Dáil

But this not the point

We did not get documents which are new.

M.C. We have only recommended it to Dáil Eireann.

Dev. No - Much more I have to oppose Treaty.

A.G. It was war or not Plenipotentiaries only continuance of truce.

M.C. R.C.B. and G.D. didn't raise it.

G.D. and R.C.B. Didn't occur to me.

A.G. (Defence clause altered to our recommendation)

Dev. I can't work like this principle and co-ordination and team.

E.J.D. No choice - we couldn't shift responsibility

A.G. definitely broke pledge

A.G. Personal to me (unkind?)

Dev. I would have gone and said 'go to the devil: I will not sign'

G.D. Don't say delegation.

Treaty gone through

A.G. On what basis

treaty signed?

M.C. Recommendation to Dáil.

Dev. *Signed by all.*

Before knowledge of how Cabinet stood

G.D. I signed: all must sign and recommend. Can I be here at adjourned meeting (yes)

Adjournment till 3

3 p.m.

O'H. Was there undertaking that All should sign

Dev 'Minute of Cab Meeting 3rd A.G. said document could not be signed but must go to Dáil

Otherwise I would probably have gone to L.

A.G. If I could have left it to Dáil, would have. No choice. Letters going we took decision and don't regret it.

G.J.D. ditto

Dev. but definite understanding

You *could* have done with it

all speak?

A.G. I stand over doc

R.C.B. I do so too

I was intimidated

I had to declare war on my own behalf

M.C. ditto

recommend to Cab and Dáil

¹ A typed, undated note covering this document reads 'These notes were written in pencil in a small notebook. The copy follows original in all ways save by inserting punctuation where this was clearly needed, the next words beginning with a capital. But often the words stand two or three only on a line - no capitals and no punctuation. These are separated into lines exactly as they stand in the original.' The copy printed here follows these guidelines except for separation into lines which page spacing has not always allowed.

Robert Brennan to Éamon de Valera
(No. 40) (Copy)

Dublin, 12 December 1921

I have received the following cables from H. Boland:-

'No statement issued by me save advising withhold comment until Dáil decision stop can come at moments notice keep me advised'

Boland

'Have had no official word on Treaty save text as published stop feel I am entitled to vote on issue can reach Dublin December twenty one reply immediate.'

Boland

Proposed Alternative Treaty of Association between Ireland and the British Commonwealth presented by Mr Éamon de Valera to a Secret Session of Dáil Éireann on 14 December 1921

Dublin, 13-14 December 1921

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

1. That the legislative, executive, and judicial authority of Ireland shall be derived solely from the people of Ireland.
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.
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 arrange for the handing over of 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.
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 the 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 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.

15. That neither the Parliament of Ireland nor the Parliament of that part of the province of Ulster which is defined as Northern Ireland in the British Government of Ireland Act, 1920, 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.

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 Dáil Eireann shall transfer the authority, powers and machinery requisite for the discharge of its duties, provided that every member of such transitional 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.

17. That without recognising the right of any part of Ireland to be excluded from the supreme authority of the national Parliament and Government; nevertheless, in sincere regard for internal peace, and in the desire to bring no force or coercion to bear upon any substantial part of the province of Ulster whose inhabitants may now be opposed to the acceptance of the National Authority, the following provisions shall have effect in the case of that portion of Ulster which is defined as 'Northern Ireland' in the British Government of Ireland Act 1920.

18. 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 Ireland shall not be exercisable as respects Northern Ireland, and the provisions of the British Government of Ireland Act 1920, shall, so far as they relate to Northern Ireland have full force and effect, and no election shall be held for the return of members to serve in the Parliament of Ireland 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 said month.

19. 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 the Government of Ireland shall no longer extend to Northern Ireland, and the provisions of the British 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 Ireland, 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 British Government of Ireland Act, 1920, and of this instrument, the boundary of Northern Ireland shall be such as may be determined by such Commission.

20. For the purpose of the last foregoing article, the powers of the Parliament, defined as the Parliament of Southern Ireland under the British Government of Ireland Act, 1920, to elect members of the Council of Ireland shall be exercised by the Parliament of Ireland.

21. After the expiration of the said month, if no such address as is mentioned in Article 19 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 British Government of Ireland Act, 1920, but the Parliament and Government of Ireland 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.

22. At any time after the date hereof the Government of Northern Ireland and the transitional Government of Ireland provided for in Article 16 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:-¹

- (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 Ireland.
- (f) The establishment and powers of a local militia in Northern Ireland and the relation of the Defence Forces of Ireland 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 the Government of Ireland are to be exercisable in Northern Ireland under Article 21 hereof.

23. That this instrument shall be submitted forthwith by His Britannic Majesty's Government for the approval of the Parliament at Westminster, and by the Cabinet of Dáil Eireann to a meeting of the members elected for the constituencies in Ireland set forth in the British Government of Ireland Act 1920, and if approved shall be ratified by the necessary legislation.

ANNEX.

1. The following are the specific facilities referred to:-

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 [and] 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 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 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 Ireland 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.

¹ Typed above the sentence.

Proposed Treaty of Association between Ireland and the British Commonwealth presented by Éamon de Valera to Dáil Eireann¹

Dublin, January 1922

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 the 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 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.

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 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.

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 Dáil Eireann shall transfer the authority, powers and machinery requisite for the discharge of its duties, provided that every member of such transitional 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 Dáil 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 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 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 the Irish Free State 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.

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.

Editorial note: On 7 January 1922 at 8 p.m. the Dáil approved the Treaty as signed on 6 December 1921 by 64 votes for to 57 votes against. De Valera resigned as President on 9 January, being replaced by Arthur Griffith with George Gavan Duffy becoming Minister for Foreign Affairs. The Provisional Government of the Irish Free State was formed on 14 January 1922 with Michael Collins as Chairman. After the June 1922 general election the Third Dáil met for the first time on 9 September 1922.

¹ This document is commonly known as 'Document No. 2'.

Appendix 1

Months of the year in Irish and English

Gaeilge	English
Eanáir	January
Feabhra	February
Márta	March
Aibreán	April
Bealtaine	May
Meitheamh	June
Iúil	July
Lúnasa	August
Meán Fómhair	September
Deireadh Fómhair	October
Samhain	November
Mí na Nollaig	December

Appendix 2

Glossary of Irish words and phrases

Gaeilge	English
Aire	Minister
Beir beanacht	Kindest regards
Ceilidh	An evening of Irish music and dancing
A chara	Friend (salutation)
A chara dhílis	Dear friend (salutation)
A cháirde	Friends (salutation)
Do chara	Your friend
Do chara go buan/ Do buan chara	Your lasting friend
Dáil	the Lower House of parliament
A dhíl/A dhílis	Dear (salutation)
Éire	Ireland
Le mhór mheas/ le meas mhór	With much respect
Mise le meas	With respect
Saorstát	Free State
Saorstát Éireann	Irish Free State
Sinn Féin (party name)	(lit) 'Ourselves'
Teachta Dála (TD)	Dáil deputy
Teachtaire Éireann	Representative of Ireland
Uachtarán	President

