

3.IRL The Pursuit of Sovereignty and the Impact of Partition | Sample answer

Why were both the negotiations and terms of the Anglo-Irish Treaty, 1921, controversial? (2018)

The Anglo-Irish Treaty was signed by the representatives of both the British and Irish governments in the early hours of December 6th, 1921. Almost immediately, this agreement was the subject of serious and ultimately violent disagreement as to its meaning and implications. This essay will discuss how both the negotiations and terms of the Anglo-Irish Treaty were controversial.

By the summer of 1921, the War of Independence had become both too costly and very unpopular in Britain. There was also growing international pressure to end the conflict. Though he continued to utter hard-line statements of finally “*having murder by the throat*”, British Prime Minister Lloyd George came to accept that the IRA had succeeded in making Ireland ungovernable. At the opening of the Northern Irish Government on 22nd June 1921, the British government extended an invitation to peace talks. However, de Valera would only attend once all military activities had ceased. A truce came into effect on July 11th. The IRA had achieved its goal of forcing the British to negotiate. Its three thousand active volunteers were on the verge of exhaustion. Its stocks of weapons and ammunition were running low. There was growing pressure from within the nationalist community to end the conflict. Parts of Ireland had descended into anarchy and the economic downturn was causing great hardship. The time had finally come for military action to give way to politics

As President of the Dáil, Éamon de Valera led a small delegation consisting of Arthur Griffith, Austin Stack and Erskine Childers to London. De Valera and Lloyd George met for what were essentially “*talks about talks*”. Neither wanted to make any concessions at this point. However, Lloyd George was willing to make a compromise. The maximum the British would succeed was dominion status. This would make Ireland a self-governing nation within the British Commonwealth, but they would have to acknowledge the British monarch as head of state. This was unacceptable to de Valera. He wanted Britain to recognize Ireland’s claim to full independence. Lloyd George claimed that negotiating with de Valera was like trying to “*pick up*

mercury with a fork". The result was a deadlock and de Valera returned home. The two leaders exchanged letters in an attempt to find some basis for which to begin negotiations. Finally, on 30th September, de Valera decided to accept Lloyd George's invitation to talks without preconditions at Downing Street in London.

To the surprise of his cabinet colleagues, de Valera decided not to lead the negotiating team, but to remain behind in Dublin. He had many reasons for doing this. He had been elected President of the Irish Republic by the Dáil and had sworn an oath to uphold the Republic. He could not be seen to compromise that position. By remaining in Dublin, de Valera could also insist that any documents be referred back to Dublin for calm consideration far away from the hot-house atmosphere of the negotiations of London. Other members of the cabinet suggested that de Valera realized that there was no prospect of bringing home a thirty-two-county republic from these talks. de Valera feared unpopularity for failing to deliver a republic. So, he set up others to take the fall. Whatever de Valera's reasons, his decision was very controversial.

Arthur Griffith led the Irish delegation. He was accompanied by Michael Collins and Robert Barton. Legal advice was provided by George Gavan Duffy and Eamonn Duggan, with Erskine Childers acting as secretary. The delegates were called "*envoys plenipotentiary*". This meant that they had the power to negotiate and sign a treaty with the British government on behalf of the Dáil. None of the hard-line republicans like Cathal Brugha and Austin Stack would go. They seemed to view holding discussions on terms less than the immediate British withdrawal from Ireland as tantamount to treason. They were unwilling to make any compromise whatsoever. However, in a move that was to cause great confusion and controversy, de Valera issued the plenipotentiary with written instructions They would have to refer any draft of a treaty back to the cabinet in Dublin before signing it. This blatantly ignored the fact that they were plenipotentiary. This contradiction between the Dáil's authorization and de Valera's letter would later lead to vicious recriminations once the Anglo-Irish Treaty had been signed.

Formal negotiations began at 10 Downing Street on 11th October 1921. The delegations were not evenly matched. The British team consisted of the country's most capable politicians: David Lloyd George, Austen Chamberlain, Winston Churchill, and Lord Birkenhead. Sir Gordon Hewart, the Attorney General, provided legal advice. They were all experienced statesmen, well-versed in the practice of international negotiations. They could call upon the resource and support of a massive civil service machine and they were on home ground. The Irish delegates had none of these

advantages. They were under enormous pressure that those back in Dublin could not or would not appreciate.

From the outset, the British made it clear that a republic was not on offer. Aware of this, de Valera had directed the delegates to negotiate for a “*middle way*” between dominion status and a republic. He called this ‘external association’. It would involve Britain recognizing Ireland as a united, self-governing state that would voluntarily associate itself with the British Commonwealth on all matters of common concern. However, the British would not consider it. They feared that external association would undermine the authority of the crown, diminish the power of the British government and ultimately lead to the dissolution of the Commonwealth itself.

After a series of unproductive meetings, it was agreed to form sub-conferences to tease out difficult issues. From this point on, most of the negotiating on the Irish side was handled by Collins and Griffith. Given the danger that talks might collapse, the Irish delegates had been instructed to manoeuvre the British to break on the issue of Ulster’s status. Griffith agreed that if the unionists refused to join in an all-Ireland parliament, he would accept a Boundary Commission as a way to resolve the Ulster question. It would be the job of this commission to decide the precise borders between the two Irish states. Though the two sides reached compromise on defence and trade, the constitutional issues remained unresolved. Some form of dominion status would have to be considered. The British insisted upon some role for the British monarch in Ireland. Collins and Griffith reluctantly concluded that the crown would have to have some future role within the internal affairs of Ireland. On 28th November, Lloyd George agreed that Ireland’s status would be the same as that of Canada. This wouldn’t guarantee that Britain would never again interfere in Irish affairs, however, it would make it highly unlikely.

The British put forward their final proposals on 1st December, and they were discussed by the full Irish cabinet on 3rd December. Collins, Griffith, and Duggan said that this was Britain’s final offer. Barton and Childers disagreed. There was a bitter confrontation between Brugha and Griffith, and the delegates returned to London with more instructions from de Valera. They were not to sign any agreement without referring it back to the cabinet again. Lloyd George decided to force a resolution. On 4th December, the British delegation ended discussions. The following morning Lloyd George issued an ultimatum: sign the treaty or resume the fighting. There was no opportunity to bring the text unsigned back to Dublin. Collins and Griffith convinced their fellow delegates to sign. They knew that it was politically impossible for Lloyd George to make any

further concessions. The treaty would transfer all key political and economic powers to the Irish government. They also recognized that they had no chance of winning if “*an immediate and terrible war*” began as promised.

In conclusion, both the negotiations and terms of the Anglo- Irish Treaty proved controversial. It created great divisions in Ireland between those who accepted the treaty and those who didn't. Hundreds died in the bloody civil war that would follow.