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Lord Birkenhead and the Irish question

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LORD BIRKENHEAD
AND
THE IRISH QUESTION

BY
ROBERT ALLAN ARMISTEAD KESTER

A THESIS
SUBMITTED TO THE GRADUATE FACULTY
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APPROVAL SHEET

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PREFACE

The life of Frederick Edwin Smith, 1st Earl of Birkenhead (1872-1930), was fascinating but puzzling. The second Earl of Birkenhead has described his father as "a brilliant failure," a man of tremendous intelligence and talent who failed to reach the pinnacle of success. Most historians have confirmed this assessment but have added a somewhat sinister element to Birkenhead's career. Birkenhead is generally depicted as a latter-day condottiere, reckless and unprincipled, who used his great gifts in any expedient or demagogic scheme that would advance his career.

Birkenhead was rarely guided by moral or ethical considerations, and, like any other prominent individual in politics, he certainly had a healthy dose of ambition. However, in the coalition Government of 1919-22, Birkenhead laid a double claim to the nebulous mantle of statesmanship. In his position as Lord Chancellor, he was responsible for progressive legislation that served as landmarks in the reform of the English legal system. Secondly, Birkenhead was instrumental in securing the Articles of Agreement in December 1921 which ended the conflict between British and Irish forces and granted self-government to Ireland. Birkenhead's achievement in bringing about this agreement was such that when he died nearly a decade later, The Times (October 1, 1930) declared that "the Irish Settlement was largely due to his patience and reason. . . . he frequently made further negotiations possible when it seemed that a deadlock could not be avoided."

The incongruity between the historical interpretation of Birkenhead as selfish and unscrupulous and the disinterested role which he played in the Irish settlement was intriguing, and it prompted me to research this topic. The results of my research have, I believe, produced a substantially different assessment of Lord Birkenhead and his place in modern British history.

This thesis is not a straightforward biography of Birkenhead but an account of the effect which the Irish problem had on British politics from 1912 to 1921 and Birkenhead's occasionally ambiguous contributions to the solution of that problem. Birkenhead's personal life and his achievements and activities outside of the Irish question are given only cursory treatment, although the first chapter gives a description of Birkenhead's life up to 1911--with particular emphasis on the constitutional crisis of 1909-11, the bitterness of which helped to create the tense atmosphere of the Home Rule controversy in 1912-14--and the fourth chapter briefly outlines the strengths and weaknesses of the coalition ministry of 1919-22, thus providing the background for the Irish negotiations in 1921. Events in Ireland are described with some thoroughness in order to show the conditions in that island and the constant pressure which was placed on the British Government to devise a viable policy. For the sake of clarity and chronology, Birkenhead is referred to as "Smith" until he was raised to the peerage in 1919, after which time he is designated by his title.

As will be explained more fully in the second chapter, the term "Unionist" was virtually synonymous with Conservative from 1895 until the 1921 settlement. Conservatives and many Liberals joined forces in 1886 to prevent Gladstone from giving Home Rule to Ireland and ending the union

of Ireland and Great Britain; these Conservatives and Liberals united to form the Unionist Party for the primary purpose of blocking any attempt to disrupt the United Kingdom. However, within the Unionist Party, a subtle distinction was made as to a person's affiliation before the Home Rule furor: Arthur Balfour, for example, was considered to be a Conservative while Joseph Chamberlain was considered to be a Liberal Unionist, but both men were members of the Unionist Party. "Tory" is, of course, the traditional nickname for a person who is associated with the Conservative philosophy or political organization.

Unfortunately, some documents and personal papers are not available in this country, but a few references to the major sources that were used in the preparation of this thesis are, perhaps, in order. The totally free access to the University of Virginia archives in Charlottesville was a godsend in providing material from the Parliamentary Debates, The Times of London, and contemporary publications, as well as from biographical and general background books. The Library of Congress also contained invaluable material--most notably, the correspondence between David Lloyd George and Sir James Craig and Eamon de Valera in 1921.

Among general works, Lord Pakenham's Peace by Ordeal is still the definitive study of the negotiations in 1921; Frank Gallagher's book, The Anglo-Irish Treaty, which was edited and published posthumously, contained interesting details, but the reader should be forewarned that it was written from the Irish republican viewpoint. Thomas Jones' journal, Whitehall Diary, which was edited by Keith Middlemas, was highly informative, as was the gossipy diary that was kept by Lloyd George's mistress, Frances Stevenson. Lord Beaverbrook's brilliant study of the coalition Government, The Decline and Fall of Lloyd George, gave very pungent informa-

tion about the politics of the era, as did Salvidge of Liverpool, which was based on the diary of Birkenhead's political mentor. The Tory right-wing found notable spokesmen in Leopold Amery, who produced remarkably literate memoirs, and in the startlingly candid diaries of Sir Henry Wilson. Winston Churchill's observations in Great Contemporaries and, especially, The Aftermath were relied upon heavily, and Dorothy Macardle's monumental work, The Irish Republic, was also used extensively.

In the realm of biography, Birkenhead's son wrote a comprehensive study of his life though one should balance this obeisant biography with the shorter but more cynical account of Birkenhead's career, The Glittering Prizes, by William Camp. Outstanding political biographies included Robert Blake's study of Bonar Law, The Unknown Prime Minister, and Roy Jenkins' Asquith. Houghton Mifflin's multi-volumed project, Winston S. Churchill, started by Randolph Churchill and, after his death in 1968, continued by Martin Gilbert, was also outstanding. On the Irish side, the recent biography of Eamon de Valera by the Earl of Longford and Thomas O'Neill was easily the finest, although Denis Gwynn's The Life of John Redmond ran a distinguished second. Any discussion of biographical material would have to include Sir Harold Nicolson's classic biography of George V, which was particularly valuable in the pre-1914 phase of the Irish question.

In the first chapter, which dealt with Birkenhead's early life, the two aforementioned biographies of him were extremely important, as was Salvidge of Liverpool. Among other material which proved to be useful, Barbara Tuchman's brilliant work, The Proud Tower, was excellent, and so too was Roy Jenkins' study of the constitutional crisis of 1909-11, Mr. Balfour's Poodle; in a lighter vein was J. B. Priestly's The

Edwardians and Peter de Mendelssohn's The Age of Churchill, both enormously entertaining and informative social histories.

I would also like to express my gratitude to Dr. John L. Gordon, Jr., whose advice and suggestions were continually helpful.

Robert A. Kester

Richmond, Virginia
April, 1973

I

TORY DEMAGOGUE

(1)

Frederick Edwin Smith was born at Birkenhead, Lancashire, on July 12, 1872, the day which had been celebrated for nearly two centuries in Ulster as the anniversary of the Battle of the Boyne, in which William of Orange defeated the Catholic forces of the deposed James II. This coincidence concerning Smith's birthday was insignificant except that it later entitled him to claim the status of an honorary Ulsterman when the Irish question again came to the fore of British politics.¹

In later years, Smith enjoyed boasting of his humble origins and exaggerating his success as a self-made man. When he was elevated to the peerage in 1919, Smith placed on his crest the inscription, Faber meae Fortunae ("Smith of my fortune").² This impression of Smith rising from dire circumstances to worldly success, however, is misleading. Although he could count miners and pugilists among his forebears, his father was a respectable lawyer who became Mayor of Birkenhead, a town on the south bank of the Mersey River across from Liverpool. Smith's father died when

¹Second Earl of Birkenhead, F. E.: The Life of F. E. Smith, First Earl of Birkenhead (London, 1960), 13.

²Ibid.

F. E. was sixteen years old, and, while he did not leave great wealth, there was enough money for the family to exist on a fairly comfortable middle-class level.³

At an early age, F. E. was instilled with a "pathological determination to succeed," having listened to his father's constant exhortations to make a name for himself at the Bar and in politics. Indeed, his father had shown prophetic insight when he urged his young son to strive to become Prime Minister or Lord Chancellor.⁴ Although young Smith was not able to attend Eton or Harrow, he did receive a public school education in Lancashire and, by means of a scholarship, advanced to Wadham College, Oxford,⁵ where he distinguished himself as a leading debater of the Oxford Union and took First Class Honors in 1895, and where he also developed expensive tastes which he never abandoned.⁶

Following graduation, Smith became a Vinerian Law Scholar at Oxford, being elected a Fellow of Merton College.⁷ He abandoned his academic career in 1899 in order to establish a law practice in Liverpool, where, within two years, he felt sufficiently secure to marry Margaret Furneaux, the daughter of an Oxford don.⁸ In the early 1900's, Smith's quick wits and genuine legal ability made him highly successful in Liverpool, but the rising young lawyer's extravagant mode of living

³Ibid., 13, 16-17.

⁴William Camp, The Glittering Prizes: A Biographical Study of F. E. Smith, First Earl of Birkenhead (London, 1960), 14-15.

⁵2nd Earl of Birkenhead, F. E., 22-23, 26-28.

⁶Ibid., 42-51, 55-56.

⁷Ibid., 56-59.

⁸Ibid., 70, 77.

caused a chronic need for money. To supplement his legal income, Smith, whose religious background was nonconformist, became secretary of the Liverpool chapter of Lady Wimborne's League, an evangelical movement to prevent the use of imagery and ritualism in English churches. Smith decided to brighten the League's drab office with lithographs of the Virgin Mary--an act of irreverent humor which soon caused his dismissal.⁹

It was inevitable that a young, clever, ambitious lawyer with a flair for public speech would consider a career in politics. As early as 1894, Smith made his first political speech at a public meeting in Liverpool on the question of workmen's compensation and employer liability, and, at that time, he caught the attention of Archibald Salvidge, the leading Unionist power broker in the Liverpool area. Salvidge saw in Smith a potentially useful recruit to his stable of politicians and agreed to support Smith whenever he decided to plunge into active politics.¹⁰ In 1904, Smith made an unsuccessful attempt to obtain the Liverpool Recordership, which was given instead to an individual who had been more involved in local politics; this was actually a blessing for Smith, as municipal government is not often the most propitious route to national prominence. Through Salvidge's efforts, Smith was chosen to be the Unionist candidate for the Scotland division of Liverpool whenever the next general election was held. Even though this district was considered Liberal due to its rather sizable Catholic population, Smith was eager for the chance to run for Parliament.¹¹

⁹ Ibid., 74-75.

¹⁰ Stanley Salvidge, Salvidge of Liverpool: Behind the Political Scene, 1890-1928 (London, 1934), 18-19.

¹¹ Ibid., 62-63.

Aside from Salvidge's influential support, there were additional reasons why Smith entered the Unionist Party: Smith's father had been a Conservative, and, in 1903, when the debate over the "Imperial Preference" program of Unionist Joseph Chamberlain came to dominate politics, Smith found himself in agreement with Chamberlain's idea of tariff reform and Imperial unity, as opposed to the traditional policy of free trade.¹² When Chamberlain had appeared in Liverpool that year to speak in behalf of tariff reform, Smith had been selected by Salvidge to follow Chamberlain's speech--not an easy task in an area where "Joe" Chamberlain was virtually a folk hero. Nevertheless, Smith proceeded to elicit from the audience an even warmer response than had been accorded Chamberlain. Instead of being irked at having an unknown fledgling upstage him, Chamberlain had asked Salvidge, "Who on earth is this?" When Salvidge explained that Smith was his most promising candidate and that he was trying to secure a safe seat for him, Chamberlain remarked, "He will go far." After the rally ended, Chamberlain encouragingly told Smith to contact him in London as soon as he had been elected to Parliament.¹³

That time was soon at hand because the Unionist majority in Parliament was rapidly disintegrating as a result of the feud between Chamberlain and Prime Minister Arthur Balfour over the tariff reform question, and as a result of public weariness with nearly two decades of Tory rule. In December 1905, Balfour resigned, and a Liberal "caretaker"

¹² 2nd Earl of Birkenhead, F. E., 109.

¹³ Salvidge, Salvidge of Liverpool, 54-55; Camp, The Glittering Prizes, 38-39.

ministry was formed while a general election was held. In order to give Smith every possible advantage, Salvidge switched Smith's prospective constituency, enabling him to run as the Unionist candidate for the more secure Walton division of Liverpool.¹⁴

Liverpool, a large port city on the Irish Sea, had a political temperament more akin to Belfast or Londonderry than to a typical English city because of its considerable Irish population, which was mostly of Ulster Protestant, or "Orange," persuasion. Smith shrewdly guessed that Liverpool voters would be less affected by Liberal arguments for free trade and social reform than by more visceral issues. Therefore, he campaigned as a supporter of "Joe" Chamberlain and as a resolute opponent of Home Rule for Ireland. By appealing to Unionist and "jingo" sentiments, Smith made a strong bid not only for the votes of the middle class but also of the Liverpool working class, where Orange sympathy was a powerful force.¹⁵ When the votes were counted in January 1906, F. E. Smith was Walton's new representative in Westminster.

(2)

The general election of January 1906 was a watershed in British history: The Liberal Party won a resounding victory and proceeded to lay the foundations of what has come to be termed the "welfare state." The F. E. Smith who sat on the decimated Unionist benches early in 1906 was

. . . tall, dark, slender and a little overdressed. His eyes and hair were lustrous, the first from nature, the second from too much oil. His mouth had always a slightly contemptuous droop, his voice was a beautiful drawl. He

¹⁴Salvidge, Salvidge of Liverpool, 63-64.

¹⁵2nd Earl of Birkenhead, F. E., 119-120.

had acquired . . . the airs of a fox-hunting man who could swear elegantly in Greek. . . .¹⁶

The fact that Smith was one of the few new M. P.s on the Unionist benches, and one of the few Unionists at all to be victorious in the face of the Liberal tidal wave, gave him a unique opportunity to rise in the Party ranks, and, like Benjamin Disraeli before him, he saw that a career could be built on the ruins of a political party. Accordingly, he decided to stake his claim to future Unionist leadership with a spectacular maiden speech. Smith realized that it was a gamble in which he could achieve a magnificent triumph or suffer ignominious humiliation. "If I fail," he told his wife, "there will be nothing for me but to remain silent for three years until my disgrace is forgotten."¹⁷ Smith chose March 12, 1906, as the occasion for his speech and asked Joseph Chamberlain to ensure a favorable time for it. Anxious to help Salvidge's protégé, Chamberlain arranged for Smith to be called on by the Speaker at 10 p.m., an hour when the benches and galleries of the Commons were usually filled.¹⁸ On that evening, the issue under discussion was free trade. Smith was ostensibly to direct his remarks to the Liberal Government's tariff policy, but, in fact, he launched a full-scale attack on the Liberal Party program. The scene was afterwards described by Philip Snowden, a Labour M. P. who was also new to Parliament in 1906:

. . . there arose from the Tory benches a young man, sleek and well-groomed, whose self-confidence immediately arrested the attention of the House. He delivered a maiden speech which is still spoken of as the most successful first effort made by any member of Parliament

¹⁶George Dangerfield, The Strange Death of Liberal England, 1910-1914 (New York, 1961), 53-54.

¹⁷2nd Earl of Birkenhead, F. E., 126.

¹⁸Camp, The Glittering Prizes, 41.

in [this] generation. . . . The speech was a masterpiece of destructive criticism, of irony and satire. It was faultlessly delivered, and every shaft went home. The Tories were sent into hysterical delight. . . . I cannot remember that I have since heard a speech quite like it in Parliament.¹⁹

Smith began his speech by declaring his preference for tariff reform,²⁰ which led him to a criticism of the Government's fiscal policy which, in turn, led to a personal attack on one of the most conspicuous and radical Liberal leaders--David Lloyd George, President of the Board of Trade. Smith accused Lloyd George of using demagogic tactics in the recent campaign and of deceiving "ignorant men" in his Welsh constituency.²¹ When his reference to "ignorant men" brought hostile comments from the Liberals, Smith remarked sardonically: "In relation to the Right Honourable Gentleman [Lloyd George] they are ignorant. Is that disputed?"²²

To Smith's claim that Lloyd George had deliberately misled "simple rustics" by telling them that the Tories would introduce Chinese slavery in the hills of Wales, Lloyd George angrily interjected, "I did not say that!" Smith coolly replied: "Anticipating a temporary lapse of memory, I have in my hand the Manchester Guardian of January 16th," and, after reading the disputed passage, added, "I would rather accept the word of its reporter than that of the Right Honourable Gentleman."²³

Smith then proceeded to challenge the assertion of the Liberals that they had a mandate to bring about sweeping reform; he stated that the

141. ¹⁹Philip, Viscount Snowden, An Autobiography, I (London, 1934),

²⁰Parliamentary Debates, 1906, 4th Series, CLIII, 1015.

²¹Ibid., 1017.

²²Ibid.

²³Ibid.

Liberals' majority in the House of Commons did not reflect their support in the country. He pointed out that the Unionist candidates polled a total of 2.5 million votes in the recent election, while the combined total of the Liberal, Labour, and Irish Nationalist candidates was 3.3 million votes--a victory, but hardly an overwhelming endorsement of social revolution.²⁴

His statements drew a jeering response from the Government benches. Smith asked disingenuously, "I gather it is suggested that my figures are wrong?" Upon receiving a boisterously affirmative reply, Smith said, "They very probably are. I took them from the Liberal Magazine."²⁵ Smith concluded his speech by warning the Liberal Government not to betray the ancient English traditions "which our predecessors in this House vindicated for themselves at the point of the sword."²⁶

His forensic effort was an enormous success; when he sat down, Smith, in his son's words, had the House "in his pocket."²⁷ The speech, without the benefit of Smith's delivery, may seem shallow in retrospect, lacking any depth or substance, but

. . . it was the instinct with which it seized the occasion and the gay audacity with which it charged the victorious enemy and put heart into his cowed and humbled colleagues that made it famous.²⁸

Even Lloyd George, the target of many of Smith's barbs, saluted Smith for "a very brilliant speech."²⁹ Smith's triumph must have seemed com-

²⁴Ibid., 1022.

²⁵Ibid.

²⁶Ibid., 1023.

²⁷2nd Earl of Birkenhead, F. E., 132.

²⁸A. G. Gardiner, Portraits and Portents (London, 1926), 128.

²⁹Parliamentary Debates, 1906, 4th Series, CLIII, 1024.

plete when, several days later, King Edward VII specifically requested Smith's presence at a dinner party so that he might meet this young phenomenon from Liverpool.³⁰ Thus, in a little less than one hour of speaking, F. E. Smith transformed himself from an obscure novice into a major political figure.

(3)

Smith's meteoric rise in politics naturally gave dramatic impetus to his legal career. He established a practice in London and, in 1908, "took Silk," becoming, as his son related, the "youngest King's Counsel in the country."³¹ Smith rapidly developed a considerable reputation as a barrister, winning both fame and income in the courtroom. In 1910, he became involved--as a lawyer--in the sensational "Dr. Crippen" case, one of those lurid murder/sex trials so beloved by the press and public. Smith defended Crippen's mistress, Ethel Le Neve, at the Old Bailey on a charge of being an accessory to murder after the fact. She was acquitted.³² Smith's reputation as an advocate was so formidable that two prominent Liberals, Sir Rufus Isaacs (later Lord Reading) and Herbert Samuel, retained Smith as their counsel in a libel suit when they were accused of being involved in the "Marconi scandal" of 1912-13. This brought censure from some Unionists who complained that he was assisting the Liberals in escaping from a potentially embarrassing political situation.³³

³⁰ 2nd Earl of Birkenhead, F. E., 133.

³¹ Ibid., 97.

³² Ibid., 101-105.

³³ Robert Blake, The Unknown Prime Minister: The Life and Times of Andrew Bonar Law, 1858-1923 (London, 1955), 143-144.

Meanwhile, Smith was being relied upon by the Unionists to deliver the most slashing, partisan attacks on the Liberals. His bon mots were savored by the Tories. For example, his clever comment on the Liberals' social reform policies: "The Socialists had better not cheer the name of Mr. [Winston] Churchill, for he will most likely steal their clothes when they go bathing--if they do bathe, which I doubt."³⁴ In regard to the Liberal attempt to disestablish the Anglican Church in Wales, Smith remarked, with calculated condescension, that Anglican ministers had proven to be very beneficial to Wales, for it was valuable for Welshmen "to have living in their midst a man of education and refinement, to whom they can turn for advice in times of difficulty and adversity."³⁵

Behind his facade of hubris, however, Smith was a thoughtful man. He was a member of the Unionist Social Questions Committee and realized that if the Tories had nothing to offer the working class, they would be condemning themselves to perpetual minority status; indeed, had it not been for the votes of Liverpool workingmen, Smith would not have been in Parliament. Smith favored a Unionist policy modeled on the concept of "Tory democracy" and was capable of making remarks more typical of Lloyd George or a Labour M. P. than of an aspiring Tory, such as his statement that England contained

. . . the most revolting slums in Christendom and hundreds and thousands of our fellow-subjects live under conditions which render civilization a mockery and morality a name. . . .³⁶

³⁴Barbara W. Tuchman, The Proud Tower: A Portrait of the World Before the War, 1890-1914 (New York, 1966), 373.

³⁵Colin Cross, The Liberals in Power, 1905-1914 (London, 1963), 167.

³⁶Camp, The Glittering Prizes, 38.

Similarly, Smith's insulting reference to Welshmen had a modicum of philosophy as its basis. As noted above, Smith had been raised as a nonconformist, but insofar as he had any religious beliefs as an adult, Smith was an Erastian and, as such, supported the Church of England for political rather than religious reasons, as a necessary means of ensuring social stability.³⁷

Yet Smith did not allow this reflective bent of mind to intrude on his public persona. Despite having a brilliant mind, remarkable for its powers of rational logic, and a rare command of the English language, Smith was not a great orator, but rather a stunningly effective debater. He seldom attempted to sway men's minds, preferring instead to score temporary tactical points against his opponents.

These characteristics may make Smith seem inconsequential to posterity, but they were the reason why he was such a gallery favorite in his own day. For he was the "Tory's Tory" who could always be expected to deliver, "with thrilling insolence,"³⁸ the instinctive Tory response to any stimuli--socialism, trade unionism, Home Rule for Ireland, women's suffrage,³⁹ attacks on the Anglican Church, reform of the House of Lords, etc.--and couch his arguments in such language as to give his position the trappings of common sense and make his adversaries appear ridiculous. One colleague characterized Smith's effectiveness in the following terms: "For the everyday duel of debate, for hard hitting argument seasoned with barbed invective and arrogant sarcasm, F. E. Smith was our outstanding gladiator."⁴⁰

³⁷ 2nd Earl of Birkenhead, F. E., 136.

³⁸ Tuchman, The Proud Tower, 373.

³⁹ Parliamentary Debates, Commons, 1913, 5th Series, LII, 1984-1994.

In these years before the First World War, Smith acquired a considerable popular following, particularly among women (in spite of his views on female suffrage), and, as his biographer wrote, his dark, handsome countenance made him "something of a 'pin-up'," with pictures of him being sold as if he was a matinee idol of the stage.⁴¹ Lloyd George's son later recorded his early impression of Smith as a "very dashing personality; witty (to the point of folly), engaging and tremendously charming."⁴² Smith drove himself to the limit of endurance, both in work and play, and his indulgence in pleasures of the flesh was recognized by his good friend, Winston Churchill, who wrote laconically that Smith "burned all his candles at both ends."⁴³

Smith and Churchill developed an extremely close friendship, despite the fact that they were on opposite sides of the House before the First World War. These two young "men-on-the-make" were kindred spirits, and in 1907, the Tory backbencher and the Liberal Under-Secretary for the Colonies spent part of the summer touring France and Italy together, whereupon Smith presented Churchill with a copy of the Odes of Horace to correct his deplorable ignorance of the classics.⁴⁴ Smith and Churchill were the godfathers of each other's only son,⁴⁵ and, in his affectionate biographical sketch of Smith, Churchill wrote that Smith's friendship was "one of my most precious possessions."⁴⁶

⁴⁰ L. S. Amery, My Political Life, Vol. I: England Before the Storm, 1896-1914 (London, 1953), 388.

⁴¹ Camp, The Glittering Prizes, 61.

⁴² Earl Lloyd George, My Father, Lloyd George (New York, 1960), 130.

⁴³ Winston S. Churchill, Great Contemporaries (New York, 1937), 154.

⁴⁴ Randolph S. Churchill, Winston S. Churchill, Vol. II: Young Statesman, 1901-1914 (Boston, 1967), 215-218.

⁴⁵ Ibid., 217.

A perceptive student of this era has suggested that Churchill was captivated by Smith because Smith reminded him of his idolized father, Lord Randolph Churchill.⁴⁷ Lord Eustace Percy, who knew both Smith and Churchill, was of the opinion that Smith was "in intellect and force of personality" the greater man.⁴⁸ Churchill, perhaps inadvertently, indicated later that he was somewhat intimidated by Smith, writing that he was always careful to avoid making any foolish remark in Smith's presence lest he be cut down by his sharp tongue.⁴⁹

Smith's capacity for arousing emotional attachments was evident even in the rather priggish Austen Chamberlain, whose personality was completely different from Smith's, but who panegyricized Smith lavishly:

To the public, [Smith] sometimes showed himself cynical, flippant, and violent. To his colleagues in any time of difficulty or crisis, he was a tower of strength--the most loyal and unselfish of friends, careless for himself but careful for them; gay and light-hearted in moments of ease; serious, cool-headed and with nerves of steel in time of stress and danger. . . .⁵⁰

The qualities which made Smith loom so largely in the memories of his contemporaries are often lost to later generations. Smith was his own worst enemy in this respect, as he seemed to delight in striking a pose or an attitude which would shock people. For example, after the First World War, Smith, then Lord Birkenhead, offended many with the extreme Social Darwinism expressed in his Rectorial Address at Glasgow

⁴⁶Winston Churchill, Great Contemporaries, 145.

⁴⁷Peter de Mendelssohn, The Age of Churchill: Heritage and Adventure, 1874-1911 (London, 1961), 309-311.

⁴⁸Ibid., 308.

⁴⁹Winston Churchill, Great Contemporaries, 149.

⁵⁰Austen Chamberlain, Down the Years (London, 1935), 145.

University in which he said that life offered "glittering prizes to those who have stout hearts and sharp swords," and that self-interest "not only is, but must be and ought to be, the mainspring of human conduct."⁵¹

Hence, by such reckless comments, Smith allowed himself to be interpreted by later historians as an "adventurer," who would "fight his way up by intelligence, audacity, driving ambition, and sheer gall."⁵²

(4)

The Liberal Party controlled the British Government from the 1906 election until wartime exigencies caused a coalition Government to be formed in May 1915. The dividing line in this long Liberal rule was the constitutional crisis of 1909-11, which resulted in a greatly depleted Liberal majority--dependent on Irish support--and a much more aggressive, bitter, and vitriolic Unionist opposition.

The constitutional crisis had its origins in the 1909 budget. Due to the steadily increasing Government expenditures for welfare programs, especially the National Insurance Act, and military/naval armaments, Lloyd George, who was now Chancellor of the Exchequer, devised a budget which raised taxes to an unprecedented level. Lloyd George unveiled his startling financial measures on April 29, 1909: An increase in the income tax on a graduated scale and the imposition of a super tax on incomes over £3,000 per annum; a steep increase in the inheritance tax; the implementation of a progressive land tax; and the imposition of heavy luxury taxes on liquor, tobacco, "licensed premises," motor cars,

⁵¹Gardiner, Portraits and Portents, 126.

⁵²Tuchman, The Proud Tower, 372.

be in the Unionist camp, while only 88 members of the Lords were committed supporters of the Liberal Government.⁵⁸ Obviously, the Unionist peers had the power to reject the Finance bill, but the question was whether they should use that power. Many Unionists felt that the Lords should exercise the veto power in regard to the Finance bill; in addition to those who thought that the Lloyd George budget should be rejected as a novel and dangerously radical program, a number of people in the Conservative camp were committed to tariff reform and thought that Lloyd George's policies would raise the necessary revenue without protection, thereby making tariff reform obsolete.⁵⁹

It was the opinion of F. E. Smith, however, that the Lords should pass the Finance bill. He felt that the Liberals wanted the Lords to reject the bill and, thus, give them the issue, "the Lords v. the People," in the next election. Smith realized that the Liberals were losing ground; if the budget was passed into law and proved to be unworkable and unpopular--which Smith was convinced that it would prove to be--it would eventually make the Liberals' position completely impossible. The aristocracy was virtually in complete opposition to the Liberal Government anyway; the property tax, inheritance tax, and escalated income tax would turn the gentry and the propertied middle class against the Liberals; and the taxes on liquor, tobacco and "pubs" would alienate the working class. According to Smith's reasoning, the Unionists would sweep to victory on

⁵⁷ Jenkins, Mr. Balfour's Poodle, 27.

⁵⁸ Ibid., 24.

⁵⁹ Randolph Churchill, Winston S. Churchill, II, 317-318; Jenkins, Mr. Balfour's Poodle, 98-99.

just the pragmatic reason that the Lords did not have the power to turn out the Government which sponsored the measure. Therefore, to reject such a proposal without turning out the Government would result in a stalemate.⁶⁶

On December 2, Prime Minister H. H. Asquith announced in the Commons that the House of Lords had violated the constitution and that the Government would appeal to the public.⁶⁷ The following day, Parliament was dissolved,⁶⁸ and a general election followed, focusing on the issue of the Lords' rejection of the Finance bill. If the Liberals had expected another landslide victory, they were sorely disappointed, for the Unionists gained 116 seats as the Liberal majority shrank to two votes. The final results of the general election of January 1910 were as follows: 275 Liberals, 273 Unionists, 82 Irish Nationalists, and 40 Labourites.⁶⁹ The election returns meant that the Liberals were now dependent on the Irish Nationalists, led by John Redmond, who would demand Home Rule for Ireland as the price for their support. The quid pro quo arrangement made between Asquith and Redmond entailed Irish support for the Liberals in their battle with the Lords in return for a Liberal commitment to introduce a Home Rule bill after the Lords had lost their veto power.⁷⁰

⁶⁶ Tuchman, The Proud Tower, 387.

⁶⁷ Parliamentary Debates, Commons, 1909, XIII, 546-558.

⁶⁸ Ibid., 600.

⁶⁹ Earl of Oxford and Asquith, Fifty Years of British Parliament, II (Boston, 1926), 91.

⁷⁰ Denis Gwynn, The Life of John Redmond (Freeport, New York, 1971), 172-175.

The Parliamentary reform legislation which the Liberal Government devised initially contained provisions that prevented the Lords from rejecting or amending a financial bill, that made any other bill which passed three successive sessions of the Commons the law of the realm, and that limited the term of a Parliament to five years.⁷¹ Asquith sought insurance for the passage of the legislation in the form of a royal pledge to create Liberal peers if the Lords rejected the Finance and Parliament bills. However, Edward VII did not regard the election as a mandate for reducing the Lords to impotence and refused to give such a promise until another election had been held on the specific issue of reforming the Lords.⁷²

This situation was drastically altered on May 6, 1910, when Edward VII died. For all his defects, Edward VII was the possessor of a great deal of worldly wisdom and experience, while his son, George V, though nearly forty-five years of age, was very naive in many respects, and George proved to be more susceptible than his father to Asquith's browbeating.

After the King died, the party leaders, in order to spare the new monarch, attempted to reach a compromise on the constitutional question. Asquith, Lloyd George, the Earl of Crewe (Liberal leader in the Lords), and the Irish Secretary, Augustine Birrell, represented the Government in the interparty conference, while Balfour, Lansdowne, and Austen Chamberlain were the most prominent Unionists present. The first meeting was on

⁷¹ Oxford and Asquith, Fifty Years of British Parliament, II, 96.

⁷² Jenkins, Mr. Balfour's Poodle, 123.

June 17, 1910, and the conference dragged on throughout the summer and fall.⁷³

By August, Lloyd George was advocating that a coalition Government be formed, in order that "the statesmen, freed from dependence on their party extremists" could deal with the various problems which Britain faced, not only the constitutional crisis, but the problems of Ireland, military defense, social reform, etc.⁷⁴ Lloyd George used Churchill as a contact with the rank-and-file Unionists because of his friendship with Smith.⁷⁵ Both Churchill and Smith favored a coalition.⁷⁶ Smith felt that a coalition would strengthen the Right at the expense of the Left. He stated the case for coalition to Chamberlain, arguing that if a coalition Government was formed, Lloyd George might prove initially difficult, but

. . . where is he and where are we? He is done and has sold the pass. We should still be a united party with the exception of our Orangemen; and they can't stay out long. What allies can they find? . . . a sigh of relief would go up over the whole of business England if a strong and stable Government were formed. . . . Further, such a Government could . . . say to Redmond: Thus far and no further, which Asquith standing alone cannot. . . .⁷⁷

Smith "looked at political groupings with all the unprejudiced realism of a Talleyrand considering possible alliances,"⁷⁸ but, despite

⁷³Ibid., 147-148.

⁷⁴Nicolson, George the Fifth, 130.

⁷⁵Jenkins, Asquith, 216.

⁷⁶Ibid.

⁷⁷2nd Earl of Birkenhead, F. E., 156-157; Jenkins, Mr. Balfour's Poodle, 168.

⁷⁸Jenkins, Mr. Balfour's Poodle, 168.

the ulterior motives, he showed in this situation a trait which was characteristic of him throughout his career: A desire for rational compromise which belied the arrogant, caustic image that he presented to the public. Furthermore, as a leading historian has pointed out, the very men who favored coalition in 1910--Lloyd George, Churchill, Smith, Chamberlain--were later the bulwarks of the coalition Government of 1919-22.⁷⁹

The 1910 coalition discussions went so far as to include proposals for a new Cabinet: Asquith would remain Prime Minister but would go to the Lords, Balfour would lead the Commons and serve as chairman of the Committee for Imperial Defence, Lansdowne would become Foreign Secretary, Lloyd George would stay at the Exchequer, Churchill would go to the War Office, and Austen Chamberlain would go to the Admiralty.⁸⁰ It should be noted that no position was mentioned for Smith--it probably did not occur to him that he would be considered, at this time, one of the "party extremists" to be excluded from the proposed coalition Government.

At any rate, Balfour frowned upon the idea of coalition. Balfour believed that the two-party concept was fundamental to the Parliamentary system and that a national Government should be utilized only in case of dire emergency.⁸¹ In addition, he was afraid of dividing the Tories and becoming another Robert Peel. Balfour's position alienated many Unionists, including Smith.⁸² It is doubtful that any compromise could have been

⁷⁹Ibid., 169-170.

⁸⁰Ibid., 166.

⁸¹Tuchman, The Proud Tower, 391-392.

⁸²Young, Balfour, 298.

worked out on the Irish question, due to Lansdowne's adamant opposition to Home Rule, and it was Lansdowne's obstinacy, coupled with Balfour's pessimism, which determined the collapse of the conference in November 1910.⁸³ The failure to reach a compromise solution made a new election inevitable.

Before calling another election, Asquith was determined to secure a guarantee from the Crown for the creation of Liberal peers as a last resort in dealing with the Lords. Asquith was under a great deal of pressure from the Irish leader, Redmond, to seek "advance pledges from the Crown,"⁸⁴ and Asquith himself felt obligated to seek guarantees from the monarch before asking his supporters to undertake another campaign effort.⁸⁵ Asquith told the King of his intention to call a new election and asked for a pledge from George V that, if the Liberals won another victory, and if the Lords still proved to be unyielding on the Parliament bill, he would exercise his Royal Prerogative by creating new Liberal peers to insure Parliamentary reform.⁸⁶ The Finance bill, which had originally caused the uproar, had passed the Lords in 1910 with little ado.⁸⁷

The King, however, was extremely reluctant to give such a "contingent" guarantee because it would put him in the position of

⁸³Jenkins, Mr. Balfour's Poodle, 159-160.

⁸⁴Nicolson, George the Fifth, 127.

⁸⁵Ibid., 136.

⁸⁶Jenkins, Mr. Balfour's Poodle, 178.

⁸⁷Parliamentary Debates, Lords, 1910, 5th Series, V, 817.

seemingly being partisan to the Liberals,⁸⁸ but Asquith forced the King's hand by threatening to resign.⁸⁹ Had the Liberals resigned, the King would have been obliged to send for the opposition leader, Balfour, and ask him to form a Government, which would have been immediately outvoted in the Commons and forced to call an election. If the Liberals had won this hypothetical election, George V would have been compelled to send for Asquith and ask him to form another Liberal Government, tremendously strengthening Asquith's position and humbling the monarchy. The Crown would thus have been in the same humiliating status as in the 1831-32 political crisis when William IV was forced to send for Lord Grey and the Whigs after he had caused them to resign and no other Government could be formed. The determination to avoid this humiliation led George V, on November 16, to give Asquith the guarantee that he wanted.⁹⁰

On November 28, 1910, Parliament was dissolved⁹¹ and a general election was held for the second time in less than a year. The December 1910 election was marked by such public apathy to the constitutional issue that more than one million fewer votes were cast than in the previous election.⁹² The results of the election were virtually identical to the previous one. The Liberals and Unionists had the same number of seats, 272, and the Irish and Labour delegations picked up two seats each.⁹³

⁸⁸ Nicolson, George the Fifth, 137-138.

⁸⁹ Ibid., 125-126.

⁹⁰ Ibid., 135.

⁹¹ Parliamentary Debates, Commons, 1910, 5th Series, XX, 473.

⁹² Jenkins, Mr. Balfour's Poodle, 187.

⁹³ Oxford and Asquith, Fifty Years of British Parliament, II, 107.

More than ever, the Liberals were dependent on Irish support to stay in office.

The Parliament bill was introduced in the new Parliament in February 1911,⁹⁴ and, in the following May, the Commons passed the bill, sending it to the Lords.⁹⁵ The question was now whether the Unionist Lords would use their majority to kill the bill or would accept the Liberals' superior political position and pass it. This dilemma caused an acute crisis of leadership within Unionist ranks. Balfour thought that the Lords should pass the bill, as he regarded it as preferable to having the upper chamber flooded with Liberal peers,⁹⁶ and in any event, was probably weary of the entire dispute. Balfour advised the King to adhere to the Government's wishes, but Lansdowne, on the other hand, felt that resistance to the bill was feasible.⁹⁷ Many Unionists saw the situation in the same light as Lansdowne and favored resistance.

Those who wanted to fight the bill saw the House of Lords as the "last check upon the advance of the besieging classes," a bastion of tradition which must be preserved.⁹⁸ F. E. Smith also advocated resistance, not because of any sentimental reverie about the Lords, but because he thought that the Government was bluffing, that it did not have the courage to pressure the King into "packing" the Lords (the King's November pledge

⁹⁴ Parliamentary Debates, Commons, 1911, 5th Series, XXI, 1742-1752.

⁹⁵ Ibid., XXV, 1785.

⁹⁶ Tuchman, The Proud Tower, 390.

⁹⁷ Jenkins, Mr. Balfour's Poodle, 193-194.

⁹⁸ Tuchman, The Proud Tower, 390.

to Asquith was not known to the public).⁹⁹ The constitutional question thus deteriorated into a prolonged shouting match, with the Tories accusing the Liberals of destroying the constitution as part of a sordid deal with Redmond, and the Liberals accusing the Tories of ignoring the will of the people.¹⁰⁰

Asquith had assumed all along that he would never be forced to ask the King to fulfill his pledge; the Prime Minister thought that if the Liberals lost the election, the pledge would obviously be useless, and if they won, the Tories would accept the decision of the electorate, but he "over-estimated the ability of Lansdowne to see ahead and to map out a firm course, and he under-estimated Balfour's growing weariness with emotional or stupid followers."¹⁰¹ As the virulent hostility of many Tories to Parliamentary reform increased, it became apparent to Asquith that he would have to use the King's guarantee.

Behind the resistance of the Tory "die-hards," there could be detected a distinct animosity towards Balfour's leadership. Balfour had split the Party on the tariff issue, ending nearly two decades of Unionist hegemony in British politics, he had led the Unionists to three successive defeats at the polls while the Liberals brought about sweeping social reform, and his lackadaisical leadership in the constitutional crisis was causing the emasculation of the Lords, which would lead inevitably to the ultimate bête noire of the Unionists--Home Rule for Ireland. The

⁹⁹Jenkins, Mr. Balfour's Poodle, 237.

¹⁰⁰Ibid., 198.

¹⁰¹Ibid., 193.

conclusion which many Unionists reached was that incompetent leadership was responsible for all of their problems. By accusing the "die-hards" of being "theatrical" and of appealing to the "music hall" mentality, Balfour certainly did not improve his standing among those Unionists.¹⁰²

Smith was one of the Unionists who were becoming increasingly estranged from Balfour. He was opposed to Balfour partly because he felt that Balfour was lacking in vision--as in the coalition discussions in 1910--and that his performance as a political leader had been inadequate. To a large extent, though, Smith's political hostility to Balfour was an outgrowth of personal hostility, for Smith had been the recipient of an incredible series of snubs and rebuffs from Balfour.

Balfour, for his part, "detested" Smith as an upstart adventurer and an unprincipled opportunist.¹⁰³ He said privately that Smith "contradicts himself once a week."¹⁰⁴ Balfour may well have resented the fact that the young Tory backbenchers, as Leopold Amery testified, looked to Smith as their spokesman. Perhaps, Balfour merely had the patrician's instinctive loathing of a brash parvenu. Whatever the reason, Balfour's dislike for Smith was strikingly obvious.

In 1911, the Liberal Government offered Privy Councillor honors to two Unionist backbenchers, F. E. Smith and Andrew Bonar Law, which was in keeping with the tradition of granting all-party honors at coronation time.¹⁰⁵ Balfour wrote to Asquith protesting the decision to give Smith

¹⁰² Ibid., 225-226, 240-241.

¹⁰³ Tuchman, The Proud Tower, 402.

¹⁰⁴ Blanche E. C. Dugdale, Arthur James Balfour, II (New York, 1937), 58.

¹⁰⁵ Blake, The Unknown Prime Minister, 68-69.

a Privy Councillorship and asking him to reconsider.¹⁰⁶ When the Prime Minister refused, Balfour then wrote to Smith, requesting that he turn down the honor because of his youth and lack of experience. Needless to say, Smith ignored Balfour's advice.¹⁰⁷ After Smith accepted the honor, Balfour "suggested" that he refrain from sitting on the Unionist front bench.¹⁰⁸ Balfour's efforts aroused deep anger among Smith's friends, including a Liberal Cabinet member, Winston Churchill, who wrote to his wife that Balfour's motive was to hold Smith down. He observed that Balfour "would rather inflict any amount of injury upon the Tory party than share power with any man of provincial origin."¹⁰⁹

Smith's own bitterness over Balfour's treatment was reflected in a letter which he wrote to Asquith thanking him for the Privy Councillor honors:

I can only say that it is a paradoxical and singular circumstance that those against whom I have been fighting for fifteen years have paid me the greatest compliment I have ever had in my life; while those on whose behalf I have been fighting did their best to prevent it.¹¹⁰

It is ironic that Balfour had earlier expressed a determination not to be another Robert Peel, for his handling of Smith was a virtual repetition of Peel's treatment of Disraeli. Like Peel, Balfour allowed his personal feelings to color his political judgment, and, again like Peel, Balfour allowed a brilliant and ambitious young talent to lounge sullenly on the backbenches--all to his ultimate regret. Had Balfour

¹⁰⁶Randolph Churchill, Winston S. Churchill, II, 342.

¹⁰⁷2nd Earl of Birkenhead, F. E., 162-163.

¹⁰⁸Ibid., 164.

¹⁰⁹Randolph Churchill, Winston S. Churchill, II, 342.

¹¹⁰Jenkins, Asquith, 224n.

shown Smith some favor, Smith undoubtedly would have been an ardent champion of his when Balfour's leadership was challenged.

In the summer of 1911, the Constitutional crisis reached a head. Asquith, who was convinced that the Lords meant to block the Parliament bill, asked the King on July 14 to honor his pledge of the previous November. On July 18, Lloyd George told Balfour in a private conversation that the Government had a pledge from the King to use his prerogative, and that the Government would implement that pledge to swamp the Lords with Liberals if the Parliament bill was not passed. Lloyd George's statement was confirmed by the Prime Minister two days later in a letter to Balfour.¹¹¹

These new developments shook Lansdowne and brought him around to Balfour's viewpoint. Two overriding considerations faced the Unionist leaders: (1) the King had agreed to the creation of Liberal peers, making any attempt by the Lords to veto the Parliament bill useless, and (2) there was no indication that yet another general election would produce a Unionist victory.¹¹² Consequently, on July 21, Lansdowne told an assembly of approximately two hundred Unionist peers that any further resistance was futile, that the only viable course was either to vote for the bill or abstain.¹¹³

The capitulation of the Unionist leaders outraged the "die-hards." The "die-hards" included Viscount Milner and the Marquis of Salisbury in the Lords, Austen Chamberlain and Sir Edward Carson in the Commons. F. E. Smith was numbered among the "die-hards," but his aim now was to

¹¹¹Jenkins, Mr. Balfour's Poodle, 210-212.

¹¹²Lord Newton, Lord Lansdowne: A Biography (London, 1929), 431.

¹¹³Jenkins, Mr. Balfour's Poodle, 221.

use the constitutional issue not so much against the Liberal Government as against Balfour.¹¹⁴

"Die-hard" anger reached its peak on July 24, 1911, when a large number of Unionist M. P.s prevented the Prime Minister from speaking in the Commons. For more than thirty minutes, Asquith vainly attempted to express the Government's position but was met with a constant, overwhelming din of chanting and shouted insults from the Unionist benches. The most conspicuous participant in this disgraceful episode was Lord Hugh Cecil, a cousin of Balfour's, who was described as being "white with anger."¹¹⁵ This display of impotent fury by the "die-hards" finally caused Asquith to sit down, saying that he would not degrade himself further.¹¹⁶

Balfour, in reply, expressed regret for the deplorable incident and then attacked the Government's Parliament bill.¹¹⁷ He was answered by Sir Edward Grey, the Foreign Secretary, who grimly stated that if the Prime Minister would not be granted a hearing by the opposition, then no other Cabinet minister would speak further.¹¹⁸ It was recorded in the Parliamentary Debates that F. E. Smith rose to answer Grey "but was met with continued interruption for five minutes";¹¹⁹ the members of the

¹¹⁴Ibid., 220-221.

¹¹⁵The Times (London), July 25, 1911, 8.

¹¹⁶Parliamentary Debates, Commons, 1911, 5th Series, XXVIII, 1473.

¹¹⁷Ibid., 1473-1482.

¹¹⁸Ibid., 1482-1483.

¹¹⁹Ibid., 1483.

Liberal benches who had more or less tolerated Balfour's speech, refused to listen to Smith, whom they regarded as the ringleader of the disturbances, and they subjected him to the same treatment which Asquith had received.¹²⁰ Finally, the Speaker adjourned the House due to "grave disorder."¹²¹

This July 24 spectacle in the Commons was directed at Balfour as well as Asquith;¹²² after the commotion, Smith was found in an ebullient mood, feeling that Balfour had been placed in an untenable position.¹²³ Meanwhile, many "die-hards" still hoped that the bill could be beaten and the sanctity of the House of Lords preserved. They refused to believe that the King had given a "secret" guarantee to Asquith, regarding such an idea as a Machiavellian Liberal plot to trick the Lords. Their illusions were shattered on the very day of the vote on the bill, August 10, 1911, when, in a statement to Viscount Morley, George V publicly affirmed the controversial pledge and his intention to honor it.¹²⁴ This statement crippled the resistance efforts, and the Parliament bill passed the Lords by a 131-114 vote, with many Unionists abstaining.¹²⁵

Although the general public remained apparently oblivious to the

¹²⁰The Times (London), July 25, 1911, 8.

¹²¹Parliamentary Debates, Commons, 1911, 5th Series, XXVIII, 1483-1484.

¹²²Blake, The Unknown Prime Minister, 69.

¹²³Wilfrid Scawen Blunt, My Diaries: Being a Personal Narrative of Events, 1888-1914 (New York, 1932), 770-771.

¹²⁴Nicolson, George the Fifth, 154-155.

¹²⁵Parliamentary Debates, Lords, 1911, 5th Series, IX, 1073-1077.

constitutional question,¹²⁶ the controversy had a great impact on the political situation. After the Lords passed the bill, Balfour went on an extended vacation, and, in his absence, a movement to remove him from Party leadership was undertaken with the slogan, "B. M. G."--"Balfour Must Go."¹²⁷ The "B. M. G." drive picked up momentum in the fall of 1911, and Smith was considered to be in the vanguard of the anti-Balfour insurgents.¹²⁸

Balfour, declining to battle for the leadership, resigned suddenly in November 1911, scornfully denying his detractors the satisfaction of ousting him. The most prominent candidates to succeed Balfour were Austen Chamberlain and Walter Long, a Party workhorse who was unknown to the public. Although Smith favored Chamberlain, it was a "darkhorse," compromise candidate, the Canadian-born Scot, Bonar Law, who became the new Unionist leader.¹²⁹ The drab, colorless Law certainly lacked the stature of the elegant, intellectual Balfour, but, as a political leader, Law was far superior. Law, unlike Balfour, was very attentive to the mechanics of Party politics and was more concerned with his standing in the Party than his reputation outside of it. The new Unionist leader did not make the mistake his predecessor had made in regard to Smith--he

¹²⁶Jenkins, Mr. Balfour's Poodle, 267.

¹²⁷Ibid.

¹²⁸Ibid., 233; Ivor Bulmer-Thomas, The Growth of the British Party System, I (New York, 1966), 207.

¹²⁹Blake, The Unknown Prime Minister, 78.

immediately extended to Smith an invitation to sit on the opposition front bench and serve in the "shadow" cabinet.¹³⁰

F. E. Smith, at the age of thirty-nine and with less than a half-dozen years in Parliament, had come far and fast in British politics.

¹³⁰2nd Earl of Birkenhead, F. E., 170-171; Blake, The Unknown Prime Minister, 103.

II

THE ORANGE CARD

(1)

The Parliament bill of 1911 opened the door for controversial legislation which the House of Lords could no longer veto but only delay for three sessions. Foremost among the new legislation prepared by the Liberal Government was a Home Rule bill for Ireland; John Redmond's Irish Nationalists had given indispensable support to the Liberals during the constitutional crisis of 1909-11, and Redmond now expected payment for services rendered.

The problem of Ireland had plagued England for centuries, and the pages of English history are filled with men whose careers or lives were ruined by the "Irish question." Desire for territorial acquisition was, no doubt, an important factor in England's involvement with Ireland, but an even more important factor was security. The specter of a hostile country obtaining control of or domination over Ireland was very real to many Englishmen who were aware of the earlier Spanish and French attempts to strike at England through Ireland, in the hope of using Ireland as a base from which to invade England or attack English naval power. It was a fact of life that England's danger was Ireland's opportunity, and, as Britain's relations with Germany grew increasingly acrimonious after the turn of the twentieth century, many Britons expected Germany, in the event of war, to foment an Irish uprising. This traditional attitude towards

Ireland was expressed succinctly by Winston Churchill, who wrote that "the independence of a hostile Ireland menaced the life of Britain. Every policy, every shift, every oppression used by the stronger island arose from this primordial fact."¹

In 1911, Ireland was governed by the Act of Union of 1801 which incorporated her into the United Kingdom in a manner similar to Wales or Scotland. For hundreds of years the Irish had been allowed an ineffectual Parliament in Dublin which was totally subservient to Westminster; however, in 1782, the disastrous American War gave the Irish the opportunity to demand more local autonomy from the embattled British--an arrangement known as "Grattan's Parliament." The Act of Union, which ended the 1782 system, was prompted by a serious Irish revolt in the late 1790's, a particularly low point in Britain's protracted war with France. William Pitt devised the Act of Union to correct the endemic Irish discontent by drawing Ireland closer to Britain. In the 1801 Act, the Irish Parliament was abolished, and the Irish were given direct representation in the Imperial Parliament, with twice as many representatives as Scotland. The Lord Lieutenant was appointed by London to act as the official Crown representative in Ireland, but policy and administration were largely determined by the Chief Secretary for Ireland, a position created with Cabinet rank though technically subordinate to the Lord Lieutenant. The Chief Secretary divided his time between London, where he attended Cabinet meetings and answered questions in Parliament, and Dublin, where he supervised the administrative bureaucracy at Dublin Castle.

¹Winston S. Churchill, The Aftermath: The World Crisis, 1918-1928 (New York, 1929), 290.

Parliament tried to make the union more palatable to the Irish by grudgingly passing the Catholic Emancipation Act in 1829, which ended civil restrictions against the Catholic majority and allowed Catholics to participate in the political process. This failed to stem Irish hatred of British rule, and the terrible famine of the 1840's only intensified such feelings. No substantial reassessment of Britain's Irish policy was undertaken until the first ministry of William E. Gladstone, who thought that Irish discontent with the union was based on two factors: Religion and land tenure. Accordingly, he brought about the disestablishment of the Anglican Church in Ireland and instituted a policy enabling Irish tenant farmers to buy their holdings from their landlords. This land purchase principle was expanded and pursued more successfully by the later Tory ministries of Salisbury and Balfour.

Even this was not enough. The 1870's and 1880's saw the rise of Charles Stewart Parnell and his Home Rule movement. Parnell wanted the restoration of the Dublin Parliament with autonomy over purely Irish affairs. In essence, Parnell sought a government for Ireland that was equivalent to the Dominion self-rule of Canada, and, in the pursuit of this goal, Parnell welded a large majority of the Irish M. P.s into a cohesive voting bloc and employed unparalleled tactics of obstruction in Westminster to bring Parliament's attention to Irish grievances. Parnell's task was made easier by the Reform Bills of 1867 and 1885, which eliminated property qualifications for male voters, and by the introduction of the secret ballot in 1872. Boycotts, rent strikes, and other acts of civil disobedience against the established order marked Irish life at this time, coupled with sporadic violence by terrorists, which culminated in the brutal 1882 murder of the Chief Secretary, Lord Frederick Cavendish, in Dublin's Phoenix Park.

In the winter of 1885-86, Gladstone's conversion to Home Rule convulsed British politics and shattered the Liberal Party for a generation. A significant segment of Liberals, led by Lord Hartington (later the Duke of Devonshire) and Joseph Chamberlain, voted against Gladstone's Home Rule bill and, acting with the Conservatives, was able to defeat Gladstone and Parnell. The Home Rule movement suffered a tremendous blow when a scandal in Parnell's personal life discredited him as a leader, but in 1893, Gladstone was able to pilot a new Home Rule bill through the Commons only to have it vetoed by the Lords. The Liberal Unionists finally united with the Conservatives to form the Unionist Party, an alliance based on the preservation of the union and, thus, opposition to Irish Home Rule. The Unionists used a "carrot and stick" approach to Ireland, offering land purchase and public works programs on the one hand and tough coercion bills on the other.

The Irish situation remained the same until 1910, when the Liberals were forced to come to terms with Redmond in order to stay in office. Curiously, the Liberals had shown no sense of urgency in regard to Ireland when they had a substantial majority during the 1906-09 period. Nevertheless, with the triumph of the Parliament bill in August 1911, the Liberals began to draft a new Home Rule bill that would inevitably become law. The Liberals were encouraged in their task by the knowledge that virtually all of the Dominion leaders--in Canada, South Africa, Australia, and New Zealand--favored some form of self-rule for Ireland. The Dominions contended that local autonomy had proven to be beneficial to their countries and had, in fact, increased their loyalty to the British Crown.²

²J. G. Swift MacNeill, "Home Rule and Imperial Unity," The Contemporary Review, CIII (May, 1913), 641-642.

A note of caution was added, however, by the former Unionist leader, Arthur Balfour, who privately advised Prime Minister Asquith that it would be best to seek a mandate from the country before proceeding with such an explosive issue as Home Rule.³

Asquith politely pooh-poohed Balfour's warning and on April 11, 1912, introduced the Government's Home Rule bill in the Commons. The bill was closely modeled on Gladstone's 1893 proposal, retaining for Westminster control of foreign affairs, military defense, international trade, coinage and currency, and taxation. The Irish Parliament to be established in Dublin was provided with an upper house, the Senate, and a more representative lower house, the House of Commons. The King would remain Ireland's head of state and the Lord Lieutenant, to be appointed by London, would remain his official representative. However, the prerogatives of the Lord Lieutenant would be greatly restricted, and, most importantly, the post of Chief Secretary for Ireland was to be abolished and, with it, the hated Dublin Castle administration.

The Irish Parliament would have control over purely domestic affairs, though Westminster would have the power to alter or veto any legislation by Dublin which the British felt had exceeded its authority. Ireland's representation in the Imperial Parliament was to be reduced to forty-two M. P.s, who would have the right to participate in debates and voting which concerned Ireland's interests. Finally, as a sop to the Protestant minority, the Parliament in Dublin was expressly forbidden to pass any law granting preferential status to any particular religion.⁴

³Young, Arthur James Balfour, 334.

⁴Parliamentary Debates, Commons, 1912, 5th Series, XXXVI, 1399-1426.

This Home Rule bill seems, in retrospect, very mild and more likely to anger the Irish Nationalists by its many restrictions than to alarm British Imperialists. This seemingly innocuous measure was nevertheless to arouse from the Unionists a response which raised the threat of civil war.

(2)

Apart from Unionist opposition, Home Rule was faced with the additional problem of being opposed by a vitally important section in Ireland. The majority of Irishmen favored Home Rule, but the very idea of a Parliament in Dublin was anathema to the northern section of Ireland, commonly known as Ulster.

The foremost distinction between Ulster and the rest of Ireland was religion, as Ulster was predominantly Protestant and the rest of Ireland was predominantly Catholic. This religious distinction was not merely academic, for in Ireland, and especially in Ulster, the intensity of the religious conflicts of earlier ages, which had been exhausted in the rest of Europe, was still virulently alive. The Reformation had never touched Catholic Ireland until the seventeenth century, when Scottish Calvinists and English nonconformists immigrated to Ulster, settled there, and, in many instances, drove the Irish Catholics from the land. The hatred and scorn between Protestants and Catholics was perpetuated from generation to generation. It is impossible to discuss Ulster politics--even in the twentieth century--without referring to an event which occurred in 1690. On July 12 of that year, the Protestant forces of William of Orange routed James II's army of Frenchmen and Irish Catholics on the banks of the Boyne River in Ulster, thereby securing the Protestant succession to the English throne and the Protestant

religion in Ulster. The Battle of the Boyne undoubtedly remained the most relevant factor in the life of Ulster during the centuries which followed it. Each year after 1690, Ulster Protestants celebrated July 12 as "Boyne Day" and "Orange Day," with orange banners and Union Jacks flying everywhere and the solemn pounding of drums commemorating the victory over the Catholics. On that particular day of the year, Catholics in Ulster were well-advised to remain in their homes.

During the Home Rule crisis of 1886, Lord Randolph Churchill, the rising meteor in the Tory firmament, had given Ulster its battle cry: "Ulster will fight, and Ulster will be right!"⁵ One perceptive student of Irish history has suggested that the Ulster Protestant was motivated not so much by a desire to persecute Catholics as by the fear of being persecuted himself.⁶ This persecution to which the historian referred was not only religious but also involved the more mundane matter of taxation. Ulster was more industrial and commercial than the rest of Ireland, and the prospect of Ulster Protestants being taxed disproportionately by a Papist Parliament in Dublin was a nightmare to most Ulstermen. It was useless to point out that the Home Rule bills reserved taxation for Westminster because, if Canada and the other Dominions were examples of self-government, the very principle of Home Rule logically implied the gradual extension of local governmental powers. Hence, sooner or later, Dublin would have the power to tax Ulster. As soon as the Parliament bill of 1911 became law, Ulstermen were apprehensive about the new Home Rule bill which they knew would be forthcoming, and, at this critical moment,

⁵ Mary C. Bromage, Churchill and Ireland (Notre Dame, Ind., 1967), 6.

⁶ Anthony T. Q. Stewart, The Ulster Crisis (London, 1967), 43.

the massive figure of Sir Edward Carson came to the fore.

Sir Edward Carson was a Unionist M. P. who had very little previous contact with Ulster--he was a Protestant from the southern part of Ireland and had spent his entire Parliamentary career representing Dublin University. Carson's reputation had been built not on his career in Parliament but at the Bar, for he was the leading advocate of his age. F. E. Smith possessed a considerable reputation as an advocate, but Smith was a stiletto to Carson's sledge hammer. Carson had become nationally prominent in the most notorious case of the era, the 1895 libel suit involving Oscar Wilde, in which Carson, in a merciless cross-examination, virtually terrified Wilde into making his fatal admission and left him a pathetic, babbling ruin in the witness box. A most formidable proponent of a cause, Carson adopted the cause of the Ulster Protestants as his own and, by his personal efforts, brought the Irish question into the forefront of British politics.

In September 1911, Carson journeyed to Ulster at the invitation of Captain James Craig, a Unionist M. P., and at Craigavon, Craig's estate near Belfast, Carson addressed a huge rally of Ulster Unionists, immediately catching the mood of the gathering when he described Home Rule as "a tyranny to which we never can and never will submit." He said that Ulster desired only to remain part of the United Kingdom and to have

. . . the same rights from the same Government as every other part of the United Kingdom. We ask nothing more; we will take nothing less. It is our inalienable right as citizens of the British Empire, and Heaven help the men who try to take it from us. . . .⁷

⁷The Times (London), September 25, 1911, 5; Ian Colvin, Carson the Statesman (New York, 1935), 78.

This address made Carson the leader of the Ulster movement, and Ulster's Protestants, most of whom had never heard his name before, came to regard him as a demigod. Two days later, the Ulster leaders announced in Belfast that they were organizing a "provisional" government for Ulster, which would assume authority when or if Home Rule for Ireland became law.⁸ Although Carson became the personification of Ulster to most of the world, the person who was largely responsible for the Ulster revolt was James Craig. Craig organized the various Unionist associations and Orange clubs into a potent political force and organized Ulster's provisional government, and it was Craig who drew up the Solemn League and Covenant, Ulster's declaration of defiance against the Liberal Government. Carson captured the headlines, but Craig was the real driving force behind Ulster's resistance to Home Rule.⁹

After the Home Rule bill was introduced in April 1912, signs and banners were hung all over Ulster reading, "We Will Not Have Home Rule," or, more simply, "We Won't Have It."¹⁰ Despite Craig's organizational ability and Carson's forensic efforts, Ulstermen could not hope to resist Home Rule successfully without support from the Unionists, their traditional ally. Although the Unionists appeared to be prostrate before the Liberals and the Irish Nationalists, they were regrouping under the new leadership of Bonar Law. Law's assumption of the Unionist leadership changed the tone of political life, for Law was more harshly partisan than Balfour, more willing to go to extreme lengths in opposition than

⁸ The Times (London), September 26, 1911, 6.

⁹ Stewart, The Ulster Crisis, 41.

¹⁰ Ibid., 63.

Balfour. Within just a few months of Law's ascension to party leadership, people were referring to the "new style" of politics.¹¹

Law had strong personal feelings on the Ulster issue, as he had a Calvinist upbringing and, in addition, had family relations in Ulster.¹² Many other Unionists, however, cared little about Ulster but were willing to use it as a means to block Home Rule. Indeed, these Unionists, such as Lansdowne and the Cecil family, were completely opposed to any form of compromise which might make Home Rule more acceptable.¹³ To these Unionists, the issue was whether a "temporary Parliamentary coalition was justified in disrupting the United Kingdom."¹⁴ From a tactical viewpoint, the decision by Unionist leaders to support Ulster was sound because it put the Government in a bind: If it tried to coerce Ulster into accepting Home Rule, it would risk civil war and alienate the moderate element of the electorate; if it refused to apply pressure to Ulster, it would jeopardize its standing with Redmond and his followers.¹⁵

Lord Randolph Churchill had given Ulster its lead in 1886 with his "Ulster will fight" speech, and, in a letter written in that same year, he gave the Unionists of 1912 their plan of battle when he cynically wrote: "I decided some time ago that if the G. O. M. [Gladstone] went for Home Rule the Orange Card would be the one to play. Please God it may turn out the ace of trumps. . . ."¹⁶ By 1912, the Unionists "were sick

¹¹Blake, The Unknown Prime Minister, 93-96.

¹²Ibid., 125.

¹³Ibid., 125-126, 149-150.

¹⁴Amery, My Political Life, I, 399.

¹⁵Ibid., 439.

¹⁶Bromage, Churchill and Ireland, 40.

with office hunger" and feared that if the Liberals solved the Irish problem, the general election in 1914 or 1915 would endorse the Liberals' achievement and put the Unionists in the position of a permanent minority party.¹⁷ Hence, the Unionists were so desperate to break the Liberals' control of the Government that they were willing to use the "Orange Card," the issue of Ulster and Ireland, to drive the Liberals from office.

In the context of both these emotional and political considerations, Bonar Law gave the formal Unionist reply to the Home Rule bill on April 16, 1912. Law denounced Home Rule and described the resistance movement in Ulster as the "expression of the soul of a people" who were prepared "to lay down their lives in what they believe to be the cause of justice and liberty." Law then set the tone for the Irish debate by saying that he could conceive of "nothing which the Unionists in Ireland can do, which will not be justified against a trick of this kind."¹⁸ The strident tone of Law's speech could have been dismissed as just another example of the "new style" but not Law's decision to take the anti-Home Rule campaign outside of Parliament, to stir up public opinion and thus pressure the Government into modifying or killing the Home Rule bill; in this extra-Parliamentary campaign, Law's principal lieutenant was F. E. Smith.¹⁹

Smith's role in the Home Rule controversy of 1912-14 is the most heatedly debated aspect of his public career. It is a widely held belief that Smith was completely cynical in his actions and was motivated solely

¹⁷ Jenkins, Asquith, 274-276.

¹⁸ Parliamentary Debates, Commons, 1912, 5th Series, XXXVII, 296, 300-301.

¹⁹ 2nd Earl of Birkenhead, F. E., 210.

by a desire for political gain. This cynicism might seem justified in view of a letter written during the constitutional crisis in which Smith said that Home Rule was "a dead quarrel for which neither the country nor the party cares a damn outside of Ulster and Liverpool."²⁰ Political necessity, however, may have been as great a factor as political opportunism, given the nature of Smith's constituency. Unionist politics in Liverpool, as mentioned above, had an Orange basis. Irish laborers, both Protestant and Catholic, had flocked across the Irish Sea to take advantage of the higher wages in England; a large number of them settled in the Lancashire cities of Liverpool and Manchester. Among the Irish Catholics, there was a strong inclination to vote for the Liberal Party. To offset the Irish Catholic votes for the Liberals, the Unionist strategy was to solidify Protestant voters by appealing to pro-Union and anti-Catholic sentiments.²¹ In his actions against Home Rule, Smith was very likely reflecting the wishes of the majority of Liverpool voters, but, other than his public actions and speeches, Smith left very little evidence of his personal convictions regarding Ireland. It may be safely surmised, however, that Smith was not emotionally involved in the Ulster Protestant cause to the extent that Carson and Law were.

An early inkling of the Unionists' tactics was given at a dinner party at Buckingham Palace in May 1912. On that occasion, Law suggested to George V that if the Liberal Cabinet refused to hold an election on the Home Rule issue, the King had the power to dismiss the Government and

²⁰ Jenkins, Mr. Balfour's Poodle, 159.

²¹ Randolph S. Churchill, Lord Derby, King of Lancashire: The Official Life of Edward Stanley, Seventeenth Earl of Derby, 1865-1948 (New York, 1960), 133.

send for ministers who would call for an election. The King "turned red" at this remark and Law asked, "Have you never considered that, Sir?" George V replied that he had not. Law then told the King that he should not listen to those who said that the Royal Assent was "a purely formal act and the prerogative of veto is dead." That might have been the case as long as the House of Lords existed as a "buffer" between the monarch and the Commons, but since the Liberal Government had seen fit to destroy the effectiveness of the Lords, the King had no choice but to play a more active role.²² This was indeed the "new style," for it would have been inconceivable for Balfour to have advised the King to exercise the veto power which no monarch had used for two centuries. This also revealed the second part of the Unionists' two-pronged attack against Home Rule: In addition to the campaign to arouse public opinion, Law attempted to apply subtle pressure on the Government by prodding the painfully conscientious monarch into action.

As for the public campaign against the new Home Rule bill, the opening shot was fired by F. E. Smith on "Boyne Day" in 1912. Smith, who had joined the Unionist "shadow" Cabinet and front bench the previous November, acted as the official representative of Britain's Unionist Party at Ulster's traditional "Orange" ceremonies. Smith assured Ulstermen that their resistance to Home Rule had the full support of the Unionist Party, saying that Unionists would "not shrink from the consequences of this view, not though the whole fabric of the Commonwealth be convulsed." When Smith remarked that July 12 was his birthday,

²² Austen Chamberlain, Politics From Inside: An Epistolary Chronicle, 1906-1914 (New Haven, 1937), 486-487.

he was presented with an orange sash as the crowd cheered and shouted for "Orange Smith."²³

While Smith was flexing his vocal muscles in Ulster, Asquith and Redmond visited Dublin to offer encouragement to the Irish Nationalists, and Asquith, referring obliquely to the Ulster movement, said that "Ireland is a nation, not two nations, but one nation."²⁴ The Unionist answer to Asquith came a week later at Blenheim Palace, the home of the Duke of Marlborough, where a Unionist rally was held, the featured speakers being Sir Edward Carson, Bonar Law, and F. E. Smith. The apocalyptic oratory of Carson was to be expected, but the words of the two British Unionists must have chilled Liberal hearts. Smith not so subtly hinted at armed resistance to Home Rule when he said:

Should it happen that Ulster is threatened with a violent attempt to incorporate her in an Irish Parliament, I say to Sir Edward Carson, "Appeal to the young men of England!"

This was strong stuff, even for Smith, but it was almost temperate in comparison with the remarks of the leader of the Unionist Party. Law condemned the Government as a "revolutionary committee which has seized upon despotic power by fraud"; he scorned the Home Rule bill as a "corrupt Parliamentary bargain" between Asquith and Redmond and said that "we shall not be guided by considerations or bound by the restraints which would influence us in an ordinary constitutional struggle." Law conceded that the Government might well pass the Home Rule bill but asked rhetorically: "What then?" He warned menacingly that "there are

²³ The Times (London), July 13, 1912, 9-10.

²⁴ Ibid., July 20, 1912, 9-10.

things stronger than Parliamentary majorities" and said that the Ulster loyalists "would be justified in resisting by all means in their power, including force." He then concluded with the peroration that he could "imagine no length of resistance to which Ulster will go in which I shall not be ready to support them."²⁵ That the leader of the opposition--the man who would become Prime Minister if his party won the next election--could make such inflammatory statements was extraordinary, and Asquith was fully justified in calling the Blenheim speech a "declaration of war against constitutional government."²⁶

As the Home Rule bill moved inexorably through Parliament, the drama in Ulster reached its emotional apex in September 1912 when "Covenant Day" arrived. The Solemn League and Covenant, with its Calvinist overtones, was drawn up by James Craig. It pledged Ulster Unionists to fight "the present conspiracy to set up a Home Rule Parliament in Ireland" and, if the Home Rule Parliament was established, "to refuse to recognise its authority." Smith accompanied Carson to Belfast for the signing of the Covenant on Saturday, September 28, and it seemed to eyewitnesses as if the entire Protestant population of Belfast and the surrounding area had turned out for the occasion. The most impressive feature of the ceremony was the stillness, the deadly quiet of the huge throngs who, bareheaded, lined the streets, giving the ceremony the imprint of a religious experience. After attending

²⁵ Ibid., July 29, 1912, 7-8; 2nd Earl of Birkenhead, F. E., 215.

²⁶ Parliamentary Debates, Commons, 1912, 5th Series, XLI, 2135-2138.

church services, Carson, like a Moses, led the procession of dignitaries to Ulster Hall for the signing of the Covenant. Preceding Carson was a standard bearer carrying a flag which allegedly had flown at the Battle of the Boyne; Smith, along with Craig, the Marquis of Londonderry, and various Ulster politicians and Protestant clergymen, walked behind Carson. In Ulster Hall, the Covenant lay on a table that was covered with the Union Jack and was signed by Carson and the other important personages, the first of nearly 500,000 people who signed it.

As Carson and Smith left for the Belfast docks to return to England, they were surrounded by crowds which cried out, "Don't leave us!" As their ship pulled away from port, they were serenaded by people on the docks who sang, "God Save the King" and "Auld Lang Syne." The scene in Liverpool was equally impressive when the ship docked there the next day. Carson and Smith were greeted by Archibald Salvidge on behalf of the Working Men's Conservative Association, and an estimated crowd of 150,000 people, almost entirely working-class, had turned out to meet them on this Sunday morning, even though the ship docked before eight o'clock (many people told newsmen that they had been waiting for several hours). Smith told the multitude that if an attempt was made to force Ulster into an Irish Parliament, "ten thousand young men of Liverpool" were prepared to fight for the Orange cause. Carson exclaimed, "Well done, Liverpool!" And added, "Belfast gave her answer last Saturday, Lancashire gives it to-day, and England will give it tomorrow." The gathering, with heads bared and with orange emblems everywhere in evidence, then sang, "Onward Christian Soldiers," "O God, Our Help in Ages Past," and the national anthem.²⁷

²⁷The Times (London), September 30, 1912, 9-10; Colvin, Carson the Statesman, 153; 2nd Earl of Birkenhead, F. E., 216-217; Salvidge, Salvidge of Liverpool, 120 ff.

These events in Belfast and Liverpool must have had a profound impact on the Cabinet and made the Government fully aware that Home Rule was no ordinary Parliamentary legislation. An indication of the growing intensity of feeling came in November 1912 when the Unionists called for a sudden vote on a financial resolution relating to the Home Rule bill. Because many Liberals were absent, not expecting a vote until later, the Unionists won the vote and then demanded the Government's resignation. Placid and unflappable the next day, Asquith calmly announced that the Unionist resolution would be repealed and, with the Liberals and Irish Nationalists in full attendance, the Government repealed the resolution; Unionist anger was so great that the Speaker was forced to adjourn the House because of "grave disorder." As he walked out of the House, Winston Churchill taunted the Unionists by waving his handkerchief at them, and one enraged Unionist M. P. retaliated by hurling a book which struck Churchill in the face. The two men charged towards each other and only the intervention of other men present stopped a probable fistfight. The next day, a formal apology was given and Churchill accepted it graciously, but the anger and hatred which were revealed at that moment were not so easily forgotten.²⁸ Tensions between the pro-Home Rule and anti-Home Rule forces increased as most Liberals and Unionists stopped socializing with one another, and acquaintances of years' standing refused to speak to each other if they held differing views on the Irish question.²⁹ The

²⁸ Parliamentary Debates, Commons, 1912, 5th Series, XLIII, 2054, 2088-2089; Bulmer-Thomas, The Growth of the British Party System, I, 216.

²⁹ Dangerfield, The Strange Death of Liberal England, 116.

virulent passions which had been released by the debates over Lloyd George's budget and the Parliament bill were being carried to their logical extreme.

The Home Rule bill had its third reading in the Commons on January 16, 1913, at which time Smith asked Asquith, "Will you on any terms consent to the exclusion of Ulster? If so, what are those terms?"³⁰ Smith's query went unanswered as the bill passed the Commons and was sent to the Lords.³¹ Later that evening, Smith harangued an anti-Home Rule gathering from the balcony of the Constitutional Club, telling the crowd that the "fate of this Home Rule Bill will not be determined in this House of Commons. It will be determined in the streets of Belfast. . . ." ³² As expected, the bill was rejected by the House of Lords later in the month,³³ but, under the provisions of the Parliament bill, this process had only to be repeated, and then the bill had only to pass the Commons a third time for it to be automatically placed on the Statute rolls and become the law of the realm--probably by the end of 1914.

Smith continued his anti-Home Rule activities in 1913, serving on the executive committee of the League for the Defense of Ulster and the Union, which was designed to recruit young Englishmen to fight for Ulster if there was war in Ireland.³⁴ In the autumn of 1913, Smith again represented the Unionist Party in Ulster, this occasion being in honor of the Ulster Volunteer Force, a paramilitary organization created in January 1913,

³⁰Parliamentary Debates, Commons, 1913, 5th Series, XLVI, 2323-2325.

³¹Ibid., 2412-2418.

³²2nd Earl of Birkenhead, F. E., 222-223.

³³Parliamentary Debates, Lords, 1913, 5th Series, XIII, 813-816.

³⁴Amery, My Political Life, I, 440.

which was to consist of 100,000 men between the ages of seventeen and sixty-five.³⁵

On September 20, 1913, Smith surpassed all of his previous Ulster performances with the extremism of his remarks. Smith said that he spoke on behalf of the Unionists in Britain when he pledged that if the Government attempted to coerce Ulster,

. . . from that moment they would hold themselves absolved from all allegiance to this Government. From that moment they would say to their followers in England, "To your tents, O Israel," from that moment they would stand by the side of Ulster, refusing to recognize any law and prepared with them to risk the collapse of the whole body politic to prevent this monstrous crime.³⁶ [Italics mine]

A week later, Smith reviewed the various Ulster Volunteer organizations with the Ulster military commander, Sir George Richardson, a retired general of the British Army. On September 27, Smith, on horseback as were Richardson and his staff, took the salute from 12,000 Belfast Volunteers as they passed in review.³⁷ This spectacle of September 27 prompted the widely circulated comment in England that Smith had "galloped for Carson," and forever after, he was known to his enemies as "Gallop" Smith.³⁸

This excursion in September and early October was the high-water mark of Smith's public involvement with the Ulster cause. His highly publicized activities against Home Rule had certainly kept him in the

³⁵Stewart, The Ulster Crisis, 70.

³⁶The Times (London), September 22, 1913, 24.

³⁷Ibid., September 29, 1913, 8.

³⁸2nd Earl of Birkenhead, F. E., 224.

limelight and had assured his position as one of the nation's most prominent political figures; but Smith had also proven to be an invaluable asset to the anti-Home Rule movement, as well as being a beneficiary of it. Smith was one of the few Unionists to possess what might be termed "charisma," and as Lord Beaverbrook later observed, Smith was a top drawing card at political rallies: "In the Conservative Party, which was weak in public appeal and platform ability, he almost alone had only to put up a notice that he would speak in order to fill any meeting place in Britain."³⁹

While the public campaign against Home Rule was in full swing, Bonar Law was assiduously prodding George V behind the scenes. In September 1912, Law had written to the King, telling him that an election on the Irish issue was the only solution and tactfully adding that "whatever course was taken by His Majesty, half of his people would think that he had failed in his duty."⁴⁰ Two months later, Law wrote to the King's private secretary, Lord Stamfordham, saying that unless the Home Rule issue was resolved, the Unionists "shall have to decide between breaking the Parliamentary machine and allowing these terrible results to happen"; if the Unionists were confronted with such a choice, they would not hesitate "in considering that the injury to the House of Commons is not so great an evil as the other."⁴¹

In July 1913, Law and Lord Lansdowne advised the King to dismiss

³⁹ Lord Beaverbrook, Men and Power, 1917-1918 (New York, 1956), 48.

⁴⁰ Nicolson, George the Fifth, 201.

⁴¹ Ibid., 201-202.

the Government and dissolve Parliament so that new elections could be held.⁴² The following September, when Law was the King's guest at Balmoral, the King told Law that, in his opinion, the Home Rule question should be placed before the electorate. This was undoubtedly music to the ears of Law, who expressed his doubts as to whether the Army would enforce Home Rule unless such a policy had a clear mandate from the people. If a dispute arose between the Army and the Government, Law told the King that the Unionist Party would support the Army.⁴³

Law was even more forbidding in a conversation with Churchill, who was also a guest at Balmoral. He told Churchill that Carson would lead a separatist movement if Home Rule became law and that the Unionists would support him. Churchill stated that the Government would never allow Ulster to secede, but Law replied that the Government could not rely on the Army to obey its orders.⁴⁴ Of course, Ulster and the Unionists might well have been bluffing by threatening civil conflict, but, as one historian wrote, "a bluff is only a bluff when someone has the courage to call it."⁴⁵

The Cabinet had considered arresting Carson for seditious behavior but decided against it for various reasons: Redmond warned the Government that arresting Carson would only make him a martyr (a role he would have relished); arresting Carson for sedition would have

⁴² Blake, The Unknown Prime Minister, 152.

⁴³ Ibid., 154-155.

⁴⁴ Ibid., 155-156; Randolph Churchill, Winston S. Churchill, II, 459.

⁴⁵ Dangerfield, The Strange Death of Liberal England, 109.

entailed the arrests of those who had abetted his sedition, which meant Ulster's political and religious leaders, the leaders of the Unionist Party (including Law, Smith, and numerous peers of the realm), and the owners and editors of the newspapers and periodicals which supported Ulster; and the Cabinet was unsure that any jury would have convicted Carson--an acquittal would have placed the Government in a ridiculous light and made Carson stronger than ever.⁴⁶ Finally, the arrest of Carson would have caused a major crisis, and it was Asquith's firm policy to keep conditions stable and to treat the Home Rule bill as normal legislation to be handled by Parliament.⁴⁷

Against this background, Smith wrote to Churchill on October 5, 1913, immediately after returning from Ulster. In the letter, Smith referred to the position of Carson "and his friends" as "a factious opposition."⁴⁸ At first glance, this letter would seem to confirm the most damning opinions of Smith's critics: That Smith could publicly rouse people to Armageddon and privately denigrate these same people as "a factious opposition" seems to be the most calculated and cold-blooded cynicism imaginable and makes Smith appear to be the shabbiest sort of demagogue. However, this letter had another meaning, for at this time, as incongruous as it may seem, Smith was actively seeking a peaceful solution to the Irish problem.

⁴⁶Oxford and Asquith, Fifty Years of British Parliament, II, 157-159.

⁴⁷Jenkins, Asquith, 281-282.

⁴⁸Randolph Churchill, Winston S. Churchill, II, 461.

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The search for a solution to the Home Rule impasse had occupied the attention of various individuals throughout 1913 as the tempo of public rhetoric increased. Most of these people concluded that the only answer was to exclude Ulster from the provisions of the Home Rule bill, a solution condemned by Irish Nationalists as "partition."

The Cabinet had discussed the possibility of Ulster's exclusion as early as February 1912 when the Home Rule bill was still being formulated. It was decided at that time to place all of Ireland under Home Rule and only if the necessity arose would a special exception be made for Ulster.⁴⁹ In 1912-13, that necessity rapidly arose. A Liberal backbencher named T. C. R. Agar-Robartes was the first to raise publicly the question of Ulster's exclusion. During a debate on Home Rule in June 1912, Agar-Robartes called for the exclusion of the Ulster counties of Antrim, Armagh, Down, and Londonderry; his position was that it was essential for Home Rule to become law, and therefore, Ulster had to be removed as an obstacle. He remarked wryly, "I have never heard that orange bitters will mix with Irish whisky."⁵⁰

As noted earlier, F. E. Smith had brought the exclusion of Ulster into consideration before the vote on Home Rule in January 1913. A strangely ignored event of great significance took place in the same month when Sir Edward Carson, in a rare gesture of conciliation, indicated that he might be amenable to Home Rule provided that sufficient safeguards were given for Ulster.⁵¹ However, the impact of his words was lost in a

⁴⁹Jenkins, Asquith, 276-277.

⁵⁰Parliamentary Debates, Commons, 1912, 5th Series, XXXIX, 771-773.

⁵¹Ibid., 1913, 5th Series, XLVI, 377-391.

heated partisan exchange when Bonar Law said that Ulster would rather be governed by a foreign country than be ruled by Dublin, and Churchill accused the Unionists of trying to involve Germany in the Irish dispute.⁵² Thus, a possible compromise between the Government and the Unionists was temporarily lost.

Throughout 1913, no one was more diligent in exploring the means for a peaceful solution than the King. He was constantly being bombarded with warnings of insurrection from Law, and he was emotionally affected by letters from his subjects, such as one from an Ulster Protestant who wrote: "Surely the King is not going to hand us over to the Pope."⁵³ His meetings with the Chief Secretary for Ireland, Augustine Birrell, left him even more disturbed. Birrell casually dismissed any possibility of conflict in Ireland, saying that the dispute between Ulster and the Irish Nationalists was "artificial" and that there was no feeling against Home Rule except in Belfast.⁵⁴ Birrell's whimsical, distracted air certainly did nothing to allay the King's anxieties.

George V was willing to grant Home Rule because he felt that Ireland would be a loyal Dominion like Canada if Britain acted generously and justly, but he thought that Ulster's resistance was reaching alarming proportions.⁵⁵ Consequently, the King carried on a lengthy correspondence with the Prime Minister in August and September in regard to the Government's Irish policy. Overcoming his fear of accusations that he would be interfering in politics, the King wrote to Asquith on August 11, telling

⁵² Ibid., 464 ff.

⁵³ Nicolson, George the Fifth, 221.

⁵⁴ Ibid., 220; Leon Ó Broin, The Chief Secretary: Augustine Birrell in Ireland (Hamden, Connecticut, 1970), 64-65.

⁵⁵ Nicolson, George the Fifth, 209.

him that "the Government is drifting and taking me with it!" The King suggested a bipartisan conference to settle the Irish problem. Asquith rejected the idea of a conference but indicated that he might be willing to amend the Home Rule bill as far as Ulster was concerned.⁵⁶

Asquith then wrote two memoranda to the King, outlining his views on the Irish situation. The first memorandum dealt with the constitutional ramifications of the Irish controversy; Asquith was aware of the advice which the King had received from Law and Lansdowne, and he stressed the position of the monarch. He denied that the Parliament bill had altered the monarch's role, and he pointed out that no monarch had exercised the veto power for two centuries and that the principle of a monarch being bound by the advice of his ministers was firmly established: This principle had protected the Crown "from the storms and vicissitudes of party politics" and had made the Crown "an invaluable safeguard for the continuity of our national life." Asquith reminded the King that while, theoretically, he had the right to dismiss a Government which controlled a majority of the Commons, no monarch had attempted such an action since the reign of William IV--not an "auspicious precedent." Furthermore, if the King dissolved Parliament on his own authority, he would be lowering himself into the political arena and making the Crown "the football of contending factions."

Asquith's legalistic mind was on firm ground when writing about constitutional issues, and his advice was a masterful synopsis of the role of a constitutional monarch. The Prime Minister was not as convincing when dealing with the political realities of the Irish issue in his second

⁵⁶ Ibid., 222-224; Jenkins, Asquith, 285.

memorandum. He conceded that there might be "organised disorder" in Ulster but discounted the idea of civil war. He was not opposed to an election after the Home Rule bill became law, but an election before that would be tantamount to a referendum, and a referendum on Home Rule or any other issue would nullify the intent of the Parliament bill.⁵⁷

These memoranda failed to satisfy the King. In another letter to the Prime Minister, George V said that he did not feel that the election of December 1910 was a sufficient mandate for the Home Rule bill. He worried about the morale of the Army and the effect on public opinion in Britain and the Dominions of coercing Ulster Protestants into accepting Catholic rule. The King told Asquith that the Unionist leaders had assured him that they would accept the verdict of an election on the Irish issue but that they would support Ulster if Redmond and the Liberals tried to ram Home Rule through Parliament. He also expressed concern that the Crown would be placed in an embarrassing position if the Unionists won an election after Home Rule became law, passed a repeal of Home Rule and forced the King to sign the repeal after he had just signed the original bill. The King urged Asquith either to hold an election or to amend the bill so that the interests of Ulster would be protected.⁵⁸

Simultaneously, Arthur Balfour wrote to Lord Stamfordham, suggesting that the best solution was a general election on the Home Rule question; but, since Asquith was unwilling to hold an election and the King was unable to dismiss the Government, the only alternative was a compromise excluding Ulster from the Home Rule bill. The King respected Balfour's judgment

⁵⁷ Nicolson, George the Fifth, 224-225.

⁵⁸ Ibid., 225-229.

more than that of any other statesman, and this letter confirmed his own opinions on Ireland.⁵⁹ These activities on the King's part were not an indication that he favored the Unionist Party. On the contrary, the King decidedly preferred Asquith to Law, for whom he had a strong personal distaste. Furthermore, George V thought that, in the current climate of European affairs, it would be disastrous for the Foreign Office to lose a man of the ability and experience of Sir Edward Grey.⁶⁰ The King was merely attempting to avert a potentially grave crisis.

Although Asquith may have appeared recalcitrant in his correspondence with the King, he had come to believe that the necessity for modifying the Home Rule bill had finally arisen. While he was exchanging views with the King, he wrote to Churchill that the Government would "probably have to make some sort of bargain about Ulster as the price of Home Rule."⁶¹ In the midst of these private communications, considerable comment was caused by a letter written to The Times by the Earl of Loreburn, an elder statesman of the Liberal Party and a former Lord Chancellor, who urged the Government to seek a "settlement by consent" and advocated a bipartisan conference to reach an agreement which would be satisfactory to both Ulster and the Irish Nationalists.⁶² Loreburn's letter had the effect of clearing the air and creating a more conciliatory atmosphere, and Smith and Churchill decided that this was the time to implement their plan for Ireland.

⁵⁹ Ibid., 230-231.

⁶⁰ Ibid., 222, 231n.

⁶¹ Randolph Churchill, Winston S. Churchill, II, 460.

⁶² The Times (London), September 11, 1913, 7-8.

Smith and Churchill had been working secretly for more than a year on a solution to the Irish question. They came to the conclusion that the only basis for a settlement was Home Rule for Ireland, with a provision for excluding Ulster. This is the most controversial period of Smith's career, but the controversy stems from a misunderstanding of Smith's motives. One of the two major biographies of Smith was written by his son, the second Earl of Birkenhead. He wrote that Smith, in his public campaign for Ulster, was motivated by idealistic concern for Ulster's Protestants. Smith, on the contrary, was a Christian only in the sense that he was a Gentile rather than a Jew. His son grudgingly conceded that Smith had a completely secular and materialistic view of the world and was totally amoral in his private life; but he then attempted to portray Smith as a man stirred to the depths of his being by the plight of God-fearing Calvinists being forced to accept the majority rule of a Papist, "anti-Christ" Parliament in Dublin.

Equally unconvincing was the argument of William Camp, the author of The Glittering Prizes, the more critical biography of Smith. Camp asserted that Smith's actions in 1912-14 were purely cynical: Ulster was the issue of the moment and he played it for all it was worth. Indeed, Camp seemed to feel that Smith would have advocated cannibalism or human sacrifice if he had thought that it might have advanced his political career. This concept of Smith as a ruthless mercenary is shared by many other historians. However, Camp and other historians recognize the crucial part which Smith played in the 1921 Anglo-Irish Treaty and are at a loss to explain it. If Smith was such a Machiavellian opportunist, it would hardly have been in keeping with his character for him to labor so arduously to reach an accord with the Irish at the expense of his standing within his own party.

Both of these views are misleading. Political considerations did serve as a factor in Smith's determination to support the Orange cause, but it would have been political suicide for any Unionist to have done otherwise. During this controversy, Smith was working as a "double agent," in secret collaboration with Churchill and, to a lesser extent, Lloyd George, to modify the positions which he asserted in public with Carson and Law. Smith, unlike Law or Carson, always maintained an emotional detachment from Ulster and was able to appraise the situation more realistically than they could. Having seen the frightening depths of emotion and fervor in Ulster and in Lancashire, Smith was too perceptive not to have realized that the Orange cause was a Frankenstein's monster which the Unionist Party might not be able to control. Smith was convinced that national unity was impossible as long as the Irish question hung over British politics, and he was aware that Irish Catholic nationalism and Ulster Protestant particularism were incompatible. Thus, rationally, Smith decided that Ulster's exclusion from Home Rule was the only answer.

For a short while, Churchill thought that "devolution" was the ideal solution. Devolution would have entailed Home Rule for Ulster, Home Rule for southern Ireland, Home Rule for Scotland and Home Rule for Wales. This would have enabled Westminster to deal with foreign policy, national defense, and other Imperial matters while local problems were handled by the various Home Rule Parliaments. Churchill became so fascinated by devolutionary schemes that Smith jokingly accused him of wanting to restore the Anglo-Saxon Heptarchy.⁶³ Before long, though,

⁶³2nd Earl of Birkenhead, F. E., 216.

both men had decided on Home Rule for Ireland sans Ulster. In August 1912, Churchill wrote to Redmond, asking him to consider the possibility of a "moratorium" on Ulster's entry into an all-Ireland Parliament,⁶⁴ and, in the aforementioned Home Rule debate in January 1913, Smith put the question of excluding Ulster directly to Asquith. During 1913, Churchill arranged a number of private dinners for Smith to exchange views with various Liberal and Irish spokesmen.⁶⁵ As Churchill's son later wrote: Smith and Churchill "worked tirelessly behind the scenes to produce an accommodation over Irish and other matters that might hamper national unity. Both were alive to the German danger and the need of Britain to face it."⁶⁶

In the fall of 1913, with Asquith leaning toward exclusion and with Lord Loreburn's advice uppermost in many minds, Churchill and Smith decided that now was the time to gamble on reaching a settlement. Churchill explicitly stated his views to Lord Stamfordham on September 17, when he told him that Catholic Ireland should have Home Rule--"Is it likely that she can now stand by and see the cup almost at her lips, dashed to the ground?"--but he said that "Ulster has a case."⁶⁷ Churchill was making it known to the King that there were high-ranking officials in the Government who were willing to compromise, and he could be sure that the message would be passed to Law. While Churchill was conveying his message to Stamfordham, Smith embarked upon his notorious Ulster visit,

⁶⁴Gwynn, The Life of John Redmond, 213-214; Bromage, Churchill and Ireland, 33-34.

⁶⁵Bromage, Churchill and Ireland, 36.

⁶⁶Randolph Churchill, Winston S. Churchill, II, 462.

⁶⁷Ibid., 459-460.

during which he approached Carson and various Ulster leaders on the matter of a compromise settlement. On September 29, in the midst of his Ulster trip, Smith wrote a personal memorandum in which he expressed his private views on the Irish situation. This memorandum is one of the very few personal papers which Smith saved, and it is an invaluable aid in shedding light on his actions.

In the memorandum, Smith wrote that he had told Carson that "no accommodation was possible unless sacrifices and concessions were forthcoming from both sides" and had asked him for his position if Ulster was offered exclusion from the Home Rule bill. Carson, Smith wrote, replied that he would "readily accept" such a proposal as the basis for working out an agreement with Redmond and the Government. According to the memorandum, Smith pointed out to Carson that partition would be a great sacrifice for Redmond and that it was only fair to expect some reciprocal gesture from Ulster: Namely, a willingness to accept Home Rule for the rest of Ireland. Smith concluded the memorandum by stating his impression that Carson would not block Home Rule if Ulster was excluded.⁶⁸

Another document which is crucial to an understanding of Smith's actions at this time was the letter which he wrote to Churchill on October 5, upon his return from Ulster. This letter, found in Churchill's papers, was the one in which he referred to the Ulster Protestants' position as "a factious opposition." Because of its importance, the letter should be quoted in its entirety:

Dear W,

I think you will agree that I have played up well. I hope

⁶⁸2nd Earl of Birkenhead, F. E., 225.

you will do the same now.

Couldn't you ask--what does Sir Ed Carson mean by exclusion? Does he mean that he and his friends will abandon a factious opposition in that part of Ireland when they are in so small a minority? Does he mean that he and his friends will remember that they are Irishmen and apply their ability and influence to make the experiment a success in the South?

But you can do the thing much better than I can suggest. Only do play up. I have run no small risks and incurred considerable censure.

Yours ever,

F E

Carson is most reasonable. I think he wd be glad to meet you.⁶⁹

It is clear from the September 29 memorandum and the October 5 letter that Smith's public actions in Ulster were an elaborate charade, part of a concerted effort with Churchill to bring about negotiations on Ireland. Smith's flamboyant tour through Ulster and his violent, incendiary speeches were prompted not by pure idealism or pure cynicism but were designed to impress Ulster's demands upon the public consciousness with such dramatic boldness that the Irish Nationalists would find it impossible to refuse negotiations on the basis of Ulster's exclusion. There is no other way to interpret Smith's letter to Churchill, with its opening remarks ("I think you will agree that I have played up well.") and its conclusion ("Only do play up. I have run no small risks and incurred considerable censure."). Three days after Smith wrote the letter, Churchill made a speech to his constituents in Dundee in which his usual bellicose rhetoric was missing. Churchill said that the Government intended to carry out Home Rule but stated that the Home Rule bill could

⁶⁹ Randolph Churchill, Winston S. Churchill, II, 461.

be altered so that a "settlement by agreement" could be reached; he urged "goodwill" and a "mitigation of bitter feelings" on both sides.⁷⁰

Two days after Churchill's address, Smith spoke at West Bromwich, and his low-keyed remarks must have astounded those who had read of his swashbuckling Ulster campaign several weeks earlier. Smith emphasized that he was stating his own personal views and was not speaking on behalf of the Unionist Party. He said that Ulster would resort to violence only to prevent coercion into a Home Rule Parliament, and he advised the Government and the Irish Nationalists to recognize this fact. Smith urged an all-party meeting of "men of goodwill" to work out a settlement based on the exclusion of Ulster, and he praised Churchill's recent, statesmanlike speech as an indication from a leading Cabinet member that the Home Rule bill was not "unalterable."⁷¹ There can be little doubt that these moderate speeches from Churchill and Smith, who were regarded as extremists by their respective opposing parties, had considerable impact. There can also be little doubt that the timing of these two speeches, coupled with their similarity in tone and content, strongly indicates a definite plan by Churchill and Smith to force the Irish issue.

Within the Cabinet, Churchill was the most aggressive spokesman for a compromise settlement, and he was supported by Lord Morley and Lloyd George.⁷² Because of his knowledge of the nonconformist temperament in

⁷⁰The Times (London), October 9, 1913, 7-8.

⁷¹Ibid., October 11, 1913, 10.

⁷²2nd Earl of Birkenhead, F. E., 228.

Wales, Lloyd George was acutely aware of the political danger of forcing Protestants to accept Catholic domination,⁷³ and he was also involved with Smith on the Irish question. In October 1913, Lloyd George wrote to Smith, telling him that he had conveyed Smith's ideas on a settlement to the Prime Minister and added: "You know how anxious I have been for years to work with you and a few others on your side. I have always realised that our differences have been artificial and do not reach the 'realities'."⁷⁴

Because of his efforts to reach a compromise, Smith was harshly criticized in certain quarters of the Unionist Party. Lansdowne, in particular, was infuriated by Smith's overtures to the Government, and he wrote a bristling letter to Law suggesting that the Unionist leadership disassociate itself from Smith.⁷⁵ Smith had gone so far as to inform the King that a compromise might be reached; Law, whose strategy was still to keep George V worrying, said, "F. E.'s talk with the King seemed to me just about as unwise as anything could be."⁷⁶

Lord Stamfordham wrote to Law in October, asking him to request a conference with the Prime Minister, but Law refused, saying that an overture on his part would be interpreted as a sign of weakness and that the King should initiate such a conference.⁷⁷ In fairness to Law, it

⁷³ Dangerfield, The Strange Death of Liberal England, 111.

⁷⁴ 2nd Earl of Birkenhead, F. E., 227.

⁷⁵ Blake, The Unknown Prime Minister, 158-159.

⁷⁶ Ibid., 159.

⁷⁷ Nicolson, George the Fifth, 231.

should be pointed out that he was under heavy pressure from extreme Unionists, such as Lansdowne and the Cecils, not to make any concessions to the Liberals.⁷⁸ In the end, it was the Prime Minister who finally proposed a meeting. Asquith was also under great pressure--from the King, from members of his Cabinet, from the results of recent by-elections which were against the Government⁷⁹--and he asked Law to meet him informally to discuss the Irish situation. Asquith and Law met on October 15 and again on November 6 at the home of Sir Maxwell Aitken (later Lord Beaverbrook). They discussed the political realities of their respective positions, and both agreed that the only feasible solution was Home Rule with some form of exclusion for Ulster.⁸⁰ These meetings seemed to suggest that there was a basis for agreement, and an extremely conciliatory speech by Asquith at Ladybank created a climate of optimism.⁸¹

In this atmosphere, Churchill entertained Austen Chamberlain aboard an Admiralty yacht in order to secure the support of a famous name for a compromise settlement. Churchill told him that the Government would not allow Ulster to block Home Rule but was willing to consider separate treatment for Ulster: "We have never excluded that possibility--never." Chamberlain said that the Unionists favored exclusion for Ulster for an indefinite period, while Churchill said that the Cabinet was leaning towards the idea of exclusion for a fixed term and then automatic inclusion into the Dublin Parliament unless Westminster had decided

⁷⁸ Blake, The Unknown Prime Minister, 211-212.

⁷⁹ Dangerfield, The Strange Death of Liberal England, 108.

⁸⁰ Jenkins, Asquith, 288-292; Blake, The Unknown Prime Minister, 161-165.

⁸¹ The Times (London), October 27, 1913, 5.

otherwise; however, Churchill conceded that the Government might move closer to the Unionist position if it was necessary to reach an agreement. Chamberlain stated that he was not opposed to Home Rule per se, just the idea of "Ireland a nation," the idea that Ireland was a separate and distinct nation from Britain. Churchill laughed and said that denying Ireland a sense of nationhood would deny the Irish any satisfaction in having their own Parliament: "You are like the R. C. Church which admits the necessity of the marriage bed but holds that you must find no pleasure in the enjoyment of it." Churchill gave Chamberlain the impression that the leading members of the Cabinet--Asquith, Grey, Lloyd George, Morley--favored a settlement, but Churchill expressed his fear that "a little red blood has got to flow" before the Irish question was settled.⁸²

This congenial atmosphere was shattered at the end of November. At the meeting between Asquith and Law on November 6, Law thought that Asquith had agreed to a settlement based on Ulster's exclusion and that the Prime Minister had agreed to recommend it to the Cabinet; but Asquith had only considered their discussions a tentative, hypothetical solution which he would present to the Cabinet for consideration. At any rate, Law waited expectantly to hear from Asquith and when he failed to receive a positive response from the Prime Minister, who found his Cabinet deeply divided on the proposed solution, Law felt that Asquith had trifled with him. Consequently, Law showed no further interest in talking to Asquith.⁸³

The sudden turn for the worse was reflected in a speech which

⁸² Chamberlain, Politics From Inside, 572-577.

⁸³ Jenkins, Asquith, 292-293; Blake, The Unknown Prime Minister, 165.

Asquith made on November 27 at Leeds, in which he stated that the Government had been given its mandate in 1910 and that there would be no election on the Home Rule issue. In his grim, pessimistic address, Asquith said that he saw no prospect for agreement and emphasized that the Government would not be intimidated by threats of civil war.⁸⁴ Asquith was answered on the following day by a speech which Law gave in Dublin to a meeting of Irish Unionists. Law reaffirmed Unionist support for Ulster and said, "Mr. Redmond has given his orders, and . . . Mr. Asquith is not prepared to disobey them." He compared 1913 to 1688 and suggested that the Army treat Asquith the same way James II had been treated.⁸⁵

Incredibly, arrangements were made for another meeting between Asquith and Law, but the December meeting was predictably abortive: Asquith was bound by Redmond's declaration that the Irish Nationalists could go no farther than "Home Rule within Home Rule," which meant that Ulster would come under the all-Ireland Parliament but would be given extensive local autonomy under Dublin's supervision; while Law demanded the absolute exclusion of Ulster until the time when the people of Ulster voted to accept an Irish Parliament.⁸⁶ The failure of Asquith and Law to reach an accord was made even more regrettable by the formation in late 1913 of the Irish Volunteers, a paramilitary organization that was Catholic Ireland's answer to the Ulster Volunteers.⁸⁷

⁸⁴The Times (London), November 28, 1913, 9-10.

⁸⁵Ibid., November 29, 1913, 9-10.

⁸⁶Jenkins, Asquith; 293-294; Blake, The Unknown Prime Minister, 166.

⁸⁷Dorothy Macardle, The Irish Republic (New York, 1965), 94.

Bonar Law's constant references to the attitude of the Army in his speeches and in his meetings with the King and the Prime Minister were not without substance. He was in constant communication with Major-General Sir Henry Wilson, the Director of Military Operations at the War Office. Wilson has been described as a "tireless and unscrupulous intriguer,"⁸⁸ for Wilson was the political soldier par excellence. Wilson, being of Anglo-Irish stock, was very sympathetic to Ulster, and his biographer noted that Wilson viewed the Government's Home Rule program "with a growing indignation."⁸⁹ Wilson secretly advised the Ulster Volunteer Force and was in frequent contact with Law, feeding him information from the War Office and suggesting questions to ask the Liberal ministers in the Commons in order to embarrass them. In fact, Wilson seemed to feel that his duty was not to provide for the defense of Great Britain but to bring down the Liberal Government. As his extraordinary diaries reveal, Sir Henry Wilson was one of Bonar Law's strongest allies.⁹⁰

Acting with Wilson's full support, Law was planning his most radical measure yet to block Home Rule. The plan was to use the House of Lords to amend the perfunctory Army Annual bill--which was necessary to maintain the Army--so that the Army could not be used to coerce Ulster into Home Rule unless an election had been held specifically on the Irish issue.⁹¹ If the Government accepted this amendment to the Army Annual bill, it would be handing the Unionists a great victory; if the Government

⁸⁸ J. B. Priestly, The Edwardians (New York, 1970), 268.

⁸⁹ Charles Edward Callwell, Field Marshal Sir Henry Wilson: His Life and Diaries, I (New York, 1927), 124.

⁹⁰ Ibid., 124, 131-132, 138.

⁹¹ Blake, The Unknown Prime Minister, 173-174; Callwell, Sir Henry Wilson, I, 138.

refused to accept the amendment, it would be without an army for at least three sessions of Parliament (under the provisions of the Government's own Parliament bill). Law consulted the leaders and elder statesmen of the Unionist Party, and they reluctantly agreed to this proposed blackmail, with the sole exception of Arthur Balfour who thought it was a "dangerous precedent."⁹²

While Law and Wilson were concocting their scheme to render the British Government impotent, George V conferred with the Prime Minister at Windsor in February 1914, at which time the King once more expressed his concern over possible bloodshed in Ireland unless there was an agreement. He said that Ulster would never accept Home Rule and stated that the Army could not be relied upon to coerce Ulster. The King urged Asquith to hold an election because that would give the Government a clear mandate--if it won--to enact Home Rule and would absolve the Government and the Crown of responsibility for any violence that might accompany Home Rule. The Prime Minister wearily replied that an election would "settle nothing" and reminded the King that, constitutionally, he was not responsible for his ministers' policies. The King stated that "although constitutionally he might not be responsible, still he could not allow bloodshed among his loyal subjects in any part of his Dominions without exerting every means in his power to avert it." He went on to say that he would "feel it his duty to do what in his own judgment was best for his people generally."

Stamfordham recorded that the "Prime Minister expressed no little surprise at this declaration" and warned the King not to veto the Home

⁹² Blake, The Unknown Prime Minister, 175-177.

Rule bill or attempt to dismiss the Government. This warning, Asquith said, was given "not for his own sake so much as for that of the Crown." The King said that he had no desire to dismiss the Government but "his future action must be guided by circumstances," and he implored Asquith to seek a "settlement by consent" with Carson and the Unionists.⁹³ Asquith, seeing the traumatic effect that the Home Rule controversy was having on the King, decided to resume his efforts to end the political strife.⁹⁴

Asquith convinced Redmond that the only way out of the deadlock was to make an offer to Ulster that was generous enough so that if it was refused, Ulster would lose "all moral force." Redmond did not approve of this concession to Ulster, and he realized that he could bring down the Government if he so desired; but if an election brought the Unionists to power, the Irish Nationalists might lose everything which they almost had in their grasp. So Redmond swallowed hard and accepted the Government proposal.⁹⁵

The Government proposal was presented to the Commons on March 9, 1914, when Asquith moved to amend the Home Rule bill. He proposed to offer each Ulster county the option of remaining in the United Kingdom or becoming part of the Irish Parliament; if the county voted to remain in the United Kingdom, it would do so for six years, at the end of which time it would be automatically included in the Irish Parliament unless Westminster had changed this provision in the meantime. The six-year

⁹³ Nicolson, George the Fifth, 233-234; Jenkins, Asquith, 302.

⁹⁴ Jenkins, Asquith, 302.

⁹⁵ Gwynn, The Life of John Redmond, 250-252.

period would give Ulster an opportunity to gauge the effectiveness of Dublin's government and, as elections were due in 1915 and 1920, would give the Unionists an opportunity to take office and alter or repeal the Home Rule bill.⁹⁶

Law immediately denounced the proposal as an inadequate safeguard for Ulster's rights,⁹⁷ and Carson said that Ulster would never accept a "sentence of death with a stay of execution for six years."⁹⁸ At this slap in the face, Redmond angrily told the Unionists that the Irish Nationalists had sacrificed enough to satisfy Ulster's sensibilities and that there would be no more concessions.⁹⁹ Redmond's anger was justified because he had been severely criticized for agreeing to the Amending bill, and, thereby, accepting partition.¹⁰⁰ With the Government's offer of compromise thus rebuffed, it appeared that the work of men like Smith, Churchill, and George V had gone for naught.

(4)

Although the Government intended to pursue the Amending bill, it regarded the Unionist rebuff as a refusal to consider anything except the complete abandonment of Home Rule, and the Cabinet decided to take the offensive in the public opinion battle. Lloyd George told Lord Riddell that Churchill had been chosen by the Cabinet to attack the Unionist Party

⁹⁶Parliamentary Debates, Commons, 1914, 5th Series, LIX, 906-918.

⁹⁷Ibid., 918-926.

⁹⁸Ibid., 934.

⁹⁹Ibid., 926-929.

¹⁰⁰Macardle, The Irish Republic, 106-107.

position on Ireland,¹⁰¹ and Churchill's mailed fist language certainly marked a departure from Asquith's policy of maintaining calm and stability. In his address at Bradford on March 14, Churchill accused Carson and the Unionists of being engaged in "a treasonable conspiracy" and said that the Unionists' philosophy was that "coercion for four-fifths of Ireland is a healthful, exhilarating and salutary exercise--but lay a finger on the Tory one-fifth--sacrilege, tyranny, murder!" He went on to say:

As long as it affects the working man in England or Nationalist peasants in Ireland there is no measure of military force which the Tory Party will not readily employ. They denounce all violence except their own. They uphold all law except the law they choose to break. They . . . select from the Statute Book the laws they will obey and the laws they will resist. . . . If it should happen that the Constitution or the law . . . stand in the path of some Tory project . . . then they vie with the wildest anarchists in the language which they use. . . .

Then Churchill, with reckless belligerence, challenged the Unionists to make good their rhetoric. He said that if the Unionists wanted a peaceful solution to the Irish problem, they would find the Government more than cooperative; but if they wanted a fight, "Let us go forward together and put these grave matters to the proof."¹⁰²

Churchill's speech caused tremendous anger and resentment among Unionists,¹⁰³ and, while such language may have been just what the Unionists deserved, it only exacerbated tensions at a time when the Government had been planning to take violently controversial action in regard to Ulster. The Government had become alarmed at the activities of the

¹⁰¹Baron Riddell, More Pages From My Diary, 1908-1914 (London, 1934), 203-204.

¹⁰²The Times (London), March 16, 1914, 13.

¹⁰³Amery, My Political Life, I, 443-444.

Ulster Volunteers and, early in 1914, had learned of plans by Ulster extremists to seize supplies and materiel from British Army depots in Ulster.¹⁰⁴ To investigate the situation in Ulster, a special Cabinet subcommittee was created, consisting of Lord Crewe, Lord Privy Seal and leader of the House of Lords; Churchill, First Lord of the Admiralty; Birrell, Chief Secretary for Ireland; John Seely, Secretary for War; and Sir John Simon, Attorney-General. The subcommittee recommended that extra guards be placed on the military depots in Ulster and that the number of troops in Ulster be increased by transferring forces from southern Ireland and England.¹⁰⁵ Churchill ordered naval units into the Irish Sea as a show of force and as a means of transporting soldiers if necessary.¹⁰⁶

The Government had reason to doubt the reliability of British troops stationed in Ireland. It was believed that most of the officers had Unionist sympathies, and in fact, "many of them had connections of blood and property with Ulster"; even among the enlisted troops, there was a large percentage of men who had an Irish Protestant heritage.¹⁰⁷ These doubts were apparently confirmed when Sir Arthur Paget, the commanding general of British forces in Ireland, balked at the proposed troop transfer, saying that it would provoke a crisis and that it would be better to keep the troops in reserve rather than move them to Ulster. Consequently, Paget was ordered to report to the War Office in London on

¹⁰⁴Randolph Churchill, Winston S. Churchill, II, 470-471.

¹⁰⁵Jenkins, Asquith, 305-306.

¹⁰⁶Winston S. Churchill, The World Crisis, 1911-1914 (New York, 1928), 194-195.

¹⁰⁷Randolph Churchill, Winston S. Churchill, II, 475.

March 18 for a briefing from Government officials.¹⁰⁸ At the War Office, Paget was instructed to secure the Army depots and equipment in Ulster. He was told to expect sabotage and, possibly, sporadic violence; in the event that the Ulster Volunteers mobilized to thwart this operation, provisions had been made to establish a British military government in Belfast.¹⁰⁹

When Paget returned to Ireland, he called a meeting of his general officers to inform them of the nature of the operation. Paget's remarks at this meeting have been a source of controversy for more than half a century; but, whatever his exact words were, he gave many of the officers the distinct impression that the Government was planning an active, aggressive campaign to subdue Ulster.¹¹⁰ One such officer was Brigadier-General Hubert Gough, commander of the Third Cavalry Brigade, who returned to his headquarters at the Curragh, an army post near Dublin, and gave his own officers his impression of Paget's remarks. Gough and fifty-seven of his officers said that they would take part in the Ulster campaign if the campaign was designed to protect property and maintain order, but they unequivocally refused to participate in any operation which was designed to coerce Ulster into Home Rule.¹¹¹

News of this "mutiny" stunned the Government, and the War Office directed Paget to relieve Gough of his command and send him to London. Paget sped to the Curragh and tried to convince Gough that his statements had been misinterpreted, that the Ulster campaign was merely precautionary.

¹⁰⁸ Alfred Patrick Ryan, Mutiny at the Curragh (London, 1956), 119.

¹⁰⁹ Ibid., 120-122.

¹¹⁰ Ibid., 130-133.

¹¹¹ Ibid., 138-139.

When Gough remained obdurate, Paget ordered him to report to the War Office.¹¹² Gough was steadfast in his refusal when he met War Secretary Seely, and, finally, the Cabinet drew up a memorandum for the British troops in Ireland to follow, giving general assurances to the rebellious officers. Gough, finding the assurances too bland and privately encouraged by Wilson, demanded more specific guarantees. Seely totally collapsed in the face of Gough's adamant demands; he and Lord Morley added extra assurances to the memorandum--without the knowledge of the Cabinet--which guaranteed that the Government would not attempt to use the Army "to crush political opposition to the policy or principles of the Home Rule Bill." This surrender was initialled by two generals at the War Office, whereupon Gough hastened back to Ireland to resume his command and display his battle trophy to his colleagues.¹¹³ The Cabinet exploded when it learned of Seely's concessions, and their embarrassment was enormously increased after Sir Henry Wilson leaked information about the Curragh incident to Bonar Law, who promptly leaked it to friends in the press.¹¹⁴

No Government had been in such an ignominious position since Gladstone's ministry had been blamed for the massacre at Khartoum in 1885. The Unionists accused the Cabinet of plotting a nefarious scheme to subjugate Ulster which was prevented only by patriotic Army officers, while those who believed that Ulster should come under Home Rule felt that the Government had been cravenly intimidated. The Curragh incident was the foremost subject of debate in the Commons on March 30, 1914, at which time,

¹¹² Ibid., 140-143.

¹¹³ Ibid., 153-155; Callwell, Sir Henry Wilson, I, 140-141.

¹¹⁴ Callwell, Sir Henry Wilson, I, 142-143.

the Prime Minister announced the resignations of the hapless Seely and the two generals who had initialled his guarantee to Gough, and Asquith took the House by surprise when he announced that he would personally assume direction of the War Office.¹¹⁵

F. E. Smith was designated to make the major address for the Unionists, and he meticulously set forth the Government's "plot" against Ulster: Churchill's Bradford speech, the Curragh incident, and the naval maneuvers in the Irish Sea. Most of the speech was vintage F. E. Smith as his taunts and innuendoes brought gales of laughter and cheers from the Unionist benches, to the silent discomfiture of the Liberals. The plot against Ulster was "Napoleonic," Smith remarked, but alas, "there was no Napoleon."¹¹⁶ However, he ended by making as generous a statement as the Commons had heard in many months. He asked the House to consider "where are we all drifting" and said, "Nobody can ever persuade us on this side of the House that we have not been justified in the things we have done, and no one will ever persuade the honourable gentlemen opposite that they . . . were not justified in what they have done." He said that historians would record that the "whole House of Commons" should have been the "trustees, not for any party, but for the nation as a whole" and that the House had "inherited from the past a great and splendid possession, and where is it now?"¹¹⁷

The Unionists, taking full advantage of the Curragh fiasco, held a monster rally in Hyde Park on Saturday, April 4, supporting Ulster and

¹¹⁵Parliamentary Debates, Commons, 1914, 5th Series, LX, 840-841.

¹¹⁶Ibid., 877.

¹¹⁷Ibid., 891.

denouncing the Liberals before a wildly receptive crowd.¹¹⁸ Although he was one of the speakers at the rally, Smith continued to work privately for a compromise settlement and tried to dilute the bitterness of recent events. Leopold Amery recorded an instance when Smith persuaded several Army officers to remain in the service rather than resign to join the Ulster Volunteers.¹¹⁹ Despite the efforts of individuals like Smith, tensions increased when the Ulster Volunteers smuggled 35,000 German rifles and nearly three million rounds of ammunition into Ulster on the night of April 24, 1914.¹²⁰ This gun-running episode at Larne may have strengthened the Ulster Volunteers, but it put the Unionists on the defensive for the first time since the Curragh rebellion and when the Unionists attempted a motion of censure against the Government on April 28, Churchill was able to say that the "first maxim of English jurisprudence is that complainers should come into Court with clean hands."¹²¹ Yet, Churchill took this opportunity to make a plea for conciliation, telling Carson that if he would accept Home Rule, the Government would "safeguard the dignity and the interests of Protestant Ulster."¹²²

Bonar Law had, in the meantime, abandoned the idea of amending the Army Annual bill, agreeing with Balfour that it might adversely affect national security. Law was also aware that the Curragh incident had made it virtually impossible for the Government to use the Army

¹¹⁸ The Times (London), April 6, 1914, 9-10.

¹¹⁹ Amery, My Political Life, I, 448.

¹²⁰ Macardle, The Irish Republic, 105.

¹²¹ Parliamentary Debates, Commons, 1914, 5th Series, LXI, 1574.

¹²² Ibid., 1591-1592.

against Ulster--hence, there was no longer any reason to amend the bill.¹²³ On May 5, 1914, Law met with Carson and the Prime Minister to find a way to avert the inevitable bloodshed in Ireland. The three men "provisionally agreed" that Ulster should be offered the option of entering the Irish Parliament or remaining part of the United Kingdom, but further details were not worked out.¹²⁴ Asquith was being continually prodded by the King in the spring and early summer to bring his "great powers" to bear on an Irish settlement and was being warned by the monarch that "time was slipping away."¹²⁵ Home Rule was due to become law before the year was out, and the Government would be placed in the position of coercing Ulster to accept the statute or allowing the Ulster Protestants to defy Parliament. In the summer of 1914, Churchill expressed the attitude of many concerned people when he wrote to a Cabinet colleague that the Irish question had to be resolved before it crippled Britain and the Empire-- "if possible with Irish acquiescence, but if necessary over the heads of both Irish parties."¹²⁶

The House of Lords brought the issue to a head when it made known its plan to alter the Government's Amending bill so that all of Ulster would be excluded without any time limit for the period of exclusion.¹²⁷ This was unacceptable to the Government, and on July 17, Asquith wrote to the King, asking him to invite the concerned parties to a conference

¹²³ Blake, The Unknown Prime Minister, 181-182.

¹²⁴ J. A. Spender and Cyril Asquith, The Life of Herbert Henry Asquith, Lord Oxford and Asquith, II (London, 1932), 50.

¹²⁵ Nicolson, George the Fifth, 240.

¹²⁶ Winston Churchill, The World Crisis, 1911-1914, 197-198.

¹²⁷ Oxford and Asquith, Fifty Years of British Parliament, II, 172.

to iron out their differences on Ireland.¹²⁸ On July 21, the parties gathered at Buckingham Palace: Asquith and Lloyd George represented the Liberals; Law and Lansdowne were the Unionist representatives; the Irish Nationalists sent Redmond and John Dillon; Carson and Craig served as Ulster's spokesmen; and James Lowther, Speaker of the House of Commons, presided over the meetings. The conference was terminated after four days due to differences between the two Irish parties over the conditions and length of Ulster's exclusion and the number of counties which were to be incorporated in Ulster (both parties claimed Fermanagh and Tyrone).¹²⁹

Asquith and Lloyd George returned to Downing Street to inform the Cabinet. As the celebrated passage in Churchill's memoirs relates, the Cabinet was rehashing the Irish situation and floundering "around the muddy byways of Fermanagh and Tyrone" on the evening of July 24 when Sir Edward Grey interrupted the discussion to read a note from the Foreign Office which gave the details of Austria's ultimatum to Serbia.¹³⁰

(5)

The British Government had been so mesmerized by the Irish question that it had paid scant attention to the ominous developments in Europe which had been set in motion by the assassination of the Austrian Archduke at Sarajevo on June 28. The forces of nationalism, militarism, and the system of alliances were now savagely activated and as events marched inexorably to war, British leaders became aware that their

¹²⁸ Nicolson, George the Fifth, 241.

¹²⁹ Ibid., 242-243.

¹³⁰ Winston Churchill, The World Crisis, 1911-1914, 203-204.

country would probably be sucked into this cataclysm, the magnitude and horror of which no one could foresee.

A debate on the Government's Amending bill was scheduled for July 31, but Asquith and Law agreed that, due to the international crisis and the need for national unity, consideration of the Amending bill should be postponed indefinitely by the Commons.¹³¹ On August 3, 1914, Sir Edward Grey announced to the Commons that Britain had given an ultimatum to Germany in regard to Belgian neutrality. At the end of his long speech, Grey optimistically remarked that the "one bright spot in the whole of this terrible situation is Ireland."¹³² John Redmond was so moved by Grey's remark that he told the House that Ireland would stand by Britain in this hour of crisis and that Nationalist Catholics would unite with their Protestant brothers in Ulster to defend Ireland's shores. Redmond's emotional speech won a standing ovation from the entire House, including the Unionist benches.¹³³

Britain's entry into the War caused all other issues to recede in importance. Home Rule was certainly too controversial a subject to be dealt with during the life-and-death struggle with the Central Powers. Therefore, on September 15, 1914, Asquith introduced the Suspensory Act, which allowed Home Rule for Ireland to become law but suspended its operation for a minimum period of twelve months; if the war was still in progress at the end of that time, an order in council would set a date "not later than the duration of the War," at which time the thorny problem

¹³¹ Oxford and Asquith, Fifty Years of British Parliament, II, 176; Parliamentary Debates, Commons, 1914, 5th Series, LXV, 1601-1602.

¹³² Parliamentary Debates, Commons, 1914, 5th Series, LXV, 1824.

¹³³ Ibid., 1828-1829.

of Ulster could be settled. The Suspensory Act was hastily passed by both Houses and, on September 18, both the Home Rule bill and the Suspensory Act received the Royal assent.¹³⁴

Thus, as one historian wrote, the Irish question was "bundled into cold storage. . . . When the issue was next exposed to view at Easter, 1916, the freezing plant was shown to be disappointingly ineffective. The maggots had been hard at work."¹³⁵

¹³⁴Ibid., LXVI, 882-890, 920, 1018; Parliamentary Debates, Lords, 1914, 5th Series, XVII, 732, 741-742.

¹³⁵Jenkins, Asquith, 323.

III

A TERRIBLE BEAUTY

(1)

When Britain went to war in August 1914, Churchill used Smith as an intermediary with the Unionist leaders to discuss the possibility of forming a coalition ministry. Certain Liberals with pacifistic convictions, such as Lord Morley, were resigning from the Government, and Churchill wanted to form a broadly based ministry which would have overwhelming support in Parliament and which would prosecute the war with utmost vigor. Smith was in complete agreement with Churchill's views, and, in a meeting with Law, Carson, and "Max" Aitken, he asked them to consider forming a bipartisan government. Although Law refused to join forces with the Liberals, saying that he did not trust Churchill, he indicated a willingness to support the Government's war policy.¹

Smith, however, did join the Government. Within days of Britain's declaration of war, Smith accepted his first governmental post--Director of the Press Bureau. His task was, in Lord Kitchener's words, to make sure that "nothing dangerous goes into the newspapers."² Assisted by a small staff, Smith worked in what Lord Riddell described as a "rat-infested

¹2nd Earl of Birkenhead, F. E., 241; A. J. P. Taylor, Beaverbrook (New York, 1972), 83-84.

²Baron Riddell, Lord Riddell's War Diary, 1914-1918 (London, 1933), 9.

building in Whitehall,"³ attempting to edit news dispatches from the war front. In accepting such a minor, thankless position, Smith was making a genuine effort to achieve national unity and to realize the ideal of a coalition government, which he had favored since 1910. Another demonstration of bipartisan spirit came in September when Smith accompanied Churchill to Liverpool for a war rally. Smith and Churchill, together with Archibald Salvidge and T. P. O'Connor, an Irish Nationalist M. P., urged support for the war against Germany. This rally was designed to show that support for the war cut across party lines, even on the issue of Ireland.⁴

Smith's romance with the Liberal Government soured rapidly, however, as his new post became increasingly unbearable. He was forced to carry out policies which he had no voice in formulating, and he found himself accused by the press of heavy-handed censorship and accused by military and Government officials of laxity in allowing information to become public. In addition, Smith was undoubtedly aware of his delicate political situation: He was the only Unionist in a Liberal Government, and he feared cutting himself off from the Unionist backbenchers--his source of political strength--and being used by Liberals as a lightning rod for criticism. Consequently, he resigned from the Press Bureau at the end of September and went into the military. Since he held a reserve commission in the Queen's Own Oxfordshire Hussars, Smith requested that his commission be activated and, when his request was approved, went to France where he served as an intelligence officer with the Indian Corps.

³ Ibid., 10.

⁴ Salvidge, Salvidge of Liverpool, 138.

Major Smith remained in France until the political crisis of May 1915 necessitated his return to London.⁵

The political crisis had been prompted by the failure of the Dardanelles expedition, an attempt to open a new front against the Central Powers and, hopefully, shorten the stalemate in France that had already become a war of attrition, producing staggering casualties on both sides. Deciding to bolster support for his Government by putting it on a bipartisan basis, Asquith formed a coalition with Bonar Law, who was now ready to accept what he had rejected the previous August. Law, however, gave Asquith two absolute conditions for Unionist participation in the Government: The dismissal from the Cabinet of Churchill, who was despised by most Unionists and blamed for the Dardanelles fiasco, and Viscount Haldane, who was alleged to be sympathetic to Germany.⁶ Asquith consented to those conditions, and the two men were sacked; it appeared that Churchill's career was ruined, that he had followed the same route as his father-- the brilliant promise of youth destroyed by recklessness, impulsiveness, and overweening ambition.

The formation of the coalition Government brought many Unionists and even some Labourites into office. Law took the Colonial Office, Austen Chamberlain went to the India Office, Balfour came out of retirement to become First Lord of the Admiralty, and Carson became Attorney-General. Through Law's influence, Smith secured the post of Solicitor-General;⁷ Smith was not a member of the Cabinet, but, perhaps as

⁵ 2nd Earl of Birkenhead, F. E., 250-251.

⁶ Blake, The Unknown Prime Minister, 252-253.

⁷ Ibid., 254.

consolation, he was knighted.⁸ Smith's tenure as Solicitor-General lasted less than six months because Carson resigned his post at the end of October, and Smith was chosen to replace him. Thus, on November 4, 1915, F. E. Smith--or Sir Frederick Smith, as he was now known--became Attorney-General with full Cabinet rank.⁹

The prodigious energy which Smith had previously spent on his law practice and his private dissipations was now devoted to the enormous amount of work which his job involved. The primary functions of the Attorney-General were to advise the Cabinet on matters of English law and international law that affected Parliamentary legislation and to act as the Crown prosecutor in state trials. However, the war had expanded the powers and controls of the state to an unprecedented degree, and the Attorney-General had to consider the constitutionality of a veritable flood of legislation from Parliament: The Defense of the Realm Acts (D. O. R. A.); the laws involving conscription, espionage, and the confiscation of property; and the numerous regulations involving industry and labor. Furthermore, the Attorney-General was concerned with cases before the Prize Court, regarding goods and contraband seized on the seas, and he made the final decision on appeals in court-martial cases, which, in light of the massive expansion of the armed forces, was almost a full-time job in itself. No Attorney-General in British history had ever been given so much responsibility, and Smith discharged his duties admirably. He had a

⁸Camp. The Glittering Prizes, 93.

⁹2nd Earl of Birkenhead, F. E., 283.

remarkable capacity for work and proved to be a superb administrator, displaying keen discernment in choosing subordinates and delegating authority. Smith demanded long hours and competent work from his subordinates, but he took full responsibility for all work in his department and vigorously defended his men from attack by other officials, thereby giving his department an esprit de corps which very few other branches of Government could match.¹⁰

Smith's performances at Cabinet meetings was equally impressive. Many of his Cabinet colleagues, who knew of Smith only as a firebrand and a profligate, were astonished at the logic and moderation of his advice. Churchill later described Smith's effectiveness in Cabinet sessions.

He was a singularly silent member. He had acquired in the legal profession the habit of listening mute and motionless hour after hour, and he rarely spoke until his counsel was sought. Then his manner was so quiet, so reasonable, so matter-of-fact and sensible that you could feel opinion being changed.¹¹

The friendship between Smith and Churchill continued as before, even though Churchill was in political disgrace. While Churchill was licking his wounds and waiting for the most propitious moment to make his "comeback," he relied upon Smith to keep him informed of Government business and political gossip and to "represent his interests" within the inner circles of the Government.¹²

In December 1916, there was another political upheaval when Lloyd George and Bonar Law forced Asquith out of office. The war had not been

¹⁰ Ibid., 283-285.

¹¹ Winston Churchill, Great Contemporaries, 150.

¹² Martin Gilbert, Winston S. Churchill, Vol. III: The Challenge of War, 1914-1916 (Boston, 1971), 791-792.

going well for Britain, and, in fact, 1916 had been the worst year of the war. Britain suffered hundreds of thousands of casualties in the Somme River campaign, and despite the endless suffering, there was no hope for a settlement to the war. In his candid memoirs, Lloyd George wrote that "Asquith's will became visibly flabbier," and he referred to Asquith's "lack of initiative and drive, his inability to apprehend the importance of time in a crisis." Asquith had been Prime Minister for a longer period of time than any other man since Lord Liverpool in the first quarter of the nineteenth century, and it is possible that he was simply exhausted; Lloyd George also pointed out that the death of Asquith's eldest son in the war was a terrible blow to the Prime Minister.¹³ Regardless of compassion for Asquith's personal problems, Lloyd George and Law felt that, unless Britain had more dynamic leadership, Germany would win the war--hence, Asquith was ousted from power when he refused Lloyd George's demand for a new direction in Britain's war policy. The ouster of Asquith split the Liberal Party irrevocably into Asquith and Lloyd George factions, and many prominent Liberals resigned from the Government, forcing Lloyd George to rely primarily on Unionist support. Lloyd George became Prime Minister, Law became Chancellor of the Exchequer and leader of the Commons, and Balfour took the Foreign Office after Grey resigned.

These events had no marked effect on Smith, for his position remained the same. He served as Attorney-General for the rest of the war and, though he took little part in formulating military strategy or diplomatic policy, received recognition as an excellent Attorney-General.

¹³ David Lloyd George, War Memoirs of David Lloyd George, II (Boston, 1933), 411, 419.

Indeed, after the war, Lloyd George remarked that Smith had the only department in the British Government which never wasted any of the War Cabinet's time.¹⁴

(2)

Much to Britain's dismay, the Irish question did not disappear in August 1914. As always, when the British were engaged in war, the Irish became restless. Before the war, the British had been mainly concerned with the potential violence of the Ulster Protestants; after August 1914, it was Catholic Ireland which worried the Government.

A leading historian of modern Ireland has written that the Parliamentary tactics of Redmond's Irish Nationalist Party were on trial in the 1912-14 period. Arthur Griffith, the leader of the militant Sinn Fein movement, wrote that, if Redmond failed to secure Home Rule, the Parliamentary party should "leave the stage to those who are in earnest."¹⁵

The frustrated anger of Irish Catholics was certainly understandable. For decades, the Tories and the Unionists had prevented Home Rule by their domination of Parliament; but, as Churchill pointed out in his Bradford speech in 1914, when control of Parliament was secured by the Liberals and the Irish Nationalists, the Unionists--the party of "law and order"--resorted to illegal street tactics and threats of civil war to defy Parliament and block Home Rule. The inequity of this situation and the example of the Ulster Volunteers led to the formation of the Irish Volunteers in November 1913 to insure Irish self-government. Among the Catholics who joined the Irish Volunteers was a young schoolteacher named

¹⁴Camp, The Glittering Prizes, 105.

¹⁵Macardle, The Irish Republic, 81.

Eamon de Valera, who was convinced that Irish self-rule would be achieved "not by ballots but by bullets."¹⁶ Men like de Valera had their opinions confirmed when the Government was humiliated by the Curragh incident. It appeared that the Government either could not or would not enforce Home Rule in the face of Unionist opposition and Army pressure.¹⁷

Irish Catholics were outraged by an incident which occurred in the summer of 1914. On July 26, the Irish Volunteers smuggled German guns into Ireland at Howth, near Dublin. Dublin police and British troops rushed to the scene when news of the event spread to the city, but most of the Volunteers had disappeared with their rifles by the time the authorities arrived. When the British soldiers were marching back to their post, a crowd in the Bachelor's Walk section of Dublin jeered and stoned the soldiers, some of whom fired into the crowd, killing three people and wounding dozens. A wave of revulsion swept over Catholic Ireland as the Bachelor's Walk massacre was compared to the gun-running episode at Larne in April, when the British Government and Army looked the other way at the smuggling of weapons by Ulster Protestants. The Army regiment which had been involved in the shooting was transferred, but no disciplinary action was taken.¹⁸

One week after the Bachelor's Walk incident, Britain went to war against Germany, and by giving blind support to the British, Redmond forfeited his claim to Irish Nationalism.¹⁹ Redmond had alienated many

¹⁶ Earl of Longford and Thomas P. O'Neill, Eamon de Valera (Boston, 1971), 19-20.

¹⁷ Macardle, The Irish Republic, 104.

¹⁸ Ibid., 114-115.

¹⁹ Patrick Sarsfield O'Hegarty, A History of Ireland Under the Union, 1801 to 1922 (London, 1952), 683-686.

nationalists by acquiescing in the Amending bill (March 1914) and then the Suspensory Act. By acting as a "recruiting sergeant" for the British Army, he provoked a reaction from many nationalists which was best expressed by Arthur Griffith, who wrote: "Ireland is not at war with Germany. . . . We are Irish nationalists and the only duty we can have is to stand for Ireland's interests."²⁰ Control of the Irish Volunteers was another bone of contention between Redmond and the more militant nationalists. Redmond had been apprehensive of the Volunteers since their formation, regarding the organization as a threat to his leadership; and, by his efforts to exert control over it, he split the nationalist movement. Redmond proceeded to form his own organization, the National Volunteers, while the Irish Volunteers came to be dominated by Sinn Fein.²¹

Sinn Fein appealed to a more emotional, indigenous nationalism than did Redmond with his sense of Parliamentary tradition and his respect, and even affection, for Westminster. Sinn Fein evoked Ireland's unique Celtic heritage and ancient Gaelic language; the very name Sinn Fein is Gaelic for "ourselves alone." Lloyd George later wrote that suspending Home Rule in September 1914 had been a mistake because it aided the cause of the Irish extremists: Catholic Ireland, "seeing its hopes dashed at the moment when they were about to be realised at first sulked in resentment and soon became a mass of seething disaffection."²²

Despite the activity in the nationalist ranks, more than 200,000 Irishmen enlisted in the British Army. Yet, even then, Irish Catholics

²⁰Macardle, The Irish Republic, 116, 119.

²¹O'Hegarty, A History of Ireland Under the Union, 688.

²²Lloyd George, War Memoirs, II, 145-146.

in the Army were subjected to endless discrimination and harassment. They had to serve under the Union Jack and with British officers, while Ulster Protestants were allowed to have their own banners and officers, and the Army made it almost impossible for Irish Catholics to receive commissions.²³ Enlistments in Ireland gradually declined as more and more Irish patriots drifted into the Irish Volunteers. Money and arms were sent to the Volunteers from sympathetic Irish-Americans in the United States,²⁴ and the extremists were given further encouragement by the formation of the coalition Government in May 1915, when men like Bonar Law, Sir Edward Carson, and "Galloper" Smith were given positions of authority. The entry into the Government of these Orange agitators had a great impact in Ireland, and Birrell, the Chief Secretary, later wrote: "It is impossible to describe or overestimate the effect of this in Ireland. . . . This step seemed to make an end of Home Rule."²⁵

The British Government did not help matters by stringently applying D. O. R. A. to Ireland in an effort to suppress dissent, nationalist publications, and "anti-British" organizations.²⁶ By the summer of 1915, the Irish Volunteers, under Sinn Fein direction, were openly marching and drilling with their weapons through the streets of Dublin. The Volunteers collected money from Irish Catholics to buy arms and ammunition; and, increasingly, juries refused to convict persons brought to trial under D. O. R. A. Dublin Castle was aware of the growing militancy of

²³Macardle, The Irish Republic, 121.

²⁴Ibid., 126, 131-132.

²⁵Ibid., 133.

²⁶Ibid., 125-126, 134.

the Irish Volunteers but feared to take action lest such oppression increase Irish sympathy for the Volunteers and Sinn Fein.²⁷ London was also aware of Sinn Fein's increasing influence, but it feared alienating Irish-American opinion, and Britain wanted to stay on good terms with the United States, for the British desperately hoped to bring American manpower, industry, and economic resources into the balance against Germany.²⁸

Events in Ireland were rapidly approaching a climax in 1915-16. As early as August 1914, the Irish Republican Brotherhood (I. R. B.), a republican cell within the Irish Volunteers, had decided that "there must be an Irish insurrection before the end of England's war."²⁹ Extremists in the I. R. B. and Sinn Fein planned an uprising against British authority on Easter Sunday, 1916. The plan was to attack Dublin Castle and other Crown installations and to establish the provisional government of Ireland; military operations were to be initiated in the provinces but the major effort was to be in Dublin.³⁰ The militant leaders felt a sense of urgency in making their plans because they feared that if they did not strike, public interest in the nationalist movement would turn to apathy, and British intelligence would disrupt their organization and imprison them.³¹ However, their plans were thrown awry by the seizure of a crucial arms shipment from Germany on Thursday, April 20, by a British naval patrol,

²⁷ Ibid., 134, 137-138.

²⁸ Lloyd George, War Memoirs, II, 146-147.

²⁹ Charles Duff, Six Days to Shake an Empire: Events and Factors Behind the Irish Rebellion of 1916 (South Brunswick, N. J., 1967), 78.

³⁰ Macardle, The Irish Republic, 155.

³¹ Ibid., 145.

and the capture of Sir Roger Casement, the leading Irish emissary to Germany, by Crown officials on the following morning.³²

Nevertheless, the Irish insurgents decided to strike on Monday, April 24. On Easter Monday, most civil servants and military officials would have a holiday, the banks would be closed, and the police would only be partially staffed.³³ The insurgents knew that their efforts were doomed, but they had long believed that, even if the uprising failed, it was necessary to give the Irish cause a "blood sacrifice" and establish Ireland as a belligerent power to be treated accordingly in any post-war settlement.³⁴ On Monday morning, the Volunteers launched their attacks. They failed to take Dublin Castle, but they did capture the Four Courts, the General Post Office, and the Dublin railway stations, as barricades were thrown up throughout Dublin and the Irish republic was proclaimed.³⁵ By the end of the first day, the rebels had brought Dublin to a standstill, having disrupted the postal service, the supply of food and milk into the city, and Dublin's communications with the outside world.³⁶

Inevitably, the British counterattack came, ending the momentary euphoria of the rebels. The British Government thought that the Dublin uprising was in conjunction with a German military operation, and, thus, a large number of British troops poured into Ireland.³⁷ The alertness and

³² Ibid., 158-159.

³³ Leon Ó Broin, Dublin Castle and The 1916 Rising (New York, 1971), 9.

³⁴ Macardle, The Irish Republic, 156-157.

³⁵ Ibid., 169-170.

³⁶ Duff, Six Days to Shake an Empire, 135-136.

³⁷ Ibid.

tough efficiency of the Royal Irish Constabulary (R. I. C.) kept the violence in the provinces to an absolute minimum.³⁸ Most of the Irish units surrendered on April 29, and the British began mopping-up operations. The Easter rebellion had caused casualties estimated at 3,000 people, including civilians.³⁹

The insurgents had grievously miscalculated the effect that the uprising would have on Irish opinion. Many who looked favorably upon the nationalist movement were horrified by the bloodshed, the killing of innocent civilians, and the reduction of many sections of Dublin to ruins; the rebels were viewed as fanatical troublemakers and German dupes. Irish women had given food and drink to the British soldiers and a number of Irishmen had volunteered to help the authorities maintain order. When the rebels were led to jail, they had been cursed by Irish crowds.⁴⁰ As one historian has written: "If the Government had shown a politic clemency at this crisis the Rising might indeed have failed."⁴¹

The British, however, employed that maladroitness which they always displayed when dealing with the Irish--they decided on a policy of reprisals. In fact, the initial reaction of the Dublin Castle administration was delight because the uprising gave the authorities a long-awaited excuse to crack down on Sinn Fein.⁴² Dublin was placed under martial law; 3,500 people were arrested, 170 were deported to England for imprisonment,

³⁸ Macardle, The Irish Republic, 179.

³⁹ Ibid., 177, 181.

⁴⁰ Macardle, The Irish Republic, 184-185; O'Hegarty, A History of Ireland Under the Union, 703-704.

⁴¹ Macardle, The Irish Republic, 185.

⁴² Ó Broin, Dublin Castle and The 1916 Rising, 84.

and many were sentenced to hard labor in penal institutions. Most shockingly, fourteen leaders were tried by British courts-martial and executed.⁴³ One of the unit commanders of the Volunteers, Eamon de Valera, was spared death because he was born in New York, and the British were not sure whether he was an American citizen.⁴⁴

This rough British policy completely changed the mood of the Irish populace and transformed the insurgents into martyrs and heroes. When Irish prisoners were being taken to ships that would transport them to England, they were stunned to see crowds cheer and bless them when only a few weeks earlier they had been cursed--this was the "turning of the tide."⁴⁵ The Attorney-General, Sir Frederick Smith, was deeply involved in the aftermath of the Easter rebellion, for he was, to a large degree, responsible for the execution of the most famous of the Irish martyrs, Sir Roger Casement.

The Easter rebellion hardened and purified Irish Catholic nationalism, and it was this feeling, both ugly and sublime, to which the poet Yeats referred when he wrote: "A terrible beauty is born" (Easter 1916).

(3)

Sir Roger Casement, unlike the other Irish martyrs, was an internationally respected figure. He had served with distinction for many years in the British diplomatic corps, and his activities in exposing the brutal exploitation of the natives in the Belgian Congo and on the rubber

⁴³ Macardle, The Irish Republic, 181 ff.

⁴⁴ Longford and O'Neill, Eamon de Valera, 48-49.

⁴⁵ Macardle, The Irish Republic, 189-190.

plantations of South America had earned him widespread acclaim--and a knighthood in 1911. Poor health led Casement to retire from Government service, and, in his retirement, he became deeply involved in the cause of Irish independence.

When the war in Europe began, Casement went to Germany, hoping to secure German aid for the Irish Volunteers, in the form of arms, ammunition, and even an expedition of German troops to fight the British. He also hoped to form an "Irish Brigade" from the ranks of Irish prisoners of war who were captured by the Germans while in the British Army. Casement remained in Germany until the spring of 1916, his efforts having been a dismal failure. He had managed to recruit only fifty-two Irishmen for his Brigade, and his constant entreaties in Berlin had produced only marginal German aid for Ireland. Indeed, it is generally believed that Casement returned to Ireland in April 1916 to persuade the Volunteers to cancel the revolt, as very little support would be forthcoming from the Germans.⁴⁶ Because of his reputation, Casement was not summarily executed by the British military but was transported to England to stand trial. In May, Casement was indicted by a grand jury (jury of presentment) on a charge of high treason, and on June 26, Casement's trial began at the Royal Courts of Justice in London, with Lord Reading, the Lord Chief Justice of England, as the presiding judge. As this was a state trial, the Crown prosecutor was the Attorney-General, Sir Frederick Smith. The Casement trial was easily the most celebrated case in which Smith was involved as Attorney-General, and the grim irony of a genuine idealist like Casement

⁴⁶ Ibid., 149-152.

being prosecuted for sedition by "Galloper" Smith was noted indignantly by Irish nationalists.⁴⁷

In his opening remarks to the court, Smith said that the "charge upon which the prisoner is arraigned is a grave one. The law knows none graver." Smith described Casement as a loyal, trusted, and honored servant of the Crown in peacetime who betrayed the Crown in time of war. Outlining the state's case against the defendant, Smith emphasized Casement's attempts to lure Irish prisoners into fighting against Britain and the German reprisals against those who refused to listen to him and, because of a German code found on Casement's person when he was arrested, connected him with the abortive Easter uprising. Smith concluded his opening remarks with this blunt statement:

The prisoner, blinded by a hatred to this country, as malignant in quality as it was sudden in origin, has played a desperate hazard. He has played it and he has lost it. Today the forfeit is claimed.⁴⁸

After the Government had presented its evidence, the defense counsel, Serjeant Alexander Sullivan of Dublin, moved to dismiss the charge against Casement. The defense contended that the law under which Casement was being tried did not apply in this case. The treason statute of 1351 was interpreted by Sullivan to apply only to seditious acts committed within the realm of England. Therefore, Casement could not be tried for acts alleged to have been committed in Germany.⁴⁹ It is difficult to believe that Sullivan actually thought that this extraordinary

⁴⁷ Ibid., 197.

⁴⁸ H. Montgomery Hyde, ed., Trial of Sir Roger Casement (London, 1960), 7-15.

⁴⁹ W. de Bracy Herbert, ed., Cox's Reports of Cases in Criminal Law, XXV (London, 1919), 483-485.

interpretation of the law would sway the court. At any rate, Smith quickly punctured the defense argument by stating that, while crime is usually considered to be local in character, this is not true in the case of treason because allegiance to the sovereign was a binding, personal tie which the subject carried with him wherever he went.⁵⁰ Moreover, the Government had done its legal research more thoroughly than the defense, for the Government was able to produce a statute from the reign of Henry VIII which specifically provided for treason outside of the realm. The Bench denied the defense motion to quash the indictment against Casement.⁵¹

The only witness which the defense could produce to offset the Government's evidence was Casement himself, and the defense lawyers obviously doubted Casement's ability to withstand Smith's cross-examination since they declined to present any case, on the theory that the prosecution had failed to substantiate its charges. Both sides then made their closing statements to the jury. Sullivan argued that Casement had not engaged in seditious activities but had only been acting as an Irish patriot. Again splitting semantic hairs, Sullivan contended that Casement had merely urged Irish prisoners to fight for Ireland, not against Britain, and he stated that Casement had been unaware of any reprisals which had been taken against those prisoners who refused to join the Irish Brigade. Sullivan compared Casement's activities to those of Sir Edward Carson in forming the Ulster Volunteers and said that Casement only wanted to insure that Home Rule was carried out.⁵² So wrought up was Sullivan by his endeavors that he suffered an emotional collapse in the courtroom,

⁵⁰ Ibid., 489-492.

⁵¹ Ibid., 493-498.

⁵² Hyde, ed., Trial of Sir Roger Casement, 150-151.

stammering to the court that he could no longer continue.⁵³

In giving the Crown's concluding statement, Smith's technical brilliance as a barrister was never shown to greater advantage. Speaking without notes, Smith, with disarming frankness, conceded the validity of Sullivan's comparison of the Irish Brigade to the Ulster Volunteers, and he said that, in normal times, Casement would win a great deal of understanding for his activities, and certainly, a court would show a large degree of clemency, if not grant an acquittal. However, Smith went on to say that this was not a normal period in the nation's history but a time of war, and the inescapable fact was that Casement had actively and consciously collaborated with Germany, the enemy nation which was trying to destroy Britain and her Empire. Smith then put a series of loaded questions to the jury which left the defense argument in ruins: If Casement was just a simple Irish patriot, why did he feel compelled to go to Germany to form his Irish Brigade when there was an abundance of able-bodied men in Ireland? Why was such a simple, ordinary Irish patriot given privileged treatment by the German government for more than a year? Was the German government so benevolent and altruistic that it was merely interested in securing an efficacious Home Rule settlement for Ireland? Why did Casement have a code worked out with the Germans? Was it mere coincidence that Casement's return to Ireland occurred at the same time that a German arms shipment arrived and the Easter rebellion took place? The answer to these questions pointed in only one direction--treason.⁵⁴

The jury found Casement guilty as charged.⁵⁵ Casement's statement

⁵³ Ibid., 155.

⁵⁴ Ibid., 163-178.

⁵⁵ Ibid., 197.

before sentence was pronounced was a lengthy dissertation on the nature of Irish nationalism. The most dramatic moment of the trial came when Casement contrasted his behavior with the Unionist politicians who had led the Ulster revolt. Speaking directly to Smith, Casement said that the "difference between us was that the Unionist champions chose a path they felt would lead to the Woolsack; while I went a road I knew must lead to the dock." He stated further, "I am prouder to stand here today in the traitor's dock to answer this impeachment than to fill the place of my right honourable accusers."⁵⁶ At this denunciation, Smith smiled and muttered aloud to one of his assistants, "Change places with him? Nothing doing!" Contemptuously, Smith rose and sauntered out of the courtroom with his hands in his pockets.⁵⁷ Smith was absent when Casement concluded his statement by saying that his only crime was to love Ireland more than England; Casement was then sentenced to be hanged.⁵⁸

Casement's lawyers wanted to appeal to the House of Lords, but under English law, the Attorney-General has the power to decide which cases shall be appealed to the Lords, and Smith, to the undying enmity of Casement's sympathizers, refused to allow the appeal. Smith later wrote that the legal basis of the defense appeal--the interpretation of the 1351 treason statute--had no merit: "I had throughout argued that there was no substance in the point raised by the defence. It would have been easy to have consented, but that would have been a negation of my duty."⁵⁹

⁵⁶ibid., 203-204.

⁵⁷ibid., cv.

⁵⁸ibid., 205.

⁵⁹1st Earl of Birkenhead, Famous Trials of History (Garden City, N. Y., 1926), 262-263.

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⁵⁶Ibid., 203-204.

⁵⁷Ibid., cv.

⁵⁸Ibid., 205.

⁵⁹1st Earl of Birkenhead, Famous Trials of History (Garden City, N. Y., 1926), 262-263.

The defense then took its case to the Court of Criminal Appeal, which heard the defense arguments on July 17. Casement's lawyers tried to persuade the appellate court that the 1351 statute could not be interpreted to cover treason "without the realm," and since Casement was indicted under that statute, the case against him was invalid.⁶⁰ As anticipated, the appellate court rejected the argument on July 18 and upheld the conviction and death sentence of Casement.⁶¹

The only hope which remained for Casement was that the Home Secretary, Herbert Samuel, would recommend that the King commute the death sentence to life imprisonment. Samuel, however, dumped the case into the Cabinet's lap. The Cabinet wanted to reprieve Casement out of fear of making him a martyr and inflaming the Irish.⁶² The British, in addition, vastly overestimated the influence of Irish-Americans on the United States government, and the ambassador in Washington warned that Casement's execution would cause an anti-British "backlash" in America.⁶³ There was also pressure within Britain for Casement's reprieve. A large segment of the intellectual community favored clemency for Casement, including George Bernard Shaw, Arthur Conan Doyle, Arnold Bennett, John Galsworthy, G. K. Chesterton, G. P. Gooch, John Masfield, and Sidney and Beatrice Webb.⁶⁴ The Cabinet met on three occasions to discuss

⁶⁰ Herman Cohen, ed., The Criminal Appeal Reports, XII (London, 1917), 102-116.

⁶¹ Ibid., 117-124.

⁶² Jenkins, Asquith, 403.

⁶³ Stephen Gwynn, ed., The Letters and Friendships of Sir Cecil Spring-Rice (Boston, 1929), 331, 335-336, 338.

⁶⁴ Giovanni Costigan, "The Treason of Sir Roger Casement," American Historical Review, LX (January, 1955), 284n.

Casement, and it was felt that only a certificate of insanity would constitute legitimate grounds for a reprieve. Therefore, Casement's notorious "black diaries," with their lurid, homosexual passages, were given to a psychiatrist for analysis, but the analyst said that Casement's diaries indicated only that he was abnormal, not insane.⁶⁵ Finally, the factor which weighed most heavily on the minds of the Cabinet members was the harsh treatment which the Germans had given to the Irish prisoners who had rejected Casement's appeals to join the Irish Brigade.⁶⁶ The Cabinet unanimously decided against a reprieve, and Casement was hanged on August 3, 1916, at Pentonville Gaol.⁶⁷

To the many people who have believed in Roger Casement's innocence and idealistic heroism, Smith is the arch-ogre of the affair. There are usually any of three charges leveled against Smith by Casement partisans: Casement's "black diaries" were forged, and Smith either was responsible for the forgery or knew about it; Smith tried to demoralize Casement's lawyers by giving them copies of the forgeries; and Smith leaked passages from the diaries to the press in order to prejudice the public against Casement.⁶⁸

As to the charge that the "black diaries" were forged, Casement's lawyer, Sullivan, gave an interview many years later in which he said that Casement had admitted to him that he was a homosexual. Casement had

⁶⁵ Spender and Asquith, The Life of Herbert Henry Asquith, II, 214n; Jenkins, Asquith, 403.

⁶⁶ 2nd Earl of Birkenhead, F. E., 314-315.

⁶⁷ Jenkins, Asquith, 404.

⁶⁸ Costigan, "The Treason of Sir Roger Casement," American Historical Review, 283-284.

told him that homosexuality was the true hallmark of genius and invited him to list for the court all of the brilliant figures of history who had been homosexual--as Sullivan recalled, Casement "was not a bit ashamed."⁶⁹ Another person who attested to the authenticity of the diaries was Sir John Harris, the secretary of an anti-slavery organization called the Aborigines Protection Society, who read the diaries at the behest of the Archbishop of Canterbury, who was considering signing the petition for clemency for Casement. Harris was convinced from the outset that the diaries were forged: He had worked with Casement in Africa and had never observed any sign of perversion. It was in this skeptical frame of mind that he read the diaries, and to his utter amazement, he discovered that passages "dealt with places and incidents in the Congo which would have been known only to Casement and Harris himself; so that it could not be an invention."⁷⁰ Further corroboration came from none other than Michael Collins, the Irish military leader. Collins was in London in 1921 for the treaty negotiations and asked the Cabinet for permission to look at the diaries. Collins had known Casement and was familiar with Casement's handwriting and manner of expressing himself; after reading the diaries, Collins regretfully stated his opinion that they were genuine.⁷¹ If the "black diaries" were forged, the forger, in a very short period of time, would have had to have mastered Casement's handwriting and speech patterns

⁶⁹ René MacColl, Roger Casement: A New Judgment (New York, 1957), 228.

⁷⁰ Hyde, ed., Trial of Sir Roger Casement, cxx-cxxi.

⁷¹ MacColl, Roger Casement, 280.

and to have acquired an exact knowledge of the most minute details of Casement's life.⁷²

The accusation that Smith sought to demoralize the defense lawyers by showing them the diaries is easily refuted. Sullivan's assistant, Artemus Jones, later stated that Smith had given the defense lawyers a copy of the diaries in the event that they desired to plead guilt due to insanity.⁷³ Of course, homosexuality is not, ipso facto, evidence of insanity, but Government officials felt that Casement's diaries contained passages which were so graphically and rhapsodically obscene that only a sick mind could have been responsible for them. Even Casement's staunchest defenders concede that his arduous years in the tropics may have affected his personality and mental soundness.⁷⁴ The position of the Government, as expressed privately to Casement's lawyers by Smith, was that, if the defense would introduce the diaries into evidence and plead mental incompetence, the Crown would accept a plea of guilt due to insanity and would grant clemency after judgment was passed.⁷⁵ Since the diaries had no bearing on the treason charge against Casement, the prosecution could not introduce them into evidence, and hence, Smith strenuously urged Sullivan to do so and enter an insanity plea.⁷⁶ The Government was extremely reluctant to execute Casement, due to the possible effect on public opinion

⁷²For the most detailed defense of Casement's innocence in regard to the diaries, see: Herbert O. Mackey, Roger Casement: The Forged Diaries (London, 1966).

⁷³2nd Earl of Birkenhead, F. E., 305-306.

⁷⁴Costigan, "The Treason of Sir Roger Casement," American Historical Review, 284.

⁷⁵2nd Earl of Birkenhead, F. E., 312.

⁷⁶MacColl, Roger Casement, 228.

in Ireland and the United States, and this would account for Smith's repeated efforts to influence Casement's lawyers.

Sullivan knew that Casement would never agree to an insanity plea. On the contrary, Casement was seemingly proud of his homosexuality; Sullivan said that Casement "took up the attitude that we pigmies could not understand the conduct of great men and had no right to pass judgment on it."⁷⁷ Since Casement would not plead insanity, Sullivan correctly declined to offer the diaries into evidence, for it would have served no purpose but to alienate the jury and, as Sullivan said, would only have "dirtied the man."⁷⁸ Nevertheless, after the trial, Sullivan sent a note to Smith, expressing "my appreciation of the kindness and consideration accorded to me throughout the Casement trial by yourself and your colleagues."⁷⁹ It is hardly likely that Sullivan would have written such a note had Smith subjected him to ruthless, "demoralizing" pressure.

Smith has also been suspected of making portions of the diaries available for public consumption, in order to inflame public opinion to such an extent that Casement would be unable to receive a fair trial. Smith's son has countered this accusation by producing correspondence between Smith and Sir Edward Grey in June 1916. Smith wrote to Grey, saying that he was disturbed by rumors that officials in the Foreign Office were circulating copies of the diaries to various people outside of the Government, and Smith called such a policy "a ghoulish proposal." Grey replied to Smith by saying that the Foreign Office would not engage in such

⁷⁷ Hyde, ed., Trial of Sir Roger Casement, lxx n.

⁷⁸ MacColl, Roger Casement, 228.

⁷⁹ 2nd Earl of Birkenhead, F. E.; 311.

activities.⁸⁰ One historian traced the leaks to Basil Thompson, the Assistant Commissioner of Police at Scotland Yard, who had custody of Casement's personal effects after his arrest.⁸¹ However, the Cabinet may have decided later to sanction deliberate disclosures to selected, influential people. In a conversation with the American ambassador, Walter Hines Page, in the summer of 1916, Prime Minister Asquith asked if Page had seen passages from the diaries. When Page replied in the affirmative, Asquith said: "Excellent, and you need not be particular about keeping it to yourself."⁸²

The Prime Minister's statement indicates a high-level Government decision to discredit Casement. Indeed, it is only logical that the Government would attempt to prevent Casement from becoming a martyr after his appeal had failed and the Cabinet had made its final decision to execute him. Perhaps such a course was not entirely scrupulous, but it should be remembered that Britain was engaged in a war that was going quite badly at the time and that, from the British point of view, the individual in question was a sexual pervert and a traitor who had, directly or indirectly, caused the suffering of Irish prisoners of war who had remained loyal to Britain. If there was a deliberate campaign by the Government to destroy Casement's reputation, Smith was only as culpable as any other member of the Cabinet.

In the winter of 1917-18, Smith visited North America on behalf

⁸⁰ Ibid., 308.

⁸¹ Duff, Six Days to Shake an Empire, 210-211.

⁸² Hyde, ed., Trial of Sir Roger Casement, cxxxiii.

of the British Government, touring the United States on a goodwill, speechmaking trip. He became further entangled in the controversy surrounding the Casement affair with an interview given to a Boston Post reporter in January 1918. In this interview, Smith was quoted as saying that he had been "delighted" by the execution of Casement and that he had threatened to resign from the Cabinet unless Casement was hanged.⁸³ Smith vehemently disavowed this interview, charging that the reporter had distorted his remarks, but Casement's supporters seized upon the interview as proof of the villainous role which Smith had played in the Casement affair. Smith's biographer, William Camp, wrote that this interview was probably reported accurately, that Smith had been nettled by criticism from Irish-Americans and decided to infuriate them with calculatedly cynical remarks--an example of Smith's streak of perversity, a delight in shocking people.⁸⁴ Regardless of this interview, it is clear that the Cabinet and Smith sought to avoid the execution of Casement, if only for political reasons.

On the whole, Smith's conduct throughout the Casement affair, while open to legitimate criticism, was honorable and aboveboard. For example, one of Smith's assistants, Travers Humphreys, afterwards described the circumstances surrounding Smith's refusal to allow Casement's appeal to the House of Lords. Humphreys recalled that Smith had invited his assistants and members of his legal staff, including the Solicitor-General, into his office and had asked each man to state his opinion on the matter of Casement's appeal. Each of the men said that Casement's appeal had no

⁸³ Macardle, The Irish Republic, 197n.

⁸⁴ Camp, The Glittering Prizes, 110.

legal merit and should be rejected. Smith then told his subordinates:

My clerk has already received my refusal in writing, which would have gone out whatever your views had been. I am gratified to know that you all agree, but I was not going to have it said in the House of Commons that any of you were responsible for the decision. I can now say as I always intended to say, that the decision was mine alone, but I shall add that having consulted you afterwards you were all of the same mind.

Humphreys added: "Loyal to his juniors as through life he was loyal to his friends--a very great man."⁸⁵

(4)

After the Easter rebellion, Prime Minister Asquith went to Dublin to consult the British military and administrative officials. On his return to England, Asquith asked Lloyd George to bring his furious energy and innovative genius to bear on the Irish problem. Lloyd George was extremely reluctant to become involved with the Irish question, especially at this juncture in the war. He had become so totally immersed in the war effort that he had resigned his position at the Exchequer to take the much less prestigious post of Minister of Munitions, and, in May 1916, he was scheduled to accompany Lord Kitchener, the Secretary for War, to Russia to coordinate plans with the Russians for greater aid to the Eastern front. Asquith, however, finally convinced Lloyd George to try to solve the Irish dilemma. This decision had far-reaching consequences for Lloyd George and for Britain because the ship which carried Kitchener on his journey to Russia struck a mine near the Orkney Islands and sunk, and Kitchener drowned--presumably, so too would Lloyd George had he been with Kitchener.⁸⁶

⁸⁵ 2nd Earl of Birkenhead, F. E., 313-314.

⁸⁶ Lloyd George, War Memoirs, II, 148-150.

On May 25, 1916, Asquith announced to the Commons that Lloyd George was being assigned the task of finding a solution to the Irish problem.⁸⁷ Lloyd George immediately conferred with the leaders of both Irish factions and, in June, drew up his proposed settlement: Home Rule would be given immediately to Ireland except for the six counties of Ulster, which would remain part of the United Kingdom until the end of the war, and the Irish would retain some representation in Westminster until the war was over; after the war, an Imperial conference would provide a permanent settlement for Ireland.⁸⁸ Lloyd George was convinced that his plan was acceptable to Carson, who returned to Ulster to consult his colleagues. In fact, his plan was approved by both Redmond's Nationalists and the Ulster Unionist Council but was sabotaged by "extremists" in Unionist circles.⁸⁹ On June 23, a manifesto against Lloyd George's policy was signed by a number of influential Unionist peers, and, on June 28, Lansdowne expressed his hostility to the plan in a letter to Asquith. In Lloyd George's opinion, it was Lansdowne's opposition which destroyed the possibility of a settlement based on his formula.⁹⁰

Lansdowne made his position publicly known in a rigidly inflexible speech in the Lords on July 11, in which he said that Ireland should remain under British military rule for an indefinite period and called for the "permanent and enduring" exclusion of Ulster from any future Home Rule settlement.⁹¹ A Unionist meeting at the Carlton Club on July 17 supported

⁸⁷ Parliamentary Debates, Commons, 1916, 5th Series, LXXXII, 2308-2311.

⁸⁸ Lloyd George, War Memoirs, II, 149-151.

⁸⁹ Ibid., 151.

⁹⁰ Ibid., 153-154.

⁹¹ Parliamentary Debates, Lords, 1916, 5th Series, XXII, 645-652.

Lansdowne's suggestions by condemning any immediate enactment of Home Rule and by advocating a policy of military repression for Ireland.⁹² Since Asquith was the Prime Minister of a coalition Government, he could not afford to disregard Unionist opinion. Asquith's decision came on July 31 when he announced the appointment of a new Chief Secretary for Ireland to replace Birrell, who had resigned after the uprising. Asquith's choice was a Unionist named H. E. Duke, an appointment which sent the Irish Nationalists into paroxysms of rage.⁹³ With this announcement, Asquith turned his back on Lloyd George's plan and reverted to the old system of governing Ireland.

For the remainder of his tenure in office, Asquith made no other attempt to come to grips with Ireland. In March 1917, the new Prime Minister, Lloyd George, said that Ireland "is no more reconciled to British rule than she was in the days of Cromwell" and stated that Britain would grant self-government to any part of Ireland which desired it but would not force any part of the country to leave the Union.⁹⁴ With this rather ambiguous statement, Lloyd George was, in effect, telling the Irish to work out a settlement among themselves. However, his statement produced no discernible results; consequently, in May 1917, Lloyd George sent letters to the leaders of the Irish factions, inviting them to accept one of two British offers: Immediate Home Rule for Ireland, with the exclusion of Ulster until the end of the war, or a convention of the various Irish parties to formulate a plan for self-government which would be

⁹² Lloyd George, War Memoirs, II, 155.

⁹³ Parliamentary Debates, Commons, 1916, 5th Series, LXXXIV, 2146-2148.

⁹⁴ Ibid., 1917, 5th Series, XCI, 458-461.

submitted to London for approval.⁹⁵ Since Redmond would not accept the first alternative, plans were drawn up for the convention of the Irish groups, but the convention was crippled from the outset because Sinn Fein announced that it would send no representatives. Sinn Fein refused to participate unless the convention be elected by universal suffrage, the convention have the authority to declare complete Irish independence, and the British Government agree to abide by whatever settlement was reached. The British refused to agree to these conditions, and Sinn Fein leaders decided to boycott the convention.⁹⁶

Nevertheless, in June, Lloyd George announced the composition of the convention, which was to consist of 101 delegates, fifteen of whom were to be selected by the British Government.⁹⁷ In order to create an atmosphere of goodwill for the convention, the British released the Irish prisoners who had been imprisoned since the Easter rebellion.⁹⁸ The delegates to the convention met at Trinity College, Dublin, on July 25, 1917, to seek a settlement which had eluded statesmen for generations.⁹⁹

Even as the convention assembled, it was obvious that political power in Ireland was shifting from the moderate parliamentarians meeting at Trinity College to Sinn Fein. In the summer of 1917, a by-election was held in the East Clare district, the results of which resounded throughout the United Kingdom. The favored candidate was an Irish

⁹⁵ R. B. McDowell, The Irish Convention, 1917-18 (London, 1970), 76-78.

⁹⁶ Ibid., 82.

⁹⁷ Parliamentary Debates, Commons, 1917, 5th Series, XCIV, 614.

⁹⁸ McDowell, The Irish Convention, 102.

⁹⁹ Ibid., 103.

Nationalist who came from a prominent Catholic family and was close to Redmond; his opponent, recently released from prison by the British, was Eamon de Valera, who ran on an uncompromising Sinn Fein platform that called for absolute Irish independence, the revival of the Gaelic language, a refusal to recognize the authority of Westminster, and Irish unity (no exclusion for Ulster). De Valera won an overwhelming victory, receiving more than 70 percent of the vote and as a contemporary journalist put it, rendering the convention in Dublin "Dead Sea fruit."¹⁰⁰ In October, de Valera was elected President of Sinn Fein--with Arthur Griffith becoming Vice-President--and declared that Sinn Fein's goals would be to secure recognition for an independent Irish republic and "to make English rule absolutely impossible in Ireland."¹⁰¹

Meanwhile, the Irish convention staggered on, and it became clear that the Ulster bloc of delegates was determined to play the role of "spoiler." The issue which the Ulster delegates seized upon was fiscal autonomy, refusing to accept even the southern Unionist proposal for minimal Dublin control over finances.¹⁰² When Redmond supported the Unionist idea, his Nationalist colleagues rejected his efforts to reach a compromise and demanded fiscal autonomy for the Irish Parliament.¹⁰³ In February 1918, Lloyd George jolted the delegates out of their squabbling inertia by laying down new British conditions for a settlement: Britain would retain police powers in Ireland for the rest of the war; there would be no change in the trade relations between the two countries until the

¹⁰⁰ Longford and O'Neill, Eamon de Valera, 63-65.

¹⁰¹ Macardle, The Irish Republic, 233-235.

¹⁰² McDowell, The Irish Convention, 125-126, 133-134.

¹⁰³ Ibid., 146, 149.

war was over; any partition would be unacceptable in any Irish settlement, but Ulster would have to be given ample safeguards concerning religion and taxation.¹⁰⁴ Yet, Lloyd George only succeeded in offending both major factions by extending British police powers and by denying Ulster's right of exclusion from Home Rule. One month later, John Redmond died, repudiated by the Irish Catholics and the nationalist movement. Modern British history offers few stories more tragic than that of John Redmond, who sincerely believed in the Parliamentary process and who must have thought in 1912 that he could achieve what had been denied to Grattan, Wolfe Tone, Daniel O'Connell, Parnell and countless other Irish leaders.

Mercifully, Redmond was spared the final collapse of the Irish convention which was brought about by German Field Marshal Erich Ludendorff. In March 1918, with the war on the Russian front at an end, Ludendorff and the German military leaders decided to risk everything on a daring gamble to knock out the exhausted British and French forces before the full weight of American manpower could be felt in the struggle. The situation of the Allies was more desperate in late March and early April than at any other point in the war. The British Government decided that it must increase the flow of manpower to the army in France, and therefore, on April 9, Lloyd George introduced his new conscription bill which extended the draft age to fifty and which introduced conscription to Ireland on the same terms as in Britain. This was an absolute bombshell to the Irish Nationalists, but the Government argued that the extra manpower in Ireland was needed to bolster the army in France and, though the Irish had always been given the option of voluntary enlistment, it was no longer fair to

¹⁰⁴ Ibid., 159-160.

conscript only the men in England, Wales, and Scotland, and expect them to carry the entire burden of defending the United Kingdom.¹⁰⁵ Adding insult to injury, Lloyd George said that, since the Irish convention had not been able to agree on a plan, the British Government would have to devise a new program for Ireland.¹⁰⁶ An Irish Nationalist M. P. expressed the feelings of his colleagues when he warned Lloyd George: "You will be mad if you enforce conscription in Ireland."¹⁰⁷

The Government's new Irish policy made the convention in Dublin a meaningless farce, and the delegates decided to disband. It is doubtful whether the Government expected any concrete results from the convention, even though it represented the last attempt by Redmond and his moderate supporters to work out a settlement. Smith, in his celebrated Boston Post interview in January 1918, was quoted as saying that the Government expected the convention to fail and that the convention had only been called to placate opinion in America. Although Smith repudiated the interview, this story confirmed the worst suspicions of many Irishmen.¹⁰⁸

The Government's new program, particularly the conscription bill, ended any influence which the moderate nationalists exerted over Irish Catholics. In fact, Irish Nationalist M. P.s boycotted Parliament and collaborated with Sinn Fein in working against military conscription.¹⁰⁹

¹⁰⁵ Parliamentary Debates, Commons, 1918, 5th Series, CIV, 1357-1361.

¹⁰⁶ Ibid., 1362-1364.

¹⁰⁷ Ibid., 1373.

¹⁰⁸ Macardle, The Irish Republic, 245.

¹⁰⁹ Ibid., 251.

A meeting of Catholic bishops at Maynooth issued a denunciation of the conscription act, calling it "an oppressive and inhuman law," and a pledge against conscription was signed by virtually all Catholics at their church doors. On April 23, there was a general strike throughout southern Ireland to protest the new law.¹¹⁰ London's response to the Irish protest was the time-honored British policy of coercion. In May, the Crown arrested the leaders of Sinn Fein, including Griffith and de Valera, on charges of aiding Germany and transported them to England. The Government gave Crown forces in Ireland broad powers to censor "seditious" literature and prevent public gatherings; by June, thirteen counties in southern Ireland had been placed under direct military control. However, the Irish gave their own answer to the British by electing Arthur Griffith in a June by-election for Parliament, despite the fact that Griffith was languishing in an English jail.¹¹¹

The trend of events in Ireland was clearly shown by the results of the general election in December 1918. Sinn Fein won 73 seats--every seat in Ireland outside of Ulster, with the exception of the four traditionally Tory seats from Dublin University. The Sinn Fein M. P.s, many of whom were in jail, refused to take their seats in Westminster in accordance with the avowed Sinn Fein policy of refusing to recognize any vestige of British authority.¹¹² In the first flush of victory over Germany and in the midst of preparations for the peace conference in Paris, the British Government did not fully appreciate these events in Ireland, but it soon became obvious that Ireland was the ghost at the coalition Government's banquet.

¹¹⁰ Ibid., 251-252.

¹¹¹ Ibid., 254-256.

¹¹² A. J. P. Taylor, English History, 1914-1945 (Oxford, 1965), 128.

IV

THE PITFALLS OF COALITION:

BRITISH POLITICS, 1918-21

(1)

The long, debilitating war finally ended in November 1918 with Germany's surrender to the Allied powers. During the war, Parliament had suspended the provisions of the Parliament Act of 1911 which had restricted the life of a Parliament to five years. With the war over, the necessity for a new Parliamentary election was overwhelming, for the voters had not been permitted to express their will for eight years. The Government leaders decided to continue the coalition of Unionists and Lloyd George Liberals, and arrangements were made that any candidate, whether Unionist or Liberal, who had a letter of endorsement from Lloyd George and Bonar Law would be considered the Government's official candidate--Asquith derisively called this letter of endorsement a "coupon."¹

The Government was in an extremely strong position, as the country was swept by patriotic fervor over Britain's victory and by a feeling of profound relief that the war had been brought to an end, and the "coupon election" produced a massive vote of confidence in the coalition ministry. Government candidates won 484 seats in the Commons, 338 of which were won

¹ Charles Loch Mowat, Britain Between the Wars, 1918-1940 (Chicago, 1955), 3.

by the Unionists. Asquith, who had once dominated the Commons, was reduced to leadership of a "rump" faction of 26 Liberals. Aside from the Sinn Fein victory in Ireland, the most striking result of the election was that the Labour Party, which had refused to remain in the coalition, won 59 seats and was the largest group in the Commons outside of the Government benches. It was to many an ominous portent of postwar politics that the Labour Party had become the official opposition party.²

After the election, Lloyd George asked Smith to remain Attorney-General but said that the office would cease to carry Cabinet status--the Prime Minister was committed to reducing the size of the Cabinet. Considering his position in the Unionist Party and the fact that he had been a Cabinet member for more than three years, Smith refused Lloyd George's offer. The Prime Minister then tendered the Woolsack--the post of Lord Chancellor--which astonished Smith and created for him a political and personal dilemma. The post would raise him to the peerage, make him the highest officer in the English judiciary, and bring him the honor of presiding over the House of Lords. On the other hand, leaving the Commons could diminish his prospects of becoming Prime Minister, and he was only forty-six years old. There was also a financial consideration because, if he accepted a peerage, he would be unable to continue his career at the Bar, thus entailing a sizable loss of income. However, Smith decided that the prestige and dignity of the Lord Chancellorship overcame the liabilities, and he accepted the proposal.³

The announcement of Smith's appointment as Lord Chancellor aroused

²Ibid., 6-8.

³2nd Earl of Birkenhead, F. E., 329-330.

a storm of controversy. The prospect of "Galloper" Smith as Lord Chancellor, the "keeper of the King's conscience," filled many with consternation, even the Earl of Derby, Smith's political ally in Lancashire.⁴ The King was disturbed by memories of Smith's cynical, caustic remarks and by rumors that Smith was a sybaritic libertine, and his secretary, Stamfordham, suggested to Lloyd George that Smith's talent and intelligence certainly qualified him for Cabinet membership but, perhaps, some other post where his "reputation in men's minds" would not detract from the dignity of the office.⁵ Lloyd George, however, was adamant in his contention that Smith's brilliant mind would make him an outstanding Lord Chancellor as it had made him a superior Attorney-General.⁶ Consequently, Smith was elevated to the peerage as Baron Birkenhead; he was created viscount in 1921 and earl in 1922. A typical reaction to Smith's new title was the remark by Lady Londonderry: "F. E. is brilliant and self-made . . . so he really deserves success, though he has no character."⁷

In the coalition, Lloyd George remained Prime Minister while Law continued to lead the Commons. Law's health was beginning to fail, and he gave up his post at the Exchequer to become Lord Privy Seal, a less rigorous position. Austen Chamberlain became Chancellor of the Exchequer, and Balfour remained Foreign Secretary until after the Paris conference, when he became Lord President of the Council and Earl Curzon went to the

⁴Ibid., 331-333.

⁵Ibid., 332.

⁶Ibid.

⁷H. Montgomery Hyde, Carson: The Life of Sir Edward Carson, Lord Carson of Duncairn (London, 1953), 438n.

Foreign Office. The coalition Government was dominated by Unionists, and, besides Lloyd George, the only prominent Liberal in the Cabinet was Winston Churchill, who was Secretary for War. Churchill had returned to office in 1917 as Minister of Munitions, and after the election, Lloyd George felt strong enough to withstand Unionist protests and offer Churchill the War Office. Thus, after more than a dozen years of behind-the-scenes comradeship, Churchill and Birkenhead were Cabinet colleagues.

As Lord Chancellor, Birkenhead confounded the skeptics by exceeding even the highest expectations of his supporters. The Lord Chancellor was the head of the English judiciary and was deeply involved in the operations of the High Court of Chancery and the Court of Appeal. In addition, Birkenhead initiated a series of significant reforms in the English legal system. He remodelled the rules relating to litigation for the poor in equity courts, and his inquiries into the administration of the county court and appellate court systems laid the foundation for the County Courts Act (1924) and the Supreme Court of Judicature (Consolidation) Act (1925). Birkenhead's monument, however, was the Law of Property Act (1922), which revolutionized the antiquated and inequitable land law system in England, bringing English real property law into the twentieth century. Birkenhead had to pilot the bill through Parliament over the opposition of entrenched, vested interests, and its final passage was a considerable triumph. The Law of Property Act was Birkenhead's greatest accomplishment in legal reform, but the legislation in which he had the most intense concern was the Matrimonial Causes bill, which would have liberalized the divorce laws of the country. As it was, adultery was the only basis for divorce, and generally, only the well-to-do were able to undertake divorce litigation. Birkenhead proposed to make it easier for women and lower income people

to initiate divorce actions and to expand the grounds for divorce to include insanity, alcoholism, and willful desertion. The bill faced strenuous opposition from Catholic noblemen, Anglican Church prelates, and conservative Unionist peers, but Birkenhead steered it through the Lords, giving what many consider to be the most eloquent speech of his career on March 24, 1920, in defense of the bill.⁸ Ironically, the bill passed the Lords only to be defeated in the Commons, but Birkenhead's overall achievements in his post caused even his detractors to grant him grudging admiration. As one such detractor wrote: "Few today will quarrel with the verdict that he was an outstanding Lord Chancellor, if not the greatest of this century."⁹

Birkenhead was not entirely engrossed in his judicial reforms, however, for his duties as Lord Chancellor also entailed service as presiding officer in the Lords, and Birkenhead proved to be the most politically active Lord Chancellor that the Lords had seen in a long while. In Birkenhead's obituary, The Times was to state: "When he was on the Woolsack the influence of an original and powerful personality was felt throughout the House of Lords."¹⁰ Not since Salisbury was Prime Minister had any Government had so effective a spokesman in the Lords, and it was probably for this reason that the crafty Lloyd George insisted on Birkenhead's appointment to the Woolsack.

Despite his effectiveness as Lord Chancellor, Birkenhead's relations with the King were somewhat strained. George V maintained a

⁸ Parliamentary Debates, Lords, 1920, 5th Series, XXXIX, 663-679.

⁹ Mendelssohn, The Age of Churchill, 308.

¹⁰ The Times (London), October 1, 1930, 17.

wary apprehension of Birkenhead because of his flamboyance and rakish reputation, and the King's disapproval was reflected in the actions of his secretary, Stamfordham, who peppered Birkenhead with notes commenting on his flashy clothes and night life until Birkenhead sent Stamfordham a caustic letter, implying that, as long as he carried out the functions of his office competently, his personal life was nobody's business--the King commented that this was "a very rude letter."¹¹ George V was certainly an unlikely person to preside over the "new morality" which had been inaugurated after the war, and nothing alarmed him more than the new sexual permissiveness. The King primly inquired of the Lord Chancellor whether divorce cases could be tried in camera (without publicity) if explicit references were made to the private lives of the individuals concerned; Birkenhead replied that it was not legally possible to bar the press from divorce proceedings.¹²

However, if Birkenhead's relationship with the King was less than idyllic, he enjoyed extremely warm relations with the King's sons and met them often on social occasions. In fact, Birkenhead won the lasting affection of the Duke of York (later King George VI) when the shy, self-conscious youth made his first appearance in the House of Lords in June 1920. George VI's biographer wrote that as the young Duke approached the Woolsack to be received by the Lord Chancellor on this solemn occasion, he was "almost tottering" with nervousness; when Birkenhead leaned forward to clasp the new peer's hands between his own, he whispered, "Been playing much tennis lately, sir?" This light remark relaxed the Duke and "saved

¹¹2nd Earl of Birkenhead, F. E., 394-395.

¹²Nicolson, George the Fifth, 429.

the situation" by restoring his confidence.¹³

Throughout most of the 1919-20 period, the coalition was highly secure. Lloyd George's prestige was at its height, and he was recognized as one of the world's foremost statesmen, a man with a supernatural ability to solve insoluble problems. Many Unionist M. P.s believed that they owed their seats in Westminster to the magic of Lloyd George's name and hence, were very willing, for a time, to follow his lead.¹⁴ The combination of Lloyd George's international prestige, the economic boom of 1919-20, and the Government's huge Parliamentary majority made the coalition ministry seemingly invincible.

(2)

There were, however, a few clouds on the horizon for the coalition, one of which was the startling growth of the labor movement and especially, of the Labour Party. One historian has written that the Labour Party "offered a new party of the Left, not associated with past failures and free from the Liberal trammels with the privileged classes."¹⁵ In February 1918, the Labour Party drew up a new constitution which was a declaration of intent to enact socialistic legislation: Public works programs; economic policies which would guarantee full employment; broad social security programs; nationalization of various industries, such as coal, insurance, railways, and utilities; a more equitable tax structure; and, most menacingly, the "common ownership of the nation's land" and ". . . means of

¹³John W. Wheeler-Bennett, King George VI: His Life and Reign (New York, 1958), 141-142.

¹⁴Lord Beaverbrook, The Decline and Fall of Lloyd George (New York, 1963), 14.

¹⁵Taylor, English History, 1914-1945, 91.

production."¹⁶ Labour had achieved respectability during the war by the fact that Labourites had served in the Government, and one of them, Arthur Henderson, had been in Lloyd George's War Cabinet. As mentioned above, the Labour Party made an extremely impressive showing in the 1918 election, capturing 59 seats, which made Labour the largest single bloc of M. P.s on the opposition benches. Those 59 seats, however, were not an accurate gauge of Labour's strength, for even though the coalition secured eight times as many seats as Labour, the Labour Party candidates garnered nearly half as many votes as all of the coalition candidates, and they polled twice as many votes as did the traditional Liberal Party candidates who supported Asquith.¹⁷

In the immediate postwar period, the trade union movement was rapidly expanding and, by 1920, had reached a membership of eight million.¹⁸ Goaded by the rampant inflation which accompanied the postwar prosperity and the fact that prices were rising faster than wages, British workers displayed a startling militancy as they demanded an improvement in their standard of living. To the outrage of the workers and socialists who wanted state control over the economy, the Lloyd George Government yielded to demands by the business community for an end to wartime controls on industry and finance.¹⁹ Furthermore, the alliance between the Trades Union Congress (T. U. C.) and the Parliamentary Labour Party was made even

¹⁶ Mowat, Britain Between the Wars, 18-19.

¹⁷ Ibid., 6-7.

¹⁸ Taylor, English History, 1914-1945, 142.

¹⁹ Mowat, Britain Between the Wars, 27-29.

firmer than it had been before the war when the trade unions occasionally had supported Liberal candidates.²⁰

The year following the war saw strikes by textile and iron workers, the threat of a police strike, and strikes by miners and railway workers that were regarded with such seriousness that the Government felt compelled to call out the military.²¹ In 1919, thirty million work days were lost due to strikes, many of them local, "wildcat" strikes called by the extremely militant shop stewards.²² The trade unions even extended their direct political action to the Government's foreign policy. In May 1920, London dockworkers refused to load munitions on the Jolly George, a ship bound for Poland to help the Poles fight the Bolsheviks, and they refused to coal the ship, thus keeping it in port. By August, the leaders of the Labour Party and the T. U. C. were threatening a nation-wide strike to prevent further British intervention against the Bolshevik regime in Russia, but the Russo-Polish war ended before there was a clash between the Government and labor.²³

The growing strength of the Labour Party and the increasing militancy of the trade unions caused apprehension by many who felt the social and political traditions of Britain were threatened. Some political leaders, including Birkenhead, favored a new fusion party of Unionists and Liberals, leaving Labour as a leftist fringe group.²⁴ A contemporary

²⁰ Ibid., 19-20.

²¹ Ibid., 38-40.

²² Nicolson, George the Fifth, 339.

²³ Mowat, Britain Between the Wars, 41-42.

²⁴ Baron Riddell, Lord Riddell's Intimate Diary of the Peace Conference and After, 1918-1923 (New York, 1934), 159, 365.

writer predicted that Lloyd George, Law, Churchill, and Birkenhead would form a new political party, the "Democratic Party," which would "combine the patriotism and stability of the Conservative Party with the broad humanities and tolerance of Liberalism."²⁵ At the very time the article was published, a high level meeting was held to discuss the formation of such a party. Lloyd George, Churchill, Austen Chamberlain, and Archibald Salvidge met Birkenhead at his London home in February 1920 to discuss the possibility of fusion; the discussion produced a rather cumbersome name for the proposed party, the "Constitutional Reform Party," but the idea never progressed beyond the realm of the hypothetical, and the coalition Government headed into the stormy waters of 1921.²⁶

In the winter of 1920-21, the Government was seriously damaged when the postwar economic boom came to an end. The foremost historian of this period traced the end of the boom to April 1920 when the Government attempted to halt the inflation and speculation of the overheated economy by raising bank rates and increasing the excess profits tax. This policy stifled investment and had a deflationary effect, hurting industries which had invested and expanded by causing injurious overproduction. This, in turn, produced the classic cycle of economic recession: Overproduction caused prices to fall, causing industries to lose money, which led those industries to reduce production and overhead, which, of course, meant that workers were laid off and thrown into the ranks of the unemployed.²⁷

²⁵ C. F. G. Masterman, "The New Democratic Party," The Contemporary Review, CXVII (February, 1920), 155-156.

²⁶ Salvidge, Salvidge of Liverpool, 180-183.

²⁷ Mowat, Britain Between the Wars, 25-27.

Export trades, particularly the coal industry, suffered the most, due to overproduction, loss of overseas markets, and failure to adapt production to the most modern, efficient techniques.²⁸

By December 1920, unemployment was 700,000; by March 1921, unemployment had risen to 1,300,000 people, and, three months later, more than two million workers were out of jobs.²⁹ During the winter of 1920-21, there were demonstrations of protest by unemployed workers, often leading to violent clashes with the police.³⁰ The coal and textile industries were in a state of severe depression, as was British shipping,³¹ and steel and iron production dropped to a fraction of the 1920 level.³² In March 1921, the Government attempted to deal with the unemployment problem by introducing the policy of the "uncovenanted" benefit, by which unemployed workers could draw more benefits than they had contributed to the national insurance plan and which was supposed to be held against future contributions--thus was born the "dole," which was "ungratefully accepted by those it saved and bitterly condemned by the comfortable classes who saw in it only the symbol of national demoralisation."³³

The Government's announcement in March 1921 that it would restore the coal industry to private control by ending its subsidy prompted the threat of a general strike by labor. The miners went on strike and called on the transport and railway workers to honor their "triple alliance" and

²⁸ Taylor, English History, 1914-1945, 144-145.

²⁹ Nicolson, George the Fifth, 340.

³⁰ Mowat, Britain Between the Wars, 125.

³¹ Taylor, English History, 1914-1945, 145.

³² Mowat, Britain Between the Wars, 125.

³³ Ibid., 127-128.

force the Government to maintain control over the coal industry. The Government mobilized troops in April, and a special defense force of 75,000 men was created for the duration of the crisis. On "Black Friday," April 15, 1921, the transport and railway workers withdrew their support from the miners after the miners refused the Government's compromise solution.³⁴ Labor unity had been severely strained by these crises, but another casualty was the Prime Minister, once the greatest radical reformer in British politics, who was now regarded virtually as a "blackleg" by labor: "Lloyd George lost his last shadow of hold over the working class. He had become for them a fraud, a sham."³⁵ The only response which the Lloyd George ministry could seemingly devise for the recession was governmental retrenchment. In 1921, a committee headed by Sir Eric Geddes was established to investigate the economic crisis, and the committee's subsequent recommendation angered not only socialists but people with moderately liberal convictions. The committee urged a Draconian form of retrenchment which was called the "Geddes axe": The reduction of Government expenditures for teachers' and policemen's salaries, health services, educational aid, the military, and the abolition of the labor exchanges.³⁶ The erstwhile radical, Lloyd George, had apparently lost his zeal for the underprivileged.

Economic recession was not the only problem which the Government faced, for, increasingly, Ireland was becoming a festering sore in British

³⁴ Ibid., 119.

³⁵ Taylor, English History, 1914-1945, 146.

³⁶ Mowat, Britain Between the Wars, 129-131.

politics. The warfare between Irish guerillas and Crown forces had escalated inexorably throughout 1919 and 1920 until it dominated the Government's actions. Leftist intellectuals were in the vanguard of critics of the Government's Irish policy, and they focused public attention on the ugly aspects of the Irish conflict. In 1920, the Labour Party sent a commission to Ireland under Arthur Henderson's chairmanship to observe the nature of the conflict. The Labour commission's report was released to the public in 1921, and it stated: "Things are being done in the name of Britain which must make her name stink in the nostrils of the whole world."³⁷

The economic recession and the Irish war intensified political problems and revealed cracks in the coalition's facade. A number of Unionists had long suspected that Lloyd George was merely using them until he could re-unite the Liberals, while Lloyd George feared that he would become a captive of the Unionists without any Liberal support.³⁸ The recession pulled the Government in two directions, as the Unionists attempted to raise tariff rates on imports to protect British industry and help Britain's balance-of-payments, and Lloyd George worked surreptitiously to kill the tariff because it might alienate his Liberal followers who believed in free trade.³⁹ The uneasy alliance between Lloyd George and the Unionists grew more strained after March 1921 when Law's poor health forced him to retire from active politics, and he was succeeded as Unionist leader by Austen Chamberlain, who came to be regarded by many in the Party as being subservient to Lloyd George and not aggressive enough

³⁷ Labour Party, Report of the Labour Commission to Ireland (London, 1921), 56.

³⁸ Beaverbrook, The Decline and Fall of Lloyd George, 16, 27.

³⁹ Ibid., 15-16.

in defending Tory principles. In June 1921, one of the most influential Unionist peers, the Marquis of Salisbury, reflected the growing disenchantment with Lloyd George in a letter to The Times, in which he urged Unionists to withdraw their support from the Government, which, he stated, "no longer possesses the full confidence of the Unionist Party."⁴⁰

The Prime Minister's popularity and prestige had greatly diminished since the triumphant days of 1918-19, both in Parliament and in public opinion. In his reliance on Law and then Chamberlain to lead the Commons, which he rarely attended, Lloyd George acted more like an American President than a Prime Minister. The use of a subordinate to lead the Commons was, perhaps, justifiable during the war and during the peace conference in Paris when Lloyd George did not have the time to handle Parliamentary matters; but, by 1921, this practice implied a cavalier disdain for the traditions of Parliament, especially in light of the personal, unofficial advisers whom Lloyd George retained. Lloyd George's sale of honors--peerages, knighthoods, decorations--in return for political contributions to the mysterious "Lloyd George fund" caused a considerable outcry and confirmed the impression of Lloyd George as "too clever by half."⁴¹

Friction developed even within the Cabinet. There was serious disagreement over the conflict between Greece and Turkey, with only Lloyd George and Balfour favoring a policy that was sympathetic towards the Greeks.⁴² Lloyd George and Churchill grew increasingly estranged over the issue of Russia, as Churchill advocated all-out aid to the "White" Russians

⁴⁰The Times (London), June 20, 1921, 6.

⁴¹Beaverbrook, The Decline and Fall of Lloyd George, 52-53; Mowat, Britain Between the Wars, 133-134.

⁴²Beaverbrook, The Decline and Fall of Lloyd George, 38-39.

in their fight against the Bolsheviks, while Lloyd George was more cognizant of the extent to which public opinion would tolerate involvement in another war. Lloyd George finally transferred Churchill to the Colonial Office in the hope of making him forget about Russia, but Churchill was not happy about the transfer because he regarded the Colonial Office as a lower echelon position. Churchill was in the Middle East in March 1921 when he received word of Law's retirement and the new position of Austen Chamberlain, who was leaving the Exchequer to become Lord Privy Seal and leader of the Commons. Hurrying back to London in the expectation of moving up to the Exchequer, Churchill was flabbergasted to discover that Lloyd George had offered the post to one of his personal advisers, Sir Robert Horne. It was inconceivable to Churchill that he could be ignored in favor of a nonentity like Horne, and, as stunned disbelief gave way to cold anger, Churchill ended all dealings with Lloyd George except on governmental matters.⁴³

The Prime Minister's relations with the Lord Chancellor also declined in 1921. The major dispute between Lloyd George and Birkenhead was over an appointment to the Bench. As the head of the English judiciary, Birkenhead felt that his recommendation should prevail, but Lloyd George ignored Birkenhead's advice and appointed a Liberal supporter whom Birkenhead did not think was qualified. According to Beaverbrook, Birkenhead was "outraged." For all his flippant cynicism, Birkenhead had "a deep respect for the traditions of the Bench," and he was genuinely shocked that Lloyd George would use the judiciary as a political pork-barrel. An angry correspondence between the two men followed, and their

⁴³ Ibid., 30-34.

relationship degenerated into one of frigid formality.⁴⁴ Additional tension developed between Lord Curzon and Churchill over whether the Middle East came under the jurisdiction of the Foreign Office or the Colonial Office.⁴⁵ Moreover, Curzon loathed and feared the Prime Minister, and in turn, the pompous, arrogant Foreign Secretary was despised by most of his Cabinet colleagues as "inconsistent, unreliable, untruthful, and treacherous."⁴⁶

By June 1921, Birkenhead and Churchill were involved in an abortive coup against Lloyd George. Both men still believed in the idea of coalition, but they felt that Lloyd George had become a liability to the coalition Government. They proposed to lead a backbench revolt against Lloyd George, the result being a coalition ministry with Birkenhead as Prime Minister and Churchill as leader of the Commons and, presumably, at the Exchequer or the Foreign Office.⁴⁷ However, such a plan required a great deal of delicacy and, somehow, news of the plan reached Lloyd George, who was nothing if not a cunning infighter. Lloyd George leaked the story to the Manchester Guardian, and the resultant publicity caused Birkenhead and Churchill to abandon their strategy.⁴⁸

Lloyd George had won a tactical victory over the plotters, but at this very time, he suffered a terrible humiliation. Lloyd George was under grave attack for waste and scandal in the Government's housing

⁴⁴ Ibid., 35-37.

⁴⁵ Ibid., 40-45.

⁴⁶ Ibid., 45-46.

⁴⁷ Ibid., 69, 73-75.

⁴⁸ Frances Stevenson, Lloyd George: A Diary, ed. by A. J. P. Taylor (New York, 1971), 223.

program. One of the Prime Minister's most famous quotes from the 1918 election was his statement that he would provide postwar Britain with "homes fit for heroes," but the Government's housing policy had turned into a bureaucratic shambles. The scapegoat was Dr. Christopher Addison, who had been Minister of Health and who was "kicked upstairs" to the post of Minister without Portfolio at a salary of £5,000 per annum. This appointment came under serious attack as a reward for incompetence, and the debate in the Commons was tantamount to a motion of censure against the Government. Lloyd George defended the appointment but, at the same time, announced that Addison would be at his position only for a temporary period and at a much reduced salary.⁴⁹ Lloyd George won his vote of confidence, but his lame defense of Addison, while effectively throwing him to the wolves, brought derisive laughter from the M. P.s, even from the Government benches. The Prime Minister had aroused almost every emotion in the Commons during his amazing career, but this was the first time that he had ever excited contempt from the benches--the "Welsh wizard," "the man who won the war," was revealed as just another jobber, clinging to office by his fingernails. Addison showed his scorn for Lloyd George by resigning and joining the Labour Party, in which he subsequently had a distinguished career.⁵⁰

Lloyd George and his ministry were in serious trouble in 1921, but, for Lord Birkenhead, the future appeared to be rosy. In his admirable political study of this period, Beaverbrook said that Austen Chamberlain was the "titular" leader of the Unionist Party and emphasized that his leadership was on an interim basis. Chamberlain's background was Liberal

⁴⁹Parliamentary Debates, Commons, 1921, 5th Series, CXLIII, 1593-1602.

⁵⁰Beaverbrook, The Decline and Fall of Lloyd George, 77, 79.

Unionist rather than Tory, and he was "wavering in his enthusiasm" for tariff reform, which was virtual sacrilege to the memory of his father; he was widely respected for his spotless integrity but had a stiff and colorless personality, possessing none of his father's magnetism. It was Beaverbrook's opinion that, if Bonar Law's health improved, Law would resume Unionist leadership; if his health continued to deteriorate, the Unionists would pick Birkenhead as leader. Birkenhead had always been popular with the Unionist backbenchers, and he had the support of the protectionists and the Ulster-Orange clique in the Party. Birkenhead also had powerful backing from the leading "press lord," Viscount Northcliffe, who supported the Lord Chancellor in The Times and Daily Mail as the logical heir to Unionist leadership. If Law remained in retirement, Birkenhead could easily oust Chamberlain from leadership; if Law returned to active politics, Birkenhead had only to bide his time until the frail, aging Law retired permanently.⁵¹

As it was, Lloyd George and his now very vulnerable ministry--burdened by the hatred of the working class, the alienation of the middle class due to the recession and the housing scandals, the restiveness of many Unionists, and the tarnished reputation of the Prime Minister--went forth to meet the Irish crisis.

⁵¹ Ibid., 19-21, 68-69, 106.

V

THE TROUBLES:

IRELAND, 1918-21

(1)

After the December 1918 election, Sinn Fein moved rapidly to exercise the sweeping mandate that it had received from Irish Catholics. On January 21, 1919, the Sinn Fein members who had been elected as M. P.s in December--and who had not been arrested by the British--met at the Mansion House in Dublin to establish an Irish assembly, Dáil Éireann, and to proclaim the Irish republic and Ireland's complete independence from Britain.¹

The Dáil sent representatives to the Paris conference to present the Irish nationalist case to the world statesmen, but British influence prevented them from doing so. Lloyd George insisted that Ireland was an internal matter for the British Government to handle.² In February, Eamon de Valera escaped from his English jail in Lincoln and, through the amazing intelligence network created by Michael Collins, returned to Ireland, where, in April, he was re-elected President of Sinn Fein and was elected President of the Dáil, at which time a cabinet was also formed. To avoid further

¹Macardle, The Irish Republic, 272-274.

²Ibid., 277-278.

embarrassment, the British released the rest of the Irish prisoners who had been arrested in May 1918.³

Two months after his election, de Valera left for the United States, where he remained until December 1920. De Valera hoped to raise money for the Irish cause and, by appealing to traditional, anti-British sentiments, to pressure the American government into recognizing Ireland as an independent republic; he also wanted to impress upon Americans that, under Article Ten of the League of Nations Covenant, American troops could be used in Ireland to preserve Britain's "territorial integrity"--though it was not his intention, de Valera unwittingly aided President Woodrow Wilson's foes in the Senate who wanted to defeat the League of Nations Treaty. In de Valera's absence, Arthur Griffith served as the acting President of the Dáil.⁴

While de Valera was in America, the Dáil, determined to expand its authority in Ireland, established a republican legal system in the summer of 1919. These secret courts functioned with the support of Irish Catholics and, when the Trinity sessions of the Imperial Courts opened in June 1920, there were no litigants and no cases to be heard; the same situation confronted the Assize Courts in July.⁵ In addition to establishing criminal and civil courts, the Dáil created a republican police force to deal with local crime,⁶ while Sinn Fein continued to consolidate

³ Longford and O'Neill, Eamon de Valera, 83-91.

⁴ Ibid., 95, 116.

⁵ Macardle, The Irish Republic, 348-350.

⁶ Lord Monteaule, "The Irish Problem," The Contemporary Review, CXVIII (September, 1920), 309.

its hold on the political processes of the country. Municipal elections were scheduled to be held in January 1920 under the supervision of Dublin Castle, and Sinn Fein leaders decided to use this election as a means of showing their contempt for the British and of demonstrating to the world that Sinn Fein expressed the will of the Irish people. Of the twelve cities and boroughs of Ireland, all but one--Belfast--elected republican majorities; of 206 municipal or borough councils, the republicans captured 172.⁷ Five months later, in the county council and Poor Law Board elections, the republicans secured control of 29 of Ireland's 33 districts.⁸ Thus, Sinn Fein and Dáil Éireann effectively controlled Catholic Ireland and had made a mockery of British rule.

While the republicans were taking control of the political and legal system in Ireland, the level of violence increased as Crown forces and guerillas of the Irish Republican Army (I. R. A.) were involved in frequent battles. There were some Irish nationalists who thought that armed conflict was the only method of ending British domination of Ireland. Early in 1919, Michael Collins said that "the sooner fighting was forced and a general state of disorder created through the country . . . the better it would be for the country."⁹ In the spring of 1919, there were a series of I. R. A. raids on British supply depots and Royal Irish Constabulary (R. I. C.) stations in order to secure arms and munitions. The policy of the I. R. A. was to avoid shooting Crown forces if possible, but this

⁷Macardle, The Irish Republic, 325-327.

⁸Ibid., 351-342.

⁹Darrell Figgis, Recollections of the Irish War (London, 1927), 243.

policy was abandoned as the British increased their efforts against the Irish nationalists.¹⁰

The constant I. R. A. attacks on police and military barracks during the summer prodded the British Government into action. The British decided to deal with the Irish unrest by destroying the source of subversive activity: The Dáil, which the British had previously ignored as being beneath contempt, was formally outlawed in September 1919. After the Dáil was outlawed, Crown authorities accelerated their tactics of harassment by disrupting public gatherings, by prohibiting classes in the Gaelic language and the singing of Irish nationalist songs, by censoring nationalist publications, and by searching private homes. In the very month that the Dáil was outlawed, the I. R. A. ambushed a British patrol in County Cork; two hundred British soldiers retaliated by destroying part of the town of Fermoy.¹¹ This incident illustrated the pattern which the Irish conflict was to take: An I. R. A. atrocity was followed by a British counter-atrocity.

Gradually but inexorably, the scale of violence rose in Ireland. In December 1919, an assassination attempt was made against the Lord Lieutenant, Lord French,¹² and during the next month the British launched more than 1,000 raids against the homes and headquarters of I. R. A. suspects which resulted in 220 arrests; in February 1920, 4,000 British raids netted nearly 300 suspected terrorists.¹³ The assassination of a Dublin constable

¹⁰ Macardle, The Irish Republic, 292.

¹¹ Ibid., 307-308, 315-317.

¹² Winston Churchill, The Aftermath, 297.

¹³ Macardle, The Irish Republic, 330.

in February caused the British to place Dublin under an indefinite curfew.¹⁴ When the British attempted to investigate bank records to discover--and confiscate--Sinn Fein and I. R. A. funds, the intelligence officer in charge of the program was shot. In reprisal, the Lord Mayor of Cork, who was a member of Sinn Fein, was murdered in his home in the middle of the night.¹⁵ "Flying columns" of I. R. A. gunmen mounted full-scale attacks across Ireland against R. I. C. barracks in April, causing many of the barracks to be vacated; Crown forces retaliated by ransacking the town of Thurles. On the anniversary of the Easter rebellion the I. R. A. burned the vacated R. I. C. barracks.¹⁶

The I. R. A. made twenty-four battalion-sized attacks against Crown troops in June and thirty attacks in July. By the end of the summer of 1920, the I. R. A. had forced the R. I. C. out of the small villages and rural areas, leaving these areas to Sinn Fein control. Government buildings were often the target of Irish sabotage, and in July, an I. R. A. squadron raided the General Post Office in Dublin, seizing highly sensitive correspondence.¹⁷ The guiding genius behind the I. R. A. campaign was Michael Collins, who pioneered the techniques of what came to be known as "wars of national liberation." Long before Mao or Giap, Collins developed modern, guerilla war tactics of wearing down the stronger side through attrition and the force of public opinion, and Collins' gunmen,

¹⁴ Ibid.

¹⁵ Ibid., 332.

¹⁶ Figgis, Recollections of the Irish War, 279-280.

¹⁷ Macardle, The Irish Republic, 344, 353.

as in Mao's phrase, moved through the native population like fish through water. The Labour commission wrote that the I. R. A. "is formidable because it is intangible. . . . without the sympathy and support of the vast majority of the population it could not exist."¹⁸ Collins was Minister of Finance in the Dail cabinet, but his real source of power was his position as the director of intelligence and organization for the I. R. A. and, even more specifically, his pre-eminent standing within the Irish Republican Brotherhood, the elite corps which provided most of the leadership for the I. R. A.¹⁹ The handsome, strapping Collins, with his hail-fellow-well-met personality, did not conform to the usual image of a revolutionary as a cold, hatchet-faced fanatic, and his miraculous, hair-breadth escapes from British dragnets made Collins a legendary figure in both Ireland and Britain. Certainly, in the 1919-21 period, Collins was the most powerful Irish leader in the struggle with the British.

For their part, the British were not lacking in ruthless determination either. In March 1920, the British Government began a program of sending British recruits to Ireland to support the Crown forces. These recruits were ex-soldiers of the British Army who had combat experience; because there were not enough dark green, R. I. C. uniforms for them, they wore khaki uniforms with black belts and dark green hats and, hence, came to be known as the "Black and Tans."²⁰ By July, there was yet another group of British recruits in Ireland--the Auxiliary Division of the R. I. C. (the "Auxies"), which was composed of former British Army officers.²¹ The

¹⁸Labour Party, Report of the Labour Commission, 8.

¹⁹Tim Pat Coogan, The I. R. A. (London, 1970), 22.

²⁰Richard Bennett, The Black and Tans (Boston, 1960), 36.

task of the "Auxies" and "Black and Tans" was to root out the I. R. A., to match the I. R. A.'s terror tactics, and to meet every I. R. A. atrocity with reprisals of brutal severity. Theoretically, these two groups were under the control of the British military but, in reality, acted as semi-autonomous units. The Labour commission report listed six categories of reprisals taken by the "Auxies" and "Black and Tans": General terrorism and provocative behavior; arson; willful destruction of property, other than by fire; looting; cruelty to individuals; and shooting. The report said that these groups were regarded with "general dread and detestation" by the Irish people.²²

The campaign of terror brought the economic life of Ireland to a standstill. To thwart British operations, the I. R. A. blew up bridges, tore up railway tracks, and cut telephone lines; throughout most of 1920, Irish railway, transport, and dock workers refused to handle British arms or munitions or to transport British troops. The Crown authorities responded by suppressing local fairs and markets, which hurt the rural economy, and by destroying mills, factories, and creameries.²³ Moreover, Catholics in southern Ireland boycotted Ulster products, while I. R. A. partisans destroyed Ulster goods in stock and in transit.²⁴ The conditions in parts of Ireland were so appalling that only the efforts of relief organizations prevented starvation and the collapse of entire communities, especially in the rural provinces.²⁵

²¹ Macardle, The Irish Republic, 358.

²² Labour Party, Report of the Labour Commission, 4, 6.

²³ Macardle, The Irish Republic, 332, 342, 347, 377-378.

²⁴ C. J. C. Street, Ireland in 1921 (London, 1922), 12.

²⁵ Macardle, The Irish Republic, 434.

One of the ugliest aspects of the "troubles" was the plight of Catholics in Ulster. The I. R. A. carried out acts of violence and sabotage in Ulster, the result of which was the revival of the Orange clubs and reprisals against innocent Catholics. In fact, the acts of Ulster Protestants against Catholics could only be described as pogroms. In July 1920, Protestant mobs rampaged through the Catholic areas of Londonderry and Belfast, burning and looting Catholic homes, attacking Catholic churches, and leaving scores of Catholics dead and hundreds injured. Catholics who were employed in the Belfast shipyards were dismissed from their jobs, and, throughout Ulster, Catholics were driven from their homes; in some communities, not a single Catholic family was left. The Catholics who remained in Ulster were forced to take an oath of allegiance to the Crown if they wished to retain or secure employment. In cities like Belfast, thousands of Catholic families were left homeless after the riots, and many fled south. Indeed, one English correspondent compared these Catholic refugees to the Belgians whom he had seen fleeing from the Germans in 1914. The most influential political leader in Ulster, Sir James Craig, tacitly endorsed these Orange activities, and the British troops seemed to sympathize with the Orangemen. Over the protests of Sir Neville Macready, the commander of British forces in Ireland, Protestants in Ulster were permitted to form the Ulster Special Constabulary (the "B Specials"), a vigilante organization of bully-boys that was given legal sanction to harass and intimidate Catholics. On one occasion, a party of "B Specials" undertook a raid of vengeance against southern Catholics until they were forced back after a gun battle with a R. I. C. patrol.²⁶

²⁶ Ibid., 356-357, 384-387; Mowat, Britain Between the Wars, 74-75, 81.

Collins' basic strategy was to disrupt and destroy the British intelligence system, especially the R. I. C., which was filled with native Irishmen. Collins felt that if Dublin Castle's network of spies and informers was shattered, the British would be unable to function.²⁷ Hence, the R. I. C. became the prime target of I. R. A. gunmen; many wives of men in the R. I. C. had their hair shorn by Catholic women; the homes of R. I. C. officials were burned; and the relatives of people who were connected with the R. I. C. were socially ostracized. Yet, to protect Catholics, a R. I. C. unit fought a gun battle once with "Auxies" who were rampaging wildly through an Irish town. Hating the "Auxies," "Black and Tans," and "B Specials," but hated themselves by the majority of the Irish people, Irishmen resigned in droves from the R. I. C., leaving the Crown constabulary almost wholly to the British.²⁸

The winter of 1920-21 saw the "Black and Tans" and "Auxies" at the peak of their power. To avenge the death of two Crown officials, the "Black and Tans" partially gutted the town of Balbriggan, killing several people, beating many, and burning a factory and a number of houses.²⁹ In the fall of 1920, as the conflict continued unabated, the attention of the world had been fastened on Terence MacSwiney, who had replaced the murdered Lord Mayor of Cork and was an outspoken republican. MacSwiney was arrested by Crown authorities in August for seditious behavior and was transported to an English prison, whereupon he went on a hunger strike. The world watched in fascinated horror as the British attempted to keep him alive;

²⁷ Macardle, The Irish Republic, 306-307.

²⁸ Ibid., 362; Street, Ireland in 1921, 52; Labour Party, Report of the Labour Commission, 9.

²⁹ Labour Party, Report of the Labour Commission, 38-40.

however, in October, MacSwiney died, a martyr to the cause of Irish nationalism, and his death stirred universal revulsion for Britain's tactics and compassion for the Irish cause. Crowds in London watched in respectful silence as MacSwiney's coffin was carried to the ship which was to take his body back to Ireland, where his burial was a day of national mourning.³⁰

The chilling horror of the Irish war was graphically underscored on Sunday, November 21, 1920. Michael Collins feared that British intelligence was coming perilously close to uncovering the I. R. A.'s underground operations, and he decided that the British intelligence network had to be disrupted. On Sunday morning, I. R. A. gunmen went into action in Dublin, bursting into the domiciles of the leading British intelligence officers and killing a total of fourteen men, some of whom were shot while in bed with their wives. The British response was swift and terrible. That afternoon, R. I. C. and "Black and Tans" units converged on Croke Park in Dublin, where several thousand people were watching a football game, in the hope of trapping some of the gunmen involved in the shootings. The British claimed that a shot was fired from the crowd while the Irish claimed that the Crown forces fired first, but whichever version was the truth, all parties agreed that some of the "Black and Tans" fired indiscriminately into the crowd, killing a dozen people, wounding more than sixty, and causing hundreds to be trampled and injured as the terrified spectators panicked. The British claimed to have found thirty revolvers on the ground afterwards, but that could scarcely excuse such a cold-blooded massacre.³¹

³⁰ Macardle, The Irish Republic, 383, 391-392.

³¹ Ibid., 398; Bennett, The Black and Tans, 121-128; Labour Party, Report of the Labour Commission, 42.

The counties of Cork, Kerry, Tipperary, and Limerick were placed under martial law in December, and a British proclamation declared that Irishmen convicted by court-martial in the military districts were subject to the death penalty if they had been charged with possessing arms or ammunition, harboring or aiding a suspected terrorist, or being a member of the I. R. A. One month later, the counties of Wexford, Waterford, Kilkenny, and Clare were put under martial law.³² The I. R. A. frequently ambushed British patrols, and, after one such ambush wiped out a patrol in December, the "Auxies" and the "Black and Tans" sacked a large section of the city of Cork: Many people were beaten, two individuals suspected of having I. R. A. connections were summarily shot, and property damage was estimated at more than £3,000,000.³³

While the British were trying to tighten their grip on Ireland, the Minister of Defence in the Dáil cabinet, Cathal Brugha, took the conflict to Britain. In the winter of 1920-21, I. R. A. cells in Britain burned warehouses in Liverpool and carried out similar raids in Newcastle, Manchester, and London.³⁴ There were also attacks in England on relatives of British soldiers in Ireland;³⁵ plans were made to blow up docks and bridges throughout Britain, but a British raid on an I. R. A. unit in Dublin produced a copy of these plans, and hence, the operation was thwarted.³⁶

³²Macardle, The Irish Republic, 416, 418, 423.

³³Ibid., 416-417; Labour Party, Report of the Labour Commission, 33-38; Edgar Holt, Protest in Arms: The Irish Troubles, 1916-1923 (New York, 1961), 231-232.

³⁴Holt, Protest in Arms, 231, 243.

³⁵Street, Ireland in 1921, 23-27.

³⁶Macardle, The Irish Republic, 403-404.

The policy of carrying the war to Britain reflected the new tempo of the conflict, for the war reached a low point in viciousness and brutality in early 1921. A conflict such as this one brings out the worst in human nature, and certainly, Ireland in 1920-21 displayed every facet of human squalor and degradation. As the I. R. A. continued its campaign of assassination and sabotage, the frustration and anger of the British became more evident. British troops ransacked or destroyed Irish houses in neighborhoods where an act of terror took place; any Irishman who refused to give information to Crown officials was regarded as a traitor and treated as such; and relatives of an I. R. A. suspect were sometimes beaten or shot. Individuals were picked at random by "Auxies" or "Black and Tans" and beaten, flogged, spat upon, or forced to kneel in the gutter and sing, "God Save the King"--these petty, personal humiliations probably caused more bitterness than the large scale destruction. The torture of I. R. A. suspects became routine, and statements that suspects had been "shot while attempting to escape" were frequent. Life in Dublin was a nightmare of midnight searches and raids by Crown officials and of gun battles, ambushes, and assassinations; Erskine Childers, an English-born crusader for the Irish cause, wrote that when "the citizens go to bed, the barracks spring to life." Corpses were often found mutilated, and in the provinces, the sight of persons having been hanged was not uncommon, though most people were not sure whether the individuals had been hanged by the British for being I. R. A. members or hanged by the I. R. A. for being British informers.³⁷

In February, six I. R. A. captives were executed by the British,

³⁷ Ibid., 330, 377-378, 423-424, 427; Labour Party, Report of the Labour Commission, 26.

and, that same day, six British soldiers were shot. The casualty lists for the first three months of 1921 were tabulated as 174 killed and 288 wounded on the British side, and 317 killed and 285 wounded on the Irish side (including civilians).³⁸ A two-day period in March was described as follows: A British officer was shot in Dublin; there was a bomb explosion in Dublin; a British military vehicle was seized by the I. R. A.; a retired Crown official was murdered at his home in County Cork; there was rioting in Belfast; a R. I. C. patrol was ambushed, with one person killed; a British armored car was attacked; there was an attempt to derail a train; the I. R. A. raided a farm in Ulster; a telephone office was burned; and a person was found murdered in Kilkenny.³⁹ The situation became so desperate that the British offered an incredible £10,000 reward to anyone who could give information leading to the capture of Michael Collins.⁴⁰ There was a pitched gun battle in the streets of Dublin on May 25, 1921, as an I. R. A. force of 120 men seized the Dublin Customs House and burned it in a successful attempt to destroy Crown records pertaining to taxation and local government. As the building was burning, a regiment of "Auxies" arrived, and a fight ensued, in which nearly eighty of the Irish were captured.⁴¹

The British military was in an impossible situation, for it could not fight the I. R. A. in the conventional manner and could not even control

³⁸ Macardle, The Irish Republic, 423-424, 429.

³⁹ Mowat, Britain Between the Wars, 79-80.

⁴⁰ Macardle, The Irish Republic, 424.

⁴¹ Ibid., 462.

the "Auxies" or "Black and Tans." When the Army suspended several "Auxies" for unruly conduct and lack of discipline, the men in question threatened to publicize the activities of Crown forces in Ireland--Dublin Castle overruled the Army and reinstated the men.⁴² The Lloyd George Government received tremendous opprobrium for British actions in Ireland. Of course, the British forces in Ireland were under great strain, and Irish terror tactics were certainly provocative. However, it was felt in many quarters that the British Government, the world's oldest example of government based on law, was sinking to the level of assassins and terrorists. This explains why most of the moral outrage was directed at the British rather than the Irish. At any rate, de Valera's prediction that the British would find it impossible to rule Ireland was manifestly being confirmed, and the Government was faced with three alternatives: To let matters drift; to take an even harsher line and seek a total, military victory over the I. R. A.; or to attempt to reach a negotiated settlement.

(2)

At his moment of triumph in November 1918, Lloyd George was aware of the need to solve the Irish problem. He wrote to Bonar Law, saying that, in regard to Ireland, the British Government was hamstrung by two factors: The legal reality that the 1914 Home Rule bill was on the statute rolls and the pragmatic reality that Ulster could not be coerced. Lloyd George added that, in any event, the present condition of Ireland made a settlement impossible.⁴³ However, the condition of Ireland grew worse

⁴² Ibid., 429.

⁴³ Macardle, The Irish Republic, 261-262; D. G. Boyce, "How to Settle the Irish Question: Lloyd George and Ireland, 1916-21," Lloyd George: Twelve Essays, ed. by A. J. P. Taylor (New York, 1971), 146.

rather than better, and the need for some policy regarding Ireland was imperative.

It was obvious in 1919 that the old solution of Parliamentary Home Rule was anachronistic. The Home Rule bill, however, had been accompanied by the Suspensory Act, which had suspended the operation of the bill until the principles of Irish Home Rule and Ulster's exclusion had been reconciled. This gave the Government a chance to offer the Irish more than the provisions of the Home Rule bill. In September 1919, the Cabinet decided to formulate a new Home Rule measure.⁴⁴ A special Cabinet subcommittee--to which Birkenhead was appointed--was established to deal with the Irish problem, and in November, the subcommittee reported to the Cabinet:

. . . it is essential, now that the war is over, and that the Peace Conference has dealt with so many analogous questions in Europe, that the Government should make a sincere attempt to deal with the Irish question once and for all.⁴⁵

The subcommittee's proposals were stated by Lloyd George when he introduced the Government of Ireland bill in the Commons on December 22, 1919. This bill proposed to establish a Parliament in Dublin which would have autonomy over twenty-six counties of Ireland, and a Parliament in Belfast, which would have autonomy over the six counties of Ulster (Armagh, Antrim, Down, Derry, Tyrone, and Fermanagh). A "council of Ireland" was to be created which would be composed of members of the two Parliaments and would deal with problems common to both areas; the council was also intended to serve as a basis for the future unification of Ireland. However, the bill

⁴⁴Winston Churchill, The Aftermath, 298.

⁴⁵Boyce, "How to Settle the Irish Question," Lloyd George, ed. by Taylor, 146-147.

gave Westminster control over foreign policy, defense, taxation, and customs and excise duties.⁴⁶

These proposals were, of course, rejected by Sinn Fein and yet, were regarded by Ulster and the Unionists as being too radical. The debate over the Ireland bill lasted for much of 1920, and Birkenhead labored mightily for its passage. He used his personal influence with Carson to win his grudging support for the bill,⁴⁷ which undoubtedly helped it pass the Commons on November 11, 1920.⁴⁸ In addition, Birkenhead was responsible for steering the bill through the Lords, where many Unionist peers were distinctly disenchanted with the Government's policy, and his accomplishment was such that Curzon wrote to him, saying that the "Irish Bill in particular is your triumph."⁴⁹ On December 23, 1920, the Government of Ireland Act received the Royal Assent.⁵⁰

The motives of the Government in sponsoring the Ireland bill have been subject to question. One historian felt that the Government was mainly interested in impressing world opinion, particularly in the United States and in the Dominions, with the integrity of Britain's policy in Ireland.⁵¹ This view would appear to be confirmed by a letter which Birkenhead wrote in November 1919, in which he said that the reason that

⁴⁶ Parliamentary Debates, Commons, 1919, 5th Series, CXXIII, 1168-1187.

⁴⁷ 2nd Earl of Birkenhead, F. E., 361-362.

⁴⁸ Parliamentary Debates, Commons, 1920, 5th Series, CXXXIV, 1463-1466.

⁴⁹ 2nd Earl of Birkenhead, F. E., 363-365.

⁵⁰ Parliamentary Debates, Commons, 1920, 5th Series, CXXXVI, 2249-2250.

⁵¹ Mowat, Britain Between the Wars, 73.

the subcommittee had recommended such reasonable proposals was the belief that Sinn Fein would reject them, thus undermining Sinn Fein's moral position:

Otherwise in the present state of Ireland I could not even be a party to making the offer, for I believe that the Sinn Feiners if they did accept their Parliament, would only use it for the purpose of forwarding separation.⁵²

By the evidence of this letter, Birkenhead saw the Ireland bill simply as a tactical weapon to use against Sinn Fein. There can be little doubt that Birkenhead had less regard for Sinn Fein, which he viewed as a party of doctrinaire revolutionaries, than for Redmond's Irish Nationalist Party, with which he had been willing to deal before 1914. Birkenhead's son claimed that he supported the bill because it enabled Westminster to suspend the Dublin Parliament if Sinn Fein secured control of it and undertook radical measures, such as secession from the Union.⁵³ Regardless of his or the Government's motives, Birkenhead was instrumental in the passage of the 1920 Ireland bill, and as Winston Churchill later wrote, this bill effectively ended the Union, for it made Ulster

. . . a special entity clothed with constitutional form, possessing all the organs and administration. . . . From that moment the position of Ulster became unassailable. It could never again be said that Ulster Protestants barred the aspirations of their Southern countrymen.⁵⁴

Lest his Government be accused of being "soft" on Sinn Fein, Lloyd George also instituted a hard-line program against the Irish terrorists. In April 1920, he named one of his private advisers as Chief Secretary of Ireland,

⁵²Boyce, "How to Settle the Irish Question," Lloyd George, ed. by Taylor, 150.

⁵³2nd Earl of Birkenhead, F. E., 358.

⁵⁴Winston Churchill, The Aftermath, 299.

Sir Hamar Greenwood, who acted as an exuberant cheerleader for the activities of the "Black and Tans" and the "Auxies." Lloyd George then introduced a tough coercion bill, the Restoration of Order in Ireland Act, which the Commons enthusiastically approved on August 6, 1920.⁵⁵

During 1920, Lloyd George's views on Ireland were strongly influenced by Sir Henry Wilson, who was now Chief of the Imperial General Staff.⁵⁶ To say that Wilson favored a harsh policy towards the Irish would be a considerable understatement. Wilson wanted a complete military victory over the I. R. A. and spent a great deal of time attempting to persuade Lloyd George to place all of Ireland under martial law--except Ulster, of course.⁵⁷ Wilson's unceasing efforts resulted in eight counties finally being declared military districts, but in the winter of 1920-21, Wilson found this to be inadequate. He was upset about the policy of "unauthorized" reprisals that was being practiced by irregular forces, like the "Black and Tans" and the "Auxies," but not, however, for any humanitarian reasons--Wilson distrusted Lloyd George and feared that he would later blame the military for the atrocities.⁵⁸ Wilson wanted the Government to assume responsibility for authorized reprisals, and he advocated a "clean-cut policy" of murders "by roster" carried out by plain-clothesmen. Moreover, Wilson wanted a blockade of the Irish coast, complete press censorship, and a severe policy towards Catholic priests, whom he regarded as subversive

⁵⁵Parliamentary Debates, Commons, 1920, 5th Series, CXXXII, 2961-2964.

⁵⁶Keith Middlemas, ed., Thomas Jones: Whitehall Diary, Vol. III: Ireland: 1918-1925 (London, 1971), 14.

⁵⁷Charles Edward Callwell, Field Marshal Sir Henry Wilson: His Life and Diaries, II (New York, 1927), 262, 271-272, 274.

⁵⁸Ibid., 263-264.

agents.⁵⁹ As the Irish conflict became more brutal, Wilson approached the borderline of hysteria: He urged the closing of all banks and post offices to disrupt the I. R. A.'s flow of money and correspondence and, in order to reduce the mobility of the I. R. A., called for the confiscation of all motor vehicles, bicycles, and horses. Furthermore, Wilson estimated that, if the British were to put a force of between 100,000 and 200,000 men in Ireland, complete victory could be achieved after two years of concentrated fighting.⁶⁰

As in the past, Wilson's strongest ally was Bonar Law, who felt that military coercion was the only answer and that "the Irish were an inferior race."⁶¹ Due to his nonconformist upbringing, Lloyd George may also have been biased against Catholics, and one prominent historian has suggested that Lloyd George had no sympathy for Irish Catholics because he had received little help from Catholics in his fight against Balfour's Education Act of 1902, which he thought had given preferential status to Anglican Church schools.⁶² At any rate, Lloyd George and his ministry took an antagonistic attitude towards Irish freedom as expressed by Sinn Fein and the Dail; throughout 1920, Birkenhead and other members of the Cabinet publicly supported the Crown forces in Ireland as defenders of law and order.⁶³

In October, Birkenhead was involved in a fascinating encounter

⁵⁹Ibid., 271.

⁶⁰Ibid., 281, 305.

⁶¹Middlemas, ed., Whitehall Diary, III, 49-50.

⁶²Taylor, English History, 1914-1945, 155-156.

⁶³2nd Earl of Birkenhead, F. E., 357-358.

with the I. R. A. Months before, he had been invited to speak at Trinity College in Dublin, but in October, he was advised that conditions in Ireland made his scheduled visit a grave security risk and that it should be cancelled. Nevertheless, Birkenhead insisted on fulfilling his obligation, and Inspector Harold Brust of Scotland Yard was assigned to be his bodyguard. Birkenhead travelled openly, without any attempt to conceal his identity or to travel by a circuitous route; in fact, he disregarded security advice to such an extent that Inspector Brust thought that he was daring the I. R. A. to make an attack on him. The temptation for the I. R. A. was great, for not only was Birkenhead a leading member of the Cabinet, but he was personally loathed by the Irish nationalists for his Orange activities before the war and for his prosecution of Sir Roger Casement. When he arrived in Dublin, he was greeted with the news which Dublin Castle had received from an informer that the "Brotherhood has sentenced him." Birkenhead smiled enigmatically at this report and said, "Thank you," but he refused to travel in an armed motorcade or to have more security men assigned to him. After making his speech at Trinity College, he impulsively decided to walk back to the Viceregal Lodge so that he could do some shopping and sightseeing! He and the nervous Brust walked leisurely through the streets of Dublin, and as Birkenhead stopped frequently to browse in a shop, to look at a building or monument, or to light a cigar, Brust noticed that three men were following them. While Birkenhead and Brust were walking through Phoenix Park, Birkenhead pointed out the spot where Lord Frederick Cavendish had been assassinated by terrorists in 1882; Brust, glancing at the three men behind them, did not appreciate the gallows humor. By this time, Brust had given up hope of surviving and was pondering how many of the gunmen he would be able to shoot before he and Birkenhead were killed. To Brust's amazement,

the three men suddenly stopped and, after a moment, turned and walked away.

This riddle was solved in July 1921 when a truce had been declared and negotiations were being held between Lloyd George and de Valera in London. Inspector Brust was assigned to Downing Street, and on the occasion of one of the meetings, Brust recognized a member of de Valera's entourage as one of the three men who had followed Birkenhead and him in Dublin the previous October. The man recognized Brust also, for he walked over to him and asked, "How is 'Gallop' Smith?" The Irishman, with a guarantee of safe conduct by the British, confessed that he was a member of the I. R. A. and that he and the other two men had been assigned the task of killing Birkenhead. He said that they had been so impressed by Birkenhead's non-chalance, his mocking defiance of the I. R. A., that they had spontaneously decided to spare his life, as a salute to his courage. The gunman then said: "Good luck to him. He's a man Irishmen will always admire."⁶⁴

Meanwhile, public opinion in Britain was turning against the brutal, endless conflict in Ireland. The Labour Party, in Parliamentary speeches and in trade union publications, was vociferously outspoken in its condemnation of the Government's Irish policy, and important newspapers, such as The Times, the Daily Mail, the Daily News, and the Manchester Guardian, condemned the trend of the Irish situation and exposed the horrible atrocities, particularly those committed by Crown forces.⁶⁵ Sir Harold Nicolson later wrote that the "reign of terror" in Ireland was "filling

⁶⁴ Ibid., 353-357.

⁶⁵ Mowat, Britain Between the Wars, 81.

the minds and hearts of British citizens with the mixed anguish of perplexity, resentment and shame."⁶⁶

Publicly, the Government maintained a posture of unbending resolution to defeat the I. R. A. and of refusal to compromise with terrorism. Speaking at Carnarvon in October, Lloyd George supported the efforts of the Crown forces in Ireland and said that the Irish would be granted a limited form of self-government but not full Dominion status.⁶⁷ One month later, in a speech at the Guild Hall, Lloyd George enthusiastically defended the activities of the "Black and Tans" and "Auxies" as necessary to combat the I. R. A. and, in a phrase which delighted the Tories, said that the British had "murder by the throat."⁶⁸ Despite his public stance, Lloyd George had his doubts about the Irish war, but he was uncertain as to the most feasible policy to adopt. On the one hand, he was advised by Sir Henry Wilson that a military victory was the only solution and even Churchill, at the War Office, felt that Government-authorized reprisals were better than the unauthorized reprisals which, he thought, had a degenerative effect on British soldiers; on the other hand, Lloyd George indicated privately that he might be amenable to negotiations, but he thought that Sinn Fein would not negotiate until it had been battered into a bargaining position.⁶⁹ Lloyd George was also cognizant of the fact that his Government was dependent on Unionist support and that the Tories had traditionally favored a tough, no-nonsense approach to Ireland. Yet, in December, Wilson wrote in his diary that Lloyd George, Churchill, and Austen Chamberlain had been

⁶⁶Nicolson, George the Fifth, 348.

⁶⁷The Times (London), October 11, 1920, 16.

⁶⁸Ibid., November 10, 1920, 8.

⁶⁹Middlemas, ed., Whitehall Diary, III, 39-41.

discussing the possibility of a limited truce in Ireland.⁷⁰ As 1920 gave way to 1921, the Government's Irish policy was in a state of flux, as the Cabinet groped for the key to the Irish dilemma.

A possible basis for negotiations came from a surprising source-- Eamon de Valera. While touring the United States in February 1920, de Valera had stated in a newspaper interview that he would accept an agreement in which Britain guaranteed Ireland's independence, and in return, the Irish would guarantee that Ireland would never enter into a treaty which compromised Irish independence or jeopardized British security.⁷¹ During the debate before the final vote on the Government of Ireland bill in November 1920, another basis for a compromise settlement was provided by William Adamson, the chairman of the Parliamentary Labour Party, who outlined Labour's policy for Ireland: Completely withdrawing British military forces from Ireland; leaving the question of Ireland's Government to an Irish constituent assembly which would be elected "by free, equal, and secret vote" and on a basis of proportional representation; and accepting whatever decision the constituent assembly reached, provided that it did not jeopardize the rights of any minority in Ireland nor the national security of Britain.⁷² Needless to say, the Government did not seriously consider such a course. A real possibility for a settlement seemed to appear in December due to the efforts of Archbishop Clune of Perth, Australia, who visited Lloyd George to discuss the Irish war and found the Prime Minister willing to consider a truce in Ireland. Clune then

⁷⁰ Callwell, Sir Henry Wilson, II, 274.

⁷¹ Longford and O'Neill, Eamon de Valera, 103.

⁷² Parliamentary Debates, Commons, 1920, 5th Series, CXXXIV, 1413-1419.

spoke to Arthur Griffith, and he discovered that Griffith and Collins would agree to a truce on the condition that the I. R. A. would not have to surrender its arms. Lloyd George's attitude had changed, however, when Clune reported back to him because the Galway County Council in Ireland had publicly urged the Dáil to negotiate with the British and because of a telegram which the Prime Minister had received from Father O'Flanagan, a leading member of Sinn Fein, who said that Ireland was "willing to make peace."⁷³ Hence, the Cabinet felt that Sinn Fein was losing its grip on Ireland, and thus, there was no need to deal with the rebels at the present time, as it was to Britain's advantage to wait until Sinn Fein had been weakened to a much greater extent.⁷⁴ Lloyd George expressed this sentiment in an inflexible speech in the Commons, in which he stated that the British Government did not recognize "the body called the Dáil Éireann" and would not negotiate with any Irishmen involved in warfare with British forces.⁷⁵

The year of 1920 ended on a sour note as the Cabinet decided to embark on a program of authorized reprisals in Ireland by Crown forces,⁷⁶ and in February 1921, the Government's policy was reflected in a statement which Birkenhead made to Salvidge in which he said that, as matters stood, the answer to the Irish question was force.⁷⁷

⁷³ Macardle, The Irish Republic, 432-433.

⁷⁴ Middlemas, ed., Whitehall Diary, III, 47-48.

⁷⁵ Parliamentary Debates, Commons, 1920, 5th Series, CXXXV, 2601-2607.

⁷⁶ Winston Churchill, The Aftermath, 302.

⁷⁷ Salvidge, Salvidge of Liverpool, 190.

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In the first half of 1921, the Cabinet came to realize that it could not allow matters to drift, that it must make a firm decision to seek either a military settlement or a negotiated settlement. Many Unionists were becoming increasingly restive with what they regarded as the Government's wishy-washy policy and desired a clean-cut military victory over Sinn Fein and the I. R. A.⁷⁸ However, the Cabinet was receiving disturbing reports from the military. General Macready, the British commander in Ireland, told the War Office that the strain on his soldiers and officers was unbearable and that if the war was still continuing in October, his men would have to be replaced and an entirely new force sent to Ireland. The Cabinet disparaged Macready's predictions, but to receive such a report from a major commander was unsettling to say the least.⁷⁹ The Government's paralysis of will was dramatically illustrated when Sir Henry Wilson, venting the anger of the hard-liners, publicly criticized the Government's Irish policy for its timidity, but the Cabinet dared not dismiss or reprimand him because of his popularity with the Unionist rank-and-file.⁸⁰ Churchill later wrote that the military never gave him "any practical or useful advice" on the subject of Ireland,⁸¹ and for the Cabinet's consideration, Churchill gave his own estimate of the prerequisites necessary for a military victory over the I. R. A.: Approximately 100,000 additional

⁷⁸ Beaverbrook, The Decline and Fall of Lloyd George, 82-83.

⁷⁹ Winston Churchill, The Aftermath, 307-308.

⁸⁰ Callwell, Sir Henry Wilson, II, 290-291.

⁸¹ Winston Churchill, The Aftermath, 301-302.

soldiers, thousands of armored vehicles, sweeping powers of search and seizure for the military, and the extensive use of blockhouses and barbed wire which had proven to be effective against the Boers in South Africa two decades earlier.⁸² Thus, if the Cabinet decided to seek a military victory by following Wilson's proposals or the more modest plan outlined by Churchill, there would be greatly increased military expenditures at a time when the economic situation was deteriorating and public support for the war was declining. Furthermore, such a massive build-up of military forces in Ireland would strain Britain's military posture in other parts of the world unless the Government adopted the policy of conscription to meet the needs of the Irish war, which was, of course, unthinkable.

The course of events in Ireland had troubled many thoughtful people, including the King, who, as in the prewar years, sought a peaceful solution to the Irish malaise. George V was "outraged" by the atrocities which had been committed by the "Black and Tans" and the "Auxies" in the name of the Crown and was very disturbed by conflicting reports over the conduct of the war. Greenwood, the Chief Secretary for Ireland, was giving the King optimistic reports which related that "everywhere the move is upward towards improvement" (November 1920); and, in the spring of 1921, Greenwood told the King that "the Republican movement is crumbling, owing to the gallant police and military." The Lord Lieutenant, however, told the King that the situation in Ireland was "shocking and lamentable," and the monarch was further informed by General Macready that the I. R. A. could be defeated but only by methods so harsh and punitive that the "conscience of the British people" would be revolted. Stamfordham expressed the King's concern

⁸² Ibid., 304-305.

in a letter to Greenwood, in which he asked:

. . . if this policy of reprisals is to be continued and, if so, to where will it lead Ireland and us all? It seems to His Majesty that in punishing the guilty we are inflicting punishment no less severe upon the innocent.

By the spring of 1921, George V was firmly convinced that a policy of conciliation was preferable to continuing the bloodshed and misery.⁸³

Lloyd George, too, was extremely perplexed about the war. The Prime Minister told a visiting delegation of ecclesiastical officials who were critical of the war that as long as the Irish insisted on a republic, "the present evils must go on."⁸⁴ When a highly respected Irish Unionist, the Earl of Midleton, told the Prime Minister that the war was not being won, Lloyd George could only repeat assurances from his military advisers that Ireland would be peaceful enough for the scheduled elections to be held in May (under the provisions of the 1920 Government of Ireland Act).⁸⁵ By April even the ebullient Greenwood was telling Lloyd George that the prospects for an early end to the war were not as bright as he had thought.⁸⁶ The situation in Ireland was so critical that the Cabinet considered postponing the May election because of possible I. R. A. disruptions or, worse yet, another massive Sinn Fein victory at the polls. The Cabinet members decided to hold the election, fearing that a postponement would discredit the Government and negate the provisions of the Ireland Act. The idea for a truce was debated but rejected. According to Thomas Jones, the assistant

⁸³Nicolson, George the Fifth, 347.

⁸⁴Macardle, The Irish Republic, 443-444, 446.

⁸⁵Middlemas, ed., Whitehall Diary, III, 53-54.

⁸⁶Ibid., 55.

secretary to the Cabinet, Balfour was the most adamant member against conciliation, and Jones wrote that Lloyd George was afraid that he would seem weak if he proposed negotiations.⁸⁷

Secret efforts were being undertaken by various individuals in the spring of 1921 to break the Irish deadlock. One of these individuals was Lord Derby, the foremost figure in Lancashire Unionist politics, who visited de Valera in April to ascertain the Irish leader's views on a compromise settlement. De Valera later told Randolph Churchill in an interview that he told Derby that the British must recognize Ireland as an independent republic. Derby said that it would be impossible for the British Government to make such a concession, but de Valera was adamant; the next day, Derby gave his pessimistic report to Lloyd George.⁸⁸ Fearing that the British would attempt to divide the Irish through the tactics of a "peace offensive," de Valera was furious when he learned that the Cardinal of Armagh had told Derby that the Irish might accept Dominion Home Rule.⁸⁹ In May, a Dublin Castle official named Alfred Cope arranged a meeting between de Valera and the Ulster leader, Sir James Craig, in Dublin. Craig was escorted by I. R. A. soldiers to meet de Valera--an act of considerable courage by Craig, since there was no one whom Sinn Fein would rather have seen removed from the scene--but no progress was made in the meeting. There is general agreement that the discussion was a rather one-sided affair, as de Valera dwelled on the moral basis of British rule in Ireland and, in the words of Craig's biographer, was "harping on the grievances of Ireland

⁸⁷ Ibid., 55-63.

⁸⁸ Randolph Churchill, Lord Derby, 409-410.

⁸⁹ Longford and O'Neill, Eamon de Valera, 122.

for the last 700 years instead of coming down to practical present day discussion."⁹⁰

De Valera knew that the I. R. A. could not defeat the British, that the only course was to outlast them until public opinion in Britain sickened of the war of attrition. He felt that the Irish could get the best terms from the British by showing a united front and by playing hard to get.⁹¹ For the British Government, the number of options in Ireland was rapidly decreasing. The Chief Secretary, Greenwood, was vehemently opposed to any truce because it would, he felt, serve no purpose other than giving the I. R. A. a desperately needed respite from Crown pressure, and Lloyd George feared losing face if the offer of a truce was rejected by the Irish.⁹² Although he was still leaning towards the position of Greenwood and the military, Lloyd George gave an interview in May to a New York Herald correspondent in which he said that he would be willing to meet the Irish without any advance conditions or promises.⁹³

The question of whether to seek a military or negotiated settlement in Ireland dominated Cabinet discussion throughout the spring of 1921 until a crucial meeting of the Cabinet in the middle of May finally tipped the balance in favor of negotiations. Lloyd George had finally decided in favor of the hard-line solution advocated by Greenwood and the military, and he assumed as a matter of course that he could rely on "the age-long

⁹⁰ Ibid., 122-123; St. John Ervine, Craigavon, Ulsterman (London, 1949), 411.

⁹¹ Longford and O'Neill, Eamon de Valera, 117-118.

⁹² Middlemas, ed., Whitehall Diary, III, 63 ff.

⁹³ Macardle, The Irish Republic, 450-451.

loyalties of the Conservative Party."⁹⁴ However, when Lloyd George presented the Cabinet with his proposal for a military victory, he was "startled" to discover that several leading members of the Cabinet rejected a purely military solution, saying that any military offensive must be accompanied by a political offensive.⁹⁵ In his memoirs, Churchill was infuriatingly vague as to the identity of the men--besides himself--who refuted Lloyd George, but subsequent research by other historians revealed that there were three Cabinet members who fought against the military policy which the rest of the Cabinet was inclined to support: Churchill, Birkenhead, and Austen Chamberlain.⁹⁶ These three men stated that a new military offensive should not be undertaken without an "offer of the widest possible measure of self-government to Southern Ireland"; their theory was that if Sinn Fein rejected a generous offer for a negotiated settlement, the onus for continuing the war would be placed on the Irish leaders. They suspected--correctly, as it turned out--that the Irish people were sick of conflict, and Sinn Fein would lose much popular support by insisting on protracted warfare. Furthermore, sympathy for the Irish cause would be greatly lessened in America and the Dominions, and most importantly, public opinion in Britain would support a major escalation of the war only if the Government had a reasonable case to present.⁹⁷

When they were asked if their offer of self-government would allow

⁹⁴Winston Churchill, The Aftermath, 304.

⁹⁵Ibid., 305.

⁹⁶Frank Pakenham, Peace by Ordeal: An Account from First-Hand Sources of the Negotiation and Signature of the Anglo-Irish Treaty, 1921 (London, 1935), 73; Macardle, The Irish Republic, 459; Mowat, Britain Between the Wars, 83-84.

⁹⁷Pakenham, Peace by Ordeal, 73; Winston Churchill, The Aftermath, 304-305.

an Irish Parliament to "levy a tariff against British goods," a curt question was given in reply: "How can this petty matter be weighed against the grievous action we are preparing?"⁹⁸ Churchill later wrote that, as a result of this Cabinet discussion, Lloyd George realized that "a policy of unmitigated repression in Ireland would not command wholehearted support even among the Conservatives."⁹⁹ According to the foremost authority on the Irish settlement, Lord Pakenham, the opposition of Churchill, Birkenhead, and Chamberlain to a military solution irrevocably turned Lloyd George away from the policy advocated by Greenwood and Sir Henry Wilson.¹⁰⁰

The problem for the Government now was to find a propitious moment to offer negotiations, the logical decision being to await the results of the elections on May 24. These elections were for membership to the Dublin and Belfast Parliaments; and, as expected, Craig's party won a landslide victory in Ulster, but Sinn Fein made a farce of the election in the South by treating it as an election to the Dáil. The result was a repetition of the 1918 election as Sinn Fein candidates swept every seat in southern Ireland except for Dublin University, whose four M. P.s made up the House of Commons in the Dublin Parliament.¹⁰¹ The day following the election, the I. R. A. launched its largest attack--the aforementioned battle in which the Dublin Customs House was destroyed. In these circumstances, any offer from the British Government would have appeared as negotiating from weakness.

⁹⁸ Winston Churchill, The Aftermath, 306.

⁹⁹ Ibid.

¹⁰⁰ Pakenham, Peace by Ordeal, 73.

¹⁰¹ Mowat, Britain Between the Wars, 80.

Nothing could have displayed the Government's bleak attitude more than a pessimistic speech which Birkenhead made in the Lords on June 21 to defeat a motion for a negotiated settlement in Ireland. The topic under discussion was fiscal autonomy for Ireland; and, espousing the official Government line, Birkenhead not only denounced the idea of fiscal autonomy but went on to say that the Government would never concede the existence of an independent Irish republic. If the Irish persisted in fighting for such a ludicrous goal, he warned them of the consequences:

. . . should we be forced to the melancholy conclusion that by force and by force alone can these mischiefs be extirpated, it is a conclusion which, however sorrowfully, we shall accept, and upon which we shall not hesitate logically and completely to act.¹⁰²

At this juncture in the conflict, the initiative was taken by the Prime Minister of South Africa, Jan Christian Smuts, who, in June, was in London to attend an Imperial conference. Smuts told Lloyd George that Britain's Irish policy was "a negation of all the principles of government which we have professed as the basis of Empire" and pointed out the cost to Britain in both financial and moral terms.¹⁰³ Smuts impressed upon the Prime Minister and the King that the latter's scheduled appearance in Belfast for the opening of the Ulster Parliament was a tremendous opportunity to express a new direction in policy. Smuts drafted a speech for the King in which George V was to offer self-rule to Ireland on the same basis as the Dominions and, although stipulating that Ulster would not be coerced, the monarch was to hold out the prospect of a settlement in which all differences might be negotiated.¹⁰⁴ Smuts' specific proposals were deleted

¹⁰²Parliamentary Debates, Lords, 1921, 5th Series, XLV, 679-696.

¹⁰³W. K. Hancock, Smuts, Vol. II: The Fields of Force, 1919-50 (Cambridge, 1968), 52-53.

¹⁰⁴Ibid., 53-54; Nicolson, George the Fifth, 349-351.

from the King's speech, but the tone of goodwill remained. George V and Queen Mary visited Belfast on June 22--the day after Birkenhead's speech--to officiate at the opening of the new Parliament and new government for Northern Ireland, of which Craig was the Prime Minister. In his dedication speech, the King spoke not only to Ulster but to the whole of Ireland when he urged an end to the warfare and a settlement of disputes by peaceful means, and he called on all Irishmen "to stretch out the hand of forbearance and conciliation."¹⁰⁵

The King's address made a profound impression throughout the world, for even the most ardent Sinn Fein republican did not doubt the personal sincerity and integrity of George V. As the King's biographer wrote, the speech "inaugurated a new and wiser stage in the whole disordered story."¹⁰⁶ The leaders of the Dáil, however, might well have been pardoned if they had wondered which statement reflected Britain's policy towards Ireland: Birkenhead's speech in the Lords on June 21 or the King's address in Belfast on June 22. Their question was soon to be answered because, on June 24, Lloyd George invited de Valera--who had been captured by Crown forces on June 22 and released the following day¹⁰⁷--and Craig to London for a discussion of the Irish situation. Taking advantage of the improved atmosphere created by the Belfast speech, Lloyd George said that "the King's appeal for reconciliation in Ireland should not have been made in vain" and expressed the hope that the conference could be "in the spirit of conciliation for which His Majesty appealed."¹⁰⁸ Lloyd George's invitation

¹⁰⁵ The Times (London), June 23, 1921, 11.

¹⁰⁶ Nicolson, George the Fifth, 354.

¹⁰⁷ Longford and O'Neill, Eamon de Valera, 124-125.

to the two Irish leaders, like the King's speech, had an electrifying effect throughout the world, and it placed the Sinn Fein leaders in a difficult position because they were wary of a conference with the British but, if they refused to attend the conference, their seemingly unreasonable stance would cause them to lose a great deal of sympathy. There was the additional factor of the weariness of the Irish people, who were willing to accept a generous offer of self-government; if most Irishmen had been given a choice of continued warfare or a negotiated settlement, they would have chosen the latter course overwhelmingly.¹⁰⁹

Despite his uncompromising speech in the Lords on June 21, Birkenhead played a leading role in the Government's new policy towards Ireland. Thomas Jones recorded that when Lloyd George had proposed sending the invitation to Craig and de Valera, Birkenhead and Churchill had been the Prime Minister's strongest supporters within the Cabinet. They maintained that if the Irish were amenable to all of the British proposals except for the taxation and fiscal questions, there was certainly no reason to continue the bloodshed and destruction. When several Cabinet members expressed skepticism about the value of meeting the Sinn Fein leaders, Birkenhead replied that it would be useful to hear the other side's position before taking any drastic military action.¹¹⁰

On June 28, Craig accepted Lloyd George's invitation, but on the same day, de Valera said that Britain's refusal to recognize Ireland's unity and right of self-determination made any conference useless. However,

¹⁰⁸ Nicolson, George the Fifth, 354.

¹⁰⁹ Street, Ireland in 1921, 114, 130-131.

¹¹⁰ Middlemas, ed., Whitehall Diary, III, 79-81.

de Valera held out a slight olive branch when he said that he would respond "more fully" after consulting his colleagues. At the same time, de Valera invited Ulster and southern Unionist leaders, such as Craig and Lord Midleton, to confer with him before he made his decision. Craig and de Valera then became engaged in a psychological fencing match: If Craig went to Dublin with the other Unionists to confer with de Valera, he would be implicitly recognizing de Valera as Ireland's leader and spokesman; if de Valera met Lloyd George and Craig in London, he would be acknowledging Craig as his equal.¹¹¹ Craig refused to meet de Valera, but Midleton did go to Dublin and was convinced that de Valera would confer with Lloyd George if the British agreed to a truce while the conference lasted. Midleton journeyed to London and persuaded Lloyd George to give his written consent to a truce.¹¹²

De Valera still balked at a meeting. He invited Smuts to Dublin for a discussion on June 30, and on July 5, Smuts arrived in Dublin as "Mr. Smith" for his secret meeting with the Irish. Smuts met de Valera and several other Sinn Fein leaders, including Arthur Griffith. Smuts stressed that he came as a disinterested party, not as a British agent, and that he fully understood the Irish position. He told the Irish that the British people wanted an end to the war, that the King wanted peace, and that the Belfast speech had been a true indication of the King's feelings. De Valera said that no one doubted the sincerity of the King, only that of the Cabinet and, especially, of Lloyd George. Smuts stated to de Valera that, if he did not go to London, it would be "the greatest mistake of his life," for he and Sinn Fein would lose all sympathy and understanding in the Dominions and in the United States. De Valera then mentioned the two major obstacles

¹¹¹Hancock, Smuts, II, 55.

¹¹²Nicolson, George the Fifth, 354.

from the Irish point of view: The partition of Ireland and Ireland's status as a republic. Smuts replied that the 1920 Ireland Act had made partition a bogus issue; Ulster, which had always blocked an Irish settlement, was removed from consideration, and Sinn Fein should thus concentrate on securing self-rule for Catholic Ireland. As for the second obstacle, Smuts advised the Irish to accept Dominion status. He vouched for British generosity from first-hand experience and said that South Africa had prospered much more as a British Dominion than as an independent republic: "As a friend, I cannot advise too strongly against a Republic." Smuts felt that de Valera would accept Dominion status and--significantly, in view of later events--thought that Arthur Griffith, in particular, had accepted his arguments.¹¹³ When Smuts reported the discussion to the Government leaders on July 6, he described the Sinn Fein leaders as "small men, rather like sporadic leaders thrown up in a labour strike."¹¹⁴

On that same day, a Cabinet meeting was held to discuss the proposed conference, and once again, Churchill and Birkenhead took the lead in support of negotiations. Churchill emphasized the failure of reprisals and force in Ireland, and when the question of protocol arose as to whether the Government should talk to de Valera without Craig, Birkenhead stated that the British should talk to de Valera with or without Craig. The Cabinet would have preferred a "gentlemanly understanding" rather than a formal truce, but Lloyd George's agreement with Lord Midleton, which had been conveyed to de Valera, rendered that feeling irrelevant.¹¹⁵ On July 8, 1921, de Valera

¹¹³Hancock, Smuts, II, 56-58; Longford and O'Neill, Eamon de Valera, 130-131.

¹¹⁴Middlemas, ed., Whitehall Diary, III, 83.

¹¹⁵Ibid., 84.

publicly agreed to the truce and conference, and a ceasefire went into effect in Ireland three days later.¹¹⁶

¹¹⁶Longford and O'Neill, Eamon de Valera, 131-132.

VI

THE ANGLO-IRISH SETTLEMENT

(1)

News of the truce in Ireland burst upon the world with the effect of a thunderbolt: "There had been nothing quite like it since the Armistice," one historian wrote.¹ Especially in Ireland, people "were carried away on a wild tide of exultation and hope" by the ceasefire and the impending conference between Lloyd George and de Valera.²

On the surface, the truce was a victory for the Irish because the ceasefire document recognized the belligerent status of the I. R. A., with its references to "Irish officers and men," "lines of communication," and the like.³ A contemporary writer pointed out another factor of significance in the truce: "It was for the first time definitely established that force could wrest from the British Empire concessions that years of peaceful advocacy had failed to win."⁴ Despite this seeming victory, the I. R. A. was in a very poor state by July 1921. The war of attrition had depleted its ranks--unit operations and ambushes had been curtailed--while

¹D. C. Somervell, The Reign of King George the Fifth: An English Chronicle (London, 1935), 275-276.

²Macardle, The Irish Republic, 477.

³Street, Ireland in 1921, 142-143.

⁴Ibid., 144.

British troops were being reinforced and were relentlessly increasing pressure on the I. R. A. That the British were perfecting their methods of dealing with the Irish underground was dramatically illustrated by the capture of de Valera on June 22.⁵

The negotiations between the British and the Irish were undertaken in a spirit of mutual hostility. The Irish did not trust Lloyd George. De Valera had been warned by Lord Midleton, a Unionist, to have witnesses when he conferred with the Prime Minister whom, Midleton said, could not be relied upon to honor any promise that he might make.⁶ On the British side, many Unionists were astounded and then enraged by the Government's decision to deal with terrorists. Sir Henry Wilson, reflecting the viewpoint of the Tory right-wing, privately referred to the truce as "pure cowardice" and the negotiations as an "abject surrender."⁷

It has been contended that the British were close to achieving military victory, and, had the Government continued to apply force instead of seeking a negotiated settlement, the I. R. A. might have been compelled to surrender. Leopold Amery, Sir Hamar Greenwood's brother-in-law, wrote in his memoirs that Greenwood had been told by Michael Collins that "You had us dead beat. We could not have lasted another three weeks. When we were told of the offer of a truce we were astounded. We thought you must have gone mad."⁸ This view has been substantiated by the opinion of an

⁵ Ibid., 147.

⁶ Longford and O'Neill, Eamon de Valera, 131.

⁷ Callwell, Sir Henry Wilson, II, 297, 300.

⁸ L. S. Amery, My Political Life, Vol. II: War and Peace, 1914-1929 (London, 1953), 230.

Irish historian who wrote that the British "were nearer to success than they knew but they did not know, and they were outbluffed and outlasted."⁹ However, as Smuts told Lloyd George, the cost of continuing the war would have been terrible, in both financial and moral terms. As it was, the Government undertook negotiations with Sinn Fein and, over the vehement opposition of the military, attempted to conciliate the Irish by releasing Irish prisoners who had been convicted by court-martial.¹⁰

De Valera arrived in London on July 12 with a party that included Arthur Griffith and committed republicans like Erskine Childers and Austin Stack. The first meeting between Lloyd George and de Valera took place on July 14 at Ten Downing Street. De Valera, who was introduced as "the representative of the Irish Republic," was described by Thomas Jones as "guarded and formal."¹¹ He presented Lloyd George with a document in Gaelic accompanied by an English translation. Lloyd George, noticing the document's title of "Saorstat Eireann," asked the meaning of the word Saorstat. When he was told that it meant "free state," Lloyd George inquired as to the Gaelic word for "republic." After de Valera replied that he was not sure, the Prime Minister said, "Must we not admit that the Celts never were Republicans and have no native word for such an idea?" A painful silence attended his remarks. Lloyd George's attempt to establish a Celtic camaraderie with the ascetic de Valera was a dismal failure. Likewise, he tried to awe the Dáil President with the might and majesty of the British Empire by inviting him into the Cabinet room where a huge map was hanging with Britain's possessions colored in red. Instead of impressing

⁹ O'Hegarty, A History of Ireland Under the Union, 740-741.

¹⁰ Callwell, Sir Henry Wilson, II, 301.

¹¹ Middlemas, ed., Whitehall Diary, III, 89.

de Valera, this exhibition merely confirmed his ideas of "British rapacity."¹²

The two men met again on July 15 and July 18. Lloyd George solved the problem of Irish protocol by meeting de Valera and Craig separately, but he could not dispel the mistrust. De Valera thought Lloyd George was using Ulster as a pretext to force Sinn Fein into making concessions, while Craig thought Lloyd George was using Sinn Fein as a pretext to force concessions from Ulster.¹³ After one of his meetings with Lloyd George, Craig issued a statement that Ulster would always remain part of the United Kingdom. Thinking that Lloyd George was making a separate deal with Craig, de Valera wrote a furious letter to the British Prime Minister, threatening to end the conference if Craig's statement represented the British Government's position. Lloyd George replied that Craig had expressed his individual views, not any agreement with the Government.¹⁴ De Valera made clear that he would only go so far as to grant local autonomy to Ulster if Ulster agreed to merge with the rest of Ireland.¹⁵

On the evening of July 20, after consulting the Cabinet, Lloyd George gave de Valera the Government's formal recommendations for an Irish settlement: Ireland was to be given almost full Dominion status, with control over taxation and finance, internal order and national defense (although with a limitation placed on the Irish army); the British navy would continue to patrol the Irish coast; Ireland would provide facilities

¹² Ibid.; Winston Churchill, The Aftermath, 312-313; Beaverbrook, The Decline and Fall of Lloyd George, 83; Longford and O'Neill, Eamon de Valera, 133-134.

¹³ Longford and O'Neill, Eamon de Valera, 132; Stevenson, Lloyd George: A Diary, ed. by Taylor, 229.

¹⁴ Longford and O'Neill, Eamon de Valera, 135.

¹⁵ Ibid.

for Britain's naval and air forces; there would be free trade between Britain and Ireland; the Irish would pay their share of the United Kingdom's national debt; and the Dublin Parliament would recognize "the existing powers and privileges of the Government of Northern Ireland, which cannot be abrogated except by their own consent."¹⁶ The following morning, de Valera rejected the British offer. In the acrimonious exchange which followed, Lloyd George threatened to resume the war and to release the British proposals to the public, which was a direct violation of the mutual pledge by the British and Irish not to publish any material unless both sides agreed.¹⁷ Lloyd George recalled that de Valera turned "perfectly white," became agitated,¹⁸ and coldly remarked that he would give him a "considered reply" after he had consulted the Dáil cabinet.¹⁹

Although Lloyd George indicated to Beaverbrook that the Irish were merely haggling for better terms and that all difficulties could be worked out,²⁰ he was more pessimistic in his correspondence with George V. Lloyd George told the King that he saw little hope for an agreement but that public opinion would be on Britain's side "throughout the Empire and even in the United States when our proposals are published." He did say, however, that the truce would continue pending de Valera's reply from Ireland.²¹ Before returning to South Africa, Smuts attempted to persuade

¹⁶ Great Britain, Correspondence Relating to Proposals of H. M. Government for an Irish Settlement (London, 1921), 2-3.

¹⁷ Longford and O'Neill, Eamon de Valera, 136-137.

¹⁸ Beaverbrook, The Decline and Fall of Lloyd George, 88-89.

¹⁹ Longford and O'Neill, Eamon de Valera, 137.

²⁰ Beaverbrook, The Decline and Fall of Lloyd George, 89.

²¹ Nicolson, George the Fifth, 357.

de Valera to accept the British offer. In a letter written on August 4, Smuts said that Ireland was travelling the "same painful road" which South Africa had travelled earlier, and he reminded de Valera that a "wise man, while fighting for the ideal to the uttermost, learns also to bow to the inevitable." In urging de Valera to accept Dominion status, Smuts said, "I do not ask you to give up your ideal, but only to realize it in the only way which seems to me at present practicable."²² In order to place the maximum amount of pressure on the Dáil, the British Government published Smuts' letter for world consumption.²³

On August 10, 1921, de Valera, after conferring with his cabinet, formally rejected the offer because it denied Ireland's unity and right of self-determination and because Dominion status could not be the same for Ireland as for Canada, on account of Ireland's proximity to Britain. As for the matter of contributing to the payment of Britain's national debt, the Irish were willing to accept the verdict of a tribunal composed of a British member, an Irish member, and a member from another country (preferably the United States); de Valera reiterated the Sinn Fein doctrine that there could be no agreement other than an "amicable but absolute separation."²⁴ Three days later, Lloyd George expressed his regret at the Irish decision, saying that the British proposals "present to the Irish people an opportunity such as never dawned in their history before."²⁵

²² Hancock, Smuts, II, 59-60.

²³ Macardle, The Irish Republic, 488.

²⁴ Great Britain, Correspondence Relating to Proposals of H. M. Government for an Irish Settlement, 3-5.

²⁵ Ibid., 5.

Even George V, whose level of tolerance was unusually high, was exasperated by de Valera's intransigence, terming the Dáil leader's reply a "hopeless document, written by a dreamer & visionary with nothing practical about it." However, the King urged Lloyd George to continue the truce and the efforts for a negotiated agreement, and he supported the Government's decision to publish the July 20 proposals in the hope that world opinion might pressure the Dáil to compromise.²⁶

The Irish rejection was followed by more than a month of correspondence between de Valera and Lloyd George concerning the exact conditions necessary for a settlement and often involving the most picayune, academic questions. On August 30, de Valera offered to send representatives to another conference that was to be based on no conditions "save the facts themselves."²⁷ Lloyd George, who was vacationing in Scotland, summoned his Cabinet members to Inverness immediately after receiving de Valera's note, and a Cabinet meeting was held there on September 7 to discuss the Government's reply to de Valera. Lloyd George favored a conference with conditions; he felt that the problem of Ulster and partition could be resolved only if Sinn Fein agreed to remain within the Empire. Churchill, who was upset over I. R. A. violations of the truce, was not as conciliatory as he had been in the spring, but Lloyd George received support from Birkenhead and Austen Chamberlain. Thomas Jones recorded that Birkenhead urged the Cabinet to seek an agreement, saying that "I would run the risk" of criticism and failure in order to "pluck a good settlement."²⁸

²⁶ Nicolson, George the Fifth, 358-359.

²⁷ "Relations Between Great Britain and Ireland: Proposals of the British Government, July 20, 1921, and Correspondence Between Mr. Lloyd George and Mr. de Valera," International Conciliation, CLXVII (November, 1921), 27-29.

²⁸ Middlemas, ed., Whitehall Diary, III, 93-95.

Later that same day, Lloyd George invited de Valera to meet him at Inverness on September 20.²⁹ De Valera was disturbed by the British refusal to recognize the Dáil as, in Lloyd George's words, the "representative of an independent and sovereign state,"³⁰ and his reply on September 12 sent the Prime Minister into an explosive rage with this declaration:

Our nation has formally declared its independence and recognizes 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.³¹

After receiving this message, Lloyd George huffed and puffed about resuming the war, but with the King, as always, acting as a moderating influence,³² the Prime Minister continued his correspondence with the Dáil President. During the rest of September, a total of fifteen letters and notes was exchanged between the two men which frequently involved esoteric arguments over the status of Irish representatives to the proposed conference. Finally on September 29, the British Cabinet sent another invitation to de Valera, asking him to meet British officials in London on October 11 "with a view to ascertaining how the association of Ireland with the community of nations known as the British Empire might best be reconciled with Irish aspirations."³³ Since this invitation was in accordance with his previously expressed desire of a conference "untrammelled by any conditions," de Valera, on September 30, agreed to resume the negotiations.³⁴

²⁹"Relations Between Great Britain and Ireland," International Conciliation, CLXVIII (November, 1921), 30-31.

³⁰Longford and O'Neill, Eamon de Valera, 142.

³¹Winston Churchill, The Aftermath, 313-314.

³²Nicolson, George the Fifth, 360.

³³"Relations Between Great Britain and Ireland," International Conciliation, CLXVIII (November, 1921), 38-39; Middlemas, ed., Whitehall Diary, III, 117.

De Valera had proven to be a formidable opponent in diplomatic duelling, but he was finally pressured by war-weariness in Ireland to agree to a new round of negotiations.³⁵ Leading members of the British Government felt that de Valera had been forced into negotiations by moderates like Griffith.³⁶ Whether this was merely hindsight is difficult to determine, but, in his memoirs, Churchill caustically wrote that, except for the influence of moderate Irishmen, "Mr. de Valera would no doubt have gone on indefinitely fighting theoretical points without the slightest regard to the resultant misery and material ruin of his countrymen."³⁷

(2)

De Valera selected Arthur Griffith, the Dáil's Minister of Foreign Affairs, to lead the Irish delegation to London. Griffith's fellow plenipotentiaries included Eamon Duggan, Robert Barton, Gavan Duffy (who had been one of the assistant defense lawyers at the Casement trial), and, most surprisingly, Michael Collins, who was hardly regarded as an individual to be involved in delicate negotiations; accompanying the Irish delegation in the role of "adviser" was Erskine Childers, the writer who had virtually become de Valera's alter ego.³⁸ Collins was, of course, legendary as a military leader, and Childers was a well-known literary figure, but Griffith

³⁴ Middlemas, ed., Whitehall Diary, III, 116, 117; Longford and O'Neill, Eamon de Valera, 142-143.

³⁵ Frank Gallagher, The Anglo-Irish Treaty, ed. by Thomas P. O'Neill (London, 1965), 71.

³⁶ Winston Churchill, The Aftermath, 314.

³⁷ Ibid.

³⁸ Longford and O'Neill, Eamon de Valera, 119-120.

was the only member of the delegation who seemingly had the prestige and experience as a statesman to meet the British on anything approaching equal terms. It was agreed from the outset that the delegates were to inform Dublin of the progress of the negotiations and to submit the proposed treaty for the Dáil's approval before signing it. In addition, the plenipotentiaries took an outline of Irish demands--known as "Draft Treaty A"--upon which they were to insist, including Ireland's independent sovereignty and neutrality.³⁹

However, as they prepared to match wits with the British, the Sinn Fein leaders were deeply divided. Within the military, personal animosity had developed between Collins and Cathal Brugha that was based largely on Brugha's jealousy of Collins. As Minister of Defense, Brugha felt that he was the head of the I. R. A., but he realized that most of the I. R. A. looked to Collins for leadership.⁴⁰ Furthermore, Collins was reluctant to go to London, offering the excuse that he was a soldier not a diplomat but privately fearing a plot against him in his absence.⁴¹ Collins' relations with de Valera had deteriorated somewhat in 1921 because de Valera suspected Collins of nurturing political ambitions, and de Valera feared that the I. R. A. and the Brotherhood wanted Collins as the Dáil President.⁴² De Valera's choice of Griffith to lead the delegation was surprising in view of the fact that Griffith was known to have looked favorably upon the British offer

³⁹ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 77, 80-81.

⁴⁰ Figgis, Recollections of the Irish War, 240; Pakenham, Peace by Ordeal, 94-96; Longford and O'Neill, Eamon de Valera, 116.

⁴¹ Longford and O'Neill, Eamon de Valera, 147-148; Pakenham, Peace by Ordeal, 97.

⁴² Longford and O'Neill, Eamon de Valera, 147-148.

of July 20 and, hence, could not be expected to battle for republican status if the British made a generous offer of Dominion self-rule.⁴³

Erskine Childers, a devout republican, was attached to the delegation for the purpose of bolstering republican sentiment among the delegates and of giving de Valera an agent in London whom he could trust absolutely. For this very reason, Childers was detested by Griffith and Collins as de Valera's "watchdog."⁴⁴

The fact that de Valera did not go to London as the leader of the Irish delegation has puzzled historians. In the authorized biography of de Valera, several reasons were advanced. There were the sound tactical reasons that de Valera's presence in Dublin would require the Irish delegates to refer questions back to the Dáil cabinet, and, if the talks failed, world opinion would likely place the blame on the British because the moderate Griffith, unlike de Valera, could not be accused of being an inflexible ideologue. De Valera also felt that he was needed in Ireland to influence Irish opinion and to soothe extremist elements in the Dáil. However, another possible reason to which his biographers obliquely alluded was de Valera's suspicion that the negotiations might produce an unsatisfactory settlement, and, by remaining in Dublin, he would not be tarnished by a possible failure or "sell-out" in London.⁴⁵ De Valera emphasized to the delegates that if there was a breakdown in the negotiations, he wanted the breakdown to come on the issue of Irish unity in

⁴³ Pakenham, Peace by Ordeal, 81; Padraic Colum, Ourselves Alone! The Story of Arthur Griffith and the Origin of the Irish Free State (New York, 1959), 264.

⁴⁴ Margery Forester, Michael Collins--The Lost Leader (London, 1971), 226.

⁴⁵ Longford and O'Neill, Eamon de Valera, 146.

order that Ulster and, indirectly, Britain would be blamed.⁴⁶

At a Cabinet meeting on October 6, the British selected their representatives to the conference: Lloyd George, Austen Chamberlain, Birkenhead, Churchill, Greenwood, Sir Laming Worthington-Evans (Secretary for War), and Sir Gordon Hewart (Attorney-General).⁴⁷ Lloyd George had arrayed powerful talent to meet--and overawe--the Irish, but the British were not quite as formidable as they appeared. Support for the war had declined in Britain, and the Government was losing popularity due to the economic situation. Moreover, Lloyd George's personal prestige had plummeted drastically, and there were personal antagonisms among the delegates; indeed, as has been mentioned, Birkenhead and Churchill had attempted to oust Lloyd George less than half a year before.

The Irish and British representatives gathered in an atmosphere of mistrust and recriminations. The violations of the truce were a source of increasing concern. The Irish continued to smuggle arms, and there were occasional attacks upon and even the kidnapping of various Crown officials. In fact, one observer stated that the "maintenance of law and order" in Ireland grew worse rather than better after the truce; although both sides committed acts of violence, this observer placed most of the blame on the Irish.⁴⁸

In this setting, the Irish delegates met their British counterparts at Ten Downing Street on October 11. At the outset, there loomed the trivial but embarrassing question of whether there was to be any handshaking:

⁴⁶ Ibid., 150-151.

⁴⁷ Middlemas, ed., Whitehall Diary, III, 117.

⁴⁸ Street, Ireland in 1921, 147-151, 157.

The Irish did not want to shake hands with Greenwood, the spokesman for the "Black and Tans" and "Auxies," while the British were particularly reluctant to greet Collins, the leader of the "murder gang." Lloyd George deftly sidestepped this problem by greeting the Irish at the door, shaking their hands, and escorting them into the Cabinet room, where the British delegates were standing on the other side of the table.⁴⁹ Lloyd George opened the conference by stressing that while the British Government desired a peaceful settlement, "there were limitations beyond which he could not go"; he further declared that if the negotiations failed, the Irish would be at fault.⁵⁰ Griffith replied that Britain's traditional policy had been to treat Ireland as a "conquered and subject country. If there is a change in the policy of subordinating Ireland to English interests, then there appears to be a possibility of peace."⁵¹

The conference remained on this level of accusations and defensive parrying for the first two weeks. The British were adamant on three basic questions: Ireland must remain within the British Empire, Irish officials must swear an oath of allegiance to the Crown, and the Irish must grant naval and air facilities for British security.⁵² In addition, the British and Irish did not agree on the questions of the exclusion of Ulster and the tariff powers which the Dublin Parliament was to have.⁵³ An agreement was

⁴⁹Pakenham, Peace by Ordeal, 122.

⁵⁰Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 81.

⁵¹Pakenham, Peace by Ordeal, 144-145.

⁵²Ibid., 171-173.

⁵³Middlemas, ed., Whitehall Diary, III, 131.

rendered even more difficult by the concept of "external association" with which de Valera saddled the Irish delegates. The Dáil President had developed the idea while he was conducting his correspondence with Lloyd George. "External association," as conceived by de Valera, meant that an independent Ireland would be loosely associated with the Empire but not part of it.⁵⁴ The British felt that the Irish were being obstructionist, and Greenwood, in particular, was vocal in his belief that the Irish were only interested in a respite to rebuild the I. R. A. before resuming the war.⁵⁵

On October 17, Lloyd George demanded that the Irish allow British naval vessels to patrol Irish waters and guard the Irish coast, with port facilities and harbor privileges in Ireland. This proposal was meant to be a test of the Irish delegates' faith and seriousness; if the Irish rejected the demand, the British were prepared to terminate the negotiations.⁵⁶ However, at the next session, the Irish said that before they would answer the question of Ireland's defense, the British would have to define "Ireland." By throwing this question to the British, the Irish delegates were cleverly shifting the discussion back to the issue of Ulster.⁵⁷ The ultimate concession which the Irish would make on the Ulster issue was to allow Belfast local autonomy under Dublin's supervision--"Home Rule within Home Rule."⁵⁸

⁵⁴ Longford and O'Neill, Eamon de Valera, 139.

⁵⁵ Beaverbrook, The Decline and Fall of Lloyd George, 97.

⁵⁶ Ibid., 97-98.

⁵⁷ Ibid., 99.

⁵⁸ Middlemas, ed., Whitehall Diary, III, 132.

At this juncture, the actions of de Valera nearly ended the negotiations. On October 19, the Pope had written to George V, expressing his wishes that the conference would produce a peaceful end to the strife in Ireland. The King thanked the Pope for his concern and stated his desire that the negotiations would bring about a "permanent settlement of the troubles in Ireland and may initiate a new era of peace for my people." This seemingly innocuous and perfunctory exchange caused de Valera to declare his righteous indignation over the King's inference that the problem was in Ireland when, in de Valera's view, it was in London; de Valera was also disturbed by George V's reference to "my people," an indication that the Irish were regarded as Crown subjects. De Valera consequently sent a letter to the Vatican which castigated the King's presumptuous attitude. This correspondence found its way into the press.⁵⁹ At the meeting of the delegates on October 21, Lloyd George angrily accused the Irish of bad faith and cited de Valera's outburst and the numerous ceasefire violations. Although Griffith was privately furious that de Valera had needlessly jeopardized the negotiations, he stoically defended the Dáil President against the onslaught of British criticism.⁶⁰ The meeting produced nothing but accusations and denials, charges and countercharges, and, hence, it was agreed to adjourn for three days.⁶¹ This meeting of October 21 represented the low point in the negotiations.

As Thomas Jones' diary shows, Lloyd George was the dominant figure on the British side, and except for Churchill's frequent intervention during

⁵⁹ Longford and O'Neill, Eamon de Valera, 151-152; The Times (London), October 20, 1921, 10; The Times (London), October 22, 1921, 8.

⁶⁰ Pakenham, Peace by Ordeal, 168-169; Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 89-90.

⁶¹ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 89.

defense discussions, acted virtually as the sole British representative in the negotiations. After the disastrous October 21 meeting, he was worried about the progress of the peace talks; it was now apparent that the conference was dead-locked and that the sides were no closer to an agreement than they had been at the beginning. Beaverbrook recorded a conversation that he had with Bonar Law, Churchill, and Birkenhead on the evening of October 22, and the tone of that conversation was extremely pessimistic as they discussed the negotiations over their drinks. Law was completely opposed to any conference with the Irish, while Churchill was so thoroughly disgusted by the lack of progress in the negotiations that he was willing to consider a military solution; only Birkenhead held out any hope for a settlement. Although skeptical, Birkenhead was not ready to dismiss the possibility that a settlement might be reached.⁶²

The prospect of a dead-locked conference alarmed Lloyd George, for if it failed to produce a settlement, there would remain only the alternatives of resuming the war on an even larger scale, which would be immensely unpopular, or simply withdrawing from Ireland, which would damage Britain's international prestige. In order to break the deadlock and remove the Irish albatross from his Government's neck, Lloyd George decided to alter his tactical approach of trying to achieve a settlement singlehandedly: He decided to broaden the negotiating base by enlisting other individuals in the campaign for a settlement, and specifically, he wanted Birkenhead to play a more active role in the discussions. Lloyd George had a rational reason for this because he was aware of Birkenhead's ambition and regarded him as his most serious rival in the Cabinet. According to Beaverbrook,

⁶² Beaverbrook, The Decline and Fall of Lloyd George, 99-100.

Lloyd George recognized Birkenhead as "a most formidable obstacle" if he decided to oppose the settlement, for he was "a man capable of rousing the bulk of the Tory Party against a projected settlement by a single speech."⁶³ The Prime Minister told Thomas Jones that it was "essential for him to carry Birkenhead with him so far as possible, that he (Birkenhead) would control most of the Unionists as they regarded Chamberlain as a Liberal Unionist."⁶⁴

The result of Lloyd George's overture to Birkenhead was afterwards described by Beaverbrook in his invaluable political study of this period. Birkenhead approached Beaverbrook on October 26 to ask for his support in the propaganda battle over the Irish negotiations. Beaverbrook, who owned the Daily Express, Sunday Express, and Evening Standard, was the only "press lord" whose influence seriously rivalled that of Northcliffe, and he was on extremely friendly terms with right-wing Tories such as Bonar Law. Birkenhead explained that Lloyd George had asked for his cooperation in reaching an agreement with the Irish. He told Beaverbrook that he "was asked to put his whole future with the Tory Party to the hazard, and in partnership with a man who up till then had shown him little trust or confidence."

Birkenhead informed Beaverbrook that he had agreed to work with Lloyd George to end the Irish conflict, subject to certain conditions. He demanded that Lloyd George's "court favourites"--Greenwood, Sir Eric Geddes, Sir Robert Horne--be excluded from all deliberation, influence, or responsibility in regard to the Irish settlement. Birkenhead was of the conviction that these private advisers, who did not understand the mood of the Tory backbenches, were misleading the Prime Minister. Lloyd George agreed

⁶³ Ibid., 106.

⁶⁴ Middlemas, ed., Whitehall Diary, III, 151.

to their exclusion--he also agreed to Birkenhead's insistence on bringing Churchill into the discussions, which created the "Inner Cabinet" of Lloyd George, Birkenhead, and Churchill for the hard bargaining with the Irish. In Birkenhead's opinion, this was the only way to undertake serious negotiations, the original aggregate of delegates being too large and unwieldy to be effective.⁶⁵

Beaverbrook consented to support the settlement but for his own reasons: His personal crusade was "Empire unity," and he felt that this closer political and economic cooperation could not be achieved until the Irish question was settled.⁶⁶ At any rate, Beaverbrook later wrote that the "Lloyd George-Birkenhead concordat" was the turning point in the negotiations.⁶⁷

The task which faced the British "Inner Cabinet" was formidable. There was the immediate problem of achieving a settlement which would protect Britain's interests and yet be acceptable to the Dail. There was the additional problem of maintaining the support of the Government's own followers who, Churchill wrote, "stirred with anger and distress."⁶⁸ Birkenhead was indispensable in handling both of these problems. As Churchill was later to write:

The attitude of Lord Birkenhead . . . was . . . of the utmost importance. He was prominently and peculiarly connected with the resistance to Home Rule. He had been in comradeship with Sir Edward Carson; he had used to the full those

⁶⁵ Beaverbrook, The Decline and Fall of Lloyd George, 101-102.

⁶⁶ Ibid., 108.

⁶⁷ Ibid., 102.

⁶⁸ Winston Churchill, The Aftermath, 317.

threats of civil war which had played their part in the 1914 phase of the Irish conflict. There was no man who would have gained greater personal advantage by opposing the Irish Settlement; and none who would suffer more reproach by sustaining it. He now appeared, in the teeth alike of his past and future, as its most aggressive Conservative supporter. The Irish Free Staters have always felt that they owed him their gratitude--and they are right.⁶⁹ [Italics mine]

(3)

In addition to securing Beaverbrook's support, Birkenhead attempted to bring Austen Chamberlain into the effort to achieve a settlement. In discussing the negotiations with Chamberlain, Birkenhead, as related afterwards by Chamberlain, said:

You and I bear a great load of responsibility. Unless we are agreed, we shall smash the party and destroy any chance of settlement. It is time we each knew exactly where the other stands.

In recalling this conversation with Birkenhead, Chamberlain went on to write:

And then he proceeded to explain his views with that clarity and brevity which always distinguished him in council. I found that he had come to say to me what I had meant to say to him, and thenceforth we co-operated without a shade of difference throughout the long negotiations, the many conferences, and the parliamentary struggle which followed.⁷⁰

Chamberlain joined Birkenhead, Lloyd George, and Churchill in the "Inner Cabinet" and played a leading role in the subsequently intensive negotiations.

The first test of the new tactical approach came when the negotiations resumed on October 24. Lloyd George stated to the Irish that these large, conciliar meetings had produced nothing of significance and suggested that only in small subconferences could they make any progress. Fatefully,

⁶⁹Ibid., 316-317.

⁷⁰Chamberlain, Down the Years, 144-145.

the Irish agreed, selecting their two most famous delegates, Griffith and Collins, to deal with the British "Inner Cabinet." Irish historians have written that this was the moment when the cause of an independent and united Irish republic was lost--if it ever could have been won. One such historian has expressed his belief that the British sensed disunity among the Irish delegates over de Valera's controversial message to the Pope, suspecting that Griffith and Collins, in particular, had disagreed with de Valera, and that the British "felt they had a better chance of working with (one could almost say 'on') Griffith and Collins if they were separated from Gavan Duffy and Barton."⁷¹

Griffith was excited by this new development, for he had been as depressed as Lloyd George by the stalemate. Believing that this was an opportunity to reach a peaceful settlement, Griffith wrote to Dublin the same day, suggesting to de Valera that they yield on the matter of allegiance to the Crown if the British met the other demands. De Valera emphatically refused to grant such permission, and he instructed Griffith to turn the discussions back to the issue of Ulster in order that the Irish would have an excuse to end the conference if necessary. De Valera further instructed Griffith to tell the British that if "war is the alternative we can only face it."⁷² De Valera's letter enraged the Irish delegates, and each one signed a note of protest to Dublin, reminding de Valera that their powers derived from the Dáil and not from one man, and warning him that they would resign en masse if he continued to second-guess and dictate to them;

⁷¹Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 95.

⁷²Ibid., 96-97; Longford and O'Neill, Eamon de Valera, 152-153.

in fact, the delegates in London were barely able to persuade Collins not to resign immediately.⁷³ This acerbic exchange laid the groundwork for future disagreements among the Irish leaders.⁷⁴

There were, of course, numerous problems which remained to be settled between the British and the Irish, but there were three fundamental issues which had to be resolved before any understanding could be reached: The matter of allegiance to the Crown and Ireland's relationship with the Empire; the matter of Ulster's relationship with the rest of Ireland; and the matter of British defense facilities in Ireland, which would violate the neutral status that de Valera wanted. Agreement on these vital matters was the sine qua non for any settlement, but before the negotiators could come to terms on these matters, it was imperative that a mutual trust be established between the two sides.

The ice was broken on the evening of October 30 when Griffith and Collins were entertained at Churchill's house by Churchill, Lloyd George, and Birkenhead. Griffith conferred privately with Lloyd George and gave the Prime Minister his personal assurance that he would be willing to compromise on the issue of allegiance to the Crown if Irish unity could be secured⁷⁵--this was a breakthrough of major proportions. Equally significant was the breakthrough in personal relations. While Lloyd George and Griffith were conferring, Collins was chatting with Churchill and Birkenhead over drinks and cigars: Collins developed a personal affinity

⁷³ Longford and O'Neill, Eamon de Valera, 153; Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 97-98.

⁷⁴ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 99; Longford and O'Neill, Eamon de Valera, 153-154.

⁷⁵ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 106-107; Middlemas, ed., Whitehall Diary, III, 151; Pakenham, Peace by Ordeal, 194-195.

for the hitherto imperialist ogres, and, in turn, the two Britons found Collins' personality enormously attractive and were especially fascinated by his tales of encounters with British forces. Collins' most recent biographer has stated that a "very real friendship" grew between Collins and Birkenhead, whom Collins had ordered to be killed a year earlier, and that this meeting of October 30 changed Collins' outlook on the British delegates and turned him in the direction of seeking a settlement.⁷⁶

The handsome, youthful Collins was the most famous of the Irish delegates and, with a certain roguish glamor attached to his legendary reputation, he "captivated" London, as Thomas Jones recalled, from Cabinet members to "the girls who pursued him for favours."⁷⁷ Besides being the most publicized member of the Irish delegation, Collins was the most important, due to his influence with the I. R. A. and his heroic standing among the Irish people. In Austen Chamberlain's words, "It was not the least of Birkenhead's services in the Conference that he did enter into Michael Collins' mind, won his sympathy and secured his confidence." Chamberlain found the donnish Griffith more to his liking, but he said that without the rapport between Birkenhead and Collins, "we might never have reached agreement."⁷⁸ Chamberlain's opinion was confirmed by Churchill, who wrote that while Griffith "seemed to rely especially upon Mr. Austen Chamberlain, so Michael Collins was deeply impressed by the personality of Lord Birkenhead."⁷⁹ After one discussion with Birkenhead and Churchill

⁷⁶Forester, The Lost Leader, 231-232.

⁷⁷Thomas Jones, Lloyd George (Cambridge, Massachusetts, 1951), 191.

⁷⁸Chamberlain, Down the Years, 145-146.

⁷⁹Winston Churchill, The Aftermath, 355.

that lasted until the early morning hours, Collins was quoted as saying, "I trust them. I'm prepared to take their word."⁸⁰ Although he did not establish a close relationship with other Irish delegates that he did with Collins, Birkenhead won their grudging respect, though he had only recently "loomed in Irish Nationalists' imagination as a sinister, even satanic power." During the conference, the Irish "continued to marvel at his unflinching aptitude for debating retort, for legal exegesis, for instantaneous drafting."⁸¹

The first major issue to be settled as personal relations improved was the matter of British defense facilities in Ireland. Collins had expounded the Irish position of neutrality while Churchill argued for the British position. Collins contended that Irish neutrality was no danger to British security because the Irish armed forces would ensure that Ireland would never be dominated by any foreign power. Churchill's greatest interest was--and remained--military defense, and, adamantly opposed to Irish neutrality, he asserted that strategically located ports in Ireland must be made available for the use of the British navy.⁸² Both Collins and Churchill were forceful, expansive, and even truculent in presenting their views, and the effect of their respective arguments was similar to that of two battering rams colliding.

According to Pakenham, it was Birkenhead who finally ended the impasse on the defense issue. In one of the early subconference meetings, Birkenhead shook the Irish out of their insistence on neutrality. Birkenhead

⁸⁰ Mowat, Britain Between the Wars, 90.

⁸¹ Pakenham, Peace by Ordeal, 125-126.

⁸² Ibid., 170-171; Bromage, Churchill and Ireland, 68-69.

said that other countries would recognize Ireland as a neutral nation only if Ireland was purely neutral--i.e., if absolutely no facilities of any kind were made available to the British for national security reasons. He said that the British could not and would not accept such a situation because Britain's security depended on its control of the seas around the British Isles, and he emphasized that Britain could not depend on guarantees of Irish goodwill because it was impossible to guarantee that an Irish government in the future would not make an alliance with a nation that was hostile to Britain. Moreover, Birkenhead pointed out that Irish security would be greatly enhanced if Ireland was identified with Britain because Ireland, as an independent country, would be more susceptible to international bullying than if associated with Britain, for any such bullying would then be construed as an attack on the British Empire; hence, if Ireland granted military facilities to the British and was thereby associated with Britain, the Irish would not have to worry about security and, thus, would not be forced to pay high taxes for defense. Therefore, Birkenhead concluded, the only logical solution was to determine the minimum level of military facilities that would be necessary for British security. There was a long silence from both the British and Irish delegates when Birkenhead finished speaking, as no one on either side was able to say anything which could add to or refute his remarks. After this discussion, the two sides began working out a defense agreement that would satisfy both parties.⁸³

The perennial problem of Ulster was more difficult to solve. The Irish demanded that Ulster abandon its Parliament and cabinet which were granted under the Government of Ireland Act in 1920; if any Ulster county

⁸³ Pakenham, Peace by Ordeal, 179-180.

insisted on retaining local autonomy, it would be permitted to have a lilliputian assembly but with overall power of supervision transferred from Westminster to Dublin.⁸⁴ In a meeting of October 25, Griffith and Collins told Chamberlain that a major reason for their insistence on unity was that they could not, in good conscience, leave fellow Catholics in an autonomous Ulster to suffer Orange persecution.⁸⁵ However, Churchill told the Irish that Britain was morally bound to respect Ulster's rights under the 1920 Act, but the Government would nevertheless attempt to persuade Ulster's leaders to accept local autonomy under Dublin's supervision.⁸⁶

Both sides were handicapped in dealing with the Ulster issue by the unyielding views of two men who were not in London. Thomas Jones succinctly described the dilemma as follows: "'Not an inch towards unity,' said Craig in Belfast; 'not an inch from unity,' said de Valera in Dublin."⁸⁷ Birkenhead favored an all-Ireland Parliament in Dublin with safeguards for the Ulster Protestants,⁸⁸ but he felt that the only feasible solution was to give Ulster the options of remaining a six-county unit within the United Kingdom, or allowing each of Ulster's six counties, plus three adjacent counties, to vote on the question of joining either the Dublin or Belfast Parliament.⁸⁹ The British had to bear in mind that they could not apply

⁸⁴ Ibid., 159.

⁸⁵ Middlemas, ed., Whitehall Diary, III, 146.

⁸⁶ Calton Younger, Ireland's Civil War (New York, 1969), 167.

⁸⁷ Jones, Lloyd George, 192.

⁸⁸ Beaverbrook, The Decline and Fall of Lloyd George, 110.

⁸⁹ Pakenham, Peace by Ordeal, 162.

much pressure to Ulster because of Bonar Law. Although he had remained in the background since his illness earlier in the year, Law let it be known that he would not tolerate any attempt to coerce Ulster into joining an Irish Parliament nor any effort to deprive Ulster of its territory. Thus, the British delegates had to tread warily lest an angry Law lead a revolt of Unionist backbenchers against the Government.⁹⁰

Although apprehensive about Law's possible intervention, Lloyd George began to use his wiles on Craig to secure his support for a settlement. In the first week of November, Craig came to London to confer with the Prime Minister, but he refused to consider local autonomy under Dublin's supervision.⁹¹ The Ulster leader proved to be so completely unyielding that, after the meeting, Thomas Jones found Lloyd George in a state of exhaustion and depression.⁹² Before returning to Belfast, Craig prudently tried to bolster support for Ulster's position by telling Curzon that he feared a betrayal by Lloyd George⁹³ and by pouring out his complaints to Ulster's most powerful ally, Law, who assured Craig that he would bring down the Government before he would allow Ulster to be coerced.⁹⁴ Craig's biographer wrote that Craig found Churchill to be sympathetic to Ulster's plight,⁹⁵ and, although Churchill may have been trying merely to ameliorate Craig, he did have private reservations about the shape which the impending

⁹⁰ Blake, The Unknown Prime Minister, 431; Beaverbrook, The Decline and Fall of Lloyd George, 110.

⁹¹ Ervine, Craigavon, 444-445.

⁹² Middlemas, ed., Whitehall Diary, III, 154-155.

⁹³ Ibid., 161.

⁹⁴ Ervine, Craigavon, 445.

⁹⁵ Ibid., 473.

agreement was taking.⁹⁶ Because of his past record, Birkenhead could be expected by Craig to defend Ulster's interest.

Lloyd George, however, did not abandon his effort to persuade Craig to accept a compromise. On November 10, he wrote to the Ulster leader outlining the Government's proposals. If Ulster accepted an all-Ireland Parliament, Lloyd George promised Craig that Ulster would be able to keep its Parliament in Belfast and have considerable local autonomy, with the power to appoint all officials within the territory of northern Ireland and to collect all revenue within that territory; furthermore, the British Government would guarantee that the Catholic Church would not have a privileged position in Ireland and that Ulster would be protected from excessive taxation by Dublin. However, if Ulster chose to remain part of the United Kingdom, it would share the burdens of defense and taxation with the rest of the Kingdom, and Belfast would be forced to submit to the decision of a boundary commission that would be empowered to determine the exact territorial status of Ulster.⁹⁷ Lloyd George was convinced that the threat of higher taxation would cause Ulster to enter an all-Ireland Parliament. He felt that he understood the Presbyterian mentality: "They have their hand [sic] on their hearts all the time, but if it comes to touching their pockets they quickly slap their hands in them."⁹⁸ In dealing with Craig, though, Lloyd George was like a snake charmer trying to tame a block of granite. Craig's reply to the British proposals was as uncompromising as ever. Craig said that he regarded the 1920 Act as the "final

⁹⁶ Beaverbrook, The Decline and Fall of Lloyd George, 102, 115n.

⁹⁷ Great Britain, Correspondence Between H. M. Government and the Prime Minister for Northern Ireland Relating to Proposals for an Irish Settlement (London, 1921), 2-4.

⁹⁸ Stevenson, Lloyd George: A Diary, ed. by Taylor, 236.

settlement," and he declared that Ulster would willingly bear its share of defense and taxation burdens. Regarding the proposed boundary commission, Craig stated that the territory of Ulster, which was defined in the 1920 Act as the six northern counties, "must remain inviolate"; and he reminded Lloyd George that the 1920 Act established a council of Ireland to deal with the future unification of Ireland. To counter any suggestion that he was unreasonable, Craig proposed that Ulster and southern Ireland be established as two separate Dominions, a proposal which Lloyd George rejected on November 14.⁹⁹

The idea of a boundary commission for Ulster was the brainchild of Thomas Jones, who put the idea to Griffith and Collins on November 8.¹⁰⁰ This idea was originally designed as a tactical maneuver to demonstrate for world opinion how unreasonable Ulster was and, thus, to apply pressure upon Craig.¹⁰¹ When Ulster refused to budge, the British seriously considered the boundary commission as a possible means of balancing the incompatible positions of Irish unity and Ulster's exclusion. Griffith urged the British to continue prodding Ulster and told them that Craig was just bluffing, but Jones, who often acted as an intermediary between Lloyd George and Griffith, suggested to the Irish that they consider the boundary commission as an alternative to an all-Ireland Parliament.¹⁰²

On November 12, after Craig's categorical refusals, Lloyd George directly confronted Griffith with the offer of a boundary commission. Lloyd

⁹⁹ Britain, Correspondence Between H. M. Government and the Prime Minister of Northern Ireland, 4-9.

¹⁰⁰ Middlemas, ed., Whitehall Diary, III, 156; Pakenham, Peace by Ordeal, 204.

¹⁰¹ Pakenham, Peace by Ordeal, 208.

¹⁰² Middlemas, ed., Whitehall Diary, III, 156.

George explained that a Unionist convention was scheduled to meet in Liverpool five days hence and that its outcome was crucial for the Government and for the success of the conference. In order to secure a favorable vote from the convention, the Government had to be able to show some sign of progress in the negotiations, some sign from the Irish that they were willing to compromise. He wanted Griffith's acceptance of the boundary commission in the event that Ulster could not be cajoled into entering the Irish Parliament. Griffith agreed, and Jones shortly thereafter presented him with a written document containing the agreement which he had verbally made with Lloyd George; at Jones' request, Griffith initialled the document as an indication of his acceptance. Griffith gave the verbal and written assurance on his own authority, without consulting his colleagues. Griffith thought he was only helping the Government to win its vote of confidence in Liverpool, but Lloyd George interpreted Griffith's assurance as a pledge not to break off the negotiations on the issue of Ulster. Furthermore, the wily Lloyd George felt that Griffith's acceptance of the boundary commission released him from an earlier pledge to the Irish that he would resign as Prime Minister if he could not secure Ulster's participation in an Irish Parliament.¹⁰³

There can be little doubt that the Irish delegates received the distinct impression from the British that the boundary commission would take away so much territory from Ulster that Belfast would find its position untenable and be forced to join the Irish Parliament. As one of the Irish delegates, Robert Barton, later recalled:

¹⁰³ Ibid., 164; Pakenham, Peace by Ordeal, 209, 216-217.

Arthur Griffith, after the conversations which he and Michael Collins used to have with Mr. Lloyd George, Mr. Austen Chamberlain, and Lord Birkenhead, used to return to our house in Hans Place and, standing in front of the fireplace, over and over again declared: "If they do not come in they will lose half their territory and they can't stay out." Not once but many times he reiterated this.¹⁰⁴

This belief by the Irish was further illustrated by a conversation which took place in January 1922, at the time of the bitter debates in the Dail over the agreement. When he was informally asked about Ulster and partition, Collins said that he had been assured by Birkenhead and Churchill that if Ulster refused to join the rest of Ireland, the boundary commission would leave Ulster with only four counties and that London would see to it that the Belfast government would be unable to function as a small, isolated entity.¹⁰⁵ The subsequent failure of the boundary commission to fulfill this expectation left a bad taste in many Irish mouths, but belief in the commission caused the Irish delegates in London to overlook the partition issue and sign the agreement.

The question of allegiance to the Crown and Ireland's relationship to the Empire was equally as touchy as the Ulster issue. Griffith was more concerned about Irish unity than about republicanism and, as mentioned earlier, had been willing to accept the British offer of Dominion status in July. However, de Valera in Dublin was very concerned about Ireland's exact relationship with Britain and had come to regard his theory of "external association" as theological dogma. De Valera was willing for Ireland to be associated with the Empire, but any arrangement which implied Irish allegiance to Britain was out of the question; similarly, he would recognize

¹⁰⁴ Macardle, The Irish Republic, 567.

¹⁰⁵ O'Hegarty, A History of Ireland Under the Union, 754.

the King as "the head of the association of states" but not as the head of Ireland.¹⁰⁶

Aside from republican extremists, there were many Irishmen who opposed allegiance to the Crown on the grounds that Irish Unionists and loyalists would have the status of a privileged minority. There was also the argument that Ireland's proximity to Britain negated the possibility of achieving the independence of Dominions like Canada and Australia.¹⁰⁷ Griffith and the other delegates felt obligated to argue for "external association," but an important step towards compromise was taken on November 2 when Griffith and Collins met Lloyd George and Birkenhead at Downing Street and agreed to accept "free partnership with the other States associated within the British Commonwealth."¹⁰⁸ After this meeting, Birkenhead persuaded Griffith and Collins to abandon their position that Ireland could not be associated with the British Crown if Irish unity was denied "in form or fact."¹⁰⁹

An agreement on this point seemed to be assured until the Irish startled the British on November 22 by submitting a draft which the British regarded as entirely unsatisfactory on the question of Ireland's relationship to Britain. Lloyd George, supported by Birkenhead and Chamberlain, who were present when the draft arrived, threatened to end the negotiations and the ceasefire if the Irish did not modify their position.¹¹⁰ Thomas

¹⁰⁶ Longford and O'Neill, Eamon de Valera, 154.

¹⁰⁷ Colum, Ourselves Alone!, 294.

¹⁰⁸ Pakenham, Peace by Ordeal, 198-199.

¹⁰⁹ Middlemas, ed., Whitehall Diary, III, 153.

¹¹⁰ Ibid., 169-170.

Jones scurried to the Irish delegates to inform them of the Prime Minister's reply. Jones found them to be more plaintive than defiant; they were upset that the British were asking them to make all the sacrifices rather than Ulster and expressed their reluctance to commit themselves publicly to any points of agreement before Craig. Finally, they requested a meeting with Lloyd George and Birkenhead to iron out an agreement on this matter.¹¹¹

The British discovered that the main bone of contention was the oath of allegiance to the Crown that was to be incorporated in the treaty, and therefore, they were very meticulous as to the exact wording of the oath.¹¹² On November 24, Birkenhead and Attorney-General Hewart met Griffith, Collins, Gavan Duffy, and an Irish legal scholar named Chartres, to discuss the constitutional aspects of Ireland's association with the Empire. There were protracted legalistic arguments between Birkenhead and Chartres as to the extent of Crown influence in Ireland. Birkenhead contended that the Crown would be merely symbolic, as it was in the Dominions, and Chartres countered that it was a repugnant symbol to the Irish. The wrangling continued until Birkenhead, in effect, told Chartres to shut up until he finished. The British proposal, as explained by Birkenhead, was to grant Ireland full Dominion status--using Canada as a model--with the guarantee of no interference in Irish internal affairs. However, Birkenhead stressed that the Irish must recognize titular Crown sovereignty; it was true that the Crown was just a symbol, Birkenhead said, but it was an important symbol to the British because it signified a common bond between Britain and her Dominions. The Irish offered to make a yearly contribution to the King's civil list in lieu of the oath of allegiance to the Crown, but Birkenhead

¹¹¹ Ibid., 171-172.

¹¹² Ibid., 172.

refused to accept the offer. Griffith eventually stated his willingness to accept the Crown as a symbol, and he and Birkenhead agreed that the Irish government would be termed a "free state" rather than a republic.¹¹³

The matter was further clarified four days later when Lloyd George invited Griffith to the Prime Minister's country residence, Chequers, for a discussion with Birkenhead and himself. At Chequers, Griffith was asked to draft any proposal that he desired which would give the Crown the same status in Ireland that it enjoyed in Canada. Griffith enthusiastically accepted the task, and his contributions were favorably received by the Britons except for Birkenhead's veto of his suggestion that the Crown representative in Ireland be elected by the Irish people--Birkenhead insisted that the Crown representative be appointed by London. On this night of November 28-29, an oath of allegiance was devised, and it was very similar to the oath which appeared in the final draft.¹¹⁴ The following day, Lloyd George and Birkenhead returned to London to consult Chamberlain and Churchill, and the four men agreed that the Irish government was to be a free state with Dominion status, with its own Parliament, and within the Empire.¹¹⁵

In addition to reaching an agreement with the Irish, the Cabinet had the significant problem of placating its own supporters in Parliament. The bulk of the Government's support came from the Unionists, and as Leopold Amery wrote, "the negotiations had created grave disquiet in the Unionist

¹¹³ Ibid., 174-175; Pakenham, Peace by Ordeal, 241-244; Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 128; Younger, Ireland's Civil War, 179-180.

¹¹⁴ Younger, Ireland's Civil War, 181-182; Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 135-136.

¹¹⁵ Middlemas, ed., Whitehall Diary, III, 177-178.

ranks."¹¹⁶ The Ulster Unionists and their supporters suspected a betrayal by the Government, while the Unionist "die-hards" opposed any concessions at all to Sinn Fein. At the outset of their joint effort to secure a settlement, Birkenhead had warned Lloyd George that it might be impossible to coax the Tories into supporting an agreement with the Irish.¹¹⁷

Indeed, as early as August, during the lengthy Lloyd George-de Valera correspondence, Birkenhead had been forced to crush an incipient revolt in the Lords. The Marquis of Salisbury had demanded to know why I. R. A. prisoners had been released by the Government--even though it was part of the July truce arrangement--and there was hardly any doubt that Salisbury's demand was a veiled attack upon the Government for continuing the ceasefire.¹¹⁸ Birkenhead rebuked Salisbury for his negative attitude, accusing him of advocating a war "indefinite in duration." Birkenhead stated that the British Government could destroy the Irish rebellion by armed force alone, but he asked:

. . . within what period of time? What military adviser was bold enough to inform us with the least approach to precision of the time that would be required, the resources in men that would be necessary, and the expenditures in money that would be involved? . . . The butchery of the police and the forces of the Crown would have continued. Day after day that toll would have grown, and side by side the measures taken upon our side . . . would have added to the long legacy of bitterness and unhappiness which afflicts that stricken country. . . .¹¹⁹

After the negotiations resumed in earnest in October, the restiveness of the Unionists increased. On October 31, a Unionist M. P. introduced a censure motion against the Government for carrying on negotiations with

¹¹⁶Amery, My Political Life, II, 231.

¹¹⁷Beaverbrook, The Decline and Fall of Lloyd George, 108.

¹¹⁸Parliamentary Debates, Lords, 1921, 5th Series, XLVI, 356-357.

¹¹⁹Ibid., 359-360.

the Irish terrorists.¹²⁰ He was followed by other Unionists who denounced the Government for meeting the "murder gang," until Lloyd George rose to defend his Government's actions. This was not the Lloyd George whose flabby, lackluster speeches had recently been a cause for derision in the Commons; on this occasion, Lloyd George summoned the great powers which had dazzled the House for so many years. He said that he would regard this motion as a vote of confidence in his ministry and that if the vote was adverse, he would resign. Facing down his detractors, he invited the dissidents to form their own ministry and deal with the Irish problem themselves. In the vote on the censure motion, the Government won a massive 439-43 victory.¹²¹

Yet, after the dismal conference with Craig, Lloyd George was considering the possibility of resigning because he knew that if he tried to coerce Craig, the Unionists would turn him out of office. Thus, he seriously contemplated advising the King to send for Bonar Law to form a Unionist ministry.¹²² Although it is doubtful that Lloyd George actually would have resigned--he loved power too much--Churchill told him that the Government must stay in office until the Irish question was settled or until they were turned out by the Commons.¹²³

The Government had the advantage of being supported by the overwhelming majority of the British people in its quest for peace. Beaverbrook's press support was important in maintaining public approval and the Government

¹²⁰ Parliamentary Debates, Commons, 1921, 5th Series, CXLVII, 1367.

¹²¹ Ibid., 1420, 1479-1484.

¹²² Beaverbrook, The Decline and Fall of Lloyd George, 113.

¹²³ Winston Churchill, The Aftermath, 318-319.

received an unexpected boon from Northcliffe early in November. Northcliffe, who was on a world tour at this time and was unaware of the "Lloyd George-Birkenhead concordat," cabled his offices in London, ordering that the popular Daily Mail was to be placed at the disposal of Lord Birkenhead, whose views on the Irish question were to be given wide coverage and editorial support. Northcliffe's publications, particularly The Times and Daily Mail, had done much to turn public opinion against the wretched war in Ireland, but such was his pathological hatred for Lloyd George that he was now willing to oppose any settlement which the Prime Minister advocated. On the basis of Birkenhead's prewar involvement with the Orange cause, Northcliffe evidently expected the Lord Chancellor to resign and lead a Unionist revolt against Lloyd George; hence, he was allowing Birkenhead to use the Daily Mail as an anti-Lloyd George forum. Birkenhead, unscrupulously perhaps, took advantage of the offer to put forth views which were favorable to a settlement with the Irish.¹²⁴ Lloyd George was so impressed by Birkenhead's efforts that he told his mistress that "F. E. is fighting splendidly."¹²⁵

In calming the discontent among the Unionists by the use of his own prestige, Birkenhead was an invaluable ally to Lloyd George. Birkenhead was especially vigorous in thwarting the desire of Carson to campaign against the Government. Earlier in 1921, the old fire-eater had accepted an appointment as a Lord of Appeal in Ordinary and had been created a life baron. According to Lloyd George, Carson found his new judicial post less exciting than cross-examining witnesses or haranguing crowds at political rallies and was anxious to return to the limelight; furthermore, Lloyd

¹²⁴Stevenson, Lloyd George: A Diary, ed. by Taylor, 235.

¹²⁵Ibid., 236.

George maintained that Carson resented Birkenhead's status as "the principal figure in the House of Lords."¹²⁶ Indignant over the pressure that was being applied to Ulster, Carson was preparing to crusade against Lloyd George as he had against Asquith a decade earlier when he was dissuaded by Birkenhead. In a lengthy meeting which Thomas Jones described as "painful" and "stormy," Birkenhead convinced Carson to remain on the Bench and await the final agreement before making any fateful decision; he urged Carson to trust the Cabinet not to betray Ulster.¹²⁷

Carson's official silence undoubtedly helped the Government survive its confrontation with the Unionist "die-hards". The conference of the National Union of Conservative Associations was scheduled to begin in Liverpool on November 17, and certain Unionists made it known that a motion would be introduced to withdraw Unionist support from the coalition Government. It was obvious that, after having failed to defeat the Government in the Commons on October 31, the "die-hards" were taking their case to the political rank-and-file.¹²⁸ Beaverbrook wrote that Orange sentiment at the convention was very strong and that most of the delegates at the convention were jaded with the coalition.¹²⁹ If the "die-hard" resolution passed, it would not, of course, bring down the Government as would a vote of no confidence by the Commons, but such a declaration on the grass-roots level would certainly have a sobering effect on Unionist M. P.s and might cause many to vote against any agreement with the Irish.

¹²⁶ Ibid., 237-238.

¹²⁷ Middlemas, ed., Whitehall Diary, III, 166-167.

¹²⁸ Salvidge, Salvidge of Liverpool, 194; Beaverbrook, The Decline and Fall of Lloyd George, 119.

¹²⁹ Beaverbrook, The Decline and Fall of Lloyd George, 119-121.

Furthermore, such a resolution would place Unionists in the Cabinet and Government in an extremely precarious, if not impossible, position and, by so doing, seriously jeopardize the negotiations.

Thus, the Government was very apprehensive about the forthcoming conference, and this apprehension had caused Lloyd George to demand Griffith's acceptance of the boundary commission on November 12. In fact, the Government attached so much importance to the conference that it suspended the negotiations until the resolution had been voted upon by the Liverpool convention.¹³⁰ The man in the middle was Sir Archibald Salvidge, the Unionist "boss" of Liverpool for nearly three decades. Salvidge was reluctant to hurt the Government because of his belief in coalition government and his affection for Birkenhead, but his entire career was based on support for the Union and the Orange cause, and he felt that it would be impossible for him to renounce his lifelong views without antagonizing his followers in Liverpool. In a letter to Lloyd George, Salvidge said that he would have to uphold his traditional position if he was to retain Unionist leadership in Liverpool, and in an ominous statement to the press, he declared that if "there is to be a break as between the Government and Ulster, Liverpool will stand by Ulster."¹³¹

Birkenhead hurried incognito to Liverpool to talk to Salvidge. On the evening of November 15, Salvidge and Birkenhead met in a hotel room in which Birkenhead had registered to avoid publicity. In his diary, Salvidge described the scene:

As soon as I entered the bedroom where he had been waiting like a daged lion, Birkenhead swung round and pointing a long finger in my direction said: "Give me twenty minutes.

¹³⁰ 2nd Earl of Birkenhead, F. E., 381.

¹³¹ Salvidge, Salvidge of Liverpool, 198-200.

Don't interrupt me. Don't argue. Don't raise any point till I have finished." . . . Obviously under the impression that I was entirely hostile he put every ounce of his unsurpassed gifts as an advocate into the recital of the Irish negotiations.

Birkenhead said that no one had been more skeptical than he about the success of the negotiations, but he had come to believe that a genuine settlement could be reached and that the Irish delegates, especially Griffith and Collins, could be trusted to honor their pledges. He said that Ulster would be offered "Home Rule within Home Rule" but would not be coerced into accepting it; he told Salvidge that, in his opinion, it was to Ulster's advantage to accept because the 1920 Act had made the old Unionist arguments obsolete and that the only difference between Ulster's position under the 1920 Act and the new agreement was that overall supervision would be passed from London to Dublin, with British guarantees that Ulster Protestants would not face discrimination.

Birkenhead went on to say that the Government would not accept any agreement which did not include the supremacy of the Crown or Irish association with the Empire, or which failed to provide adequate safeguards for British security. He repeated that a genuine settlement was in sight and said that he "believed in the settlement more than he had ever believed in anything," but he warned that the chance for an agreement would be destroyed if the convention passed the censure resolution. Birkenhead then asked Salvidge to choose between defeating the resolution and allowing the extremists to "ruin what was undoubtedly the last chance to reconcile the nationalist aspirations of Ireland with loyalty to the Throne and the Empire." The only alternative to a settlement, Birkenhead said, was war, even more bloody and terrible than before.

Finally receiving a chance to speak, Salvidge showed him a public

statement which he had just released to the newspapers. The statement had been written after much soul-searching, and it declared Salvidge's belief that the Unionist convention should not be used as a platform to attack the Government. Birkenhead was extremely pleased with the statement, and he and Salvidge then worked out a resolution that would counter the "die-hards" motion of censure by expressing support for the Irish negotiations. The convention must understand that the Government was doing "the right thing for all the interests concerned," Birkenhead said, and he emphasized that it was imperative for the Unionists in the Government to receive a "clear mandate" from the convention. Partially in jest, Birkenhead told Salvidge that even if the Irish settlement "finished us both," it would be "not a bad sort of finish."¹³²

When the Unionist convention met on November 17, the "die-hard" resolution to withdraw support from the Government was introduced. However, Salvidge had used all his influence to defeat the resolution and, consequently, less than 70 of the 1800 convention delegates voted for the censure motion; Salvidge proceeded to introduce the resolution which he and Birkenhead had devised, and it passed overwhelmingly.¹³³ Salvidge was denounced as a "Judas," and the Morning Post, a right-wing Tory organ, condemned Salvidge and Birkenhead as traitors to the Unionist cause.¹³⁴ Nevertheless, due to the efforts of Birkenhead and Salvidge, the Government and the conference had surmounted a formidable obstacle. After the danger in Liverpool had passed, Lloyd George, Birkenhead, Griffith, and Collins put the final

¹³² Ibid., 202-204.

¹³³ Ibid., 213; The Times (London), November 18, 1921, 10.

¹³⁴ Salvidge, Salvidge of Liverpool, 214-215; Holt, Protest in Arms, 269-270.

touches on the draft of the agreement. Birkenhead persuaded the Irish to accept the draft with little alteration because Ireland, as a Dominion, would be able to appeal to the Privy Council for justice if any of the provisions proved to be unworkable.¹³⁵

In a speech at Tunbridge Wells on November 26, Birkenhead gave the public its first glimpse of the agreement. Birkenhead said that the British Government was attempting to reach an agreement that would satisfy British security requirements while meeting Ireland's "historic claims," and he stated that an arrangement which would settle the relationship between Britain and Ireland "must come some day." He outlined the major points of agreement: Ireland would be granted the full substance of Dominion self-rule; Ulster would be urged to enter the Irish Parliament with the rights and privileges that it had secured in the 1920 Act but would not be forced to enter against its will; and Ireland would remain a part of the Empire.

Speaking of the leading Irish negotiators, Griffith and Collins, Birkenhead said, "I have not the slightest doubt as to the sincerity of both these gentlemen, and the genuineness of their desire to reach a solution of our difficulties if such is attainable." Anticipating the arguments of those who disavowed compromise and urged a military solution, Birkenhead said:

It is very easy to say we ought to raise an army and conquer Ireland. If the only means of obtaining peace in Ireland proved to be by force of arms . . . no British Government would shrink. But I would like to ask: When that is attained and by what expenditure of blood and treasure I do not know, how much nearer would we be to having a contented Ireland? So by every road I come back to the expression of the earnest hope that our efforts may not in this matter prove fruitless.¹³⁶

¹³⁵Middlemas, ed., Whitehall Diary, III, 168-169.

¹³⁶The Times (London), November 28, 1921, 5.

Birkenhead's speech, which was a "trial balloon," was an attempt to secure public support for the agreement and, as such, received great coverage.

The Irish delegates returned to Dublin on December 1 with the draft of the agreement. However, at the meeting of the Dáil cabinet on December 3, the agreement received an unfavorable reception. De Valera said that the agreement was unacceptable because it failed to guarantee Irish unity, and its provision for allegiance to the Crown was contrary to the principle of Ireland as an independent republic and violated the sacrosanct theory of "external association." Two of the Irish plenipotentiaries, Barton and Duffy, were opposed to the agreement, while Griffith and Collins argued for approval of it. Griffith said that the agreement was not perfect by any means and that it was less than he desired, but it was the best agreement that could be obtained under the circumstances, and he reminded the cabinet that a compromise requires concessions from both sides and that the British had conceded much. He said that Irish unity could be worked out through the boundary commission, and he disputed de Valera's assessment of the importance of the Crown issue: Griffith declared that the Irish people were not that concerned about allegiance to the Crown and maintained that it certainly was not an issue that was worthy of any more bloodshed. Collins told the cabinet members that a rejection of the agreement would bring full-scale resumption of the war, and he urged them to give serious consideration to what that would mean.

Griffith and Collins were vociferously attacked by Erskine Childers and Cathal Brugha, and Brugha sneered at Griffith and Collins that the British Government had "selected its men." When a vote was taken on the agreement, a majority decided to reject it. In a very controversial decision, Griffith agreed not to sign the agreement as it stood without submitting

it to the Dáil, but he stated that he would not break off the negotiations solely on the issue of allegiance to the Crown. De Valera understood Griffith to mean that, under no circumstances, would he sign an agreement without referring the document back to the Dáil, and, thus, de Valera did not feel compelled to add any delegates to the original group or change the composition of the Irish delegation.¹³⁷

While the plenipotentiaries were returning to London, de Valera made several speeches that called upon Ireland to sacrifice, to pay "the full price of our freedom," and "to struggle for its freedom until it has got the whole of it."¹³⁸ Understandably, British newspapers were filled with gloomy predictions of the collapse of the conference and the imminence of war. On the evening of December 4, the Irish returned to Downing Street with the Dáil cabinet's modifications of the agreement. The modifications were rejected by the British, especially those regarding Ireland's relationship to the Empire, and the session ended on a sour note.¹³⁹

On the following morning, Collins returned to confer with Lloyd George. At this meeting, the Prime Minister assured Collins that the boundary commission would bring Ulster into the Irish Parliament and ensure Irish unity.¹⁴⁰ That afternoon, Griffith, Collins, and Barton met Lloyd George, Birkenhead, Churchill, and Chamberlain. The Irish said that before they agreed to anything, they wanted a pledge from Craig that Ulster would

¹³⁷ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 138-142; Macardle, The Irish Republic, 579-580; Holt, Protest in Arms, 270-271; Longford and O'Neill, Eamon de Valera, 160-162.

¹³⁸ Longford and O'Neill, Eamon de Valera, 163.

¹³⁹ Mowat, Britain Between the Wars, 91-92.

¹⁴⁰ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 150-151; Macardle, The Irish Republic, 583.

not block the unification of Ireland, but Lloyd George cut them off by saying that Craig would give no such pledge and that the only recourse was the boundary commission. Whereupon Chamberlain reminded them that the British delegates had put their careers on the line and said that the Irish should demonstrate more goodwill.¹⁴¹

It was, however, Lloyd George, the "Welsh wizard," who dominated this meeting. He dangled the prospect of complete fiscal autonomy for Ireland before the Irish representatives, and, displaying his intuitive, psychological genius, Lloyd George struck at Griffith's sense of honor by accusing him of breaking his October 30 pledge not to end the conference on the issue of the Crown. Griffith denied that he would end the negotiations for that reason, asserting, "I said I would not let you down on that, and I won't."¹⁴²

Lloyd George then produced Griffith's written assurance of November 12, agreeing to accept the boundary commission if Ulster refused to join the Irish Parliament.¹⁴³ Before Griffith or his colleagues could recover, Lloyd George, as Churchill recalled, "stated bluntly that we could concede no more and debate no further," and he told them that unless they signed the agreement now, Britain would resume the war and would seek a total military victory--this was in Churchill's words, "a face to face ultimatum."¹⁴⁴

The Irish were too stunned and exhausted to realize that Lloyd George was probably bluffing, albeit magnificently, and Griffith, "speaking in his soft voice and with his modest manner," replied: "I will give you the answer

¹⁴¹ Macardle, The Irish Republic, 584.

¹⁴² Chamberlain, Down the Years, 149.

¹⁴³ Gallagher, The Anglo-Irish Treaty, ed. by O'Neill, 160.

¹⁴⁴ Winston Churchill, The Aftermath, 320-321.

of the Irish Delegates at nine to-night; but Mr. Prime Minister, I personally will sign this agreement and will recommend it to my countrymen." The incredulous Lloyd George asked, "Do I understand, Mr. Griffith, that though everyone else refuses you will nevertheless agree to sign?" After Griffith replied in the affirmative, the delegates left; according to Churchill, Collins "rose looking as if he was going to shoot someone, preferably himself. In all my life I have never seen so much passion and suffering in restraint."¹⁴⁵

Forced to ponder Lloyd George's threat of war "within three days," the Irish delegates went through an agonizing debate among themselves, trying to determine the best course to follow. Griffith was torn between his assurances to the British and his personal desire to sign the agreement on the one hand, and his awareness of the views of the Dáil cabinet on the other hand. However, Griffith felt that an entirely new situation had arisen because no one in Dublin had expected this immediate ultimatum from the British. Griffith contended that the agreement should be signed because this was the best settlement that could be reached, and he said that he would not ask any more Irishmen to lay down their lives merely to satisfy abstract theories.¹⁴⁶

Collins and Duggan supported Griffith, but Barton and Duffy thought that the agreement should be rejected. It was Collins who swung the two dissenters around to acceptance of the agreement. Collins was still a republican at heart, but he agreed with Griffith that Dominion status was the best that could be achieved at the present time and that it would be

¹⁴⁵ Ibid., 321.

¹⁴⁶ Macardle, The Irish Republic, 588.

futile to try for the impossible ideal of a republic. Furthermore, Collins was convinced that Dominion self-rule would lead inevitably to greater freedom.¹⁴⁷ In addition, Collins had consulted I. R. A. commanders in Dublin and had been urged by them to accept a settlement; thus, he frankly told the other delegates that the I. R. A. could not withstand an all-out military offensive by the British. If the British conquered Ireland by military force, the Irish could expect to receive far worse terms than those they were now pondering. Collins' blunt, forceful argument drove Barton and Duffy into acceptance of the agreement--if the mastermind of the I. R. A. said that the Irish faced military defeat, what could they say in rebuttal?¹⁴⁸

The discussion among the Irish was extremely lengthy. The British had dined and returned to Downing Street before nine o'clock, the time when the Irish were expected to arrive with their answer. The British expected no one but Griffith to sign the agreement, and, as Churchill wrote, "what validity would his solitary signature possess? As for ourselves, we had already ruptured the loyalties of our friends and supporters."¹⁴⁹ Perhaps due to a sense of fatalism about the settlement, the British delegates--Lloyd George, Birkenhead, Churchill, and Chamberlain--were in an inexplicably light-hearted mood. Chamberlain afterwards related that "the room rang with laughter" and that "our talk was of the merriest."¹⁵⁰

They waited until after midnight for the Irish. Finally, Griffith,

¹⁴⁷ Forester, The Lost Leader, 225.

¹⁴⁸ Macardle, The Irish Republic, 588-589; Colum, Ourselves Alone!, 292-293; Holt, Protest in Arms, 273-274.

¹⁴⁹ Winston Churchill, The Aftermath, 321.

¹⁵⁰ Chamberlain, Down the Years, 150.

Collins, and Barton arrived to announce their decision. Griffith said, "Mr. Prime Minister, the Delegation is willing to sign the agreements but there are a few points of drafting which perhaps it would be convenient if I mentioned at once." The points of contention to which Griffith referred were only "technicalities and verbal corrections," and Churchill recalled that the British were so relieved at having reached an agreement that they listened to these minor complaints "with overstrained interest."¹⁵¹ Lloyd George, Churchill, and Chamberlain left the Cabinet room for a short time while Birkenhead remained with the three Irishmen to correct the technical problems of the agreement; Birkenhead and the Irish delegates carefully rewrote the oath of allegiance to respect Irish sensibilities.¹⁵²

The agreement established twenty-six counties of Ireland as the Irish Free State, which would have Dominion status and would be part of "the Community of Nations known as the British Empire," having the same relationship to Britain as did Canada. The oath of allegiance for members of the Free State Parliament stressed allegiance to "the Constitution of the Irish Free State" and provided only a mild pledge of loyalty to the Crown and the "British Commonwealth of Nations." The office of the Lord Lieutenant was abolished, the new agent of the Crown being modelled on the Governor-General of Canada. Canada was also the model for the Irish Parliamentary system with an executive that was to be responsible to the Free State Parliament. Ireland was to provide certain naval and air facilities for British use and was to assume its share of the public debt of the United Kingdom; in addition, limitations were placed on the Irish

¹⁵¹Winston Churchill, The Aftermath, 321-322.

¹⁵²Owen, Tempestuous Journey, 587-588; Younger, Ireland's Civil War, 188.

defense establishment--Ireland could have a defense force which bore the same proportion to its population as the British defense force bore to Britain's population. Ulster was allowed the choice of entering the Free State or remaining with the United Kingdom, but if Belfast chose the latter course, Ulster would be subject to the ruling of three-man boundary commission, which would be composed of one delegate each from the Free State and Ulster and presided over by a British official, and which would be empowered to adjust the border "so far as may be compatible with economic and geographic conditions." There would be no established religion in Ireland, nor would there be any discrimination on the basis of religion. This agreement would go into effect exactly one year from the date of the signing.¹⁵³ As a result of the agreement, southern Ireland would lose its representation in Westminster, but the Free State would have complete fiscal autonomy and control over internal administration and justice. Moreover, since the British granted greater economic freedom to Ireland and altered the oath of allegiance to emphasize allegiance to the Free State, Griffith could claim that it was not the same agreement that the Dail cabinet had rejected.

At 2:10 a.m., on December 6, 1921, the "Articles of Agreement" were signed by Griffith, Collins, and Barton for the Irish, and Lloyd George, Birkenhead, Churchill, and Chamberlain for the British;¹⁵⁴ the other members of the respective delegations signed shortly thereafter. After the agreement was signed, Birkenhead said, "I may have signed my political death-warrant." With great prescience, Collins replied, "I may have signed my actual death-

¹⁵³ Macardle, The Irish Republic, 953-958.

¹⁵⁴ Keith Middlemas, ed., Thomas Jones: Whitehall Diary, I (London, 1969), 183.

warrant."¹⁵⁵ Churchill wrote that when "the Irishmen rose to leave, the British Ministers upon a strong impulse walked round and for the first time shook hands."¹⁵⁶ Birkenhead then stepped outside the Prime Minister's residence and told the newspaper correspondents gathered there that a settlement had been reached between the British and Irish delegates.¹⁵⁷

(4)

The King was so elated by news of the settlement that he invited the British delegates to Buckingham Palace on the morning of December 6 in order to extend his personal congratulations and have his photograph taken with them.¹⁵⁸ With only a few hours sleep, Birkenhead and Chamberlain travelled to Birmingham, the heart-land of Tory chauvinism, to drum up support for the settlement: Birkenhead spoke to the Birmingham Conservative Club, and Chamberlain, with the potency of his name, addressed the Birmingham Unionist Association.¹⁵⁹

Their efforts were well-advised because even though the settlement had an immensely favorable reception throughout the world and especially in the Dominions, the reception was not so favorable in some quarters of the Unionist Party. Leopold Amery noted among the "die-hard" Unionists a "general consternation when the actual terms of the Treaty were announced, and deep resentment against Chamberlain and Birkenhead for surrendering to

¹⁵⁵ Winston Churchill, Great Contemporaries, 152.

¹⁵⁶ Winston Churchill, The Aftermath, 322.

¹⁵⁷ Mowat, Britain Between the Wars, 93.

¹⁵⁸ Winston Churchill, The Aftermath, 323.

¹⁵⁹ The Times (London), December 7, 1921, Supplement, ii.

the campaign of murder." As a "die-hard" himself, Amery wrote that he felt a "sense of shame and indignation" over the settlement.¹⁶⁰ Bonar Law grudgingly supported the agreement but was very critical of the Government for pressuring Ulster through the boundary commission: "When I say that I am in favour of this agreement I do not pretend to like it."¹⁶¹ In Belfast, Craig declared that Ulster would not surrender any territory in any of the six counties,¹⁶² and he accused the Government of betraying Ulster and said that he trusted Ulster's friends in the Imperial Parliament to rectify the Government's grave error.¹⁶³

One of Ulster's friends in Westminster was prepared to do just that. Carson had been disgusted by the Government's willingness to negotiate with murderers and terrorists, and he was particularly outraged over the Government's intention to raise the level of taxation in Ulster, a proposal which he regarded as economic blackmail.¹⁶⁴ In a speech in the Lords on December 14, Carson condemned the Articles of Agreement as a dishonorable surrender and betrayal, and he castigated the Government for sponsoring such a travesty. Carson attacked Austen Chamberlain for defiling the memory of his great father, and, turning to the Woolsack, he accused Birkenhead of deceiving him, of being disloyal to Unionist principles, and of using Ulster to further his own career:

¹⁶⁰ Amery, My Political Life, II, 231.

¹⁶¹ Blake, The Unknown Prime Minister, 434-435.

¹⁶² Ervine, Craigavon, 459.

¹⁶³ The Spectator, CXXVII (December 17, 1921), 809.

¹⁶⁴ Hyde, Carson, 460, 466.

. . . of all the men in my experience that I think are the most loathsome it is those who will sell their friends for the purpose of conciliating their enemies, and perhaps, still worse, the men who climb up a ladder into power of which even I may have been part of a humble rung, and then, when they have got into power, kick the ladder away without any concern for the pain, or injury, or mischief, or damage that they do to those who have helped them to gain power.¹⁶⁵

Throughout Carson's attack, Birkenhead, his son wrote, sat "with eyes closed and hands clasped. He sat so still that he appeared to be asleep. He made no note for reply."¹⁶⁶

Carson's speech was an indication of the bitter hostility with which some Unionists regarded the settlement. There was, nevertheless, a feeling among many Unionists who disliked the agreement that something had to be done to end the Irish malaise and that it was too late to back out of the proposed agreement, especially in light of public weariness with the Irish war; furthermore, the Government would resign if the Articles of Agreement were repudiated by Parliament, leaving the headache of Ireland in all probability to a Unionist ministry. Intense lobbying by Government officials and the utilization of rigid party discipline, plus the almost total support of the Labour and Liberal M. P.s, brought the Government a 401-58 victory when the Commons voted on December 16.¹⁶⁷

However, the pressure of party discipline would not be as effective in the Lords because the peers did not have to seek re-election or rely upon party campaign funds. The matter of predicting the outcome of the Lords' decision was, therefore, more difficult. Birkenhead was scheduled to deliver

¹⁶⁵Parliamentary Debates, Lords, 1921, 5th Series, XLVIII, 36-53.

¹⁶⁶2nd Earl of Birkenhead, F. E., 389.

¹⁶⁷Parliamentary Debates, Commons, 1921, 5th Series, CXLIX, 359-364.

the major address for the Government before the Lords voted on December 16. Immediately before Birkenhead's speech, the settlement had been attacked by Lord Salisbury, who had echoed the sentiments of the earlier remarks by the Duke of Northumberland and the Marquis of Londonderry.¹⁶⁸ The benches and galleries of the Lords were packed when Birkenhead rose to speak; most of the Cabinet had gathered around the steps of the throne to hear his speech.¹⁶⁹ His reply to Carson was awaited with great excitement because these two brilliant advocates had always been on the same side in the past, and now that they were on opposing sides, many wondered who would be bested.

Birkenhead opened his speech with a sarcastic reference to the self-righteousness of Liberal peers such as Lord Morley, who had claimed that the settlement was a victory for their principles; this was a shrewd tactical ploy by Birkenhead, for he knew that the Liberals would vote for the agreement anyway, and he cunningly tried to influence wavering Unionists by showing that he shared their disdain for soft-headed idealists. He then stated that the British people favored a peaceful settlement in Ireland, even if the settlement was an imperfect compromise.¹⁷⁰ Touching on the problem of Ulster, Birkenhead expressed his regret that Carson had "proscribed me from a friendship which had many memories for me, and which I deeply value," but he went on to say that Ulster's rights were not jeopardized. He said that Ulster was protected by the 1920 Act and denied that taxation was being used to coerce Ulster into the Free State. Although he knew that Lloyd George had intended taxation to be a threat to Craig, Birkenhead made

¹⁶⁸ Ibid., Lords, 1921, 5th Series, XLVIII, 185-196.

¹⁶⁹ 2nd Earl of Birkenhead, F. E., 392.

¹⁷⁰ Parliamentary Debates, Lords, 1921, 5th Series, XLVIII, 196 ff.

it appear perfectly reasonable: "Is it a form of moral coercion that if Ulster elects to remain within the United Kingdom she should pay the same Income Tax that you or I pay?"¹⁷¹ Referring to Salisbury, Birkenhead stated that the Government's main problem was convincing "the mediaevalists among us that the world had really undergone some very considerable modifications in the last few years" and that "we are dealing with a moment in which alternatives, and alternatives only, count. We must do something. We cannot remain idle and apathetic."¹⁷²

Birkenhead attacked Salisbury and Carson for offering only negative criticism: They "have not thought it necessary to make any single suggestion for dealing with the actualities of the situation."¹⁷³ Alluding to Carson's December 14 address, Birkenhead said that "as a constructive effort of statecraft, it would have been immature upon the lips of a hysterical schoolgirl." His remarks about Carson brought an outburst of laughter and applause, for even those who were opposed to the settlement had been appalled by the vulgarity of Carson's speech.¹⁷⁴ Stung, Carson retorted that he had accepted the 1920 Act at Birkenhead's behest, and Birkenhead replied that the new agreement gave the same guarantees to Ulster as the 1920 Act except for the boundary commission, which was necessary to settle the long-standing border dispute between northern and southern Ireland.¹⁷⁵ Birkenhead was then subjected to a series of interruptions from Carson that amounted to little

¹⁷¹ Ibid., 200.

¹⁷² Ibid., 204.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

more than heckling until he silenced Carson by asking with icy condescension, "Would the noble and learned Lord desire me to give way to him? It is customary in this House for only one speaker to address the House at a time."¹⁷⁶

Arguing that the only alternative to a negotiated settlement was total war, Birkenhead said:

. . . of those who criticize us most bitterly to-day I would ask this plain question--is your alternative any other than this, that we shall now resume the war, that we shall take and break this people, as we can with our military strength take and break them? And when we have done that, how shall we be any better off?

Shall we be any nearer a settlement than when Lord Salisbury, if he becomes Prime Minister to-morrow, has raised the Army, has carried fire and sword into every village in Ireland. . . . When all that has been achieved shall we be any nearer an Irish settlement? There is no one listening to me now who does not know that at the conclusion of that war, with memories a thousand times more bitterly inflamed, you would then . . . have to enter into negotiations with these people, to define the conditions under which they and we will live our lives in these islands.¹⁷⁷

Birkenhead concluded his address by urging the peers to vote "not confidently, but still hoping that we shall see in the future an Ireland which will at last, after centuries, be reconciled with this country."¹⁷⁸ The Times reported that the Lord Chancellor had given a "powerful speech" that was "cogent in argument, rich in feeling, powerful in pleading"--"it made a deep impression upon the peers."¹⁷⁹ The House of Lords ratified the Articles of Agreement by a margin of 166 to 47.¹⁸⁰

¹⁷⁶Ibid., 208.

¹⁷⁷Ibid., 210-211.

¹⁷⁸Ibid., 212.

¹⁷⁹The Times (London), December 17, 1921, 10.

¹⁸⁰Parliamentary Debates, Lords, 1921, 5th Series, XLVIII, 215-218.

The passage of the Articles of Agreement was an outstanding triumph for the coalition Government, and it is clear that Birkenhead was the key figure in securing Unionist approval for the settlement. One historian has written: "Without the strong and unflinching support of Lord Birkenhead, the Tories, who balked enough as it was over the negotiations and the treaty, would have hamstrung any settlement."¹⁸¹

¹⁸¹ Mowat, Britain Between the Wars, 90.

EPILOGUE

(1)

The Articles of Agreement had a mixed reception in Ireland. When de Valera received the news that a settlement had been reached in London, his immediate thought was that the British had agreed to the Dáil cabinet's demands. His mood changed rapidly, however, when he read the text of the London settlement. As far as de Valera was concerned, the terms of the agreement which had been signed were identical to those which the Dáil cabinet had rejected on December 3. De Valera wanted to dismiss Griffith, Collins, and Barton from the cabinet, but a protest from the Minister of Local Government, William Cosgrave, stopped him. Cosgrave had voted with the cabinet majority on December 3, but, ominously for de Valera, he now insisted that the plenipotentiaries should be given a chance to defend their actions.¹

The meeting of the Dáil cabinet after the return of the plenipotentiaries was tense and rancorous. De Valera made the same objections to the signed agreement that he had made to the earlier draft, but Griffith staunchly defended it. When the cabinet voted, the agreement was upheld by one vote, the deciding vote being cast by Cosgrave.² However, de Valera refused to recommend the agreement to the Dáil, and the bitter divisions in the cabinet

¹ Longford and O'Neill, Eamon de Valera, 166-168.

² Ibid., 169.

came into the open as the Dáil considered ratification of the agreement. De Valera urged the Dáil to reject the agreement and submit new conditions to the British that would be more consistent with the principles of Sinn Féin,³ while Griffith and Collins used their influence to secure ratification. In response to the republicans' argument that this generation of Irishmen should sacrifice for the benefit of generations to come, Griffith called for a peaceful settlement and asked, "Is there to be no living Irish nation?"⁴ Griffith had won considerable loyalty in his years as the leader of Sinn Féin, and Collins' enormous prestige brought the support of the Brotherhood for the settlement; both of these factors weighed heavily with the members of the Dáil. Furthermore, the Irish press and the Catholic Church lent their overwhelming support to the agreement, and a number of Dáil members felt pressure from their constituencies to bring a peaceful end to the "troubles."⁵

De Valera resigned the Presidency of the Dáil in order to campaign more fully against the agreement,⁶ but when the Dáil voted on January 7, 1922, the agreement was ratified by a vote of 64 to 57.⁷ The narrow margin of victory indicated the strong feelings which remained for republicanism. When Griffith was elected President of the Dáil, de Valera, in protest, led a walk-out of his supporters.⁸ As the British pulled out of Ireland, Griffith's

³ Macardle, The Irish Republic, 608-609, 635.

⁴ Younger, Ireland's Civil War, 220.

⁵ Longford and O'Neill, Eamon de Valera, 174-175.

⁶ Ibid., 177-178.

⁷ Macardle, The Irish Republic, 640-641.

⁸ Longford and O'Neill, Eamon de Valera, 181-182.

provisional government increasingly assumed the legitimate functions of the state. In June, an election to the new Dail was held on the basis of the Articles of Agreement and the recently drafted constitution of the Irish Free State. Griffith's supporters won more than 72 percent of the seats, and the Free State constitution subsequently received the approval of the British Government.⁹

Efforts to reach a compromise between the republicans and Free Staters failed, and in June 1922, less than two weeks after the election, the forces of the Free State government attacked and crushed the republican troops which had occupied the Four Courts in Dublin. This was the beginning of the civil war between de Valera's republicans and the Free State forces of Griffith and Collins. This fratricidal war was, if possible, even more intensely bitter and terrible than the "troubles." The Irish civil war was marked by assassinations, executions, small-scale and large-scale gun battles, and, of course, misery for the long-suffering Irish people.

From the outset, the Free State government had the advantage over the republicans. It had the support of most Irishmen, including the Church, and Collins had carried the Brotherhood and the ablest I. R. A. leaders into the Free State camp. The Free State had the additional advantage of being supplied with arms and ammunition by the British, and, inexorably, the Free State forces put down the uprising, but not before a grim toll had been taken. Two of the most fanatical republicans, Erskine Childers and Cathal Brugha, were killed by the Free Staters, but the Free State did not go unscathed. In August, Arthur Griffith, who had worked and worried himself beyond the point of endurance, died of heart failure. Ten days after Griffith's death, Michael Collins' charmed life came to an end when he was caught in a

⁹Ibid., 189-190.

republican ambush. With Griffith and Collins dead, the leadership of the Free State fell to William Cosgrave.

The civil war continued until May 1923 when de Valera told his followers to end hostilities against the Free State. Fearing execution, de Valera remained in hiding until he was captured in August. Although he deserves respect for the strength of his convictions, de Valera must bear the ultimate moral responsibility for the horror and agony of the civil war. He was incarcerated until July 1924 when he was released as part of the government's policy of general amnesty for all who took part in the civil war.

Cosgrave, as Prime Minister of the Irish Free State until 1932, faced the difficult task of healing the wounds of the people and rebuilding the country. He also attempted to deal with the problem of partition. Neither London nor Belfast had taken the initiative in solving the question of Irish unity or even the territorial status of Ulster; therefore, in 1924-25, Cosgrave pressed the matter of the boundary commission to determine the exact border between Ulster and the Free State. Ulster, however, would have nothing to do with the commission, and the Conservative Government of Stanley Baldwin did not show an abundance of zeal for the project. By that time, Craig's position in Ulster was impregnable, and moreover, the British no longer felt a sense of urgency in dealing with the problem. After the ordeal of the "troubles" and the civil war, the moderate Cosgrave certainly was not willing to resort to violence to settle the border issue. So, in December 1925, an arrangement was made whereby the Free State was absolved of its obligation to contribute to the United Kingdom's national debt in return for its recognition of the separate status of the six counties of Ulster. By mutual consent, the moribund boundary commission was mercifully put out of its misery.¹⁰

Through gerrymandering, intimidation, and voting restrictions designed for Catholics, the Protestants maintained a firm grip on the Belfast Parliament, and Craig was the undisputed master of Ulster political life until his death in 1940. One historian has suggested that the Conservatives had a vested interest in keeping Ulster within the United Kingdom because virtually the entire Protestant population of Ulster, including the working class, supported the Tories, and thus, the Conservatives could count on a solid bloc of Ulster M. P.s in Westminster.¹¹ It is difficult to speculate as to how Lloyd George's coalition would have dealt with the boundary commission if it had been given the opportunity. The civil war, of course, postponed any attempt to deal with the question of partition, and, by the time that the civil war was over, the coalition Government had fallen. In 1925, when the Tory Government killed the boundary commission, neither Birkenhead, Churchill, or Chamberlain, who were members of Baldwin's Cabinet, nor Lloyd George, who was on the opposition benches, offered any public criticism.

In the Free State, de Valera formed his own political party, Fianna Fáil ("Warriors of Destiny"), which was aggressively nationalistic. At first, de Valera boycotted the Free State Dáil, but he decided that the only way to secure power was to gain control of the Free State Parliament. Swallowing their distaste for the oath of allegiance to the British Crown, de Valera's Fianna Fáil members took their seats in the Dáil after the 1927 election. By 1932, Fianna Fáil controlled the Dáil, and de Valera became Prime Minister of the Irish Free State. De Valera, who remained in office until 1948, systematically cut Ireland's ties to Britain: A program of economic nationalism and self-sufficiency was begun, the oath of allegiance

¹¹Taylor, English History, 1914-1945, 160.

was abolished, and the Governor-General was reduced to the status of a cipher. In 1936, de Valera promulgated his External Relations bill, by which a new constitution was devised. Under the new constitution, the Crown and the Governor-General were removed, and the office of an elected President was established as the head of state, but governmental administration was to be in the hands of the Prime Minister and his cabinet, who were selected from and responsible to the Dáil. The King was recognized as the head of the British Commonwealth, to which Ireland would still belong, but not as the King of Ireland.

As a result of negotiations with Neville Chamberlain in 1938, de Valera ended Britain's use of military facilities in Ireland, which the British had insisted upon in 1921, and precluded British use of Irish ports and facilities even in time of war. During the Second World War, de Valera remained scrupulously neutral--to the outrage not only of London, but of Washington as well. De Valera was defeated in the 1948 election, but the new government, led by John Costello, took a step from which even de Valera had shrunk: In 1949, the Republic of Eire was created and Irish association in the British Commonwealth of Nations was terminated.

Twenty-six counties of Ireland had finally become an independent and neutral republic, though the six northern counties of Ulster remained in the United Kingdom. In the 1950's, Eamon de Valera was re-elected Prime Minister and, in 1959, became President of the Republic of Eire. As of this writing, that remarkable and apparently ageless man is still Eire's President.

(2)

After Parliament ratified the Articles of Agreement in December 1921, the coalition Government formulated the Irish Free State bill, which implemented the provisions of the settlement. Birkenhead had the responsibility

of steering the bill through the Lords, and, because the Free State had Dominion status, Churchill, as Colonial Secretary, was responsible for the Commons. Unionists in the Commons and Lords were no more enthusiastic about the bill than they had been about the Articles of Agreement, but, reluctantly, they supported it; and, on March 31, 1922, the Irish Free State Act received the Royal Assent.¹²

The Government leaders regarded the Irish settlement with a certain degree of satisfaction, but the Unionist backbenchers did not, even those who voted with the Government: In Churchill's words, "most of the majority were miserable and all the minority were furious."¹³ Indeed, Amery later wrote that after the Articles of Agreement and the Irish Free State bill had been passed, many Unionist M. P.s began calling themselves "Conservatives" once again, for the label of "Unionist" was an anachronism "now that they felt that the Union had been abandoned."¹⁴ The Government's prestige dropped even lower when the civil war began in Ireland, and the "die-hards" were seemingly justified in their assertions that the Irish were savages who were incapable of self-rule. At the end of June, the Conservatives exploded in anger at the Government over an event for which it was not responsible. Sir Henry Wilson, an idol of the Tory right-wing, had resigned from the Army and been elected to Parliament from an Ulster constituency; soon after his election, however, Wilson was shot to death on the steps of his London home by two Irish gunmen. Many Tories felt that the Government was morally responsible for Wilson's death because of its policy of "shaking hands with murder."¹⁵

¹² Parliamentary Debates, Commons, 1922, 5th Series, CLII, 1792.

¹³ Winston Churchill, The Aftermath, 337.

¹⁴ Amery, My Political Life, II, 231.

¹⁵ Blake, The Unknown Prime Minister, 440.

In a speech to the Commons on the very day of Wilson's interment, Bonar Law, choked with emotion, expressed his regret at having given his tacit support to the Irish settlement.¹⁶

As the popularity of the Government waned among the Tories, so too did the popularity of its members. Law's biographer wrote that Law was under increasing pressure in 1922 to return to active politics and that the feeling against Birkenhead and Chamberlain "grew ever more bitter in the ranks of the Tory Party."¹⁷ Beaverbrook, as early as February 1922, noted that Birkenhead's standing in the Party had declined drastically since the previous fall when his political prospects had seemed so bright.¹⁸ Birkenhead's awareness of his situation may have been the cause of a regrettable incident that took place in August. Conservatives who held lower-level positions in the Government requested a meeting with the senior Conservative Cabinet ministers to discuss the withdrawal of support from the coalition or, at the very least, the formulation of a Conservative policy that was distinct from Lloyd George's. At this meeting, the junior ministers had hardly begun to present their case when, according to Amery, Birkenhead suddenly tongue-lashed them "in the most astonishingly arrogant and offensive manner." He upbraided them for their lack of loyalty, for their stupidity and "impertinence" in calling such a meeting when they knew that the Tory leadership was committed to the coalition. They had been informed of their leaders' views, Birkenhead stated, and there was nothing more to be said. In a more reflective mood, Birkenhead might have recalled his own less than deferential attitude as a young M. P.

¹⁶ Parliamentary Debates, Commons, 1922, 5th Series, CLV, 1744.

¹⁷ Blake, The Unknown Prime Minister, 436.

¹⁸ Beaverbrook, The Decline and Fall of Lloyd George, 137.

towards Balfour and Lansdowne, but, after this outburst, Amery wrote in his diary: "Whatever chances F. E. may have had of the Unionist leadership of the future, they are not likely to have survived this unfortunate performance."¹⁹

These enmities came to a head in the fall of 1922 when Lloyd George, supported by the Cabinet, sent an ultimatum to the Turkish nationalist leader, Mustapha Kemal, threatening war with the British Empire if his armies advanced towards the British garrison at Chanak, which was guarding the Straits and the passage to Constantinople. Kemal held his troops back, but all of the Dominions except for New Zealand flatly refused to take part in such a venture--especially in view of the fact that London had not consulted them before committing them to the possibility of war. Moreover, the Government gravely miscalculated public opinion if it thought that the British people were willing to go to war less than four years after the Armistice in order to preserve the territorial status of the unpopular regime in Greece.

The coalition succeeded in stopping the forward thrust of Kemal's forces, but, in so doing, it aroused the Commons to a fever pitch. This adventurous policy in Asia Minor confirmed the opinions of most disgruntled Tories that the Cabinet was composed of an arrogant elite, and the backbench revolt which had been feared for so long was finally at hand. Conservative M. P.s clamored for Bonar Law to resume his leadership of the Party, while Tory Cabinet ministers tried to calm the discontent. Law was very reluctant to leave his semi-retirement because of his frail health, but he feared the Conservatives would split into hostile factions if the present trend continued.²⁰

A meeting of Tory M. P.s was scheduled for October 19 at the Carlton

¹⁹ Amery, My Political Life, II, 233-234.

²⁰ Blake, The Unknown Prime Minister, 451.

Club to discuss future participation in the coalition. Despite the disaffection of the majority of M. P.s and a number of very prominent peers--including Birkenhead's Lancashire ally, Lord Derby²¹--the backbench revolt would have had no viable leader if Law had declined to lead it, for the Tory Cabinet members were apparently holding firm to the coalition. On the day before the Carlton Club meeting, Sir Archibald Salvidge visited Law's home in the hope of persuading him to remain neutral. However, Law informed Salvidge that he would support the revolt, and he added that Curzon, the Foreign Secretary, had defected to the insurgents. The combination of Law and a Cabinet minister of Curzon's prestige leading the dissidents was the death knell of the coalition. As Salvidge rose to leave, Law said to him:

Tell Austen and F. E. to be moderate. Do you think I or Curzon imagine we can rule the country with the sort of people that will be left to make up a Cabinet after the break to-morrow? I must have Austen and F. E. back at the first possible opportunity.²²

When the M. P.s assembled at the Carlton Club the next day, Chamberlain, Birkenhead, and Balfour were present to defend the Government. The most forceful speaker against a continuation of the coalition was the President of the Board of Trade, a heretofore obscure individual named Stanley Baldwin. Baldwin said that Lloyd George was "a great dynamic force," which was "a very terrible thing," and he warned that Lloyd George would shatter the Conservative Party just as surely as he had destroyed the Liberal Party.²³ Chamberlain got a cold reception from the M. P.s, but Birkenhead was jeered and insulted, with shouts of "traitor!" and "Judas!" thrown at him from the backbenchers with whom he had previously been extraordinarily popular. The vote produced a

²¹Randolph Churchill, Lord Derby, 453-454.

²²Salvidge, Salvidge of Liverpool, 237-238.

²³The Times (London), October 20, 1922, 8-9, 12.

187 to 87 decision to withdraw Conservative support from the coalition and run a distinctly Conservative slate in the election which was sure to come; the "cabin boys," in Birkenhead's phrase, had taken over the ship. Law was chosen to be the Conservative leader, and the Lloyd George ministry resigned.²⁴

Salvidge found Birkenhead in a cheerful, expansive mood the next day. Realizing the temper of the country, Birkenhead advised Salvidge to support Bonar Law and the entire Conservative ticket lest he compromise his position in Liverpool. Birkenhead said that he would not support Law but would follow an independent course; however, he stressed, in Salvidge's words, that "my friendship for him must not deter me from maintaining the traditions of Liverpool Conservatism."²⁵ In the ensuing election, the Conservatives won a decisive victory, while the Liberals were split into Asquith and Lloyd George factions, and Labour ensured its position as the party of the Left by increasing its representation to 142 seats.²⁶ Birkenhead, Chamberlain, and Balfour refused Law's invitation to join the Cabinet, and Law was forced to delve into the rank-and-file to fill Government positions. Curzon remained Foreign Secretary, and Baldwin was given the Exchequer, but the rest of the Cabinet was so undistinguished and benighted that one historian has compared it to the celebrated "Who? Who?" ministry of 1852.²⁷

Birkenhead remained out of office for two years, writing articles and books to compensate for the income he had lost by becoming a peer and forfeiting his right to practice at the Bar. He and his elder daughter took

²⁴ Ibid.; Salvidge, Salvidge of Liverpool, 241; Bulmer-Thomas, The Growth of the British Party System, I, 265.

²⁵ Salvidge, Salvidge of Liverpool, 241.

²⁶ Mowat, Britain Between the Wars, 144.

²⁷ Taylor, English History, 1914-1945, 195.

a leisurely and extended tour of North America in 1923. During that time, the political situation in Britain changed enormously. In May 1923, Law discovered that he had cancer of the throat, and "the unknown Prime Minister" retired permanently, dying half a year later. Law was succeeded as Prime Minister and Conservative leader by Stanley Baldwin--an excellent example of "the sort of people" to whom Law had referred in his talk with Salvidge in October 1922. Behind his facade of a placid, pipe-smoking, country squire, however, Baldwin concealed the mind of the most cunning, flexible, and ruthless politician to occupy Ten Downing Street in modern British history. Baldwin's contributions to Britain as a statesman have been judged correctly as being sadly deficient, but, as a party manager and leader who could win elections, he dominated British politics as had no one since the halcyon days of Sir Robert Walpole in the eighteenth century.

In January 1924, Labour, with Liberal support, formed a minority Government after an exceedingly close election. At the end of October, the Labour Government was beaten on a censure motion, and Prime Minister Ramsay MacDonald called for a new election. The issue of socialism, plus Baldwin's uncanny ability to satisfy everyone on all sides of the tariff issue, reunited the Tories and produced a massive Conservative victory. Baldwin's new ministry embraced all Tory elements and healed the wounds of the 1921-22 controversies: Austen Chamberlain was made Foreign Secretary; Churchill, who returned to the Tory camp after an absence of two decades, was given the Exchequer; Curzon was Lord Privy Seal; Balfour became Lord President of the Council; Leopold Amery took the Colonial Office; and Austen Chamberlain's younger half-brother, Neville, became Minister of Health, a post in which he established his reputation. Baldwin offered the Woolsack to Birkenhead, but, considering his more than three years as Attorney-General and nearly four

years as Lord Chancellor, Birkenhead felt that he had accomplished all that he could in the legal sphere and, thus, declined; he was then offered the post of Secretary of State for India and accepted.²⁸

Birkenhead's years at the India Office were the least distinguished of his career. With his background and temperament, Birkenhead was not the man to understand or sympathize with the militant Asian nationalism that was expressed by Gandhi and the Indian Congress. However, it is to his credit that he sponsored the famous Simon Commission, which recommended that the British Government institute a policy of granting "full responsible government" to India and utilize the federal system of government as the most efficacious for the Indians.²⁹ The most dramatic event of the second Baldwin ministry was the General Strike of May 1926, which was the culmination of Britain's postwar labor tensions. An old Labour antagonist, Philip Snowden, paid tribute to Birkenhead as the only Cabinet member who attempted to avert the crisis through Government mediation between labor and management:

It was not til Lord Birkenhead came on the scene that the issues were focused in a definite proposal. No one could read these documents without feeling a great admiration for the acumen of Lord Birkenhead and his capacity for getting to the root of a problem. If his advice had been accepted by the Government as it was by the Trade Union Council, no strike would have taken place.³⁰

Although he developed a cynical admiration for Baldwin's political skills, Birkenhead became increasingly disgusted with Baldwin's intellectual laziness, his temporizing, his refusal to deal with a problem until events had reached the point of no return. Indeed, Baldwin's bland mediocrity

²⁸ 2nd Earl of Birkenhead, F. E., 504.

²⁹ Ibid., 511-514.

³⁰ Philip, Viscount Snowden, An Autobiography, II (London, 1934),

seemed to have an anesthetizing effect on most of the Cabinet, and, as with Birkenhead, these years were the least distinguished in Churchill's career. Describing Birkenhead at this time, Amery wrote that much "of the old fire, as well as the old arrogance, had gone out of him. But his intervention in general Cabinet business . . . was marked by prudent and sober judgement and always carried weight."³¹

By 1928, Birkenhead was, in his son's words, "sick of office and politics." He realized that he would never become Prime Minister or Conservative leader and that the rest of his political career would be spent in a subordinate capacity to Baldwin, to whom he referred privately as "the little half-wit." In October 1928, Birkenhead resigned from the Cabinet and went to work in the City as the chairman of the Greater London and Counties Trust.³² He felt a pressing need to provide for his family because his extravagant mode of living had not left much money in reserve. Thus, he threw himself into his new business career with the same energy that he had once spent on politics, even travelling to New York to confer with Wall Street financiers. Although he sometimes appeared in the House of Lords and made an occasional speech, his active role in politics was over.

In the spring of 1930, Birkenhead's exertions and excesses finally took their toll on his once magnificent constitution. He suffered a stroke that caused massive internal hemorrhaging and made him a semi-invalid. The agony of this vital man was short-lived because he was stricken in August with bronchial pneumonia, which was complicated by cirrhosis of the liver. He lapsed into a coma for more than a month and succumbed on September 30, 1930.³³ He was fifty-eight years old.

³¹Amery, My Political Life, II, 298.

³²2nd Earl of Birkenhead, F. E., 479, 545-547.

(3)

Any assessment of Birkenhead must emphasize the fact that his career was one of continuous success and advancement until 1921. He had the Unionist leadership and, possibly, Ten Downing Street within his sights. After 1921, his career reached a plateau and ground to a halt. It is true that Birkenhead held important Cabinet positions, but his chances for becoming either Tory leader or Prime Minister had vanished.

The reason for this dramatic reversal of fortune was Birkenhead's role in the Irish settlement, which was, Churchill wrote, "unforgivable by the most tenacious elements in the Conservative Party."³⁴ Churchill asserted that the Tories in Parliament voted for the agreement because they had no alternative to offer and because they realized that some settlement in Ireland was inevitable, but the Tories' resentment of Birkenhead for forcing them to face reality was immense: "It must needs be that offences come, but woe to that man by whom the offence cometh."³⁵ Birkenhead's career was irreparably damaged by his involvement in the settlement because those "tenacious elements in the Conservative Party" to which Churchill referred were the very elements with which Birkenhead had been associated and upon which his political future depended. These Tory elements--the "die-hard" Unionists, the Orange supporters, the rank-and-file backbenchers--which had, as Amery wrote, regarded Birkenhead as "our outstanding gladiator" now found Birkenhead championing a policy that was completely alien to their philosophy and, indeed, compelling them to abandon their cherished beliefs.

³³ Ibid., 547 ff; Camp, The Glittering Prizes, 203.

³⁴ Winston Churchill, The Aftermath, 322.

³⁵ Ibid.

When he had been venomously attacked by Carson during the Lords' debates over the settlement, Birkenhead must have realized that he had fallen into disrepute with the Ulster-Orange wing of the Unionist Party, and, in his defense of the agreement, Birkenhead offended a number of influential peers, especially Salisbury and Londonderry. However, many Unionists would not have been so surprised at Birkenhead's conduct in 1921 had they been aware of his secretive efforts before 1914 to secure a settlement of the Irish question. Lansdowne had certainly been cognizant of Birkenhead's intentions in 1913 when he suggested to Bonar Law that he be expelled from the Unionist front bench and "shadow" cabinet; Law was undoubtedly aware of his subaltern's activities, but such was Law's affection for Birkenhead that he never reproached him. In fact, the 1921 settlement was remarkably similar to the solution which Birkenhead had striven to reach in the 1912-14 period. During that period, Birkenhead and Churchill had worked furtively for a policy that would grant self-rule to Ireland, with Ulster being given the option of "contracting in" or "contracting out." Thus, in this respect, Birkenhead was entirely consistent in his approach to the Irish question.

Another aspect of Birkenhead's political career was his Jekyll and Hyde image. To the general public, Birkenhead was a swashbuckling, arrogant, and caustic spokesman for the most extreme Tory opinions, but, in personal dealings, he was the most rational and, even, moderate of men. Leopold Amery, whose memoirs reflected a love-hate attitude towards Birkenhead, wrote that Birkenhead's "sober judgement in private was always a contrast with the flamboyancy of his public oratory."³⁶ Yet, because of his public image of hard-bitten toughness, Birkenhead was extremely effective in negotiating

³⁶ Amery, My Political Life, II, 392.

sessions, for his gestures towards compromise were regarded as being highly significant by those with whom he was dealing.

In his personal life, Birkenhead was, by no means, a saint. His fondness for brandy was notorious, and, using his looks and charm, he established a well-deserved reputation as a womanizer. Despite his sexual peccadilloes, Birkenhead retained the devotion of his family, as his son's biography confirms. Birkenhead remains something of an enigma to historians because, as stated above, he left very few personal papers which could shed light on his thoughts or the factors which motivated him. His intelligence, talent, and ambition were obvious, but, perversely, Birkenhead was capable of venting his sarcasm and temper to such an extent that Beaverbrook stated that Birkenhead's "chief enemy has always been his own biting and witty tongue."³⁷

However, during the Irish negotiations in 1921, Birkenhead displayed that rarest commodity among politicians--moral courage. If he had resigned from the Government and led a Unionist revolt against the Irish settlement, Birkenhead would have solidified his claim to future Tory leadership and would certainly have been supported by the ailing and weary Bonar Law. If he had been as unscrupulously ambitious as he has often been portrayed, Birkenhead would have thought of his political future rather than the Irish problem; instead, he altruistically worked for the settlement and thereby destroyed his career. Even more than Lloyd George, Birkenhead was responsible for the success of the Irish negotiations and settlement. In the opinion of Beaverbrook, who had an inside knowledge of the events and personalities:

The moment the arrangement with Birkenhead and Churchill came into effect an entirely new situation arose. Within six weeks a settlement was reached and an Irish Treaty signed. How did Lloyd George manage it? By the intervention of Birkenhead, who undertook the task of bringing the

³⁷ Lord Beaverbrook, Politicians and The War, 1914-1916 (New York, 1928), 204.

Conservative Party round to accepting the Settlement, and carrying Churchill with him.³⁸ [*Italics mine*]

Of course, people living in 1973 are acutely aware that the Irish question is still present, but the 1921 settlement laid the basis for nearly half a century of peace in Ireland, and that is certainly an accomplishment that should not be treated lightly. Nor should we treat lightly the personal sacrifice of Lord Birkenhead, whom Lloyd George privately described as "the most brilliant Conservative figure of modern times."³⁹ The compliment which Birkenhead would have appreciated more, though, came from his friendly adversary, Michael Collins, who wrote to a friend in Ireland in the pre-dawn hours of December 6, 1921, immediately after signing the Articles of Agreement: "I believe Birkenhead may have said an end to his political life. With him it has been my honour to work."⁴⁰

³⁸Beaverbrook, The Decline and Fall of Lloyd George, 105.

³⁹Salvidge, Salvidge of Liverpool, 240.

⁴⁰Taylor, Michael Collins, 189.

APPENDIX A

BIOGRAPHICAL NOTES

Addison, Christopher (1869-1951)--Liberal (until 1921), Labour. Doctor of Medicine. M. P., 1910. Minister of Munitions (1916-17), Minister of Reconstruction (1917-19), President of the Local Government Board and Minister of Health (1919-21), Minister without Portfolio (1921), Minister of Agriculture (1930-31), Government leader in the Lords (1945-51), Secretary for Commonwealth Relations (1945-47), Lord Privy Seal (1947-51). Created baron (1937), viscount (1945).

Amery, Leopold S. (1873-1955)--Conservative. Served on the editorial staff of The Times (1899-1909). M. P., 1910. Assistant Secretary to the War Cabinet (1917), Under-Secretary of State for the Colonies (1919-21), Parliamentary Secretary to the Admiralty (1921-22), First Lord of the Admiralty (1922-24), Secretary of State for the Colonies (1924-29) and the Dominions (1925-29), Secretary of State for India and Burma (1940-45). Appointed Companion of Honour (1945).

Asquith, Herbert Henry (1852-1928)--Liberal. Lawyer. M. P., 1886. Home Secretary (1892-95), Chancellor of the Exchequer (1905-08), Liberal Party leader (1908-26), Prime Minister (1908-16). Created Earl of Oxford and Asquith (1925).

Baldwin, Stanley (1867-1947)--Conservative. M. P., 1908. Financial Secretary to the Treasury (1917-21), President of the Board of Trade (1921-22), Chancellor of the Exchequer (1922-23), Conservative Party leader (1923-37), Prime Minister (1923-24, 1924-29, 1935-37), Lord President of the Council (1931-35). Created earl (1937).

Balfour, Arthur James (1848-1930)--Conservative. M. P., 1874. President of the Local Government Board (1885-86), Secretary for Scotland (1886-87), Chief Secretary for Ireland (1887-91), First Lord of the Treasury (1891-92), Conservative leader in the Commons (1891-1902), Unionist Party leader (1902-11), Prime Minister (1902-05), First Lord of the Admiralty (1915-16), Foreign Secretary (1916-19), Lord President of the Council (1919-22, 1925-29). Author of such philosophical works as A Defence of Philosophic Doubt, The Foundations of Belief, and Theism and Humanism. Created earl (1922).

Beaverbrook, William Maxwell Aitken, 1st Baron (1879-1964)--Conservative. Canadian businessman and millionaire. M. P., 1910-17. Minister of Information (1918), Chancellor of the Duchy of Lancaster (1918), member of the War Cabinet (1940-42), Minister of Aircraft Production (1940-41), Minister of Supply (1941-42), Lord Privy Seal (1943-45). Historian; owner of the Daily Express, Sunday Express, and Evening Standard. Knighted (1911); created baronet (1916), baron (1917).

- Birkenhead, Frederick Edwin Smith, 1st Earl (1872-1930)--Conservative. Lawyer. M. P., 1906. Director of the Press Bureau (1914), Solicitor-General (1915), Attorney-General (1915-19), Lord Chancellor (1919-22), Secretary of State for India (1924-28). Knighted (1915); created baronet (1917), baron (1919), viscount (1921), earl (1922).
- Birrell, Augustine (1850-1933)--Liberal. Essayist. M. P., 1889. President of the Board of Education (1905-07), Chief Secretary for Ireland (1907-16).
- Brugha, Cathal (1874-1922)--Original name, Charles Burgess. Dáil Minister of Defence (1919-22); killed in the civil war.
- Carson, Edward H. (1854-1935)--Conservative. Lawyer. M. P., 1892. Solicitor-General for Ireland (1892), Solicitor-General (1900-05), chairman of the Ulster Unionist Council (1911-20), Attorney-General (1915), First Lord of the Admiralty (1916-17), member of the War Cabinet (1917-18), Lord of Appeal in Ordinary (1921-29). Knighted (1900); created life baron (1921).
- Casement, Roger (1864-1916)--Served in the British consular service in Africa and Latin America until his retirement in 1912. Knighted (1911); executed for treason because of his role in the Irish uprising in 1916.
- Chamberlain, Austen (1863-1937)--Liberal Unionist (until 1922), Conservative. M. P., 1892. Civil Lord of the Admiralty (1895-1900), Financial Secretary to the Treasury (1900-02), Postmaster-General (1902-03), Chancellor of the Exchequer (1903-05), Secretary of State for India (1915-17), member of the War Cabinet (1918), Minister without Portfolio (1918-19), Chancellor of the Exchequer (1919-21), Unionist Party leader (1921-22), Lord Privy Seal and leader of the Commons (1921-22), Foreign Secretary (1924-29), First Lord of the Admiralty (1931). Knighted (1925); recipient of the Nobel Peace Prize (1925) for his part in formulating the Locarno Pact.
- Chamberlain, Joseph (1836-1914)--Liberal (until 1886), Liberal Unionist. Lord Mayor of Birmingham (1873-75). M. P., 1876. President of the Board of Trade (1880-85), President of the Local Government Board (1886), Secretary of State for the Colonies (1895-1903). Father of Austen and Neville Chamberlain.
- Chamberlain, Neville (1869-1940)--Conservative. Lord Mayor of Birmingham (1915-16); Director of National Service (1917). M. P., 1918. Postmaster-General (1922-23), Minister of Health (1923), Chancellor of the Exchequer (1923-24), Minister of Health (1924-29), (1931), Chancellor of the Exchequer (1931-37), Conservative Party leader (1937-40), Prime Minister (1937-40), Lord President of the Council (1940).
- Childers, Erskine (1870-1922)--Served with the British Army in the Boer War and was a committee clerk in the House of Commons. Author of The Riddle of the Sands. Dáil Director of Propaganda (1921-22); killed in the civil war.

- Churchill, Winston S. (1874-1965)--Conservative (until 1904), Liberal (until 1922), Conservative. M. P., 1900. Under-Secretary of State for the Colonies (1905-08), President of the Board of Trade (1908-10), Home Secretary (1910-11), First Lord of the Admiralty (1911-15), Chancellor of the Duchy of Lancaster (1915), Minister of Munitions (1917-18), Secretary of State for War (1919-21), Secretary of State for the Colonies and Air (1921-22), Chancellor of the Exchequer (1924-29), First Lord of the Admiralty (1939-40), Prime Minister and Minister of Defence (1940-45), Conservative Party leader (1940-55), Prime Minister (1951-55). Historian; recipient of the Nobel Prize for Literature (1953). Knighted (1953).
- Collins, Michael (1890-1922)--Leader of the Irish Republican Brotherhood and director of intelligence and organization for the Irish Republican Army. Dáil Minister of Finance (1919-22), chairman of the Irish provisional government (1922), President of Dáil Éireann (1922); killed in the civil war.
- Cosgrave, William T. (1880-1965)--Dáil Minister of Local Government (1919-22), chairman of the Irish provisional government (1922), President of Dáil Éireann (1922), Prime Minister of the Irish Free State (1922-32), leader of Fine Gael party until 1944.
- Craig, James (1871-1940)--Conservative. M. P., 1906. Treasurer of the Royal Household (1916-19), Parliamentary Secretary to the Ministry of Pensions (1919-20), Financial Secretary to the Admiralty (1920-21), chairman of the Ulster Unionist Council (1920-21), Prime Minister of Northern Ireland (1921-40). Created baronet (1918), Viscount Craigavon (1927).
- Crewe, Robert Crewe-Milnes, 1st Marquis (1858-1945)--Liberal. Lord Lieutenant of Ireland (1892-95), Lord President of the Council (1905-08), Liberal leader in the Lords (1908-16), Lord Privy Seal (1908, 1912-15), Secretary of State for the Colonies (1908-10), Secretary of State for India (1910-15), President of the Board of Education (1916), Ambassador to France (1922-28), Secretary of State for War (1931). Succeeded as Baron Houghton (1885); created Earl of Crewe (1895), marquis (1911).
- Curzon of Kedleston, George Nathaniel Curzon, Marquis (1859-1925)--Conservative. M. P., 1886-98. Under-Secretary of State for India (1891-92), Under-Secretary of State for Foreign Affairs (1895-98), Viceroy of India (1898-1905), Lord Privy Seal (1915-16), member of the War Cabinet (1916-18), Government leader in the Lords (1916-24), Lord President of the Council (1916-19), Foreign Secretary (1919-24), Lord Privy Seal (1924-25). Created baron (1898), earl (1911), marquis (1921); as he had no male heir, the title of Marquis Curzon died with him.
- Derby, Edward Stanley, 17th Earl (1865-1948)--Conservative. M. P., 1892-1908, as Lord Stanley. Financial Secretary to the War Office (1901-03), Postmaster-General (1903-05), Secretary of State for War (1916-18), Ambassador to France (1918-20), Secretary of State for War (1922-24). Succeeded as the Earl of Derby (1908); "king of Lancashire."

- De Valera, Eamon (b. 1882)--President of Sinn Fein (1917-22), President of Dail Éireann (1919-22), leader of Fianna Fáil party (1926-59), Prime Minister of the Irish Free State (1932-37), Prime Minister of Ireland (1937-48), Prime Minister of the Republic of Eire (1951-54, 1957-59), President of the Republic of Eire (since 1959).
- Dillon, John (1851-1927)--Irish Nationalist. M. P., 1880. Leader of the Irish Nationalist Party (1918).
- Geddes, Eric (1875-1937)--Unionist. Director-General of Transportation (1916-17). M. P., 1917. First Lord of the Admiralty (1917-18), Minister without Portfolio (1919), Minister of Transportation (1919-22). General manager of North Eastern Railway and chairman of Dunlop Rubber Co. Knighted (1916).
- Greenwood, Hamar (1870-1948)--Liberal (until 1922), Conservative. M. P., 1906. Private Secretary to Winston Churchill (1906-09), Under-Secretary of State for Home Affairs (1919), Chief Secretary for Ireland (1920-22). Created baronet (1915), baron (1929), viscount (1937).
- Grey, Edward (1862-1933)--Liberal. M. P., 1885. Under-Secretary of State for Foreign Affairs (1892-95), Foreign Secretary (1905-16). Succeeded as baronet (1882); created Viscount Grey of Fallodon (1916).
- Griffith, Arthur (1872-1922)--Editor of the United Irishman. President of Sinn Fein (1911-17), Vice-President of Dail Éireann (1919-21), Dáil Minister of Home Affairs (1919-21), Dáil Minister of Foreign Affairs (1921-22), President of Dail Éireann (1922).
- Haldane, Richard B. (1856-1928)--Liberal (until 1915), Labour. M. P., 1885. Secretary of State for War (1905-12), Lord Chancellor (1912-15, 1924). Created viscount (1911).
- Henderson, Arthur (1863-1935)--Labour. M. P., 1903. Labour Party leader (1914-22, 1931), President of the Board of Education (1915-16), Postmaster-General (1916), member of the War Cabinet (1916-17), Home Secretary (1924), Foreign Secretary (1929-31).
- Hewart, Gordon (1870-1943)--Liberal. M. P., 1913. Solicitor-General (1916-19), Attorney-General (1919-22), Lord Chief Justice of England (1922-40). Knighted (1916); created baron (1922), viscount (1940).
- Horne, Robert S. (1871-1940)--Unionist. M. P., 1918. Minister of Labour (1919-20), President of the Board of Trade (1920-21), Chancellor of the Exchequer (1921-22). Director of Lloyds Bank and chairman of Great Western Railway Company. Knighted (1918); created viscount (1937).
- Jones, Thomas (1870-1955)--Professor of economics. Worked with the Poor Law Commission (1906-09) and National Health Insurance Commission (1912-16). Served as the deputy secretary to the Cabinet (1916-30). Was later President of the University College of Wales. Biographer of Lloyd George.

- Bitchener, Horatio Herbert (1850-1916)--Field Marshal of the British Army. Governor-General of the Easter Sudan (1886-88), victor at Omdurman and conqueror of the Sudan (1898); commander of British forces in Egypt (1892-99), in South Africa (1900-02), and in India (1902-09). British Consul-General in Egypt (1911-14), Secretary of State for War (1914-16). Knighted (1894); created baron (1898), viscount (1902), earl (1914).
- Lansdowne, Henry Petty-Fitzmaurice, 5th Marquis (1845-1927)--Liberal (until 1880), Liberal Unionist. Treasury Commissioner (1868-72), Under-Secretary of State for War (1872-74), Under-Secretary of State for India (1880), Governor-General of Canada (1883-88), Viceroy of India (1888-94), Secretary of State for War (1895-1900), Foreign Secretary (1900-05), Unionist leader in the Lords (1902-16). Minister without Portfolio (1915-16). Succeeded as marquis (1866).
- Law, Andrew Bonar (1858-1923)--Conservative. M. P., 1900. Parliamentary Secretary to the Board of Trade (1902-05), Unionist Party leader (1911-21), Secretary of State for the Colonies (1915-16), Chancellor of the Exchequer and leader of the Commons (1916-19), Lord Privy Seal and leader of the Commons (1919-21), Conservative Party leader and Prime Minister (1922-23).
- Lloyd George, David (1863-1945)--Liberal. M. P., 1890. President of the Board of Trade (1905-08), Chancellor of the Exchequer (1908-15), Minister of Munitions (1915-16), Secretary of State for War (1916), Prime Minister (1916-22), Liberal Party leader (1926-31). Created earl (1945).
- Londonderry, Charles Stewart Vane-Tempest-Stewart, 6th Marquis (1852-1915)--Conservative. M. P., 1878-84, as Lord Castlereagh. Lord Lieutenant of Ireland (1886-89), Postmaster-General (1900-02), President of the Board of Education (1902-03), Lord President of the Council (1903-05). Succeeded as marquis (1884).
- Londonderry, Charles Stewart Henry Vane-Tempest-Stewart, 7th Marquis (1878-1949)--Conservative. M. P., 1906-15, as Lord Castlereagh. Under-Secretary of State for Air (1920-21), Commissioner of Works (1928-29, 1931), Secretary of State for Air (1931-35), Lord Privy Seal and leader of the Lords (1935). Served as Minister of Education and leader of the Senate in the Government of Northern Ireland (1921-26). Succeeded as marquis (1915).
- Long, Walter (1854-1924)--Conservative. M. P., 1880. President of the Board of Agriculture (1895-1900), President of the Local Government Board (1900-05), Chief Secretary for Ireland (1905), President of the Local Government Board (1915), Secretary of State for the Colonies (1916-17), First Lord of the Admiralty (1917-21). Created viscount (1921).
- Osborne, Robert Reid, 1st Earl (1846-1923)--Liberal. Lawyer. M. P., 1880. Solicitor-General (1894), Attorney-General (1894-95), Lord Chancellor (1905-12). Served as arbitrator in the boundary dispute between Venezuela and British Guiana. Knighted (1894); created baron (1905), earl (1911).

- MacDonald, James Ramsay (1866-1937)--Labour (until 1931), National Labour. Secretary of the Labour Representation Committee (1900-06). M. P., 1906. Secretary of the Labour Party (1906-12), Labour Party leader (1911-14, 1922-31), Prime Minister and Foreign Secretary (1924), Prime Minister (1929-35), Lord President of the Council (1935-37).
- Midleton, St. John Broderick, 1st Earl (1856-1942)--Conservative. M. P., 1880-1906. Financial Secretary to the War Office (1886-92), Under-Secretary of State for War (1895-98), Under-Secretary of State for Foreign Affairs (1898-1900), Secretary of State for War (1900-03), Secretary of State for India (1903-05). Succeeded as viscount (1907); created earl (1920).
- Milner, Alfred, 1st Viscount (1854-1925)--Liberal Unionist. Served on the editorial staff of the Pall Mall Gazette (1881-86). Private Secretary to the Chancellor of the Exchequer (1886-89), Under-Secretary of Finance in Egypt (1889-92), chairman of the Board of Inland Revenue (1892-97), Governor of Cape Colony (1897-1901) and British High Commissioner in South Africa (1897-1905), member of the War Cabinet (1916-18), Secretary of State for War (1918), Secretary of State for the Colonies (1919-21). Author of England in Egypt. Knighted (1895); created baron (1901), viscount (1902).
- Morley, John (1838-1923)--Liberal. Editor of The Fortnightly Review and Pall Mall Gazette. M. P., 1883. Chief Secretary for Ireland (1886, 1892-95), Secretary of State for India (1905-10), Lord President of the Council (1910-14). Biographer of Gladstone and Cobden. Created viscount (1908).
- Northcliffe, Alfred Harmsworth, Viscount (1865-1922)--Purchased Evening News (1894); founded Daily Mail (1896) and Daily Mirror (1903); acquired The Times (1908). Created baronet (1903), baron (1905), viscount (1917).
- Reading, Rufus Isaacs, 1st Marquis (1860-1935)--Liberal. M. P., 1904. Solicitor-General (1910), Attorney-General (1910-13), Lord Chief Justice of England (1913-21), Ambassador to the United States (1918-19), Viceroy of India (1921-26), Foreign Secretary (1931). Knighted (1911); created baron (1913), viscount (1916), earl (1917), marquis (1926).
- Redmond, John (1856-1918)--Irish Nationalist. M. P., 1881. Chairman of the Irish Parliamentary Party (1891-1918) and Irish Nationalist Party (1900-18).
- Riddell, George A., Baron (1865-1934)--Businessman and proprietor of various publications including Country Life and News of the World. Served as the press official for the British delegations at the Paris peace conference (1919) and Washington naval conference (1921). Knighted (1909); created baronet (1918), baron (1920).
- Salisbury, James Edward Gascoyne-Cecil, 4th Marquis (1861-1947)--Conservative. M. P., 1885-92, 1893-1903, as Lord Cranborne. Under-Secretary of State for Foreign Affairs (1900-03), Lord Privy Seal (1903-05), President of the Board of Trade (1905), Lord President of the Council (1922-24), Lord Privy Seal and leader of the Lords (1925-29). Served as leader of the National Union of Conservative and Unionist Associations (1942-45). Succeeded as marquis (1903).

- Salvidge, Archibald (1863-1928)--Conservative. Became leader of the Liverpool Workingmen's Conservative Association in 1892 and an alderman of Liverpool in 1898. Elected chairman of the National Union of Conservative and Unionist Associations in 1913 and served as chairman of the Liverpool Advisory Committee on Recruiting (1914-16). Knighted (1916).
- Samuel, Herbert (1870-1963)--Liberal. M. P., 1902. Under-Secretary of State for Home Affairs (1905-09), Chancellor of the Duchy of Lancaster (1909-10), Postmaster-General (1910-14), President of the Local Government Board (1914-15), Postmaster-General (1915-16), Home Secretary (1916), Special Commissioner to Belgium (1919), British High Commissioner in Palestine (1920-25), Home Secretary (1931-32), Liberal Party leader (1931-35). President of the Royal Institute of Philosophy (1931-59). Knighted (1920); created viscount (1937).
- Seely, John E. B. (1868-1947)--Conservative (until 1904), Liberal. M. P., 1900. Under-Secretary of State for the colonies (1908-11), Under-Secretary of State for War (1911-12), Secretary of State for War (1912-14), Deputy Minister of Munitions (1918-19), Under-Secretary of State for Air (1919). Commander of the Canadian Cavalry Brigade in France (1914-18); retired as a Major-General in the Army. Created Baron Mottistone (1933).
- Simon, John (1873-1954)--Liberal (until 1931), National Liberal. M. P., 1906. Solicitor-General (1910-13), Attorney-General (1913-15), Home Secretary (1915-16), Foreign Secretary (1931-35), Home Secretary (1935-37), Chancellor of the Exchequer (1937-40), Lord Chancellor (1940-45). Knighted (1910); created viscount (1940).
- Smuts, Jan Christian (1870-1950)--Boer general and Field Marshal of the British Army. South African Minister of Defence (1910-19), Minister of the Interior and Mines (1910-12), Minister of Finance (1912-13), member of the British War Cabinet (1917-18), Prime Minister of South Africa (1919-24, 1939-48), Minister of Justice (1933-39).
- Snowden, Philip (1864-1937)--Labour (until 1931), National Labour. M. P., 1906. Chancellor of the Exchequer (1924, 1929-31), Lord Privy Seal (1931-32). Created viscount (1931).
- Stack, Austin (1880-1929)--Daily Minister of Home Affairs (1921-22).
- Stamfordham, Arthur Bigge, Baron (1849-1931)--Private Secretary to Queen Victoria (1895-1901), to the Duke of York (1901-10), to King George V (1910-31). Knighted (1895); created baron (1911).
- Wilson, Henry H. (1864-1922)--Field Marshal of the British Army. Commandant of the Army Staff College (1907-10), Director of Military Operations (1910-14), Chief of the Imperial General Staff (1918-22). Conservative M. P., 1922; assassinated. Created C. B. (1908), baronet (1919).
- Worthington-Evans, Laming (1868-1931)--Conservative. M. P., 1910. Parliamentary Secretary to the Ministry of Munitions (1916-18), Minister of Pensions (1919-20), Minister without Portfolio (1920-21), Secretary of State for War (1921-22), Postmaster-General (1923), Secretary of State for War (1924-29). Created baronet (1916).

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 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 Government of the Irish Free State are to be exercisable in Northern Ireland under Article 14 hereof.

16. Neither the Parliament of the Irish Free State nor the Parliament of Northern Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof or give any preference or impose any disability on account of religious belief or religious status or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school or make any discrimination as respects state aid between schools under the management of different religious denominations or divert from any religious denomination or any educational institution any of its property except for public utility purposes and on payment of compensation.

17. By way of provisional arrangement for the administration of Southern Ireland during the interval which must elapse between the date hereof and the constitution of a Parliament and Government of the Irish Free State in accordance therewith, steps shall be taken forthwith for summoning a meeting of members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a provisional Government, and the British Government shall take the steps necessary to transfer to such provisional Government the powers and machinery requisite for the discharge of its duties, provided that every member of such provisional Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the date hereof.

18. This instrument shall be submitted forthwith by His Majesty's Government for the approval of Parliament and by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland, and if approved shall be ratified by the necessary legislation.

On behalf of the British
Delegation.

Signed

D. Lloyd George.
Austen Chamberlain.
Birkenhead.
Winston S. Churchill.
L. Worthington-Evans.
Hamar Greenwood.
Gordon Hewart.

On behalf of the Irish
Delegation.

Signed

Art Ó Gríobhtha (Arthur Griffith).
Micheál Ó Coileáin.
Riobárd Bartún.
Eudhmonn S. Ó Dúgáin.
Seórsa Ghabháin Uí Dhubhthaigh.

December 6th, 1921

Annex

1. The following are the specific facilities required:

Dockyard Port at Berehaven

- (a) Admiralty property and rights to be retained as at the rate 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 neighborhood of the above Ports for coastal defence by air.

Oil Fuel Storage

- (f) Haulbowline
Rathmullen To be offered for sale to commercial companies under guarantee that purchasers shall maintain a certain minimum stock for Admiralty purposes.

2. A Convention shall be made between the British Government and the Government of the Irish Free State to give effect to the following conditions:

- (a) That submarine cables shall not be landed or wireless stations for communications with places outside Ireland be established except by agreement with the British Government; that the existing cable landing rights and wireless concessions shall not be withdrawn except by agreement with the British Government; and that the British Government shall be entitled to land additional submarine cables or establish additional wireless stations for communication with places outside Ireland.
- (b) That lighthouses, buoys, beacons, and any navigational marks or navigational aids shall be maintained by the Government of the Irish Free State as at the date hereof and shall not be removed or added to except by agreement with the British Government.

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