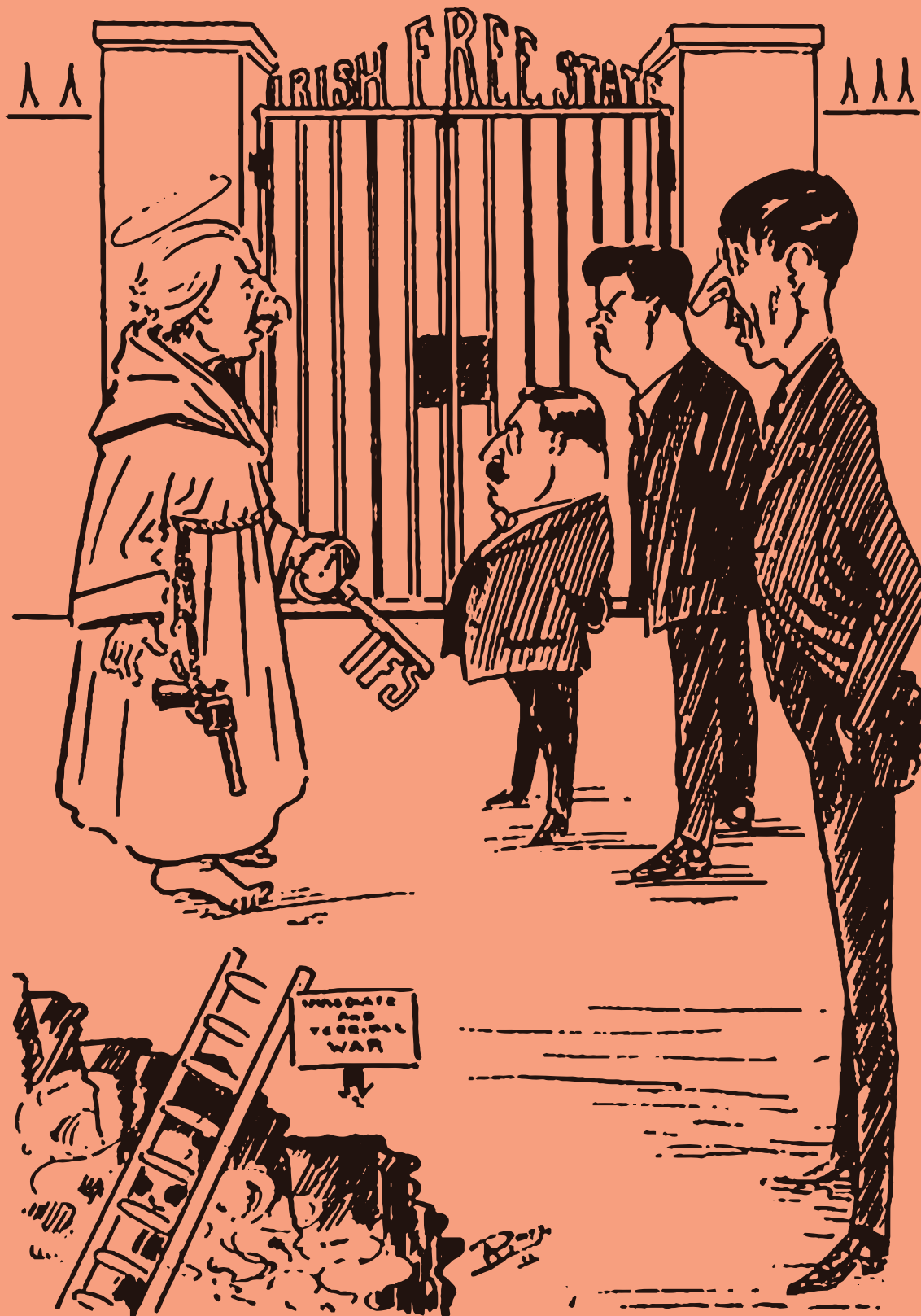


**Leaving Certificate
history case study
The Treaty
Negotiations,
October-December 1921
Read Michael Collins'
and Éamon de Valera's
secret correspondence**



THE GLITTERING GATES



ST. DAVID LLOYD GEORGE : " In you go."
ARTHUR : " Righto, it'll be heavenly."
MICHAEL : " I'm a bit doubtful, but I'll try
it for a while."

The Royal Irish Academy's Documents on Irish Foreign Policy (DIFP) project has made the correspondence on the 1921 Treaty negotiations freely available online.

These documents were originally published in the first volume of the Documents on Irish Foreign Policy series, published in 1998, and covering the years from 1919 to 1922. The documents in the online edition of DIFP Vol. I are numbered; documents nos. 129 to 218 cover the background to the Treaty negotiations, as well as the negotiations themselves, throughout 1921. They contain crucial communications between the main figures involved in the negotiations (including Michael Collins, Éamon de Valera and Arthur Griffith) that illustrate the growing rift between them, and the problems of negotiating the agreement that led to Irish independence. The documents offer a unique and gripping account of this key moment in modern Irish history.

The online version of DIFP contains correspondence and eyewitness accounts of the negotiations by the Irish negotiators, up to and including the signing of the Treaty. These can be used to teach the Leaving Certificate case study on 'The Treaty negotiations, October-December, 1921' as part of Later Modern Ireland Topic 3: 'The pursuit of sovereignty and the impact of partition, 1912-1949'. The DIFP online archive is fully searchable at www.difp.ie, and documents can also be downloaded.

The online edition of Documents on Irish Foreign Policy is free to access [here](#)

The documents for the years 1919 to 1922 can be found [here](#)

The Treaty negotiations: an overview

John Gibney, Assistant Editor, DIFP

The Treaty negotiations took place after the truce of July 1921 that ended the War of Independence. There had been some contacts between the British government and Sinn Féin since the end of 1920 and following the truce exploratory talks were held in London between Éamon de Valera, as President of Dáil Éireann, and David Lloyd George, the British Prime Minister. The ‘Treaty negotiations’ began in London on 11 October 1921 and culminated in the signing of ‘Articles of Agreement’, better known as the Treaty, on 6 December 1921. This led directly to the creation of the Irish Free State one year later, on 6 December 1922, governing twenty-six of Ireland’s thirty-two counties.

The negotiations took place in London and the Irish delegation was led by Dáil Éireann Minister for Foreign Affairs Arthur Griffith. The British negotiators were led by Prime Minister David Lloyd George. Controversially, de Valera remained in Dublin, seemingly to keep himself in reserve for a last-ditch effort to get an agreement over the line but perhaps also remembering his experience of meeting Lloyd George in the summer of 1921. The Irish delegation were less experienced negotiators than their British counterparts.

The British were intent on securing a settlement and in July 1921 had set out the main issues of concern to them: membership of the British Empire and Commonwealth and recognition of the crown, naval defence, trade, and financial obligations. For the Irish, sovereignty and Irish unity were the crucial issues (though the former came to overshadow the latter after the Treaty was signed). The Dáil cabinet had agreed to seek an outcome suggested by de Valera, in which Ireland would ‘become an external associate of the states of the British Commonwealth’, rather than a full member. The willingness to accept any such relationship or recognition of the crown, however, depended on the Irish securing British commitments on the ‘essential unity’ of Ireland.

It is often assumed that the Treaty gave away Northern Ireland, but there had been no meaningful move towards negotiations until after Northern Ireland was firmly established. The Ulster Unionist leader James Craig, as Prime Minister of Northern Ireland, had enough political support in London to ignore suggestions that he make concessions towards Irish unity. Lloyd George was a Liberal Prime Minister at the head of a coalition dominated by the Conservative Party, who were sympathetic to Ulster Unionism. During the negotiations Lloyd George persuaded Griffith not to officially reject a proposal that Northern Ireland would have a right to vote itself out of an all-Ireland parliament, and that a ‘boundary commission’ could then adjudicate on the border. Lloyd George and Winston Churchill felt that partition was inevitable and were opposed to using coercion to end it. The proposals that Griffith agreed not to reject made their way into the Treaty, as Lloyd George ultimately used Griffith’s



Arthur Griffith and Michael Collins emerge from 10 Downing St during the Treaty negotiations, with Emmet Dalton on the far left. Dalton had served in the British Army during the First World War and later joined the IRA. He made some of the arrangements for the Irish delegation in London, including purchasing an aircraft to fly Collins and others back to Ireland should the talks collapse. (National Library of Ireland).

commitment against him to ensure that the Irish plenipotentiaries could not break off the negotiations on those grounds.

Both sides were prepared to offer concessions and recognized that each had genuine concerns about some of the issues that they were negotiating over. Sovereignty was the central issue for both sides, but they both wanted very different things. The Irish negotiators wanted to secure a deal in which Ireland would be independent, possibly keeping some link to the British Empire if a united Ireland could be obtained. The British wanted to maintain the integrity of an empire that, unlike many of its counterparts, had emerged victorious from the First World War. Complete independence for a large portion of what was then the United Kingdom was never going to be acceptable to the British, and neither was the idea that Ireland could become semi-detached from the empire by what was described as 'external association'.

The Irish negotiators were in no position to bridge the gap between their position and that of the British. At the end, the British successfully forced the Irish to agree to the Treaty on the grounds, as Lloyd George reportedly put it, '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'.

The Irish Self-Determination League,
(Newport, Mon. Branch.)

36, Clarence Street,

J. WALSH,
Hon. Secretary.

Newport, Mon.,

Oct 12th 1921

A. Chara

I am directed by members of the about to submit the following resolution. (That we the members of the Newport Branch of the I. S. D. L. place our entire confidence in the Irish Peace Delegates of whom we hold are the right and proper persons to decide the future welfare of Ireland and we pledge them our united support in whatever action they may think fit to take.) Trusting that the time is not distant when the oppressions of seven & a half centuries will be rewarded with an United Irish Republic. I remain

Is misa do Chara

J. Walsh
Hon. Sec

The Anglo-Irish Treaty: an overview

Michael Kennedy, Executive Editor, DIFP

The ‘Articles of Agreement for a Treaty between Great Britain and Ireland’, usually known as the ‘Anglo-Irish Treaty’, was signed in London on 6 December 1921 by the British delegation led by Lloyd George and the Irish delegation led by Arthur Griffith. It created the Irish Free State as a self-governing Dominion in the British Commonwealth and ended 120 years of direct British rule over twenty-six out of the thirty-two counties on the island of Ireland. The ‘self-government’ granted by the Treaty went far beyond what the traditional nationalist demand for Home Rule would have delivered, but was seen by many to fall short of the full independence demanded by Sinn Féin and the IRA. Its terms led directly to the Civil War that broke out in June 1922.

The Treaty consisted of eighteen articles. Articles 1 and 2 gave Ireland the same constitutional status as the four existing dominions (Canada, Australia, New Zealand and South Africa), along with a parliament and government. The concept of ‘dominion’ status was relatively vague in 1921. The idea originated in the 1867 Colonial Laws Validity Act and the creation of Canada as a dominion, and the new Irish state’s relationship with the British crown was explicitly modelled on that of Canada. The ambiguity of dominion status allowed figures like Michael Collins to argue that the Treaty could become a stepping stone to Irish independence, though this argument was rejected by those republicans opposed to the Treaty

Article 4 outlined the Oath of Allegiance to the British crown that was to be taken by TDs in the Irish Free State, and this was the principal cause of the split which led to Civil War in June 1922. The oath was necessary for the British as it ensured the integrity of their empire but was anathema to many who believed in an independent Irish republic.

Articles 5 and 10 dealt with financial obligations. Article 5 outlined the Free State’s responsibility for servicing the British public debt as it existed in 1921 and payments towards war pensions. Article 10 covered compensation to those who left the Irish public service as a result of the creation of the Free State.

Between Articles 5 and 10 were the articles covering naval and military matters. Under Article 6 Britain assumed responsibility for the naval defence of the Irish Free State until it could undertake its own coastal defence. Through Article 7 Britain retained the ‘Treaty Ports’ of Queenstown, Berehaven and Lough Swilly. These were seen as important for the defence of British trade routes and created a visible British military presence in Ireland. They were returned to Irish control in 1938, allowing Ireland to remain neutral during the Second World War. Under the Treaty, Britain had also reserved the right to take other facilities in Ireland ‘in time of war’.

Articles 8 and 9 limited the size of the future Irish military establishment, in tune with contemporary concerns about disarmament after the First World War, but also reflecting the British view that independent Ireland should never pose a military threat. Article 9 ensured that Irish ports would be 'freely open' to British shipping.

Ireland had been partitioned under the Government of Ireland Act (1920). Articles 11 to 16 of the Treaty – almost one third of the entire text – dealt with the position of Northern Ireland in relation to the establishment of the Irish Free State. Article 11 permitted Northern Ireland to choose to remain outside the jurisdiction of the Free State and if that happened, Article 12 allowed for a Boundary Commission to be set up to determine the new border between north and south. This was inspired by undertakings in post-war Europe to regulate the boundaries of the newly established states of Eastern and Central Europe. Northern Ireland did opt out of the Irish Free State, which consisted of only twenty-six of Ireland's thirty-two counties. The findings of the eventual Boundary Commission were leaked in 1925 and its report was suppressed until 1969. It had recommended minor revisions of the border, including the unexpected recommendation that the Irish Free State cede territory to Northern Ireland. The border did not change.

Article 13 allowed for a cross-border Council of Ireland, and Article 14 for the creation of a federal government on the island of Ireland that would allow Northern Ireland to keep control of its local affairs. Cross-border inter-governmental meetings were enabled under Article 15, and Article 16 dealt with the relationship between church and state and envisaged freedom of belief and freedom from discrimination in education and religion in the Irish Free State and Northern Ireland.

The final articles concerned the transfer of power, which was to take place after parliamentary approval in Britain and Ireland and involved the establishment of a Provisional Government in Dublin to oversee the transfer of power. Finally, an annex to the Treaty addressed issues relating to naval facilities and communications. Often overlooked, its terms show Ireland's geo-strategic importance to Britain and to imperial communications. The Irish Free State officially came into being on 6 December 1922, one year after the Treaty was signed.

Britain believed that, as the Commonwealth was a single international entity, its constituent members could not sign international treaties with each other. Dublin disagreed and had the Treaty registered with the League of Nations as an international treaty in July 1924. Its contentious terms were removed one by one throughout the 1920s and 1930s by successive Irish governments. It was rendered redundant by the 1937 constitution (*Bunreacht na hÉireann*); Ireland ultimately left the Commonwealth in 1949.

Irishes Bulletin Nr. 46

[Deutsches Büro für Nachrichten aus Irland, Berlin-Wilmersdorf, Nassauische Straße 4.]

Britischer Militarismus.

Ein Versuch, die Aussichten auf einen Erfolg der irischen Konferenz zu vereiteln.

Um die künftigen Beziehungen zwischen England und Irland festzusetzen, wurde gestern die Konferenz in London eröffnet. Vor ungefähr einer Woche schon sind anscheinend organisierte Angriffe von englischen Soldaten auf die Zivilbevölkerung in verschiedenen Teilen Irlands unternommen worden. Der gleichzeitige Ausbruch dieser Angriffe läßt darauf schließen, daß sie in der Absicht unternommen wurden, entweder die Bevölkerung zu Vergeltungsmahregeln herauszufordern, oder die republikanische Armee wieder unter die Waffen zu rufen. In jedem dieser Fälle wurde den englischen Truppen Gelegenheit geboten, die Feindseligkeiten in großem Umfange wieder aufzunehmen, und unter solchen Umständen wurde eine Fortsetzung der Konferenz unmöglich gemacht. Durch seine Selbstkontrolle und Disziplin hat das irische Volk jedoch diese Versuche wenigstens für den Augenblick zunichte gemacht.

Auf die Größe der Herausforderung lassen die folgenden Einzelheiten schließen: Am 28. September wurde in den Straßen von Tipperary ohne jede vorhergehende Warnung von Soldaten der berüchtigten Hilfstruppen geschossen. Von den Leuten, die gerade zu dieser Zeit aus einem Kino kamen, wurde ein Mann getötet und drei andere Personen, unter ihnen ein junges Mädchen, schwer verwundet.

Während eines Tanzabends, der in Galway am 2. Oktober veranstaltet war, griffen die Hilfstruppen junge Leute an, die im Begriff waren, in den Ballsaal zu gehen. Sie wurden durchsucht und verprügelt; dann stürmten die Soldaten in den Saal und schossen aus ihren Revolvern. Um dem Regelregeln zu entgehen, mußten sich die Tanzenden auf den Fußboden werfen. Eine Anzahl junger Mädchen wurde ohnmächtig, während alle anwesenden Männer in brutaler Weise durchsucht und mißhandelt wurden.

Am frühen Morgen des 6. Oktober erzwangen sich Soldaten den Eintritt in verschiedene Häuser der Stadt Thurles; sie schleppten die Schlafenden aus ihren Betten und schlugen so unbarmherzig auf sie ein, daß viele von ihnen infolgedessen ins Krankenhaus gebracht werden mußten. Nachdem sie ihren rohen Gelüsten genügend gefrönt hatten, verbrannten die Soldaten die Kleider und das Hausgerät ihrer Opfer.

Am demselben Tage wurde in Cork ein junger Sinnfeiner auf offener Landstraße angehalten und erschossen.

Am 5. Oktober wurde ein Versuch gemacht, einen jungen Freiwilligen in Ballina zu erschließen, es gelang ihm jedoch zu entkommen.

In Dunmanway erschienen Hilfstruppen, feuerten nach allen Richtungen durch die Straßen und mißhandelten besonders alle diejenigen, die für ihre Sympathien mit den Sinnfeinern bekannt waren.

Wenn man die Tatsache in Betracht zieht, daß die oben erwähnten Städte verhältnismäßig weit von einander entfernt liegen, so muß man unbedingt zu dem Schluß kommen, daß diese Angriffe planmäßig und in der Absicht stattgefunden haben, das Volk zur Wiederaufnahme der Feindseligkeiten zu veranlassen, während die Konferenz tagt.

Die irischen Vertreter auf der Londoner Konferenz.

Arthur Griffith. Der Führer der irischen Delegation und der Vizepräsident der irischen Republik ist der Begründer der Sinnfein-Politik. Vor 20 Jahren fing er an zu predigen, daß Irland seine Rettung in sich selbst suchen müsse, anstatt sich auf fremde Hilfe zu verlassen oder auf die Zeit zu warten, in der England von Neuem ergriffen werden könnte. Er lehrte, daß Irland seine eigenen Hilfsquellen entwickeln, seinen eigenen Handel aufrecht erhalten, seine eigene Sprache sprechen, seine eigene Musik und Kunst, seine eigenen Spiele und Tänze pflegen müsse, falls es dem Prozeß der Anglisierung erfolgreichen Widerstand leisten wolle. Vor allem drang er darauf, daß die irischen Vertreter nicht länger nach Westminster gehen sollten, wo ihre Gegenwart eine stillschweigende Anerkennung des englischen Rechtes wäre, Irland Gesetze vorzuschreiben. Er hatte große Schwierigkeiten zu überwinden, um das irische Volk zur Annahme dieser lehrerwähnten Theorie zu bewegen, aber dank seiner Beharrlichkeit gelangte er zum Ziel. Nach langen Jahren angestrengten Predigens in der Wüste bedeutet diese Konferenz einen großen Triumph für ihn.

Michael Collins war früher Generaladjutant der irischen republikanischen Armee und ist jetzt der Finanzminister der irischen Republik. Vor einigen Monaten setzte die englische Regierung einen Preis von tausend Pfund Sterling für Auskunfts aus, die zu seiner Verhaftung führen würde. Jetzt ist es dem englischen Ermittler sehr angenehm, ihm auf dieser Konferenz zu begegnen.

Robert Barton verbüßte vor wenigen Monaten sein Urteil in einem englischen Gefängnis unter den niedrigsten englischen Verbrechen. Er wird von den Engländern besonders gehaßt, weil er seiner Geburt und Erziehung nach zu jener Klasse gehörte, die als „Englands treue Garnison in Irland“ bekannt ist. Trotzdem wandte er sich von England ab und widmete sich ganz der irischen Bewegung.

Samonn Duggan ist ein Jurist in Dublin. Im Juni unterzeichnete er die Waffenstillstandsbedingungen für die irische Armee, während General Macready für England zeichnete.

George Gavan Duffy war früher der irische Vertreter in Paris. Vor einem Jahre mußte er jedoch Paris verlassen auf Wunsch der französischen Regierung, die zu diesem Schritte durch Lord Derby, den damaligen englischen Gesandten in Paris, gezwungen wurde. Seitdem ist er der Vertreter Irlands in Rom.

Bemerkung. Ein unverkennbarer Fehler hat im letzten irischen Bulletin (Nr. 45) stattgefunden. Der Satz, der in der fünften Zeile der zweiten Spalte beginnt, sollte lauten: „Wir sind überzeugt, daß von dem Ergebnis der kommenden Verhandlungen der Erfolg oder der Mißerfolg der Konferenz in Washington abhängen wird.“

About DIFP

Documents on Irish Foreign Policy (DIFP) publishes the archives of the Department of Foreign Affairs from 1919 onwards, and is a partnership between the Department itself, the Royal Irish Academy and the National Archives. It is a public resource for the study of twentieth century Irish history and the published documents are freely available and fully accessible online at www.difp.ie. All of the documents can be downloaded in pdf format.

The online version of DIFP contains documents and eyewitness testimonies on Ireland's history in relation to the wider world from 1919 onward, many of which are relevant to the Leaving Certificate syllabus topics 'The pursuit of sovereignty and the impact of partition, 1912-1949', 'The Irish diaspora, 1840-1966', and 'Dictatorship and democracy in Europe, 1920-1945'. The documents also contain material on a very wide range of topics that can potentially be used for the Leaving Certificate history research study report.



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